

MINUTES of the Court of Verderers held on Wednesday 16th March 2016 at 9.00 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
	Mr A B Dowsett	Forestry Commission Appointed Verderer
	Mr J Greenwood	Elected Verderer
	Mr E Heron	National Park Appointed Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr G M H Mills	DEFRA Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss Justine Bayley	Assistant Clerk to the Verderers
	Mr R Maton	Agister

IN COMMITTEE in the Library

2016/8514 BEECH TREES DAMAGED BY PONIES RESUME

The findings of the sub-group set up after the last Court were discussed at length. A voluntary scheme to permanently remove the ponies actually causing damage to the trees was debated, and the recommendations of the sub-group were agreed. Everyone was disappointed in the lack of action from the Forestry Commission over the five years since this problem was first reported by the local Agister.

2016/8515 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on 10th February were approved and signed.

2016/8516 DECLARATIONS OF INTEREST RESUME

The Official Verderer, and Elected Verderers Mr Deakin, Mr Greenwood, Miss Macnair and Mr Readhead all declared an interest in the New Forest Higher Level Stewardship Scheme, the Verderers Grazing Scheme, and the new Basic Payment Scheme. Mr Pasmore declared an interest in the new Basic Payment Scheme.

Miss Macnair is a member of the New Forest Pony Breeding and Cattle Society Council.

Mr Deakin, Mr Readhead and Mr Greenwood are members of the New Forest Commoners' Defence Association committee. Mr Deakin is also Treasurer.

Mr Dowsett is a Forestry Commission Volunteer Ranger.

Mr Deakin and Mr Readhead are members of the New Forest Stallion Syndicate.

Mr Greenwood is employed part-time by Cadland Estate and therefore has an interest in the Stallion Grazing. Mr Greenwood also has a stallion of his own.

Mr Deakin and Mr Readhead are Directors of the New Forest Livestock Society.

Mrs Westerhoff is a tenant of the Forestry Commission.

Mr Mills advised the Court that he owns a commercial riding establishment at Bagnum.

Mr Mills advised that the Commoner in breach of the Verderers' Byelaws is a potential grazier of his.

Cllr Heron declared his membership of Hampshire County Council, New Forest District Council and the New Forest National Park Authority. He will declare any additional interests that may arise during the course of the meeting at the item.

The Official Verderer advised the Court that Mr John Jarvis at Eyeworth Lodge is a personal friend of his and that he has had a telephone conversation with Mr Jarvis regarding the water pipe replacement at Eyeworth Lodge.

Mr Dowsett advised the Court that Mr Jarvis is a fellow member of the New Forest Hunt Club.

2016/8517 CONDITION OF STOCK RESUME

Agister Maton told the Court that overall, stock is looking reasonably well for the time of year, although like every year a few animals are starting to lose condition. Agister Maton continued to say the mares with foals were easy to spot as they are not as well as other ponies and they, along with a few older mares, are starting to be removed from the Forest.

The cattle are looking well, their feed has been supplemented by the Commoners and they either return home to feed or are fed in agreed areas within the Forest

The ongoing issue of donkeys' feet is still rumbling on; Agister Maton said donkeys need their feet trimming regularly by someone with experience, as they are different to trim than a pony's hooves.

Mr Pasmore asked about the Welfare Programme. Agister Maton said that a lot of Commoners were keeping mares a lot longer as replacement fillies were not readily available. The Official Verderer added that the Welfare Programme appeared to be working as the VGS is processing 5 to 10 applications per month.

2016/8518 REPORT ON ANIMALS REMOVED FROM THE FOREST RESUME

This very useful report had been circulated prior to the Court.

2016/8519 STOCK DEATHS - OTHER THAN ROAD TRAFFIC ACCIDENTS RESUME

This very useful report had been circulated prior to the Court.

2016/8520 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2016</u>	<u>2015</u>
Forest Ponies	538	643
Forest Cattle	246	255
Forest Donkeys	16	10
Forest Pigs	0	0

Forest Sheep	0	0
Total Forest Stock	800	908
Common Ponies	112	185
Common Cattle	313	345
Common Donkeys	3	16
Common Pigs	50	32
Common Sheep	0	141
Total Common Stock	478	719
Ponies, Cattle & Donkeys on the Forest	800	908
Ponies, Cattle & Donkeys on the Commons	428	546
Total Ponies, Cattle & Donkeys	1228	1454
Total Stock – Forest & Commons	1278	1627

2016/8521 BREACH OF TB PLAN

RESUME

It has been discovered that a commoner has been conducting his TB testing on the Forest. This breaks the rules of the Verderers' Grazing Scheme. The commoner has now accepted that he is in the wrong, and claims to have misinterpreted the TB Plan and VGS rules.

