

MINUTES of the Court of Verderers held on Wednesday 20th May 2009 at 9.30 a.m. in the Verderers' Hall & 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	Natural England Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Miss D Macnair	Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer (joined the meeting after the Open Court)
	Vacant	National Park Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister (Joined the meeting for the second item)
APOLOGIES:	Mr J F Kitcher	Elected Verderer
	The Hon R Montagu	Forestry Commission Appointed Verderer

IN COMMITTEE in the Library

2009/4297 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 15th April 2009 were approved.

2009/4298 CONDITION OF STOCK & THE WELFARE TOUR RESUME

The Chairman of the Staff Committee reported that the Welfare Tour was very successful. Not quite as many ponies as usual were seen, but generally those that were, were considered to be in good condition.

One or two ponies on the Forest are below the Verderers' standard but the condition of stock is improving by the day. A few ponies which were removed from the Forest by the Agisters a few months ago have been returned before their condition has improved sufficiently and one in particular is in an unacceptable condition. The owner has been told to remove the pony immediately. The Countryside Stewardship Scheme Sub-Committee will meet later today to decide if the owner of this pony should be penalised by deducting a payment that would have been due under the Scheme. The Official Verderer asked the Court to authorise the CSS sub-committee to make the decision about how to proceed without further reference to the Court. This was agreed unanimously.

The Head Agister joined the meeting.

The Head Agister explained that he has been away. However, he had a good look round before he went and felt things were generally acceptable. As always some mares which have just foaled do not look as well as they might but the general condition of stock has markedly improved from a few weeks ago. Now he is back, the Head Agister will have a further look around.

The Clerk said there have been very few reports from the public about stock in poor condition. However, there have been more reports than usual about ponies with long feet.

2009/4299 ANNOUNCEMENTS AND DECISIONS RESUME

The announcements and decisions were approved.

2009/4300 DECLARATIONS OF INTEREST RESUME

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

Mr Gerrelli declared an interest in campsites.

2009/4301 FINANCIAL STATEMENT RESUME

The Financial Statement for April 2009 was approved.

2009/4302 REPORT ON MARKING FEES RECEIVED AS AT END OF APRIL 2009 RESUME

Ponies	4339	Pigs	14
Cattle	1855	Sheep	37
Donkeys	110		
SUB TOTAL	6304	TOTAL ALL ANIMALS	6355

In future, all members of the Court will be provided with a report of marking fees received on a month by month basis.

2009/4303 ANIMALS REMOVED IN MARCH DUE TO POOR CONDITION RESUME

Mares with foals	5	Cattle	1
Mares with yearlings	3	Donkeys	1
Mares	19		
Fillies	12	TOTAL CATTLE	1
Geldings	1		
		TOTAL STOCK	52
TOTAL PONIES	50		

2009/4304 BYELAW ENFORCEMENT RESUME

Mr Barnes has marked and paid for approximately half of his cattle. A discussion took place regarding the action which will be taken in respect of Mr Barnes' remaining cattle.

Mr Cooper has a further hearing in June before the Magistrates' Court in respect of the costs that he has not paid.

2009/4305 REVISION OF THE VERDERERS' BYELAWS RESUME

A query has arisen which requires the Byelaw Sub-Committee to meet later today. The Official Verderer said that assuming the query is resolved this afternoon, he is confident the byelaws will be ready for approval at the June Court.

OPEN COURT – 10.00 a.m. in the Verderers' Hall

IN ATTENDANCE: Mr Mike Seddon, Deputy Surveyor of the New Forest
Mr Mark Street, Area Land Agent (New Forest)

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2009/4306 FOREST CAMPSITES

At our last Court we sought an explanation from the Deputy Surveyor for the early opening of the Forest's campsites, despite an assurance last year that the same mistake would not happen again. It is clear that this mistake took the Forestry Commission as much by surprise as it did ourselves.

A senior representative of Forest Holidays, which is the jointly owned company which manages and operates these campsites, was present in Committee last month and apologised for the fact that once again the campsites have opened for business before the date allowed under the lease. This was entirely due to mistakes made by Forest Holiday's management, which will not be repeated.

We have accepted the reasons given by Forest Holidays, and we will be watching carefully to see that the fundamental terms of the lease for all the campsites on Crown land are observed.

