

**MINUTES of the Court of Verderers held on Wednesday 16<sup>th</sup> November 2005 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 P Frost Countryside Agency Appointed Verderer  
Mr A Gerrelli Elected Verderer  
Cllr K Heron Hampshire County Council Appointed Verderer  
Mr J F Kitcher Elected Verderer  
Miss D Macnair Elected Verderer  
The Hon R Montagu Forestry Commission Appointed Verderer  
Mr A H Pasmore Elected Verderer  
Mrs P Thorne DEFRA Appointed Verderer

IN ATTENDANCE: Mr J R Gerrelli Head Agister (first three items only)  
Miss S Westwood Clerk

APOLOGIES: None

**IN COMMITTEE**

Mrs Heron joined the meeting during Minute No. 1935.

The Head Agister was present for the first three items.

2005/1933 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 19<sup>th</sup> October 2005 were approved and signed.

2005/1934 ANNOUNCEMENTS & DECISIONS RESUME

the Announcements and Decisions were approved.

2005/1935 CONDITION OF STOCK RESUME

Report by the Head Agister

The condition of stock going into the winter on the Forest remains fairly good. The drifts were reasonably successful with the overall condition of stock considered exceptional part from on Penn Common where there were a number of late foals.

A number of foals are still on their mares although every effort is being made to catch and remove as many as possible in order to prevent the mares losing condition through the winter.

The cattle in the north of the Forest belonging to a new commoner are still causing concern. DEFRA and Trading Standards have visited his holding. The problem seems to have occurred because the wrong type of cattle have been turned out and the commoner appears somewhat inexperienced. A feeding area has been requested which is also a source of concern. The Official Verderer asked to be advised if the problem is not resolved and he commented that the Agisters should not be doing all the work of catching poor animals.

Further difficulties are arising because some commoners are under a misconception that they have to continue to turn out their stock in order to claim their Single Farm Payment. This is not correct and a note to that effect will be included in the next newsletter.

Mrs Heron joined the meeting at this point.

Mr Frost asked whether marking fees will have been paid on ponies whose tails have not been cut. He was advised that they will have been paid for and it was simply a case that they have missed the drift.

The Head Agister left the meeting.

Report by Mr John Adams – Chairman of the Staff Committee

Mr Adams agreed with everything the Head Agister said. He commented that most cattle have now been removed for the winter. With the exception of those already discussed, those which have been left out are looking well.

Mr Adams felt that the forthcoming Welfare Tour should go well. Some mares with foals are beginning to go back, mainly as a result of the recent spell of very wet weather. He added that the Forest has not seen a bad winter for some years and there is a decent amount of food on the Forest. He hoped that as many foals as possible will be caught in time for the next sale which is the last this year but he commented that more and more commoners rely on the drifts as they are unable to catch their own stock without help from the Agisters.

2005/1936 DECLARATIONS OF INTEREST

RESUME

The New Forest Golf Club will be raised later in the meeting and the Official Verderer declared an interest as a director of another Golf Club in the Forest.

The Elected Verderers and Mrs Thorne declared an interest in the Countryside Stewardship Scheme.

Mr Gerrelli declared an interest in the items concerning Campsites.

2005/1937 FINANCIAL STATEMENT

RESUME

The Clerk apologised that the Financial Statement for October was not available. A fair amount of time has been spent on preparing for the Magistrates' Court hearing which took place on the Friday before this meeting. The statement will be prepared as soon as possible for circulation and approval at the next Court.

2005/1938 MARKING FEES

RESUME

The Assistant to the Clerk confirmed that marking fees have been paid to date for the following animals:-

Ponies	4302
Cattle	2609

Donkeys	97
Pigs	194
Total	7202

Total stock excluding pigs 7008.

2005/1939 BYELAW ENFORCEMENT

DISCHARGE

The result of the Trial last Friday will be reported in the Announcements & Decisions. The defendant was given a twelve month conditional discharge and ordered to pay £100 costs. The Judge was anxious to ensure that an identical sentence was handed down.

The Official Verderer went on to say that it was vital that the case was won in order to confirm the authority of the Court and ensure the future of the Stallion Scheme.

At present the stallion owner has refused to confirm whether or not he has caught his horse.

