

Minutes of the COURT OF VERDERERS held on Wednesday, 21st May 2003 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

PRESENT: Mr O Crosthwaite Eyre Official Verderer
Mr J Adams Elected Verderer & Chairman of the Staff Committee
Mr N D Anderson TD Appointed Forestry Commission Verderer
Mr P Frost Appointed Countryside Agency Verderer
Mr A Gerrelli Elected Verderer
Mrs K Heron Appointed Hampshire County Council Planning
Verderer
Mr J F Kitcher MBE Elected Verderer
Miss D Macnair Elected Verderer
Mr A H Pasmore Elected Verderer
Mr J Perry Appointed DEFRA Verderer

IN ATTENDANCE: Miss S Westwood Clerk
Mr B Ingram Head Agister (for first three items only)

APOLOGIES: None

IN COMMITTEE

2003/202 ANNOUNCEMENTS & DECISIONS DISCHARGE

The Announcements and Decisions were approved.

2003/203 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 16th April 2003 were approved and signed.

2003/204 CONDITION & WELFARE OF STOCK RESUME

The Chairman of the Staff Committee said he is not totally content with the condition of stock. Some mares with new foals are facing problems some 2 to 3 weeks after foaling. A number of ponies removed during the winter because their condition was sub-standard have been returned to the Forest too early. The result is the overall standard has dropped significantly. Some years ago, Orders were served on certain commoners requiring them to obtain the approval of the Verderers before returning their animals to the Forest. However, because the majority of commoners acted responsibly and did not turn their animals out too soon the practise was discontinued. This is the first time for a number of years that the problem has occurred. Some of the worst animals have been removed again but in many cases where mares are in foal they have been allowed to remain out. The Court agreed this problem should be considered when the byelaws are reviewed.

The Head Agister commented that some ponies are now picking up as the grass is now coming through. He suggested that the next newsletter could incorporate a warning that if commoners act irresponsibly, the system of issuing Orders may have to be revived. He went on to say that the Agisters are still removing ponies – mostly mares with foals and he hoped that matters will be greatly improved by the time of the next Court. The Head Agister left the meeting.

2003/205 DECLARATIONS OF INTEREST

DISCHARGE

Mr Crosthwaite Eyre and Mr Donald Anderson again each declared an interest in matters relating to golf clubs.

2003/206 FINANCIAL STATEMENT

DISCHARGE

The Financial Statement was accepted. Queries should be directed to the Clerk. If the workload in the office permits, a comparison with the figures at this time last year will be prepared.

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

IN ATTENDANCE: Mr Mike Seddon
Mr Will Parke

Deputy Surveyor of the New Forest
Area Land Agent (New Forest)

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2003/207 MRS FREDA HARDING

We were very sorry to learn of the death, back in April, of Freda Harding. Freda was a prominent Forest figure, having served as secretary to the Commoners' Defence Association for over 20 years and being a founder member of the Forest Friendly Farming Pony Publicity Group. Over the years she rarely missed a Court, until ill health prevented her from attending. Freda was evidently also a very good cook, her culinary skills being much sought after for local parties. The Forest has lost a valued member of the commoning community and we send our condolences to her family.

2003/208 WELFARE TOUR

A tour of the Forest took place on 7th May attended by representatives of the RSPCA, International League for the Protection of Horses, the British Horse Society and the DEFRA Veterinary Surgeon responsible for the Forest. All expressed satisfaction with the condition of the animals and were pleased with the way the grazing is managed and the welfare of animals is monitored.

2003/209 VERDERERS' ELECTIONS

In respect of Mr Peter Robert's recent Presentment, there is nothing in either the New Forest Act of 1949 nor the Representation of the People's Act that requires tithe numbers to be shown on either registration forms or the Register of Electors. Whilst including tithe numbers would help prevent fraud, it was felt the effort required would be disproportionate to the benefits attained. Electors are required to sign a declaration stating that they are qualified to vote and we believe that this is sufficient. Assuming this year's election is contested, it will be held on Friday, 28th November.