2009/4307 MOBILE SHOPS

We understand that the Forestry Commission will be making a presentment on the subject of the provision of a mobile shop for the benefit of all of its campsites. Since we believe this matter is contentious we will not be making any decisions until next month so that presentments may be made by the public at our June Court.

2009/4308 WELFARE TOUR

Our spring welfare tour took place last Friday and was attended by numerous local and national animal welfare organisations such as the RSPCA, The British Horse Society, the Horse Trust and the Regional Operations Director of the Government's Animal Health Agency.

As usual two groups toured the Forest separately and saw approximately 500 ponies including 48 mares with foals. We are very pleased to say that all those present on the tour were unanimous in their view that the animals look in good condition for the time of year. Some said that given the relatively harsh weather conditions experienced during the past winter they expected the condition of the ponies to be quite poor, and they were pleased to see that was not the case. Once again, the Agisters' were praised for all their hard work in ensuring any animals which fall below an acceptable condition are removed from the Forest promptly.

ANIMAL ACCIDENT REPORT

2009/4309 ACCIDENT REPORT FOR APRIL 2009

The Agisters attended 11 accidents compared with 4 in same period last year.

4 ponies and 1 donkey were killed and 1 pony, 1 donkey and 1 cow were injured.
4 accidents occurred during the hours of darkness.

5 involved private cars or light commercials.

1 accident was not reported.

3 accidents involved local motorists.

The total killed and injured in April is 8 compared with 2 for the same period last year.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

2009/4310 FOREST HOLIDAYS RETAIL VAN

Forest Holidays operates ten campsites in the New Forest, offering around 3,300 pitches and hosts up to 12,000 campers at peak holiday periods. On average £28.80* is spent in the local area, excluding site fees, for each night a pitch is occupied.

Since last season Forest Holidays has directly operated the long established shop at Holmsley campsite and is selling more products from local suppliers and stocks Forest Marque products. Forest Holidays wish to introduce a convenience Retail Van that would deliver goods twice a day - early in the morning and in the evening. It would extend the offer of local produce to customers holidaying at Hollands Wood, Roundhill and Ashurst campsites. The Retail Van would be stocked from the Holmsley shop and sell the associated local products from local suppliers.

Forest Holidays is committed to encouraging and sustaining local producers and suppliers and helping grow local and Forest Marque produce alongside offering an excellent service to its customers. Establishing a convenience Retail Van will create one new local job and the opportunity for wide promotion of the Forest Marque by branding on the van. Cross-marketing of other local businesses and retail centres is guaranteed by carrying and distributing the "Local Producer Guide" and "Discover the New Forest Guide".

To further support existing or new local producers Forest Holidays will operate a policy of giving preference to local products when entering into fair supply arrangements for the Retail Van. So, for any particular product, Forest Holidays will initially seek to source the product from a registered Forest Marque producer, secondly from a local producer in Hampshire or Dorset, and only sell equivalent products from the wider market at peak times when local suppliers cannot meet demand. Supply arrangements with nine Forest Marque producers are currently in place including water, soaps, jams, eggs, meat and breads, cakes and other bakery products. This proposal offers one of the most significant opportunities to raise awareness of the Forest Marque; help it to grow, and to create resilience in the local economy by directly supporting local people and businesses.

Forest Holidays believe that customers will still buy supplies locally while they are out during the day in the Forest but two other benefits from the scheme are, that there will be reduced congestion and pollution from fewer short car journeys just to buy small amounts of basic supplies.

The Forestry Commission supports this proposal believing it benefits local producers, as well as offering an improved service to campsite customers, without any impacts on the Verderers' primary interests.

Therefore, we seek the support and agreement of the Verderers for Forest Holidays to operate a Retail Van.

* Research conducted by Gough Mandarin Market Research on behalf of the Camping and Caravanning Club in early 2007. This looks at the spend campers and

caravaners make into the areas they visit and concludes that an average spend (excluding campsite fees) of £28.80 per camping unit (tent, caravan or motorhome) is made for every night they stay in an area.

PRESENTMENTS

2009/4311 NEW FOREST SPEED LIMITS

Presentment by Mr Mike Eccles on behalf of the New Forest Commoners' Defence Association

The Commoners' Defence Association seek the Verderers' support and endorsement of a call for the Speed Limits on the open Forest to be reduced from 40 to 30 mph.

