

MINUTES of the Court of Verderers held on Wednesday 21st November 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 C Maton	National Park Appointed Verderer
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Co-opted Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers (minute 2012/6330 onwards)
	Mr J R Gerrelli	Head Agister (from 2012/6331 to 2012/ 6341)

IN COMMITTEE in the Library

2012/6329 BUDGET, MARKING FEES AND STAFF PAY DISCHARGE

The Clerk was absent for this minute due to the discussion on staff salaries.

After careful consideration of the budget, it was decided that marking fees for next year would not be increased. However, it is likely that in future years a different decision will have to be made.

Staff salaries will also not be increased in light of the Public Sector pay freeze which includes Forestry Commission staff.

2012/6330 ANNOUNCEMENTS AND DECISIONS RESUME

The Announcements and Decisions were approved.

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

2012/6331 ELECTED VERDERERS

The terms of office of Dionis Macnair and David Readhead come to end this month. Ordinarily there would have been an election. However with only two candidates for two places on the Court, both Dionis Macnair and David Readhead are elected unopposed and will serve for six years until 2018.

2012/6332 MARKING FEES

I am pleased to announce that due to a tight rein on costs and judicious housekeeping by the Verderers' Clerk, there will be no increase in marking fees for 2013.

2012/6333 VERDERERS GRAZING SCHEME

We are in the first year of the new Verderers Grazing Scheme, which commenced on 1st March. We have had terrific success, with 92% of the animals depastured on Crown Lands entered. We have now set the grazing payment value of £100 for 1 Livestock Unit.

So the following values will be used to calculate payments to Crown Land commoners:

Cattle £100
Registered pure bred New Forest ponies £80
Other equines £40
Pigs £30

There is a maximum payment of £6,000.

We set the rate for a Livestock Unit at £100, for several reasons. Firstly we want to make sure that no one who voluntarily reduced their turn-out of cattle under the old Countryside Stewardship Scheme loses out financially. Secondly we would like to build a buffer against future increases of marking fees which are an inevitable consequence of the current necessary government reduction in public spending. And thirdly, we are following Natural England's wish to encourage more cattle grazing the Crown Lands, because cattle graze in a different way to ponies, giving enhanced environmental benefit to our beautiful New Forest.

When introducing the new VGS, I had promised that the payment made for a registered pure bred New Forest pony would be at least as much if not more than the previous £70 payment under the old Countryside Stewardship Scheme. So the new level of £80 for a registered pure bred New Forest pony will be nearly 15% higher.

Payments will be made in the Spring of 2013.

May I remind commoners that the pot of money will now be fixed at the total based on the current turn-out at these Livestock Unit payment rates. If the total number of animals depastured increased, this will therefore result in a pro-rata decrease in the value of the Livestock Unit, so commoners will receive less grazing payment per animal. This is designed to stop a huge increase in animals turned out simply to claim the subsidy.

We are asking the Verderers Grazing Scheme Advisory Group to recommend rates for the Adjacent Commons. The key decision makers on this forum include the National Trust, Natural England, and representatives of commoners who depasture on the Adjacent Commons.

ANIMAL ACCIDENT REPORT

2012/6334 ACCIDENT REPORT FOR OCTOBER 2012

The agisters attended 15 accidents compared with 17 in October last year.

6 ponies were killed.

2 ponies and 1 cow were injured.

1 pony was uninjured.

4 ponies and a cow which were reportedly involved in accidents were not found.

All but 1 accident occurred in the dark.

The total killed and injured this year to the end of October was 59, compared with 76 in the same period last year.

October's accidents were spread throughout the Forest with a number of roads involved including, as usual, the B3078 and B3079 from Brook in the north and the B3054 Lyminster to Beaulieu and across to Dibden in the south.

The beginning of November has been particularly bad for accidents with 24 occurring

between the 1st and 17th of the month. 6 ponies have been killed and 3 ponies and a cow injured. 2 of the ponies which were killed were wearing collars. 7 animals escaped without injury and a further 7 have not been found following reports that animals had been hit.

This compares with 17 accidents for the same period last year in which 4 animals were killed and 2 injured.

