

MINUTES of the Court of Verderers held on Wednesday 20th June at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

PRESENT:	Mr O Crosthwaite Eyre	Official Verderer
	Mr J Adams	Elected Verderer & Chairman of the Staff Committee
	Mr P Frost	Natural England Appointed Verderer
	Mr J F Kitcher	Elected Verderer
	Miss D Macnair	Elected Verderer
	The Hon R Montagu	Forestry Commission Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES:	Mr A Gerrelli	Elected Verderer
	Cllr Mrs K Heron	National Park Authority Appointed Verderer

IN COMMITTEE

The Head Agister attended the meeting for the first two items.

2007/3036 MINUTES OF THE LAST MEETING

DISCHARGE

The Minutes of the Court held on Wednesday, 16th May 2007 were approved.

2007/3037 CONDITION OF STOCK

RESUME

The Head Agister reported

On the whole stock is in very good condition although as usual there are one or two ponies whose condition is not as good as it should be. A young bay mare with a foal at Durmast needs catching as for some reason she is quite poor.

The grass is growing well, even on Penn Common where it is often sparse. The Welfare Tour went well. Cattle are looking very good.

After the Head Agister had left the meeting Mr Adams said he agreed with the Head Agister's report on the condition of stock. He said the one or two animals about which he previously had some concern are picking up. Anything that has not improved sufficiently by the end of the month is unlikely to do so and will be removed.

Mr Adams said there are reportedly one or two cases of stranglers off the Forest but nothing on it.

2007/3038 TUBERCULOSIS

DISCHARGE

A commoner in the North West of the Forest had an animal which tested positive for tuberculosis. DEFRA has instructed him to have his herd re-tested as soon as possible and the Agisters have been busy catching his animals. All but 2, which have disappeared, have now been caught and a TB test has been scheduled for Tuesday 26th June. The cattle must have 2 clear tests, 60 days apart to be sure they are free of TB. It is thought the commoner concerned may have a problem

keeping all his cattle in, in satisfactory conditions but that will be a matter for the Ministry and Animal Health.

If any reactors are found when the cattle are tested it will be necessary to catch and test all other cattle which may have come into contact with the affected herd. That means most of the cattle in the area. However, Linda Smith, MRCVS, SVS, DEFRA, advised that the likelihood of cattle on the Forest transmitting TB to one another is remote. It is far more likely to spread when animals are confined in sheds or dairies.

As has been suspected for some time, DEFRA has no clear policy on how to manage TB in the Forest and decisions have been made by DEFRA personnel as they go along. It has been quite confusing with a decision being made one day about what to do, only for it to be countermanded the next.

The Head Agister left the meeting.

2007/3039 ANNOUNCEMENTS AND DECISIONS RESUME

The announcements and decisions were approved.

2007/3040 DECLARATIONS OF INTEREST RESUME

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

Mr Gerrelli declared an interest in any items concerning Campsites and the Official Verderer declared an interest in any matters concerning golf clubs.

Mr Kitcher later declared an interest in certain works to be carried out under Rural Pathfinder as he is a contractor employed by the Forestry Commission on these projects.

2007/3041 FINANCIAL STATEMENT RESUME

The Financial Statements for April 2007 and May were circulated and showed a satisfactory financial position.

2007/3042 REPORT ON MARKING FEES RECEIVED AS AT THE END OF FEBRUARY 2007 RESUME

Ponies	4396	Pigs	22
Cattle	2191	Sheep	39
Donkeys	117		
TOTAL	6704	TOTAL ALL ANIMALS	6765

2007/3043 ANIMALS REMOVED FROM THE FOREST MAY 2007

RESUME

	POOR	SICK OR INJURED	WANTED BY OWNER	OTHER	TOTALS
MARES WITH FOALS	3	3		3	9
MARES WITH YEARLINGS	1		1		2
MARES	5	2			7
FILLIES		2		1	3
COLTS					0
GELDINGS				1	1
CATTLE		1		47	48
CALVES					0
DONKEYS					0
PIGS					0
PIGLETS					0
SHEEP					0
TOTAL	9	8	1	52	70

TWO YEAR OLD COLTS

SUMMARY BY SPECIES

PONIES	22
CATTLE	48
DONKEYS	0
PIGS	0
SHEEP	0
TOTAL	<input type="text" value="70"/>

2007/3044 BYELAW ENFORCEMENT

RESUME

Mr Bob Cooper

The Official Verderer advised the Court that Mr Bob Cooper is appealing against his recent conviction. The Appeal will be heard in the Crown Court in Southampton. Counsel will be required again and it is likely a similar level of costs may be incurred as in the original trial. A full re-trial will have to take place and it is possible that the full cost will not be recoverable. The Official Verderer asked the Court to give approval for Solicitors and Counsel to be instructed to proceed. The Court agreed unanimously.

