

**MINUTES of the Court of Verderers held on Wednesday, 17<sup>th</sup> March 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 P Frost	Countryside Agency Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Mrs K Heron	Appointed Hampshire County Council Verderer
	Mr J F Kitcher	Elected Verderer
	Miss D Macnair	Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	Appointed DEFRA Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk
	Mr J R Gerrelli	Head Agister (first three items only)
APOLOGIES:	The Hon R Montagu	Appointed Forestry Commission Verderer

**IN COMMITTEE**

The Head Agister was present for the first three items.

2004/763 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 18<sup>th</sup> February 2004 were approved and signed.

2004/764 ANNOUNCEMENTS & DECISIONS DISCHARGE

The Announcements and Decisions were approved.

2004/765 CONDITION OF STOCK RESUME

The Head Agister reported that he is still reasonably happy with the condition of stock. He commented that the next six weeks will be the worst time for the ponies, depending on the weather. A few ponies which were removed earlier in the winter have been returned to the Forest when their condition is still below an acceptable standard. One in particular has been returned to its owner who has been given stern instructions to keep the animal in.

Mr Pasmore commented that a number of scruffy looking yearlings have appeared in his area. They are not local ponies and their condition is marginal.

Mr Frost remarked that Jack Weaving was at the launch of the Stewardship Scheme on Bolton's Bench on Monday. He was trying to show the Minister some very old photographs of poor ponies. It was pointed out to him that he would not find anything in that condition on the Forest now. A suggestion that Mr Weaving be invited to join the Welfare Tours again will not be taken forward.

2004/766 MR COOPER'S RUBBISH DUMP RESUME

Mr Gerrelli said that it appears when he inspected Mr Cooper's dung heap he was actually looking at the wrong heap. There is a rubbish tip nearby which is a mess. The Head Agister has also inspected it. English Nature will be advised that a mistake was made and the Court will support all efforts to get the rubbish removed from the Common.

2004/767 MINSTEAD MANOR COMMONERS MARKING FEES DISCHARGE

The Head Agister asked for clarification of the position regarding Minstead Manor Commoners, some of which have already paid for 2004. He was advised that the matter will be discussed later in the meeting and the precise position will be confirmed.

2004/768 TWO YEAR OLD COLTS RESUME

The Head Agister said two more colts had been caught on Tuesday. To the best of his knowledge there are now only two remaining at large. One belongs to Mr Kilford who is subject to prosecution for non payment of marking fees. Mr Kilford has refused to catch the animal. Agister Napthine will be asked to catch the colt and return it to Mr Kilford.

The other colt was running in the Canterton/Ocknell area. It has recently been purchased and it is understood the new owner has caught it.

Mr Pasmore asked why the owners of these colts have not been prosecuted as they are clearly in breach of the Verderers' byelaws. The Official Verderer commented that the Court relies on the Agisters to provide the necessary evidence. Mr Adams commented that there has been some confusion amongst commoners this year because the date by which two year old colts have to be removed from the Forest has been brought forward from the 1<sup>st</sup> May to 1<sup>st</sup> February. He felt some leniency is called for this year but agreed that in future there should be no confusion.

The Head Agister left the meeting.

2004/769 CONDITION OF STOCK - INSPECTIONS DISCHARGE

Mr Adams reported that he has carried out two further inspections with the Head Agister since the last Court. On Sunday, 29<sup>th</sup> February. 145 ponies were seen, 2 need to come in now and 3 or 4 need monitoring closely. On Sunday 14<sup>th</sup> March, Miss Macnair joined the inspection. 122 ponies were seen. 1 needs to be removed immediately and 4 others require close watching. 1 of these is heavily in foal and she is likely to need to be removed either before or just after she foals. The inspections will continue fortnightly until the end of the winter.

2004/770 STRANGLES/FLU RESUME

Unfortunately there are still a few cases about. The animals are knocked back by the virus if they get it.

It was noted from the lists prepared by the office that the number of

ponies removed this year for poor condition is up on last year. This is thought in part to be due to the flu/strangles but also because the standards are generally being set higher now. The Chairman of the Staff Committee said he is not concerned by the increase.