The Official Verderer sought the Court's approval to immediately seek a further prosecution if the stallion is again seen on the Forest. This was unanimously agreed. The Agisters have been instructed to keep a careful watch.

The Official Verderer said the Court's legal team has served them very well over the past 3 ½ years and added that hopefully this will be the end of the litigation – except perhaps in respect of Minstead Manor.

No new breaches of the byelaws have been reported.

2005/1940 IDENTIFICATION OF STOCK

DISCHARGE

DEFRA has responded to the Clerk's letter stating that the Forest may get an exemption from any future requirement to microchip equines. At this stage EU proposals have not been received. The Court will be invited to comment when they are.

2005/1941 BRANDS

RESUME

A letter to commoners is being drafted which will set out the regime for brands. The letter will be available for consideration in December and it is intended it will be sent out to commoners in January.

2005/1942 COUNTRYSIDE STEWARDSHIP SCHEME

DISCHARGE

The Announcement which the Scheme Manager will make in Open Court sets out the current position concerning stock numbers and will explain the actions that are to be taken in order to try to prevent stock numbers increasing. It is a robust approach which it is hoped will place a check on numbers during the coming year. The action has been approved by the Verderers' Scheme Sub-Committee.

2005/1943 THE COUNTRYSIDE STEWARDSHIP SCHEME & MINSTEAD RESUME  
MANOR

The Official Verderer confirmed that to date the Scheme Manager has received no request from the Manor Commoners to meet to discuss their position.

A list of those who pay marking fees and those who do not has been drawn up and it shows that out of 15 people who are currently depasturing stock, all but 3 are paying marking fees.

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

IN ATTENDANCE: Mr Mike Seddon Deputy Surveyor of the New Forest  
Mr Will Parke Area Land Agent (New Forest)

**ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER**

2005/1944 ENFORCEMENT OF BYELAWS

The trial of Mr James Penny concluded last Friday at Southampton Magistrates Court. He was found guilty of a breach Byelaw 9 for allowing his stallion Romeo Bear to be at large on the Forest without the Verderers' approval.

We are pleased that the District Judge, in giving his judgement, clearly confirmed that the Byelaws give the Verderers specific powers to decide which stallions are to be allowed out on the Forest, and when they are to be allowed out. The Stallion Scheme is a practical means of deploying those powers in the best interests of the welfare of all the animals in the Forest.

The nuisance caused by having an unwanted stallion in that area has now been firmly dealt with and we hope that, with James Penny's successful conviction, this will be the last time that we have to resort to the Magistrates Court in order to enforce our byelaws.

2005/1945 COUNTRYSIDE STEWARDSHIP SCHEME

Our scheme has been a great success, and over 75% of all practising commoners have joined. One of the main underlying reasons for setting up this scheme with DEFRA was to obtain funds to pass on to commoners, in recognition of the vital contribution that their animals make to the ongoing preservation of the New Forest. That objective is being achieved, and this year payments worth well over GBP300,000 will shortly be sent out by cheque to the 350 or so commoners in the scheme.

However, it is a key term of our agreement with DEFRA that there should be no more than 7000 animals out on the Forest. This total figure of 7000 includes animals that are not in the scheme. For a number of reasons, including the popularity of the scheme, we are almost certainly going to fractionally exceed that figure this year.

At the moment DEFRA is reasonably relaxed about this state of affairs, mainly because we have assured them that we will be taking immediate steps to reverse the upward trend in the number of animals out on the Forest. However, there is absolutely no doubt that if the numbers have not reduced by year three of the scheme DEFRA will become concerned, and the payments to us may well be stopped.

We must therefore take action, and the Scheme Manager, Colin Draper, will make his own announcement this morning setting out what is proposed.

Put simply, payments to all participants who depasture more animals next year than they depastured in 2004 will be cut by 25%. We will also be restricting the number of animals allowed for new entrants to the scheme from 13 to 5, and those new entrants must have depastured and paid marking fees for two years, rather than just one, before being allowed to join the scheme.

These measures are robust, but in the circumstances they need to be. We must reduce stock numbers, and thus ensure that we can continue to make meaningful payments to commoners for a further eight years.

