

**MINUTES of the Court of Verderers held on Wednesday 18<sup>th</sup> May 2005 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 A Gerrelli	Elected Verderer
	Mr P Frost	Countryside Agency Appointed Verderer
	Cllr K Heron	Hampshire County Council 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
IN ATTENDANCE:	Mr J R Gerrelli	Head Agister (first three items only)
APOLOGIES:	Mrs P Thorne	Defra Appointed Verderer
	Miss S Westwood	Clerk

**IN COMMITTEE**

The Head Agister was present for the first three items.

The Official Verderer announced that he will only attend the first Court Committee session and the Open Court. He will then depart so that he is available if the Magistrate's Court required his presence. He requested that the remaining Verderers appoint an acting Chairman at the commencement of the second Court Committee.

2005/1613 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 18<sup>th</sup> May 2005 were approved and signed.

2005/1614 ANNOUNCEMENTS & DECISIONS DISCHARGE

The Announcements and Decisions were approved.

2005/1615 CONDITION OF STOCK RESUME

Report by the Head Agister

The Head Agister reported that the majority of stock on the Forest were very well at the moment. The recent Welfare Tour was extremely successful with all the welfare organisations present once again very satisfied with the present condition of the Forest stock. Out of approximately 500 ponies, plus cattle and donkeys seen, two donkeys need attention to their feet and a couple of mares need to be inspected once they have foaled.

The Head Agister left the meeting.

Report by Mr John Adams – Chairman of the Staff Committee

Mr Adams agreed with the Head Agister's comments and said that they saw a good selection of animals on the Welfare Tour and he only saw one mare which had just foaled which was borderline. The strangles outbreak seems to have abated although there is the odd pony coughing.

The Official Verderer said that the Welfare Tour is a worthwhile exercise and all the welfare organisations present appreciate our efforts. One of the British Horse Society representatives came from Wales where they have a welfare problem and she was particularly interested in the way the Forest stock is managed.

The Defra veterinary representative also seemed satisfied with what she saw.

The agisters will continue to monitor the situation.

2005/1616 DECLARATIONS OF INTEREST

RESUME

The Elected Verderers declared an interest as usual in the Countryside Stewardship Scheme.

Mr A Gerrelli again declared an interest as someone with a small campsite (licensed for 5 touring caravans) just outside the Forest as the Forestry Commission's proposals for Hollands Wood and Roundhill Campsites will be discussed again later.

Mr Kitcher declared his interest in the LIFE Project because he has been employed on LIFE Project works and he is also a member of the Water Basin Forum.

2005/1617 FINANCIAL STATEMENT

RESUME

The Clerk has been unable to produce the Financial Statement for April due to pressure of work.

The Auditors are coming next week and therefore the Annual Report and Accounts may be available shortly.

2005/1618 MARKING FEES

RESUME

The Assistant to the Clerk reported that so far this year marking fees have been received for 5826 animals.

2005/1619 BYELAW ENFORCEMENT

RESUME

The letters which were sent out recently to commoners who have been in breach of the Verderers' Byelaws have caused a degree of upset to some commoners who feel they have been lifelong supporters of the Verderers.

After a discussion with Mr Brian Ingram, Chairman of the Commoners Defence Association, the Official Verderer has agreed to attend their next meeting to explain that the Verderers are not being over zealous but they cannot ignore occasions when breaches of the Byelaws become obvious.

2005/1620 THE NEW FOREST TRUST LEAFLET – "ANIMALS ON THE ROAD"

DISCHARGE

The Official Verderer distributed the above leaflet which is proving very popular. The Verderers donated £120 towards the cost of this leaflet and there are approximately 15,000 copies available. He requested that they be distributed as and when appropriate.

2005/1621 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME RESUME

The Official Verderer announced that the Scheme has exceeded all expectations and it looks as though at least 75% of the stock turned out has been entered. This compares with 51% last year. This means that Defra funding will be 75% of the available budget, which means that payments will be sustained at last year's level.

He then went on to acknowledge the effort Mr C Draper has made in encouraging commoners to take part in the Scheme. He has been well received by commoners and has made many friends. His efforts are really appreciated.

Mr Draper has also helped many commoners with the completion of their Single Farm Payment forms and in so doing many of them have joined the Scheme who would otherwise probably not have done so.