2004/771 WORMING

RESUME

The Verderers Veterinary Surgeon has reported that there are no real alternatives to ivermectin based wormers for cattle. There are some different treatments for liver fluke. He has heard of a Lecturer at Bristol University who is something of an expert on the use of anthelmintics. He will be contacted in the hope that he may be able to provide some assistance to the Court, particularly in respect of the Countryside Stewardship Scheme requirements.

2004/772 DECLARATIONS OF INTEREST

RESUME

The Verderers' Countryside Stewardship Scheme

The Official Verderer said that now the Countryside Stewardship Scheme Agreement with DEFRA has been signed, the time has come for Verderers who intend to enter the scheme to declare their interest.

All the Elected Verderers plus Pat Thorne duly formally declared they have an interest.

It was agreed that those who have declared an interest should not be involved in discussions about payments which may be made to themselves under the scheme. It was also agreed that a formal announcement will be made stating that the Verderers who have applied to join the scheme have declared an interest.

**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**

2004/773 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME

Our scheme was formally signed at a ceremony that took place here in the Verderers' Hall on Monday 15<sup>th</sup> March. As the scheme is the largest in the country we were delighted that Elliot Morley MP, the Minister of State at DEFRA, came to witness the signing of the agreement and underline his department's support for it. The Minister recognised the important contribution that commoners and their animals make to the continued conservation of the New Forest for the nation, and he wished all those who participate in the scheme every success.

The agreement has been very well received throughout the Forest, and I am delighted to report that more than enough commoners have applied to join for the scheme to proceed. Whilst the original deadline for applying has now passed, we nevertheless would encourage any practising commoner who would like to apply to join to contact the office as soon as possible.

It is vital for everyone to realise that, because of the way the scheme has been structured by DEFRA, the number of commoners who join in Year One will dictate how

much money can be paid out per animal for the next ten years. In other words, the higher the number of participants, the higher the payments to each commoner will be. It is therefore in everybody's interests, particularly those who have already applied, to encourage others to join.

Since Year One of the scheme began on October 1<sup>st</sup> of last year time is of the essence, so please spread the word.

2004/774 RESPONSE TO MR JACK WEAVING'S PRESENTMENT AT THE LAST COURT CONCERNING THE COUNTRYSIDE STEWARDSHIP SCHEME

The Verderers discussed Mr Weaving's Presentment in detail in committee following the Open Court in February. The Verderers do not agree with Mr Weaving as respects stocking levels on the Open Forest. Nor do we agree that there is an "ideal" stocking level for the New Forest. It is possible that Mr Weaving misinterpreted Colin Tubbs who in fact stated in his New Forest book (2001) that it is important that stock numbers fluctuate rather than remaining static year after year. Much of Mr Tubbs book is an explanation of the effects of grazing and it is wrong to pick out statements which suit a particular point of view without giving the whole story.

Full and detailed monitoring of the effects of the Countryside Stewardship Scheme will be carried out and are required by DEFRA so that modifications can be made if it is found that biological impoverishment is taking place.

Mr Weaving also mentioned Section 16 of the 1877 New Forest Act. The Verderers are very well aware of the possible implications of this Section and they do not believe that its existence will be detrimental in any way to their management of the Scheme. It is important to note that DEFRA has made it plain that they do not see Section 16 as any impediment, and they have already specifically stated that there is no element of "profit" in any payment that may be made under the scheme to any practising commoner, including Elected Verderers.

2004/775 STALLIONS

Following lengthy and detailed consultation, the system for inspecting and selecting colts and stallions to run on the Forest in 2004 has finally been agreed.

A similar system to that which has been operating for the past two years will again be adopted this year. A panel of five judges, comprising three Elected Verderers, one from the Commoners' Defence Association and one from the New Forest Pony Breeding and Cattle Society and one independent judge will inspect each horse brought forward. In the case of young horses presented for their first inspection and provisional stallion licence, the scoring will be carried out using the system preferred by the Pony Society. The remaining stallions will be scored in the same manner as the past two years. We hope this will allay the fears of those who were concerned that the selection of stallions may be passing from the Verderers' control.

We would be grateful if owners of young stallions will please bring their horses to the inspections early as they will be judged first.

Stallion owners are asked to notify the office of what they are intending to bring.

The inspections will take place on Saturday, 17<sup>th</sup> April at Beaulieu Road.

