

MINUTES of the Court of Verderers held on Wednesday 16th November 2016 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

PRESENT:	Mr Dominic May	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr A B Dowsett	Forestry Commission Appointed Verderer
	Mr J Greenwood	Elected Verderer
	Cllr E Heron	National Park Appointed Verderer (from Min. 8951)
	Miss D Macnair MBE	Senior Elected Verderer
	Mr G M H Mills DL	DEFRA Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss Sue Westwood	Clerk to the Verderers
	Mr Jonathan Gerrelli	Head Agister

IN COMMITTEE in the Library

2016/8948 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on 19th October were approved and signed.

2016/8949 DECLARATIONS OF INTEREST RESUME

The Official Verderer, and Elected Verderers Mr Deakin, Mr Greenwood 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.

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.

Mr Hallam Mills declared an interest in HLS Schemes as his Estate is in Higher Level Stewardship. The Estate is also involved in the Better Boundaries Project, run by the New Forest Land Advice Service with support from Natural England. Mr Mills is also a Patron of the New Forest Trust.

Mrs Westerhoff is a tenant of the Forestry Commission.

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.

2016/8950 CONDITION OF STOCK – REPORT BY THE HEAD AGISTER

RESUME

The Head Agister said that the drifts have now finished. The condition of the ponies is excellent and all animals will go into the winter looking really well.

Mr Deakin remarked that quite a lot of foals have been left on their dams and they will cause their dams to lose condition.

The cattle are also looking very well but are now beginning to look for food and coming home. A lot of cattle have been removed.

There is still a reasonable amount of food on the Forest.

In response to an enquiry by Miss Macnair, the Head Agister said that no animal deaths have been attributed to eating sycamore and there were very few acorns on the Forest this year.

The Official Verderer asked the Head Agister to pass on the Court's thanks to the Agister team for all their hard work. The increased number of cattle which have been marked has created a lot of extra work for the Agisters, particularly as commoners often have TB tests carried out at the same time and look to the Agisters for assistance.

2016/8951 REPORT ON ANIMALS REMOVED FROM THE FOREST

RESUME

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

Cllr Edward Heron arrived whilst this item was under discussion.

2016/8952 STOCK DEATHS - OTHER THAN ROAD TRAFFIC ACCIDENTS

RESUME

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

2016/8953 REPORT ON MARKING FEES RECEIVED TO DATE AND
COMPARISON WITH PREVIOUS YEAR

RESUME

	<u>2016</u>	<u>2015</u>
Forest Ponies	4719	4642
Forest Cattle	4236	3185
Forest Donkeys	110	107
Forest Pigs	216	351
Forest Sheep	0	0
Total Forest Stock	9281	8285
Common Ponies	696	715
Common Cattle	1212	1115
Common Donkeys	92	93
Common Pigs	107	63
Common Sheep	293	232
Total Common Stock	2400	2218
Ponies, Cattle & Donkeys on the Forest	9065	7934
Ponies, Cattle & Donkeys on the Commons	2000	1923
Total Ponies, Cattle & Donkeys	11065	9857
Total Stock – Forest & Commons	11681	10503

2016/8954 BASIC PAYMENTS SCHEME AND THE FUTURE

RESUME

Cllr Heron suggested that the Court should prepare a briefing note to explain the issues that have arisen as a result of the introduction of the Basic Payments Scheme and to suggest ways of addressing them post Brexit. It was agreed this is an important step to take towards ensuring a more sustainable system is devised for the future; one which will avoid the dramatic increase in stock numbers that has been seen in the past year and which is considered to be unsustainable in the long term.

Mr Pasmore, Mr Greenwood and Mrs Westerhoff agreed to form a sub-committee to consider a way forward. They will bring forward terms of reference for the briefing note for approval at the December Court.

Action
AHP/JG/DW

As previously agreed, Mr Greenwood and Mr Pasmore will represent the Court at the meeting on the 18th January which has been arranged by the New Forest National Park Authority's Chairman, Mr Oliver Crosthwaite Eyre.