This is typical of this time of year, just after the clocks change. All bar one of the accidents occurred in the dark and we can only assume that drivers are failing to adjust to driving across the Forest in the dark.

PRESENTMENT BY THE DEPUTY SURVEYOR OF THE NEW FOREST

There were no presentments from the Deputy Surveyor at this Court.

PRESENTMENTS

2012/6335 SHEEP ON THE FOREST AND COMMONS
Presentment by Mr Geordie Cook

Mr Cook again raised the issue of sheep on the Forest and Commons. He produced some papers for the Court to consider. Mr Cook continues to believe that the presence of sheep on the common and Forest in the Bramshaw area is illegal and he said he proposes to take the matter further. He went on to say that he considers that previous statements made by the Court are inaccurate. He said that the Court has never explained why it believes sheep should be allowed on the common and added that in his opinion it has nothing to do with the National Trust.

Unfortunately, despite a request for clarification from the Official Verderer, the Court was unable to obtain confirmation of precisely who Mr Cook intends to progress the matter with. Mr Cook mentioned the District Surveyor and then Her Majesty the Queen.

2012/6336 MAXIMUM AGE FOR ELECTED VERDERERS
Presentment by Mr Geordie Cook

Mr Cook said that he believes that the maximum age for an Elected Verderer is 72. The Official Verderer thanked Mr Cook for bringing this to the Court's attention.

2012/6337 QUEEN ELIZABETH II DIAMOND JUBILEE RIDE 2012
Presentment by Mr Richard Deacon on behalf of the New Forest Commoners' Defence Association (CDA)

On behalf of the CDA, it is my pleasure to be able to present the Verderers' Court with our initial version of a wall display, commemorating the CDA's Queen Elizabeth II Diamond Jubilee Ride, which was run over some 74 miles close to the boundary of the Crown Lands of the Forest, in August 2012.

We anticipate there will be several iterations of this display before we arrive at a suitable permanent form, which I can explain as follows:

All the participants of the Jubilee Ride are entitled to receive a Jubilee rosette together with their own copy of Her Majesty's message of support read out at the commencement of each stage of the Ride. The rosette and the message are part of the display temporarily placed in the cabinet to my right.

The first distribution of these rosettes will take place at the annual Point to Point meeting on Boxing Day, where the Ride participants are invited to claim their memento in return for their signature on the Roll of Honour, which when complete will be bound and lodged

with the display in the Court archive.

Those unable to make the Point to Point will have a further opportunity to claim their rosette at the CDA AGM in March.

The present version of the display is in need of one or two further photographs recording activity out on the Ride, which I hope will come to light at these two opportunities.

Ultimately, it is the CDA's hope that the Elizabeth II exhibit will complement that of the Charles II Coat of Arms mounted above our Official Verderers seat. We envisage a glass fronted, oak framed, hexagonal enclosure, possibly mounted on the wall immediately behind me above the Agisters seats.

2012/6338 VERDERERS' HALL PUBLIC ADDRESS SYSTEM
Presentment by Mrs Margaret Tillyer, Practicing Commoner

Mrs Tillyer advised the Court that the microphone and public address system appears to be very inefficient. People at the back of the Hall are having great difficulty hearing Presentments when the person making the presentment is facing the Verderers' bench, and the Verderers have difficulty hearing if the person making the presentment faces the public. Mrs Tillyer asked that the system be upgraded or replaced.

The Open Court closed at 10.14 hrs

**IN COMMITTEE in the Library
Commencing 10.30 hrs**

2012/6339 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 17th October 2012 were approved and signed by the Official Verderer.

2012/6340 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, including Mr Readhead together with Mrs Thorne and Mr Maton all declared an interest in the Higher Level Stewardship Scheme.

Mr Gerrelli declared an interest in matters concerning campsites.

Mr Maton advised the Court that he undertakes contract work for the Forestry Commission and therefore declared an interest in such matters.

