

MINUTES of the Court of Verderers held on Wednesday, 21st April 2004 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 A Gerrelli	
	Mrs K Heron	Elected Verderer
	Mr J F Kitcher	Appointed Hampshire County Council Verderer
	Miss D Macnair	Elected Verderer
	The Hon R Montagu	Elected Verderer
	Mr A H Pasmore	Appointed Forestry Commission Verderer
	Mrs P Thorne	Elected Verderer
		Appointed DEFRA Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk
	Mr R Maton	Agister (first three items only)
APOLOGIES:	Mr P Frost	Countryside Agency Appointed Verderer

IN COMMITTEE

The Head Agister was present for the first three items.

2004/823 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 17th March 2004 were approved and signed.

2004/824 ANNOUNCEMENTS & DECISIONS DISCHARGE

The Announcements and Decisions were approved.

2004/825 CONDITION OF STOCK RESUME

Agister Robert Maton attended the Court Committee in place of the Head Agister who was on holiday; the Head Agister having booked the holiday prior to his appointment.

Agister Maton reported that the overall condition of stock remains good but some heavily in-foal mares are losing condition. Because of the time of year, a number of ponies are looking "scruffy" as they are losing their winter coats. Mares which need to come in will either be caught quietly if possible before they get too near foaling, or after their foals are born.

2004/826 STALLION SELECTION DISCHARGE

Agister Maton asked if he may raise a different subject. Permission was granted by the Official Verderer.

Agister Maton commented that in the first year of the stallion scheme the Agisters were invited to comment on the progeny of stallions which have run the Forest in previous years. In the second year, the Agisters' comments were largely ignored. The Agisters are wondering if they will have an input this year.

He went on to say that there is some concern that the increase in the number of 2 year old colts which have accepted this year will impact on the older horses, resulting in some proven stallions being rejected.

In reply, Mr Adams, the Chairman of the Staff Committee said that it is difficult to judge older and younger horses against each other because of course the young colts will not have progeny that can be considered. Because of this, he felt that it will be necessary to split the horses into two groups in future.

The Official Verderer said that the Stallion Scheme is on the Agenda for discussion later in the meeting and thanked Agister Maton for his comments which will be given due consideration.

Agister Maton left the meeting.

2004/827 CONDITION OF STOCK - INSPECTIONS

RESUME

Mr Adams agreed with all that Agister Maton had said regarding the condition of stock. A lot of ponies are borderline but should now start to improve. He reported that on the 28th March, 78 ponies were seen in the Wilverley, Longslade, Setley area. 2 needed to be removed immediately and a further 3 are borderline and will need watching. On the 7th April, an inspection took place around Godshill, Godshill Wood, Gorley and Bramshaw Telegraph. 134 ponies were seen. 3 needed to come in and 2 need watching. 1 of the 3 ponies needing to come in immediately is a mare running at Telegraph which has been caught before and has clearly been returned to the Forest before her condition is sufficiently improved. Another pony seen at Woodgreen and believed to belong to the same commoner has also been turned out too soon. Mr Adams remarked that commoners who turn out ponies before they are fit are an embarrassment and frustration to the Agisters who caught the animals in the first place. In addition, it reflects badly on the Court from the public's point of view. It was agreed this is a situation where sanctions under the Stewardship Scheme may be useful.

Mr Adams and the Head Agister have inspected the mare at Telegraph and it was agreed the owner should receive a letter giving him one week to remove her and her yearling and warning that sanctions under the Stewardship Scheme may be imposed.

2004/828 STRANGLES/FLU

RESUME

Mr Adams said cases of strangles and flu are continuing, albeit in small numbers. It is quite bad at Holmsley/Thorney Hill at present. Ponies which catch it lose condition rapidly. Fortunately, it is not affecting all ponies and Agisters are keeping a careful watch. One or two animals have apparently died and coming out of the winter, is the wrong time of year for them to fight the infection. It is, however, a good time of year for the animals to gain condition.

2004/829 WORMING

RESUME

Mr Ralph Ellis, the Verderers' veterinary surgeon, advises that there is no real alternative to ivermectins for worming cattle. The question of residues of the drug in dung is still being looked into. Mr Ellis is hopeful that he may get some answers from a contact working for one of the

wormer manufacturers and is endeavouring to find out what, if any, scientific evidence might be available.