Action
JG/AHP

Cllr Heron advised the Court that National Parks are seeking more engagement with future agri-environment subsidy schemes as they are seeking more influence over the management of their areas in order to ensure that any post-Brexit system is compatible with the purposes.

2016/8955 BYELAW ENFORCEMENT

DISCHARGE

There were no new byelaw breaches to report.

The Official Verderer reported that at the recent VGS Sub-committee it was decided that the commoner who breached the byelaw by failing to remove a dead cow from the Forest when told to by the Agister will forfeit all her VGS payment this year.

The Head Agister left the meeting.

2016/8956 ANNOUNCEMENTS AND DECISIONS

RESUME

The Announcements and Decisions were approved.

OPEN COURT – 10.00 a.m.

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

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2016/8957 HIGHWAY FENCING

Thank you to Graham Ferris of the CDA for drawing the Court's attention to the shockingly poor state of the highway fence on the A35 at Holmsley. The Verderers agree wholeheartedly that Hampshire County Council's maintenance of its fences is woeful, and it is a subject that we pursue with them over and over again, with irritating regularity. We have sent a copy of Dr Ferris's presentment to the highways department. We will also be applying pressure through our Verderer Edward Heron, who is also a county councillor.

2016/8958 LATCHMORE CATCHMENT WETLAND RESTORATION

Yesterday the National Park Authority planning committee voted 6 – 5 to refuse consent for the Latchmore Catchment Wetland Restoration. I would like to thank everyone who has spoken in support of, and those opposing, the project. This Court has been the centre of the debate, and the debate has been both healthy and necessary. It has bolstered the Court as the epicentre of forest democracy and freedom of speech, something which I have encouraged. We are fortunate to live in a free country, where differing opinions can be liberally expressed without fear. There is more to unite both sides of the argument, than to divide us: we all clearly love the New Forest, cherishing its landscape and beauty. This common ground should bind us together in the future, and I advocate that we all work together from now on to protect and improve the New Forest for future generations.

2016/8959 MARKING FEES 2017

Marking fees have remained at the same level since 2012 and I am pleased to announce that there will be no increase next year.

Marking fees for 2017 are therefore the same as this year:

Ponies & Donkeys on the Forest £24.00 per head
Ponies & Donkeys on the Commons £12.00 being ½ of the Forest marking fee
Cattle on the Forest £24.00
Cattle on the Commons £3.00 being 1/8 of the Forest marking fee
Sheep on the Forest £8.00
Sheep on the Commons £4.00
Pigs on the Forest £4.00
Pigs on the Commons £2.00 per head

Please remember that marking fees are due from the 1st January. Under our Byelaws, the deadline for payment of all marking fees for continuously depastured animals is 31st March. If not paid by 31st March you will not be eligible to join the Verderers Grazing Scheme. Marking fees for animals which are not continuously depastured are due before the animals are turned out. It is the responsibility of commoners to volunteer payment of marking fees, not the responsibility of the Agister to chase you for them.

2016/8960 PRESENTATION OF THE LIFE ROSEBOWL

Pure Bred New Forest Pony mares which run on the Forest are inspected during the summer and assessed individually by three New Forest Pony Breed Society Panel judges. The mares are scored on conformation, breed type and movement at walk and trot. The pass mark is 70%. If they achieve this mark, they are graded and awarded points which are entered into the Society's Elite Scheme.

The Elite Scheme was established to help breeders, owners and potential owners interested in New Forest ponies to discover the consistently successful bloodlines in the breed. The aim is to highlight not only the achievement of individual ponies, but to link these to their sires and dams and/or progeny. The New Forest was the first UK native breed society to devise and implement a scheme such as this and its aims are to show the qualities of our ponies in as many different disciplines as possible, thus enhancing our steadily growing reputation for good quality, useful ponies capable of success in a diverse range of equestrian disciplines.

This year the top mare is Charlie Maton's Woodfidley Glorious, a 5yo grey mare, by Burley Dunedin, out of Fir Tree Little Gracie.

Unfortunately Charlie is unable to be here today as he is at College and so his father, Agister Robert Maton, will accept the Rosebowl from our Head Agister on his behalf.

