

MINUTES of the Court of Verderers held on Wednesday 18th May 2016 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

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

IN COMMITTEE in the Library

2016/8640 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on 20th April were approved and signed.

2016/8641 DECLARATIONS OF INTEREST RESUME

The Official Verderer, and Elected Verderers Mr Deakin, Mr Greenwood and Mr Readhead all declared an interest in the New Forest Higher Level Stewardship Scheme, the Verderers Grazing Scheme, and the new Basic Payment Scheme. Mr Pasmore declared an interest in the new 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 Dowsett is a Forestry Commission Volunteer Ranger.

Mr Deakin and Mr Readhead are members of the New Forest Stallion Syndicate.

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.

Mr Deakin and Mr Readhead are Directors of the New Forest Livestock Society.

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.

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.

2016/8642 CONDITION OF STOCK

RESUME

The Head Agister told the Court that overall the ponies are looking OK for the time of year. Some are slow to shed their winter coats and are still looking scruffy. A lot of mares are foaling and the Agisters have removed a few mares that were not doing as well as the others. The grass is now growing well and the borderline ponies are picking up quickly. It is a difficult time of year for the Agisters to decide whether to remove or leave animals on the Forest knowing that they will pick up quickly.

Mr Deakin asked about the condition of the cattle on the Forest. The Head Agister said the cattle that had been out all winter were looking poor compared to the cattle recently turned out. He continued that the commoners are always hopeful for an early spring and some turn out a little earlier than the Agisters would like, but all cattle on the Forest are finding enough to eat.

Cllr Heron said his office had been receiving complaints about donkeys with long feet in the Hyde and Mockbeggar areas. The Head Agister said that the local Agister has been working with Commoners in the area and all donkeys have now had their feet trimmed.

The Head Agister then told the Court about the Welfare Tour which took place on Friday 13th May; the tour was a success with all the major UK Welfare Organisations represented. The Donkey Sanctuary had previously carried out its own mini-tour, and is very happy with the condition of the 85 donkeys seen, reporting a 5% improvement on last year. Mr Deakin said the tour had been extremely successful and he was pleased to see some new faces representing some organisations. The Official Verderer had received an email from Simon Waterfield of Defra thanking all involved for the tour. Mr Mills continued that the tour was well organised and asked if the routes taken by the coaches were planned in advance. The Head Agister replied that the coaches take a random journey and that it was not guaranteed how many animals each group would see. He continued that he welcomed seeing poorer ponies on the tour as it triggers discussion amongst the groups. More than 500 ponies were seen on the tour, which visited the more heavily grazed areas, and it was clear to see that the ponies were starting to gain condition following the winter.

2016/8643 BEECH TREES DAMAGED BY PONIES

DISCHARGE

The Official Verderer asked the Head Agister how the Agisters had got on with catching the ponies identified as chewing the bark on trees in Mark Ash. The Head Agister said they had another good session and managed to remove all known offenders except three, two of which were caught, but so wild they had escaped from the pound. A total of 11 ponies have been removed from the Forest.

Miss Macnair said that she did not feel that removing the ponies would solve the issue and explained her views on the large badger population eating earthworms and unbalancing the ecosystem of the woodland. Mr Mills said that soil samples could be taken to check nutrient levels and count earthworms.

The Official Verderer told the Court that the New Forest Commoners Defence Association has asked for a Desk and Field study on the issue. He continued that the study will be conducted by an independent professional as an HLS Project, and Miss Macnair's theory will be passed

to the study for consideration. Mr Mills told the Court of a holistic advisor he has used on his estate, and will ask if she would be able to undertake this study.

Mrs Westerhoff asked the Head Agister what condition the ponies were in when they were removed: the Head Agister said they were all fat and well.

2016/8644 REPORT ON ANIMALS REMOVED FROM THE FOREST RESUME

This very useful report had been circulated prior to the Court.

The Official Verderer asked the Head Agister when overgrown donkey's hooves become a welfare issue and therefore VGS payments docked. The Head Agister replied that as long as Commoners act as soon as they are told by the Agister, he did not feel that monies should be withheld. However if a Commoner is felt to be negligent, then he agreed they should be penalised under the scheme.

2016/8645 STOCK DEATHS - OTHER THAN ROAD TRAFFIC ACCIDENTS RESUME

This very useful report had been circulated prior to the Court.

2016/8646 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2016</u>	<u>2015</u>
Forest Ponies	4701	4513
Forest Cattle	2906	2295
Forest Donkeys	108	105
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	7715	6913
Common Ponies	639	659
Common Cattle	980	869
Common Donkeys	90	92
Common Pigs	67	33
Common Sheep	233	179
Total Common Stock	2009	1832
Ponies, Cattle & Donkeys on the Forest	7715	6913
Ponies, Cattle & Donkeys on the Commons	1709	1620
Total Ponies, Cattle & Donkeys	9424	8533
Total Stock – Forest & Commons	9724	8745

The Head Agister left the meeting.

