

**MINUTES of the Court of Verderers held on Wednesday 19<sup>th</sup> June 2013 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.**

PRESENT: Mr Dominic May Official Verderer  
Mr R Deakin Elected Verderer & Staff Committee Chairman  
Miss D Macnair MBE Elected Verderer  
Mr B Dowsett Forestry Commission Appointed Verderer  
Mr A Gerrelli Elected Verderer  
Mr C Maton National Park Appointed Verderer  
Mr D Readhead Elected Verderer  
Mrs P Thorne DEFRA Appointed Verderer  
Mrs D Westerhoff Natural England Appointed Verderer

IN ATTENDANCE: Miss S Westwood Clerk to the Verderers  
Mr J R Gerrelli Head Agister

APOLOGIES: None

**IN COMMITTEE in the Library**

The Official Verderer explained that Mr Pasmore resigned his position as Senior Elected Verderer on Monday 20<sup>th</sup> May for personal reasons and that sadly his wife Rosalind, passed away on the night of Monday 17<sup>th</sup> June in Salisbury District Hospital. Everyone present expressed their sincere condolences.

Miss Macnair, who is now the Senior Elected Verderer, advised the Court that the Elected Verderers have decided to co-opt Mr Richard Stride who will serve until November 2015, when Mr Pasmore's present term of office would have come to an end.

2013/6686 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 15<sup>th</sup> May 2013 were approved and signed by the Official Verderer.

2013/6687 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, Mr Maton and Mrs Thorne all declared an interest in the Higher Level Stewardship Scheme and the Verderers Grazing Scheme.

Mr Clive Maton advised the Court that he is a contractor to the Forestry Commission.

Mr Barry Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger.

2013/6688 CONDITION OF STOCK RESUME

The Head Agister said that at last he is able to report that at last stock is beginning to put on some decent condition. It has been a long winter and a cold spring and the ponies in particular were struggling. They are now gaining weight and their coats are improving. The wet warm rain is helping the grass grow and the improvement in the condition of stock is now quite rapid.

As always, however, there are a few exceptions. Animals which do not make steady progress will be removed from the Forest.

2013/6689 THE WELFARE PROGRAMME

RESUME

Age Limit - Mr Gerrelli asked how many old mares have been removed from the Forest over the winter. The Head Agister said that the age of animals removed is not recorded. Mr Gerrelli suggested that the minimum age for ponies to go on the Welfare Scheme should be reduced from 18 years to 16 years as he felt that the older ponies do not 'do' so well on the Forest. However, Miss Macnair disagreed, saying that in her opinion the older ponies often do better on the Forest and actually it is the younger ponies which lose condition more quickly. The Head Agister said that older mares frequently have better foals. Mrs Thorne pointed out that it is the older ponies which are carrying the rarer bloodlines and that is an important consideration with the gene pool becoming seriously depleted and New Forest Ponies getting close to becoming a rare breed. It was further commented that young ponies, of 2 and 3 years of age, often lose condition in winter because they are changing their teeth.

A discussion then took place on the merits or otherwise of reducing the age for entry into the Welfare Scheme to 16 years, but with widely differing views it was agreed that the matter should be debated at a future meeting of the VGS Management Committee.

Action  
VGS Cttee

Qualifying Period – The qualifying is to be reviewed. At present ponies must have run out for at least 7 months if they are to qualify for the VGS payment. That means that ponies which are caught on the early drifts cannot qualify for the VGS payment if then removed under the Welfare Programme. The result is that some older animals caught on the early drifts which really should be removed from the Forest, are not being removed. They are not always caught later and their welfare may then be compromised

Action  
VGS Cttee

2013/6690 GELDINGS

DISCHARGE

Reports have been received by the Agisters that in some places, geldings have chased off a stallion. The Head Agister said that, when he was out helping to catch the stallions, almost every group of mares had a gelding with them. Mr Deakin felt that with the stallions absent for the majority of the year, it is inevitable that geldings will become more assertive.

It is intended that the VGS Management Committee will give consideration to the level of payment that geldings should in future receive under the scheme as encouraging geldings on the Forest may not be desirable now that so few stallions are turned out for such a short period.

Action  
VGS Cttee

The Official Verderer remarked that if you interfere with nature, you have to actively manage the consequences: one human intervention invariably leads to another.

2013/6691 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST

RESUME

2 mares with foals, 4 mares, 1 filly and 1 cow. Total for May is 8. Total last May was 20.

Total for the year 334 compared with 200 to the end of May last year.