2004/830 WELFARE TOUR OF THE FOREST RESUME

The Spring welfare tour will be held on Monday, 17th May. Members of the Court were asked to let the office know whether they will be attending. Mr Pasmore confirmed he is unable to come.

2004/831 DECLARATIONS OF INTEREST RESUME

All the Elected Verderers plus Mrs Thorne formally declared they have an interest in the Countryside Stewardship Scheme.

2004/832 FINANCIAL STATEMENT RESUME

The Clerk apologised that she has not had time to prepare the financial statement.

2004/833 BYELAW ENFORCEMENT RESUME

Six commoners still owe marking fees for 2003. Two of the six are already subject to prosecution for non-payment of marking fees in previous years. If he does not pay by 1st May, one of those commoners will now be prosecuted again for non-payment of 2003 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

2004/834 FALLEN STOCK

We understand that the National Fallen Stock Collection Scheme has been delayed for a further six months, and we are still trying to persuade Ben Bradshaw MP, who is the Minister at DEFRA responsible for these matters, to change his mind and allow practising New Forest Commoners to subscribe to this heavily subsidised scheme. Both our Forest MP's, Dr Julian Lewis and Desmond Swayne, are anxious to support our efforts, and to that end we shall be meeting with them at the end of the month to plan a co-ordinated approach to the Minister.

2004/835 NEW FOREST SPEED LIMITS

As a result of a combined initiative between the Police, the New Forest Commoners Defence Association, the Forestry Commission and ourselves, a two-day speed enforcement operation took place on 18th and 24th March at Bramshaw Telegraph and Beaulieu Heath. Speed check points were set up at these locations and 136 drivers were stopped for exceeding the 40 mph limit. The purpose of the exercise was primarily to educate motorists rather than prosecute them. Motorists who were stopped were given the option of either a fine or a verbal explanation on the reasons for Forest speed limits. A small number of motorists whose speed was considered to be excessive were reported for prosecution.

The speed checks were manned by Police Officers, some of whom had very generously volunteered to be on duty on their days off, and various Agisters, Verderers

and New Forest Keepers were on hand to explain the importance of the speed limits to any motorist who chose the option of a few minutes chat as opposed to a fine.

The response from the motorists was on the whole extremely positive, and we are most grateful to the Police Officers who so readily gave their time and support in the constant battle against excessive speeds on Forest roads.

2004/836 GARDEN WASTE

As usual at this time of year, garden waste is being dumped on the Open Forest. Apart from the fact that fly-tipping is illegal, many garden shrubs and plants are poisonous if eaten by stock. Additionally, although ponies eat grass, lawn mowings are in fact highly dangerous as they heat up and ferment in the animals' digestive system, usually resulting in colic. The animals then suffer a very painful death. We would remind the public, therefore, that dumping garden waste is not only illegal but also potentially lethal to animals.

2004/837 DOG ATTACKS

Once again we are experiencing problems with out-of-control dogs. During the Easter Weekend two Staffordshire bull terriers attacked a day-old foal on Pilley Allotments. The owner of the dogs did not have the decency to report the incident. Fortunately, on this occasion, the foal suffered only minor injury but every year Forest animals are badly injured or killed because irresponsible owners do not keep their dogs under proper control. The message, therefore, to all dog owners is please keep your dogs under control at all times.

2004/838 COUNTRYSIDE STEWARDSHIP SCHEME

We are very pleased to report that applications to join the Scheme continue to be received, and we are confident that we will achieve our target of enrolling 70% of all practising Commoners on the Marking Fee register. Please remember that the amount of money that is available for the next ten years is dictated by how many Commoners sign up for the Scheme in year one. It is therefore in the interests of all those who have already applied to join the Scheme to do everything that they can to encourage others to do likewise.

For the sake of clarity we would like to emphasise the fact that all funds received from DEFRA under the Stewardship Scheme must only, and can only, be used for the purposes of the Scheme itself. The only exception to this rule is that we may use a proportion of the funds that we receive from DEFRA for administrative purposes, but only if those administrative purposes relate exclusively to running the Scheme.

