

MINUTES of the Court of Verderers held on Wednesday 20th September 2017 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

PRESENT:	Lord Manners	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr A B Dowsett	Forestry Commission Appointed Verderer
	Mr J Greenwood	Elected Verderer
	Cllr E Heron	National Park Appointed Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr G M H Mills DL	DEFRA Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss Sue Westwood	Clerk to the Verderers
	Mr Jonathan Gerrelli	Head Agister

IN COMMITTEE in the Library

2017/9448 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on 19th July 2017 were approved and signed.

2017/9449 NEW FOREST NATIONAL PARK'S APPOINTED VERDERER

Cllr Edward Heron has been appointed for a further year.

2017/9450 DECLARATIONS OF INTEREST RESUME

The Official Verderer declared an interest in the Verderers' Higher Level Stewardship Agreement as tenants on his Estate benefit from the Verderers Grazing Scheme and his Estate is in Higher Level Stewardship.

Elected Verderers Mr Deakin, Mr Greenwood, Miss Macnair and Mr Readhead declared an interest in the New Forest Higher Level Stewardship Scheme, Verderers Grazing Scheme and Basic Payment Scheme. Mr Pasmore declared an interest in the Basic Payment Scheme.

Mr Deakin, Mr Readhead and Mr Greenwood are members of the New Forest Commoners' Defence Association committee. Mr Deakin is also Treasurer.

Mr Deakin and Mr Readhead are Directors of the New Forest Livestock Society. They are also members of the New Forest Stallion Syndicate.

Mr Dowsett is a Forestry Commission Volunteer Ranger.

Mr Greenwood is employed part-time by Cadland Estate and therefore has an interest in the Stallion Grazing. Mr Greenwood also has a stallion of his own.

Cllr Heron declared his membership of Hampshire County Council, New Forest District Council and the New Forest National Park Authority. He will declare any additional interests that may arise during the course of the meeting at the item.

Mr Hallam Mills declared an interest in HLS Schemes as his Estate is in Higher Level Stewardship. The Estate is also involved in the Better Boundaries Project, run by the New Forest Land Advice Service with support from Natural England. Mr Mills is also a Patron of the New Forest Trust

Mrs Westerhoff is a tenant of the Forestry Commission. Mrs Westerhoff has been formally appointed to the Board of Trustees of the New Forest Trust.

2017/9451 CONDITION OF STOCK

RESUME

The Head Agister reported that the drifts are underway. All the ponies without foals look fantastic and there have been lots of comments saying how good everything is. As usual mares with foals don't look quite so good but overall they are fine as well. As with any large herd, there are a few animals which have not maintained their condition but these are usually older animals and they are being removed from the Forest as necessary.

Cattle are particularly well. Quite a few commoners are now getting their animals in because of the heavy acorn crop this year.

Action
FC

All the animals are on the acorns, on roads etc., and problems may be building for later in the season. At present the acorns are not dropping too fast which should help. Several hundred pigs have been marked and they will help to eat the acorns.

The Head Agister said that overall he is very pleased.

2017/9452 THE PANNAGE SEASON

DISCHARGE

Mr Deakin said that in all probability there will be a request for pannage to be extended this year. He commented that it would be helpful to know by the next Court whether the Forestry Commission will agree to an extension so that it can be announced in good time.

The Head Agister remarked that there is usually a presentment asking for an extension but it was agreed it is not necessary to wait for that. The matter will be raised with the Deputy Surveyor later in the morning.

2017/9453 FOALS

DISCHARGE

The Head Agister said that the foal counts have recorded 468 foals being the progeny of 15 stallions. The number of foals has increased but this is due to the number of stallions turned out last year having also been increased to 15 from the previous 10. A couple of stallions were not out for long due to injury.

2017/9454 BURLEY SHOW

DISCHARGE

Miss Macnair thanked the Head Agister for taking the portable pound to the Burley Show. She added that it was a very successful event which provided the opportunity to impart several important messages to the public.

2017/9455 REPORT ON MARKING FEES RECEIVED TO DATE AND RESUME
COMPARISON WITH PREVIOUS YEAR

	<u>2017</u>	<u>2016</u>
Forest Ponies	4730	4695
Forest Cattle	4949	3886
Forest Donkeys	108	110
Forest Pigs	4	0
Forest Sheep	0	0
Total Forest Stock	9791	8691
Common Ponies	814	691
Common Cattle	1231	1222
Common Donkeys	124	90
Common Pigs	57	100
Common Sheep	244	293
Total Common Stock	2470	2396
Ponies, Cattle & Donkeys on the Forest	9787	8691
Ponies, Cattle & Donkeys on the Commons	2169	2003
Total Ponies, Cattle & Donkeys	11956	10694
Total Stock – Forest & Commons	12261	11087

2017/9456 INCREASE IN MARKING FEES DISCHARGE

Mr Deakin remarked that there has been another significant increase in animal numbers.