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

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

ANIMAL ACCIDENT REPORT

2016/8647 THE ANIMAL ACCIDENT REPORT FOR APRIL 2016

The Agisters attended 7 accidents in April 2016. This compares with 4 in April last year.

A pony and a donkey were killed, one pony was injured and had to be destroyed, one cow and two donkeys were injured and in one instance nothing was found.

2 Accidents were not reported

4 accidents occurred in the dark, 1 at twilight and 2 in daylight

2 of the motorists involved were local.

THE SPEED CAMERA VAN

232 drivers were caught speeding on the unfenced Forest roads in April 2016.

The total number of drivers caught speeding in April overall was 1337.

2016/8648 **FOALS ON THE FOREST'S ROADS**

The Official Verderer reminded the Court that foals are being born on the Forest at present and that drivers should take extra care on the Forest Roads.

PRESENTMENTS

2016/8649 **NEW SIGNS ON ROGER PENNY WAY B3078 & THE ROAD THROUGH LINWOOD** Presentment by Mr Richard Deacon, Practising Commoner

'On behalf of the CDA, my first task is to express our satisfaction and thank those involved for the newly erected signage on the B3078, Roger Penny Way, the Brook to Telegraph Rd. Some two years ago we raised our concerns at proposed signage changes and that the issue should be taken to a higher Authority. Hampshire County Cllr, Mr Edward Heron, and also now on the Verderers bench, duly chaired several meetings and has been instrumental in the most recent installation. The new arrangements catch the eye and hopefully refresh driver's awareness of the risks to our livestock and ponies.

Flushed with this success, I now move to my second task, which is to achieve the same goal on the single lane, but heavily trafficked, Linwood to Lyndhurst road, most particularly in the village of Linwood itself. My family have pursued this goal over more than the last 50 years. My late father successfully campaigned in the 1960s for the erection of two directional chevrons at Amies Corner and the S-bend at Newlands. We were forever helping to pull cars out of the bog on the far side of the latter. Those coming to grief at Amies Corner, more often needed an ambulance than a tractor.

Sadly, in the last two months, at Amies Corner, an unfortunate driver has totalled his Nissan Micra into the tree just 3m from the chevron and the ensuing fire has destroyed both car and tree. Several weeks earlier another driver, failed to negotiate the bend, missed the first tree, careered around the bank on the far side, bounced back across the road and hit the ancient oak on the other side.

In February, I came to the court, to report 3 Hit & Run accidents involving commoner's animals on this road. The number of accidents, within the confines of the village of Linwood, has now risen to 5 in just the one year. The carnage comprises;

- a gelding and a foal each with a broken leg – both destroyed;
- a cow, hospitalised for weeks with injuries;
- two vehicles, written off, one a mini-bus taxi, transporting school children;
- a Mercedes saloon with severe frontal damage.

We trust that the Verderers agree that on a 15 km stretch of rural road, 5 accidents in one year, all occurring within the 1300m frontage that is Linwood, adequately demonstrates that Linwood has a significant traffic safety problem.

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After my earlier presentment this year, HCC have responded to the Official Verderers supporting request, with a desktop study and find that Linwood 'does *not meet the criteria for a 30mph speed limit*'. HCC allude to the many factors to be taken into account in setting speed limits, and I quote:- '*road character, roadside development, accident history, road safety issues, current traffic speeds, junction frequency, private entrances and the presence of amenities that attract both motorised and non-motorised road users*'.

We would point out that in almost 10 years, no formal assessment of traffic speed or frequency has been conducted along this road despite 2 years of the Verderers current speed enforcement initiative. In 10 years, rat run activity and congestion on the A31 has seen traffic levels soar on the Linwood Rd. Excessive speed and erratic driving behaviour are increasingly prevalent.

Linwood now has 47 homes, 2 public houses, 2 busy Forest carparks (Appleslade and Broomy Walk). 11 properties open directly onto the Linwood Rd and a further 4 dwellings are served by short gravel tracks. The remainder of Linwood residents gain access via the junctions at the two ends of Toms Lane.

For 8 months of the year, the village populace is supplemented by the Red Shoot Camping Park with 110 pitches and Deer's Leap Caravan Park with 34 units, each directly served by an unpaved vehicular access. In 2015, the camping park alone hosted 8687 child nights, i.e. an average of 35 children per night. These children, either with or without adult supervision, mostly access the Forest via the Toms Lane/Linwood Rd. junction where visibility is poor for drivers.

