

MINUTES of the Court of Verderers – Wednesday 16th December 2020

At the time of this Court, the UK outbreak of novel Coronavirus, known as Covid-19 continues. Government advises the population to avoid meetings where the disease could potentially be passed from person to person and homeworking is recommended wherever practical. Once again, the Verderers did not meet in Open Court or in person in Committee.

Items included in these minutes were discussed in a virtual online meeting via 'Zoom'.

The following is a record of proceedings.

PRESENT ONLINE	Lord Manners	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr A B Dowsett	Forestry Commission Appointed Verderer
	Mr J Greenwood	Elected Verderer
	Cllr Edward Heron	National Park Appointed Verderer
	Mr R Manley	DEFRA Appointed Verderer
	Mr A H Pasmore	Senior Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE ONLINE	Miss S Westwood	Clerk to the Verderers
	Mr Bruce Rothnie	Deputy Surveyor of the New Forest
	Mr Paul Grugeon	Forestry England Land Agent (New Forest)

2020/11377 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on Wednesday, 18th November 2020 were approved and will be signed by the Official Verderer at the earliest opportunity.

2020/11378 DECLARATIONS OF INTEREST RESUME

Declarations of interest can be found on the Verderers' website – www.verderers.org.uk. No new declarations of interest were made today.

ANNOUNCEMENTS & DECISIONS FOR PUBLICATION

The Announcements & Decisions, as followed, were approved.

2020/11379 TB IN FOREST CATTLE AND MARKING FEES

Mr Parry Norton's presentment raised the issue of payment of marking fees by commoners whose cattle are subject to Animal & Plant Health Agency (APHA) TB restrictions.

Under normal circumstances, Agisters do not mark cattle which have something wrong with them. This is in order to avoid unnecessary suffering or the risk of passing on disease to other animals. Examples are animals which are in poor condition, suffering from ringworm or forest eye. It is a tool which is useful in preventing animals being turned out that should not be.

TB does not come under the control of the Verderers. Its control and management is a matter for APHA. Holdings will not be shut down purely because they fall within a radial testing zone.

The Verderers' byelaws forbid the depasturing of any animal which is in a condition which is likely to cause unnecessary suffering or is known or suspected to be suffering from disease. The byelaws do not, however, say that such animals cannot be marked and/or paid for.

Commoners who cannot turn out their cattle may well suffer financial hardship if they have to keep their animals at home for a prolonged period and cannot claim subsidies. Furthermore, Commoners whose animals are found to be TB reactors, or are confirmed positive for TB, have no influence on the situation they find themselves in. However, they have most of the year to pay marking fees and may become free of restriction after a period of 60 days.

The Court agreed that for the various reasons explained above, it would accept marking fees from commoners whose herds are subject to TB control restrictions.

With reference to Mr Parry Norton's request to meet with the Verderers to discuss how the Forest herd can be safeguarded against TB, the Court feels that the Commoners' Defence Association Committee, on which three of the Elected Verderers sit, should discuss the issue first.

2020/11380 REWILDING

Mr Eccles expressed concern that if some form of rewilding were implemented in the Forest, it would adversely impact on the commoners' rights to depasture stock. The Court believes that rewilding or the introduction of different species is not something that is likely to be necessary in the New Forest which already possesses a rich mosaic of habitats supporting a diverse range of species.

2020/11381 HIGHWAY FENCING

In Tony Vanderhoek's further presentment on the subject of highway fencing he asked that all HCC replacement fencing be post and rail and not post and wire. Wherever possible HCC does replace post and wire fences with post and rail. However, post and rail is significantly more expensive to erect and there may be occasions when post and wire is used. The Verderers are in regular contact with HCC on these matters and advise them of the appropriate specification. For example, we have recently contacted them to remind them that they are not following best practice as respects the construction of its post and rail fences as all three rails end on the same post. However, post and rail is more expensive and we recognise that the ability to use only post and rail is constrained by the available finance.

PRESENTMENT BY THE DEPUTY SURVEYOR

2020/11382 PROPOSED CHANGES TO HATCHET POND CAR PARK

Purpose

We are seeking the Verderers agreement to adjustments of the car park at Hatchet Pond that will result in a net increase of 693m² of land to grazed habitat. The primary purpose of this adjustment is to reduce impacts on the water quality, wildlife, and habitats of Hatchet Pond.

Background

Hatchet Pond is the New Forest's largest body of fresh water and one of Britain's top 7 ponds in terms of its ecological value. It supports many rare and endangered species lost from many other parts of the country. Consequently, it is designated, in its own right, as a Site of Special Scientific Interest (SSSI) and a Special Area for Conservation (SAC).