2004/776 LIFE 3

As for the concerns raised by Mr Bob Cooper in his Presentment at the last Court, the Forestry Commission has already given the Court its written and unequivocal assurance that consent for works under LIFE 3 will be sought from the Verderers where necessary.

### ANIMAL ACCIDENT REPORT

2004/777 ANIMAL ACCIDENT REPORT FOR FEBRUARY 2004

Total Accidents for the Period: 8 (6) \* 2 ponies injured in one accident

	Killed		Collar		Injured		Collar		Uninjured		Collar		Not Found	
Ponies	2	(3)	0	(0)	3	(0)	0	(0)	0	(2)	0	(0)	1	(1)
Cattle	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	1	(0)
Donkeys	0	(0)	0	(0)	1	(0)	0	(0)	1	(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	2	(3)	0	(0)	4	(0)	0	(0)	1	(2)	0	(0)	2	(1)

TOTAL KILLED & INJURED	6	(3)
Accidents During the Hours of Darkness	5	(5)
Vehicles Involved	6	(6)
Private Cars / Light Commercials	6	(6)
Motor Cycles	0	(0)
Heavy Vehicles	1	(0)
Bicycles	0	(0)
Number of Local Motorists	4	(3)
Number of Accidents Not Reported	2	(0)
Total Killed and Injured for the Year to date	17	(9)
Number of Deer Killed	-	(-)

\*2 cars in one RTA

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

2004/778 THE WATER BASIN FORUM  
Presentment by Mr Bob Cooper, Commoner from Acres Down

Mr Cooper continues to express concern, particularly as respects the proposed restoration of the Forest's mires. He feels the attitudes of the conservationists are unacceptable and that they are restoring habitats without sufficient consideration for the safety of commoners' animals. Mr Cooper added that he does not believe the Environment Agency has the right to do the work. He repeated his demand made in previous Court's that a proper environmental impact assessment be undertaken.

The composition of the Water Basin Forum was also of concern to Mr Cooper as he felt there should be greater representation of the commoning community and that most of the Forum's members do not understand commoning. He also considered there has been a lack of detailed proposals for members of the forum to consider.

2004/779 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME  
Presentment by Mr Bob Cooper, Commoner from Acres Down

Mr Cooper said he hoped the Court has not alienated certain groups in the Forest. He said he is anxious about some of the terms and conditions and particularly that there must be no question of surrender of the commoners' rights.

As Mr Cooper was about to step down, the Official Verderer reminded him that Presentments should be brief and asked that Mr Cooper keep his oral presentments approximately 5 minutes duration.

2004/780 STALLION INSPECTIONS  
Presentment by Mr Mike Eccles, Commoner

Mr Eccles asked that a better place be chosen on which to run up the stallions this year. Last year the surface was gravel and the previous year very undulating. Mr Eccles felt it was impossible to properly assess an animal's movement on such going as well as being difficult for the handler.

**IN COMMITTEE in the Library**

**CONSIDERATION OF PRESENTMENTS**

2004/781 WATER BASIN FORUM DISCHARGE

Members of the Court felt that the Forum's communication had not been very good at the outset. However, things have improved and most people are now happy with the consultation that is taking place. Following a meeting some months ago which was held at Queens' House, the Forum made every effort to involve Elected Verderers and commoners and they are now invited to all site meetings.

The Clerk asked if it would be possible for the Forum's secretariat to ensure that the office has copies of all proposals that have been agreed.

2004/782 STALLIONS DISCHARGE

Mr Adams reported that a layer of woodchips will be laid on the gravel surface where the stallions are to be run up which should resolve the problem highlighted by Mr Eccles. Mr Eccles has been made aware of this.

**SUBMISSIONS BY THE FORESTRY COMMISSION**

None

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

2004/783 PROPOSED SALE OF SWAN GREEN COTTAGE RESUME

The Deputy Surveyor thanked the Court for the letter setting out the Verderers' view on the proposed sale of the cottage. However, he said the Commission had asked for the Verderers' comments about the contribution the cottage makes in helping to sustain commoning. After a brief discussion, the Court agreed that whilst there is no practising commoner currently occupying the cottage, it would be desirable to retain it for possible future occupation by a commoner. This view will be confirmed by letter to the Deputy Surveyor.