The Red Shoot Inn, meets the needs of both its own patrons and the camping park with many young children playing on the green areas immediately adjacent to the unfenced Linwood Road. At 40mph, this is a fatal accident waiting to happen.

As to amenity, the immediate area and the carparks are heavily frequented by unfamiliar holiday dog walkers, particularly in the early morning and at dusk. Two of the National Park designated cycle tracks use all of the 1300m of the Linwood Road. Family cycle activity, training runs, and organised cycle events use the same section of road.

We do not consider that HCC's desktop study has really paid any attention to these contributing factors and we request HCC to carry out a genuine appraisal of our traffic problems, so as to secure a safe passage of traffic. To this end, I would be happy to provide a safe housing and power supply for a sustained SID survey in the vicinity of Linwood's roadside telephone box. This survey will provide accurate current data of traffic speed and frequency for a definitive assessment.

Drivers need to be advised that they are entering a village community with an exceptional range of hazards. No such signage is provided at present.

Having read the minutes of the Verderers post-Court meeting of February, I must express my dismay at the Court's dismissal of any form of definition of the Linwood village boundaries. I am at a loss to find any other village within the Forest, with such a substantial make-up of homes and businesses and Forest visitor carparks, as listed above, that is not permitted to display its village name. Many much smaller villages within the Forest are clearly signposted, often with accompanying request to 'drive with care' and the benefit of a 30mph speed restriction. We can depend upon it, that if all 47 homes and 2 pubs should decline to pay their NFDC rates, the village of Linwood would not remain a non-entity for very long!

Further, after 8 years of my trying to restore suitable signage on the Linwood Road, warning of the likely presence of commoners' 'Animals on the Road, Day and Night', it beggars belief, that an unfamiliar motorist can still leave the A31 at Ringwood and traverse the entire New Forest from Rockford to Ashurst, via Lyndhurst, without ever

seeing this or any other information sign warning of the presence and risk to depastured livestock.

8 of the 47 homes in Linwood house families that actively depasture animals, 5 are young commoners. We must again ask the Verderers to seek remedy of this signage deficiency.

To sum up, this presentment is a wakeup call for a proper traffic risk assessment for the village of Linwood.

The most successful form of mitigation of these traffic risks is a 30mph speed limit together with suitable signage to identify hazards that drivers face.

We cannot continue to pour up to 700 vehicles per hour through this village without any information, guidance or constraint being given to drivers.

Many thanks.'

2016/8650 CONTINUED CONIFER TIMBER PRODUCTION IN THE NEW FOREST
Presentment by Mr Harry Oram.

'Good morning Official Verderer and Verderers.

My name is Harry Oram and I am here representing Brockenhurst Parish Council and the Royal Forestry Society.

We urge the Verderers to use their influence with the Forestry Commission to continue the long term production of high quality conifer timber within the timber Inclosures on the 10% of Forest land which is too fertile for heathland, but not suitable for oak plantations.

Let's keep the Forest working!

This is in relation to the current consultation on the Forest Design Plans.

Thank you.'

2016/8651 CONTINUED CONIFER TIMBER PRODUCTION & NEW ROAD SIGNS ON ROGER
PENNY WAY B3078

Presentment by Mrs Mary Gray, Practising Commoner.

'I would like to add my support to Harry Oram's presentment,

The New Forest is a working forest and not a museum nor a park; I support Harry all the way.

In response to the previous presentment and the signs on Roger Penny Way, they must be kept clean not just put up and left.'

2016/8652 CONTINUED CONIFER TIMBER PRODUCTION IN THE NEW FOREST
Presentment by Mr Peter Roberts, former Chairman of the New Forest Association.

'The New Forest has been a working Forest long before the Forestry Commission was created. Timber production will still be required work within the Forest if the Forest Design Plan goes ahead'

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2016/8653 NEW SIGNS ON ROGER PENNY WAY B3078 & THE ROAD THROUGH RESUME

LINWOOD

Cllr Heron advised the new signs on Roger Penny Way are drawing a lot of attention; more signs have been put up on the B3078, but the number of posts has decreased. It is hoped that the signs will have an effect on the high accident rate in the area. Mr Pasmore said that the signs will not change the way people drive, but could aid prosecution of motorists who pass several signs and still collide with Forest stock.

The Official Verderer asked the Deputy Surveyor if he is aware of the fire damaged tree in Linwood. The Deputy Surveyor said he is not, but would investigate to ensure it was not dangerous.

The Official Verderer said on a recent visit to the area, he had been surprised at the level of non-tourist traffic driving through Linwood. He said it was a constant flow of traffic on a road that goes nowhere unless you are trying to avoid the A31. On Cllr Heron's recommendation the Official Verderer has written to Hampshire County Council Cllr Rob Humby, the Executive Member for Environment and Transport detailing the concerning level of traffic in Linwood and again requesting a joint Hampshire County Council and New Forest HLS Scheme SSSI verge restoration project. As yet he has not received a reply.