A total of 133 wetland plant species have been recorded here. This includes 11 species classified as extremely rare and important for nature conservation, making Hatchet Pond home to 87% of the rarest wetland plants in the UK.

It is a well-known attraction for visitors and a very popular place for families, dog walkers and fishermen.

The Pond is an artificial feature and relies on the integrity of the retaining dam for its survival as a water body. Its capacity of 75,000 m³ requires a 12-monthly inspection of the dam under the Reservoirs Act 1975, Section 10(2).

The ecological status of Hatchet Pond is under major threat from pollution and over-use and its important and rare wildlife are in decline. The SSSI assessment in 2013 classified it as unfavourable declining because of these issues. The increased visitor pressure during the recent easing of lockdown has increased the pace of decline and it is failing its condition assessment.

A survey by the Environment Agency in 2015 highlighted the increase in phosphorous in the pond and a later study by Footprint Ecology (commissioned by the Freshwater Habitats Trust, Natural England and Forestry England) in 2018 analysed the impacts and options for improving water quality and protecting the wildlife.

A partnership of organisations, led by Forestry England, and including the Freshwater Habitats Trust, Natural England and the Environment Agency, have agreed a plan to work together to take forward actions to halt the Pond's decline and restore its ecological condition.

Summary of issues

These are the issues that need to be considered in the plan:

- disturbance of sediments in the water from recreational use and the activity of non-native bottom-feeding fish
- pollution of the water from sediments draining off the car park area
- increasing nutrient levels
- baiting of fish and feeding of birds
- presence of exotic plants.

The lower parts of the car park also flood after prolonged rainfall and there is a pollution risk from the toilet block.

Fuller details and recommendations are set out in the 2018 Footprint Ecology report.

Plan of Actions

The plan was informed by a stakeholder (including the Verderers) and public information event in 2018 held in East Boldre where the issues were presented and proposals to address them.

The key actions include:

- Remove and rehome the carp and other non-native fish. This action has been completed.
- Engagement with local stakeholders and the local community. This has been achieved through newspaper articles, social media posts and direct correspondence with key local stakeholders, with responses collated by Footprint Ecology.

- Moving the car park back from the fringe of the Pond to higher ground, to allow for drainage to be contained within swales away from the pond.
- Removal of the toilet block (under notice of demolition with the planning authority) taking place week commencing 15th December. Alternative public toilets exist at Beaulieu.
- Provide improved information signs about why the Pond is so important and how the public can help protect the site.
- Increase Ranger patrols to the site to manage public use.

Car Park Alterations

The plan attached provides the detail of the proposal, which will require planning permission.

The application is in progress and will be submitted to the planning authority shortly.

The car park will be re-located away from the pond on the higher ground adjacent to the existing access track.

The adjustment of car park footprint is calculated to provide a net gain of 693m² of grazed habitat.

The green hatched and dashed areas on the plan show the proposed new gravelled areas and the red hatched areas show existing gravel to be restored to grazed habitat. The turves that will be lifted from the new areas to be gravelled and re-located as part of the restoration of the lower car park.

The pink circle on the plan represents the only small tree on site that will have to be removed to facilitate the change of the car park footprint. A barrier will be installed to prevent cars driving down into the old car park area but will still allow for emergency access if needed. Although the revision of the car park footprint delivers a net gain of habitat, the new car park footprint will provide the same capacity (50 spaces) as before but in a far more efficient lay out.

PRESENTMENTS

2020/11383 CLOSED CAR PARKS & VERGE PARKING

Presentment by Mrs Charlotte Lines on behalf of the New Forest Commoners' Defence Association

'The New Forest Commoners' Defence Association asks that the Court reaffirms the importance it attaches to the Ministers Mandate. The mandate has been described by ministers as the Forestry Commission's "licence to operate" on the Crown Lands with the New Forest.

The Mandate states that the principal management objective in the New Forest should be the conservation of the natural & cultural heritage of the Crown lands.

We are deeply concerned that Forestry England is failing to meet its conservation objectives specially regarding verges which are designated habitats.

1. Closed Car Parks – we are perplexed as to why when FE have spent thousands of pounds of HLS funding on delivering a verge restoration project only to close car parks (9 according to their website) which only serves to displace visitors to park cars on our highly designated & vulnerable verges. Therefore, completely at odds with the verge restoration project.