Mrs Annie Cooper

Mrs Annie Cooper has informed the Head Agister that she will now pay marking fees on all the animals she turns out, before they go out, rather than paying only as and when the animals are seen crossing onto the Crown Lands. This is a very acceptable solution.

Unmarked Cattle

A commoner on the Northern Commons is continuing to be unco-operative by refusing to brand or brand-tag his cattle. He has been given every opportunity to comply with the Verderers' byelaws but he continues to refuse. The Clerk issued a notice by way of a letter to which the commoner has responded. The content of his response is

being considered prior to a further letter being sent. In the meantime, the Head Agister will pay him a further visit to give him one more opportunity to co-operate. The gathering of the necessary evidence for a possible prosecution will also be undertaken. The Official Verderer's request to proceed with a prosecution if necessary was approved by the Court unanimously.

2007/3045 MISS SARAH BELL, SOLICITOR

DISCHARGE

The Official Verderer reported that regrettably the Court's solicitor, Miss Sarah Bell, has moved on and no longer works for Moore & Blatch Solicitors. This is very sad as Miss Bell was acutely in tune with the Forest. The litigation partner, Mr David Thompson, has now taken on the Verderers' work, and the Official Verderer has been to meet him in order to bring him up-to-date on outstanding matters.

2007/3046 FOREST & COMMON MARKING FEES

DISCHARGE

The Agisters requested clarification and clear direction as to when commoners may pay marking fees at the concessionary common rate rather than Forest rate.

After careful consideration and a detailed discussion as to the best way of deciding which animals should be paid for at Forest rate, and which can be allowed the concessionary common rate, it was agreed as follows:-

Commoners who occupy land which benefits from rights over the adjacent commons may only pay the concessionary common rate of marking fee on animals which remain on the commons.

However, if an animal which is turned out by a commoner holding rights over the adjacent commons spends the majority of its time on the Forest, i.e. 75% or more, then the Forest rate is due.

Any disputes regarding the rate of marking fees due must be taken up with the Verderers.

This rule will take effect from 1st January 2008.

Where there is any doubt as to whether a particular commoner occupies land benefiting from rights over the adjacent commons, the commoner must be asked for the necessary evidence. In the first instance the Agister should do his best to ascertain from where the commoner is turning out and satisfy himself that Common Rights exist on that land. If any doubt still remains, the office may be asked to write to the commoner requesting a plan of the land he or she claims to occupy, together with evidence of occupation (e.g. a copy of the rental/agricultural tenancy agreement or lease or a letter from the owner of the land confirming that the commoner is entitled to exercise the Rights on the land). The onus is always on the commoner to prove rights exist.

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

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

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2007/3047 WELFARE TOUR

Our spring welfare tour took place on Tuesday 29th May and was attended by representatives from both national and local animal charities and organisations such as the RSPCA, the International League for the Protection of Horses and the NF Pony and Cattle Breeders Society, as well as DEFRA Veterinary Surgeons.

Over 500 ponies cattle and donkeys were seen during the tour, and the unanimous conclusion after the inspection was that all the animals are in good condition, despite the very dry conditions in the early spring.

The tour is an important twice yearly event for us since it allows concerned parties to see the stock out on the Forest for themselves and come to their own conclusions first hand. Once again the Agisters were congratulated for their excellent and diligent work in ensuring the ongoing welfare of the animals, and the proper and responsible exercising of common rights by their owners.

2007/3048 ASHURST CRICKET PITCH

In his presentment at our last Court Mr Len Mansbridge asked us to make inquiries in to the future intentions of the FC in relation to the cricket pitch at Ashurst. This we have done, and the Deputy Surveyor was pleased to confirm that the FC intends to open up the old cricket ground and return it to the Forest. This will be subject to the completion of various works on the site such as the erection of suitable fencing and gates.

2007/3049 LAND AT ASHURST AND STAPLEWOOD

Mr Mansbridge made a further presentment concerning the opening up to stock of land at Ashurst and Staplewood. Careful consideration was given to Mr Mansbridge's suggestions but for practical and legal reasons it was felt that regrettably neither could be taken forward.

