

MINUTES of the Court of Verderers held on Wednesday 19th December 2012 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 Gerrelli	Elected Verderer
	Miss D Macnair MBE	Elected Verderer
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
Mrs D Westerhoff	Natural England Appointed Verderer	
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister (to 2012/6399)

2012/6392 APOLOGIES RESUME

Mr Clive Maton had sent his apologies

2012/6393 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 21st November 2012 were approved and signed by the Official Verderer.

2012/6394 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, and Mrs Thorne declared an interest in the Higher Level Stewardship Scheme.

Mr Gerrelli declared an interest in matters concerning campsites.

Mr Barry Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger.

All Verderers with the exception of Mrs Westerhoff and Mr Dowsett declared an interest in the Single Farm Payment Scheme (SPS).

2012/6395 CONDITION OF STOCK & THE DECEMBER WELFARE TOUR RESUME

The Head Agister reported that the welfare tour took place on a day when the weather was atrocious (very wet and windy). Despite the conditions, however, approximately 250 ponies were seen, together with nearly 60 cattle and 14 donkeys. The tour was well attended and attendees split into two groups as usual with one group visiting the North of the Forest and the other the South. All the stock seen were in excellent condition and the comments received from the representatives of the welfare organisations present were positive. A representative from DEFRA was welcomed. This was the first time a DEFRA representative had attended the tour and it is hoped that this will become a regular occurrence in future.

The Head Agister went on to say that if the wet and cold weather continues, the Agister team will be busy. On the welfare tour it was remarked that the ponies on the Forest looked much happier than horses in fields with nothing but a barbed wire fence between them and the cold wind and rain.

The RSPCA representative, Mr Robbie Roberts, commented that his organisation has no concerns as respects the animals on the Forest. They know the Agisters will respond to any concerns and that they, the RSPCA, do not need to get involved. The other welfare representatives present agreed and added that they wished other areas where there are semi-feral stock had a similar system.

However, some ponies on the Forest are beginning to show signs of going back in condition, although a lot of fat ponies remain. As usual, those which are going back are mares with foals (of which, due to the stallion scheme, there are relatively few) and young ponies. This is the same every year and the condition of such stock is entirely weather dependent.

As aside, it was commented that the deer may suffer this year. With so few acorns and little beech mast to fatten on in the autumn, they may find the coming winter particularly difficult.

2012/6396 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

2 mares with foals were removed in November because they had gone back in condition.

The year to date total is now 215, compared with 270 in the same period last year.

2012/6397 MARKING FEES RECEIVED TO DATE RESUME

	Forest	Common	Total
Ponies	4123	801	4924
Cattle	2280	879	3159
Donkeys	89	68	157
Pigs	181	105	286
Sheep	0	136	136
TOTALS	6673	1989	8662
Total PCD	6492	1748	8240

2012/6398 ROAD TRAFFIC ACCIDENT REPORT FOR NOVEMBER 2012 RESUME

The agisters attended 35 accidents compared with 25 in November last year.

10 ponies and 2 donkeys were killed.

4 ponies and 1 cow were injured.

3 ponies and 1 donkey were uninjured.

11 ponies, 1 pig, and 2 cattle which were reportedly involved in accidents were not found.

1 accident occurred in the dark.

The total killed and injured this year to the end of November is 76, compared with 87 in the same period last year.

2012/6399 BYELAW ENFORCEMENT RESUME

There are no byelaw enforcement issues at present.

The Head Agister left the meeting.

MATTERS ARISING

2012/6400	SHEEP	DISCHARGE
	<p>At the November Court, Mr Geordie Cook again raised the issue of sheep which he believes should not be depastured on the Forest or commons.</p> <p>The Court has considered Mr Cook's various presentments very carefully and the paper he produced at the last Court (a list of animals turned out in the past) was also scrutinised. The position is not, however, black and white. It is clear that the Forestry Commission, for whatever reason, did not record any rights over the commons except Pasture – being the right to turn out ponies, cattle and donkeys. Formal confirmation of whether or not sheep rights exist over the National Trust Commons does not exist and as a result the National Trust has chosen to permit sheep to be depastured on its commons in the north of the Forest.</p> <p>In light of the above, the Court decided that it should not take any further action.</p>	
2012/6401	MAXIMUM AGE FOR ELECTED VERDERERS	DISCHARGE
	<p>The Official Verderer confirmed he has researched this question and has found no grounds to indicate that there is a maximum age for an elected Verderer.</p>	
2012/6402	CROWN LAND CYCLE NETWORK	DISCHARGE
	<p>The Deputy Surveyor had asked the Clerk to report that he has received the map showing where additional 'no cycling' signs are required. He will act on the information provided in the New Year.</p>	
2012/6403	JOINT APPROACH TO PUBLIC ACCESS AND FREE ROAMING STOCK ON THE CROWN LANDS	DISCHARGE
	<p>The Official Verderer confirmed he has signed the agreement which effectively renews it for a further two years.</p>	
2012/6404	HIGHWAY MAINTENANCE PLAN	RESUME
	<p>The Clerk reported that the plan is currently being amended following some comments made by Mr Pasmore. A copy will then be given to Mr Street. It is hoped the plan will be completed shortly after the New Year.</p>	
2012/6405	DAMAGE TO THE ROGER PENNY WAY/B3078 DIVERSION ROUTE AT BRAMBLE HILL	DISCHARGE
	<p>Reinstatement of the verges will take place as soon as weather conditions permit.</p>	
2012/6406	CAMPSITE SURVEY	RESUME
	<p>The Deputy Surveyor had advised the Clerk that the survey has now been received in a format that the Forestry Commission's GIS (Arcview) can read. It is hoped the Forestry Commission will now be able to confirm that it accepts the survey is an accurate representation of the infrastructure of the campsites at the time that it was compiled.</p>	Action MS