2013/6692 MARKING FEES RECEIVED THIS YEAR TO DATE

RESUME

	Forest	Common	Total
Ponies	4300	771	5071
Cattle	2141	880	3021
Donkeys	93	68	161
Pigs	0	35	35
Sheep	0	108	108

Total 8396

Ponies, cattle and donkeys on the Forest – 6534

Ponies, cattle and donkeys on the Common – 1719

Total Ponies, Cattle and Donkeys – 8253

MARKING FEES RECEIVED IN 2012 TO THIS DATE

	Forest	Common	Total
Ponies	3938	785	4723
Cattle	1876	865	2741
Donkeys	85	62	147
Pigs	0	87	87
Sheep	0	136	136

Total 7834

Ponies, cattle and donkeys on the Forest – 5899

Ponies, cattle and donkeys on the Common – 1712

Total, Ponies, Cattle and Donkeys - 7611

2013/6693 UNPAID MARKING FEES

RESUME

One commoner whose cheque bounced has since submitted a new one which has gone through. It was understood the problem was a change of bank accounts. Another commoner's cheque went missing in the post but payment has now been received. There remain two commoners who have not paid their fees. One has historically frequently been a late payer and it is believed the other has sold her stock and therefore believes she is not due to pay even though the animals were on the Forest at the beginning of the year. Both these commoners will be pursued for their fees once more and if they continue to refuse to pay, consideration will be given to the next step.

The Official Verderer asked the Head Agister to report on all outstanding marking fees at the next Court.

Action  
JRG

**The Head Agister left the meeting.**

2013/6694 ANNOUNCEMENTS AND DECISIONS

RESUME

The announcements and decisions were approved.

2013/6695 ANIMALS REMOVED FROM THE FOREST BY THE AGISTERS RESUME

The question of how to deal with commoners who continually expect the Agisters to catch their poor animals needs further discussion. Penalties under the VGS are already imposed on commoners who do not assist in catching animals belonging to them that become unacceptably thin, but it is thought that further clarification of the Scheme Rules and the instructions issued to the Agisters by the Verderers, in this respect would be helpful.

Action  
VGS Cttee

**OPEN COURT – 10.00 a.m. in the Verderers' Hall**

IN ATTENDANCE: Mr Mike Seddon, Deputy Surveyor of the New Forest (DS)  
Mr Mark Street, Area Land Agent (New Forest)  
Miss Melissa Jones, Assistant Area Land Agent

**ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER**

2013/6696 ANTHONY PASMORE: DEFENDER OF THE NEW FOREST

I pay tribute today to Anthony Pasmore, who after 40 years as Elected Verderer, has resigned his position due to personal circumstances. His wife Rosalind has been very poorly and sadly she passed away the night before last in Salisbury Hospital.

Anthony Pasmore was first elected in 1973, and has worked tirelessly and passionately to preserve the New Forest and its unique landscape, created of course by grazing of the commoners' animals. He has fought all his life to stop the New Forest becoming, in his own words, a "tawdry theme park devoted to all forms of extreme recreation ... without tranquillity or ... wilderness".

Anthony has lived in or around the Forest virtually all of his life and has been a practising commoner for many years turning out both ponies and cattle. From a very early age he joined in all aspects of Forest life including colt hunting.

In preparation for the 1964 New Forest Act, long before becoming a Verderer, he assisted his father, Hugh Pasmore, to survey and map the perambulation of the Forest Crown Lands and Adjacent Commons. To carry out this survey, he and his father walked the 90 mile boundary, at times struggling through undergrowth and bogs. The whole project took weeks to complete. As a matter of interest, Anthony's father Hugh was Ministry of Agriculture Appointed Verderer for 11 years from 1969 to 1980, so they had the pleasure of serving the Court together for 7 years after Anthony was elected in 1973.

Those of you who know Anthony Pasmore will know that he is a man of courtesy and good manners. He is a man of great principle who loathes jargon and bureaucracy. He is fearless: he will not hold back from criticising an idea which will damage the forest, nor will he shirk from fighting a battle. His tenacity is well-matched by his attention-to-detail, both of which meant that he was invariably right and he invariably won.

Anthony once said: "In the commoners' eyes, a Verderer should ride regularly in the Forest in order that he may comprehend the fundamental problems of forest farming. Someone who has fallen through a broken bridge or become bogged in a track feels much more strongly about such matters than his office-bound colleagues".

During his 40 year service, Anthony has had a great desire to protect the Forest from development and in particular damaging recreational activities. His strong determination to succeed often won through.

Anthony was also hugely active in the Verderers' fight against the proposal for a Lyndhurst bypass in the 1980s, which would have done so much to destroy the heart of the forest. And he was instrumental in stopping the destruction of the Ancient and Ornamental woodlands.

But it was not just the big issues on which he fought and won. Anthony's firm view was that as an elected Verderer he should be out on the forest, assessing every small application for approval with the same forensic examination of the detail as he would for major issues. He has a nose for those so-called minor applications which actually would damage our beautiful tranquillity and wilderness, and fought vehemently for that tranquillity and wilderness, to protect the traditional character of the Forest.

Anthony has an encyclopaedic knowledge of Forest law, practice and history. His understanding of the precedent and traditions of the Forest is second to none. In between earning a living as a Chartered Surveyor and spending countless hours on Forest matters, he wrote a book entitled Verderers of the New Forest – A History of the Forest from 1877 – 1977. In it, he describes the damage wrought by the Deer Removal Act of 1851, how this led to the Verderers' Court being re-constituted by the 1877 New Forest Act, and then charts the Court's development since then. This has become the standard work of reference, simply invaluable to this day. Perhaps in his retirement, he will find time to update it by filling in the last 36 years.