2007/3050 BRIDGE AT IPLEY

At our April Court, Mr Aldhous asked for a bridge at Ipley to be replaced, and accordingly we invited the Forestry Commission to consider the request. However, following consultation with the CDA, it has been agreed that it is preferable to clear vegetation and tidy up an existing crossing place for horses.

ANIMAL ACCIDENT REPORT

2007/3051 ACCIDENT REPORT FOR MAY 2007

The agisters attended 10 accidents, which compares with 9 for the same period last year.

3 ponies were killed and 1 pony and 1 donkey were injured.

4 accidents occurred during the hours of darkness.

5 involved private cars or light commercials, 1 involved a motorcycle and 4 were not reported.

5 accidents involved local motorists.

The total killed and injured for the year to date is 33 compared with 37 for the same period last year.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

None

PRESENTMENTS

2007/3052 MARKWAY INCLOSURE

Presentment by Mr Michael Cooper, On behalf of the NFCDA committee

Concerns have been raised in connection with the current state of Markway Enclosure. Since the removal of the fencing and clearance of the conifers carried out under LIFE III, a large area, as much as 100 acres, has been left incomplete. Stumps and deep furrows remain, potentially creating a hazard to stock, which now have access to this area, as well as mounted commoners going about their duties in respect of stock management. The northern area has been completed successfully, and the ground returned to heathland, but sadly that which remains, requires urgent attention. We are reliably informed that this area was left because funding ran out before the job could be completed. Some time has now passed, and despite promises having been made, nothing has been done to re-instate this land. Our association would ask the Verderers to look into this matter with some urgency, with a view to having the work completed to the satisfaction of all.

2007/3053 ORIENTEERING AT NIGHT

Presentment by Mr Michael Cooper, On behalf of the NFCDA committee

A number of our members have reported increased activity by, presumably, organised orienteering events late at night. These appear to be groups of people on pedal cycles, using high-powered lights on their heads, and riding on the Forest, not necessary on the approved cycle routes. It is felt that this sort of activity is not conducive to the wellbeing of the wildlife and our stock. It has been noted that the ponies and cattle can be startled by such an unnatural activity, and if the right conditions prevailed, could result in them causing an accident. We believe this to be an unacceptable pursuit during the hours of darkness and would ask that the matter be discussed with the Deputy Surveyor as to numbers approved, and the frequency of such events. As always, compromises must be reached, but at present it seems to have got out of hand.

2007/3054 STEPS FROM WILVERLEY PIT CAR PARK

Presentment by Col Peter Sweet, Commoner

"Mr Crosthwaite Eyre and Members of the Court. I was recently upon Wilverley Plain and saw works up there which I believe should have your permission. In Wilverley Pit Car Park, the Forestry Commission has carried out normal maintenance on the floor of the car park but on the walls, which are steep near a small track up onto the Plain, they have built a flight of steps which contravene the 2006 Disability Discrimination Act in that wheelchair users cannot use them. Do they are illegal, urban, and unnecessary and I ask you to have them removed and replaced if necessary with a wheelchair friendly track".

2007/3055 **PROGRESS PROJECT INFORMATION BOARD**
Presentment by Col Peter Sweet, Commoner

“On my way back to Brockenhurst I saw, standing on the Open Forest beyond Hinchleslea Moor Car Park, a large wooden noticeboard labelled PROGRESS which to my way of thinking it isn't. It shows a picture of ground nesting birds. Knowing the Verderers dislike of notices on the Open Forest may I ask you to have it removed and if considered essential replaced in the Car Park similarly to other notices, byelaws, etc., as in other Car Parks. Thank you, sir”.

2007/3056 **IPLEY BRIDGE**
Presentment by Mr Chris Aldhous

Mr Aldhous thanked the Court and Forestry Commission for the works at the bridge and added that provided the ford is usable 365 days of the year he is happy. He added that the lady who had reported the problem to him, is grateful.

PRESENTATION OF THE ROWL KITCHER CUP

The Official Verderer announced that it has been decided to present the Rowl Kitcher Cup, kindly donated some years ago by the late Rowl Kitcher's family, to the owner of the highest scoring young Colt selected to run out on the Forest each year. He asked Mr John and Master Matthew Pooley who own the colt Hatchett Sunseeker to step forward and Mr John Adams presented them with the cup. Mr Pooley and his son thanked the Court.