2016/8961 PRESENTATION OF THE ROWL KITCHER CUP 2016

In 2007, we resurrected the annual award of the Rowl Kitcher Cup which was kindly donated some years ago by Mr Rowl Kitcher's family. The Cup is awarded each year to the owner of the highest scoring 2 or 3 year old colt at the stallion inspections held in the spring and to qualify for the cup the colt has to run out on the Forest that season.

This year I am very pleased to announce that the Rowl Kitcher Cup has been won by Lucky Lane Pegasus who was the highest scoring 3 year old colt presented to the Verderers this year for selection as a potential stallion for Forest.

Lucky Lane Pegasus is owned by Mrs Eileen Gerrelli from Portmore and she is here today to receive the Rowl Kitcher cup which will be presented by Elected Verderer and Chairman of the Verderers' Stallion Sub-Committee, Mr Richard Deakin, who is also Rowl Kitcher's nephew.

2016/8962 OFFICIAL VERDERER

When I was asked in 2014 to serve a second three year term as Official Verderer, I accepted on the condition that I would not serve a third term. My second term comes to an end in April 2017, and two months ago I therefore placed the office at the disposal of the Crown. I informed my fellow Verderers at October's Court.

For the last 5½ years, it has been my privilege to serve this Court, which does such important work to preserve the working forest. Over the next 6 months, I will continue to discharge my responsibilities with all my customary energy and enthusiasm.

ANIMAL ACCIDENT REPORT

2016/8963 THE ANIMAL ACCIDENT REPORT FOR OCTOBER 2016

The Agisters attended 16 accidents in October. This compares with 15 in October last year.

2 Cows and a donkey were killed, 2 ponies and 4 cows were injured and had to be destroyed, 1 pony, 1 pig, 2 cows and a donkey were injured and in 2 instances nothing was found.

12 accidents occurred in the dark, 3 at twilight and 1 in daylight.

4 Accidents were not reported. Two of the motorists involved were local.

2016/8964 THE SPEED CAMERA VAN

333 Drivers were caught speeding on the unfenced Forest roads in September.

No data has been received from the police regarding the number of drivers caught speeding on the unfenced Forest roads in October.

PRESENTMENTS

2016/8965 OFFICIAL VERDERER

Presentment by Mr Brian Tarnoff, Chairman of the New Forest Association's Landscape and Habitats Committee.

Mr Tarnoff thanked the Official Verderer for all his hard work during his term of office and said he regrets that he has decided to stand down. He added, he would much prefer the present Official Verderer to remain in post.

2016/8966 FORESTRY COMMISSION AND LATCHMORE

Presentment by Mr Brian Tarnoff, Chairman of the New Forest Association's Landscape and Habitats Committee

'The NFA would like to thank the Verderers for their continued support for wetland restoration on the Forest. We thank the Forestry Commission for their monumental efforts in seeing the application through. And we especially thank those, the ecologists and the Deputy Surveyor, who've borne the brunt of at times hostile opposition with a truly admirable level of professionalism. The NFA are disappointed with the very close decision of the NPA Planning Committee.

It should be noted that one of the members refusing the application unsuccessfully pressed for it to be called in to the Secretary of State because he admittedly wasn't an expert. "This has to be done at a level of expertise.... We are not experts; it's unfair that we should be making this decision because this is way above our heads. That's why the Secretary of State should make this decision, he's got the experts, they'll be in the room next door to him." Another member was so confused he thought the proposal would replace the existing habitat with another rather than simply bringing the existing one back into better function and that the FC were obsessed with creating new mires. (Not aware of any mire creation schemes). Another simply wanted the plan resubmitted with more baseline data.

The argument was not clearly won. Whether the FC are minded to appeal the decision or revise their plans, the NFA will continue to support efforts to restore palpably damaged habitat.

However this is also an opportunity to put claims from both sides back on the table. To examine merits and find ways forward. Surely there must be some rational ground between strong support from the RSPB and Wildlife Trusts and those crying Ecological Disaster.'