The Verderers' Court will miss both his commitment and dedication and it is with great regret that the Verderers and I say farewell. So I would like to take this opportunity to thank Anthony for all he has done for the New Forest and for this Court. He will be missed not only by the Verderers' Court, but also by those who voted for him in the seven Verderers' elections in which he was returned since 1973. Most of all, as a Verderer, he showed us how to fight for the New Forest, come what may. He put the New Forest first in all things: Anthony Pasmore is a true Defender of the New Forest.

2013/6697 HAMPSHIRE COUNTY COUNCIL: WIDENING OF THE ROAD AT LINWOOD & ROAD WIDENING BY STEALTH

At May's Court, we heard well-argued presentments from Richard Deacon and Graham Ferris. I would like to thank them both for drawing this ongoing problem to the Court's attention. The Court confirms its support of the CDA's stance that road widening by stealth constitutes an encroachment and is unacceptable, and that single track roads should remain single track.

The Verderers are working with Hampshire County Council, Forestry Commission and Natural England to draw up a New Forest Maintenance Plan & Specification for Routine Highway Operations which we hope will be approved by all parties by our July Court. This will then form a template for future maintenance.

I had personally previously sent two complaints to Hampshire County Council for poor quality work which damaged the grazing or created an encroachment, and since the May presentments, I have had cause to alert the Council management to two further problems which its road works have caused: one a blatant encroachment, the other severe damage to the grazing. This is Forest-wide problem and we will have to work hard to stop it.

The problem in my view is that whatever we agree with management within Hampshire County Council either does not seem to percolate down to their contractor, Amey, which carries out the work, or is perhaps just routinely ignored by Amey's road-workers. I ask everyone to be vigilant to help us police these road works, and report any unacceptable encroachments or damage to the grazing to the Verderers' office.

2013/6698 TWO YEAR OLD COLTS ON THE FOREST BEYOND THE DUE DATE

It is a contravention of our byelaws "to allow any entire male horse, which on the first day of February in any year is in the second year ... after its birth, to be at large on the Forest..." . In recent years this byelaw has been increasingly flouted, and two year old colts have not been fetched in by their owners. It was therefore agreed in our May Court that any commoner who has a two year old colt on the Forest after the 1<sup>st</sup> February will have £400 per 2 year old colt deducted from his or her VGS payment.

## **ANIMAL ACCIDENT REPORT**

2013/6699 THE ANIMAL ACCIDENT REPORT FOR MAY 2013

'The Agisters attended 12 accidents compared with none in May last year.

The total number of animals killed and injured up to the end of May was 38 compared with 20 in the same period last year.

2 ponies, 1 cow and a ewe were killed and 2 ponies and a cow were injured.

1 pony was uninjured and four ponies reported to have been involved in accidents could not be found.

4 accidents were not reported.

4 accidents occurred in daylight, 1 in twilight and 7 at night.

Unfortunately we do not have all the details of the drivers because to date the police have been unable to provide us with the information but so far we know that 5 cars or light commercials were involved, plus a tractor. The latter came from a farm at Landford, on the northern edge of the Forest but as yet the actual driver has not been identified and so that accident has been recorded as a hit and run. The tractor clipped a young pony which was grazing on the verge. Fortunately it escaped injury. Witnesses said they think the driver didn't realise his vehicle had made contact with the animal.

We also know that at least 4 of the accidents involved local drivers. 2 are from New Milton, 1 from Totton and then there is the tractor driver from the farm at Landford. 2 other accidents involved drivers from out of the area. They came from Alresford and Bournemouth. We are awaiting details from the Police on the remaining 3 collisions.

Last month's accidents were spread throughout the Forest at Bramshaw, Latchmoor (Brockenhurst), Sowley Lane, Godshill, Matley Ridge between Lyndhurst and Beaulieu, Linford Bottom, Emery Down, Hilltop, Picket Post, Norleywood Crossroads and Burley Street.

As a result of the Stallion Scheme which meant that once again only 10 stallions ran out for four weeks this season, there aren't many foals on the Forest. However, there are some and we hope drivers will bear in mind that as they grow, foals become playful and of all the commoners' animals on the Forest, foals are the most likely to dart out in front of a vehicle without warning. I do hope that people driving across the Forest in the next few months will take just a little extra care'.

## **PRESENTMENT BY THE DEPUTY SURVEYOR OF THE NEW FOREST**

2013/6700 ANTHONY PASMORE  
Presentment by Mr Michael Seddon, Deputy Surveyor of the New Forest

On behalf of the Forestry Commission I would like to extend condolences to Anthony Pasmore on the recent passing away of his wife.

I would also like to take this opportunity to publicly express in the strongest and most positive terms appreciation for the 40 years that Anthony has served as Verderer of the New Forest.