#### 2005/1946 BRANDS

We need to be able to demonstrate to the Government that the way we identify the ownership of animals on the forest is effective. If we fail to do so we may be bound by any future national requirement for all horses and ponies to be micro-chipped.

We strongly believe that micro-chipping the Forest's semi-feral herd is impractical, expensive and carries real risks for the ponies' welfare. On the other hand branding is practical, simple and effective.

In order to show the Government that our preferred system is a watertight way of identifying animals we need to modify our present branding regime. Accordingly all those who currently hold a registered brand will soon be receiving a letter setting out our revised system. It is very important that all those who receive this letter read it carefully, and respond to it as soon as they can.

#### 2005/1947 MARKWAY LAWN

The Commoner's Defence Association recently made a presentment asking us to look at the work done this summer by the Forestry Commission on the Ober Water at Markway Lawn. We deliberately waited until a good deal of rain had fallen before visiting the site, and on Thursday of last week we saw for ourselves how the area had coped with the enormous amount of water that had flowed through the newly restored channel. Although we have yet to discuss the matter in full, which we intend to do in committee this morning, we all agreed that we were encouraged by what we found. Even though the restoration works are not what was originally agreed at the site meeting in June, they do seem to be effective.

We strongly believe that the key to the long term success of the Forestry Commission's works on the Ober Water will be monitoring the channels and keeping the flow of water going. Even though it is still too early in the winter to form a judgement, we are cautiously optimistic that these works may well solve the problems at Markway Lawn. If they do, we will be the first to congratulate the Forestry Commission.

### **ANIMAL ACCIDENT REPORT**

#### 2005/1948 ACCIDENT REPORT FOR OCTOBER 2005

The agisters attended 16 accidents last month which is exactly the same as October last year.

7 ponies and 1 donkey were killed, and 3 ponies were injured.

8 accidents occurred during the hours of darkness, 11 involved private cars and light commercials and 1 involved a heavy vehicle although the driver did not report the incident.

7 accidents involved local motorists and 5 accidents were not reported.

The total killed and injured for the year to 31st October is 90 compared with 88 for the same period last year.

2005/1949 ANNOUNCEMENT BY MR COLIN DRAPER, COUNTRYSIDE STEWARDSHIP SCHEME MANAGER

#### MEASURES TO COUNTERACT THE RISE IN ANIMAL NUMBERS ON THE FOREST

If numbers on next year's Marking Fee Register, exceed 7,000, there will be a 25% reduction in payment for any Scheme member who depastures more animals in 2006 than they depastured in 2004 (if numbers are below 7,000, then this measure will not be implemented).

In addition, there will be

#### Limits on the Number of Animals Which Commoners May Enter in the Scheme

Commoners who paid Marking Fees in 2004 – will be allowed to enter any number of animals, up to the totals they depastured and paid Marking Fees on in 2004 – subject to the current maximum limit of 100.

Commoners who did not pay Marking Fees in 2004, who depastured animals and paid Marking Fees in 2005, will be allowed to enter up to 13 animals in the Scheme.

Commoners who did not pay Marking Fees in 2004 and 2005 may enter up to a maximum of 5 animals in the Scheme, but will be required to depasture animals, and pay Marking Fees for 2 years, prior to joining the Scheme (Note: Marking Fees for 2005, paid after 1 November, will not qualify as payment for one of those years).

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

2005/1950 There were no Presentments by the Deputy Surveyor

#### **PRESENTMENTS**

2005/1951 INCIDENT INVOLVING HORSE RIDERS AT NORTH WEIRS  
Presentment by Mr Michael Cooper, NFCDA Member/

On behalf of one of our members we wish to draw to your attention an incident that occurred on Sunday 30<sup>th</sup> November about midday in North Weirs Brockenhurst. Two horse riders were riding along the gravel track towards Whitefield Moor, when they were approached by two cars that appear to have made a deliberate attempt to drive at them causing both riders to take evasive action. The police were notified of the incident and we understand that communication will be taking place between them and Mr Parke (FC Land Agent).

We are concerned that owners of properties bordering Forest tracks, sometimes assume that they have 'Rights' over who should use such tracks because, as in this

case residents pay into a fund for its upkeep.