2005/1622 COLT SCHEME RESUME

Mr John Adams is to convene a meeting with the Sub Committee to discuss this scheme.

The New Forest Trust has agreed to support such a scheme and is happy to provide half of any grass rent provided that the scheme is really required.

The number of colts brought forward at the recent inspection was surprising and many people consider that the additional grazing would be better used by the stallions as New Park can not take any more than 20.

The Official Verderer said that if there is any doubt with regard to a Colt Scheme then it should be scrapped and the funds diverted elsewhere.

It is not known whether the New Forest Trust would support further grazing for the stallions.

Mr Adams will try to get some feedback from commoners prior to the Sub Committee meeting and should have a recommendation ready for the June Court.

2005/1623 2 YEAR OLD COLT AT RUSHPOLE DISCHARGE

Mr Adams reported that the 2 year old colt at Rushpole has been caught by the agisters and removed from the Forest along with his dam.

2005/1624 NATIONAL PARK AUTHORITY – TRAINING DAY RESUME

Mr P Frost reported that there is concern that the Verderers may feel left out and we must volunteer our services to help for one day's training in the Forest. They content of the training is in the Verderers' hands.

The Official Verderer remarked that eventually the NPA will have a full time Chief Executive but at the moment we are waiting for some suggestions to come from Susan Carter. He felt that we would

probably need a full meeting with the NPA for a morning, followed by lunch.

**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 Forest)

**ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER**

2005/1625 STALLION SCHEME

An agreement has now been reached with the New Forest Show Society for the provision of a further area of land for winter grazing from October 2005 onwards, and fuller details of this most welcome enhancement of the scheme will be provided in due course, hopefully after the June Court.

2005/1626 WELFARE TOUR

The usual spring Welfare Tour took place on Monday, and was attended by representatives from the RSPCA, the Donkey Sanctuary, the CDA, the NFPB&CS, and the Defra Veterinary service. A large area of the Forest was covered and in the region of 500 ponies and 21 donkeys were seen on the tour, plus a number of cattle. All those present agreed with the representatives of the RSPCA that "the standard of the stock and its welfare is very satisfactory, and continues to improve each year".

2005/1627 STEWARDSHIP SCHEME

The deadline for applying to join the scheme passed two days ago, and we are delighted to announce that the number of applicants has risen by 21% from 56% of all commoners on the marking fee register last year, to 77% this year.

At present therefore 80% of all the animals on the Forest will be in the scheme, as opposed to 61% last year, which means that the sum of money to be released to us by Defra for Year Three will be increased accordingly. Since our present aim is to maintain the same level of payments for next year, this is obviously very good news indeed.

2005/1628 SINGLE PAYMENT SCHEME

On behalf of the Verderers, I would like to add our thanks to Colin Draper and Ian Stone for the enormous amount of extra hard work that they have both done in relation to giving advice and help to a very large number of commoners in the preparation of their application forms for the single farm payment scheme.

2005/1629 COMMERCIAL VEHICULAR TOURS

Further to the two presentments made by the Commoners' Defence Association and the new Forest Association, consideration was given in committee to the Forestry Commission's submission for the Verderers consent, under our existing Memorandum of Understanding, to the commencement of commercial vehicle tours within inclosures and across certain stretches of the open forest.

Even though the memorandum does not yet specifically include vehicular tours, we have nevertheless informed the Deputy Surveyor that we believe such tours require our consent, and in this instance we would decline to give it on the basis that tours of this type would;

1. Have a detrimental effect on the recreational experience of other established recreational users,
2. Set an undesirable precedent,
3. Bring extra man made noise and pollution to the area, and
4. Introduce an intrusion into the more remote parts of the Forest which is incompatible with the wilderness quality of the area.

## **ANIMAL ACCIDENT REPORT**

2005/1630 ACCIDENT REPORT FOR APRIL 2005

The agisters attended 10 accidents in April which compares with 4 for the same period last year.

1 pony, 1 cow and 1 donkey were killed and 4 ponies and 1 donkey were injured.

4 accidents occurred during the hours of darkness.

8 accidents involved private or light commercials and one involved a heavy vehicle.

5 accidents involved local motorists and 1 accident was not reported.

The total killed and injured for the year to date is 31 compared with 28 for the same period last year.