Agister Maton left the meeting.

2016/8522 ANNOUNCEMENTS & DECISIONS

RESUME

The Announcements and Decisions were approved.

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

IN ATTENDANCE: Mr Bruce Rothnie, Deputy Surveyor
Mr Paul Grugeon, Land Agent (New Forest)

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2016/8523 HIT AND RUN ACCIDENTS – PROSECUTION FOR ANIMAL CRUELTY

'The Court is appalled by the increase in Hit and Run drivers after hitting a legally grazing animal. May I remind everyone that the stock is grazing the New Forest by right, and you are driving the roads by privilege.

If a Hit & Run driver is identified, the Verderers will push for the police to prosecute for animal cruelty, possibly leading to a jail sentence. I would like to remind the Court of a past prosecution whereby a driver from Hyde was convicted in Southampton Magistrates Court of failing to stop and report an accident and causing unnecessary suffering under the Animal Welfare Act 2006. On the charge of 'causing unnecessary suffering to an animal' he was sentenced 28 days detention.

The Court will urge the relevant authorities to prosecute for cruelty whenever such a case arises. The rules on simply reporting a motor accident are quite separate from those governing cruelty. It may be sufficient to report damage to a garden fence within 24 hours. Cruelty results from leaving an animal suffering for any length of time that can be avoided. The police should always be telephoned within minutes. If you have no mobile phone signal, knock on the nearest house and ask to use the landline.'

2016/8524 ROAD THROUGH LINWOOD

'Thank you to Richard Deacon for making his presentment about speeding though Linwood. The Verderers support you in your desire to slow down the traffic, and also your

wish to remove much of the traffic by discouraging the use of this road as a rat run to avoid the A31. I therefore wrote in mid-February to Hampshire County Council to request that the speed limit through Linwood Village be reduced from 40mph to 30mph as it is in most other New Forest Villages.

In my letter, I have also chased up for Hampshire County Council's long-awaited proposal to make the road across Broomy Plain a single track with passing places. If a single track road with passing places were implemented here, traffic would be slowed by the inconvenience, and use as an A31 bypass would diminish considerably.

And I have requested that Hampshire County Council erects a sign the entrance to the open Forest at Moyles Court.

I have not yet received a reply from Hampshire County Council, and when I do, I will update the Court further.

Meanwhile, we have requested that Hampshire Constabulary consider the area as a site for our Verderers-funded Speed Camera Van.'

2016/8525 BARK DAMAGE TO TREES IN MARK ASH

'A growing problem in the Burley area is ponies eating the bark off beech trees. We do not know why they are doing it, only that it started about five years ago, and has steadily got worse as more ponies are doing it. We believe that ponies may be learning this behaviour from each other, and that the only solution is to remove those ponies which are eating bark, firstly to protect the unaffected trees, and secondly to avoid them passing on the habit to other stock.

The Verderers will therefore immediately institute a voluntary scheme for the removal of those ponies which are photographed eating bark off the beech trees. We will be contacting the owners directly, and working with them to remove the ponies which we know are eating beech bark.

We have also asked the Forestry Commission to carry out some prevention measures, and I will update you further next month.'

2016/8526 CLEAN FOR THE QUEEN

'A huge thank you to everyone who took part in our giant New Forest Clean for the Queen. Hundreds of volunteers took part, and we collected a massive 800 bags of litter, which we estimate to be about 8 tonnes of waste. It is astounding how much rubbish there is on the open Forest grazing. Personally I found broken glass bottles, flooring tiles, drinks cans, food wrappers, punctured bicycle inner tubes. One of my sons found a pair of underpants and a shirt. Someone else picked up half a canoe! It is disappointing that walkers, cyclists and drivers come to the New Forest to enjoy its unique landscape beauty, but are damaging it by leaving behind all this rubbish. Please take home all your rubbish, as well as your happy memories of a lovely day out.

There is still a huge amount of litter still to be picked up, and I hope that the Forestry Commission will help the Verderers to make this a regular annual event. The New Forest is a very special place, and we will continue to work to preserve it.'