2004/784 COPPICE OF LINWOOD - RUBBISH RESUME

Mr Parke reported that following an inspection yesterday he is able to confirm that the tenant has made a tremendous effort to clear up the area around the cottage. Conditions are now much better than they have been for years although there is still some agricultural equipment to be moved.

2004/785 LONG CROSS COTTAGE - RUBBISH RESUME

Mr Parke said that the tenant of this cottage has also made an effort there is still some metalwork to remove. He has been given a fortnight to clear up the remaining rubbish.

It was remarked that there are piles of logs around the log piles which should also be removed from the Open Forest.

2004/786 BRAMSHAW TELEGRAPH ROAD SIGNING RESUME

Cllr Heron explained she has obtained the County's policy on road signing. It is clear that finger post signs are only permitted on unclassified roads. The signing for the junction will now be redesigned and new proposals will be submitted in due course. Mr Parke had obtained the same information.

Mr Frost suggested there should be a Forest-wide policy on road signing such as applies in the Lake District. He was asked to provide a copy of the Lake District's Policy which, it is understood, is contained in a leaflet.

Mrs Thorne then mentioned that in 1996 a study was undertaken on the type and positioning of signs in Burley. Although a number of signs were apparently stolen, which hindered the study, Cllr Heron said she would try to find out if there are any useful results.

2004/787 ORIENTEERING RESUME

The Deputy Surveyor reported that he is still awaiting production of the final document.

- 2004/788 PICKET POST - FENCE BEHIND THE LITTLE CHEF RESUME
- Work is due to start at the end of this week on replacing the defective fence. If there is any delay, the Official Verderer will write again to Mr Desmond Swayne MP asking for his help. The Agister for the area has been asked to check to see that the work is underway.
- 2004/789 BEECHWOOD ROAD LOG STORE RESUME
- Mr Parke reported that this matter has now been put in the hands of the Forestry Commission's solicitors.
- 2004/790 BRIDGE AT FULLIFORD DISCHARGE
- British Rail has admitted that the bridge is not theirs and that they should not have erected the railings. They will now remove the railings and restore the bridge.
- 2004/791 HOLMSLEY PIT DISCHARGE
- The Forestry Commission proposed that the north face of the pit be left as it is. Assurance was given that the protective fence will be properly maintained and the Deputy Surveyor explained that the pit is included in the 6 monthly system of inspection. A formal report is made after each inspection. He said English Nature and the County Minerals Department agree that the original permission should be varied accordingly.
- The Official Verderer pointed out that the Forestry Commission and the Verderers have a duty to manage the Forest together. This has become a resource issue and he suggested the Verderers should have sympathy with the Forestry Commission which considers the expenditure which would be required to restore the pit could be more usefully spent elsewhere.
- On the suggestion of the Official Verderer the proposal to leave the pit as it is was put to the vote. Five Verderers voted in favour, two voted against and 2 abstained. The proposal was therefore approved.
- The Court felt it is important that in future where restoration work is agreed, it should be carried out promptly to avoid a similar situation arising again.
- The Forestry Commission confirmed that it is currently paying compensation to the Verderers for loss of grazing in respect of the 9.11 acres of the pit.
- 2004/792 HIGH CORNER INN ENCROACHMENT DISCHARGE
- Mr Parke confirmed that action has been taken and the illegal fence has been removed and replaced by dragons teeth. Restoration of the drainage works is currently being undertaken.
- 2004/793 BRAMSHAW TELEGRAPH TO WINDYEATS ROAD HAUNCHING RESUME
- Mr Parke said he has not had the time to pursue this issue and undertook to do so as soon as possible.



2004/794 LITTER FROM THE POUND BOTTOM LANDFILL SITE AND CONCRETE CRUSHING PLANT DISCHARGE

This issue has been raised with Hamptworth Estate. It is understood that litter picking is undertaken 2 or 3 times per week.

Mr Pasmore felt that the system is clearly not working. The area is very untidy and he suggested that it needs to be checked more regularly and more thoroughly. Eye witness accounts confirm that the same pieces of litter often remain for more than 7 days.

The Deputy Surveyor remarked that at a recent Consultative Panel meeting, the feeling was that there seems to be a general increase in litter throughout the Forest and he added that the Forestry Commission will do what it can through its litter picking contract.