Mr Mills suggested it would be helpful to find out how many cattle are actually turned out as it is thought many animals for which marking fees have been paid are not on the Forest. The elected Verderers, however, felt this is almost impossible to do because animals come and go from the Forest all year round. Additionally, some commoners do keep some animals in all the time whilst turning others out. It was queried what benefit would be derived from knowing how many stock there are actually turned out. Mrs Westerhoff suggested a better way of monitoring the situation is to look at the vegetation. At the present, there is plenty on the Forest. Mr Greenwood commented that the obvious solution to the question of animal numbers is to get rid of the reason why commoners have increased their herds.

The Head Agister remarked that the Agisters will soon be marking cattle for 2018 as commoners will be getting them in for TB testing during the 1st October to 31st January window for the Forest herd.

2017/9457 BYELAW ENFORCEMENT DISCHARGE

A few minor transgressions were reported involving some sheep which escaped from their holding and some pigs which had lost their rings.

2017/9458 ANNOUNCEMENTS AND DECISIONS RESUME

The Announcements were approved.

2017/9459 FINANCIAL STATEMENT RESUME

The financial statement was noted.

- 2017/9460 **AUDITED ACCOUNTS** **DISCHARGE**
- The Audited Accounts for the year ended 31st March 2017 were approved subject to some minor amendments which the Official Verderer will discuss with the Auditors. The Official Verderer was authorised to sign off the accounts once those amendments have been considered. **Action
OV**
- 2017/9461 **BUDGET & FIVE YEAR PLAN** **DISCHARGE**
- A budget and five year plan will be prepared as soon as possible.
- If possible, some funds will be reserved for specific purposes in order to maintain a prudent approach to the Court's finances.
- 2017/9462 **MEETING WITH DR JULIAN LEWIS MP** **DISCHARGE**
- The Official Verderer reported on the very helpful meeting with Dr Lewis MP, at which Mr Deakin, Mr Greenwood and the Head Agister were present.
- Dr Lewis is very supportive and sympathetic towards the broad picture of financial input for the Forest. He wishes to take an active interest in the future financing of the Forest now and post Brexit. The Official Verderer has met with the Chairman of the New Forest National Park Authority, Mr Oliver Crosthwaite Eyre, who has undertaken to produce a brief for Dr Lewis. The Forestry Commission will also be involved. **Action
OCE/DS/OV**

The Head Agister left the meeting.

OPEN COURT – 10.00 a.m.

IN ATTENDANCE: Mr Bruce Rothnie, Deputy Surveyor of the New Forest
 Mr Paul Grugeon, Land Agent (New Forest)

The Head Agister opened the Court with the usual proclamation.

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

- 2017/9463 **COASTAL PATH**
- At the July court we received a presentment from Mr Brian Tarnoff on behalf of the NFA in relation to the coastal path, expressing concerns about the ordnance survey map showing the coastal margin, or 'spreading room' as it is sometimes referred to, as access land without delineating the excluded areas.
- The Verderers' concern is, of course, the Open Forest. However we agree that what is proposed has the potential to be misleading and we will make that point in the consultation process.
- 2017/9464 **BROADBAND CABINETS**
- At the April court we received a presentment from Mrs Sugden on the subject of camouflaging broadband cabinets. Subsequently Mrs Sugden helpfully provided me with two example designs. We have discussed these with BT Openreach which does use what are called 'wraps' on cabinets in some locations where it is considered particularly important that the cabinets blend in with their surroundings. However, it appears the wraps have not been particularly successful in rural locations. Whilst the Verderers are generally opposed to anything which urbanises the Forest, we do not wish to hold up the

installation of broadband cabinets at this time by seeking to insist on a special measures relating to their appearance, which may or may not be successful. The Forest cabinets are green and the most important thing is that they are sited in positions such that they are as inconspicuous as possible.

2017/9465 APPLES

The Verderers regularly draw attention to the problems that result from the public feeding ponies on the Forest. At this time of year, there is often a glut of apples. I would like to draw people's attention to the particular dangers associated with dumping apples on the Forest. Apples in quantity, such as a bag of windfalls, can cause colic in horses. A whole apple can cause choking.