Lastly, in accordance with this Court's Regulations, all five Elected Verderers and the DEFRA Appointed Verderer, Mrs Thorne, have declared a personal interest in the Countryside Stewardship Scheme on the basis that they are all practising Commoners and are therefore eligible to join the Scheme if they so wish. Their declarations of interest will be shown in the published Minutes of each monthly Court.

2004/839 CONDITION OF STOCK

Several ponies which were removed from the Forest because their condition fell below an acceptable standard have returned to the Forest before their condition is sufficiently improved. This is completely unacceptable. The owners of these ponies are leaving themselves open to prosecution under the Verderers' byelaws and in addition support under the Countryside Stewardship Scheme is likely to be withdrawn.

ANIMAL ACCIDENT REPORT

2004/840 ANIMAL ACCIDENT REPORT FOR MARCH 2004

Total Accidents for the Period: 5 (10)

	Killed		Collar		Injured		Collar		Uninjured		Collar		Not Found	
Ponies	3	(5)	0	(0)	2	(0)	0	(0)	0	(0)	0	(0)	0	(1)
Cattle	0	(2)	N/a	N/a	0	(1)	N/a	N/a	0	(0)	N/a	N/a	0	(1)
Donkeys	0	(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	3	(7)	0	(0)	2	(1)	0	(0)	0	(0)	0	(0)	2	(2)

TOTAL KILLED & INJURED	5	(8)
Accidents During the Hours of Darkness	1	(6)
Vehicles Involved		
Private Cars / Light Commercials	3	(9) *2 cars in one RTA
Motor Cycles	0	(0)
Heavy Vehicles	0	(0)
Bicycles	0	(0)
Number of Local Motorists	2	(8)
Number of Accidents Not Reported	2	(1)
Total Killed and Injured for the Year to date	22	(17)
Number of Deer Killed	-	(-)

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

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

There were no Presentments by the Deputy Surveyor.

PRESENTMENTS

2004/841 ENCROACHMENTS
 ENVIRONMENT AGENCY AND LIFE 3
 COUNTRYSIDE STEWARDSHIP SCHEME
 Presentment by Mr Bob Cooper, Commoner, Acres Down, Minstead

The Official Verderer asked Mr Cooper if he had provided a written copy of his Presentment to the Clerk and also if he had remembered the Regulations. Mr Cooper replied "yes" to both questions. He then commenced his Presentment.

"On behalf of my group:-

1. Pleased to be able to publicly thank both the Verderers and the CDA for their support against an unlawful encroachment on the common land by a developer at Minstead. The Planning Appeal failed and an appallingly impertinent encroachment was successfully rejected.
2. As a PR exercise it might be appropriate for the Court to ensure that a recent House of Lords judgement concerning access over common land is not misinterpreted by the public and local residents to the prejudice of commoners rights. The tabloid and broadsheet coverage certainly gave a misleading impression. The Law Report confirms the position that common land is sacrosanct against improper encroachment.

3. My least favourite organisation this month, second only to English Nature, is again the Environment Agency. As to the former it appears that the continuing obstruction of watercourses such as the Beaulieu River, a matter of complaint years ago by the late Ralph Hayward, remains a cause for concern. Clive Maton raised this at the Water Catchment Forum on behalf of commoners. Since these busybodies refuse to recant their mistaken ideologies of how the Forest has been, is, and will be set in tablets of pretence stone, the Court is asked to instruct Ms Westerhoff and her colleagues to cease interfering in the removal of the offending obstructions, which cannot be justified historically, ecologically or environmentally, and arrange for the Forestry Commission to carry out the removal within 28 days from the date of this Court. If the Court cannot do this for reasons which should be publicly announced in the view of the legal implications thereof, then let Ms Westerhoff and the New Forest committee be publicly warned that the Commoners can and will do it for them. We have had enough of these silly interfering trendies and their inexperience of the real Forest, and will do what is necessary to protect the Forest against their misplaced and mistaken so called good works.
4. As to the EA it is hoped that the Court will take careful note that the Life III project has now been set back to its very beginning, again because the bureaucrats and the New Forest committee thought they could get away with it. Will the Court insist that the Environment Agency which claims to rely on expertise not only consults but also takes advice and instruction from the Court, in particular its elected members. Will the Court insist that before any further action is taken the clearest possible explanation of what is proposed is put before this Court's public sessions with plans (on boards at the back of the Court) and full explanations - not before the ridiculous New Forest Committee - so that those who know what is required, if anything, can be properly consulted. It is not a matter for decision either by that self-serving committee or for the Water Basin Forum. It is a matter for the proper government of the Forest, the Court, and those who have legal rights in the Forest, the Commoners. Any infringement of those rights no matter how small must be met with indemnity compensation and the appropriate guarantees.
5. The Manor Commoners are expressing some disquiet about the terms and conditions now becoming evident in the Agro-Environment Agreements to which the same principle must apply. It might be a matter for concern, that the two Agencies cited above could claim sway over the grazing regime of the Forest, and that would be illegal, unworkable, not to mention disastrous. There is a correlation with the previous points. It has been suggested that one of the LIFE III items has led to the "improvement" or repair of a dangerous state of affairs at one point in the watercourses. With respect, that is not a matter which is within the parameters of wetlands restoration. If a parcel of land including a watercourse has become a danger to Commoners' stock for whatever reason, then it is the duty of the Forestry Commission under the instructions of the Court to carry out the appropriate repair and restoration. So let it, the Environment Agency, mind its own business, not ours.
6. Are the Commoners being warned to take independent legal advice before entering into the Agreement in the light of the less than obvious opportunity therein for Government and it's Agencies to derogate from the rights".