The Association would like it made abundantly clear by the Forestry Commission to all residents abutting such Forest tracks, that all pedestrians, horse riders and cyclists (subject to any specific conditions prevailing) to have an absolute entitlement to use these tracks unhindered at all times.

This is not the first time that such an incident has been reported on this particular track and we ask the Verderers to give their full support in respect of our concerns, and before injury is caused to horse or rider.

2005/1952 £500 FOR REFLECTIVE COLLARS  
NFDC Road Safety Committee Member

"I have pleasure in enclosing a cheque for £500 towards the manufacture of some more pony collars. This has kindly been given by New Forest District Council's New Forest Road Safety Partnership, who are one of the few, if not the only, safety partnership in the UK that has a priority to reduce road casualties and includes an item to reduce stock casualties".

2005/1953 SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC)  
Presentment by Mr Bob Cooper, Minstead Manor Commoner

Mr Cooper wished to advise the Court that he has been accused of inappropriately managing a SINC. He felt this is a dangerous accusation which planning officers may seek to use in considering planning applications for commoners dwellings. Mr Cooper added that he will not let the matter rest.

2005/1954 MINSTEAD MANOR STOCK – MARKING FEES  
Presentment by Mr Bob Cooper, Minstead Manor Commoner

Mr Cooper said that following the announcement that marking fees would be charged on animals which strayed onto the Crown Lands from Minstead Manor Waste, he had discussed the matter with the Lord of the Manor. Mr Cooper said that with the consent of the Lord of the Manor it has been decided that cattle, ponies, pigs and sheep belonging to those who do not have the right to common of pasture or pannage on the Manor Wastes but which are found to be on the private common will, as from 1<sup>st</sup> January 2006, be subject to a levy as follows:- Cattle and ponies £40 per annum per head, sheep and pigs £20 per annum per head and donkeys £15 per annum per head. Mr Cooper went on to suggest ways of managing both Crown and Manor animals.

Mr Cooper then went on to remind the Court that in 1983 a similar attempt to charge marking fees on the Manor Commoners was unsuccessful. He then questioned whether the Court should spend further funds on legal proceedings.

*The Official Verderer responded to Mr Cooper, thanking him for sharing his ideas. The Official Verderer said that he too had spoken with the Lord of the Manor and understood that he does not wish to proceed with the course of action Mr Cooper has suggested. He then went on to say that it is important to get this matter into perspective. Of 18 currently practising commoners, 15 are happy to pay marking fees. The remaining 3 choose not to. In view of this, the Official Verderer asked Mr Cooper to advise the Court exactly who it is that he represents.*

Mr Cooper replied to the Official Verderer saying that some commoners have been told that they will not receive the assistance of the Agisters if they do not pay. Some who

do pay cannot look after their animals properly on their own and are taking the line of least resistance.

*The Official Verderer said that Mr Cooper is of course entitled to make his Presentment and to state his views, however the Court hears what he says, but does not agree with him. Mr Cooper appears to represent only a minority of practising Minstead Manor commoners, and it is important the public is aware of this.*

2005/1955 SLIPPERY SURFACES ON RAILWAY BRIDGES  
Presentment by Mr Jimmy Haynes, Commoner

Mr Haynes reported that the surfaces on the bridges known as Tin Bridge and Sandhole are extremely slippery and dangerous to horse-riders. He added that non-slip surfaces are needed and asked the Court and/or Forestry Commission to contact Network Rail. Mr Haynes said the Denny Lodge Parish Council and Commoners' Defence Association have tried in the past, unfortunately without success, to get the problem resolved.

2005/1956 RUBBISH BINS ON CAMPSITES  
Presentment by Mr Derek Bennett, Sway Resident

Mr Bennett asked for the large red bins on Hollands Wood Campsite to be removed. He said they are an eyesore and are not in keeping with the Forest environment. He added that if they can't be removed they should be painted green.

**IN COMMITTEE in the Library**

**CONSIDERATION OF PRESENTMENTS**

2005/1950 INCIDENT INVOLVING HORSE RIDERS AT NORTH WEIRS DISCHARGE

The Court and Forestry Commission condemned the action of the motorist involved in intimidating the two riders. Mr Kitcher commented that the matter has been raised in the Commoners' Defence Meeting and there are indications that it is not the first time such an incident has occurred. There has been a suggestion that those responsible for the intimidation may be connected with attempts to remove a disputed encroachment. There is also an ongoing argument about who has the right to use the track as the residents have to maintain it.