ANIMAL ACCIDENT REPORT

2017/9466 THE ANIMAL ACCIDENT REPORT FOR JULY & AUGUST 2017

The Agisters attended 17 accidents in July and August. This compares with 18 in the same period last year.

1 pig, 3 cattle and 3 donkeys were killed. 4 ponies, 1 pig, and 1 donkey were injured.

Disappointingly, 12 accidents occurred in the daylight. 5 occurred in the dark.

2 accidents were not reported, both in July.

6 motorists are known to have been local.

The number of animals killed and injured to date is 39, compared with 37 in the same period last year.

2017/9467 THE SPEED CAMERA VAN

So far this year, 1,675 motorists have been caught speeding on the unfenced roads.

PRESENTMENTS

2017/9468 RECREATIONAL PRESSURES ON THE FOREST
Presentment by Mr Ian Thew

'Official Verderer, members of the Verderers Court, good morning and thank you for this opportunity to speak to you. My name is Ian Thew and I live deep within a New Forest Inclosure and for many years I have been an active New Forest Sporting Licensee; in consequence of which, I'm probably more aware of what is happening on the Forest than most people.

I am here today to express my fears for the future of this unique place that we call the New Forest. The New Forest National park is the smallest and in many ways the most fragile of all the National parks but contains more special designations protecting fauna and flora than any other. During the past few months, I have witnessed innumerable off-road and night-time cyclists; many, so called, wild campers; overnight camper vans in Forest car parks; several incidents of fly-tipping and on two occasions my wife and I have been subjected to, all night long, heavy base music bouncing across the Forest and, on another occasion, we had to deal with a party of rowdy scouts at 1.30 in the morning. I could go on but I do not wish to waste the time of this court; I am merely trying to demonstrate the enormity and the variety of the abuse that this Forest is being subjected to.

It is obvious, from the overflowing car parks and the masses of gazebos and tents that sprout-up like small villages across the Forest during the summer, that there are just too many visitors for this fragile environment to cope with. At the moment, recreation is taking precedence over conservation and protection of the environment which is in direct contradiction of the Sandford Principle.

There is no doubt that visitors are here to stay and, as one who makes part of his living from tourism, their business is welcome. But, for the sake of the future of the New Forest, their numbers must be limited to a sustainable level and their activities must be restricted to those that do not inflict harm on this very special environment. The ground rules should be clearly apparent to all who come here so that ignorance cannot be used as an excuse by those who offend and, similarly, it should be policed and there should be provision to enable those who are protecting the interests of the Forest to penalize or prosecute those who choose to ignore these rules.

Enforcement of the by-laws on the New Forest Crown Lands is the responsibility of the Forestry Commission who seem to be reluctant to prosecute offenders. Furthermore, we have been told that budgetary restrictions have reduced the numbers of front-line people on the ground. But this cannot be used as an excuse for the ruination of the New Forest and the necessary funds must be made available to enable sufficient policing and prosecution when necessary.

This budgetary shortfall is now common knowledge and I am often rendered speechless and helpless when informed by offending, anarchistic visitors that there is nothing I, or anyone else, can do about them. Surely it's time that something is done, before it is too late, to stop these people, who are hell bent on destroying that which we all love and cherish and that which the majority of people come here to enjoy.

That his Forest is under threat is obvious to all; so what are we going to tell our grandchildren or our great grandchildren when they ask us why we didn't do something to save it before it was too late?

I request that the Verderers use the authority of this court to urge the Forestry Commission to police the New Forest and enforce its by-laws and, similarly, to urge the New Forest National Park Authority to exercise their duties in accordance with the Sandford Principle.'

Mr Thew's presentment was followed by loud applause.

2017/9469

FUNGI

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

'The NFA hope the Verderers will join us in thanking the Forestry Commission for their continuing attempts to protect fungi vital to the habitat of the Crown Lands. As they did last year, the FC are still working to disrupt the illegal commercial picking and appealing to the public not to pick as well. In this, the Forestry Commission are fulfilling their legal duty as stewards of the Forest habitat.

The national code of conduct says It is inappropriate to pick fungi from SSSI or National Nature Reserves – the Crown Lands have the status of both. It is explicitly illegal on National Trust land under their byelaws, and would be illegal under the FC byelaws, but for the loophole created by reclassification of fungi as separate to the plant kingdom. Under the Wildlife and Countryside Act 1981 on SSSI's "intentionally or recklessly destroying or damaging flora or fauna by reason of which land is of special interest" is an offence. The New Forest is one of the few SSSI's so notified for the special interest of its fungi.