IN COMMITTEE in The Library

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

CONSIDERATION OF PRESENTMENTS

2007/3057 **MARKWAY INCLOSURE**

RESUME

The Deputy Surveyor said reinstatement is in the work programme but he was unable to say when it would be carried out.

In answer to a suggestion that the reason for reinstatement having not been carried out to date is a lack of money, the Deputy Surveyor said that it is not unlikely that funding may have been tight towards the end of the financial year. He added that he will confirm at the next Court, when reinstatement is due to commence.

2007/3058 **ORIENTEERING AT NIGHT**

DISCHARGE

The Deputy Surveyor said the Forestry Commission is aware that a small number of people are cycling across the Forest at night in both the North and South of the Forest. He added that this is not a permitted activity and efforts are being made to find out who the cyclists are. It is thought they are local, possibly professional, people whose destination is usually a public house. The activity is not considered by the Forestry Commission to be damaging but could be hazardous, especially to those involved. Any information that can be obtained and passed to the Forestry Commission will be most useful and the main office number can be used at any time of the day or night in order to report very urgent incidents as and when they occur.

2007/3059 PROGRESS PROJECT INFORMATION BOARD DISCHARGE

The Verderers gave consent for a number of these boards earlier in the year but only to be placed within the car parks. The boards are designed to educate the public about ground nesting birds and hopefully prevent damage or destruction of nests by encouraging people to use paths avoiding particularly sensitive sites. The boards are temporary and will be removed in a few weeks time when the birds have finished nesting.

2007/3060 STEPS FROM WILVERLEY PIT CAR PARK RESUME

The new steps are replacement for an old set which had collapsed. The Deputy Surveyor said he would check up on the conditions of the DDA.

2007/3061 BRIDGE AT IPLEY DISCHARGE

The Court noted that Mr Aldhous appears to be happy and this matter can now be discharged.

SUBMISSIONS BY THE FORESTRY COMMISSION

2007/3062 DRAFT CROWN LAND MANAGEMENT PLAN RESUME

The Management Plan is to be revised and a paper entitled Background and Progress on the Crown Lands Management Plan Review has been circulated. It is hoped the plan will be completed by April 2008. The Deputy Surveyor invited comments on the paper. The Forestry Commission will be working on the full text of the draft plan and consultation will then take place towards the end of the year. He added that comments are welcome at any stage.

The Official Verderer suggested that comments should be collated and forwarded to the Deputy Surveyor. Members of the Court were asked to let the Clerk have their comments prior to the July Court.

2007/3063 COXLEASE SCHOOL UNDERGROUND ELECTRICITY SUPPLY DISCHARGE

The request for an underground cable from the substation in the verge of the A338 to Coxlease School was approved in accordance with the letter received from the Forestry Commission dated 6th June. The cable will be laid in the gravel road leading to the School

2007/3064 REPLACEMENT WATER PIPE AND DUCT, LE POUSSIN AT PARKHILL, BEAULIEU ROAD, LYNDHURST DISCHARGE

The Hotel has requested consent to lay a replacement 2" water pipe and a 4" duct for other services from the Beaulieu Road, across Open Forest grazing, to the boundary of the property. The plan attached to the letter from the Forestry Commission concerning this request showed the trench following a route across the grass avoiding the small trees and shrubs in the area.

The proposals were subject to particularly careful consideration as the Court was concerned about the disturbance and damage (albeit temporary) that the proposed route of the trench will inevitably cause

to the grazing.

Finally it was agreed that although the Hotel will undoubtedly incur additional expenditure, the pipe and duct must be laid in the tarmac entrance road rather than across the Open Forest grazing. The usual three conditions regarding reinstatement, safe working conditions, compensation for loss of grazing etc., will apply.

2007/3065 WATER PIPE AND DUCT TO FIELDS AT BLACK KNOWL, DISCHARGE RHINEFIELD ROAD, BROCKENHURST

The Court approved the request for a 1" water pipe and 4" service duct to be laid between the verge of Rhinefield Road and the fields at Black Knowl but the trench must be dug in the roadway, not alongside it as originally requested. The usual three conditions apply.

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

2007/3066 FENCING OF THE A31, A35 AND A337

RESUME

The Official Verderer reported that a good response has been received from Cllr Mel Kendal of Hampshire County Council in respect of the A35 and A337 fencing but clarification has been requested regarding whether the intention is to replace all the fencing or just part of it.