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

2012/6341 CONDITION OF STOCK RESUME

The Head Agister reported that the wet weather is now having a detrimental effect on stock with some ponies, particularly mares with foals, beginning to lose condition. Where foals have been removed from their dams and the mare turned back out, it was suggested that the mares are not picking up as well as usual. The grass is continuing to grow but it is mostly water.

Miss Macnair remarked that animals have been coming home for the past month which was thought to be rather earlier than usual. Much of the Forest and many fields are waterlogged. The Head Agister said there is a need to be aware that conditions may deteriorate further.

Mr Deakin agreed with the Head Agister' report. He commented that some cold, dry weather would be helpful.

The Welfare Tour is on Friday 14th December.

The Head Agister left the meeting.

2012/6342 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

4 animals:-
1 mare with a foal.
2 cattle.
1 cow with a calf.

Year to date total 213, compared with 268 in the same period last year.

2012/6343 MARKING FEES RECEIVED TO DATE RESUME

	Forest	Common	Total
Ponies	4122	799	4921
Cattle	2280	879	3159
Donkeys	89	68	157
Pigs	181	105	286
Sheep	0	136	136
TOTALS	6672	1987	8659
Total PCD	6491	1746	8237

2012/6344 BYELAW ENFORCEMENT RESUME

There are no byelaw enforcement issues at present.

CONSIDERATION OF PRESENTMENTS

2012/6345 SHEEP RESUME
Action AHP
The Court asked Mr Pasmore to look at the issues raised by Mr Cook.

2012/6346 MAXIMUM AGE FOR ELECTED VERDERERS RESUME
Action OV
The regulations will be checked.

The Deputy Surveyor and Mr Street joined the meeting.

2012/6347 QUEEN ELIZABETH II DIAMOND JUBILEE RIDE 2012 DISCHARGE
Miss Macnair suggested that the display needs a map. This suggestion will be passed to Mr Deacon.

2012/6348 VERDERERS' HALL PUBLIC ADDRESS SYSTEM DISCHARGE
Action SW
The Clerk said that before the January Open Court, she will make sure that the PA system is correctly adjusted and working properly.

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2012/6349 SOUTHERN GAS NETWORKS – NEW DOMESTIC CONNECTION TO BRANDY COTTAGE, SWAY DISCHARGE

The proposal to provide a new underground gas supply service to this property was approved subject to the standard three conditions of safe working conditions, satisfactory re-instatement and compensation for loss of grazing.

2012/6350 FISH AND CHIP TRADING – CROWN LANDS NOMANSLAND DISCHARGE

Mr Street explained that this matter has arisen as a result of the local Keeper moving on a pizza van. In order to be consistent, he then also spoke to the fish and chip trader who regularly parks on Forestry Commission land at Nomansland for up to two hours. Investigations revealed that the latter has been trading in the area for a considerable length of time although the present proprietor only took over the van four or five years ago. There is considerable local support for the facility.

Action
MStr

After careful consideration the Court agreed to consent to the Forestry Commission issuing a licence for this particular van but stressed that this must not set a precedent.

The Forestry Commission agreed that a licence for a maximum term of three years will be issued with strict conditions which will include the trader being responsible for ensuring that all litter is cleared within a specified distance of the van as happens with the ice cream salesmen at present and that he complies fully with all relevant environmental health regulations. Evidence of the latter will be required.

It was pointed out that there are issues connected with this particular trader relating to the property from where he is running his business. The Forestry Commission confirmed that it is carefully monitoring the impact of the business on the Open Forest outside the property at Bramshaw Telegraph.

Another fish and chip van is known to visit East Boldre but that van does not remain static and moves through the village. For that reason it was agreed a formal consent is not required at present.

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

2012/6351 ICE CREAM TRADING RESUME

The Court's request for the ice cream vans at Hatchet Pond and Stony Cross to be re-sited on grounds of health and safety of the public and commoners' stock was discussed further. The Forestry Commission stated that it would prefer the vans remain in their current positions, which they have occupied for more than a decade, apparently without incident.