2004/842 COUNTRYSIDE STEWARDSHIP SCHEME AND THE ELECTED VERDERERS
Presentment by Mr Richard Manley, Chairman, New Forest Commoners' Defence Association

"It is the strongly held belief of the Association that all elected Verderers should join the agri-environment Scheme. Regardless of threats and posturing made by some minor elements it is the Association's duty to defend against those who make such noises. As such, I as chairman, would like to assure and positively encourage all elected Verderers to now join the scheme with the assurance that the Association will take up your case if you are legally threatened by doing so.

It is the opinion of the Association that the scheme should be open to all practising commoners regardless of their situation as long as they meet with the basic scheme requirements.

If you are circumvented from doing so then no-one is likely to stand as an elected Verderer in the future. It was not intended that you should be precluded from the scheme and DEFRA are perfectly happy for you to do so. The payment that is received is for the job of work that your animals do for the national good.

I therefore encourage you to join and assure you of our support".

The Official Verderer said that he is sure the Elected Verderers are grateful for the Association's support.

2004/843 GATEWOOD, BLACK WELL COMMON - ELECTRICITY BOARD CONTRACTORS
HIGHWAY WARNING SIGNS & THE COUNTRYSIDE STEWARDSHIP SCHEME
Presentment by Mr Mike Cooper, Practising Commoner

"May I take the liberty of drawing the Court's attention to an area known as Gatewood on Blackwell Common. Recently, contractors working on behalf of the Electricity board have been clearing trees and scrub from beneath their power cables across this area of Forest. The cut timber and brush has been left now for some weeks, and shows no sign of being cleared. This covers a considerable amount of grazing, and should be removed.

Secondly, this area is also a gateway from Exbury land onto Open Forest. No warning signs to this effect have ever been erected here. I believe the erection of suitable signs at the cattle grid would be most beneficial for the welfare of all depastured livestock in this area. The late Mr Ralph Hayward made several presentments concerning this to the Verderers' Court, to no avail. Would the Court please look at this again, and bring it into line with other entry points to the Forest".

Mr Cooper added that he thoroughly and sincerely supports the Presentment made by Mr Manley as regards the Elected Verderers and the Stewardship Scheme.

The Official Verderer welcomed a team of Dutch Ecology Students. He said he hoped they found the meeting interesting.

IN COMMITTEE in the Library

2004/844 FORESTRY COMMISSION CAMPSITES

RESUME
July

The Deputy Surveyor thanked the Court for amending its Agenda to allow for this matter to be raised early in the meeting. He introduced consultants Mr Gary Coulson and Mr Andrew Mahon, who are on contract to the Forestry Commission to assist with the proposals for

Hollands Wood and Roundhill Campsites. A brief informal presentation was then given, the intention of which was to bring to the Court some of the information gathered so far. The Deputy Surveyor went on to explain that similar informal meetings would be held with all relevant statutory bodies in July. The meetings should highlight any matters that have been missed or need to be considered prior to formal plans being prepared. Formal views will be sought later.. Preparation of an Environmental Statement, necessary to support a formal planning application, continues.. The component studies have been undertaken in line with the Scoping Document which was prepared last year.