2003/210 DIBDEN INCLOSURE CAR PARK

Following Mr Mike Eccles presentment last month, the Forestry Commission will look at ways of encouraging the public to use the official car parking area so as to avoid obstructing the free passage of vehicles at this location.

2003/211 CAR PARKING AT WATERS GREEN AND FEEDING OF PONIES

We have written to the Principal at Brockenhurst College asking for his help in resolving the problems created by students parking their cars around Waters Green. The difficulties appear to have followed the College's decision to charge students to park their vehicles within its curtilage. The unauthorised hand feeding of ponies was also raised. A very prompt and detailed response has been received in which the Principal undertakes to make every effort to alleviate problems which involve students of the College. He also offered to meet with the Verderers and talk to Peter Sweet who made presentments at the last two Verderers' Courts.

2003/212 MR BOB COOPER'S DUNG HEAP

The Verderers felt that as Mr Cooper's dung heap is situated on Manor Waste, over which the Court does not have jurisdiction, they would decline to become involved in the argument as to whether or not it should be there!

2003/213 CYCLING

Following Sarah Newman's presentment in March, the Court agreed that cycling is a healthy mode of transport which if used instead of motor vehicles should be encouraged. Additional links from conurbations with Forest roads could reduce traffic but any linkage or extensions to gravel tracks is a matter for the Forestry Commission and the Verderers.

2003/214 FALLEN STOCK

DEFRA has extended the deadline for registering an interest in the Government's proposed national fallen stock collection service. If the scheme is to be implemented, 50% of farmers are required to register. The deadline for responses was the 6th May at which date the target had not been met. As a result that deadline has been extended to 28th May. Along with the NFU, the Verderers urge commoners to respond to the letter sent to them. If the 50% target is achieved, DEFRA hopes to have the collection service in place by September of this year.

2003/215 POOR PONIES

An unacceptable practice on the Forest has emerged this spring. Ponies taken off for welfare reasons have been returned before they are fit. The Verderers utterly condemn this action as ponies should only be returned when they are fully fit. We urge commoners to co-operate with the Agisters for the welfare of Forest stock.

2003/216 AGISTER ANDREW NAPHTHINE

We are pleased to welcome back Agister Andrew Naphthine who has now returned to his duties.

ANIMAL ACCIDENT REPORT

2003/217 ANIMAL ACCIDENT REPORT FOR APRIL 2003

Total Accidents for the Period: 5 (5) Two ponies were destroyed in one accident which the driver failed to report.

	Killed		Collar		Injured		Collar		Uninjured		Collar		Not Found	
Ponies	4	(4)	0	(0)	1	(0)	0	(0)	0	(0)	0	(0)	0	(1)
Cattle	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)

Donkeys	1	(0)	0	(0)	0	(0)	0	(0)	0	(0)	0	(0)	0	(0)
Pigs	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)
Sheep	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)
Totals	5	(4)	0	(0)	1	(0)	0	(0)	0	(0)	0	(0)	0	(1)

TOTAL KILLED & INJURED	6	(4)
Accidents During the Hours of Darkness	3	(4)
Vehicles Involved		
Private Cars / Light Commercial	4	(5)
Motor Cycles	0	(0)
Heavy Vehicles	0	(0)
Number of Local Motorists	5	(5)
Number of Accidents Not Reported	1	(0)
Total Killed and Injured for the Year to date	23	(20)
Number of Deer Killed	4	(6)

Figures in brackets () show previous year's totals.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

None

PRESENTMENTS

2003/218 KITES AND BUGGIES

Presentment by Mr Michael Cooper, Practising Commoner

Mr Cooper expressed concern at the use of large skateboard type vehicles which are towed by an overhead kite. They have been seen travelling at between 30 and 40mph across Moonhills, Wilverley Plain and Longslade and Mr Cooper felt they present a serious hazard to stock and people. The Court and Forestry Commission was asked to prohibit these vehicles before a serious incident occurs.

2003/219 CONCRETE POSTS AT EXBURY

Presentment by Mr Michael Cooper, Practising Commoner

In March 2002 the Court was asked to seek the removal of a number of old concrete posts situated along the Exbury Road with a view to seeking their removal as they were considered to be a danger. As the posts are still there, Mr Cooper asked if the matter could be resurrected.