October
2013

Action
MS & MStr

The Deputy Surveyor said he understands the Court's additional concern about the damage to the verges which is being caused at the Hatchet Pond location and he said he is happy to reinforce the car free ditching and dragons teeth to try to resolve the problem of verge parking. The Deputy Surveyor then advised that the Licences and Verderers' Consent are in fact out of sync. The consent given by the Verderers expires in December this year but the Licences are not due for renewal until next

year.

It was, therefore, agreed that the Verderers' consent will be extended by one year and in that period the Forestry Commission will undertake the work required to protect the verges at Hatchet Pond and will also give further consideration to the re-siting into the adjacent car park of the van at Stony Cross which is currently alongside the road.

2012/6352 CROWN LANDS CYCLE NETWORK

DISCHARGE

The Deputy Surveyor reported that the installation of the new posts and signage is complete. No signs have been removed and therefore if some 'no cycling' signs are missing it is most likely that they were on separate posts which have fallen into disrepair. Unfortunately the Forestry Commission does not have the positions of the old signs plotted digitally on a map although the new ones are.

Mr Pasmore insisted that several signs at major junctions on the cycle network are missing. These signs indicate to cyclists where they are not supposed to go, whilst also directing them onto the network. Hampton Ridge and Pitts Wood were given as examples as well as Old House.

The Deputy Surveyor went on to say that he is happy to reinstate any no cycling signs that are missing and suggested members of the Court should let their Clerk have a list of locations.

Action
MS
Verderers
SW

The Deputy Surveyor went on to say that the cycle counters are being installed now. He apologised that they are a year late. There will be 10 counters, 5 on the network and 5 off it. He went on to report that since April this year, 600 maps have been given out free of charge by the Ranger Team. Only about 80 maps were actually sold through the Forestry Commission. There are also various other outlets for the maps. A stock of about 8,000 maps has been obtained for next season.

Acting Deputy Surveyor, Mr Kevin Penfold, wrote to all Forestry Commission field staff in April 2012 reminding them of the Forestry Commission's policy on cycling and instructing them to engage with the cycling public to police, support and promote responsible cycling. Mr Pasmore suggested that more effort needs to be put into targeting young men who charge about on the open heathland. He referred to a magazine article which had appeared in the past inviting readers to visit the New Forest as the place to come for 'muddy good fun'. The Deputy Surveyor confirmed that the Forestry Commission does not condone such activity in the New Forest and explained it does have other sites outside the New Forest where such activity is permitted and appropriate. He added if cyclists are abusing the Forest the locations will be targeted although resources are limited.

The Court finally agreed, with some reluctance to the renewal of the consent for the network of way-marked cycle routes within the Crown Lands for another three years, i.e. calendar years 2013, 2014 and 2015. The consent is, however, conditional on the missing 'no cycling' signs being replaced and to the Deputy Surveyor using his best endeavours to control illegal cycling, within the resources available to him.

2012/6353	JOINT APPROACH TO PUBLIC ACCESS AND FREE ROAMING STOCK ON THE CROWN LANDS	DISCHARGE
	<p>This document was reviewed and all agreed no amendment is required except that it should be signed by the current Official Verderer. A new copy will be prepared for signature by the Official Verderer and the Deputy Surveyor.</p>	Action MS/OV
2012/6354	ROUNDHILL WATER TOWER	RESUME January 2013
	<p>A site meeting has been arranged for 12 noon on Friday 23rd November 2012 which will be attended by Mr Street, a representative of the Water Board and members of the Court.</p>	
2012/6355	HIGHWAY MAINTENANCE PLAN	RESUME
	<p>The Clerk reported she has a meeting with Mr Richard Bastow of Hampshire Highways on the 29th November.</p> <p>Mr Maton said he has spoken with Mr Ken Thornber, Leader of Hampshire County Council.</p>	
2012/6356	DAMAGE TO ROGER PENNY WAY / B3078 DIVERSION ROUTE AT BRAMBLE HILL	RESUME
	<p>As respects the damage caused to the verges in the Bramshaw area as a result of the temporary closure of the B3078 for edge repairs and resurfacing, Mr Street said he has met with the Highway Engineer responsible for the project, Mr Steve Eleftheriou. A discussion took place and assurances have been obtained regarding the reinstatement of the verges. Hoggin will be used to fill in the potholes and to give support to the edging prior to the soil being pulled back. No new tarmac will be laid.</p> <p>Mr Street said he has been advised that the works are approximately 2 weeks ahead of schedule and it is expected that final surfacing will take place next week. Mr Street added that a lot of care has been taken by the contractors working on the Roger Penny Way and he is impressed with what has been done.</p>	
2012/6357	CAMPSITE SURVEY	RESUME Action OV
	<p>Mr Street said he has requested the mapping in a different format so that it is compatible with the Forestry Commission's system. The current format is unusable by the FC. The Verderers decided to write a letter to the New Forest Association to express disappointment that this project is dragging on.</p>	
SSSI RESTORATION WORKS		
2012/6358	SNAGGING LIST	RESUME January 2013
	<p>The Deputy Surveyor ran through the snagging list. One item needed to be updated. This will be done and a new copy provided to the Clerk.</p> <p>The Deputy Surveyor explained that he will add items to the snagging list as soon as he has been able to speak to the staff responsible for the works in order to ensure an accurate record of problems and solutions.</p>	