2016/8967 WILD TROUT

Presentment by Mr Brian Tarnoff, Chairman of the New Forest Association's Landscape and Habitats Committee

'This is a response to Fiona MacDonald's Presentment in last month's Court. The NFA agree that Trout are an important species and that monitoring should be done on projects where they are present. However, based on statements made, there are some nuances that we feel have been missed.

I do not pretend to be an expert on the ecology of fish, so I contacted the Wild Trout Trust. It turns out their ecologist made an advisory visit to Latchmore Brook. Their findings included:

1. Valuable wild trout habitat is under threat by the status quo condition of the Latchmore Brook and tributaries.
2. Channel incision and accelerated morphological processes are limiting the abundance and quality of marginal habitat (important for freshwater invertebrates and juvenile trout). These factors are also likely to be significantly impacting the viability of spawning habitat in the main channel.
3. Reconnecting paleo-meanders will result in a net increase in habitat for wild trout (as a result of increased channel length) and is likely to help protect existing spawning habitat by reducing the rate of channel incision and the magnitude of cut and fill events.

However, they also suggested measures which would make the habitat optimal for trout species, promotion of stream shading scrub, and fencing to prevent livestock poaching scrub and vegetation bankside. Of course these would both fly in the face of traditional forest management, and would even restrict the amenity in ways to which even the protesters would object. How would Forest users react to the sight of a fenced off stream, with access only through gates?

Dr MacDonald has claimed that loss of shade would be insurmountable, and references the Southampton study on riparian shade which puts 85% as the ideal amount. However, roughly 1km of the present watercourse has almost no riparian shade. We know historically that there was much less scrub along the stream on the open forest.

The point that Dr MacDonald has consistently missed is that focus on single species ignores big picture. Removal of scrub will benefit Odonata, the dragonflies. Existing and restored habitats will not necessarily be optimal for every species. Restoration creates a more robust, resilient habitat for all.

The Wild Trout Trust have implemented river restorations. In their words they:

... apply tried and tested techniques such as introducing and (re)introducing channel sinuosity, gravel and woody debris..... We've used these techniques on, for example, the Great Stour in Kent, various chalk streams in Norfolk, the River Lark in Suffolk, the River Avill in Somerset and the headwaters of the Itchen; we have a project currently underway on a tributary of the Test.

They have restored meanders and used imported gravel infill. They have even created new meanders, so clearly the change in the watercourse does not deter the Trout, neither does soil compaction seem a central issue. I asked what level of monitoring they do:

We lack the funding to quantitatively monitor the response of fish communities to most of this work but certainly fixed point photography shows beneficial changes in the physical structure of the river and its plant communities, invertebrate sampling often shows a positive response and anecdotal information suggests that the work is favoured by trout! In the case of the upper Itchen project, the work has been monitored by EA and produced a four-fold increase in trout biomass, compared to unimproved, control sites.

As always the NFA will press for practical, robust and useful monitoring of these projects. If future projects go forward the NFA are happy to work with those genuinely promoting monitoring of key species to design and find funding for evidence projects with independent experts.'

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2016/8968 LATCHMORE STREAM RESTORATION

DISCHARGE

The decision by the Planning Committee to refuse the application for the restoration works on the Latchmore stream catchment was discussed. There were differing views as to whether the application should be re-submitted taking into account the reasons for refusals. The final decision as to the way forward will be made by the HLS Board.

SUBMISSIONS BY THE FORESTRY COMMISSION

2016/8969 NEW FOREST SMOOTH SNAKE SURVEY DISCHARGE

The request for the refugia to be put out on the Forest earlier next year, starting in February, was approved.

Reportedly there are still some pieces of tin out on the adjacent commons which should be removed and replaced with the material used on the Crown Lands.

Action
Clerk

2016/8970 BT OPENREACH BROADBAND CONNECTION TO RHINEFIELD HOUSE HOTEL – BROCKENHURST 'SPINE' TRIAL HOLES RESUME

Consent was given for the trial holes which are required in order to locate the BT cable and assess its condition. The holes must be backfilled as the work is undertaken and not left open and no manholes are to be installed.

The Court wishes to know how many manholes it is anticipated are likely to be necessary and whether it is possible to use existing infrastructure rather than increasing the number of inspection chambers and covers on the Open Forest.