Over that 40 years Anthony has been a passionate advocate for the Forest; its heritage and landscape. He has championed the role of this Court and topics including archaeology and tranquillity. And while not always seeing eye to eye with the Commission, he has always been prepared to spend many hours on sites visits working alongside Commission staff to plan works that keep this Forest one of England's most special places.

His stepping down as Verderer is a loss to the Court; commoning and the wider New Forest.

## **PRESENTMENTS**

2013/6701 ANTHONY PASMORE - ELECTED VERDERER  
Presentment by Mr Graham Ferris on behalf of the New Forest Commoners' Defence Association

I cannot make this Presentment to recognise Anthony's outstanding contribution to Commoning and the New Forest without expressing our heartfelt sympathy with the loss of his wife Rosalind.

Anthony Pasmore has been a Verderer for the past forty years-a record of service to the New Forest unparalleled, certainly in recent times.

New Forest Commoners have continued to elect Anthony as one of their chosen Verderers, not because they necessarily agreed with all his views, but because they recognised and respected his outstanding knowledge and understanding of the New Forest and his absolute dedication to trying to safeguard its future. And because CDA members never doubted that Anthony has always acted, spoken and written on the basis of what he sincerely believed to be in the best interest of preserving all that is vital for the future of Commoning and the New Forest.

But Anthony's defence of the New Forest has not only been conducted in closed committee rooms. His New Forest Notes in the Lymington Times have been a public expression of his views and compulsory reading for anyone interested in the New Forest. On serious issues he has shone an informed light into the murkier corners of governance in the New Forest. In lighter moments he has shared with us observations about the direction his cattle take when turned out from his holding and the importance of capital letters.

In 1976 Anthony wrote "...the Verderers are not going to find it easy to maintain their independence, to hold on to their powers and to withstand the growing pressures on the Forest. If they draw their inspiration from the founding-fathers of the Court and in every decision put the welfare of the Forest first, I believe that they have a more than even chance of success."

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We hope that in the future, this Court will draw its inspiration also from the record of Anthony Pasmore.

The CDA wishes to thank Anthony most sincerely for his outstanding service for so many years to something that we all hold dear.

2013/6702 SHEEP & THE MAXIMUM AGE FOR ELECTED VERDERERS  
Presentment by Mr Geordie Cook

Mr Cook once more raised the issue of sheep on the commons and asked to meet the Deputy Surveyor and the Official Verderer. He also said that he thought the Court minutes on the subject are misleading. He also asked 'where is the authority for sheep to be on the commons?' The Official Verderer advised Mr Cook that the matter falls outside the remit of the Deputy Surveyor as the sheep are turned out on the commons not the Crown Lands, and so it would be more appropriate for Mr Cook to meet the National Trust's Land Agent.

Mr Cook then repeated his earlier opinion that Miss Macnair is of an age where she is disqualified from being an elected Verderer. He referred to Mr Charlie Dovey who he said had to stand down in the 1970s due to his age. Mr Cook then mentioned 18 year olds. The Official Verderer repeated his earlier statement that he has checked and said that there are no age limitations in respect of elected Verderers.

Mr Cook then apologised for taking up the Court's time. He said he felt he has been misled and added that he is getting old.

2013/6703 TWO YEAR OLD COLTS  
Presentment by Mr Brian Ingram, Commoner

Mr Ingram referred to the Official Verderer's announcement concerning the penalty which will be imposed on VGS members who allow a two year old colt to remain on the Forest in contravention of the byelaws. He asked what penalty would be applied to commoners who are not members of the VGS.

The Official Verderer replied that an answer would be provided at the next Court and he thanked Mr Ingram for asking the question.

### **IN COMMITTEE in the Library**

#### **CONSIDERATION OF PRESENTMENTS**

2013/6704 PRESENTMENTS

RESUME

The Official Verderer thanked the Deputy Surveyor for his presentment concerning Mr Pasmore. He then said that the other presentments referred to matters which are not the concern of the Forestry Commission and therefore he felt it appropriate that they should be discussed after the Forestry Commission representatives have left the meeting. The Deputy Surveyor agreed.

## **NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION**

2013/6705 BT OPENREACH PROPOSED U/G DUCTING AND CABLE – 5 GAZA AVENUE, EAST BOLDRE, SO42 7WH DISCHARGE

The Court declined to consider these proposals as the maps provided were unclear and no proper contractor's method statement for the work was provided. The Court would also like to know whether a new manhole or surface box is included in the proposal.

2013/6706 SEMBCORP BOURNEMOUTH WATER PROPOSED WATER MAIN REPLACEMENT - FRITHAM PHASE 3 DISCHARGE

Proposals to replace the remainder of the water main in this area were considered and approved subject to all equipment and materials being stored within a secure compound within a Forestry Commission car park or lay-by (i.e. not on the grazing), and subject to the standard three conditions of safe working conditions, satisfactory re-instatement and compensation for loss of grazing.

It was noted that unlike the BT application above, this proposal included a detailed method statement from the contractors, Carillion Civil Engineering.