2004/795 FORESTRY COMMISSION CAMPSITES RESUME  
June 2004

The Deputy Surveyor updated the Court on the current situation concerning Hollands Wood and Roundhill campsites. He said that various environmental studies have been carried out. These are now complete and reports received. Consultants are considering the results and will be producing a master plan. The Deputy Surveyor said he expects to be writing to the Court in late May or early June asking for a special meeting. This will be an informal and confidential introduction to the plans and any discussions will be without prejudice to the Verderers' deliberations in the light of public comment following formal consultation about the proposals.

2004/796 LIFE 3 - HIGHLAND WATER PROPOSALS DISCHARGE

Mr Pasmore reported that he considers the proposals to be generally acceptable. The only concern is the "flume" - a hideous construction which needs to be removed or redesigned. It is the responsibility of Southampton University and it needs to be sorted out as part of the overall scheme.

The Court agreed to accept Mr Pasmore's report of the site meeting held on 1<sup>st</sup> March 2004 and consent was given to the proposed works subject to issue of the "flume" being satisfactorily resolved.

There also remains the question of whether the bridge should be retained. The Forestry Commission suggested that the future of the crossing, particularly the question of access on foot, should be considered once the work has had time to consolidate.

2004/797 LIFE 3 - THE WATER BASIN FORUM RESUME

In response to the letter received from the Deputy Surveyor following the last Court, the Forestry Commission's written and unequivocal assurance that consent for works under LIFE 3 will be sought wherever necessary was accepted.

Some years ago members of the Court attended a seminar on the legal responsibilities of those involved in managing and conserving the Forest. The Official Verderer said he will ask English Nature if there is anything specific the Court should be doing in respect of EU legislation.

## **OTHER MATTERS OF CONCERN TO THE FORESTRY COMMISSION**

2004/798 THE PROGRESS PROJECT DISCHARGE

At the last meeting, Mr Keith Campbell, Progress project Co-ordinator (FC) reported that he had responded to a letter from Friends of the Earth, saying that conservation must be balanced along with demand. The Court asked the Deputy Surveyor to ensure that Progress Project staff are aware of the Forest Mandate which clearly states that conservation takes priority. The Deputy Surveyor agreed to take this up, saying that it is important that sustainable solutions are identified.

2004/799 BURLEY STREET GARAGE PARKING RESUME

Concern was again expressed at the destruction of the green area adjacent to Burley Street Garage. It seems the problem has been made worse by building works currently taking place at a property on the other side of the road. Builders vehicles are also being parked on the grass and a skip has also been sited on Forest land. Up to 20 vehicles have been counted and the Parish Council has written to the Forestry Commission about the garage's parking. Mr Parke said he will check to see how many vehicles the garage is allowed to park. It was suggested dragons teeth would alleviate the problem.

2004/800 REFUSE ON THE FOREST DISCHARGE

An increasing amount of rubbish is being dumped on the Forest. Areas mentioned were the middle of Godshill Wood Inclosure, at the back of Knightwood car park where someone has left a quantity of old WC pans, and tractor tyres in various places - some of which have been there for years. The Deputy Surveyor said details should be sent to Harry Oram who manages the refuse contract. Recent fly-tipping can be reported to Jayne Albery.

### **The Deputy Surveyor and Mr Parke left the meeting**

## **OTHER MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS**

2004/801 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME MINSTEAD MANOR RESUME

In response to the Head Agister's earlier request for clarification as respects Minstead Manor Commoners the Official Verderer reiterated and confirmed the position.

The qualifying rules for Minstead Manor commoners are the same as for anyone else.

The Court's policy is that it will only accept marking fees for Minstead Manor animals running on the Open Forest at the full Forest rate, regardless of what has been paid before. Minstead Commoners who have not before paid marking fees but who have decided to pay now in order to enter the scheme next year should have their marking fee receipts marked "without prejudice". Commoners who do not pay, cannot join the scheme.

Joining the scheme is conditional upon compliance with the Verderers'

byelaws. Whilst Minstead Manor falls outside the jurisdiction of the Verderers, signing the scheme means the commoner agrees to adhere to the byelaws, both on the Manor wastes and the wider New Forest.