Mrs Westerhoff asked if we know that Linwood's traffic issues are worse than other areas. Cllr Heron replied that Traffic Count Data shows the area as marginally worse than other areas. He continued that traffic can increase significantly following an accident on the A31.

Mr Dowsett said he had huge sympathy with the frustration felt by Mr Deacon regarding the inability to make the village speed limit 30mph. Cllr Heron advised that the village 30 speed limits were not introduced for road safety, but to improve the quality of life within villages. He said it is difficult to argue the necessity of a 30mph speed limit in this location for highway safety with regards to depastured stock, without having the same lower speed limit on all unfenced roads.

The Official Verderer felt the entire length of the road from Milkham to Linwood should be treated as one road. He would like to see the road restored to its original foot print and the verges reclaimed. Mr Mills asked if traffic calming measures would help on the road: Cllr Heron said that this had previously been tried by HCC over a number of years and had sadly be largely unsuccessful, but that discussions were continuing with HCC.

The Official Verderer has invited Cllr. Humby to a site visit and asked that the Forestry Commission and Cllr. Heron also attend.

2016/8654 CONTINUED TIMBER PRODUCTION IN THE NEW FOREST

RESUME

The Deputy Surveyor said he feels that Harry Oram has mistakenly presumed that the Forest Design Plan would remove timber production from the Forest. The Plans, which are currently out for consultation, do include long term plans to restore natural habitats (pasture woodland, native broadleaved woodland and heathland) from the inclosures but only in certain locations. The transitions will take many decades to manage through natural processes. Conifer plantations will continue to be a feature of the New Forest for many generations, and will continue to provide timber for many years. The woodlands and habitats will require management and the Forest will remain a working forest.

Mrs Westerhoff said she feels it has been presumed that the broad leaves will not require any management. Mr Deakin said he agrees it is important that the Forest remain a working Forest. He continued crops are crops, and he hopes alternative cropping rates will generate employment in the Forest. It will be beneficial for the plan to contain more information about the alternative employment it would create.

The Official Verderer said hardwood is a crop and will be managed for a long time to come. He said people need reassurance that there will be no shortage of work, just different work.

Mrs Westerhoff said that she and Mr Dowsett had attended two consultation meetings. The plan is for very long term change and a 100 year vision; in the next two decades there will be very little change in conifer harvesting.

Mr Pasmore said if felling continues at the same rate, but stocks are not replenished, conifers will eventually disappear. The Deputy Surveyor said that where the objectives are to convert plantations to native broadleaves conifers are likely to be a component of these woodlands for a long time.

Everyone agreed that the Forest must remain a working Forest.

Mr Heron raised concerns about the Forestry Commission having the resources to manage the broadleaf inclosures in 50 or 60 years' time. Mr Pasmore said the Inclosures were not all being managed correctly at the moment with weak, damaged fences which are never repaired and ditches that are not maintained for decades.

The Official Verderer asked the Deputy Surveyor to make a presentment at the June Verderers' Court to respond to the concerns raised by Mr Oram.

Action DS

A meeting to discuss the Forest Design Plan in greater detail is to be scheduled for late May.

2016/8655 CLEANING OF ROAD SIGNS ON ROGER PENNY WAY B3078 DISCHARGE

Cllr Heron advised that sign cleaning could be undertaken by the Parish Lengthsman utilising funding from HCC. The Parish Council should be contacted to arrange cleaning.

SUBMISSIONS BY THE FORESTRY COMMISSION

2016/8656 BROCKENHURST CRICKET CLUB, IMPROVEMENT TO NETS DISCHARGE

The proposed new net system at Brockenhurst Cricket Club, involving a socket in the ground less than 2" in diameter with an inserted plug when not in use is approved with no objections.

2016/8657 SSE FROGHAM – FURTHER AMENDMENTS TO THE ELECTRICITY UPGRADE DISCHARGE

The proposed change to the route of the existing cable and two trial holes along the cable route are approved with no objections subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.

2016/8658 NETWORK RAIL BISHOPS DYKE – ACCESS COMPOUND AND ECO DISCHARGE

SURVEYS

Network Rail's request for a compound on the open Forest during three months of repair works is rejected.

Network Rail has two choices of a suitable site: in Shatterford car park; or on their own land at Beaulieu Road Station. If Shatterford car park is chosen as the location of the compound, the FC is asked to completely close the car park during the duration of the works.

There is only one pony sale being held during the course of the repairs so it was felt that the fear of theft from the compound if surrounded by trees was a red herring.