Government has recently launched an initiative, empowering the County and its Highway Authority, to review and make recommendations, for reductions in speed limits.

We have recently seen changes to several limits on "A" roads, on the periphery of the Forest. Lowering of the limits on these roads to 50 and 40 mph, has eroded the differential, to the blanket 40mph limit, applied to all open Forest roads, including even single track lanes.

When peak commuter traffic causes congestion, on our main and arterial roads, alternative routes identified by *Sat-Nav* and rat-run activity, inevitably target the open Forest roads. Accidents involving ponies and livestock, increase at these peak commuter times.

Most recently, the Lyndhurst Bypass proposals have failed again, with the Authorities now favouring modern electronic tools, to disperse traffic onto alternative routes in the Forest.

Initiatives such as: Luminous collars on ponies and livestock; Verge clearance and widening; Random SID deployment; Local Action Group activities and Education etc have all helped to raise awareness. However ultimately, excessive SPEED and a lack of understanding and RESPECT for Forest animals, is the prime cause of accidents involving them.

It is noteworthy, that the fuel price crisis in 2008, resulted in visibly lower traffic speed and movements along Forest roads. No doubt, this was a contributory factor, in the 25% reduction in animal casualties for that year, over those of the previous decade.

In responding to the Government initiative, we urge the relevant Authorities to uphold the speed limit differential by lowering all the open Forest roads to 30mph. Rationalising of the speed limit will facilitate the removal of most of the new and intrusive signage in our Forest villages. At 30 mph throughout, animal losses should decline and general road safety in the Forest will improve.

Mr Brian Tarnoff later supported this Presentment.

2009/4312 VERGE PARKING & OBSTRUCTION OF BARRIERS

Presentment by Mr Michael Eccles

Mr Eccles referred to his Presentment at the last Court when he asked the Forestry Commission to take action against those who park illegally either on verges or blocking entrances. He said he wishes to retract his Presentment as the day after the April Court Mr Eccles saw several Forestry Commission Rangers putting warning stickers on cars.

2009/4313 FOREST HOLIDAYS RETAIL VAN
Presentment by Mr Brian Tarnoff on behalf of the New Forest Association

This presentment is based on the version of the Forest Holidays proposal which the Deputy Surveyor, Mike Seddon, presented to the New Forest Consultative Panel on the 7th of this month.

While there is no doubt that the camping segment of the vital local tourism is important to the Forest economy, and we do not begrudge Forest Holidays running a business that profits from this and supports the influx of these tourists, although we do not support their current or future use of protected areas to do so. As to the matter at hand, Forest Holidays proposal to run a retail van on three of the campsites fails on its supposed merits.

Forest Holidays would have us think they are merely the champions of local producers. They have dressed up their Trojan horse to look like a New Forest Pony. Undertaking to give preference to local suppliers is commendable, but there's no way that they could be held to this long term. Once the mobile shop has been given permission to trade market forces will take over, and if there is demand for less expensive, non-local products, the stock will shift that way to keep the van in profit.

Forest Holidays also contend that an ancillary benefit will reduce car journeys. However, in the case of the Ashurst campsite, the local shops are in easy walking distance. For each car journey saved, that is a loss of trade not just for the local shops selling similar goods, but their neighbouring shops that rely on passing trade. Many of these shops themselves support the local suppliers and the New Forest Marque® as well. Bringing the mobile shop into the Forest brings an unwelcome commercial element to the natural setting, along with much of the packaging waste that would then result from sundries bought and then consumed on site. I may be incorrect, but it is my understanding that there was an agreement with Forest Holidays not to build shops on any other campsites and this is clearly against the spirit of that agreement.

The most worrying aspect of this proposal is that it shows that Forest Holidays thinking is based around a business model that is wholly inappropriate for the New Forest. The campsites are all on the protected SSSI and the SPA, SAC, RAMSAR site, some are also in the Ancient and Ornamental Woodland, and also must co-exist with the Commoners de-pastured stock. Further commercialization of these campsites shows a patent disregard for the nature of their situation.