As respects the A31, a less satisfactory letter has been received. The Highway Agency appears to be saying that the fencing on the westbound carriageway has been replaced when clearly it has not. Mr Adams has spoken with Ms Gill Williamson of the Highway Agency who said that a report from Ray Gardner of Mott MacDonald states that the work on the fence is nearly completed. The delay with the remainder of the fence is apparently due to a shortage of posts. Mr Adams said he is not aware of any new posts, or wire. He said he intends to inspect the fence and he will get back to Ms Williamson if it appears there has been no progress. Site meetings have been held and work should have been commenced in April. It is now mid June.

A further problem is that the specification for the fence is really not adequate because the posts are too far apart.

In view of the continuing difficulties with respect to the A31 fence it was suggested that the Forestry Commission's covenant with the Highways Agency may be another way of influencing the Agency. Mr Parke undertook to investigate. The Official Verderer may write to the Secretary of State for Transport with details of the conditions contained in the covenant.

The Official Verderer commented that slow progress seems to be being made but added that thanks must go to Cllr Mel Kendal for his support in obtaining additional funding for the A35 and A337 fencing.

- 2007/3067 WAGON RIDES – REVISED PROPOSAL DISCHARGE
- Revised proposals were put forward by the Forestry Commission for an extended wagon ride in the north of the Forest. The new route eliminates the sections of the route which previously caused concern to the Court.
- The Court was advised that Mr Davies who runs his business from the Minstead area has completed all the necessary driving qualifications, vehicle and animal checks demanded on his first permission and these qualifications are still valid.
- The route is likely to be used on a sporadic basis. It follows sections of the cycle network in the area and makes more use of public highways. Initially, the Forestry Commission wishes to grant a 1 year licence.
- In view of the alterations to the route and the sporadic nature of the operation, the Court gave its approval for 1 year.
- 2007/3068 SSSI CONDITION ASSESSMENT RESUME
- Views are requested urgently on the list of sites identified as needing restoration but Mr Pasmore and Mrs Thorne said they had not received the latest documents. The Clerk promised to make sure they receive the papers at the earliest possible opportunity. Mr Kitcher declared an interest – see Minute No. 2007/3040.
- 2007/3069 PINCH POINTS ON THE C10 RESUME
- In the absence of Cllr Mrs Heron this item could not be progressed and will, therefore, be resumed in the July Court.
- 2007/3070 EMERGENCY CONTACT NUMBER FOR THE AGISTERS DISCHARGE
- The Deputy Surveyor said he is happy for the Forestry Commission's 24 hour telephone number to be given to people asking how to contact the Agisters in an emergency. The Forestry Commission will monitor the number of calls concerning Forest livestock and may seek to recoup some of the cost from the Court.
- 2007/3071 A31 RUBBISH RESUME
- This item will be resumed in July when Cllr Heron will be present.
- 2007/3072 BRIDGE FROM SHATTERFORD TO DENNY LAWN DISCHARGE
- The Deputy Surveyor reported that the bridge has been narrowed temporarily to prevent use by vehicles as an inspection has revealed its condition has deteriorated and it is too weak to take heavy loads. The bridge is scheduled to be replaced.
- Mr Kitcher remarked that at present difficulties would be experienced if it was necessary to get a vehicle across the bridge to pick up a sick animal.

2007/3073 ELLINGHAM CRICKET PITCH RESUME

The Cricket Club has now apparently agreed to remove the covers. However, it has been noted that the canvas has gone but the frames have been left which are even more hazardous to stock!

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2007/3074 CAMPSITES & CYCLISTS RESUME

Mr Pasmore expressed concern about the number of cyclists he saw cycling on the Open Forest grazing who clearly came from Ocknell and Longbeech Campsites.

A long discussion took place during which it became apparent that the Verderers and Forestry Commission have widely differing views about cycling on the Forest.

In an effort to move the discussion on, Mr Montagu suggested a working party should be set up to consider the issues and try to come to some agreement as to how cycling in the Forest should be managed. He suggested the Forestry Commission should be included, together with the National Park which is likely to encourage cycling as clean, healthy recreation. Mr Montagu said he felt there is a need to agree a common policy.

Unfortunately, however, no agreement was reached on Mr Montagu's suggestion and the Official Verderer suggested the matter should be discussed again later in committee.