Picking any of the Red Band Rare Species of Fungi is absolutely illegal by anyone, anywhere, and carries £5k fine per item with jail time and vehicle forfeiture. The NFA believes that prosecution of these offenders would discourage commercial foragers more than lesser penalties under the Theft Act 1968.'

2017/9470 ENGLAND COASTAL PATH
Presentment by Mr Brian Tarnoff on behalf of the New Forest Association

Mr Tarnoff concurred with the previous speaker.

'I listed some of the England Coast Path's shortcomings at the July Court, now a short update.

Currently the Natural England Coastal Team have offered a Sensitive Features Appraisal to determine exclusions for habitat, a very narrow consideration of features at risk. Unless this were to exclude the route, spreading and coastal margin from the highly protected areas out of hand, we should insist upon the more comprehensive, higher standards of a Habitats Regulation Assessment.

The new timeframe for the Consultation on the Highcliffe to Calshot stretch is set to begin between September 27th and October 19th. Unfortunately the majority of the consultation would fall before the next meetings of both the New Forest Consultative Panel, and the Local Access Forum, after next Monday's meeting of the National Park's Recreation Management Strategy Steering Group and with no planned meetings for the Advisory Group. This threatens to exclude any measured joint response from local stakeholders. As a member of the Steering Group, we hope the Verderers will join us in calling for an extraordinary joint meeting of both RMS groups to consider the consultation. Natural England are blaming their "parent" DEFRA for the time frame, and a looming March 2018 implementation date. We may need to remind both government departments that they should not be forcing a rush to judgement where disturbance to our most remote, isolated and protected coastal habitat is concerned.'

2017/9471 APPLES
Presentment by Anji Hill

'My name is Anji Hill, I'm a commoner and my cattle run from Thorney Hill to Picket Post and alongside the A31. I would like to reiterate what the Official Verderer said earlier.

I found a lot of apples (about half a sack full) tipped out next to the barrier entrance at Dur Hill when I was calling my cows home last week. I picked up all the apples and took them home out of harm's way.

Could the public please be reminded of the consequences of tipping apples grass cuttings etc., on the Forest.

If cattle and ponies gorge themselves they can get colic which is painful, distressing and potentially fatal. Thank you.'

2017/9472 RECREATIONAL PRESSURES ON THE FOREST
Presentment by Mr Brian Ingram, Commoner and former Head Agister

Mr Ingram said he wished to support Mr Thew in his presentment. He added that all his life the Forest was classed as a 'working Forest'. Today it is a 'fun' Forest. There are more and more visitors exerting pressure on the Forest every day. The byelaws are in place and should be used.

Mr Ingram said the Forest should go back to being a 'working Forest' but he cannot see it the way it is going.

2017/9473 **FUTURE FOREST 2017**
Presentment by Mrs Alison Bolton of Boldre

'The call for comments on the Recreation Strategy has highlighted not only those problems relating to the vast numbers of people visiting the Forest, the loss of tranquillity and the damage caused to the fabric of the Forest but also many other aspects of the management and constant disturbance and at a time when these issues are being raised by other National Parks.

The comments have now been sent and the main Forest organisations seem united in many of their concerns. This seems to be an opportunity to address as many of these concerns as possible to try to achieve some real results.

I would like to draw attention to a previous Minister's Mandate, with which the Verderers are no doubt familiar....

- that the New Forest must be regarded as a natural heritage and priority given to the preservation of its traditional character,
- that the unique and ancient character of the New Forest is maintained and safeguarded,
- that the long established laws and customs that are acknowledged and kept in usage, are enforced and not transgressed,
- that the overall ecology of the 'Open' Forest should be conserved so that the wild flora and fauna may flourish.

The New Forest National Park Authority, Forestry Commission and Natural England all seem unwilling to address their statutory obligations and the seriousness of the present situation. Unless they do there seems little hope for the future of Commoning and the Forest way of life or for the rare habitats which have resulted from this. Some strong measures are needed, surgery not sticking plaster.

I urge all those who care about the consequences of the many pressures to pull together to ensure that at last something is done to halt the tide of destruction and put the Forest First.'

The presentments which called for stricter management of recreation all received loud applause.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2017/9474 **RECREATIONAL PRESSURES ON THE FOREST AND FUTURE DISCHARGE FOREST 2017**

The Clerk was asked to send copies of all the presentments to Mr Oliver Crosthwaite Eyre, Chairman of the New Forest National Park, and Mr Nigel Mathews, Head of Recreation Management and Learning at the National Park. Action Clerk

The Clerk was also asked to send the Court's response to the NPA's consultation to Ms Charlotte Baker at the Lympington Times.