If Forest Holidays were thinking in the right direction, they would be trying to make a virtue of their situation, selling low impact ecologically sound wilderness camping, rather than retail vans, pre-erected tents and ready-use caravans. They would be considering fewer, larger pitches, at an eco-friendly marketed premium to reduce their impact. Forest Holidays should work with the Forestry Commission, the Verderers, the Commoners and Natural England (amongst others), to find suitable alternative sites on robust land outside the protected areas, allowing the closure of these inappropriate venues.

I invite Forest Holidays to give the Court enough respect to present their proposal to the Verderers directly and send their own representative, rather than put the Deputy Surveyor in the unenviable, and due to his own duties to the protection of the Forest, inevitably compromised, position of presenting their proposals.

We ask the Verderers to reject the proposal out of hand, and further, to ask Forest Holidays to adequately revise their thinking to take care of the forest, or to get out.

2009/4314 ISLANDS THORNS INCLOSURE

Presentment by Mr Brian Tarnoff on behalf of the New Forest Association

In the March presentment concerning the damage to the Studley Castle Ancient monument , I referred to the sheer level of mess and damage left behind by the contractors in Islands Thorns enclosure. As of the day before this court, this is no better, except that it is slightly drier and the bracken has grown to hide the detritus of the logging operation, which was left on the forest floor in complete disarray. Whilst visually more appealing, it is now even more hazardous to forest users, who either must walk the heavy going of the deeply damaged tracks, or stumble across the uneven untidy debris now hidden in the undergrowth. Also, some areas are now so boggy, they seem to be crisscrossed by strangely parallel streams, which are simply small trenches begun as wheel ruts.

Could the Verderers ask the Deputy Surveyor as to whether the contractors have exceeded their time limit to repair the damage, and whether they will ever be chased to complete this part of their work.

2009/4315 BRAMSHAW "FOREST" GOLF COURSE

Presentment by Mrs Mary Gray

"I stress this morning 'Open Forest' course.

Over the years Mrs Blick, the then Clerk to the Verdreers, asked me to keep an eye on maintenance etc., as I did. There were different issues I brought before the Court.

Time passed, I felt "do the Verderers really want to know?"

At present I feel they should want to know! I believe a very young enthusiastic Green Keeper is now in charge.

These 'Forest links' are beginning to be maintained as a Private Golf Course.

We now have 36 greens, 18 proper, 18 smaller winter, mowed all season's around, likewise with very much extended Tees!!

Fairways are now mowed extensively into the 'sacred rough', where our animals graze.

Brook Common, my ancestors' laboured there many moons ago, desperate for work not knowing it would be the 'Business Enterprise' it is today!

Let's get back to 'Forest Links', not like a pristine privately run 'Golf Course'.

The loss to Open Forest Grazing is great."

The Official Verderer remarked that the Court will discuss Mrs Gray's points later. He added that he has a conflict of interest and he will not, therefore, take part in the discussions later on.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2009/4316 NEW FOREST SPEED LIMITS RESUME

Nearly all the villages now have a 30 mph speed limit. The Court agreed unanimously to adopt the arguments for a 30 mph maximum speed limit across the whole Forest and to ask the National Park Authority to support the proposal and help to take it forward. It was agreed a Press Release should be issued.

2009/4317 FOREST HOLIDAYS RETAIL VAN RESUME

No decision will be made on the Forestry Commission's Presentment until after the June Open Court.

2009/4318 BRAMSHAW 'FOREST' GOLF COURSE RESUME
October

The Official Verderer declared an interest.

The Forestry Commission confirmed the course is covered by a Management Agreement. The lease is due for renewal in December this year which means there is an opportunity to review the conditions of the lease.

Natural England will have to agree the management conditions although some members of the Court felt Natural England may have too narrow a focus. There are other considerations that need to be born in mind which may affect commoning. The National Park Authority Landscape Assessment which was carried out in respect of the New Forest Golf Club (Lyndhurst) was felt to be useful and it is assumed a similar assessment will be drawn up in respect of this course prior to the lease and management plan being finalised.

In order to take any action as regards Mrs Gray's complaints, further information is required. Mrs Gray will be asked to keep precise records of incidents such as excessive mowing where and when it took place and how much land is involved.

It was pointed out that there have been other issues affecting the Golf Course such as excessive poaching resulting from stock being fed on the Forest.