2003/220 MARE CONTRACEPTIVE SCHEME

Presentment by Peter Sweet, Commoner

"When Richard Stride made his presentment a while back regarding the future of stallions on the Forest, I accepted his proposal because of the state of emergency of commoning here on the Forest at that time as a short term solution. However, the separation of the stallions from their mares is in the long term both unnatural and socially incorrect for a semi-feral herd.

Following my visit to New Zealand and my discussions with officials of their Ministry of Conservation concerning the contraception trials being carried out there on their wild horses, I suggested that these trials should be monitored and if the Court thought advisable, repeated here in the Forest.

I was told then that the Court would consider this and, I understood subsequently that first trials on a small number of free running mares would be started this year at the time of the drifts. May I ask you about the state of this project?"

2003/221 Sustrans Cycle Route – Longslade Bridges
Presentment by Peter Sweet, Commoner

Col Sweet referred to the planning application which has been lodged by Sustrans to construct bridges for cyclists over the gaps in the disused railway line at Longslade.

Whilst Col Sweet did not object to the proposals in principle, he was concerned that there are problems with the application. Richard Manley (Chairman of the Commoners' Defence Association) asked Col Sweet to request that the matter be dealt with in the proper manner when it is brought before the Court. They believe a presentment to be necessary.

2003/222 GREENHILL COPSE
Presentment by Mr Pink, tenant of Greenhill Copse

Mr Pink gave a detailed presentment concerning problems he is experiencing at the Copse. He explained the ecological importance of the copse which has recently been fenced in order to protect it whilst rejuvenation works take place. Unfortunately, someone has cut the fences and Mr Pink expressed the belief that commoners are responsible. He said there have been claims that the copse is subject to prescriptive rights of grazing as animals have had access for many years. The Chairman of the Commoners' Defence Association was cited as having made such a statement in the local press. Mr Pink does not agree that this is the case, claiming that he has attempted to maintain the fencing during his tenancy.

The Official Verderer responded to Mr Pink saying that he can be assured that the Verderers Court utterly condemns the action of those who cut the fence and explained that such matters are outside the jurisdiction of the Verderers' Court which, whilst it has the status of a Magistrates Court, does not deal with criminal matters.

2003/223 MRS FREDA HARDING
Presentment by Capt Tim Moore MRCVS

"Freda attended the Verderers' Court with me on over 100 occasions during my time as Chairman of the Commoners' Defence Association. I am sure that those that served with her on the Committee would wish to join with me in thanking the Court for drawing attention to Freda's achievements. Freda was such a busy person with many interests, but above all commoning, being a true commoner. With Ken she ran a smallholding of great variety. She had an encyclopaedic knowledge of commoners and commoning. She was always determined to stand up for commoning but would not tolerate those, who in her opinion, were tarnishing the image of commoning, which she had helped so well to bring out into the open and to be accepted by the public.

Energetic and good humoured whatever the provocation by man or beast. Very determined and would fight hard to get wrongs righted whatever the authority involved. She would always speak her mind and one would know that any advice given was really what she felt, and she expected others to do the same.

20 years working with her as Chairman without a cross word passing says a lot about her character. No one could have asked for a more loyal secretary. Her one failing.... Freda and computers just did not get on!

We all wish Ken and her family well".

2003/224 AGRI-ENVIRONMENT SCHEME

"I understand that the Court may be considering their advice on the ground rules that should apply if any form of grant or subsidy should become available for depastured pony stock, in recognition of the fundamental part that they play in the conservation of the Forest, and in tourism.

I feel very strongly that no such grant should become payable to any animal that has to be moved off the Forest due to body condition outside that allowed, on more than one occasion.

I also feel that any such grant should be restricted to true Forest stock and not given to other breeds such as Shetlands not native to the Forest, or crosses between such breeds.

If these two suggestions were carried out seriously then they could cause a dramatic improvement in the condition of stock on the Forest and might even produce an improvement in the numbers depastured which might go some way to satisfying those that claim an excessive number of animals are turned out.

Above all neither of these suggestions has any impact on the rights of commoners to turn out, purely that if the stock turned out were not up to an acceptable condition or not of true New Forest Pony stock, then they would not be eligible for any subsidy.