2013/6707 SEMBCORP BOURNEMOUTH WATER PROPOSED WATER MAIN REPLACEMENT AND DOMESTIC CONNECTIONS – LUCKY LANE, PILLEY DISCHARGE

This proposal was also approved subject to the three standard conditions.

2013/6708 SOUTHERN GAS NETWORKS REPLACEMENT GAS MAIN – PITMORE LANE, SWAY DISCHARGE

The proposal to replace the existing gas supply pipes and ancillary equipment at the above mentioned location was considered and approved. Existing infrastructure will be replaced with new on a like for like basis. Some existing covers may be renewed. Approval is subject to the usual three conditions.

## **MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION**

2013/6709 ABANDONED ANIMALS DISCHARGE

The Clerk reported that the two little (Shetland type) ponies have been rehomed. The three year old colt has been humanely destroyed as his temperament was such that it was not possible to find a suitable home for him. The aged New Forest mare and her foal are currently in New Park and it is hoped a home may be found for them.

2013/6710 HIGHWAY REPAIRS & THE LINWOOD ROAD RESUME

The Official Verderer has been in communication with Richard Bastow, Highway Manager New Forest, concerning the reinstatement of roadside verges and the source and type of the materials which are used. He also corresponded with Mr Stuart Jarvis, (Director of Economy, Transport and the Environment at Hampshire County Council) who is Mr Bastow's

manager, and has expressed the Court's dissatisfaction with the Highway Authority's work within the Forest.

It is understood that if topsoil is used, it has to be approved by Natural England because of the risk of introducing non-native, non-local plant species to the Forest. Because of this, a hoggin gravel/clay soil mix from an approved source is usually used or soil won from nearby ditching works.

The 'jet patching' method of haunch repairs is banned in the Forest, but it was used recently. Its use has been banned again.

The Official Verderer suggested that prescriptions for repairs and other works be included in the Highway Maintenance Plan and that the Plan be completed and submitted for approval without further delay. It was agreed to ask HCC to summarise the Highway Maintenance Plan in one page of A4 in easy-to-understand bullet points, laminated and given to each contractor as a ready-reference.

Action  
OV

Mr Street reported that he has looked through the Forestry Commission's records to see if he could identify any width specifications for roads within the Forest. It seems that a standard width does not apply. Between 1880 and 1914 a lot of tracks were gravelled by the Crown. In 1938 agreements were entered into, which passed responsibility for certain roads within the Forest from the Forestry Commission to the County of Southampton (which became the local Highway Authority). Those agreements do specify widths for some roads including the Rhinefield Road between Brockenhurst and the A35. The agreement for that road specifically states that the road must not be widened or its character altered. Similar agreements exist for other roads such as the Brook to Damerham Road (B3078). There may be others and the Forestry Commission is continuing to search its archive.

The Wildlife and Countryside Act cannot be ignored and works undertaken under the Highways Act which are potentially damaging do need consent.

LINWOOD ROAD - The Court then went on to discuss the Linwood Road which was the subject of a specific presentment by Mr Richard Deacon. This road has become progressively wider over the years as various methods of stabilising the verges have been tried. The road is heavily used as a 'rat run' by motorists either wishing to avoid the A31, or on occasions where there are problems on the main road. Some years ago it was agreed that grass cell blocks and hoggin gravel could be used but the result has never been wholly satisfactory.

The Forestry Commission suggested that, with the Verderers' support, a request could be made for HCC to propose a design to make the road a single track road with passing places, similar to that at Emery Down. The Court requests that the new design is sympathetic to the surrounding rural environment, so that the road does not take on an urban character. The Court considered that this may be the only way of preventing continuing creeping encroachment on the verges along the entire length of the road from the top of the hill by Slufers Inclosure through to Moyles Court.

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2013/6711	BRAMSHAW GOLF CLUB (FOREST COURSE)	DISCHARGE
	Mr Street confirmed that the management plan has now been updated and all appendices are correct. No re-design has been submitted yet.	
2013/6712	BROKEN POSTS IN THE VICINITY OF CADMAN'S POOL	DISCHARGE
	BT Openreach has finally accepted responsibility for these posts and they have been made safe. One is apparently left standing but it is in an acceptable condition.	
2013/6713	DRIFT MANAGEMENT	RESUME
	The Court thanked Mr Deakin, the Head Agister and Forestry Commission staff Simon Smith and Zoe Cox who have all worked hard to produce a very comprehensive risk assessment document.	Actions RD/SW/ZC
	Mr Deakin asked the Court to approve the methodology and output resulting from the work that has been undertaken and the Court was happy to give that approval.	
	The Deputy Surveyor was very positive and said it is a very good piece of work which he is happy to support. He did ask however, that the document be linked to the Memorandum of Understanding entitled Joint Approach to Public Access and Free Roaming Stock on the Crown Lands. The Clerk will send a copy of the MOU to Mr Deakin in order that it may be incorporated and/or referenced in the risk assessment document.	Action SW
	It is sometimes necessary to close some car parks for a short time on the day of a drift. To facilitate this, it was suggested that barriers should be erected on all relevant car parks. Some have barriers already but others don't. The Official Verderer said he is happy to support the suggestion that the VGS could help to fund the infrastructure and this offer was welcomed by the Deputy Surveyor. The proposal will therefore go to the VGS Management Committee for ratification.	Action VGS Cttee
	Zoe Cox is writing a procedure for closing car parks and cycle routes and it is understood that the Keepers and Rangers will assist. The Deputy Surveyor considered this to be a very positive step as it sets out who does what and should avoid any breakdown of communication.	
2013/6714	ACCESS TO WOODS CORNER POUND	RESUME June 2014
	Some works have been carried out to provide a separate entrance to the pound that should not become blocked by vehicles belonging to the general public. This was welcomed, however, the Clerk said that the local Agister had expressed concerns that a line of parked cars may be in the way of ponies being driven along the inclosure fenceline to the pound. The Deputy Surveyor felt that it is necessary to wait to see how effective the new layout is before taking any further action.	
2013/6715	PARKING AT POUNDS AT FURZEY LODGE AND PILLEY	DISCHARGE
	The Deputy Surveyor said that work to reduce parking adjacent to these pounds is in the programme and will be carried out as soon as possible.	