It was further suggested that perhaps the Verderers could be provided with a copy of the survey as the office runs the same GIS software. Action SW

2012/6407 VERGE CUTTING RESUME

The verges between Bramshaw Telegraph and Hale have been cut. The verges at Burley have yet to be done. A site meeting is due to take place shortly.

ENCROACHMENTS

2012/6408 ENCROACHMENT AT BROOK HILL, NORLEY WOOD DISCHARGE

Verge parking has damaged grazing outside a property in Norley Wood. The land does not belong to the Crown and falls outside the jurisdiction of the Verderers as well. The Clerk will forward the details to the Commoners' Defence Association.

2012/6409 RHODODENDRONS RESUME

Miss Macnair said she has not yet met the Estates Keeper in connection with the rhododendron which are blocking tracks and covering grazing in several places including in the vicinity of Long Pond House and Sandford Way. Action MStr

HIGHER LEVEL STEWARDSHIP SCHEME

2012/6410 HLS BOARD MEETING HELD ON WEDNESDAY 5TH DECEMBER 2012 DISCHARGE

The minutes were circulated to all members of the Court and discussions took place on various items including the need for planning applications to be submitted for all engineering works for projects planned for next year.

The Official Verderer said that the Deputy Surveyor has told him that the Forestry Commission does not have the resources to submit planning applications for every project. He warned that if no wetland restoration works take place, the HLS scheme could be withdrawn. If the HLS goes, so will the VGS together with all the other advantages for the Forest that can be achieved under the scheme.

The Official Verderer went on to say that he understands from the Deputy Surveyor that planning permission will not be required for minor engineering works. The volume of material to be moved together with the depth of digging will determine what is minor but that has yet to be defined.

2012/6411 BEAULIEU AERODROME CONCRETE REMOVAL DISCHARGE

It was confirmed that the concrete removal is limited to disposing of the piles of rubble that are to be found across the old aerodrome. It is not the intention of this project to dig up any more of the old runways and service roads.

2012/6412 POACHING AT BROOK DISCHARGE

The Official Verderer will reply to a letter from the CDA regarding poaching adjacent to the golf course. The Forestry Commission will be asked to respond to queries raised in connection with the management of the course.

Action
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2012/6413 FORESTRY COMMISSION PROCUREMENT POLICY RESUME

The Court expressed the view that in employing contractors from outside the Forest, the Forestry Commission is not adhering to the Minister's Mandate which stipulates that local contractors should be used wherever possible.

Apparently the problem lays with the FC's procurement policy which cannot exclude tenders from contractors based in other parts of the Country.

Dr Graham Ferris Chairman of the CDA has a detailed response from the Deputy Surveyor setting out the FC's position. Mr Deakin will consider the response and the Minister's Mandate to see if anything more can be done.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2012/6414 RECREATION MANAGEMENT STRATEGY WORKING GROUP RESUME

Mr Deakin reported on the recent meeting that he attended.

The Group has asked for a paper on Tranquility in the Forest. The Chairman of the RMS, Mr Oliver Crosthwaite Eyre, has asked Mr Pasmore for information.

Mr Pasmore therefore drafted a paper which was circulated to all members of the Court. The Court approved the content which is based on the Verderers' Policy document and the paper was formally adopted.

The paper will be submitted to the RMS and an in depth consultation process will follow in order to ensure it is widely adopted.

Mr Deakin reported that the cycling representative was not happy with the progress of the meeting and showed his dissatisfaction by walking out.

NATIONAL PARK AUTHORITY

2012/6415 NEW FOREST ABATTOIR FEASIBILITY STUDY DISCHARGE

The National Park Authority has recently started research into the feasibility of a locally (e.g. New Forest) based abattoir facility. The work is primarily funded by RDPE Leader (New Forest). Mr Readhead agreed to speak to Mr Jim Mitchell who is leading the project.