This may be the last real chance for a generation to improve the overall condition of depastured stock, which still leaves so much to be desired at certain times of the year".

IN COMMITTEE

CONSIDERATION OF PRESENTMENTS

2003/225 KITE BUGGIES

DISCHARGE

The Forestry Commission confirmed it does not approve of the kite buggies which have been seen on the Forest. The Keeper reported one at Longslade and the user was told to stop. The Forestry Commission is currently considering whether the machines can be classed as "vehicles" for the purposes of its byelaws. The Official Verderer requested an announcement be made at the next Court advising the public that the kite buggies are not allowed.

2003/226 EXBURY POSTS

DISCHARGE

The Forestry Commission and Verderers' Office investigated these posts when the matter was raised before. The posts are boundary markers for the Exbury Estate, put in many years ago. The Clerk was asked to write again to Exbury Estate repeating the concerns that have again been expressed.

2003/227 MARE CONTRACEPTIVE SCHEME

RESUME

This matter was discussed at some length when the suggestion was first raised. The RSPCA at the time was very supportive but it became apparent that they would not be able to assist with funding. There are also various technical difficulties which would have to be overcome if the treatment is to be worthwhile. A more detailed report will be available at the next Court.

2003/228 SUSTRANS CYCLE ROUTE – LONGSLADE BRIDGES

DISCHARGE

Mr Parke reported that the Forestry Commission has taken up the matter with Sustrans as the planning application raises a number of issues.

If the matter had been discussed prior to an application being submitted, concerns about the bridges, including their design, proposed construction materials, their width, and the remarks annotated on the plan could have been explored and dealt with. These issues have not been addressed and there remains the question as to whether the data from previous engineering investigations into the strength and suitability of the abutments has been given proper consideration. Once these matters have been satisfactorily addressed, the Forestry Commission will bring the proposals to the Court in the normal way.

Mr Pasmore asked about earlier proposals by Sustrans for a route from Christchurch/Ringwood through to the Hythe Ferry. In particular, concern was addressed about the disused railway line west of Burbush. Mr Parke advised that there is no question of that stretch of the old line being reinstated as a cycle track because of environmental issues.

Sustrans has an enormous amount of money and political "clout" but several aspects of the proposed route requires the consent of the Verderers. The status of the old railway line is that it now forms part of the Open Wastes of the New Forest and, therefore, falls under the jurisdiction of the Verderers' Court.

2003/229 GREENHILL COPSE

DISCHARGE

After careful consideration it was agreed that this is a matter that falls outside the direct jurisdiction of the Court as the land forms part of the old Canternton Manor. There has been a fence on top of the bank for years, albeit that it is in poor condition and stock has gained access to the woodland for years. The Court has condemned the criminal act of cutting the fencing but it is hoped it might be a lesson to other landowners that to allow fencing to fall into disrepair is not wise.

2003/230 AGRI-ENVIRONMENT SCHEME

This matter appears later on in the Agenda.

SUBMISSIONS BY THE FORESTRY COMMISSION

NONE

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

2003/231 CAR PARKING AND ILLEGAL FEEDING OF STOCK ON WATERS GREEN, BROCKENHURST

DISCHARGE

The Clerk appraised the Court of the content of the letter from the Principal of Brockenhurst College in which he promised to try to help alleviate the problems.

2003/232 ELECTRICITY CABLE AT HINCHELSLEA DISCHARGE

Nothing further has been heard following the site meeting and no firm proposals have been brought forward. It was agreed there would be little objection to the use of the machine to bury the cable and the Court would like to pursue any opportunity for the cable to be put underground. The only proviso is that the trench must be properly filled and compacted to prevent danger to stock and riders.

2003/233 A31 PICKET POST JUNCTION – PROPOSED ORNAMENTAL INCLOSURE RESUME

The map showing the proposal in detail was circulated. The planting scheme has yet to be agreed. There is a concern that some commoners may object to the loss of grazing and it will be important to ensure responsibility for fencing is formalised.