A long discussion then took place during which the Deputy Surveyor was asked where the Forestry Commission byelaws may be deficient, and/or whether the problem with enforcement lies with the legalities, practicalities or lack of resources. The Deputy Surveyor responded by explaining the FC's position. Generally the byelaws are enforceable but managing informal recreation over such a large area with numerous accesses is always going to be challenging. The FC staff spend a great deal of time talking to people and trying to ensure their behaviour does not cause damage or conflict.

Mr Dowsett suggested that now is an excellent opportunity for the statutory bodies responsible for managing the Forest to unite.

2017/9475 THE COASTAL PATH DISCHARGE

The Forestry Commission's interest is the Crown Lands. The Verderers interest is the Forest as a whole. The only part of the Forest over which the coastal path will run is at Otterwood Gate. The area is already open access land. The Court does, however, have sympathy and supports the view that the spreading margin will lead to confusion and trespass.

2017/9476 APPLES DISCHARGE

Miss Macnair remarked that apple pips contain cyanide!

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2017/9477 BROCKENHURST CRICKET CLUB PAVILION EXTENSION DISCHARGE

Brockenhurst Cricket Club sought consent to build an extension to its pavilion. The extension is to accommodate the club's ground maintenance equipment and allow improvements including a larger and more functional bar and seating area, separate home and away shower and WC facilities and more secure bar storage. It will also improve the visual appearance by removing the unsightly cut grass dumping compound.

Several Verderers expressed concerns at the proposal and therefore the matter was put to the vote.

Action
PG

The proposal was approved by 6 votes to 3 with 1 abstention.

The following conditions apply:-

- No damage must be caused to the tree which is close to the extension and
- Grass cuttings must be removed and disposed of off the Forest every time the grass is cut.

2017/9478 BROOMY PLAIN ROAD AREA STUDY PROJECT DISCHARGE

A paper was tabled for information. 4th year students from Southampton University plan to study and design a specification for dirt roads within the Forest which will require less maintenance. The paper was considered to lack some fundamental detail which the Deputy Surveyor will demand prior to consent being given for the study.

Action
DS

2017/9479	FRITHAM BROADBAND	DISCHARGE
	<p>Mr Grugeon advised the Court that a community proposal may be submitted in the future for a broadband connection between Brook and Fritham. The likely route of the cabling is the verge of the B3078. A feasibility study is currently underway to assess and decide upon the best route.</p>	
2017/9480	NEW FOREST GOLF CLUB APPLICATION FOR CONSENT FOR A GOLF STUDIO/SIMULATOR	DISCHARGE
	<p>This proposal involves replacing the existing smokers' shelter with a construction housing the simulator and a smaller area for smokers.</p> <p>Several members of the Court were unhappy with the proposals which they felt to represent intensification of the current recreational facility and a change to ancillary use of the building. Other concerns, such as a lack of car parking space were also mentioned.</p> <p>As it was not possible to reach an agreement, the proposals were put to the vote.</p> <p>Five members of the Court were happy to approve the application. Five members of the Court voted against. The Official Verderer who has a casting vote, voted against and the application is therefore refused.</p>	
2017/9481	SSE PROPOSED UNDERGROUNDING OF ELECTRICITY LINE AT BURLEY TO AVOID CASTLE HILL	DISCHARGE
	<p>The proposals were considered acceptable and consent was granted subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing.</p>	
2017/9482	IPLEY SSE POLE CHANGE – UNEXPLODED ORDNANCE EXCAVATIONS	DISCHARGE
	<p>SSE has requested permission to access the Open Forest adjacent to Ipley Manor to undertake the excavation of 33 locations that have been identified as potentially containing unexploded ordnance following the recent survey. The investigational work is being carried out in advance of the pole changing works that were previously consented by the Court in February 2016.</p> <p>Consent for this work was given, subject to the three usual conditions.</p>	
2017/9483	NEW FOREST SMOOTH SNAKE SURVEY	DISCHARGE
	<p>The request to leave the refugia in situ over the winter until September 2018 was approved but further information will be required prior to that date as to future funding of the project. Consent will not be given for the refugia to be left on the Open Forest indefinitely.</p>	Action DS

2017/9484 DE MINIMIS APPROVALS DISCHARGE

The Clerk advised the Court that using the recently agreed de-minimis system, consents have been given in respect of the following:-

- DM0001 Stagbury Hill SAM – work to halt erosion of the Scheduled Monument
- DM0002 BT Broadband Cabinet Sway 3 – new location
- DM0007 BT Fibre Spine to PCP1 & 2 Burley Road/Rhinefield Road
- DM008a BT trial hole to locate damaged cable opposite Shatterford CP
- DM008b 3 x trial holes to locate damaged cable Shatterford to Denny

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

2017/9485 TRACK AND CROSSING PLACE AT MATLEY DISCHARGE

This is on the Action List but Mr Deakin advised the Forestry Commission that the work is required urgently for animal welfare purposes. The Deputy Surveyor promised it will be done in September/October.