The Deputy Surveyor said that the Forestry Commission asks that consideration be given by all sides in the dispute.

Mr Parke added that riders, walkers, cyclists, etc., have an absolute right to use any such track and the residents are granted a one-off licence for a period of 60 years which gives them right of access to their properties. Whilst general maintenance of such tracks are indeed the responsibility of the residents, matters concerning the width of the tracks, drains, overhanging trees etc., are handled by the Forestry Commission.

2005/1951 REFLECTIVE COLLARS DISCHARGE

A letter of thanks will be sent to the Road Safety Partnership.

Miss Macnair suggested that the clip within Patrick Kemp's video which shows ponies cantering through a line of cars should be shown on television.

2005/1952 SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC) DISCHARGE

The Court felt that this involves private land which is outside the jurisdiction of the Court.

2005/1953 MINSTEAD MANOR STOCK – MARKING FEES RESUME

The Official Verderer remarked that only the Lord of the Manor can impose a levy as suggested by Mr Cooper. He went on to say that Peter Green (Lord of the Manor) had made it plain that he was not interested in levying marking fees on animals from neighbouring commons. It was agreed, however, that it would be sensible for the Official Verderer to seek clarification from the Manor. In any event, it is not a matter that can directly affect the Verderers.

2005/1954 SLIPPERY SURFACES ON RAILWAY BRIDGES RESUME  
January

The Forestry Commission agreed to do what it can again to resolve the problem of slippery bridge decks. In the past the railway company has been unwilling to take action because no direct complaints were received. It was considered that if the bridges were once surfaced properly, there is an obligation on the railway company to maintain the surfaces properly.

It was agreed Mr Haynes should be asked if he can obtain some information on specific incidents and possibly letters from those who have experienced problems.

2005/1955 RUBBISH BINS ON CAMPSITES DISCHARGE

The Court was advised that different contractors use different coloured bins. The change from green to red may be the result of a new contractor being used. The Deputy Surveyor said he will look at the contract with the bin company and see if it is economically sensible and feasible to have the bins removed.

*After the meeting, the Clerk was advised that the bins would be removed shortly.*

#### **SUBMISSIONS BY THE FORESTRY COMMISSION**

There were no submissions from the Forestry Commission at this meeting.

**MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION AND ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

2005/1956 MARKWAY LAWN

RESUME

A site visit took place recently and it seems that the work so far carried out has been successful. Mr Frost felt the Forestry Commission should be congratulated. The work was supervised throughout by Mr Simon Weymouth (FC) and Mr Frost considered the result proves that skilled operators can produce excellent results.

Other members of the Court were somewhat more cautious but all felt the works have been successful so far. It was agreed that a further visit will be needed later in the winter to see, in particular, how the bund is fairing.

Concern was also expressed that alterations to the programme of works that everyone thought had agreed to earlier in the year, had resulted in a loss of trust.

Mr Pasmore felt a written record of what was discussed and agreed at the last site meeting should be prepared for future reference. This was considered to be sensible and Mr Pasmore offered to draft a suitable letter which will be circulated to all members of the Court in order that those who attended the site meeting can indicate their approval or request amendment.

2005/1957 MINSTEAD MANOR MAP

RESUME

Apart from a small strip of land adjacent to Acres Down which ownership needs to be clarified, the map is almost ready. Mr Parke commented that the Manor Land should be recorded by the Land Registry and this may be a means of ensuring the map is correct. He offered to assist the Clerk in this respect.

2005/1958 LYNDHURST GOLF CLUB FENCING

DISCHARGE

Work was carried out before the drift and the fence is now satisfactory. The Court thanked the Forestry Commission for helping to resolve the issue.

It was remarked that the roadside sign advertising the Golfing Sale has not been removed even though the event has been and gone. It was suggested the Club should be asked to remove it.