SUBMISSIONS BY THE FORESTRY COMMISSION

2009/4319 BEAULIEU ROAD SALE YARD PHASE 1 – NEW WATER AND ELECTRICITY SUPPLY RESUME

Details, including drawings, were provided, showing the proposal to lay a water main and electricity supply to the Sale Yard. The pipe will come from Ipley, across Open Forest to Decoy Pond Farm and then onwards to the Beaulieu Road Hotel and Station Cottages with a branch off to the Sale Yard.

The importance of the Sale Yard to the commoning community and the Forest cannot be stressed too strongly, however, the usual rules

governing proposals such as these must be adhered to.

A number of issues arose during the Court's consideration of the proposals including amongst other things, Natural England's views on the works and those of the National Park's Archaeologist; the question of whether manholes will be required along the line of the pipe and if so where, and the precise route of the pipe given the close proximity of important archaeological sites such as the Longdown Barrows. There is also a problem concerning the pipe where it runs from Decoy Pond Farm to the Beaulieu Road. In all other previous proposals, the Court has insisted that pipes or cables be placed under roads and tracks and not alongside them where grazing would be disturbed. At present the proposal is to lay this pipe alongside the tarmac road but that was felt unacceptable.

The Court is keen to support the proposals but it was agreed more detail is required in order that the questions raised so far and others that will undoubtedly come to light as time goes on can be answered satisfactorily. A copy of the coloured plan showing the proposed water pipeline, together with Mr Street's letter will be provided for each Verderer.

2009/4320 BERRY KNOLL, BURLEY – UNDERGROUND ELECTRICITY AND DISCHARGE
TELEPHONE CABLES

The proposal to provide new underground electricity and telephone cabling to this property was agreed subject to the usual conditions regarding reinstatement, safe working conditions, compensation for loss of grazing etc.

2009/4321 KNAVES ASH, CROW, RINGWOOD, GAS PRESSURE REDUCTION RESUME
SITE (GAS REGULATOR BUILDING)

The proposal to provide a new underground electricity supply to this site utilising a new pole and pole mounted transformer was refused. The Court felt the pole and transformer would be intrusive in the surrounding landscape. It was suggested that the equipment should be housed in the main cabin or closely adjacent thereto. If that can be achieved, consent will be given.

2009/4322 THE NEW HOUSE, R/O SUTHERLIN, FOREST FRONT, HYTHE – DISCHARGE
PROVISION OF GAS SUPPLY

The proposal to put in an underground gas service to the property was approved subject to the usual three conditions.

2009/4323 PLOT ADJACENT TO OAK LODGE, MEERUT ROAD, DISCHARGE
BROCKENHURST – PROVISION OF GAS SUPPLY

The proposal to provide an underground gas service pipe to this property was approved subject to the usual three conditions.

2009/4324 THRIFTY BEECHES, STONEY CROSS – PROPOSED SUPPLY OF DISCHARGE
ELECTRICITY

The Court raised no objection to the proposals for an electricity supply to this property.

2009/4325 HOLLANDS WOOD / BUCK FORD INCLOSURE PROPOSAL FOR CATTLE GRID RESUME

The New Forest Show Society have requested permission to install a cattle grid prior to this year's Show at the end of July. The grid would facilitate access not only to the annual Show but also for the large number of heavy vehicles that will need access to the Polo Ground whilst a new polo pitch is being reconstructed.

The Court gave the proposals careful consideration. However, as private cattle grids in the Forest tend to cause problems, the provision of a temporary grid for use whilst the Polo pitch work is carried out would be a favoured option. Such a grid could also be used during the Show.

The proposed siting of the grid was also considered unsatisfactory as it would impede the Agisters and commoners when driving stock to the nearby pound. For this reason, if the Show Society decides to proceed with a temporary grid, it will have to be constructed as close to the main road (A337) as possible. Further details will be required.

Assurance was also sought that there will not be a plethora of signs such as have appeared at the main New Park entrance.

MATTERS ARISING OF CONCERN TO THE FORESTRY COMMISSION

2009/4326 FOREST RUN STALLIONS RESUME

A response is awaited regarding regarding the fencing and deer issues in New Park. Contractors have repaired the weak areas of fencing around the stallion field. The Head Agister will be asked to check it. The Forestry Commission will check the inclosure fence but it is believed to be in good order.