2012/6359	FALLEN TREE OUTSIDE LONG MEADOW (WATERS COPSE)	RESUME May 2013
	The tree in Waters Copse has still not been cleared. The Deputy Surveyor said that there has been some confusion about the precise location and tree but now the correct tree has been identified, it will be cut up in the spring so that access for stock management is restored.	
2012/6360	QUEEN'S MEADOW	RESUME January 2013 Action MS
	A number of problems have been identified in Queen's Meadow which need to be resolved. The very heavy rainfall this autumn has created unexpected problems including fallen timber being washed into the channels. In one place, timber has washed up against what was a hedge line and is several feet high. A flooded lawn adjacent to Poundhill Inclosure, which the Forestry Commission had agreed should be drained as part of the scheme, has not been dealt with. In addition, a fence has been left in a dangerous position. The Deputy Surveyor said the Forestry Commission is aware of the problems which will be resolved as soon as possible.	
2012/6361	PEAKED BOTTOM AND JACKS WOOD	DISCHARGE Action MS
	An email concerning problems at these sites has been forwarded to Ms Sarah Oakley. These will be added to the Snagging List.	
2012/6362	PENNY MOOR	RESUME January 2012 Action DW
	The Deputy Surveyor said he is waiting for Natural England. Mrs Westerhoff said she will try to speed things along.	
2012/6363	LATCHMOOR STREAM RESTORATION PROJECT	DISCHARGE
	The Deputy Surveyor updated the Court on the current position. The upstream section in the inclosure will be done first and will take approximately two to three years to complete. Then the section on the Open Forest will be restored subject to planning approval being obtained.	

ENCROACHMENTS OF INTEREST TO THE FORESTRY COMMISSION

2012/6364	ENCROACHMENT LIST	RESUME January 2012
	Mr Street briefed the Court on the current position of the encroachments on the list which the Court was pleased to note is getting shorter.	
2012/6365	RHODODENDRONS	RESUME January 2012 Action MStr/DM/GW
	Miss Macnair remains concerned at the rhododendron which is blocking tracks and covering grazing in several places. In particular she mentioned a track in the vicinity of Long Pond House and Sandford Way which is now almost impassable. Mr Street offered to ask the Estates Keeper, Mr Graham Wilson to meet with Miss Macnair to look at the issue.	

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2012/6366 SWAY MEMORIAL RECREATION GROUND, PITMORE LANE DISCHARGE

The Verderers remain of the view that the fence which surrounds the Memorial Ground must be removed. Unfortunately there is a long history of the fence being poorly maintained and at times vandalised. The result is that it has frequently become a hazard to the commoners' animals which graze in the locality. Allowing the gorse to overgrow the fence can actually create a problem as it is then impossible to maintain the fence which inevitably falls into disrepair, resulting in loose wire which is very dangerous.

The Verderer's consent for the renewal of the licence will therefore, be conditional on the removal of the fence and all traces of the pavilion including any hardstanding, pipes or electrical connections etc. The Verderers will visit the site at the time that the licence renewal application is received.