ANIMAL ACCIDENT REPORT

2016/8527 THE ANIMAL ACCIDENT REPORT FOR 2015

The Agisters attended 10 accidents in February 2016. This compares with 8 in February 2015.

Two cows were killed, one pony was injured and had to be destroyed, a further 2 ponies were injured, one of which has subsequently died from its injuries.

In the remaining accidents, the animals were either uninjured or nothing was found.

7 accidents occurred in the dark and 3 at twilight.

4 motorists were local.

THE SPEED CAMERA VAN

348 drivers were caught speeding on the unfenced Forest roads in January 2016.

The total number of drivers caught speeding in January overall was 923.

185 drivers were caught speeding on the unfenced Forest Roads in February 2016.

The total number of drivers caught speeding in February overall was 668

PRESENTMENTS

2016/8528 **EXBURY ESTATE FENCES**
Presentment by Mr Chris Aldhous

'I have a few acres around the Forest including land off Summer Lane Exbury.

In January and February I made a presentment concerning ponies and cattle from the Forest which had been crossing the Exbury Estate to the track alongside my property since October 2015.

In spite of the pressure from the Verderers some ponies are still coming onto the track off Summer Lane from the Exbury Estate, via the Kings Copse Inclosure where the fencing is totally ineffective and ponies have learned to open the Inclosure gate.

I am sorry to have to ask the Verderers to continue to keep up the pressure.'

2016/8529 **ONGOING DAMAGE TO THE FAWLEY INCLOSURE**
Presentment by Mr Chris Aldhous on behalf of Ashley Jenkins

'Mr Jenkins sends his apologies he is in America and unable to attend Court today.

I believe you are in receipt of Mr Jenkins letter regarding damage to Fawley Inclosure by a herd of 60 or 70 cattle which are being fed in the Inclosure. The Land Rover used to feed the cattle is damaging the track. I understand that Fawley Inclosure is a Verderers Inclosure designed to act as a buffer between the new developments on the A326 and the Forest. The Inclosure also absorbs a lot of recreational activity from the rest of the Forest.'

2016/8530 **UNDERCOAT?**
Presentment by Mr Mike Eccles

'Can we be assured that the green is an undercoat?'

2016/8531 **FLOODING IN THE PONDHEAD MATLEY AREA**
Presentment by Mr Richard Mabbott, Practising Commoner, Pondhead Farm

'On the 3rd and 27th January 2016, after one day of heavy rain, the entrance to Lime Wood Hotel was underwater.

The Bridges at Lime Wood and Pondhead Farm act as bottlenecks for the huge volumes of water. The lower bridge, where the new link is planned, now also cannot cope with the increased water volumes. The water catchment area has of course stayed the same, the efficiency of the new drains in Gosport Lane mean the water arrives much more quickly.

The Forestry Commissions proposal to reduce overall capacity with the new link and further slow the water just 100m downstream is likely to make a bad situation worse.

The application was deferred by the NPA Planning Committee in November 2015 partly to monitor the impact of the Gosport Lane works over the winter. We have monitored it and are concerned. We asked to collaborate our findings with that of the applicant but as yet we have had no response!!

2016/8532 PONDHEAD HLS WETLAND RESTORATION PROJECT
Presentment by Mrs Sally Hayward

1. 'This request concerns not only the Pondhead application, but all HLS Wetland "Restoration".
2. Between September 2015 and January 2016 there was a "Heritage Mapping" exhibition in the Lyndhurst Visitor Centre, sponsored by the HLS and the National Park. It explained that detailed Lidar surveys have been mapped across the Forest. The Matley / Pondhead area was one that of the 5 areas that had been done in detail.
3. The exhibition explained that Lidar survey images show the
"old winding courses of the streams before they were straightened in the 19th and 20th centuries. This combined with historic maps help to ensure the wetland restorations are undertaken in the right place"
4. The Pondhead application is of course one such project. Its planning statement claims that it is undoing "artificial drainage" from "150 years ago" as their impacts are damaging the SSSI units on the site.
5. Given my property's proximity to the site, I visited the Christopher Tower Reference Library in Lyndhurst in order to research myself exactly what the 1850's "artificial drainage works" were. One of the maps I viewed was the original, colour "Drivers" Survey map (the definitive map used to inform all HLS wetland restoration schemes). I was amazed to see that the Parkhill Lawn stream was already clearly present in 1789, on the same line that exists today.
6. The NPA's archaeologist, Frank Green, joined me to view the 1789 map and confirmed that the Parkhill Lawn stream has been in existence, on the same line as it is today since long before the 19th century. It may have been maintained, but has never been "straightened" or moved as the application states.
7. The Pondhead application proposes to completely infill part of the Parkhill Lawn stream and "restore" and its bridge "to its original line" about 10m to the south. My basic research shows this to be completely wrong. The Parkhill Lawn SSSI unit 386 may be in "unfavourable" condition, but it demonstrably cannot be suffering due to the line of the stream having been moved – the 1789 Driver survey map proves that the stream is, and always has been there, on its natural line.
8. It is possible that infilling and moving the stream from its natural line will actually damage the SSSI unit. This is NOT "turning the clock back"; it is a damaging and unqualified intervention in the open Forest.