2005/1959 HGV WEIGHT RESTRICTION IN THE NORTH OF THE FOREST

DISCHARGE

Mrs Heron reported that £50,000-£100,000 is in the 2006/2007 transport budget. Wiltshire put in £40,000 last year and that money has been re-designated for the next 12 months. The work to implement the width restriction should now take place although at present the precise position for the signs has yet to be agreed.

- 2005/1960 REVIEW OF THE COMMONS BILL RESUME
- The Official Verderer reported that Ms Lindsay Cornish, Chief Executive of the National Park has been very helpful. Ms Cornish is monitoring progress of the Bill. It was agreed that a copy of the Legal Opinion should be provided to DEFRA's legal department. DEFRA has accepted there may be a problem with the Bill as currently drafted and they are looking into it. They are being urged to include a minor amendment.
- 2005/1961 HOLLANDS WOOD AND ROUNDHILL CAMPSITE PROPOSALS RESUME  
January
- The Deputy Surveyor said there is nothing further to report at present. Revision to the Shadow Appropriate Assessment is awaited, following discussions between Forestry Commission, English Nature and the Official Verderer.
- 2005/1962 BLUE WATER MAIN MARKERS RESUME  
January
- Mr Parke is still trying to resolve this issue with the Water Company.
- 2005/1963 DOMESTIC RUBBISH COLLECTIONS IN THE FOREST DISCHARGE
- The matter was raised by the Deputy Surveyor with Mr John Maskell of NFDC. It has been explained that every effort is made to collect the rubbish and recyclables as quickly as possible. The most efficient method is for members of the team to pile the sacks on the side of the highway ready for the dustcart. Special arrangements are in place where livestock has caused problems in the past. Teams work together to minimise the time the waste is left on the verges. One of the problems seems to have occurred because a new crew was used on the round who were not aware of the issues. It is hoped that is now resolved. Evidence is needed if there are concerns that sacks are left by the highway for a significant period.
- Mr Montagu said he wrote to Mr Mel Kendall (Leader, NFDC). It seems the system had unofficially changed in Beaulieu. This will be resolved and it is possible that a vehicle that can collect both types of rubbish may be used.
- 2005/1964 FLY TIPPING AT WILVERLEY DISCHARGE
- The rubbish which has been dumped at Wilverley Pit Car Park contains asbestos and will cost the Forestry Commission in the region of £1,150 to remove by specialist contractor. Efforts will be made to see if there is any evidence as to the origin of the rubbish.
- It was suggested that a reward could be offered for information leading to the conviction of a fly tipper. It is believed the Environment Agency offers such a reward. Anyone convicted of fly-tipping may face a fine of up to £50,000. Unfortunately, however, it is usually very difficult to find out who is responsible.

- 2005/1965 EAST BOLDRE ALLTOMENT FENCE DISCHARGE
- Mr Parke has been in touch with the Parish Council. It is thought they may be relying on the earth bund to exclude stock in which case the redundant fence should be taken away.
- 2005/1966 ELLINGHAM RUGBY/CRICKET PITCH RESUME  
January
- Mr Parke said he has written again, requesting a site meeting. The Club has been told to clear up the area but despite this, it seems that the wicket covers remain on the pitch.
- 2005/1967 CADNAM CRICKET PITCH RESUME  
January
- Mr Parke has a meeting arranged for tomorrow.
- Mr Gerrelli asked if anything can be done via conditions contained in the leases. Mr Parke confirmed that action can be taken and added that Ellingham is the worst offender.
- 2005/1968 NEW PARK ENTRANCE RESUME  
January
- There are an appalling rash of signs at the entrance to New Park – even more than when the matter was discussed at the last Court.
- The Deputy Surveyor said he has had a meeting with the Area Surveyor to see if the Highway Authority can do anything to reduce the number of signs.
- ANY OTHER BUSINESS INVOLVING THE FORESTRY COMMISSION**
- 2005/1969 SLIPPERY BRIDGES (Forestry Commission) DISCHARGE
- Two bridges were mentioned that are particularly slippery to horses when wet. The first is facing Milkham East Gate (on the left). There is no alternative to using this footbridge.
- Going towards Broomy Lodge, outside the Inclosure, "Nices Hill", a bridge that is wider than a footbridge but not of vehicle width.
- A request was made for the Forestry Commission to try to resolve the problems.
- 2005/1970 REFLECTIVE POSTS DISCHARGE
- Mrs Thorne reported that 15 posts have been placed in the verge after someone drove into the ditch at Aimies Corner. The number seemed somewhat excessive. Mrs Heron agreed to approach the Highway Authority in this connection.
- 2005/1971 BRAMSHAW TO WINDYEATS ROAD RUBBISH RESUME  
January
- Rubbish, including a length of steel joist, building refuse and paper is yet again accumulating along the roadside on the way to Pound Bottom Tip. The Forestry Commission agreed to deal with the rubbish. The