2013/6716 CONTROLLED BURNING DISCHARGE

The Court was provided with the areas over which cutting & burning has been completed in the past 10 years:

02/03 - 1211 acres (490ha)  
03/04 - 912 acres (370ha)  
04/05 - 1013 acres (410ha)  
05/06 - 676 acres (273.5ha)  
06/07 - 590 acres (238.5ha)  
07/08 - 961 acres (389ha)  
08/09 - 789 acres (319ha)  
09/10 - 758 acres (305.5ha)  
10/11 - 819 acres (331.5ha)  
11/12 - 692 acres (280ha)  
12/13 - 284 acres (115ha)

Mr Deakin remained unhappy with the amount that has been achieved and despite the Deputy Surveyor's assurances to the contrary, remained convinced that insufficient resources are directed to the burning programme. He said that despite the general poor weather conditions, there were suitable burning days where no burning took place, and at no time were more than two teams deployed unlike previous years where three were used. In response the Deputy Surveyor repeated that there was no resource constraint last winter, and that no more could have been achieved due to the horrendously wet weather. Miss Macnair requested that a larger area be scheduled for burning this year. The Deputy Surveyor said there is no impediment to using both in-house and contract labour in order to achieve the cutting & burning programme.

2013/6717 PITMORE LANE SWAY, MEMORIAL RECREATION GROUND DISCHARGE

Mr Street reported on the meeting with the Parish Council. Agreement has been reached concerning the removal of the wire fence, gate, stile and old signs. A short length of new fence of post and rail construction will be erected to ensure that children cannot run out into the road. The good condition, old, fence posts will be left in place to indicate the boundary of the recreation ground. A management plan for the gorse, which will probably be cut rather than burned, will also be produced. The lease will remain with the Parish Council. A formal submission will be brought to the Court in July or September.

2013/6718 PINCH POINTS ON THE BURLEY ROAD, BROCKENHURST DISCHARGE

The Clerk advised the Court that having spoken to the Highway Authority, it seems that if the pinch points are to stay, additional signage will be necessary. It is also possible that one pinch point may be removed. The Court was disappointed to hear this. The Clerk went on to say that a final decision has not yet been made and that the Court will have the opportunity to comment on the proposed scheme in due course.

2013/6719 REPAIRS TO HIGHWAY FENCING RESUME

The Official Verderer had complained to Mr Stuart Jarvis (Director of Economy, Transport and the Environment at Hampshire County Council) that some fencing repairs are inadequate. The message was passed to the Area Surveyor's office which resulted in HCC asking the Verderers to

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identify three lengths of highway fencing that are in need of complete replacement. The information was provided to HCC and we now await developments.

### SSSI RESTORATION WORKS

2013/6720 SNAGGING LIST RESUME

There were no new items to add.

2013/6721 BUCKHERD BOTTOM – PROPOSED CHANGE TO ACCESS STRUCTURE AS PART OF REMEDIAL WORKS, AND REPLACEMENT OF EXISTING CULVERT DISCHARGE

The proposed changes to the access structure as part of the remedial works which involves the replacement of a culvert with a vehicle ford were discussed and agreed.

The Forestry Commission was asked to also please remove all the loose timber that is in the area – some is in the stream and some lays where it was cut. A request was also made for the loose baler twine on the degrading heather bales to be removed and the stakes that now stand very proud need to be checked and where necessary made safe.