2007/3075 NEW BUILD COMMONERS' DWELLING AT ANDERWOOD RESUME

Plans of the new dwellings were circulated which the Deputy Surveyor said had been agreed with the Commoners' Defence Association.

It was pointed out that one of the paddocks which would probably be used for youngstock, is very wet in the winter. In response, the Deputy Surveyor assured the Court that it is intended that a series of land drains will be constructed to address the problem.

The design of the properties is modern and eco-friendly and it is hoped the Planning Authority will look favourably upon the application.

2007/3076 PONY PUBLICITY GROUP STALLION VIDEO DISCHARGE

Miss Macnair reported that the Pony Publicity Group has enlisted the help of Patrick Kempe to make a new video about the Forest stallions. She hoped the Forestry Commission would look kindly on his application for a permit to film on the Forest without charging too much! The Deputy Surveyor said in principle he did not have a problem with the proposal. The Verderers raised no objection.

2007/3077 NEW BRIDGE AT MILKHAM DISCHARGE

Mrs Thorne reported that the new bridge requires a non-slip surface. The Deputy Surveyor said that he is sure such a surface will be added but he would check and let Mrs Thorne or the Clerk know.

2007/3078 PARKING AREAS ON THE FOREST DISCHARGE

The Forestry Commission assured the Court that it has not and will not "sell off" Forest land for parking. Mr Parke added that where a property has no parking space at all within its curtilage, permission is granted for overnight parking in a designated area. This is usually on an access track and gravel may be laid.

The Clerk reported she has written to Woodgreen Parish Council as requested but it appears that the situation, which involves building works is already being dealt with by the Forestry Commission. The builders will be made to reinstate any damage they cause.

The Deputy Surveyor and Mr Parke left the meeting as did Mr Peter Frost. Mr Frost returned part-way through the next item.

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

2007/3079 NEW FOREST SHOW DISCHARGE

The Official Verderer said if the new display turns out as good as it looks on paper it should be very effective.

It was suggested that a video could also be shown on the stand, however the Official Verderer felt that with a new display being set up this year it might be prudent not to be too ambitious and suggested it may be an idea for a future year.

The Clerk thanked those Verderers who were able to offer to help on the stand.

2007/3080 KINGSTON GREAT COMMON RESUME

The Official Verderer reported that Mr Steve Trotter is in dialogue with the owner of the Common but no further information is available at this stage on what progress is being made.

2007/3081 MICROCHIPPING OF PONIES BY AGISTERS RESUME
September

Mrs Thorne reported that her contact at DEFRA thinks there is no reason why the Agisters should not be allowed to insert microchips, subject of course to proper training. Mrs Thorne will pursue the matter further.

Miss Macnair said the New Forest Pony Breeding and Cattle Society intends to run a trial microchipping unhandled foals. The Head Agister will watch.

2007/3082 ENCROACHMENT AT FIVE THORNS, BROCKENHURST RESUME

The Official Verderer reported that the advice has been received from the Solicitors who are enquiring of Counsel in order to obtain a second opinion and also regarding representation in any County Court Action. The CDA is pleased to press ahead but the Official Verderer said it is important to be certain the solicitors fully understand and can interpret the New Forest Acts.

The National Park Authority has said that in principle it will support Court action to remove an encroachment in order to set a precedent. The NPA has asked to see the papers and the CDA's approval for the advice to be passed on currently being sought.

2007/3083 REVISION OF THE VERDERERS' BYELAWS RESUME

The comments from the DEFRA lawyers are still awaited although it is understood they are few and not contentious. The Official Verderer has advised DEFRA that the Court would like to be able to formally pass the proposed revised byelaws at the July Court in order that the necessary advertising can be done during the summer. It was agreed that if necessary a special Court will be convened.

COUNTRYSIDE STEWARDSHIP SCHEME

2007/3084 VERDERERS' CSS SUB-COMMITTEE RESUME

The Sub-Committee is due to meet after lunch.

NATIONAL PARK

2007/3085 RECREATION & CAMPING REVIEW RESUME

Comments are required for September. A paper setting out the Court's views is currently being prepared.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2007/3086 SIGNAGE DISCHARGE

Mr Frost reported that the Forest boundary signs are being made in the Forestry Commission's workshop. Other signage will be procured by the County and Forestry Commission as appropriate.

