

**MINUTES of the Court of Verderers held on Wednesday 21<sup>st</sup> December 2005 at 10.00 a.m. in the Library, The Queen's House, Lyndhurst.**

PRESENT:	Mr O Crosthwaite Eyre	Official Verderer
	Mr J Adams	Elected Verderer & Chairman of the Staff Committee
	Mr P Frost	Countryside Agency Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Cllr K Heron	Hampshire County Council Appointed Verderer
	Mr J F Kitcher	Elected Verderer
	Miss D Macnair	Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
IN ATTENDANCE:	Mr J R Gerrelli	Head Agister (first three items only)
	Miss S Westwood	Clerk
APOLOGIES:	The Hon R Montagu	Forestry Commission Appointed Verderer

**IN COMMITTEE**

The Head Agister was present for the first three items.

2005/1993 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 16<sup>th</sup> November 2005 were approved and signed.

2005/1994 ANNOUNCEMENTS & DECISIONS RESUME

the Announcements and Decisions were approved.

2005/1995 CONDITION OF STOCK & THE WELFARE TOUR RESUME

Report by the Head Agister

The Head Agister said that on the whole he remains very pleased with the condition of stock although there are one or two areas of poor grazing where stock is not looking quite so good. This was apparent on the Welfare Tour when it was clear that stock on the Northern Commons is not as good as one might like. There are no really serious problems at the moment and a careful eye will be kept on the stock in these areas. Stock in the south of the Forest looks very well and the comments received on the Welfare Tour were encouraging.

The Official Verderer commented that the Welfare Tour was well attended and a press notice was issued after the Tour. Because the condition of stock has been consistently good, the one or two slightly poor animals were all the more obvious.

The Head Agister replied to the Official Verderers' comments by saying that it is not abnormal to find one or two animals which are not quite so well. In some cases, such as on Penn Common, part of the problem is that the animals themselves are poorer types. Some are down country crosses which have little or no resistance to local parasites and there may also be greater instances of in-breeding. On Stoney Cross where

the conditions are tougher, the ponies are of a better type and they maintain a higher standard throughout the year.

The poor cattle at Woodgreen/Godshill have been removed from the Forest. The cattle in the Ogdens area which belong to the same commoner are acceptable at the moment. The problem is simply that the cattle are not best suited to the Forest environment. A close eye will be kept on them as the winter progresses.

The Official Verderer enquired whether there are any instances of unauthorised feeding on the commons. The Head Agister said he is not aware of any at the moment. There is a long-standing list of agreed locations for winter feeding and by and large the areas are adhered to.

The Head Agister left the meeting.

#### Report by Mr John Adams – Chairman of the Staff Committee

Mr Adams said he had little to add to the Head Agister's comments. He also was reasonably happy with the condition of stock and felt the one or two poorer animals are not currently a major problem. He added that the cattle in the north and on the Northern Commons will need watching.

In response to an enquiry, Mr Adams confirmed that the Agisters have not needed to inspect animals removed from the Forest before they return because it has not been necessary. There have been no instances where it has been necessary to issue orders for the removal of poor animals.

#### 2005/1996 DECLARATIONS OF INTEREST

RESUME

The usual declarations of interest were made, i.e...

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

Mr Gerrelli declared an interest in the items concerning Campsites.

#### 2005/1997 FINANCIAL STATEMENT

RESUME

The financial statements for October and November were circulated. The Official Verderer commented that the unusually high expenditure in the last few months of 2005 was due to legal fees. Such expenditure should hopefully not be incurred in future. Monthly expenditure for the remainder of the year is anticipated to be in line with the cash available.

#### 2005/1998 MARKING FEES

RESUME

The Clerk confirmed that marking fees have been paid to date for the following animals:-

Ponies	4307
Cattle	2699
Donkeys	97

Pigs	196
Total	7299

Total stock excluding pigs 7103

2005/1999 BYELAW ENFORCEMENT DISCHARGE

A commoner on the western side of the Forest is continuing to decline to pay marking fees. The matter is progressing.

### **SUBMISSION BY THE FORESTRY COMMISSION**

2005/2000 BEAULIEU RAF TOWER – ROUNDHILL CAMPSITE RESUME

Bournemouth & West Hants Water Co are considering means of fencing this water tower to prevent unauthorised people climbing it. The matter was raised at the June Court.