A similar study was undertaken some years ago and the Clerk said she thinks the papers may be in the office. If they can be found, they will be made available to Mr Readhead.

It was suggested that deer should be included.

- 2012/6416 NEW FOREST COMMONERS' HOUSING SCHEME DISCHARGE
- Mrs Westerhoff reported that she has recently attended a meeting of the panel. Two applications are currently under consideration.
- 2012/6417 NATIONAL PARK CULTURAL HERITAGE WORKSHOP – LYNDHURST DISCHARGE
31ST JANUARY 2013
- Miss Macnair and Mr Pasmore expressed an interest in attending this workshop. The Clerk will forward the papers and let the NPA know that they will be attending.

FINANCIAL MATTERS

- 2012/6418 FINANCIAL STATEMENT FOR NOVEMBER 2012 RESUME
- The financial statement for November 2012 was approved.
- 2012/6419 AUDITED ACCOUNTS DISCHARGE
- The Official Verderer reported that an additional note has been added to the accounts as requested. It reads as follows...
- 'The Railway Fund arose from the sale of railway cottages in previous years, and the money is held in a separate bank account. The money cannot be used for day-to-day running expenses. The money must be used for the benefit of commoning'.
- The accounts have been signed by the Official Verderer and will now be signed off by the auditor.
- 2012/6420 FIVE YEAR PLAN DISCHARGE
- The Five Year Plan was approved. The Official Verderer said it will be submitted to the Deputy Surveyor in the New Year.

TRAINING & HEALTH AND SAFETY

- 2012/6421 FIRST AID TRAINING DISCHARGE
- Mr Deakin reported that the CDA will be sending several commoners on First Aid courses. These commoners regularly help on the drifts.

ANY OTHER BUSINESS

- 2012/6422 PYLEWELL PARK FORESHORE FENCE DISCHARGE
- Ponies have found their way into Pylewell Estate through its very poorly maintained fence along the foreshore. The ponies then found their way out onto the road in the vicinity of South Baddesley School.
- After communication with the Agent, the fence was patched up but whilst it appears to be stock proof at the moment, Mr Richard Deakin who has walked as much of the fenceline as he could given that the tide was in, feels it won't be long before stock gets through again.
- It was queried whether Pylewell Park is within an HLS, and if so whether NE could provide funding via a Capital item for a new fence.

2012/6423	DRIFT REVIEW MEETING	RESUME February 2013
	<p>A meeting was held to review the management of the drifts. A letter has been sent to the Health & Safety Executive which has responded saying that it is content that the Court is taking its responsibilities for health and safety seriously.</p> <p>One action following the meeting is that the Risk Assessments are to be reviewed by an independent expert.</p>	
2012/6424	REPLACEMENT SINGLE FARM PAYMENT SCHEME	RESUME
	<p>Mr Pasmore and Mr Draper (VGS Manager) attended a meeting at the NFU offices in Brockenhurst. Dr Ferris, Chairman of the CDA also attended.</p> <p>The meeting agreed a joint letter should be sent to DEFRA setting out the views of the organisations which attended the meeting. All those present agreed it is important to ensure that the new scheme is available to commoners who turned out after the reference year which relates to the current scheme. However, it was also agreed that it is essential that the new scheme includes means of preventing a significant increase in animal numbers in the Forest. The new scheme is expected to be introduced in 2015/2016. Mr Dovey of the NFU will draft the letter which will be circulated to all members of the Court for their comment and approval.</p>	
2012/6425	DEFECTIVE SIDE FENCING AT HANGER CORNER CATTLE GRID	DISCHARGE
	<p>The Official Verderer reported that the additional piece of wood attached to the side fencing on this cattle grid to prevent stock from walking along the build out on the grid has been driven into and damaged. The Clerk was requested to report it to the appropriate authority as soon as possible.</p> <p>The Clerk confirmed it is Hampshire Highways who will deal with the damage.</p>	Action SW
2012/6426	BALMER LAWN ROAD RAILWAY BRIDGE	DISCHARGE
	<p>The Official Verderer reported that due to the recent heavy rain, a cable has been exposed which is now in loops. It is a hazard to stock.</p> <p>The Clerk confirmed this is also a matter for the Highway Authority to take up with the relevant utility company and she said she will report this, along with the previous item as a matter of urgency.</p>	Action SW
2012/6427	DEFRA / BCMS – CATTLE MOVEMENTS BETWEEN HOLDINGS	RESUME
	<p>Mr Gerrelli reported that he has received a communication from DEFRA/BCMS advising that in future cattle moved between holdings which have different holding numbers will have to be TB tested in advance of moving even if the holding/land is managed by the same farmer. He added that the Head Agister is aware of the issue and is seeking clarification</p>	

There was no further business and the meeting closed at 12.45 hrs.