## **PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST**

There were no presentments by the Deputy Surveyor

## **PRESENTMENTS**

2005/1631 LYNDHURST GOLF COURSE

Presentment by Mr Michael Cooper on behalf of the New Forest Commoners' Defence Association

"We have felt obliged to bring to your notice once more, an illegally erected fence on Lyndhurst golf course at its eastern end adjacent to the start of the club's entrance road. Last autumn, twenty four hours before the Racecourse drift was due to commence, a temporary fence was found in exactly the same position as seen now in the attached photograph. A call to the Verderers' office on that occasion instigated its immediate removal. Now it appears a more permanent fence has been erected in its place. It serves no purpose, and certainly would not preclude the grazing stock from the adjacent green, but could cause injury to the animals running into it, having been hit by golf balls, which incidentally, occurred twice in the few minutes of my visit there. The New Forest Commoners Defence Association would ask you to seek its immediate removal.

Secondly, some 150 yards west of the clubhouse, outside of the perimeter line of the golf course, an area of lawn has been dug for turf by the club staff. It currently stands at approximately 60' x 20', and is getting bigger as the weeks go by (see attached photograph). This can only be described as reckless vandalism of the Forest lawn. Again we ask that an immediate stop is put on any further turf removal, and secondly, that the land is restored to its original state as soon as possible, not at their convenience."

*Official Verderer*

*Thank you for your presentments. They will be discussed in Committee.*

2005/1632 NATIONAL PARK AUTHORITY STAFF  
Presentment by Mr Bob Cooper

*Prior to making his presentment, Mr Cooper stated that he agreed with the comments made by Mr Michael Cooper and felt that the golf course should be prosecuted.*

Mr Cooper's presentment queried why a senior post for the National Park Authority had not been advertised and applicants interviewed as was usual with senior posts in any local authority. The acting Chief Executive, Susan Carter a Defra official confirmed that the post he referred to was not a senior one and therefore was not required to be advertised.

Mr Cooper went on to expand his thoughts on the way this position has been handled and asked if this Court will be represented on the establishment panel of the new Authority to protect the Forest from this type of procedure.

2005/1633 PROSECUTION OF NORTHERN COMMONERS  
Presentment by Mr Bob Cooper

Mr Cooper asked whether the public will be informed of the time estimate for the conclusion of the case against the Northern Commoners and an estimate of the costs to the public and the Verderers.

2005/1634 NATIONAL PARK AUTHORITY  
Presentment by Mr Clive Maton on behalf of the National Park Authority

"I am Clive Maton, a member of the National Park Authority and I am here today to re-assure the Court of the continued working partnership between the Verderers and the NPA for the future of commoning.

The Ministerial Guidance asked the Authority to work with the Verderers and to consider action to be taken to protect commoning, even without this guidance the Authority is very keen to work with the Verderers.

The NPA are very pleased to have two Verderers among their members, these being Kathy Heron and Peter Frost. Although they are not specifically representing the Verderers, but the National Park as a whole, their dual roles will be invaluable. At present Hampshire County Council appoint a representative as a Verderer, from next April, the NPA as the local planning authority will be appointing this representative, this should guarantee close relationships in the future.

We also thank the Verderers for the offer of a special briefing for the NPA later in the year, this training will be beneficial to all members to appreciate the invaluable work of the Verderers.

We are delighted that the Verderers have been amongst the first to look at what their new section 62 duties mean with regard to the purposes of the National Park.

In summary, we recognize all that the Verderers have done to protect what is now the Park and am sure we will enjoy a happy and constructive relationship in the years to come."

*The Official Verderer thanked Mr. Maton for his presentment and agreed on the importance of working together for the good of the Forest.*

2005/1635 LAWN CLIPPINGS

Presentment by Mrs Annie Cooper, Chairman of Minstead Parish Council

Mrs Cooper complained about the recurring problem of people dumping lawn clippings on the open Forest. She believes that the main culprits could be garden contractors. She has photographs of her cattle eating such clippings and asked if the Verderers could bring this matter to the public's attention.

*The Official Verderer remarked he can remember announcements regarding this problem being made in the Verderers' Court for the past three years but hoped that the local press will take action again.*

**IN COMMITTEE in the Library**

Mr A Pasmore was elected as the acting chairman for the remainder of the Court Committee in the Official Verderer's absence.