Deputy Surveyor said that if there are any particularly bad roads or areas, the litter collector can be asked to clear them but they need to know where the problems are.

2005/1972 SPEED INDICATOR DEVICES

RESUME  
January

There are now three speed indicator devices situated around the Forest although it is thought not at present on the unfenced roads. Funding is now in place and the Forestry Commission has undertaken to install posts at seven locations on unfenced road verges. The Court agreed the Agisters will be responsible for deploying the SID's approximately 20 times per year, subject to appropriate training.

2005/1973 LYNDHURST BYPASS

DISCHARGE

The Official Verderer reminded members of the Court that a presentation will be made after lunch by representatives of the Lyndhurst Parish Council Bypass Committee. Members of the Court will have the opportunity of hearing the proposals and also of making the Parish Council aware of the Court's views.

**The Deputy Surveyor left the meeting.**

**LIFE 3**

2005/1974 SUSTAINABLE WETLAND RESTORATION

DISCHARGE

Mr Frost reported that new proposals include works in Dockens Water – clearing collapsed willow etc which should not cause problems. In addition there are proposals to open up glades and lawn at Millyford. There will be no interference with the flow of water and the results should be good for commoning. A site meeting will be arranged.

Mr Frost went on to say that it was admitted that mistakes were made at Blackwater, Rhinefield where a meander was left because of a population of snails. Further rectification works may be undertaken there.

£40,000 originally earmarked for deer fencing may be diverted to fence re-alignment.

Plans are being drawn up for work on more rivers but at present there is no money available after the end of the current LIFE 3 project.

**OTHER MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS**

2005/1975 WILVERLEY INCIDENT

RESUME

There is nothing further to report at present. The matter has been passed to the insurers. No comment has been made on the Advert recently placed by the solicitors acting for the injured lady.

2005/1976 FREEDOM OF INFORMATION ACT

RESUME

The suggestion that the Verderers should attend a training course on the implications and systems that need to be put in place in order to comply with the Freedom of Information Act was accepted. It was suggested the session could take place after the February Court, in the afternoon. The Clerk will make the necessary arrangements.

## **NATIONAL PARK**

2005/1977 NATIONAL PARK TEAM

DISCHARGE

Three appointments have been made as follows:-  
Director of Conservation and Enhancement – Mr Steve Trotter  
Director of Understanding and Enjoyment – Mr Jeff Haynes  
Director of Corporate Services – Alison Parker

A press release with information of the three appointees will be circulated.

2005/1978 COMMONERS HOUSING REPORT

DISCHARGE

At the last meeting of the NPA a very detailed report concerning Commoners' Housing was presented. The report was jointly prepared by the New Forest Association, the Commoners' Defence Association, and Hampshire Wildlife Trust. The NPA will use this report to help formulate its policy on Commoning housing needs.

## **OTHER AGENDA ITEMS**

2005/1979 COURT DATES 2006

DISCHARGE

The Court dates for 2006 were agreed as follows:-

January	18 <sup>th</sup>	Open Court
February	15 <sup>th</sup>	Open Court
March	15 <sup>th</sup>	Open Court
April	19 <sup>th</sup>	Open Court
May	17 <sup>th</sup>	Open Court
June	21 <sup>st</sup>	Open Court
July	19 <sup>th</sup>	Open Court
August	-	No Court Session
September	20 <sup>th</sup>	Open Court
October	18 <sup>th</sup>	Open Court
November	15 <sup>th</sup>	Open Court
December	20 <sup>th</sup>	Committee Only

## **MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2005/1980 THE CONSULTATIVE PANEL

DISCHARGE

A letter has been received seeking suggestions for the next Chairman.