CONSIDERATION OF PRESENTMENTS

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| 2004/845 | ENCROACHMENTS
ENVIRONMENT AGENCY AND LIFE 3
COUNTRYSIDE STEWARDSHIP SCHEME
Presentment by Mr Bob Cooper, Commoner, Acres Down, Minstead | DISCHARGE |
| | <p>Mr Cooper has an ongoing argument with the Environment Agency.</p> <p>The Court felt that because of the conflicts within the legislation it would be useful at some point in the future to obtain a legal opinion. The Deputy Surveyor commented that European Union legislation generally takes precedence but Commoners' Rights would be encompassed in the European legislation covering Human Rights.</p> <p>The Environment Agency has to be consulted over certain works on the Forest.</p> | |
| 2004/846 | COUNTRYSIDE STEWARDSHIP SCHEME AND THE ELECTED
VERDERERS
Presentment by Mr Richard Manley, Chairman, New Forest
Commoners' Defence Association | DISCHARGE |
| | <p>The Court welcomed the support of the Commoners' Defence Association.</p> | |
| 2004/847 | GATEWOOD, BLACK WELL COMMON - ELECTRICITY BOARD
CONTRACTORS Presentment by Mr Mike Cooper, Practising
Commoner | DISCHARGE |
| | <p>The Forestry Commission is aware that the Electricity Board contractors have left cut timber and brush and are reminding them that they must stack large timber and clear anything that may be a hazard to stock. Nothing is to be left on grass. The Yew tree branches at Ipers Bridge must be cleared.</p> | |
| 2004/848 | HIGHWAY WARNING SIGNS & THE COUNTRYSIDE STEWARDSHIP
SCHEME Presentment by Mr Mike Cooper, Practising Commoner | RESUME |
| | <p>Mrs Heron will contact the Highways Agency about erecting warning signs.</p> | |

SUBMISSIONS BY THE FORESTRY COMMISSION

2004/849 BURLEY CYCLE STANDS DISCHARGE

After careful consideration the Court decided not to approve the construction of a cycle stand opposite the War Memorial in the centre of the village.

It was felt that the stand represents a further little bit of piecemeal encroachment and that a site in the car park should be adequate. It was suggested it would be helpful if the sign to the car and coach park included bicycles.

The Forestry Commission has already asked the County Council to consider removing some of the existing clutter on the site but so far the answer has been no. It is hoped the County may reconsider.

2004/850 TEMPORARY FENCE AT CADMAN'S POOL DISCHARGE

The Court agreed that the temporary fencing at Cadman's Pool, designed to protect the pool side banks which have become eroded, can remain for a maximum of 3 years. They must be removed by 21st April 2007. The Forestry Commission agreed.

2004/851 PARKING AT BRITTON'S COTTAGES, NORTH WEIRS, BROCKENHURST DISCHARGE

After considerable debate a vote was taken and the proposal to provide a parking area for up to 4 cars was approved by 5 votes to 2. There were 2 abstentions. Approval was given on the condition that other parking encroachments in the area are prevented. The Forestry Commission also agreed to look for an equivalent area of gravel elsewhere (100sq.m) to re-instate to grass in exchange.

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

2004/852 PROPOSED SALE OF SWAN GREEN COTTAGE RESUME

The Deputy Surveyor said the Court's comments are being considered.

2004/853 COPPICE OF LINWOOD & LONG CROSS COTTAGE - RUBBISH DISCHARGE

Mr Parke is of the opinion that the situation at both locations is now satisfactory. Mr Pasmore said he would like to take a further look. If he is not happy, he will bring the matter back to the Court.

2004/854 BRAMSHAW TELEGRAPH ROAD SIGNING RESUME

Mrs Heron clarified the position by explaining that no NEW finger post signs are allowed on classified roads. Road signs increase in size and are more fluorescent according to the classification of the road; motorway signs being the largest, down to unclassified roads on which finger posts may be used.

Mr Frost has undertaken to obtain details of signs in the Lake District.