Action
PG

In any event, wherever possible, the Court would prefer manholes to be situated off the Open Forest and in inclosures away from grazing. Wherever possible, existing and possibly redundant infrastructure should be removed from the Open Forest in return for new.

When the final decision is made about the cabling, the Court will expect the new infrastructure to allow for public connections to be catered for as well as the private connection to the Hotel. The Court is unlikely to approve a further request for similar additional infrastructure on the same route.

2016/8971 BT OPENREACH CABLE AT CROCKFORD RESUME
January

This was raised during the discussion about the Rhinefield House connection. The Court has been asking for months for this cable to be buried and it was suggested that no further consents should be approved for Openreach until the work is completed. That suggestion was, however, felt to be a little too draconian and so the Court asked Mr Grugeon to put Openreach on notice that if the Crockford cable is not dealt with satisfactorily by January, no future applications for infrastructure on the Forest will be considered. The lack of action by Openreach questions its ability to adequately maintain its infrastructure.

Action
PG

2016/8972 NEW ELECTRICITY SUPPLY TO THE PADDOCK, BISTERNE CLOSE, BURLEY DISCHARGE

The request for permission to provide a new underground electricity supply to the above property was agreed.

The consent is subject to the usual three conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing.

2016/8973 NEW ELETRICITY SUPPLY TO THE YOUTH HOSTEL ASSOCIATION BUILDING, COTT LANE, BURLEY DISCHARGE

The request to increase the electricity supply capacity at the YHA which involves installing a new padmount substation on land owned by the YHA and connecting it to the YHA with one high voltage cable and one low voltage cable was approved. This consent is subject to the usual three conditions.

2016/8974 NEW GAS SUPPLY TO NORLAND, PIKES HILL DISCHARGE

The request for a new gas supply to the above property which requires a 63mm service pipe being laid from the existing main to a new position on the front left-hand side of the property, terminating in a cabinet mounted on the wall of the property was approved. This consent is subject to the usual three conditions

2016/8975 BT OPENREACH BROADBAND DSLAM CABINET BROCKENHURST 1, RHINEFIELD ROAD RESUME
March

The proposal to erect a cabinet on grazing close to the public footpath in Rhinefield Road was approved subject to the usual three conditions.

Mitigation for loss of grazing is being provided by moving the fence line of the A337 opposite Brockenhurst College so that the grass strip which is currently on the road side of the fence is incorporated into the Forest grazing.

The means by which the land which is to be legally incorporated into the Forest and under Forestry Commission control is to be explored by Mr Gurgeon. The common rights on the A337 verge were not extinguished by the 1949 New Forest Act, (Section 17 (3) (b) refers) but merely interfered with which simplifies the position. A document legally transferring the land from the Highway Authority to the Forestry Commission will be required. Similar transactions have been successfully managed in the past. Cllr Heron suggested Mr Gurgeon should contact Mr Tim Lawton at Hampshire County Council Highways.

Action
PG

2016/8976 NEW HOGGIN GRAVEL FOOTPATH – SOUTH SIDE OF WATERS GREEN DISCHARGE

The principle and design of the new footpath at Waters Green which is requested by Hampshire County Council was approved subject to the usual three conditions.

The new footpath will provide a much improved surface for pedestrians and will reduce the creeping erosion which is currently being caused by footfall and illegal verge parking. Mitigation for the permanent loss of grazing which will result from the installation of the hoggin gravel path is offered in the form of the grass strip described in Minute No. 8974 above.

A net increase in grazing will result from the two schemes.