2017/9486 SWAN GREEN CRICKET PAVILION RESUME
November

Mr Grugeon said the planning application has been completed and will be submitted this week.

Action PG

2017/9487 RESTORATION OF THE VERDERERS' HALL – DATE ON THE NEW STONWORK DISCHARGE

The Deputy Surveyor advised the work will be carried out on Friday.

2017/9488 ACCESS LICENCES DISCHARGE

The Forestry Commission has agreed to amend the wording in the covering letter that is sent out with the licences and delivered by the Estates Officer, Mr Sean Marsh. The wording makes it clear that the licence does not constitute a permission to park on the Open Forest.

Action
PG

2017/9489 SEWER REPLACEMENT AT ROUNDHILL, BOOK DISCHARGE

There has been no progress and an alternative 'no-dig' solution is now being investigated.

2017/9490 WHARTONS LANE FIELD ASHURST DEVELOPMENT DISCHARGE

The Clerk will comment on the development in the terms previously agreed once the planning application has been submitted and the consultation period has commenced.

Action
Clerk

2017/9491 CRAB HAT FENCE AND THE FOREST DESIGN PLAN (FDP) - THROWING OPEN OF INCLOSURES RESUME
November

The debate continues as respects inclosures that are thrown open and responsibility for fencing. The Forestry Commission wishes areas within inclosures to be grazed for habitat benefit, however, concerns remain over the welfare of stock and its management. Although some fences may no longer be needed it is imperative that consideration is given to retaining fences that ease stock management and may be required under animal health contingency plans.

Mr Grugeon suggested the Court advise the Forestry Commission which fences need to be kept for stock management purposes. Mrs Westerhoff reminded the Court that a similar exercise has been undertaken in the past and she suggested the plans which were drawn up then be found and reconsidered. This would save a significant amount of work. It was agreed the Forestry Commission will find the plans as a starting point for discussion.

Action
DS

2017/9492 ANIMAL DISEASES EMERGENCY CONTINGENCY PLAN RESUME
November

The Forest Design Plan (FDP) proposals may have an impact on the contingency plan where areas identified for re-opening to grazing may also be potential holding areas for stock in the event of an outbreak of a notifiable animal disease. The fencing proposals within the FDP will be drafted with awareness of the contingency plan. A meeting with the Animal & Plant Health Agency (APHA) took place recently. The Deputy Surveyor, Mr Deakin and the Head Agister attended. The APHA representatives have gone away to think about how our local plan could fit with national regulations. Representatives of APHA will be invited to attend the December Welfare Tour of the Forest.

Action
DS

Action
Clerk (JB)

Cllr Heron proffered his apologies and left the meeting.

The Court adjourned for lunch at 1.10 p.m.

The Court reconvened at 1.50 p.m.

2017/9493 DIBDEN INCLOSURE TRACK DISCHARGE

The Deputy Surveyor assured the Court that the extraction damage that has been caused to this track will be repaired.

Action
DS

2017/9494 RAILWAY EMBANKMENT AT LATCHMOOR, BROCKENHURST RESUME

The Golf Club's land ownership extends to the bottom of the embankment. In view of this, a re-think of the proposals is required. Mr Readhead and Mr Greenwood will revisit the site.

Action
DR/JG

2017/9495 LAND AT ASHURST (LYNDHURST ROAD) STATION RESUME

The Clerk reported that the Crown Estate is in touch with Network Rail and is expecting to hear back in the near future.

Action
Clerk

2017/9496 ASHURST HOSPITAL PROPOSED RE-DEVELOPMENT RESUME

The Crown Estate confirms it is considering the reverter clause in the original transfer of the land for the Workhouse. Mr Grugeon is assisting the Crown Estate with the documentation.

Action
PG/Clerk

2017/9497 COMMON PIGS ON CROWN LANDS OUTSIDE THE PANNAGE SEASON DISCHARGE

Varying views have been expressed. It was decided the topic should be discharged from these minutes.