**CONSIDERATION OF PRESENTMENTS**

2005/1636 LYNDHURST GOLF COURSE

RESUME

Fence

The Forestry Commission previously notified the Verderers about the fence referred to by Mr Cooper. The fence is a wooden structure, half moon shaped and was constructed to protect the green when stock approach the course via the underpass. Permission was given for the fence on a temporary basis to see if it was effective. The fence has protected the green except on one occasion when the local hunt and a drift were in the area resulting in some ponies running into the fence and damaging the green.

It was asked how long the fence needed to be there before it was decided whether it really was protecting the green. If a problem has occurred during a drift it will probably happen again, or if ponies are hit by golf balls, they may run across the green towards the fence.

The green has been in that position for about 80 years, presumably without a problem, and some in the Court felt that the fence is an ugly structure.

There is also a concern that this fence might set a precedent but Mr Parke stated that this was the only green on the course with this particular problem and to move the green would cost approximately £50k.

It was mentioned that the Bramshaw Golf Course has diversion fences but these are constructed in wire and are positioned in places where they do not affect the drifts.

It was decided to defer this matter to the June Court.

Turf Cutting

RESUME

The Verderers consider that the turf cutting undertaken by the Golf Club is nothing short of vandalism. The Forestry Commission have

written to the Golf Club expressing their displeasure and advising them that this type of action is totally unacceptable. Despite a discussion with the Head Green Keeper no restoration has taken place.

This Golf Club is always flouting the rules and causing problems and it was unanimously decided that the Verderers should request the Forestry Commission and English Nature to prosecute them. Letters will be written to both organisations.

2005/1637 NATIONAL PARK AUTHORITY

DISCHARGE

The Verderers noted Mr Bob Cooper's remarks concerning the NPA's appointment of a staff member but decided that this subject goes beyond the remit of the Court.

#### PROSECUTION OF THE NORTHERN COMMONERS

This case is due to continue to the middle of June.

An estimate of the costs involved is not possible to arrive at until the outcome of the case is known.

2005/1638 NATIONAL PARK AUTHORITY

DISCHARGE

This item was dealt with in the Open Court by the Official Verderer.

2005/1639 GRASS CLIPPINGS

DISCHARGE

As grass clippings are very often dumped in the same places on the Forest, the Verderers asked that the Forest keepers should police the situation.

#### SUBMISSIONS BY THE FORESTRY COMMISSION

2005/1640 A35 CYCLE WAY – ASHURST TO LYNDHURST

RESUME

Although the Forestry Commission are awaiting firm details from Hampshire Highways, Mr John Sorrell has discussed the following proposal with them.

In order to accommodate the cycle track from Ashurst to Lyndhurst the SSSI will be affected. The cycle route needs to be between fences and although the road will be narrowed slightly to accommodate the track, English Nature are requesting a possible land exchange somewhere in the Forest to compensate for the loss of the verge (approximately 3000 square yards)

The Verderers are happy to agree in principle provided that the road screening remains and a sensible area is found for the land exchange.

Plans are now required by the Verderers before a final decision can be made.

2005/1641 CROWN FREEHOLD TO LET

DISCHARGE

Mr Will Parke advised the meeting that the following Forestry Commission land will be advertised in mid June:-



Land at Powder Mill Farm, Eyeworth - 32 acres  
Land at White Cottage West, Burley Lodge - 11 acres

Mr Adams stated that Mrs Gutteridge who lives at White Cottage West, Burley Lodge has recently applied to the Verderers for a brand to turn out animals. Mr Parke confirmed that although she will remain the tenant of the cottage, any prospective tenant of the land would need to show a long term commitment to commoning.

Mr Kitcher asked if the land at Fritham could be split up for smaller commoners. Mr Parke replied that the Forestry Commission do not want to split up the land because it has buildings on it and a cottage which currently has a tenant. When the cottage becomes available some time in the future the land and the cottage will revert back to one property.

### **MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION AND ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

2005/1642 A31 SHOBLEY EROSION DISCHARGE

Mr Adams confirmed that he did not attend the meeting but he has seen a copy of the plans.

Mr Parke confirmed that work has started and the Forestry Commission are monitoring the situation.

2005/1643 BRAMSHAW TO WINDYEATS ROAD RUBBISH DISCHARGE

Cllr K Heron confirmed that she had received copies of correspondence between Mr Feist of Wiltshire County Council and the Official Verderer which had been very helpful. The situation is satisfactory at the moment therefore it was decided that this item can be discharged.