9. In preparing this application it is clear that the Forestry Commission have not followed the publically stated HLS process outlined by the Heritage Mapping exhibition. They have not used the best and most valuable resources in the Christopher Tower Library, made available to all by the Verderers, and which can be seen only 5 minutes' walk from Queens House.
10. It also transpires that the applicant's consultants have used outdated Environment Agency Lidar data rather than the new HLS New Forest Lidar survey which you have paid for!
11. Given the fact that they ignore the claimed methodology and the wealth of local data available, (supported by the HLS) is it any wonder that the HLS Pondhead applications have been such a shambles?
12. My request is that you require that the Forestry Commission employ the New Forest specific Lidar data and Drivers survey evidence for each of the HLS schemes whether large enough to justify a planning application or not. There will be no public confidence in these schemes unless or until the correct information is used properly to inform these proposals.
13. As far as the specific inaccuracy of the Pondhead application is concerned, the NPA have asked the applicant for their feedback, but as yet they have provided none, neither on this subject, nor flooding.
14. If generated with compliance these could be fabulous projects. We support the principle of improving SSSI units, but from the outset this application has lacked appropriate preparation. Its justification requires to be reviewed in the light of the facts as they are now known.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2016/8533 EXBURY ESTATE FENCES

RESUME
Action DS

Mr Deakin confirmed there is approximately 50 yards unfenced on the boundary between Kings Copse Inclosure and the woodland that the Exbury Estate sold. At each end of the fence line there is a high metal fence post typical of traditional Estate fencing.

The latches on the access gate into Kings Copse are the "U" shaped levers, funded by the HLS, and designed to be easily opened by wheelchair users as well as horse riders. Several ponies have worked out how to open these gate latches. Mr Pasmore said he objected to the levers when they were first discussed as he felt they were dangerous to horses and could easily get caught in a bridle or saddle. Miss Macnair said that she has received a nasty injury to her leg on one of the handles whilst riding through a gate.

The Deputy Surveyor will look into the issue.

2016/8534 ONGOING DAMAGE TO THE FAWLEY INCLOSURE

DISCHARGE
TO STAFF
COMMITTEE

Copies of Mr Jenkins' letter and photographs were circulated to the Court. The Official Verderer asked if it is known if the tracks were caused by a vehicle feeding cattle or if there were any ongoing pylon works or Forestry Commission activity in the Inclosure.

Mr Deakin has spoken to Agister Lovell: the feeding area has been

moved from Kings Copse to Fawley Inclosure, but it appears the Commoner may be feeding the cattle where he finds them rather than in the agreed area.

The agreed location of the feeding area will be confirmed with the VGS Administrator and will be followed up in the Staff Committee Meeting.

The Official Verderer requested that the Deputy Surveyor asks the local Keeper to investigate the damage. Mr Pasmore added that the ground is quite dry and will hopefully recover very quickly.

Action DS

2016/8535 UNDERCOAT?

RESUME

The Official Verderer asked the Deputy Surveyor if he is aware why Camping in the Forest were repainting the ladder boards light green from their more traditional FC dark green colour. The Deputy Surveyor confirmed that he was unaware, and said he will be speaking to Camping in the Forest regarding their choice of green.

This is a landscape issue for which the Verderers have regard under the New Forest Acts and the Court asked that the boards are returned to the original FC dark green colour.

Action DS

2016/8536 PONDHEAD WETLAND RESTORATION

RESUME
May

Mr Mabbutt's and Mrs Hayward's presentments were discussed at length by the Court.