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

2016/8977	HOLMSLEY PASSAGE	DISCHARGE
	Further information will be brought to the Court once it has been received from the County Council.	Action BD/DR/SW
2016/8978	FORESTRY COMMISSION HOUSING RENT INCREASES	DISCHARGE
	The Deputy Surveyor reported that a strategy for Forestry Commission housing is to be drafted at local as well as national level. The New Forest Commoners' Defence Association has been invited to become involved.	Action DS
	Meanwhile rent reviews for Forestry Commission tenants in the New Forest is on hold except where there is a RPI or similar fixed formula in the agreement. Arrangements for professional advice to tenants are being prepared.	
	The Deputy Surveyor confirmed that the Forestry Commission's intention is to continue to support commoning and staff housing where possible.	
	Cllr Heron commented that it is difficult to undertake meaningful negotiations in the absence of a policy. The Court will engage on policy not individual rents.	
2016/8979	SITE VISIT TO DRIVER'S NURSERY AND POUND HILL	DISCHARGE to SSSI R&M
	An update based on Mr Pasmore's amendment to item 14 is still awaited from the Forestry Commission.	List Action DS
2016/8980	HOLLY CUTTERS	DISCHARGE
	Licenses for the 2016 have been issued. A letter was written last year to the Holly Cutters responsible for ground damage instructing them to observe the licence terms not to drive across Open Forest. A further verbal warning to the culprit was been issued during the recent contract start-up meeting and the Holly Cutters are now fully aware of their obligations. The period for Holly Cutting opens this week.	
	The Clerk requested a list of the registration numbers of the vehicles that the Holly Cutters are using as the Verderers' Office always receives calls from members of the public who are concerned that people are cutting and removing holly. The list is very useful as it means the Verderers' staff can confirm immediately whether the vehicle and therefore its occupants are legitimate licence holders.	Action DS

SSSI RESTORATION WORKS

2016/8981	REPAIR AND MAINTENANCE LIST	RESUME
	The Deputy Surveyor provided an updated list.	
2016/8982	LongBEECH	DISCHARGE to R&M List
	Mr Pasmore expressed concern at the condition of the fords at Longbeech. They require attention. The Clerk was asked to forward Mr Pasmore's report to the Deputy Surveyor.	Action Clerk

2016/8983	PITTS WOOD	DISCHARGE To R&M List
	Pitts Wood has been added to the repair and maintenance list. The ford crossing is in a bad condition. It has been repaired on several occasions.	
2016/8984	COWLEYS	DISCHARGE
	Mr Readhead said that the work had finally been completed at Cowleys Heath to a satisfactory standard.	
2016/8985	PONDHEAD	DISCHARGE
	Further works have been carried out on 8 th November to meet with the conditions included in the planning permission and a new document, incorporating the changes that were necessary is to be provided to the Clerk.	
		Action DS
	The scheme will now be monitored during this winter to ensure it is operating correctly, and the final phase of work will be completed in 2017.	

ACTION LIST

2016/8986	ACTION LIST	RESUME
	The Deputy Surveyor provided an updated list.	
2016/8987	SWAN GREEN PAVILION	RESUME February
	Mr Grugeon said he will contact Jenny Thomas at Natural England to confirm what further bat monitoring is required as there appears to have been some conflicting information.	
		Action PG
	At the request of the National Park Planning Officers, the Forestry Commission has commissioned private bat experts, however, it is believed that in fact Natural England has the final say as to the position regarding bats.	
2016/8988	WOODGREEN CRICKET CLUB	RESUME
	The artificial wicket remains covered by a tarpaulin held down with scaffold poles and the Court is insistent that the protection must be removed. Other Forest cricket clubs do not find it necessary to protect their wickets.	
		Action PG
	It was pointed out that the Cricket Club is effectively operating without consent now as the Licence expired in 2012.	

ENCROACHMENTS

2016/8989	ENCROACHMENTS LIST	RESUME
	The Forestry Commission's Land Agent provided an updated list.	
2016/8990	ROSARY GARAGE	DISCHARGE
	This matter will be discharged whilst the developer decides what he wants to do.	
	Mr Grugeon will keep the Court informed of progress.	
		Action PG

2016/8991	1-2 FOX COTTAGES	RESUME
	The Forestry Commission's Estates Officer has visited several times and spoken to the owner about illegal parking.	Action PG
2016/8992	BORDER COTTAGE, BRAMSHAW TELEGRAPH	RESUME
	The access licence for this property is to be checked to ascertain the extent of the area that is permitted to be gravelled.	Action PG
2016/8993	STOCKLEY COTTAGE	DISCHARGE
	Builders' vehicles are parked on the grazing. Mr Grugeon was asked to ensure they are parked on the concrete instead.	Action PG