2003/234 NEW FOREST CAMPSITE REFURBISHMENT RESUME

Mr Seddon said he will shortly be writing to the Official Verderer, the Chairman of the Commoners' Defence Association and the Chairman of the New Forest Association to ask for representatives to form a committee which will work through proposals in a constructive manner.

2003/235 BEECHWOOD ROAD LOG STORE RESUME

Mr Parke reported he has tried to follow this up without success. He will continue to pursue the owner of the property.

2003/236 LONGDOWN TIP RESUME
September

The Forestry Commission has now received some legal advice on the complex matter of liability and the Environment Act. However, the point has been reached where the hole can be filled in and the temporary fence removed.

2003/237 NOMANSLAND CAR PARKING RESUME

Reference was made to Court Minute No. 10784. It seems there is some confusion about what was agreed and the Forestry Commission is reconsidering its position. Mr Anderson suggested that in the meantime, dragons teeth be installed to reduce verge erosion.

2003/238 BRAMSHAW TELEGRAPH COTTAGE RESUME

The illegal fence has now been in position for 9 months. It was suggested that as a final resort a threat should be made that if the owner does not remove the fence, someone else will!

OTHER MATTERS OF CONCERN TO THE FORESTRY COMMISSION

2003/239 ORIENTEERING RESUME

The Official Verderer and Mr Anderson will draft a paper offering the Forestry Commission advice on orienteering events in the Forest.

2003/240 HOLMSLEY GRAVEL PIT RESUME

At a recent Open Forest Advisory Committee Meeting there was some disagreement about what was agreed as respects the reinstatement of the old gravel workings. The Minutes of the Court clearly state that agreement was reached that the north face of the pit should be left for five years to allow for geological research, after which time it would be restored. Planning approval is required but as yet has not been sought. Mr Seddon will be provided with a paper containing extracts from the Minutes and the matter will be referred back to the OFAC in order that a constructive approach can be agreed.

2003/241 ACCESS TO BUSKETTS POUND DISCHARGE

The Court requested dragons teeth on the access to Busketts Pound in order to prevent illegal parking.

2003/242 COPSE OF LINWOOD RESUME

Mr Pasmore expressed concern at the accumulation of old cars and rubbish on the Forest around these cottages together with what appears to be an illegal encroachment. Mr Parke promised to investigate.

Mr Seddon and Mr Parke left the meeting.

OTHER MATTERS ARISING

2003/243 BYELAW ENFORCEMENT RESUME

(This item was dealt with out of Agenda order and the Deputy Surveyor and Area Land Agent were therefore present for the discussion).

The action of Mr James Penny in turning out two unpassed stallions has resulted in the New Forest Pony Breeding and Cattle Society deciding not to register any foals next year in the area in which the two horses have been running – i.e. the Northern Commons. This is very unfair to commoners in the area and is a waste of the good stallion Buckland Dragonslayer who has been allocated the area.

As Mr Penny has refused to remove the stallions it was agreed the Agisters should arrange to catch the animals and return them to Mr Penny, together with notices requiring him to keep them in off the Forest and commons.

2003/244 PONY PASSPORTS RESUME

The office is working on a draft VIC (Verderers' Identification Certificate). A draft will be circulated when it is available. Once the certificate has been agreed it will be possible to estimate the costs.

Miss Macnair reported that the New Forest Pony Breeding and Cattle Society has decided it can produce a similar certificate for any feral pony for £3.50. Miss Macnair also reported that the Pony Society is meeting with DEFRA again shortly. Miss Macnair was requested to arrange for the Pony Society to put in writing exactly what it can do as respects passports and certificates for commoners' stock.

2003/245 NON PAYMENT OF MARKING FEES RESUME

Most commoners have now paid their marking fees for this year and the majority of those still outstanding from last year have also been collected. Definite non-payers will be served notices giving 7 days in which to pay. Two commoners who are declining to pay for additional animals for last year have paid in full this year. Stock counts will take place again this year.

The Official Verderer felt that the Court should adopt a formal policy that commoners who do not abide by the Verderers' byelaws will be barred from inclusion in any scheme devised by the Verderers designed to provide commoners with financial incentives. Such schemes include the present stallion scheme and any future agri-environment scheme. The Official Verderer will draft some suitable wording.