The Deputy Surveyor advised that the Pondhead application has yet not been resubmitted as the surveys are ongoing. The Official Verderer asked that the HLS team go through the presentments point by point to satisfy themselves that the planning application they are submitting is correct in every respect.

Cllr Heron said the FC needs to decide whether it wants to gain consent via appeal rather than public consensus. He continued the FC must do a better job at the application stage, and facts must be checked. He warned that the Forestry Commission are in danger of losing the public debate on the wetland restorations and very soon it will be unpopular.

A workshop to discuss the HLS Wetland Restoration projects will be held at another time.

SUBMISSIONS BY THE FORESTRY COMMISSION

2016/8537 EAST BOLDRE VILLAGE HALL LICENCE RENEWAL

DISCHARGE

A new license was granted to East Boldre Village Hall subject to the car park gate being closed and locked when the hall is not in use. Excessive car park use is encroaching onto the open Forest. The Verderers will monitor car parking and reserve the right to delineate the parking area as per the halls original agreement.

2016/8538 LYNTHURST ROAD MINSTEAD DRAINAGE SCHEME

DISCHARGE

The drainage scheme work is approved with no objections subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.

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| 2016/8539 | <p>SSE FROGHAM, OGDENS FARM</p> <p>The SSE work is approved with no objections subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.</p> | DISCHARGE |
| 2016/8540 | <p>OVERHEAD SUPPLY DIVERSION, THE DOWER HOUSE, BURLEY</p> <p>The underground cable supply replacement is approved with no objections subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.</p> | DISCHARGE |
| 2016/8541 | <p>REPLACEMENT WATER PIPE FROM FRITHAM TO EYEWORTH LODGE</p> <p>The proposed replacement water pipe is approved with no objections, subject to the removal of any part of the old asbestos water pipe which is exposed during the works, and subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.</p> | |

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

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| 2016/8542 | <p>BROOMY PLAIN ROAD AND HOLMSLEY PASSAGE</p> <p>Cllr Heron updated the Court regarding the road haunch repairs at Broomy Plain and Holmsley Passage. Due to budget cuts Hampshire Highways are only able to undertake highway safety issues, and this will apparently leave little scope for new projects.</p> | RESUME |
| 2016/8543 | <p>HOLLY STUDY</p> <p>Resume April</p> | RESUME |
| 2016/8544 | <p>MARKWAY HUT AND TARGETS</p> <p>The Deputy Surveyor asked the Court for more time to look into the issue further.</p> | RESUME
May
Action DS |
| 2016/8545 | <p>LongbEECH COTTAGE</p> <p>The Deputy Surveyor asked the Court for more time to look into the issue further.</p> | RESUME
May
Action PG |

SSSI RESTORATION WORKS

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| 2016/8546 | <p>REPAIR AND MAINTENANCE LIST</p> <p>The Deputy Surveyor provided an updated list.</p> | RESUME |
| 2016/8547 | <p>COWLEYS HEATH</p> <p>The second reference to Cowleys Heath is incorrect and should say "Sway"</p> | DISCHARGE |
| 2016/8548 | <p>CORBETS HAT</p> <p>The Official Verderer thanked the Deputy Surveyor for amending the text</p> | DISCHARGE |

2016/8549	regarding Corbets Hat. LINFORD BROOK MIRE	DISCHARGE
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The amendments to the restoration works were discussed, and the Verderers all agreed the importance of the Inclosure banks to the heritage of the Forest. However it was agreed that small parts of the bank could be removed, as proposed, to allow the water course to behave naturally.

The restoration works were approved by majority, with Mr Pasmore not in support.

ENCROACHMENTS

2016/8550	ENCROACHMENTS INVOLVING THE FORESTRY COMMISSION INCLUDING ENCROACHMENT LIST UPDATE AND REPORT ON ANY NEWLY IDENTIFIED ENCROACHMENTS	RESUME
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An updated encroachments list was circulated and the various items discussed.

2016/8551	BRAMSHAW GOLF COURSE, BUNKER SAND BEING STORED ON OPEN FOREST	RESUME
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The Official Verderer asked the Land Agent about several tonnes of bunker sand that Bramshaw Golf Course are storing on an area of open Forest. He asked if perhaps this storage location had been part of the original application for consent from September 2014? Mr Grugeon replied that it had not been included in the original application, and that therefore the storage had not been consented.