2005/1644 TRAIL HUNTING RESUME  
June/July

The Deputy Surveyor reported that he is not in a position to progress this item at the moment and suggested that it be discharged until June/July with a view to the trail hunting if approved (if granted) commencing in September.

2005/1645 DAMES SLOUGH AND NEULANDS INCLOSURES RESUME

Work at Dames Slough has now commenced and the blocking of the side drains is nearly completed. Mr Pasmore said that some parts are now water logged even though the weather is dry at the moment.

Mr Frost considers that the Verderers are too pessimistic about the works and thinks that the Environment Agency consultation is satisfactory.

The commoners and Mr Kitcher are pleased with the Burley Road end.

Mr Frost feels that the site is good quality land and that commoners will

end up with a streamside lawn with good grazing. He feels that the Environment Agency is putting right damage done in the past.

However, the Verderers felt that the drain blocking in the level area, could potentially create a nasty situation in years to come although it might now be too late to do anything about it.

Mr Kitcher reported that the engineer confirmed that the area near the concrete bridge was always meant to be wet. However there are good lawns in the drier areas.

Unlike Rhinefield where the river was filled, there appears to be a reluctance to fill the old river course, thus creating backwaters with a maximum depth of 4'. These holes could be a source of danger in the future.

Access routes for horses and riders, such as agisters catching stock, must be provided at the central ford as well as at the gravel road and at the northern ford which the Environment Agency is upgrading. The Deputy Surveyor promised to contact the Environment Agency about this on the Verderers' behalf.

2005/1646 NEWLANDS INCLOSURE

DISCHARGE

Mr Adams requested that when this Inclosure is opened up, the fence along the Moyles Court to Linwood road is left in place as it there would be greatly increased danger to stock from road traffic accidents. Adding to the danger is a high bank alongside the road. If the fence is to be taken down, then the small trees and bushes would need to be cut right back. The Forestry Commission was asked to give the Verderers plenty of warning if the fence is to be removed.

Mr Parke remarked that progress is very slow in this Inclosure as they are having problems with an adjoining landowner because the articulated lorries cannot get through the right of way at Newlands Farm. He also confirmed that the Forestry Commission will continue to be the occupiers of Newlands for the time being.

2005/1647 REVIEW OF COMMON LAND LEGISLATION – SECTION 194 OF THE LAW OF PROPERTY ACT 1925

RESUME

The meeting between the Official Verderer, the Clerk and Mr Parke has not yet been held. Mr Pasmore requested a copy of the papers which have been provided to the office by Mr Parke.

The question was asked whether this review would mean that the New Forest would be included in the Commons Register. Mr Parke confirmed that this is not covered in the review as that the Law of Property Act deals with encroachments. It was agreed that it was an important document and needs careful examination.

2005/1648 ARBORETUM ARCHWAY

DISCHARGE

This was at the time when the Verderers agreed a number of items but did not agree specifically to the archway. As the archway was there at the time of the agreement, the Deputy Surveyor considered that it was covered. It was agreed that this item should be discharged.

Mr Pasmore raised the issue of a galvanised BBQ which has recently appeared at Anderwood. It was confirmed that this is a replacement of an old one.

2005/1649 HEAVY TIPPER LORRY ON THE BROOMY TO MOYLES COURT RD. DISCHARGE

Although these lorries have not been officially identified it is thought that they may be connected to the Blashford Quarry site.

Following a call to the site from Cllr Heron, the lorries appear to have stopped using this road, however, if they are seen in the future their registration numbers and any business names should be noted and Cllr Heron advised.

It was decided that this item should be discharged and resumed if there are any further problems.

2005/1650 UNOFFICIAL ROADSIDE PARKING RESUME  
July

The Deputy Surveyor confirmed that he will look into this situation with a view to installing dragons teeth or banks. Dragons teeth are supposed to be at least 4' away from the roadside which may not have the desired affect but banks could be used closer. It was mentioned that banks may not be effective against 4 x 4 drivers.

Mr Adams said that the same problem is occurring at Castle Hill since the car park was closed.

It was decided to resume this item at the July Court when Mr Harry Oram's report will be available.

2005/1651 LAND EXCHANGES RESUME  
September

Mr Parke confirmed that the reservoirs are enclosed and the situation is currently being progressed with the solicitor. Land maps and ownership details need to be completed before the land exchanges can take place.