It was also discussed that with the multiple derogations regarding the use of All Terrain Vehicles on the public highway it would not take much for Network Rail to make their Gator buggies road legal. Grass tyres, not mud tyres, should be fitted to any vehicle driving across the open Forest. Mrs Westerhoff said that the heather is very fragile and may well be killed by frequent passage with a buggy.

Mr Dowsett felt that Network Rail should site their compound on their own land and use road legal vehicles.

2016/8659 NO. 5 BRITTONS COTTAGES – REPLACEMENT WATER PIPE DISCHARGE

The proposed replacement water pipe to 5 Brittons Cottages is approved with no objections subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing etc.

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

2016/8660 MARKWAY HUT AND TARGETS DISCHARGE

The Land Agent said that the target has been at Markway for 25 to 30 years and that this is the only time that an objection has been raised. Without going through every Court Minute he cannot prove if consent was sought and granted by the Verderers.

The Forestry Commission will remove the hut as it is surplus to their requirements, but request that the target remain as it is an important resource for the Keepers.

2016/8661 LONGBEECH COTTAGE DISCHARGE

The Forestry Commission has sought legal advice from on this matter. It has been advised that, as consent was sought from the Verderers and given before the cottage was built in 1965/66, the legal principle of Estoppel applies and the Verderers are unable to change their mind and withdraw consent.

Mr Pasmore argued the Verderers had illegally given consent and that Estoppel could not be used to get round an Act of Parliament.

The Land Agent continued that, when Longbeech Cottage was built, it was necessary for housing a staff member essential for the management of the

land. The Verderers were fully aware that the cottage was being built and raised no objections. That decision cannot be revisited because someone now disagrees with a decision made 50 years ago.

Mr Heron asked Mr Pasmore what remedy he was seeking: was it assurance that the cottage not be sold or rented at market rates, but kept as a worker cottage?

The Land Agent confirmed that the cottage was scheduled for refurbishment within the next 12 months and will only ever be a staff cottage. Mr Heron said that the original objection had been raised following concerns that the cottage is to be rented on the property market. The Land Agent said this was not the case and he was very aware on the constraints which apply to the various cottages. Longbeech Cottage will always remain a staff cottage.

Mr Heron asked whether the Forestry Commission would be willing to provide a 'letter of comfort' the Court to place on record the assurances received.

2016/8662 EXBURY ESTATE FENCES

ACTION LIST

Mr Deakin said that materials have been delivered to Victory Wood, but work has not started due to the contractor being unwell. Rolls of barbed wire have appeared at other sites so something is definitely happening to improve the fencing of the woodlands sold by Exbury Estate. Mr Readhead said he had met with the owner of Victory Wood and confirmed that works will be started as soon as the contractor is able. Mr Readhead said there were no animals in Kings Copse Inclosure during his visit.

The Deputy Surveyor said that the Land Agent and Graham Wilson, the Estates Keeper, have been on site on several occasions and the removal of the "U" shaped gate latches will be chased up.

Action DS

2016/8663 BEECH TREES DAMAGED BY PONIES

RESUME

The two round ups at Mark Ash have successfully removed 11 ponies. Another 3 ponies identified as damaging the trees are yet to be removed.

The Commoner, who owns the outstanding ponies, a Crown employee turning out under Crown Privilege, is refusing to remove his ponies as there is no photographic evidence to prove they have been damaging the trees. The Deputy Surveyor said that use of photographic evidence was the agreed principle for removing ponies.

The Official Verderer said he was very disappointed; the Verderers have acted very quickly at the request of the Forestry Commission, which has consistently failed to act to resolve this problem for several years. However an employee of the Forestry Commission is putting the resolution of this problem at risk.

Mr Deakin expressed his frustration that things have ended on such a sour note. He continued that the ponies are behaving in a natural way, reacting to their changing environment; as a coincidence, all the ponies involved belong to current or former Forestry Commission staff.

The Deputy Surveyor said he was prepared to discuss things with Mr Deakin to move things on, but he said there is no legitimate case to remove a pony with no photographic evidence.