Action PG

It was pointed out that the golf course has its own land including proper storage facilities for bunker sand and it was not understood why it needed to use the open Forest.

ACTION LIST

2016/8552	FALLEN WILLOW TREE, SPLASH BRIDGE, BROOMY	DISCHARGE TO ACTION LIST Action DS
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The Official Verderer asked the Deputy Surveyor why the branches were sawn off the fallen willow tree rather than the whole tree being removed. The tree is now across the river and may in due course cause a debris dam. The Deputy Surveyor said he would look into the issue.

2016/8553	ACTION LIST	DISCHARGE TO ACTION LIST Action DS
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The Official Verderer asked that item 2 on the Action List, being three separate locations, be split into 2a, 2b and 2c; and that item 3 on the Action list, being two separate locations, is split into two parts 3a and 3b,.

2016/8554	SWAN GREEN CRICKET PAVILLION	DISCHARGE TO ACTION LIST Action PG
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The Official Verderer asked why the demolition of the Swan Green Cricket Pavilion was dragging on for such a great length of time. The Land Agent advised that as planning consent is required, the Planning Authority requires a Phase 1 Habitat survey to be completed and this can only be carried out in May.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2016/8555	VERDERERS HALL REFURBISHMENT	DISCHARGE
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Mr Dowsett asked the Land Agent for an update on the scheduled refurbishment of the Verderers Hall. Mr Grugeon advised that works were scheduled to start after the Verderers Court in July and should be completed before the next Verderers Court in September. If works over run, as they often do on listed buildings, an alternative location may need to be sought for the September Court.

Mr Pasmore asked if the Verderers could be advised of the plans for the Hall. The Official Verderer reminded the FC that Mr Pasmore has been appointed as Verderers' Representative, and should be included in all discussions and plans. Mr Grugeon agreed to keep Mr Pasmore informed.

Action PG

2016/8556 ROADSIDE CLEARANCE OF SCRUB

DISCHARGE

Mr Readhead took the opportunity to thank the Forestry Commission for the roadside clearance works carried out in the south of the Forest. He said in his opinion it was the best job he has seen.

2016/8557 QUEEN'S HOUSE CAR PARK

DISCHARGE

Mr Readhead asked the Deputy Surveyor if there are any plans to extend the car park at Queen's House, as there is a definite lack of spaces. The Deputy Surveyor said that plans were being thought through about extending the bottom car park, adding that Queen's House garden is a Heritage Garden, so plans will need careful consideration.

2016/8558 NOTICE BOARDS IN FOREST CAR PARKS

RESUME

Mr Pasmore said that he has noticed a lot of extra notice boards appearing in car parks around the Forest. He asked if they were replacement or additional boards. The Deputy Surveyor said he is unaware of any additional notice boards and will investigate.

The Deputy Surveyor and Land Agent left the meeting

OTHER MATTERS ARISING

2016/8559 WAYFARERS BURLEY, NATURAL ENGLAND PROPOSAL FOR MITIGATION

RESUME

The Court discussed Natural England's proposal for mitigation for the gravel outside Wayfarers in Burley. The Forestry Commission has for the time being allowed the gravel to remain, apparently because Natural England is happy for it to stay providing the owner provides mitigation so there is no net loss of SSSI.

Mrs Westerhoff said that this is not Natural England policy, but only a response to this particular issue. As this may not be how it has been interpreted by the Forestry Commission, she suggested a letter be written to Natural England, and copied to the Forestry Commission, stating that the Verderers are not in agreement with the idea of mitigation in exchange for any type of encroachments, whether access, parking space, fencing, or anything else.

Mr Deakin said that in his opinion ripping up concrete is not a replacement for Forest lost. He pointed out that the concrete should already have been removed when its purpose ceased, so really this is not mitigation for the

loss of grazing at all.

Mr Heron said that he felt the point of mitigation has been missed, it should only be used as a last resort and we do not have to agree just because Natural England does.

The Court agreed that the proposal for mitigation as a *quid pro quo* for any sort of loss to the grazing should be resisted as a dangerous concept which could lead to indiscriminate encroachments of one sort or another.

The Court also agreed that any loss of grazing must demonstrate an overwhelming public need. If the case for overwhelming public need is accepted by the Court, the mitigation should be in the proximity of the loss, and the size, nature and quality will determine whether it will be accepted by the Verderers.