Several other sports fields including those at Shobley and Burley operate without a fence. It was noted that the pavilion at Sway has now been demolished and that was welcomed by the Court. The Clerk will respond to the letter which she has received from the Parish Council, advising it of the Court's position.

2012/6367 B3054 BEAULIEU ROAD, BULL HILL / NORLEY WOOD CROSSROADS DISCHARGE
HHW CASUALTY REDUCTION SCHEME

The scheme involves works which will not impinge on the verges and only sufficient signs as are necessary to make the scheme safe and effective will be erected, the Court raised no objections to the proposals. Action Clerk

2012/6368 RENEWAL OF FC WATER SUPPLY PIPE AT ALLUM GREEN (GR DISCHARGE
SU278070)

The Court was content with the assurances received that the laying of the water pipe will not interfere with the old Duke of Bolton's cut walk and will not therefore damage the archaeology in the area.

2012/6369 NO RIDING SIGN OUTSIDE LITTLE HAY, BURLEY RESUME
January 2012

Miss Macnair pointed out that the no riding sign on the gravel track which has resulted in riders riding on and damaging the adjacent grass has still not been removed even though it is not an approved sign. The grass has now been all but destroyed and Miss Macnair asked the Forestry Commission to please arrange for the removal of the sign. Mr Street promised to pursue it. Action MStr

2012/6370 NATIONAL GRID MAINTENANCE WORK, DIBDEN RESUME
January 2012

A great deal of totally unacceptable damage has been caused by contractors working on the overhead power lines and pylons which traverse the Open Forest adjacent to the A326. Email correspondence between Mr Street and National Grid has been copied to the Clerk, together with photographs showing the damage caused by tracked vehicles which have been driven across the Open Forest in the recent very wet weather.

Mr Street has issued a 'stop notice' and Natural England has also been

informed of the damage to the SSSI. Mr Street has advised National Grid that full re-instatement must be undertaken together with the payment of compensation for loss of grazing. Action
MStr

In addition, it is understood that a gate onto the A326 was left open, presumably by the contractors.

Mr Street said that it is most unfortunate that the earlier part of the works were undertaken without problems but it has all fallen apart now that a different team are working on the tower (pylon) protection.

2012/6371 REMOVAL OF ANIMALS FROM INCLOSURES DISCHARGE

Mr Deakin commented that a recent request for assistance with removing commoners' animals from inclosures was phrased in a tone which implied the Agisters do not help. In fact, the Agisters are happy to help, providing they are given adequate notice.

2012/6372 FALLEN TREES DISCHARGE

Mr Deakin said that whilst it is understood that it is not always possible for fallen trees to be removed immediately, he asked that they be made safe as soon as possible by removing a few limbs which could otherwise result in animals becoming trapped in the head of the fallen tree. Several ponies have died in recent years as a result of being trapped and in one case a mare was found still alive having fallen over and broken several legs. The Deputy Surveyor said he understands the concerns but he asked if when a tree is reported, it could be made clear if it is felt to be a hazard to stock.

2012/6373 VERGE CUTTING DISCHARGE

Mr Gerrelli asked if the verges could be cut back 1 chain from the road as was the previous custom and practise, particularly on the C10 on the east side of Burley, roughly where it passes the Golf Course. A couple of accidents have occurred there recently and a few years ago a driver successfully avoided having to compensate a commoner for the loss of his pony after a Court accepted that the pony had appeared without warning from behind a gorse bush which was very close to the road. Action
MS

2012/6374 HAMPTWORTH ESTATE FENCING WORKS DISCHARGE

Mr Pasmore reported that while the renewal of the boundary fence is very welcome, the fencing contractors who are replacing the fence on the boundary of the Hamptworth Estate have been driving on the Forest and have caused some damage. Mr Street reported that the local Keeper, Mr Mathew Davis, has already spoken to the contractor.