2007/3087 FOREST DESIGN FORUM DISCHARGE

Mr Pasmore reported that the Plan is finished and will be submitted to Forest Authority for approval. In future an annual meeting will be held so that progress can be monitored.

OTHER AGENDA ITEMS

None

STAFF MATTERS (including the Staff Committee)

2007/3088 TWO YEAR OLD COLT RESUME

The Clerk will speak with the owner of the colt at Coppice of Linwood to find out when he is 2 years of age.

2007/3089 ANNUAL TAGGING OF CATTLE RESUME
October

The Agisters would like to return to the system of annually ear tagging cattle. Reportedly, some of the commoners also find the system useful and would welcome its return.

Mr Pasmore proposed the Court return to the system of annually ear tagging cattle (subject to approval of revised Byelaw 7) but scrap tail marking. The proposal was agreed unanimously.

2007/3090 JACK DONKEYS DISCHARGE

Jack donkey' have been the subject of a number of complaints this year, however, it was felt unnecessary to ban Jack donkeys from the Forest and it was agreed when problems arise, each will be dealt with on an individual basis. The Byelaws do allow for the control of Jack donkeys if it proves necessary.

2007/3091 LAND ROVER MILEAGE RESUME

The mileage covered by the Agisters in their new Land Rovers will be reviewed in the July Court.

TRAINING

Nothing to report.

HEALTH AND SAFETY AT WORK

Nothing to report.

ANY OTHER BUSINESS

2007/3092 HERITAGE LOTTERY FUND (HLF) BID – NEW FOREST LANDSCAPE PARTNERSHIP DISCHARGE

A "board" is being set up and the Verderers are required to provide a member. Mr Montagu and Mr Pasmore agreed to take on the role jointly as both are happy to attend but are unable to commit to doing so on every occasion that the Board meets.

Mr Montagu felt it is important for the Verderers to back a specific project and he suggested the digitising of the Atlas would be extremely useful.

The Clerk reported that the National Park Authority is looking at the technical aspects and is seeking a quotation. The new system will be based on GIS.

2007/3093 LYNDHURST BYPASS DISCHARGE

The Official Verderer wrote to Mr Ken Thornber, setting out the Verderer's views on a Lyndhurst bypass.

2007/3094 DEFRA CONSULTATION ON IMPLEMENTATION OF THE RIGHT TO APPLY FOR ORDERS TO EXTINGUISH AND DIVERT PUBLIC RIGHTS OF WAY, AND ASSOCIATED RIGHTS OF APPEAL DISCHARGE

The Official Verderer explained that this is a new statutory right of application. He felt it will have very limited impact on the Forest because there are so few rights of way.

2007/3095 VERDERERS' BUDGET RESUME

The Official Verderer advised the Court that he is working on the budget with the help of the Clerk. It is hoped it will be available for approval at the July Court.

2007/3096 NATIONAL PARK AUTHORITY MEETING TO DISCUSS THE DISCHARGE CONTROL OF WILD FIRES

The Court has been invited to send a representative to this meeting. Unfortunately, however, no-one is able to attend. Everyone present agreed that the Forestry Commission's handling of wild fires is efficient and effective.

2007/3097 COMMITTEE FOR RURAL HAMPSHIRE LUNCH ON 3RD JULY 2007 DISCHARGE

Mr Pasmore and Mr Kitcher agreed to attend this committee on behalf of the Court.

EARLIER AGENDA ITEMS

2007/3098 CYCLING ON THE FOREST RESUME

It was agreed that in the first instance, it would be beneficial for the Verderers alone to discuss the Court's stance on cycling on the Forest. It was, therefore, agreed that a small working group be convened. Mr Montagu Mr Pasmore and Mr Frost agreed to take the proposal forward.

2007/3099 SUGGESTED HERITAGE LOTTERY FUND BID PROPOSALS RESUME

It was suggested that a proposal for the HLF bid could be to reinstate Forest verges where parking and over-running has caused damage. Additionally drainage where grazing is being lost could be put on the list. Mr Montagu and Mr Pasmore will prepare a short paper which hopefully will include some photographic evidence of the problems that the Court would like to see addressed.

2007/3100 BYELAW SIGN AT WOODS CORNER RESUME

The Forestry Commission has erected a new byelaw sign at Woods Corner. The Court would like to know if the FC intends to put signs in all the car parks and parking areas. This is not a formal car park and so it was questioned why the sign has been erected.

There being no further business, the meeting closed at 1.00 p.m.