2004/802 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME - SCHEME MANAGER POST RESUME

A number of applications have been received for the position of Scheme Manager. An initial sift of applications will take place after the closing date of 19<sup>th</sup> March. Each applicant who is considered for interview will be asked to perform a task which is designed to provide an insight into their capabilities and suitability for the post. The interviewing panel will consist of the Official Verderer, Mr Pasmore, Mrs Thorne, the Clerk and Miss Rigglesworth (Forest Friendly Farming Officer). Interviews will take place on Thursday, 15<sup>th</sup> April.

2004/803 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME - APPLICATIONS FROM COMMONERS TO JOIN THE SCHEME RESUME

Approximately 220 commoners have entered in the region of 3,000 animals. The ratio of cattle to ponies is 27% to 73% which is in line with DEFRA's requirements. A further mailshot, aimed at those who have still not entered will be undertaken shortly. The Official Verderer will attend the Commoners' Defence Association's Annual General Meeting, to try to obtain further support for the scheme. He will give a short presentation and answer questions. Dependent upon how many commoners sign up after the mailshot and CDA meeting, it may be necessary for Elected Verderers and Agisters to speak with some commoners to try to persuade them to join.

Members of the Court were concerned that many commoners have the use of grazing on an informal basis. There is a worry that some people do not want to jeopardise such arrangements.

2004/804 PROSECUTIONS FOR NON PAYMENT OF MARKING FEES RESUME

A pre-trial review and directions hearing is scheduled for 30<sup>th</sup> March at 2.00 p.m. in the Southampton Magistrates' Court. Miss Babbington-Brown will not be presiding. The Official Verderer will attend the hearing.

2004/805 VERDERERS' REVISED BYELAWS AND THE NATIONAL TRUST RESUME

The National Trust is still withholding its consent for the revised byelaws. The Official Verderer is seeking further information. If the Trust continues to decline to give consent it will mean a large part of the Forest is excluded from the protection provided by the Verderers' byelaws. Commoners in those areas will not be able to avail themselves of the assistance of the Agisters and the Trust will be obliged to administer its own land. It is firmly believed that many commoners will be extremely unhappy if that situation arises.

2004/806 STALLION SCHEME RESUME

The judging system for this year has been agreed.

- 2004/807 FOAL COUNT RESUME  
December  
2004
- The office has produced an analysis of foal numbers over the past five years. This shows a reduction in foal numbers as a result of the stallion scheme. This final year will, however, provide the best indication of the success or otherwise of the scheme. The figures should be available towards the end of the year.
- 2004/808 KINGSTON GREAT COMMON RESUME
- English Nature is now seeking legal advice. It is determined to secure the removal of the fence posts.
- 2004/809 OUTSTANDING MARKING FEES FROM 2003 RESUME
- Following careful checking by the Agisters, a lot of people have been removed from the list of those who did not pay marking fees in 2003. There were various legitimate reasons why payment was not made. However, approximately 60 animals remain on which marking fees are due and the Agisters have been instructed to collect these fees immediately. One commoner appears to owe for a considerable number of ponies. A stock count will be carried out in respect of that commoner's animals.
- The proposal that the Agisters should tail mark and record all animals caught post drift was discussed again. There was considerable debate as to whether the tailmarks would grow out sufficiently quickly to avoid confusion on the early drifts this year but after some argument the Court decided the Agisters should tail mark ponies up until the end of March.
- Letters will be sent to all commoners who have still not paid advising them that they are in breach of the byelaws and giving them 14 days in which to pay. Failure to do so will render them liable to prosecution.
- 2004/810 TWO YEAR OLD COLTS RESUME  
January  
2005
- The Chairman of the Staff Committee explained that the Agisters generally catch any two year old colts left on the Forest because many commoners are unable to. If they catch a colt for one commoner, it is difficult to refuse to catch for another. There was some concern that commoners may not have realised this year that their colts must come off by 1<sup>st</sup> February. (The date having previously been 1<sup>st</sup> May). It was felt, therefore, that some leeway should be allowed this year. It was agreed that a letter must be sent to any commoner whose colt was on the Forest after 1<sup>st</sup> February advising them that that they were in breach of the byelaws. Next year an announcement will be made at the January Court reminding commoners that their colts must be in by 1<sup>st</sup> February.
- 2004/811 HYDE COMMON DISCHARGE
- Complaints have been made to Hampshire County Council about Hyde Common. Large areas which included holly and oak have been felled and widespread scrub clearance has been undertaken. Hampshire County Council and English Nature have promised not to carry out any more major work without consultation.