SSSI RESTORATION WORKS

2017/9498 SSSI REPAIR & MAINTENANCE WORKS RECORDING SHEET RESUME

The content of the sheet was noted.

2017/9499 QUEEN BOWER / POUNDHILL (WARWICKSLADE CUTTING) RESUME

A request was made for the area to be re-assessed. The Forestry Commission is monitoring this area.

The Verderers felt strongly that if it has been agreed that work will be undertaken, it should be, or further discussion should take place. The Deputy Surveyor agreed to consider the matter further. Action DS

ENCROACHMENTS INVOLVING THE FORESTRY COMMISSION

2017/9500 CROWDERS, FRITHAM DISCHARGE

The occupiers appear to have taken on board the comments made by the Forestry Commission and the Verderers and vehicles are now usually parked in the property driveway and not on the Open Forest. Some works maybe undertaken to protect the tree roots but the area will be monitored to see if that is necessary. The householder will be informed that no further works are planned for the near future. Action PG/Sean Marsh

2017/9501 ENCROACHMENT AT KINGS COPSE DISCHARGE

Mr Readhead spoke with the householder. The new fence is on his land. The Court feels it is a matter for the CDA to consider.

ACTION LIST

2017/9502 ACTION LIST RESUME

An updated action list was provided.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2017/9503 SETTHORNS CAMPSITE – STORAGE OF CARAVANS RESUME

The question of whether unoccupied caravans should be stored on the campsite was considered. Mr Readhead said he has spoken to Nathan Goodyear about the storage of caravans and he has confirmed Camping in the Forest has an agreement with the Forestry Commission in this respect.

The Court feels long term storage of caravans is not appropriate on Forest campsites. The Deputy Surveyor was asked to reconsider the matter. It was suggested that this is a planning issue. Action DS

The two caravans stored on the Open Forest part of the site will be moved in the next two weeks.

2017/9504	PENNY MOOR	DISCHARGE
	The crossing is impassable and was impossible to use during the recent drift. Forestry Commission signage warns the public not to try to cross. It was suggested that the old stream bed needs the vegetation cleaning out. The Deputy Surveyor said he will look into it.	Action DS
2017/9505	PANNAGE SEASON EXTENSION	DISCHARGE
	The Court felt that an extension to this year's pannage season will be needed. The Deputy Surveyor was asked to give this his consideration so that an announcement can be made at the next Court, before the end of pannage.	Action DS
2017/9506	FORESTRY COMMISSION TENANTS RENT REVIEWS	DISCHARGE
	Concern was expressed that the rent review is causing distress amongst some Forestry Commission tenants. It was felt strongly that collective rather than individual negotiations are preferable. The Deputy Surveyor advised that he is in dialogue with the CDA.	
2017/9507	DAMAGE TO THE FOREST AT PONDHEAD	DISCHARGE
	The Forestry Commission is dealing with the damage that has recently been caused to the Open Forest in the vicinity of Pondhead Farm.	

The Deputy Surveyor and the Land Agent left the meeting.

ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2017/9508	ACORNS, SEAMANS LANE, MINSTEAD	RESUME
	The Official Verderer updated the meeting on the latest position regarding this encroachment. The parties went to mediation and a possible solution has been identified.	Action OV

OTHER MATTERS ARISING

2017/9509	FARMING GROUP	DISCHARGE
	This is the group chaired by Mr Oliver Crosthwaite Eyre, Chairman of the New Forest National Park Authority. Work is continuing on designing a local environmental support scheme which it is hoped might become a replacement for the current Higher Level Stewardship Scheme. Everything is, however, dependent on the nature and extent of future Government sponsored subsidies. A response is awaited from Lord Gardiner, who is aware of the Forest's concerns.	
2017/9510	FARMING SUBSIDIES POST BREXIT	DISCHARGE
	The future of farming subsidies in general is obviously unknown. However, the Court is keen to try to influence Government to ensure that any future national subsidy scheme does not have a harmful effect on the Forest.	

