

VERDERERS COURT
Wednesday 16th September 2020

ANNOUNCEMENTS & DECISIONS

IPLEY CROSSROADS RE-ALIGNMENT

At our June 2020 Court we received a presentment under Section 17 OF THE NEW FOREST ACT 1949 relating to Ipley Crossroads from Michael Renouf, Solicitor, Senior Legal Adviser, for Head of Law and Governance and Monitoring Officer, Hampshire Legal Services, Hampshire County Council

The Highway Authority made an application under section 17 of the New Forest Act 1949 for the agreement of the Verderers to an additional area of land at Ipley Crossroads within the New Forest being used as highway.

There have been a high number of serious collisions at Ipley Crossroads and attempts to improve road safety at the junction have been unsuccessful. This has resulted in the need to change the layout. Full details of the accident record at the crossroads and of the proposed works were set out in the presentment which forms part of the Minutes of the June court.

No counter presentments were received in July and given the need to improve road safety the Verderers have given their consent to the proposals at Ipley crossroads.

RECREATIONAL PRESSURES - VERGE PARKING

We considered, with Forestry England, Lindsey Stride's presentment regarding use of closed campsites for overflow car park capacity in order to alleviate some of the verge parking pressures we observed during the summer. Whilst there was undoubtedly merit in this idea, it was felt that, in practice, it would not have been workable for a number of reasons. Firstly, it would have been very difficult for Forestry England to have provided sufficient staff resources and physical barriers to limit parking to hardstanding areas and prevent parking and consequent wear on grazed areas. To manage these sites effectively would have drawn limited resources away from other locations across the Forest where most of the pressure was occurring. Secondly, the sites are not always close to locations that have traditionally attracted high numbers of visitors in the summer, so there was some doubt that they would have drawn sufficient numbers from the key pressure locations.

CYCLING

At our July Court Mrs Mary Gray suggested that additional cycle paths alongside the fenced roads would be welcome in order to improve connectivity. Whilst the Court agreed with Mrs Gray, this idea has been previously investigated and a number of issues were identified that are likely to make this difficult to achieve.

The verges are all designated SSSI sites, containing a variety of important habitats, particularly around Cadnam. Tree roots will quickly create very uneven surfaces. Additionally, members of the Court wondered how much use such paths would actually see. It is thought the Ashurst to Lyndhurst path is in fact rarely used. Most cyclists want to be on the Forest.

The Court once again expressed its serious concern that cycling off the waymarked routes in the Forest is out of control and will only get worse.

THE DRIFT SEASON

After careful consideration, the Verderers decided that in the interests of managing the welfare of the pony herd, it is essential to carry out the annual drifts this year.

In the light of the pandemic and increased number of members of the public visiting the Forest this year, we have reduced the number of drifts and deferred the start of the drift season from mid August to the beginning of September.

A detailed Covid risk assessment has been prepared in order to ensure that this important work is carried out as safely as possible and in accordance with Government Guidelines.

HIT AND RUN DRIVER CONVICTED

In August a van driver Nilesh Sorathia was convicted for failing to stop after a collision with a pony on Roger Penny Way in June 2019. The mare was so badly injured that she had to be put down by an Agister. The driver was fined £1000 and disqualified from driving for six months. He was also ordered to pay court costs of £410.

This conviction was made possible by information provided by another motorist. The Verderers operate a reward scheme with support from the New Forest Commoners' Defence Association and the New Forest Pony Breeding and Cattle Society, whereby a reward of up to £5000 is offered for information leading to a conviction of a hit and run driver.

In this instance, we will be paying the full amount of £5000 to the witness (who wishes to remain anonymous) who provided the information that led to the conviction of the driver responsible for an appalling act of cruelty.

This is the second reward has been paid out this year. In February this year, a reward of £4000 was paid to a witness of another hit and run accident involving a commoner's animal.

I would like to take this opportunity to thank the CDA and the Pony Society, as this scheme would not be possible without their support.

RESPONSIBILITY FOR THE MAINTENANCE OF CATTLE GRIDS - A31

There are 16 cattle grids which form part of the fencing of the A31 trunk road which bisects the Forest. For many years these have all been maintained by Highways England and before that Hampshire County Council. Some 12 months ago, Highways England denied that it was responsible for nine of those grids on the basis that they were on land which did not belong to the Highway Authority. Initial attempts by Forestry England to explain to Highways England why it was that Highways England is responsible for all the grids which prevent stock accessing the A31, were rebuffed.

The Verderers got involved and after protracted correspondence with the Secretary of State for Transport and Highways England, Highways England has accepted that it is responsible for maintaining all the grids. Proper maintenance of these grids is essential to ensure the safety of the many thousands of vehicles using the A31 and of course, the Forest stock. In this matter, the Verderers were greatly assisted by the land agency team at Forestry England and one of our Forest MPs, Sir Desmond Swayne, who tabled a Parliamentary question as well as corresponding with the Secretary of State for Transport. I would like to express our appreciation of those efforts and assistance which contributed greatly to achieving this satisfactory result.