It has apparently been suggested that a box gate could be constructed to prevent Forest stock that do gain access to the inclosure from getting into the Park and this may be progressed.

The Deputy Surveyor asked for evidence of damage to the fence.

The fencing at New Park will be checked before the next meeting.

2009/4327 FOREST HOLIDAYS RETAIL VAN RESUME

A copy of the Deputy Surveyor's letter to the Official Verderer was circulated to all members of the Court. The Forestry Commission considers the van would come under Section 3A of the Memorandum of Understanding – i.e. consent should not be unreasonably withheld.

2009/4328 CAMPSITE SURVEY RESUME (October)

The survey is underway but cannot be completed until after the leaf has fallen. The National Park Authority is contributing in kind as well as financially.

The Official Verderer said the Court now needs to formally agree to make up the shortfall of £1,500. It was, therefore agreed that a donation to the New Forest Association for that amount should be made.

2009/4329 PRE-ERECTED TENTS AND PRE-PREPARED CARAVANS RESUME

Confirmation was sought that these tents and caravans would be moved every 21 days. It is important that they are moved and that the grass is given time to recover before another unit is put on the same pitch. The Forestry Commission shared the Court's concern and agreed it is essential that pitches are rotated at that interval or more often and that the unit must not be replaced until the grass has recovered. If there is any evidence that units are not being moved, the Forestry Commission will go back to Forest Holidays and say that it is unacceptable.

This matter will be discussed further later in the meeting.

2009/4330 BARRIER AT HOLLANDS WOOD CAMPSITE RESUME

The Clerk apologised that she had not had time to search the Minutes and files for any reference to this barrier but she felt sure that it had not come before the Court during her 14 years as Clerk. The files will be checked at the earliest opportunity but it was generally felt that whilst there was probably always a standard wooden barrier there, it is unlikely that consent has been given for an electrically operated one.

2009/4331 RAILWAY COMMUNICATIONS DISCHARGE

Nothing further has been heard except that Mr Street understands the Railway Company has problems with obtaining an electrical supply for some of the masts. It was decided to discharge this item which will be brought back as and when there is something to report.

2009/4332 NETWORK RAIL – CLAIM FOR COMPENSATION FOR DAMAGE TO GRAZING RESUME
September

A further letter has been sent chasing this claim but nothing further has been heard.

2009/4333 WATER TROUGH AT CANTERTON DISCHARGE

This water trough used to be managed by the Commoners' Defence Association but in recent years the water bill has been paid by the Verderers. It was agreed the trough should remain in situ. A short discussion took place about the possibility of resolving the poaching around the trough but no firm decision was reached.

2009/4334 TURF HILL RESUME
July

Many stacks of waste timber remain to be removed from the area. Mr Pasmore reminded the Deputy Surveyor that Mr Mike Abrahams (FC) had received a map showing exact locations of these piles in March 2007. A further copy can be provided if required, so there should be no difficulty in locating the heaps. The matter will be resumed in July.

SSSI RESTORATION WORKS

2009/4335 WARWICKSLADE/KNIGHTWOOD RESUME
July

This matter will be resumed in July.

2009/4336 LITTLE POUNDHILL INCLOSURE FENCE LINE CHANGES RESUME

The Deputy Surveyor had supplied a statement as to the status of the enclosure at Poundhill and a map of his proposals (attached).

Mr Pasmore questioned the legality of seasonal grazing having regard both to the statutes and the lease of the Verderers' Inclosures. The Deputy Surveyor therefore asked for a transitional period only (three years) during which seasonal grazing would take place on the area outlined yellow. Thereafter the grazing of that area could be reconsidered. The Verderers agreed to this. The area outlined red will be thrown open immediately and the Verderers noted this. The remainder of the dark green area will remain enclosed and will be managed in accordance with the Act and the lease of the Verderers' Inclosures.