2003/246 GOATS ON NATIONAL TRUST COMMONS RESUME

The Official Verderer reported that there is a meeting of the National Trust Committee tonight. He will speak with Mr Phil Marshall and make one last attempt to confirm the Trust's view on goats.

2003/247 REVIEW OF THE VERDERERS' BYELAWS RESUME

A letter has been received from Mrs Jane Cowell at DEFRA Legal. Apparently the Court could apply to become a prosecutor under the 1911 Animal Act.

In order to try to resolve the problem of commoners returning poor animals to the Forest before their condition is satisfactory it was questioned whether it would be possible to charge a further marking fee. This will have to be considered. In the meantime, the Official Verderer will draft an announcement about animals being returned too early. The draft will be circulated for approval.

2003/248 ENGLISH NATURE DISCHARGE

Mr Frost reported that he has met with English Nature. English Nature would like to improve the lines of communication so as to work more directly with the Court rather than mainly through the Forestry Commission as at present. This was felt to be a good idea.

OTHER AGENDA ITEMS

2003/249 STAFF PENSIONS RESUME

The Clerk requested approval to retain the services of Numerica (the Verderers' auditor) which has a Pensions Department. Advice is required following a letter received from the Court's current pension provider advising that it is no longer accepting new business. This could have serious implications for certain employees' pensions and the Clerk wishes to seek essential expert advice. The Court requested clarification of the service which will be provided.

2003/250 BEAULIEU ROAD HOTEL RESUME

An approach has been made by the Hotel with a request to try to resolve the longstanding issue of the burden of common rights on the property. The Official Verderer will consult Counsel's Opinion which was obtained last time the matter was raised.

2003/251 ANNUAL DONATION RESUME
July

An anonymous benefactor has offered to donate £2,750 per annum to the Court to be spent on animal welfare or otherwise for the public benefit.

It was suggested that one use for the money would be to rent some land for impounding stock which has to be removed from the Forest when the identity of the owner is not known. Further thought will be given to this proposal and efforts made to locate suitable land.

REPORTS FROM OUTSIDE BODIES

2003/252 THE WATER BASIN FORUM DISCHARGE

Mr Kitcher attended this forum. The Forestry Commission, English Nature and the Environment Agency were also present. Attempts were made to reach agreement as to the best way forward. One of the issues is Black Water where it travels through the inclosure. Efforts are to be made to put the "wiggles" back into the stream! Concerns were expressed at the possible effects of "bog-blocking" and it was agreed that field meetings will be held at each stage prior to works commencing. Plans of the proposals are expected.

2003/253 THE NEW FOREST CONSULTATIVE PANEL DISCHARGE

Mr Anderson reported on the last panel meeting. Minutes will be circulated shortly.

STAFF COMMITTEE MATTERS

2003/254 THE AGISTER TEAM RESUME

The Court was pleased to hear that Agister Naphine has been pronounced fit for work and has resumed his duties.

The advertisement for a new Head Agister will be placed in mid June/early July. The Job Specification will be circulated for comment at the next meeting.

After careful consideration of the Court's present and likely future financial position it was unanimously agreed to increase the Agister team to five. It was also agreed that whilst it would be nice to simply offer the present temporary Agister a permanent position, as a public body the Court should invite outside applications as well. An advertisement will, therefore, be placed as soon as possible.

HEALTH & SAFETY AT WORK

2003/255 RISK ASSESSMENTS RESUME

Mr Kitcher kindly offered to provide a copy of the Risk Assessment form that he is obliged to complete in his capacity as sub-contractor to the Forestry Commission. He will also provide a first draft of an Assessment for a pony drift.

2003/256 PERSONAL PROTECTIVE EQUIPMENT – BODY PROTECTORS RESUME

The Court agreed that the Agisters should be provided with body protectors to wear whilst riding. A clause will be entered into the Employment Contracts stating that failure to wear the body protector will be considered a breach of contract.