2013/6722 PROPOSED CHANGE TO ACCESS STRUCTURES AT AMBERSLADE AND BROOMY INCLSOURE AS PART OF REMEDIAL WORKS RESUME

In this case the proposal is to remove the present wooden bridge and replace it with a vented causeway. Mr Deakin expressed concern that insufficient time had been given by the Forestry Commission for proper consideration of this submission. He has not had time to make a site visit and consider the proposal. Concern was expressed that vented causeways can block and an assurance was required that any blockages would be cleared. The Deputy Surveyor said that if any causeways block, the Forestry Commission wants to know immediately and action will be taken to resolve the problem. The Deputy Surveyor said he is keen to get this work underway and was concerned that the matter may be resumed for the next Court. Mr Deakin and Mr Dowsett, therefore agreed to make a site visit as soon as possible and then to advise the Clerk if they have any concerns. The Court agreed the proposed works could go ahead, if Mr Deakin & Mr Dowsett do not raise any objections after their site visit, and approval or refusal will be directed by Mr Deakin through the Clerk.

Action  
RD/BD

### ENCROACHMENTS

2013/6723 ENCROACHMENT LIST RESUME

Mr Street produced a new list and reported on the encroachments that he is currently dealing with. There have been several cases where pea shingle has been laid on driveways which cross Open Forest verges. The reasons why this practice is unacceptable has been explained to property owners.

Actions  
MS/MJ

Miss Jones is writing an article for the local press which it is hoped will help owners of properties in the Forest to understand their responsibilities and what is and is not allowed. The Clerk has given Miss Jones some assistance with the article which should prove very helpful.

MINUTES of the Court of Verderers held on Wednesday, 19<sup>th</sup> June 2013 in the Verderers' Hall and the Library, The Queen's House, Lyndhurst.

Mr Street reported that he will shortly be undertaking a review of the Sports Clubs on the Forest to ensure they are complying with the conditions of their licences.

#### **ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

2013/6724 NORLEY WOOD CROSSROADS DISCHARGE

A copy of correspondence between Cllr Mr Ken Thornber, former Leader of Hampshire County Council, Mr Stuart Jarvis and Colin Taylor, Assistant Director, Highways, Traffic & Transport, had been circulated to the Court. The subject of the letter is the Norley Wood Cross Roads at which there was a recent accident involving Cllr Paul Vickers of NFDC. Cllr Ken Thornber is calling for an investigation into a staggered crossing to be undertaken as he considers the present design to be dangerous.

2013/6725 MATTERS ARISING FROM THE MINUTES OF THE STAFF COMMITTEE DISCHARGE

The Official Verderer wished to raise the following queries with the Forestry Commission.

##### Drift Fencing

Who in the FC is dealing with this and is progress being made? The Deputy Surveyor said he will check and ensure that the work will be undertaken as soon as possible.

##### Matley Bomb Holes

Work is ongoing.

##### Underpass Gates

This is part of the drift fencing project. The Deputy Surveyor undertook to follow this up with Mr Draper.

2013/6726 FLAG AT OCKNELL DISCHARGE

Mrs Westerhoff reported that there is a flag on a pole at the entrance to Ocknell Campsite. It has been in place for some time. The Deputy Surveyor said he would ask for it to be removed.

2013/6727 TREE OUTSIDE LONG MEADOW RESUME

Mr Deakin pointed out that despite many assurances that it would be removed, the fallen tree outside Long Meadow is still there. Cyclists are climbing over it with their bicycles. It is seriously hindering access by the Agisters attending stock and Mr Deakin requested its removal once again.

Action  
DS

2013/6728 SETTHORNS CAMPSITE BRIDGE DISCHARGE

As a result of the closure of the bridge into the campsite, traffic lights have had to be installed where vehicles are now crossing the disused railway line in order to enter the campsite. Unfortunately vehicles waiting at the lights have eroded approximately 10 square yards of Open Forest. During a meeting with Mr Nick Tucker of the Forestry Commission and a

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representative of Camping in the Forest, Mr Dave Readhead requested that the area be properly reinstated at the end of the camping season. The Deputy Surveyor assured the Court that reinstatement will be undertaken.

2013/6729 BEAULIEU ROAD SALE YARD DISCHARGE

Mr Readhead advised the Court that the construction of the sale yard roof is due to commence next week.

2013/6730 ROUNDHILL CAMPSITE – CHARGE FOR ENTRY DISCHARGE

Commoners have reportedly been asked to pay to enter the campsite with their vehicles when they wish to inspect stock. Unsurprisingly such requests for payment have not been well received. The Deputy Surveyor confirmed that there should be no impediment to commoners wishing to inspect their stock.

**The Deputy Surveyor, Mr Street and Miss Jones left the meeting**

### **CONSIDERATION OF PRESENTMENTS**

2013/6731 SHEEP RESUME  
Presentment by Mr Geordie Cook

It was agreed the Clerk should try to arrange a meeting for Mr Cook with the National Trust concerning the issue of sheep in order to clarify the position once and for all.

Action  
SW

2013/6732 TWO YEAR OLD COLTS RESUME  
Presentment by Mr Brian Ingram

The issue of two year old colts belonging to non VGS members was referred to the Staff Committee. The ultimate sanction in respect of breaches of the byelaws is always by prosecution in the Magistrates Court.