Proposals were submitted for the fencing and the matter will be discussed in detail at the January Court when representatives of the Forestry Commission will be present.

In the meantime, Verderers with a particular interest in the site took away copies of the proposals and plans.

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

2005/2001 BRANDS RESUME

A draft letter was circulated. Members of the Court were asked to give the content careful consideration prior to the January Court.

2005/2002 COUNTRYSIDE STEWARDSHIP SCHEME DISCHARGE

The Verderers' CSS sub-committee has met to discuss a blatant breach of the Scheme's rules by Messrs Tom and James Penny and it has been agreed that no payment under the CSS should be paid. An announcement advising commoners that those in breach of the byelaws will not receive payments under the scheme will be made at the next Court, but no names will be mentioned.

2005/2003 MINESTEAD MANOR RESUME

There is no further news in respect of the Manor commoners who have not been paying marking fees.

The Agent for Minstead Manor has confirmed that it is not the Manor's intention to levy any charge for Forest animals which stray onto the Manor Waste.

The Official Verderer reported that a letter has been received from Minstead Parish Council in which it is clear that the council has misunderstood the marking fees issue. A response has been sent clearly explaining the position. The Official Verderer then went on to say that Mr Bob Cooper has written to the Clerk claiming the Manor

Commoners, not the Lord of the Manor, will charge Forest commoners whose animals stray onto the Manor.

2005/2004 MINSTEAD MANOR MAP DISCHARGE

The map showing the boundary of the Manor is now finished and copies will be circulated.

2005/2005 MARKWAY LAWN RESUME  
April 2006

A letter was sent to the Forestry Commission setting out the Court's position on Markway. A positive and encouraging response has been received from Mr Simon Weymouth on behalf of the Commission. All parties now know where they stand and the potential issues if things do not work out are understood.

2005/2006 REVIEW OF THE COMMONS BILL RESUME  
March 2006

The Official Verderer reported that as far as he is aware the amendment has passed successfully through the Lords. The Commons now has to approve the Bill and it is expected it will proceed satisfactorily. Copies will be obtained in due course.

2005/2007 WILVERLEY INCIDENT RESUME

The Court's insurers have confirmed they are strongly refuting all liability. The owner of the stallion accused of being involved in the incident has now also received a letter from the solicitors acting for the injured party.

2005/2008 FREEDOM OF INFORMATION ACT RESUME  
February  
2006

A presentation on the Freedom of Information Act will follow the February Court. All Verderers are requested to attend including those who have already attended similar events. It is considered important that everyone attends because of the implications of the Act on individual Verderers in their capacity as members of the Court.

2005/2009 COMMUNICATIONS ON DRIFTS RESUME  
February  
2006

Mrs Thorne had prepared a report on the system used by the New Forest Hounds. It was agreed a system should be hired in the New Year and tried in areas where it is known the signal for mobile phones is poor.

2005/2010 STALLIONS – NEW PARK GRAZING RESUME

The owner of three stallions which were supposed to be in New Park over the winter has now signed the agreement although the stallions are still not in the grazing.

2005/2011 AGISTERS' SALARY REVIEW

RESUME  
April 2006

Because the Agricultural Wages Board has reviewed its pay grades it has been necessary to select a new grade for the Agisters. Subject to approval of the budget, the decision of the Remuneration Committee to choose a new grade to be implemented from 1<sup>st</sup> April 2006 was agreed.

The Official Verderer thanked the Remuneration Committee members for their assistance.

2005/2012 RTA AT BEAULIEU – POSSIBLE INSURANCE CLAIM

RESUME

A letter has been received from a motorist involved in a collision with a pony in the vicinity of Beaulieu. The motorist has stated he intends to request his insurers to claim damages from the Verderers and any other organisations and/or individuals he can identify as being responsible for allowing stock access to the road from Hatchet Pond to Beaulieu Village.

The letter has been forwarded to the Court's insurers.

2005/2013 ROAD SIGNAGE SURVEY

RESUME

The Official Verderer said that Mr Montagu is looking forward to getting the project underway. He will report in January.