- 2004/855 ORIENTEERING RESUME
- This matter remains ongoing.
- 2004/856 PICKET POST - FENCE BEHIND THE LITTLE CHEF RESUME
- Work on replacing the fencing has started. About a third has been done so far. At present the fence consists of stock fencing along the bottom with a rail on top. Mr Parke said the specification provided was for three rails and stock fence. It remains to be seen what the finished fence looks like and progress will be monitored.
- 2004/857 BEECHWOOD ROAD LOG STORE RESUME
September
- Mr Parke reported that the lawyers are now in correspondence.
- 2004/858 BRAMSHAW TELEGRAPH TO WINDYEATS ROAD HAUNCHING RESUME
- Mr Parke apologised that he has been unable to progress this matter as he has been on leave.
- 2004/859 LIFE 3 - BROOMY PLAIN PROPOSALS DISCHARGE
- A site meeting was held on 22nd March. Mr Pasmore, Mrs Thorne and Mr Frost attended for the Verderers and representatives of the Commoners' Defence Association and Forestry Commission were also present. During the site meeting, one or two minor amendments to the original proposals were suggested and agreed. Mr Pasmore had prepared a report of the final proposals which was circulated to all members of the Court. The content was agreed by all those present at the site meeting and approved by the Court.
- 2004/860 BURLEY STREET GARAGE PARKING RESUME
- Mr Parke has been speaking with the Parish Council and the Garage in an attempt to resolve the problems. A site meeting is to be arranged. He confirmed that the number of cars which may be parked on the green has never been specified although there was a specific area allocated for parking which appears to have spread. Mr Parke is continuing to deal with the matter.
- 2004/861 ASHURST TO LYNDHURST CYCLE WAY RESUME
- The map provided to the Court is not terribly helpful in its present state. The Clerk will go back to the County Council to find out if there is anything specific that it wants the Court to comment on. As the Court was specifically concerned about signage, the Clerk will seek further details.

OTHER MATTERS OF CONCERN TO THE FORESTRY COMMISSION

- 2004/862 ENCROACHMENT AT & TRACK TO THE HIGH CORNER INN RESUME
- The Forestry Commission's engineers are looking at the track with the Hotel with a view to carrying out work on the Hotel's behalf. The track will be narrowed.

Most of the illegal fencing has now been removed but a small length of post and rail remains. Mr Parke will deal with this.

2004/863 WATERS GREEN PARKING DISCHARGE

Work to restrict parking is due to be carried out soon.

2004/864 PICKET POST SPORTS CLUB SITE DISCHARGE

Two marquees and a bouncy castle were erected on the site recently. The Forestry Commission has let the Club Secretary know that such things are unacceptable on the Forest. The Club has also been instructed to clear up the rubbish that was left after the event.

2004/865 OGDENS TO ABBOTSWELL TRACK DISCHARGE

No further progress has been made yet with respect to this track and it was agreed the item should be discharged.

2004/866 EAST END ALLOTMENTS DISCHARGE

A new fence is to be erected along the roadside hedge on the allotment side to prevent stock walking through gaps into the path of vehicles.

2004/867 FURZEY LODGE GREEN DISCHARGE

During a recent team training day run by a company called "Quest", numerous vehicles were parked on the grass. The Deputy Surveyor said the Forestry Commission will investigate the licence that should have been issued and also ask the Keeper to see what is going on.

The Deputy Surveyor and Mr Parke left the meeting

OTHER MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS

2004/868 MR COOPER'S RUBBISH DUMP RESUME

A report has been requested from the Head Agister. It was suggested he should take the camera and photograph the dump.

2004/869 TWO YEAR OLD COLTS DISCHARGE

The Clerk apologised that the letter to commoners whose two year old colts were out after the 1st February has not yet been written. This was due to pressure of work. Some members of the Court were unsure whether the letters would be helpful. It was however agreed that letters should be sent reminding commoners that two year old colts must be taken off the Forest by the 1st February.

2004/870 PROSECUTIONS FOR NON PAYMENT OF MARKING FEES RESUME

The pre-trial hearing has taken place. A three day trial has been scheduled for 16th, 19th and 20th July. The Judge has ordered skeleton arguments to be prepared prior to the hearing by both parties. The defendants who pleaded guilty at the earlier hearing have had their convictions reinstated as required by the High Court Judgement in December 2003.