### **OTHER MATTERS ARISING**

2013/6733 THE ATLAS PROJECT DISCHARGE

The Clerk confirmed that a laptop has now been purchased to use at the New Forest Show. All that remains is to load the software and data and this will be done in the next few weeks.

2013/6734 NEW FOREST LANDSCAPE ACTION PLAN RESUME

Mrs Westerhoff explained that she has sent a personal response to this document, but that the National Park has asked for comments from the Court. Mrs Westerhoff agreed to draft a response for approval at the next Court.

Action  
DW

2013/6735 EQUINE PASSPORTS DISCHARGE

The EU has passed a resolution that only one passport issuing organisation will operate in each country. Defra has yet to adopt the proposals but seems intent on doing so. Miss Macnair explained the

implications to the New Forest Pony Breeding and Cattle Society and other breed societies in the United Kingdom. The Verderers are being added to the list of stakeholders who will be consulted prior to a final decision being taken.

Mr Readhead commented that it is important to ensure that the derogation in respect of Forest run stock is maintained.

#### **THE HIGHER LEVEL STEWARDSHIP SCHEME & THE VERDERERS' GRAZING SCHEME**

2013/6736 HLS DISCHARGE

The Official Verderer advised the Court that the next Board meeting will be held on the 2<sup>nd</sup> July.

Mrs Westerhoff reported that she understands that Higher Level Stewardship Schemes are disappearing and new schemes will take their place. It is hoped that the Verderers HLS agreement will continue as planned until 29<sup>th</sup> February 2020.

2013/6737 VGS DISCHARGE

Replacements on the VGS committee will be needed as Mrs Thorne's appointment as Defra Verderer comes to an end in July and Mr Pasmore has resigned from the Court. It was agreed however that it would be best to see who is appointed by Defra before new members are appointed to the VGS committee. Miss Macnair, Mrs Westerhoff and Mr Maton all expressed an interest in joining the committee.

At the same time the Court will also consider the other committees on which Mr Pasmore and Mrs Thorne serve.

#### **FINANCIAL MATTERS**

2013/6738 FINANCIAL STATEMENT FOR MAY 2013 RESUME

The Clerk apologised that the financial statement for May had only been circulated to Miss Macnair and Mr Gerrelli. The Clerk will circulate the statement to all members of the Court as soon as possible after the meeting. The Clerk confirmed that there are no problems with the Court's finances.

#### **STAFF MATTERS (including the Staff Committee)**

2013/6739 REPLACEMENT FOR MR COLIN DRAPER – VGS MANAGER DISCHARGE

The Official Verderer explained that the VGS is now established with over 90% membership by commoners. Therefore the replacement for Mr Draper will be a more administrative role. It has been decided to streamline the work of the Verderers' Office including the VGS administration. A job description for the new VGS administrator was approved.

2013/6740 BRAMSHAW (PRIVATE) GOLF COURSE DISCHARGE

Mr Deakin appraised the Court of an issue with a pony which has been gaining access to the private golf course at Bramshaw. The Golf Club

management asked for the pony to be removed from the Forest but as the course boundary is still not considered to be stock proof, and the groundsman's gate is often left open, the request has been refused. The Golf Club has been advised that if it resolves the issues with its boundary and the pony continues to gain access to the course, the removal of the animal from the Forest may be reconsidered.

2013/6741 PIGS AT BRAMSHAW DISCHARGE

Mr Deakin advised the Court that several complaints have been received about a number of pigs which are turned out on the commons. The owner of the pigs has been advised of the complaints.

2013/6742 TURF HILL POUND DISCHARGE

The National Trust is paying for the materials to rebuild this pound. The Agisters and commoners are providing the labour.

2013/6743 UNBRANDED ANIMALS RESUME

This is a byelaw issue which needs further consideration by the Staff Committee. It will be brought back to the Court in due course.

#### HEALTH & SAFETY & TRAINING

2013/6744 HEALTH & SAFETY REVIEW RESUME

The review of the Court's health and safety procedures is almost complete. A few shortcomings have been identified which require attention but generally the consultant is pleased with the systems that are in place.

Action  
RD/JRG/SW

2013/6745 HEALTH & SAFETY TRAINING RESUME

July

The Clerk, and the Agisters are to attend a two half day Institute of Occupational Safety and Health (IOSH) course on the 26<sup>th</sup> and 27<sup>th</sup> June.

#### ANY OTHER BUSINESS

2013/6746 COLLAR ON COW AT LINFORD DISCHARGE

Mrs Westerhoff reported a cow at Linford which has got a front foot through its collar so it is wearing it round its neck and under its front leg. The Clerk said that the Agisters are aware of the problem and the owner of the animal has been advised. The collar is not thought to be causing the animal any distress and is unlikely to result in any injury. It is hoped the owner will catch the cow and remove the collar although to date it seems all attempts have failed.

Mr Readhead explained that the cattle collars do require some modification in order to prevent them coming loose once fitted to the animal.

Action  
DR

The Clerk said she will speak to the Head Agister about the cow at Linford.

Action  
SW

There was no further business and the meeting closed at 13:14 hrs.