The Deputy Surveyor and Mr Street left the meeting

OTHER MATTERS ARISING

2012/6375 DRIFT REVIEW MEETING RESUME

A very useful meeting was held recently, chaired by Mr Deakin and attended by the Official Verderer, Mrs Thorne, Mr Readhead, the Agisters and Clerk. Action
RD / Clerk

2012/6376 ROCKFORD FARM DISCHARGE

Mrs Westerhoff reported that completion of the purchase by Hampshire County Council of Lot 3, which consists of 15.78 acres of land adjacent to the Common is imminent. It should be ideal for use as backup land for commoners and it is believed the New Forest Trust will take over the management.

A private individual has purchased Lots 1 and 2 and it is thought that land too may be available for back up grazing in due course.

2012/6377 POUND MAINTENANCE DISCHARGE

The Court confirmed that the £3,750 shown in the budget against pound maintenance is available for the current year 2012/13. (See formal Budget approval Minute 2012/6380 below).

2012/6378 NORTHERN COMMONS CONDITION ASSESSMENT DISCHARGE

A discussion took place on whether or not the Northern Commons are in fact overgrazed.

Mrs Westerhoff said that the commons pass the condition assessment that Natural England has been undertaking.

Mr Pasmore wished to point out that there may be different interpretations of 'overgrazing'. Mr Dowsett joined Mr Pasmore in a recent inspection of the Commons. In Single Farm Payment cross compliance terms, the commons, or some of them, may be considered to be overgrazed. It is to be noted that in some places the heather has been all but wiped out by grazing pressure.

The VGS Management Committee has asked the Advisory Group to decide on the level of payment in respect of animals turned out on the commons – both Northern and Western. The Advisory Group is chaired by John Durnell of the Hampshire and Isle of Wight Wildlife Trust.

Action
VGS
Advisory
Group

2012/6379 LETTER TO THE RPA – SINGLE FARM PAYMENT RULES RESUME

A rather incomplete response which does not address a number of important issues raised in the Official Verderer's letter to the Rural Payments Agency has been received.

It was agreed that the best course of action is to wait to see what payments are actually made before going back to the RPA.

It was agreed it will be important to ensure that any scheme that replaces the SFP is not damaging to the Forest. It is thought likely that special conditions will again be necessary. In this respect, Mr Richard Manley and the NFU are arranging a meeting to discuss the impact any future scheme may have on the Forest. The Official Verderer has been invited to attend the meeting. However, the Official Verderer felt it would be helpful if other members of the Court, who have greater knowledge of how the present SFP was varied as respects the New Forest, attended. Mr Gerrelli and Mr Pasmore expressed an interest in doing so. The meeting is to be held on 12th December at the NFU offices.

Action
OV/AG/AHP

HIGHER LEVEL STEWARDSHIP SCHEME & VERDERERS' GRAZING SCHEME

2012/6380 VGS PAYMENTS TO VERDERERS DISCHARGE

The Official Verderer raised an issue personal to himself.

In March 2012 (Minute 2012/6000), the Official Verderer stated that although he would be entering all his stock in the new VGS, he would opt not to receive payments which may be due to him under the Scheme until after his term of office ended. If his successor and the Court agreed, he would then be pleased to receive the money.

However, the Official Verderer explained that he has since been advised by his accountant that if he chooses to postpone receipt of VGS payments until after his term of office as Official Verderer, he could be considered to have created an artificial financial loss. In view of this the Official Verderer said he has decided he will accept the payments to which, as a commoner, he is entitled.

2012/6381 REDUNDANT SIGNPOSTS DISCHARGE

This is a landscape project, to be funded by the HLS. The National Park is the lead organisation. Members of the Court were asked to let the Clerk have details of any redundant posts that they are aware of.

Action
All Verderers
Clerk

2012/6382 GORSE SCREENING DISCHARGE

Mrs Westerhoff suggested a project which she felt could be funded by the HLS, to increase gorse screening along the A31 and possibly other fenced main roads.

The Official Verderer invited Mrs Westerhoff to submit a project for consideration.

Action
DW

2012/6383 ADVICE AND GUIDANCE TO PROPERTY OWNERS DISCHARGE

Comments are invited on this paper which it is proposed will be produced as a leaflet for circulation to property owners in the Forest. Members of the Court were asked to let the Clerk have their comments as soon as possible.