At Ashurst Lodge, Mr W Parke has recently shown Mr R Stride what needs to be done at the back and the front of the Lodge. The fence to the left of the drive needs to stay. It is currently in a poor state of repair and needs to be replaced. The Forest edge fence is to be removed completely. There is also some tidying up which needs to be done by Mr Mansbridge.

2005/1652 TRAVELLERS AT BARTLEY CRICKET CLUB CAR PARK DISCHARGE

The travellers have now left and not too much mess has been left behind. Although the Forestry Commission has a Court Order for the removal of such travellers it does not cover the whole of the Forest and the Forestry Commission need repeat offences to occur before it can be obtained. So far all instances have involved different vehicles.

2005/1653 DUNCES ARCH RESUME  
July

The Deputy Surveyor confirmed that their contractor is to get another contractor in to do the work which should be undertaken in the next six weeks or so.

- 2005/1654 REVIEW OF DEER MANAGEMENT PLAN DISCHARGE
- The Deputy Surveyor informed the Court that there is to be a review of the Deer Management Plan. An advisor is arranging a meeting to discuss the review on 21<sup>st</sup> June 2005 and the Verderers were asked if they wished to attend and Cllr Heron volunteered.
- 2005/1655 LIFE 3 – MARKWAY RESUME
- Mr Pasmore received a call from Mr B Ingram, Chairman of the Commoners' Defence Association to say that English Nature has got a report on the Markway proposals. Southampton University have completed their study and their report is likely to arrive in June which will enable detailed proposals to be produced concerning the reinstatement upstream from the A35 and the manipulation of the course of the river, removal of plugs and consolidation into one channel at the lowest point of the flood plain.
- Another site meeting will be held in the next two weeks which the Verderers should attend. Further detailed proposals will then need to be considered at the June Court so that the works can start in July. A selection of dates for the meeting were put forward and Monday 6<sup>th</sup> June during the afternoon was proposed. The Deputy Surveyor will send a letter to the Verderers' office for distribution.
- Mr Ingram indicated that the CDA considers it desirable that the Association and the Court should work together on this important subject.
- 2005/1656 BARRIERS DISCHARGE
- Ralph Montagu queried why the metal barriers are painted in such a bright green. The Deputy Surveyor commented that traditionally barriers are wooden but metal barriers are used in certain areas where trouble with travellers etc. have been experienced, and wooden barriers have been broken. He confirmed that the bright green colour is inappropriate and they should be Forestry Commission green.
- 2005/1657 BLUE WATER MARKERS DISCHARGE
- Miss Macnair commented that not all the blue water markers have been attended to in the Burley area.
- 2005/1658 VAGRANTS DISCHARGE
- Miss Macnair queried whether any complaints have been received about vagrants in the Burley area who are moving about from place to place and leaving a lot of rubbish behind. Mr Parke commented that some of these people can be violent and should not be approached.
- 2005/1659 BURLEY GOLF COURSE DISCHARGE
- Mr Gerrelli queried whether Burley Golf Club have permission to put new gravel down. Mr Parke confirmed that they can repair existing gravelled areas.

2005/1660 FOREST INCLOSURES

RESUME

Mr. Pasmore commented that when inclosures are thrown open they become open Forest. Mr Parke confirmed that this is the case but they can be enclosed again if they are statutory inclosures provided one month's notice is given.

Mr Pasmore commented that at the southern track in Knightswood Inclosure adjacent to the A35, the culvert is blocked and the side drains have silted up and is impassable for about 50-60 yards. Repairs need to be undertaken on the west side parallel to the Corsican pines. The Forestry commission undertook to look into the matter.

**The Deputy Surveyor and Mr Parke left the meeting.**

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

2005/1661 IBSLEY VERGE

DISCHARGE

Cllr Heron commented that although this item had been discharged from the April Minutes, she confirmed that some top soil is still required on certain stretches of the verge.

She also commented that parking on the grass verges is a problem throughout the whole village.

She confirmed that she has a meeting arranged with Amanda Craig, English Nature.

It was felt that this item should be discharged and brought back to the Court at a later date if necessary.

2005/1662 CATTLE GRIDS AT IBSLEY

RESUME

Cllr Heron is still looking into this problem.