2009/4337 LONGWATER LAWN RESUME

This matter will be resumed in June to allow Mr Frost and Mr Pasmore to undertake a site visit.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2009/4338 TRAVELLERS AT SMUGGLERS ROAD DISCHARGE

Burley Parish Council has apparently met and complaints were made that the travellers have not yet been moved on. Mr Street said he thought the travellers were on the move and that if they have not left in a few days he will apply for a Court Order. That does not, however, prevent them from moving down the road to the next car park and Mr Street's preferred course of action is to wait for an imminent House of Lords ruling which may assist matters. In the meantime the travellers do not appear to have caused any trouble.

There has been a report of two out of control lurchers which have allegedly badly injured an animal in a nearby field. There is considerable doubt, however, that the lurchers have anything to do with the travellers camp which appears to have only one dog.

2009/4339 BEAULIEU AERODROME DRAGONS TEETH AND DITCHING DISCHARGE

Nothing has been done to protect the model aircraft flying area from joyriders. The Forestry Commission advised that the Keepers are working closely with the Police to try to resolve the problem of young people in cars in car parks at night.

2009/4340 PARKING PROBLEMS AT FRITHAM DISCHARGE

Once more there are serious problems with parking at Fritham. Motorists are parking all over the roadside verges causing damage and obstructions to residents and the emergency services.

There is also a tremendous amount of trespass in the area by cyclists riding “off track” due to the intense amount of cycling pressure in the area.

Queues either for the lavatories or service stretched from the pub for a considerable distance.

The Deputy Surveyor said this is one of the challenges which the Forestry Commission is facing and is consulting with the County to see if a satisfactory solution can be found.

There is a general issue with the sheer number of people who visit Fritham. Control of demand is unpopular but essential, but so is the need to work with other agencies/people.

The Deputy Surveyor and Mr Street left the meeting.

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

2009/4341 PRE-ERECTED TENTS AND PRE-PREPARED CARAVANS RESUME

The reasons the Forestry Commission feels it does not need consent for these tents and caravans is set out in the Deputy Surveyor’s letter. The Official Verderer said he is worried about how the Deputy Surveyor is interpreting the New Forest Acts and the Verderers powers. He believes the Verderers can take account of factors other than whether grazing is affected when making decisions. The Court unanimously agreed the Official Verderer should write a letter to the Deputy Surveyor setting out why it does not agree with his interpretation of the Acts.

2009/4342 HALE PURLIEU HAUNCHING/TRAFFIC CALMING RESUME

The Clerk reported that the Highway Authority is hoping to bring forward some proposals for the traffic calming measures that the Court has requested in the not too distant future but at present there is a lack of financial resources for the scheme which is likely to be expensive and possibly controversial.

2009/4343 CATTLE ON THE WESTERN COMMONS DISCHARGE

The Clerk confirmed that the commoner who is turning out Highland Cattle onto the Western Commons has the right to do so.

2009/4344 FALLEN TREE ON HALE PURLIEU BOUNDARY RESUME

The Clerk is still trying to find out who owns the land and therefore who owns the tree.

VERDERERS’ COUNTRYSIDE STEWARDSHIP SCHEME

2009/4345 MEETING OF THE SUB COMMITTEE RESUME

The Sub-Committee will meet after lunch to discuss two issues – A welfare matter and the revision of the rules.

2009/4346 UPGRADE TO HIGHER LEVEL SCHEME DISCHARGE

The Official Verderer was pleased to report that the upgrade of the present scheme to an HLS seems to be on track for the end of the year.

NEW FOREST NATIONAL PARK

2009/4347 RECREATIONAL STRATEGY WORKING GROUP RESUME

Mrs Thorne agreed to represent the Court on this Group which next meets on 2nd June. The National Park Authority will be advised and asked to send papers direct to her.

2009/4348 RECREATIONAL HORSEKEEPING GROUP DISCHARGE

Miss Macnair attended the last meeting of this group. There are various problems yet to be addressed including field sizes.

2009/4349 KEY PARTNERS STEERING GROUP DISCHARGE

The Official Verderer reported that he attended the latest meeting of this group. There are as yet no conclusions regarding recreational horsekeeping. Decisions have yet to be made on the rewording of the Management Plan which it is thought may be re-launched towards the end of October.

It was queried how organisations can endorse the Plan if they don't altogether agree with its content.