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

2005/1981 PORTALOO FOR AGISTER'S YARD DISCHARGE

One of the Agisters has asked if the Court is prepared to supply him with a "Portaloo" as his yard (which is his base) does not have any facilities. After careful consideration, the Court felt that this is not something it can assist with and suggested that if such a facility is required the Agister should obtain it at his own expense.

2005/1982 COMMUNICATIONS ON DRIFTS RESUME

It has suggested that a two way radio system be investigated in order to maintain contact between Agisters and helpers on drifts. It is felt such a system would greatly improve health and safety of those involved. The suggestion was felt to warrant further investigation and Mrs Thorne said she would obtain details of the system used by the Hunt. Mr Adams will also make enquiries.

2005/1983 STALLION SCHEME – NEW PARK GRAZING RESUME

One stallion owner has still not put his stallions into New Park although he continues to assure the Court that he will. Mr Adams will ask the Head Agister for an update.

2005/1984 MINSTEAD MANOR STOCK DISCHARGE

It was confirmed that as from 1<sup>st</sup> January 2006, the Agisters should make a detailed note of any animals found on the Crown Lands which have come from Minstead Manor and then approach the owners for marking fees. Mr Adams will advise the Head Agister who will then pass on the instruction to the Agister for the area.

Mr Adams requested a copy of the map showing the boundary between Minstead and the Crown Lands.

2005/1985 UNPAID MARKING FEES – FROGHAM/BLISSFORD AREA RESUME

Marking fees have not been received for a small number of donkeys and ponies in the Frogham/Blissford area because there is currently confusion over precise ownership. The Head Agister will try to resolve the issue and obtain the marking fees.

2005/1986 SALARY REVIEW RESUME

A meeting of the Remuneration Sub-Committee will take place immediately after this meeting.

**TRAINING**

2005/1987 SPEED INDICATOR DEVICES RESUME  
February

Apart from the training in the deployment of the Speed Indicator Devices, no further training is planned at present.

## HEALTH AND SAFETY AT WORK

2005/1988 SAFETY CHECK / SERVICING OF HUMANE KILLERS DISCHARGE

The Agisters have been instructed to take their humane killers to the gunsmith in Ringwood for a safety inspection/service. As the Agisters all have a number of days holiday still to take, they have been instructed to arrange for their weapons to be serviced whilst they are on holiday.

## ANY OTHER BUSINESS

2005/1989 ROAD TRAFFIC ACCIDENT IN BEAULIEU RESUME

A letter claiming damages as a result of a collision with a pony in Beaulieu has been received. The letter will be passed to the Court's insurers.

2005/1990 ROAD SIGNAGE RESUME

Mr Montagu suggested a survey should be carried out on signs and street furniture in selected areas of the Forest. The intention is to draw up a schedule of what is considered to be necessary and what might be removed. Mr Pasmore commented that there are two huge signs on Crown Freehold at Bolderwood.

The Court felt Mr Montagu's idea to be excellent and he was asked to take it forward. Other members of the Court were asked to submit photographs of areas where it is felt there is an unnecessary proliferation of signs and furniture. Areas such as Hatchet Green, Bull Hill and Long Cross were mentioned as possible starting points.

2005/1991 ROAD TRAFFIC ACCIDENT AT GODSHILL RESUME

Mr Adams expressed concern that the Police did not react to a report of an RTA at Godshill. An animal was left in the road badly injured and the Agister was only called when a client of Mr Adams telephoned him to advise him of the situation. The Agister was then called and the animal dealt with swiftly. Mr Adams suggested a letter should be sent to the Police asking for an explanation as to why they did not summon the Agister. The Clerk asked for all the details in order that an appropriate letter can be drafted.

2005/1992 KINGSTON GREAT COMMON ENCROACHMENT RESUME  
February

The Official Verderer reported that the hearing is due to take place on Monday, 31<sup>st</sup> January. Mr Adams felt the Court should be aware that he has been asked to appear as a witness for the defence. He added that he has declined but may be summonsed, in which case he will of course have no option other than to attend.

There being no further business, the meeting closed at 12.40 p.m.