2017/9511	REPORT ON VISIT BY DR JULIAN LEWIS	DISCHARGE
	<p>The Official Verderer reported that a very satisfactory meeting was held with Dr Lewis. Mr Deakin, Mr Greenwood and the Head Agister were present. Dr Lewis is deeply interested in the Forest and its management and has expressed a willingness to give his support wherever possible.</p>	
	<p>Mr Greenwood tendered his apology and left the meeting.</p>	
2017/9512	INVITATION TO MS CAROLINE NOKES, MP FOR ROMSEY	RESUME
	<p>An invitation to visit the Forest will be extended to Caroline Nokes MP.</p>	Action OV
2017/9513	NEW FOREST SHOW	RESUME
	<p>This year's show is considered to be a success for the Court. The staff were thanked for an excellent job in designing the stand. Suggestions for next year's display will be much appreciated.</p>	Action All
	<p>The Official Verderer will discuss with the Deputy Surveyor, the possibility of the Forestry Commission taking an area next to the Verderers' stand next year. This may be help with costs for both organisations.</p>	Action OV/DS
2017/9514	FIXED POINT PHOTOGRAPHY– VEGETATION CHANGE MONITORING	DISCHARGE
	<p>A paper was circulated showing some of the areas that Mr Pasmore feels should be photographed. Members of the Court were asked if they could think of any more. The cost is reasonable and it was agreed it should go ahead. The monitoring will take place at agreed intervals for a number of years in order to be of value and allow comparisons to be made.</p>	Action AHP
HIGHER LEVEL STEWARDSHIP SCHEME		
2017/9515	HLS UPDATE	DISCHARGE
	<p>The letter has been received from the National Audit Office. No action is required as a result of the content.</p>	
	<p>Work at Fernycroft is ongoing. Wootton part 1 is complete. Pondhead is underway.</p>	
VERDERERS GRAZING SCHEME (VGS)		
2017/9516	SMALL GRANT SCHEME PROCEDURE	DISCHARGE
	<p>The draft Small Grant Scheme procedure will be considered at the next VGS Committee meeting.</p>	
MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS		
2017/9517	NATIONAL GRID PROPOSALS FOR UNDERGROUNDING THE HIGH VOLTAGE PYLONS AND LINES IN THE NORTH OF THE FOREST	DISCHARGE
	<p>A revised route for undergrounding the cables to avoid the valley mire is now under discussion. A planning application will be submitted in due course.</p>	

- 2017/9518 CONSULTATIVE PANEL DISCHARGE
- The Official Verderer spoke at the meeting.
- 2017/9519 NEW FOREST ASSOCIATION DISCHARGE
- Miss Macnair reported that there was an interesting presentation regarding some newly discovered Roman Sites within the Forest.

STAFF MATTERS

- 2017/9520 INCIDENTS CONCERNING STOCK AND THE PUBLIC DISCHARGE
- Mr Deakin advised the Court that there have been several incidents this summer where the public has come into conflict with stock. A gentleman walking his dog was reportedly knocked over on Hale Purlieu and a cyclist was kicked, apparently after bending over to pick up something he had dropped. The animals involved could not be identified.
- The Clerk said the office has been advised by the National Trust that there has been an increase in instances of out of control dogs on Hale Purlieu. In some cases dogs have allegedly been seen chasing stock.

- 2017/9521 BRACKEN DISCHARGE
- Miss Macnair commented that the bracken has grown very high this year. She felt it could be a valuable resource but the difficulties associated with harvesting it, particularly on rough ground is acknowledged. Mr Readhead remarked that whilst spraying on Blackfield Common has been successful, the bracken has now been replaced with brambles!

HEALTH & SAFETY

- 2017/9522 HEALTH & SAFETY REVIEW DISCHARGE
- Mr Deakin reported that the Health & Safety Review has been completed and updated documentation issued to the Agisters. A copy is held in the Office.

ANY OTHER BUSINESS

- 2017/9523 CLLR MICHAEL HARRIS DISCHARGE
- The Official Verderer met Cllr Harris from Brockenhurst who is involved in an initiative which is promoting the Forest to film companies. Cllr Harris suggested a 10 minute educational film on the work of the Verderers would be interesting. The Court agreed this is something that could be considered.
- 2017/9524 GORLEY VALE FARM DISCHARGE
- Part of the Open Forest outside Gorley Vale Farm is in private ownership. A lot of work is being carried out, some of which will help to protect the common, including the installation of dragons teeth. The Court felt the work is something for the CDA to monitor.

MINUTES of the Court of Verderers held on Wednesday 20th September 2017 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2017/9525 NEW FOREST WATER CATCHMENT PARTNERSHIP PLAN DISCHARGE

The plan was circulated. Mrs Westerhoff said a request has been made for the Verderers logo to be included on the publications.

2017/9526 TB DISCHARGE

Mr Mills has received a consultation in respect of Defra's proposed changes to TB testing in the Edge Areas of England. A copy will be forwarded to the Clerk.

There was no further business and the meeting closed at 3:55 p.m.

Jud Mann
18/10/2017