2016/8560 NO WIN NO FEE SOLICITORS DISCHARGE

Mr Deakin told the Court that he had received advice that the office is obliged to release information under the Data Protection Act if it is requested by a Judge, or is required for legal action. In cases where there is insufficient evidence to the identity of an animal, the office would be unable to release owner information due to the uncertainty.

2016/8561 TB PLAN RESUME

Mr Mills updated the Court on the meeting he, the Clerk and Mr Greenwood attended with Mr Richard Dampney of APHA. The Verderers TB Plan needs to be updated and the Q&As must be incorporated into the plan. The Clerk had been hoping to be able to rewrite the plan at home, but has now told Mr Mills she feels too unwell to continue. Leanne Sargeant has been working on the plan alongside the Clerk and she will be asked to take over the rewriting.

OTHER AGENDA ITEMS

2016/8562 PLANNING APPLICATION NEW FOREST ACTIVITY CENTRE RESUME

The NFNPA has written to the Court to ask for consultation on the proposed new riding stables at the New Forest Activity Centre, Black Knowl in Brockenhurst. Specifically it has asked whether trekking from the stables on the open Forest would have any significant impact upon the open Forest.

Action DW

The Verderers discussed at length the significant impact that another riding school will have on the Forest around Brockenhurst. The horses will be trekking straight out onto Black Knowl, a low lying wet area of Forest where the Forest has only just recovered from previous scars caused by now closed riding schools. It was therefore agreed that the Verderers write to the planning authority giving the Court's concerns and objecting to the proposal.

2016/8563 NFNPA FUNDING APPLICATION FOR ADDITIONAL INFORMATION ABOUT PERMITTED FC CYCLE ROUTES DISCHARGE

Mr Heron advised the Court that the proposal has been withdrawn.

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2016/8564 HLS AGM DISCHARGE
The invitations to the HLS AGM on Wednesday 13th April have been sent out.

VERDERERS GRAZING SCHEME (VGS)

2016/8565 Nothing to report this month DISCHARGE

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2016/8566 NATIONAL GRID VISUAL IMPACT PROVISION PROJECT, NEW FOREST DISCHARGE

Mr Dowsett updated the Court on the meeting with the National Grid he and Mrs Westerhoff attended on Tuesday 15th March regarding the proposed undergrounding of the power lines that cross Hale Purlieu. Mr Dowsett said a preliminary survey had identified a route which follows the existing line of the pylons. At each end of the underground cables will be a Sealing End Compound, both of which are to be sited on private property outside the Forest. The next step will be a technical survey to see if it is feasible to follow the preferred route.

It is still not confirmed if this project will actually go ahead, but the Verderers are pleased that the area has been selected as one of the final four schemes to be progressed. If successful, work will start in 2018.

FINANCIAL MATTERS

2016/8567 FINANCIAL STATEMENT FOR DECEMBER 2015 RESUME
The Financial Statement was noted.

STAFF MATTERS

2016/8568 LEANNE SARGEANT DISCHARGE
The Official Verderer told the Court that sadly Leanne is leaving the Verderers Office. Leanne is a trained ecologist and has taken a role with the Wessex Chalk Stream Rivers Trust. An advert has been placed for her replacement.

A temporary lady is starting in the office on Monday, part time, to help out during the Clerk's absence.

ANY OTHER BUSINESS

2016/8569 DAMAGE TO THE FOREST AT BIG MATLEY RESUME
The Official Verderer has received a letter raising concern for damage caused by cattle at Big Matley between King's Passage and Beaulieu Road Station. Mr Readhead volunteered to visit and report back to the Court.

2016/8570 VERGE RESTORATION PROJECT DISCHARGE
Mr Dowsett updated the Court that the FC is now in final discussions with contractors regarding Woodgreen. The Official Verderer lamented the lack of action in East Boldre.

2016/8571 PONY PASSPORTS, SIGNING OUT OF THE FOOD CHAIN

DISCHARGE

Mr Readhead asked Miss Macnair to use her considerable influence to persuade the NFPBCS to stop automatically signing ponies out of the food chain at registration as it has serious financial implications for Commoners regarding the disposal of fallen stock. Miss Macnair replied that it was not the Pony Breeders but a Defra condition. She continued that Mrs Pat Campbell, Chairman of the British Horse Society Breeds Committee, actively encourages owners not to sign their animals out.

There was no further business and the meeting closed at 13:40 hrs.

Joanna May
Official Verderer
20th April 2016