With respect to other commoners who have 2003 marking fees outstanding, the Official Verderer instructed that the necessary evidence be gathered with a view to summons' being issued.

2004/871 VERDERERS' REVISED BYELAWS AND THE NATIONAL TRUST RESUME
July

The Official Verderer reported that he has had discussions with the National Trust's new Agent and Mr Phil Marshall. The Trust has decided to recommend to its regional committee that the Verderers' Byelaws be approved. The Trust has written to known practising commoners and advised them that they intend to approve the byelaws.

2004/872 STALLION SCHEME RESUME

Stallion Inspections took place on Saturday 17th April. Mr Adams thanked everyone who assisted. He reported that it was quite a successful day with reasonable weather. 58 colts and stallions were presented. A meeting has been arranged to select which horses will go out. Mrs Campbell, BHS Chairman, who assists with the judging, felt the standard of the stallions has improved.

Concern was expressed as to what will happen after this year which is the last year of funding by the Forestry Commission. The Official Verderer was pleased to report that the Deputy Surveyor is supportive of the scheme and has agreed in principle to contribute to funding for one further year. It is hoped a scheme can be worked out, possibly combining Countryside Stewardship and Forestry Commission funding.

The Commoners' Defence Association is to put forward formal proposals for a new scheme.

2004/873 KINGSTON GREAT COMMON RESUME

The fence on the boundary with the Crown Land is almost complete. English Nature is taking the owner of the common to Court, probably towards the end of May. Mr Pasmore asked to be advised of the date of the hearing if it is to be held in public.

2004/874 BEAULIEU ROAD HOTEL RESUME

This matter is progressing.

2004/875 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME RESUME

A list of commoners who have not yet applied to join the scheme has been prepared. Each Agister will be given a copy and asked to speak to the commoners in his area to try to persuade them to join.

There is concern that some commoners may be buying animals in order to enter more into the scheme in future years. It was agreed it is important that commoners realise that if animal numbers increase too much, a quota system may be introduced.

2004/876 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME AND DISCHARGE
MINSTEAD MANOR

To clarify the position regarding Minstead Manor commoners:-

If commoners have paid at the concessionary rate in 2004, they must top up the fees to the full rate if they wish to join the scheme.

2004/877 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME - SCHEME RESUME
MANAGER

Interviews were held last week. One person has been identified who is potentially suitable but he has not yet been offered the post. The position may be advertised again or an alternative way of managing the scheme may be considered. It is possible that a highly skilled administrator may be employed to do some of the basic work rather than funding a bespoke person to run the scheme. The Official Verderer said he would be writing to all members of the Court soon.

2004/878 VERDERERS' PONY IDENTITY LIST AND REGISTERED PONIES RESUME

The Clerk reported that the New Forest Pony Breeding and Cattle Society wants to know which ponies on the Verderers' List are Registered New Forest Ponies. Apparently, there is a possibility that registration status may be lost unless a passport has been issued by the Society by the end of June. The Pony Society has been asked to write letting the Court know exactly what is required. Once this is received, all commoners with ponies on the Verderers' List will be advised of the position.

REPORTS FROM OUTSIDE BODIES

2004/879 NEW FOREST COMMITTEE DISCHARGE

A number of issues were discussed at the last meeting. The Local Council Strategy document was criticised because of the lack of importance given to commoning.

STAFF MATTERS (including the Staff Committee)

2004/880 A few issues of a confidential nature were discussed. DISCHARGE

STAFF TRAINING

2004/881 CHAINSAW TRAINING RESUME

Training for Agister Lovell and examination for the necessary certificate will cost up to £400.00. This expenditure was approved.

HEALTH AND SAFETY AT WORK

2004/882 HUMANE KILLER RESUME

The replacement humane killer for Agister Gerrelli and repair of Agister Naphine's weapon remain outstanding.

ANY OTHER BUSINESS

2004/883 FALLEN STOCK RESUME

The Official Verderer reported he is meeting with Desmond Swayne MP and Julian Lewis MP, together with Chris Whitlock of the NFU and Richard Manley of the CDA to discuss the Fallen Stock Disposal Scheme.

There being no further business, the meeting closed at 1.15 p.m.