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2016/8994	NEW PARK FENCING	DISCHARGE
	Stock is consistently gaining access to New Park, particularly via the fencing to the north and the local Agister is spending an unacceptable amount of time visiting and driving them out. A pony was injured when she became entangled in the wire fence.	
	The Forestry Commission was asked to reinforce the fencing to prevent ponies which have gained access to the adjacent inclosure from pushing under the fence. The Court felt stock netting is the only answer.	Action DS
	The Deputy Surveyor said a fifth plain wire has been added near ground level and the Beat team will monitor this with the Agister and consider further changes if required.	
2016/8995	FOREST SPRING CLEAN 2017	DISCHARGE
	Mr Dowsett informed the Court that the New Forest National Park Authority is arranging a Spring Clean on the 3 rd to the 5 th March 2017.	
	Organisations taking part include the NPA, NFDC, HCC, FC and the National Trust.	
	Mr Dowsett asked the Court if it would like to be involved. There is a planning meeting on the 6 th December at 10.00 a.m. and Mr Dowsett said he will attend.	Action BD
	Those Verderers who are also CDA committee members will raise it at their next meeting. It was suggested that Mr Mike Eccles of the CDA should be invited.	Action CDA Cttee members
2016/8996	VERGE RESTORATION	DISCHARGE
	Two concerns were raised in respect of the verge restoration works.	
	Firstly the time lapse between dragon's teeth being put in and the ditching carried out at Woodgreen which resulted in vehicles continuing to park on the grazing.	
	Secondly the profile of the ditches are being dug using a square digger bucket are not felt to be satisfactory. Mr Pasmore produced a photograph of a machine with a grader that was used in the 1970s. Such equipment	

is still available. The grader digs a ditch with a more gentle profile and is quicker. There may be places where there are underground services where the grader cannot be used and such a technique is only suitable on long straightforward runs.

In addition, it was suggested that there are places where a ditch would be more attractive than dragon's teeth which require more maintenance.

The Deputy Surveyor commented that the delays between dragon's teeth going in and the ditches being dug was partly due to the same contractor also undertaking wetland restoration work. The use of a grader will be considered.

Action
DS

The Official Verderer suggested that as the HLS is covering the cost of the verge restoration and protection, the car free ditching could be redesigned so that the ditch is V shaped, not square.

2016/8997 HOLMSLEY CAMPSITE

RESUME

Reports have been received that the glamping tents on Holmsley have not been moved every 28 days and as a result a huge amount of damage has been caused. As the campsite is opened up for grazing over winter this is considered to be completely unacceptable.

The Deputy Surveyor said he is meeting with senior management of Camping in the Forest next week and will raise the matter and the need for the tents to be moved regularly will be reasserted.

Action
DS

In addition, the fence around the campsite is in a very poor state and is now considered to be a hazard to stock. The Deputy Surveyor said he will check the terms of the lease to see who is responsible and he will ensure the necessary repairs are undertaken.

2016/8998 BT BROADBAND BOX AT LESTER SQUARE, BURLEY

DISCHARGE

The Deputy Surveyor produced a photograph showing the proposed line of dragon's teeth which will completely close the unofficial lay-by in which illegal parking is taking place. A copy was requested for circulation to the Court.

Action
DS/Clerk

The Deputy Surveyor left the meeting

OTHER MATTERS ARISING

2016/8999 HIT & RUN REWARD SCHEME POSTER

DISCHARGE

The poster designed by Dr Jo Ivey was approved, and Dr Ivey was thanked for her assistance in this regard.

Cllr Heron offered to ask the National Park whether it can help with distribution but he was concerned the photographs on the poster showing the pony with two broken legs may be considered to be too graphic.

Action
EH

Parish Clerks will also be asked to display the posters on their notice boards.