2005/2014 RTA AT GODSHILL

DISCHARGE

The Agisters have been asked to keep a record of any instances where it appears there may be a delay between the Police receiving a report of an accident and the Agisters being informed. It is thought this may be happening occasionally but if it is found to be a regular occurrence it may be necessary to write to the Police.

2005/2015 HOLLANDS WOOD AND ROUNDHILL CAMPSITES

RESUME

The Official Verderer reported the latest position.

The re-drafted Appropriate Assessment has now been submitted to English Nature which has stated it is now satisfied with the mitigating steps being proposed for both campsites.

The Court agreed that Hampshire and Isle of Wight Wildlife Trust, New Forest District Council, the National Park Authority and the New Forest Association should all be asked to comment prior to the Court's acceptance of the Revised Assessment. It was also agreed that the Royal Society for the Protection of Birds should be added to the list of consultees.

The question of ongoing monitoring was raised and also what would happen if in years to come it is found there is deterioration on the sites. The Official Verderer said that this would be addressed by the Forestry Commission's Management Plans for both campsites which have yet to be written.

The Official Verderer added that this is only one part of the process and that the impact of the proposals on the SSSI has yet to be addressed.

Two CD's have been received containing the Revised Appropriate Assessments and associated papers and the Clerk said she will endeavour to provide some copies for members of the Court.

## **NATIONAL PARK**

2005/2016 WORKING WITH THE NATIONAL PARK AUTHORITY

RESUME

The Official Verderer told the Court that he would be meeting with the Chairman and Chief Executive of the National Park early in the New Year to discuss co-operation between the various Forest organisations. Items for discussion will include what help and information the Authority and Verderers would like from each other. Items will include exploring the possibility of financial assistance for the provision of Land Rovers for the Agisters, and help to replace the funds which it was thought the Countryside Agency would be providing for the Stallion Scheme. The Official Verderer asked members of the Court to let him know if there is anything else they would like raised.

2005/2017 NATIONAL PARK MEMBERS TRAINING DAY

RESUME  
March 2006

A further training day has been requested and will be held next year.

2005/2018 STAKEHOLDERS MEETING

DISCHARGE

Mr Kitcher reported that he attended a recent Stakeholder Meeting at which a very broad selection of people were present. Commoning was considered to be the number one priority for support and assistance from the Park Authority. Other priorities are a recreation strategy, protecting the landscape and provision of affordable housing.

## **MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2005/2019 FOREST DESIGN PLAN MEETING

RESUME

At the meeting on the 12<sup>th</sup> December, matters under discussion included a strategy is to be devised for the screening of major roads and how inclosures which are to be thrown open might be dealt with. Some of the inclosures may not be fully thrown open and in these cases controlled grazing will be required.

It was clear that not everyone is happy with the current thoughts. There are various concerns both with those who wish the inclosures to be thrown open permanently and those who don't.

Mr Frost had written a very helpful paper which will be copied to all members of the Court.

The Official Verderer suggested the Court should have a policy on this subject and asked Mr Pasmore, Mr Frost and Mr Kitcher to provide a draft in advance of the next Court.

2005/2020 CYCLING WORKING GROUP DISCHARGE

The recent meeting concentrated on cycling on roads rather than the Forest itself.

2005/2021 ENVIRONMENT AGENCY'S CATCHMENT, ABSTRACTION MANAGEMENT STRATEGY (CAMS) DISCHARGE

Mr Frost will attend meetings concerning the above and will report to the Court as and when required.

2005/2022 THE PROGRESS PROJECT DISCHARGE

Mr Frost and Mr Pasmore attended a recent Progress meeting. GPS has been used to see the effect of closing car parks on people movements. At present the effects on certain species of bird are being looked at but commoning has not been considered. English Nature, however, has raised commoning as an important consideration. Proposals for car park closures will be brought to the Court in due course.

2005/2023 HERITAGE LOTTERY FUND RESUME

Mr Frost, Mr Kitcher and Mr Pasmore were asked to make some recommendations. The Official Verderer said he would like something to discuss with the Deputy Surveyor before the next Court.