- 2016/8664 VERGE RESTORATION – WOODGREEN RESUME
- The Deputy Surveyor advised that Gary North has a meeting with the contractors on site on Thursday 19th May and that work is scheduled to start next week.
- Mr Dowsett told the Court that the delay had been with the contractor and not with the FC.
- 2016/8665 VERGE RESTORATION – EAST BOLDRE RESUME
- The Deputy Surveyor confirmed that Gary North had submitted plans to the Parish Council and is currently waiting for their feedback. Once received the work on the whole parish is scheduled to begin in later the summer.
- He added that base maps had now been submitted to Burley and Bramshaw Parish Councils for them to suggest problem areas.
- 2016/8666 KINGS COPSE ROAD ACTION LIST
- The Deputy Surveyor advised that Gary North has been asked to continue the ditching work along the complete length of Kings Copse Road.
- 2016/8667 WINDBLOWN TREES RESUME
- The Deputy Surveyor advised the Court that combined Forestry Commission and Hampshire Highways work crews had successfully cleared two of the trees which had damaged the fence on the A337 Lyndhurst to Cadnam. He continued that the necessary traffic management can only be undertaken between rush hours. This limited time had only allowed for two of the three trees to be removed. Further work will be planned with HCC.
- The Acting Clerk said Agister Napthine had been very disappointed to discover that the tree over the fence via which stock has been escaping onto the carriageway had not been cleared. Agister Napthine is equally disappointed to see the trees have not been completely removed, but just cut off the fence and left in situ.
- Cllr Heron suggests a discussion with Cllr Humby would be appropriate to clarify the restrictions working on the highway and the delaying of traffic. Action DS
- The Deputy Surveyor said he would ask Robin Mair to arrange clearance of the last tree as soon as possible.
- 2016/8668 NEW PARK FENCE RESUME
- The Deputy Surveyor told the Court Simon Holloway and the local Beat Team had looked at the fence at New Park. Mr Deakin asked who is responsible for maintaining the fences. The Land Agent replied the fence has multiple owners, but ultimately the Forestry Commission and the Crown Tenants are responsible. Mr Deakin continued the current fence along the boundary of New Park Inclosure, installed by the Forestry Commission last year, is not considered to be suitable stock proof fencing.

SSSI RESTORATION WORKS

MINUTES of the Court of Verderers held on Wednesday 18th May 2016 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2016/8669	REPAIR AND MAINTENANCE LIST	RESUME
	The Deputy Surveyor provided an updated list.	
2016/8670	SITE VISIT TO DRIVER'S NURSERY AND POUND HILL	RESUME
	The Official Verderer is disappointed the site visit to Driver's Nursery has not yet been arranged. He asks that Queen's Bower be looked at on the same visit so that if necessary it can be moved to work in progress on the Repair and Maintenance list. The Deputy Surveyor will chase up the HLS Team and ensure all Verderers are invited.	Action DS
2016/8671	PONDHEAD WETLAND RESTORATION	DISCHARGE
	The Deputy Surveyor said that further Pondhead Planning application information has been passed to the Planning Officer who will now write a report for the Planning Committee.	
	Mrs Westerhoff said that despite the FC having had several meetings with Mrs Hayward of Matley Cottage she still seems unable to accept that the proposed works will not cause flooding to her property. Other Verderers agreed that there would have to be a large, deep lake over Pondhead Lawn before this could happen.	
	Mr Readhead asked when work is likely to start; the Official Verderer said Pondhead was on the list to start this summer, subject to planning consent.	
2016/8672	DITCH END BROOK WETLAND RESTORATION	DISCHARGE
	Mrs Westerhoff circulated a photograph she has been given of a family enjoying the Forest and paddling in Ditch End Brook. She said she is told the Brook is full of wildlife including newts and small fish.	
	Mr Dowsett reported a similar rapid recolonisation of the restored section of Bratley Water at Sluffers, with pebbles now green with algae and regular monthly sampling revealing increasing numbers of invertebrates and fish fry present.	
ENCROACHMENTS		
2016/8673	ENCROACHMENTS INVOLVING THE FORESTRY COMMISSION INCLUDING ENCROACHMENT LIST UPDATE AND REPORT ON ANY NEWLY IDENTIFIED ENCROACHMENTS	RESUME
	An updated encroachments list was circulated and the various items discussed.	
2016/8674	VERGE PARKING WATER'S GREEN BROCKENHURST	RESUME
	The Land Agent advised a site meeting with Hampshire County Council is to be arranged to discuss verge protection at Waters Green.	Action PG
2016/8675	CANTERTON COTTAGE, CANTERTON	RESUME
	The Estates Officer has met with the occupier of Canterton Cottage and the brick rubble is being replaced with hoggin.	Action PG
2016/8676	PONY PROOF BINS	RESUME

The Land Agent advises the wooden pony proof bins which had started to appear around the Forest are a replacement for existing green plastic rubbish bins. He continued that East Boldre Parish Council was aware that the new bins required consent, but the installation by NFDC happened sooner than expected. Mr Grugeon confirmed that the excessive footprints of four paving slabs will be reduced to the size of the bins.

2016/8677 NO. 3 FOX COTTAGES AND BULL HILL HOUSE DISCHARGE
D TO
ENCROACH
MENTS LIST

The Land Agent has again written to the owners of both properties, but not received a reply.

2016/8678 BRAMSHAW GOLF COURSE BUNKER SAND BEING STORED ON THE DISCHARGE
OPEN FOREST

The Land Agent confirmed the sand has now been removed from the open Forest. Mr Readhead said the changes to the golf course are due to complete this time next year. The Grays of Lush's Farm have helped by not turning out any cattle during the winter. Mr Readhead feels we have a better relationship with the current manager of the golf club than in previous years.