Action
All Verderers
Clerk

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

There were no matters to discuss.

FINANCIAL MATTERS

2012/6384 FINANCIAL STATEMENT FOR OCTOBER 2012 RESUME

The financial statement for October 2012 was approved.

2012/6385 AUDITED ACCOUNTS RESUME

The Verderers requested an additional note be added to the accounts 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'.

Subject to this amendment being made, Mr Gerrelli proposed the Accounts be approved. Mr Readhead seconded the proposal which was carried unanimously.

2012/6386 BUDGET DISCHARGE

The Budget for the next three years was approved.

STAFF MATTERS (including the Staff Committee)

2012/6387 MYOTONIA DISCHARGE

Myotonia is a hereditary muscular disease that had only been known in goats and dogs until this discovery. The disorder is characterised by increased muscular irritability and contraction with a decreased power of relaxation. If an affected foal is excited or startled, its muscles lock up suddenly, and they fall over and lie stiff for a few seconds. Ponies with myotonia cannot be used either as competition or recreation ponies, as even at rest they can display symptoms. They may have difficulty rising after a period of rest, a stiff and stilted gait when walking, and a bunnyhop movement when running. In addition there are increased respiratory sounds and difficulty in swallowing. In other words, these foals are basically useless. There is no known treatment available.

In December 2011 the Dutch New Forest Pony Studbook Society informed the Society that two Dutch New Forest foals had been diagnosed with myotonia by the University of Utrecht. A specialised research laboratory in Switzerland had been asked to carry out hereditary testing and it was established that a hereditary defect was involved. Through DNA testing it was found that, in each case, both parents of the foals carried an abnormal or 'faulty' gene. It was noted that both foals were by a stallion descendant of Kantje's Ronaldo, and that this stallion also occurred in the dam lines.

Mr Deakin advised the Court that the New Forest Pony Breeding and Cattle Society is proposing to test all breeding stallions for this disease.

The Society has requested the assistance of the Verderers and Agisters in testing the stallions which are currently in the grazing at Cadland Manor. The Court confirmed it is pleased to assist.

TRAINING & HEALTH AND SAFETY

There were no Health and Safety issues to discuss.

ANY OTHER BUSINESS

2012/6388 WINTER NEWSLETTER DISCHARGE

The Clerk said she is proposing to produce a newsletter for circulation and asked for topics to be suggested.

Action
All Verderers
Clerk

2012/6389 PAPER ON DITCHEND BROOK DISCHARGE

The Court thanked Mrs Westerhoff for her paper on Ditchend Brook.

2012/6390 NEW FOREST CATCHMENT – WATER ENVIRONMENT DISCHARGE
IMPROVEMENT PLAN

Mrs Westerhoff brought this document to the Court's attention. The document outlines the results of work undertaken by the National Park Authority and Pond Conservation leading an initial core group of other stakeholders in the New Forest Catchment pilot. It is intended as a starting point to identify the aspirations of organisations and communities of the New Forest catchment to protect and improve the unique water environment and to develop collaborative actions to achieve those aims.

A committee has been set up in respect of this project Mrs Westerhoff offered to represent the Verderers. The Court was grateful to Mrs Westerhoff for her kind offer.

Action
DW

2012/6391 NATIONAL PARK AUTHORITY PERFORMANCE ASSESSMENT / PEER DISCHARGE
REVIEWS

The New Forest National Park is being assessed as part of the National Park Authorities Performance Assessment Programme. This programme is carried out for all English National Park Authorities.

The approach will be largely through peer review with the assessment being undertaken by a team comprised mainly of employees and members of other National Park Authorities. The purpose of the assessment programme is to help each National Park Authority to become more aware of its current strengths and areas for improvement.

As part of the assessment process the team sought to engage with as many staff, members and representatives of external partners, forums, etc., as possible in the time available. Mr Deakin and the Clerk were both asked to speak with the team and were pleased to oblige.

A peer assessment report will now be produced and the NPA will draw up an improvement plan.

There was no further business and the meeting closed at 13.25 hrs.