2005/2024 WORKSHOP ON THE WELFARE OF UNBROKEN PONIES AT MARKETS AND DURING TRANSPORT DISCHARGE

Mr Gerrelli reported that he and the Head Agister attended this workshop which was organised by ADAS and the University of Edinburgh. It is part of a DEFRA funded study to assess the effects of handling and transport on unbroken ponies.

During the discussion the Beaulieu Road Sale Yard was given a very favourable report.

A booklet entitled "Equine Industry Welfare Guidelines Compendium for Horses, Ponies and Donkeys (Second Edition) was handed out at the meeting and is a very useful document. Copies will be requested.

**STAFF MATTERS (including the Staff Committee)**

2005/2025 SPEED INDICATOR DEVICES (SID's) RESUME

Unfortunately it is felt that it is not realistic for the Agisters to deploy the SID's on the number of occasions that is required. Health and Safety constraints have been identified but the main problem is the amount of time that will be required.

## **TRAINING/HEALTH & SAFETY AT WORK**

2005/2026 TRAINING FOR AGISTERS FOR WORKING ON AND ADJACENT TO THE HIGHWAY RESUME  
February

It is considered important that the Agisters should receive some training as respects safe working on and adjacent to the Highway. The Clerk has identified a course that will be run by the Forestry Commission and the Agisters will attend in the New year.

## **ANY OTHER BUSINESS**

2005/2027 VERDERERS' INCLOSURES RESUME

The Deputy Surveyor has written setting out proposals to reduce payments in respect of Inclosures which are to be thrown open. It is proposed that increases in the Administration Grant will be made for 5 years in order to ensure the total funding for the Court is not reduced, during that period only. Since the Commission is unable to commit itself to maintaining this increase beyond a five year period, it was agreed that the Verderers should reserve their position and their right to revert to the terms of the existing 1960 agreement with the Forestry Commissioners thereafter should it prove necessary to do so in order to maintain income. The Official Verderer will write to the Deputy Surveyor accordingly.

2005/2028 BUDGET RESUME  
February

The Deputy Surveyor has raised a few queries on the budget but none are of great significance.

2005/2029 FEEDING OF STOCK ON THE NATIONAL TRUST COMMONS RESUME

If the National Trust asks the Verderers to enforce any regulations that it may make on supplementary feeding on its commons, the Court agreed that it would do so, but will expect the Trust to meet any costs involved.

2005/2030 PATHFINDER PROJECT DISCHARGE

The Official Verderer raised this issue which has been mentioned before. English Nature has asked the Verderers to become involved and the Official Verderer said he is happy to join the discussions. He will report back to the Court as and when necessary.

2005/2031 HEATHER & GRASS BURNING - WILDLIFE & COUNTRYSIDE LINK RESUME

Mr Frost expressed concern at a paper produced by the Wildlife and Countryside Link on the review of Heather and Grass Burning Regulations and the Heather and Grass Burning Code, which suggested that burning should be discontinued because of detrimental effects on the environment. He suggested a joint letter should be sent from the Forestry Commission, National Trust and Verderers explaining the value of controlled burning. As the organisation responsible for publishing the article is not recognised it was agreed Mr Frost should



MINUTES of the Court of Verderers held on Wednesday, 21<sup>st</sup> December 2005 at 10.00 a.m. in the Library, the Queen's House, Lyndhurst

make enquiries to see if it is possible to find out which organisations were consulted prior to the writing of the report.

2005/2032 DITCHING ON THE HIGHWAY VERGE – HATCHET MOOR RESUME

Mr Frost expressed concern at the manner in which the roadside ditch has been excavated. The soil appears to have been banked up on the side away from the highway edge and it was felt it might have been better if it had been thrown back towards the highway in order to create a bank and discourage over-running of the verge by vehicles. Mr Frost agreed to discuss the matter with Mr Parke, Forestry Commission.

2005/2033 BARRIER ON BEAULIEU AERODROME RESUME

The barrier leading to the model aircraft flying area is constantly left open. This has resulted in damage to a nice area of lawn which has been used as a skid pan by inconsiderate drivers. The Clerk was requested to raise the matter with Mr Parke.

2005/2034 LAND EXCHANGES RESUME

It was remarked that there are still some land exchanges outstanding – in respect of reservoirs etc. The Clerk will raise this with Mr Parke.

There being no further business, the meeting closed at 12.48 p.m.