ANY OTHER BUSINESS

2003/257 WASTE ON THE OPEN FOREST DISCHARGE

Mr Anderson advised the Court that the operating company at Pound Bottom has recently employed a person (2 / 3 days per week) to clear waste material from the Forest from Longcross Cross Roads to the Forest boundary at Golden Gate. They have made it clear to all their drivers that they must ensure their loads are properly covered and secure before leaving the site. Mr Anderson went on to say that much of the rubbish actually emanates from the “take-away” at Redlynch.

2003/258 GRAVEL PIT OFF MOCKBEGGER LANE RESUME

Mrs Heron commented that there is a piece of land of approximately 4 acres near to her home that will shortly become available following restoration. She wondered if the Court would be interested in using it – possibly as a place to impound stock. Mrs Heron was thanked and asked to investigate further.

2003/259 BEAULIEU ROAD HOTEL – SEWAGE RESUME

It was reported that sewage is seeping into the bog, possibly from the Beaulieu Road site. The matter will be reported to the Environment Agency.

2003/260 BUDGET RESUME

The Clerk was advised that a budget will be required by the 1st July.

The Court adjourned for Lunch.

The meeting reconvened. The Official Verderer and Mr Anderson had both declared an interest in the following item and did not attend this final part of the meeting.

2003/261 NEW FOREST GOLF CLUB DISCHARGE

Mr Pasmore addressed Miss Macnair, Mr Frost and Mr Kitcher, explaining to them that at the meeting on the 9th May 2003 the Verderers present had listened carefully to the representatives of the

Forestry Commission, English Nature and the Commoners' Defence Association. Having heard what they had to say, the recommendation that is now before the Court was agreed.

Mr Kitcher commented that he did not accept the conservation value in the golf course because of the pressures on the area. From the commoners point of view, he felt if there has to be a golf course, it might as well be where it is now. Mr Kitcher added that he felt the other courses were in worse places from a Forest point of view.

Mr Kitcher went on to say that he could not see the need for a 25 year lease. He expressed concern that the Court could find itself in serious conflict with the Forestry Commission which might seek to over-ride the decision. He felt it would be unfortunate if there was a head to head battle between the two organisations.

Miss Macnair felt there is still the problem that the Golf Club has virtually exclusive use of the Forest in the area. It is too dangerous to walk or ride over the course whilst play is in progress. This makes checking stock very difficult. Miss Macnair felt a 9 hole course with 9 fairways and 18 tees might spread the wear on the course because this limits the number of players who can use of the fairways and greens at any one time.

Mr Frost was concerned about the way the course has spread. From an amenity point of view he also feels it is a no go area and that the Lyndhurst residents are worried about venturing onto the course. He added that one of the reasons he went to see English Nature recently was the issue of the Golf Club. Diana Westerhoff of English Nature reportedly said she would not want to see the number of golfers using the course increase. The plants that are on the course are there because they are species which thrive in areas of heavy use.

Mr Frost felt English Nature might have taken a different view in the past if they had known then what they know now. As far as the drainage issue is concerned, it seems English Nature may not have been aware of the earlier work that has been undertaken.

The New Forest Golf Club is the only one with its clubhouse on Forest land.

Mr Frost felt it was a big mistake to allow an 18 hole course on such a small area. He added that a 10 year lease makes it appear less permanent whereas 25 years is a quarter of someone's lifetime.

The idea of 9 holes with 18 tees was considered to be acceptable as this configuration restricts the number of players at any one time and play from different angles spreads the wear.

At this point it was agreed that little more could be discussed that hasn't already been thoroughly considered and it was PROPOSED that the Court approve a 10 year lease if the present 18 hole course is to remain or, alternatively, offer a 25 year lease if the Club will reduce the course to 9 holes off 18 tees, with the necessary reinstatement carried out to the satisfaction of the Verderers and English Nature within 5 years.

A vote was taken and the results were as follows:-

For

Mrs Kathy Heron
Miss Dionis Macnair
Mr John Adams
Mr Peter Frost
Mr Anthony Pasmore

Against

Mr Jeff Kitcher
Mr John Perry

Abstention

Mr Anthony Gerrelli

This decision was therefore carried and will be communicated by letter to the Deputy Surveyor.

There being no further business, the meeting closed at 2.30 p.m.