- 2004/812 ELECTORAL REGISTER RESUME  
September
- The Official Verderer felt it is premature to discuss this now. It was agreed that this item should be resumed in 6 months when a sub-committee will be convened to plan a course of action.
- 2004/813 FINANCIAL STATEMENT RESUME
- The Financial Statement for February was approved. Mr Pasmore remarked that the monies recoverable from central funds in respect of the prosecutions must be paid back to the Railway Fund. The Clerk said she has this in hand. Queries should be directed to the Clerk.
- 2004/814 BYELAW ENFORCEMENT RESUME
- The Schedule of Notices Issued under the Byelaws may change once the Agisters have approached the commoners who have outstanding marking fees to pay.

### REPORTS FROM OUTSIDE BODIES

- 2004/815 NEW FOREST CONSULTATIVE PANEL DISCHARGE
- Mr Kitcher attended the last Panel Meeting at which the Stewardship Scheme was discussed. Mr Kitcher gave a brief presentation and confirmed that anyone who has paid marking fees and adheres to the byelaws may apply. The Chairman of the Panel suggested that anyone with more detailed questions should approach the Official Verderer.
- 2004/816 THE WATER BASIN FORUM DISCHARGE
- This subject was briefly re-visited with Mr Frost reporting that the forthcoming EU Water Framework Directive will have far reaching effects everywhere. The RSPB is reported to be very pleased about it.
- 2004/817 LOCAL ACTION GROUP (LAG) - LEADER + APPLICATION RESUME  
May
- The Clerk reported that the application for the new pounds and portable pound sections has been approved.
- It was suggested that a further application could be made for a working uniform for the Agisters. The idea will be progressed by the Clerk.

### STAFF MATTERS (including the Staff Committee)

- 2004/818 POLICY ON TELEPHONES BILLS RESUME
- It was agreed that the Court should pay each Agister's telephone bill up to £65.00 plus VAT per quarter, with the exception of the Head Agister whose bill will be paid up to £100.00 plus VAT per quarter. The Agisters will be given one quarter's notice of the change.
- The office telephone answering service was criticised because callers don't realise that if the automatic message cuts in immediately it means the line is busy. The result is some people assume the office is closed. The Clerk said a possible solution may be to purchase an answering machine.

## **STAFF TRAINING**

2004/819 CHAINSAW TRAINING

RESUME  
June

The Clerk reported that she has been investigating chainsaw training for Agister Mike Lovell. Sparsholt College cannot help until September at the earliest. The Clerk also expressed concern that the Agisters who went on courses some 10 years ago have not attended refresher courses.

The Court decided that it is only necessary for two Agisters to be trained in the use of chainsaws. Agister Peter Rix completed a course a few years ago. Mr Kitcher said he can offer some training for Agister Lovell. Once this is complete, a formal assessment can be carried out. This course of action was agreed and when Mr Kitcher is working in a convenient location, the necessary training for Agister Lovell will be arranged. Mr Kitcher will liaise with the Clerk.

## **HEALTH AND SAFETY AT WORK**

There were no health and safety matters to report at this meeting.

## **ANY OTHER BUSINESS**

2004/820 REFLECTIVE PONY COLLARS

RESUME  
July

The ILPH has offered to fund reflective collars again this year. This offer was gratefully accepted and the Head Agister will be asked to decide how many collars are required. The Agisters will take the collars to the drifts in the autumn and actively encourage commoners to fit them to their ponies.

2004/821 APPOINTMENT OF JUDICIAL VERDERERS

DISCHARGE

The Official Verderer reported that the office of Lord Chancellor is soon to be abolished. The Court has been advised that future appointments will be made by the Secretary of State for Constitutional Affairs. The change will be covered by a formal Order.

2004/822 FIVE YEAR PLAN

DISCHARGE

The Official Verderer reported that a five year budget has been submitted to the Forestry Commission. It is understood that the budget for 2004/2005 is likely to be approved. Future years will be partially dependent upon the Forestry Commissions own financial position.

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