Action
Clerk

OTHER AGENDA ITEMS

2016/9000 NEW FOREST NATIONAL PARK AUTHORITY DRAFT LOCAL PLAN DISCHARGE

Members of the Court were asked to let the Clerk have any comments. Action All

2016/9001 COURT DATES FOR 2017 DISCHARGE

The Court Dates for 2017 were approved as follows:-

18th January
22nd February
22nd March
19th April
17th May
21st June
19th July
August – no Court
20th September
18th October
15th November
20th December (Committee only)

2016/9002 BT OPENREACH DSLAM CABINET FORDINGBRIDGE 2 NORTH DISCHARGE
GORLEY

The proposal to site a new DSLAM cabinet on the concrete base of the current BT phone box (which is to be removed) was agreed.

The consent is subject to the three usual conditions of ensuring satisfactory reinstatement, safe working conditions and compensation for loss of grazing. The Clerk will advise BT Openreach accordingly. Action Clerk

The Court welcomed the proposal in this case to make use of the site of a telephone box which is redundant and which BT intends to remove.

HIGHER LEVEL STEWARDSHIP SCHEME

2016/9003 DUAL FUNDING DISCHARGE

A response to the Clerk's letter to Desmond Swayne MP has been received and circulated. He advises that the question of dual funding has been referred to the Audit Commission.

2016/9004 LYME DISEASE DISCHARGE

Miss Macnair requested that surveys be carried out on stock to ascertain whether instances of Lyme Disease in areas where bracken has been treated are reduced. to HLS Board

Miss Macnair also remarked that where there is a heavy bracken cover and no light can penetrate to ground level, the only things that grow are seedling pine, birch and willow.

The Official Verderer said that bracken surveys have been undertaken but there are 8 or 9 different subtypes. The hope is that the variations will be better understood. There are two benefits of bracken, one is that the grass underneath does come back later in the year giving a welcome boost to stock when grazing is becoming poorer and secondly, under some types of bracken it has been shown that rare gladioli are prevalent.

Bracken in those areas is not subject to treatment.

Miss Macnair felt that a lot of grazing is lost to bracken. Mr Deakin and Mr Readhead both agreed that more bracken control is required.

A bracken survey covering 2011 and 2012 was prepared for the HLS board in 2013 and copies will be obtained for Miss Macnair, Mrs Westerhoff and Mr Pasmore.

Action
Clerk

There is a further report on the subject of cutting & burning of heather which was produced by the Game and Wildlife Conservation Trust at Fordingbridge.

FINANCIAL MATTERS

2016/9005 FINANCIAL STATEMENT FOR OCTOBER 2016

RESUME

The Financial Statement was noted.

ANY OTHER BUSINESS

2016/9006 SPEED CAMERA VAN

DISCHARGE

In response to a query as to whether the number of motorists caught speeding by the van has reduced, it was pointed out that the figures now quoted in Court by the Clerk are for the unfenced roads only.

Mr Dowsett remarked that at one stage, he felt he was overtaken less often on the B3078 and B3080 but that the rate appears to have risen again. Cllr Heron also felt that speeds may be creeping up again. The Clerk responded by telling the Court that a request was made for the speed camera van to spend some time on these roads at night following a spate of accidents involving Forest stock. She added that she can ask for the speed camera van to be sited on those roads more often if it is felt desirable. The Court pays for less of the speed camera van's time now.

It is of course understood that speed is not always to blame for accidents. Mr Mills remarked that he feels the reason why some drivers fail to report having had an accident with a Forest animal is because they are uninsured or have some other reason why they would rather not communicate with the constabulary.

2016/9007 RURAL CRIME SEMINAR

DISCHARGE

Mr Mills said he will be attending the upcoming Rural Crime Seminar and he will report back to the Court with any relevant matters of interest.

Action
HM

2016/9008 ROADSIDE FENCING

DISCHARGE

Mr Deakin remarked that it will be interesting to see if there is any change to the roadside fencing works by Hampshire County Council following the presentment made by the Chairman of the CDA at the October Court. Councillor Heron advised that he has recently written to Mr Stuart Jarvis, HCC's Director of Economy Transport and Environment on this matter and will inform the Court when he is in receipt of a response.

There was no further business and the meeting closed at 1.36 p.m.