2016/8679 TRACK MAINTENANCE WITHIN THE FOREST ACTION
LIST

Mr Deakin raised his concerns regarding householder maintenance of access tracks across the Forest. Repairs had been carried out by several properties at Hill Top and the hoggin tracks were now wider than their original footprint. The Land Agent told the Court that properties are responsible for maintaining the tracks, overspill is inevitable when laying/spreading hoggin, but the ground soon reinstates at the edges of the tracks. The Official Verderer asked if the FC is informed of track maintenance in advance. Mr Grugeon replied there were so many, it was impossible to keep track. The Official Verderer said he thought we should expect a better quality of work from an experienced local contractor, respecting the fragile New Forest environment. The Deputy Surveyor will take the matter up with the contractor.

Action DS

ACTION LIST

2016/8680 BT CABLE DUCT AT CROCKFORD ACTION
LIST

The Official Verderer asked that the BT cable duct at Crockford be added to the Action List. Following the installation of fibre optic cable by BT, the duct is now floating on the surface of the river. The Official Verderer asked the Deputy Surveyor to continue to chase BT and ensure the duct is reburied, before the start of the drift season.

Action DS

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2016/8681 BURBUSH CAR PARK AND TRACK DISCHARGE

Mrs Westerhoff recently visited Burbush car park and was shocked to see work being carried out to the cycle track without Verderer or Natural England consent. The Deputy Surveyor explained Natural England had been consulted 10 months prior to works starting and circulated photographs of the completed works.

The Official Verderer asked Mrs Westerhoff to revisit the site.

2016/8682 POSSIBLE CLOSURE OF HOUSEHOLD WASTE RECYCLING DISCHARGE
CENTRES

The Official Verderer expressed his concerns hearing on the radio about the possible closure of the Household Waste Recycling Centres located around the Forest and the risk of increased fly tipping on the Forest. Cllr. Heron said that the consultation was county wide and although he feels it is important for the Verderers to respond he did not feel that we should be overly concerned at this stage. The Deputy Surveyor said he was equally concerned, especially at the possible closure of the Somerley centre.

Cllr Heron said the consultation was available to view online. The Deputy Surveyor and the Official Verderer will respond. Mr Mills said he will also be responding regarding the Somerley centre on personal grounds.

2016/8683 BT SUPER FAST BROADBAND ROLL OUT DISCHARGE

Cllr Heron asked the Land Agent why the Forestry Commission had nationally served notice to quit the Master Wayleave Agreement with BT. Mr Grugeon replied that it was following terrible treatment from BT; notice had been served in an attempt to renegotiate the Master Wayleave Agreement to make BT aware of the special circumstances they encounter on the Forest. It is hoped that this will bring better understanding on BT's part and hopefully better procedures will filter out to all districts following the loss of local understanding of special areas caused by BT's removal of Local Land Agents.

The Court discussed the failings of the Broadband roll out at length. Everyone agreed that broadband is a necessity in the Forest, but it must be installed in a sympathetic way and the SSSI must be protected.

Cllr. Heron advised that a way forward must be found, the Government has announced a 'Digital Economy Bill' in the Queen's speech and this will require careful scrutiny to ensure that any measures intended to expedite the roll-out of Broadband do not risk an adverse impact on the Forest.

The Official Verderer said he has carried out a huge amount co-ordination between BT and land owners.

The lack of a knowledgeable Project Manager is of major concern to the Court. BT will not survey to install fibre optic cables, they just draw up plans and the engineer modifies the plan on site which is not practical for the Forest. BT must also realise that installations on a SSSI site will cost them more financially.

Cllr Melville Kendal will apparently accept the Official Verderer's invitation for a meeting, and it is hoped that the meeting will help move things on.

It was agreed that BT should seek consent from Natural England and all other interested parties and send their submissions to the Court via the Forestry Commission as all utility companies must.

2016/8684 LYNDHURST CRICKET CLUB DISCHARGE

The Land Agent informed the Court that Lyndhurst Cricket club has pulled up its concrete practice wicket, which will now return to grazing.

MINUTES of the Court of Verderers held on Wednesday 18th May 2016 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2016/8685 SWAN GREEN CRICKET PAVILION DISCHARGE

The Land Agent advised the Court that evidence of bat activity had been seen in Swan Green Pavilion. Further surveys are required.