OTHER AGENDA ITEMS

2009/4350 OPEN HABITATS: RESTORING AND EXPANDING OPEN HABITATS FROM WOODS AND FORESTS IN ENGLAND: A CONSULTATION ON GOVERNMENT POLICY. RESUME

The link to the website will be sent to all Verderers on email.

Mr Frost attended a days workshop and is preparing a report for the New Forest Association. He agreed to lead on drafting a response from the Court and requested that Verderers please let him have their comments in order to assist him.

2009/4351 HOT BRANDING OF SEMI-FERAL PONIES – BAN PROPOSED BY BEVA (British Equine Veterinary Association) RESUME

It was agreed that a demonstration of branding should be arranged to be attended by the appropriate representatives of BEVA and the BHS. The film which was kindly made into a DVD by Patrick Kemp can also be sent to the relevant people.

Miss Macnair suggested photographs of a brand taken a few days and then a few weeks after application would also be helpful.

2009/4352 IDENTIFICATION OF PONIES – STICKER SYSTEM AS AN ALTERNATIVE TO MICROCHIPPING FOR PONIES GOING DIRECT TO SLAUGHTER RESUME

The Court felt that it is not appropriate for it to run this scheme and in any event DEFRA has advised that it will only allow Passport Issuing Offices to manage such schemes – assuming they are to be permitted.

The Court will, however, support the New Forest Pony Breeding and Cattle Society, the Livestock Society and the Commoners' Defence Association in ensuring a workable scheme is agreed.

2009/4353 HIT & RUN REWARD SCHEME – PAYMENT OF REWARD RESUME

The Court agreed to pay the sum of £750 to Mr Organ who provided evidence leading to the recent successful prosecution of a driver who was convicted of driving without due care and attention. Mr Organ will be asked to attend the Court in June to receive his cheque.

2009/4354 PONIES ON THE BEAULIEU FORESHORE DISCHARGE

The Court does not accept it is responsible for ordering the removal of ponies from the foreshore unless a byelaw offence has been committed.

2009/4355 REQUEST FOR SPEAKER AT THE NEW FOREST ACCESS FORUM DISCHARGE

The Court declined the invitation to provide a speaker. Mr Pasmore will draft a suitable response to the Access Forum Chairman's letter which will explain the Verderers' position.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

None

STAFF MATTERS (including the Staff Committee)

2009/4356 AGISTERS' MILEAGE RESUME

The Agisters are providing a further month's mileage information for Mr Draper.

TRAINING

2009/4357 FIRST AID AT WORK DISCHARGE

The Clerk and Head Agister are due to attend first aid training days.

HEALTH AND SAFETY AT WORK

2009/4358 HEALTH & SAFETY REVIEW RESUME

The Head Agister is continuing to make progress on the review of the training sheets and risk assessments.

ANY OTHER BUSINESS

2009/4359 LINWOOD ROAD HAUNCH REPAIRS DISCHARGE

It has been suggested that instead of returning the carriageway to its original width as has been agreed with the Highway Authority, double white lines should be painted on the road surface. The proposal is intended to increase safety for cyclists. The Court gave the idea due consideration but felt that it would be unlikely to be successful in the long term as if the white lines faded, as they inevitably will, and they are not repainted promptly, the benefit will be lost. Returning the road to its previous width will have the effect of slowing down vehicles which will in itself improve safety for cyclists.

2009/4360 DEFRA, UK - CONSULTATIONS - CONSULTATION ON A NEW INDEPENDENT BODY FOR ANIMAL HEALTH: A MODERN GOVERNANCE AND FUNDING STRUCTURE FOR TACKLING ANIMAL DISEASES RESUME

It is felt the proposals contained in this consultation could have serious implications for commoners. The deadline for responses is 30th June and members of the Court were requested to have a look at the papers on the DEFRA website and let Mrs Thorne have their thoughts. A suitable response to the consultation will then be prepared in time for the next Court.

2009/4361 SWAN GREEN CRICKET PAVILION DISCHARGE

When consent was granted for this pavilion to be enlarged it was on the condition that all equipment must in future be stored inside. It has been noted that this condition is being flouted on a regular basis and the Forestry Commission will be asked to ensure the Club is aware that it must abide by the rules.

There was no further business and the meeting closed at 1.45 p.m.

2009/4336 LITTLE POUNDHILL INCLOSURE FENCE LINE CHANGES