2005/1663 KINGSTON GREAT COMMON

DISCHARGE

The Commoners' Defence Association has held a meeting with English Nature. The latter intends to hold one more meeting with the landowner and if nothing is done after that, they will take legal action. If they fail, the Verderers will have to get involved again.

**OTHER AGENDA ITEMS**

2005/1664 CLAIM UNDER HIT & RUN REWARD SCHEME

RESUME

Hit & Run Accident at Hinchleslea – October 2004.

It is understood by the Court why the witness was reluctant for publicity concerning this accident as the driver involved is a work colleague of her mother's.

However, before awarding a reward to her it was suggested that we write to the police to ascertain whether the information she provided to them was essential to the prosecution. If it was considered vital to the case then the Verderers agreed to pay her a token payment of £100

only, because publicity is an essential element of the reward scheme.

RESUME

Another successful prosecution concerning a hit and run road traffic accident was featured in last week's Lymington Times. It is felt that the witness in this particular case deserves recognition and the office was requested to investigate the circumstances.

2005/1665 WILVERLEY INCIDENT

RESUME

Neither the lady involved in this incident, nor her daughter, is able to positively identify the pony which actually knocked her down. They have indicated that they are considering legal action and have requested information on the owner. The New Forest Dog Owners Group has also got involved in this case and have asked the Clerk for some detailed information. They wish to publish a feature about the incident in their next newsletter. Mr Adams read out a release proposed by the Verderers which he felt was acceptable.

In a letter dated 10<sup>th</sup> May 2005 from the lady's other daughter, Miss A Matthews, three main requests have been made as follows:-

1. The display of warning notices at locations where stallions are present.
2. The removal of the stallion which caused the incident as it is a proven hazard.
3. Improved controls to the current stallion scheme so that members of the public are not caught up in any stampede.

After consideration it was commented as follows:-

1. The Verderers are not allowed to put up signs in the Forestry Commission's car parks, this is for the F.C. to do.
2. The stallion was not behaving maliciously and the incident was not his fault. Also, in the beginning they said that a mare had knocked the lady down.
3. The stallion scheme and how it is run is irrelevant in this instance.

It was decided that due to the complexity of this incident, the Clerk should request our solicitor to reply to the letter of 10<sup>th</sup> May 2005.

The Commoners Defence Association and the Verderers' insurance company should also be informed of the situation.

However, before any action is taken, the Official Verderer should be consulted.

## **REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

Mr Kitcher and Mr Frost attended the Consultative Panel Meeting but there was nothing to report.

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

2005/1666 A31 FENCING

RESUME

Cllr Heron will chase Hampshire Highways with regard to the map and telephone numbers of their engineers (the telephone numbers will not be for public disclosure), as well as the Ocknell Arch fencing problem.

Mr Adams commented that he has still not received the fencing specifications for the A31 from Mr Gardner of Mott MacDonald. In some places the posts are too far apart.

2005/1667 FALLEN STOCK

RESUME

There is a certain amount of confusion as to what the New Forest Hunt is intending to do, how long they are going to continue collecting fallen stock and from where.

A letter is required from them setting out their intentions and this will be requested by the Verderers' Clerk.

### **HEALTH AND SAFETY AT WORK**

There were no health and safety matters concerning employees to report at this meeting.

### **TRAINING**

2005/1668 FIRST AID TRAINING

DISCHARGE

Agister Rix and Lovell undertook their first aid training on 17<sup>th</sup> May and the Head Agister, Jonathan Gerrelli and Agisters Maton and Napthine are due to have their training on 14<sup>th</sup> July 2005.

### **ANY OTHER BUSINESS**

2005/1669 PRESENTATION BY NEW FOREST SHOW SOCIETY

DISCHARGE

Due to the short notice of this presentation, insufficient members of the Court are able to attend on Tuesday 24<sup>th</sup> May 2005. The Show Society will need to be contacted for an alternative date or alternatively (and better) they could be invited to the June Court, but for a brief summary only.

2005/1670 OPENING OF THE NEW FOREST MUSEUM

DISCHARGE

Friday 29<sup>th</sup> July 2005 – by HRH Duke of Edinburgh

Mr Pasmore will attend the official opening of the New Forest Museum in place of the Official Verderer who is away on holiday at the time.

The agisters will also attend in their livery uniforms.

There being no further business, the meeting closed at 12.30 p.m.