The Deputy Surveyor and Land Agent left the meeting

OTHER MATTERS ARISING

2016/8686 HALE VILLAGE HALL NEW ACCESS ACROSS THE PERAMBULATION DISCHARGE

Mr Pasmore explained that Hale Village Hall is built on the site of an old gravel pit and the perambulation runs along the front of the hall. The Hall is applying for planning permission for a two storey extension and requires Verderers Consent for a new gate on the perambulation. Consent of the Verderers was granted.

Mr Dowsett said he has no objections as the extension is at the rear of the hall, however he would like to request that the builders materials are all stored in the hall's large car park and not on the open Forest.

Mr Deakin raised concerns regarding the use of chestnut paling fencing after seeing an accident where a pony had ripped its stomach trying to jump over the fence. Mr Readhead agreed saying he had had a similar experience.

The Assistant Clerk to reply to the Parish Clerk requesting the above changes.

2016/8687 A31 WOBBLY FENCE DISCHARGE

Mr Mills said the location of the wobbly fence posts had been passed to the local Agister, and the Acting Clerk will report the location to Kier.

Mr Greenwood said he has ridden a stretch of the A31 testing the fence posts, the ground is full of gravel and a lot of the posts are not fixed and probably never will be.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2016/8688 SITE VISIT TO LOST LAWNS AT MARKWAY, TRENLEY LAWN AND ELKHAMS GRAVE DISCHARGE

Mrs Westerhoff updated the Court on the recent site visit; she will circulate a full report by email.

FINANCIAL MATTERS

2016/8689 FINANCIAL STATEMENT FOR APRIL 2016 RESUME

The Financial Statement was noted.

HEALTH AND SAFETY

2016/8690 STALLION AT BURLEY ROCKS DISCHARGE

Mr Deakin told the Court that the stallion at Burley had been removed following accusations that it was chasing horse riders. The Official Verderer asked if another stallion has been turned out in his place; Mr

Deakin replied no, due to fears for further similar complaints.

ANY OTHER BUSINESS

2016/8691 OLD RAILWAY EMBANKMENT AT LATCHMOOR DISCHARGE

The Official Verderer told the Court Graham Wilson had looked at the deeds and has confirmed that the area should not be fenced as land reverted back to Forestry Commission ownership. The poor state of Brockenhurst Golf Club's fence was discussed. An HLS Board site visit will be arranged.

2016/8692 NATIONAL GRID PROPOSALS FOR UNDERGROUNDING THE HIGH VOLTAGE LINES IN THE NORTH OF THE FOREST DISCHARGE

Mr Dowsett and Mrs Westerhoff have a meeting with National Grid on Friday 27th May.

2016/8693 CURLEW SURVEY DISCHARGE

Mrs Westerhoff told the Court of a forthcoming curlew survey. It will check for success following the breeding season to confirm if breeding success or failure is affected by recreational or another external pressure.

2016/8694 WOODGREEN POUND DISCHARGE

Mr Dowsett said the new pound at Woodgreen has been finished and is looking good. The old pound is scheduled to be demolished.

2016/8695 CYCLE EVENT SEASON DISCHARGE

Mr Dowsett said he is happy to report that UK Cycling Events have published the map for the September Wiggle Sportive and the route is mainly off Forest so will not clash with any of the drifts.

2016/8696 NATIONAL GRID LANDSCAPE ENHANCEMENT INITIATIVE DISCHARGE

Mr Dowsett told the Court about National Grid's new £24 million Landscape Enhancement Initiative. He will circulate to all Verderers for their comments.

2016/8697 HCC FEEDING OF ANIMALS BYELAW DISCHARGE

Cllr Heron advised the Court that the 1958 Hampshire County Council byelaw regarding the feeding of animals was revoked in 2010.

2016/8698 TB CONTROL PLAN DISCHARGE

Mr Greenwood raised his concerns with the new proposals to allow cattle to be moved within a 10 mile radius of the current holding under a temporary CPH number. He is concerned that this will result in the unrecorded movement of Forest cattle into and out of TB hotspots and make the Verderers' TB Control Plan virtually impossible to enforce.

Mr Greenwood raised his concerns with Richard Dampney and Shellene Hurley of APHA at the welfare tour; they discussed the requirement for a specific exemption for New Forest Commoners.

Mr Mills confirmed that Richard Dampney was very concerned about the

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changes.

2016/8699 GHOST CATTLE

DISCHARGE

Mr Greenwood has had contact with the Rural Payments Agency regarding the number of "ghost cattle" on the Forest.

The Official Verderer suggested that Mr Greenwood look through the Marking Fee numbers with the Agisters and the VGS Administrator after the next staff meeting.

2016/8700 DAMAGE TO THE FOREST AT BIG MATLEY

DISCHARGE

Mr Readhead said he has visited the complainant regarding the alleged damage at Big Matley and the matter is now resolved.

There was no further business and the meeting closed at 13:41 hrs.

Dominic May
Official Verderer
15th June 2016