2. Destroying grazing - The NFCDA is concerned at the ongoing damage to verges as regards grazing for our stock, increased blocking of access to barriers for stock management.
3. Damage to designated habitats - Given the severity of verge parks we now see across the forest on a regular basis we would like to understand if FE have any intention to undertake an assessment to identify & examine the implications of verge parking for the designated habitats as well as the implications for habitat types & species present outside the boundaries of that site & functionally linked; insofar as those implications are liable to affect the conservation objectives of the site.

It appears that the same level of scrutiny which FE apply when considering & issuing permits, is not something they themselves are adhering to with regards to verge parking.

We ask that FE consider their approach to car park closures & look at phasing closures rather than closing 9 car parks all at the same time. We ask for clarification as to why car parks remain closed and what is being done to manage verge parking, including an update on the long-term strategy for managing parking across the forest more effectively.'

2020/11384 **RURAL PAYMENTS AGENCY CONSULTATION**
Presentment by Tony Hockley, New Forest Commoner

'I would like to register my personal thanks to the Court and others for their work over the past 10 months in lobbying for a solution to perverse incentives within the Basic Payments Scheme. The current consultation by the Rural Payments Agency (RPA) is a remarkable and very welcome response to the unique challenge faced by the New Forest.

When I first explained the additional perverse incentive for cattle numbers contained in DEFRA's February 2020 policy statement on the Agricultural Transition the local response was united and active. The Verderers in particular have maintained the pressure on ministers. It will have been important that my own letter to ministers in February (on behalf of the Commoners Defence Association) was followed by those from the Official Verderer, National Park Authority Chairman and the Deputy Surveyor. We also benefitted from the efforts of our MPs in lobbying ministers; Rt Hon Caroline Nokes MP, Rt Hon Dr Julian Lewis MP, and Rt Hon Sir Desmond Swayne TD MP. Without this unity and persistence, it seems very unlikely that any action solely for the New Forest would have followed given current pressures on DEFRA and the RPA.

An end to the exploitation of the Basic Payments Scheme by a handful of people with large and growing cattle herds cannot come soon enough. The few playing the cattle-marking game take from the many struggling to sustain traditional small-scale cattle commoning.

Meanwhile the overall pot of BPS support for the New Forest continues to decline. Those gaming the system not only reduce the funding available to others, but also damage the reputation of the vocational commoning system upon which the culture and habitats of this extraordinary landscape depend. Good commoners take the blame for those who have used the BPS to add 2500 cows to the marking register since 2015. The intervention of the RPA is very welcome. The current situation must not be allowed to get worse before it gets better during the phasing out of the BPS to 2027.

Thanks to a united campaign those of us who feared the worst can now hope for the best.'

CONSIDERATION OF PRESENTMENTS

2020/11385 **PROPOSED CHANGES TO HATCHET POND CAR PARK**

RESUME

Whilst it is accepted that the Court may not have had the power of veto in respect of the demolition of the toilet block, the Court considers it most unsatisfactory that Forestry England evidently went ahead with demolishing

the toilet block, prior to this meeting. The demolition was one part of a composite plan and the Court felt that that component should not have been disaggregated from the rest. The usual practice is to wait until counter presentments have been heard at the next Court, before final decisions are made. In respect of the toilets, that cannot now happen.

Mr Deakin pointed out that the toilets have actually been closed for more than a year. Mr Pasmore added that there has been a lot of fouling in the vicinity.

In response the Deputy Surveyor said he felt sufficient consultation had been carried out, which indicated there were few objections to the proposals which have been put forward. He added that FE had the Parish Council's support. It was pointed out, however, that Parish Councils do not represent wider Forest interests and the Court remains of the opinion that FE's action was premature.

The Court will now await counter presentments on the remaining details and a decision on the remainder of the proposals will be made in January.

2020/11386 CLOSED CAR PARKS & VERGE PARKING DISCHARGE

The Deputy Surveyor said that closing in the region of 15 car parks each winter has been the norm for some years. This has helped to reduce the level of maintenance that Forestry England has to undertake in the winter months when normally visitor numbers and use of the Forest is lower. He went on to say that this year has seen, and continues to see, unprecedented numbers of people visiting the Forest because of the changing restrictions due to Covid-19. For this reason, FE staff are responding and reopening car parks for temporary periods where verge parking is observed as a problem. The Deputy Surveyor will respond directly to the CDA on the issue of closure of car parks.

2020/11387 VERGE PARKING (see also minute number 11395) RESUME

The Official Verderer reported that the RMS Steering Group has appointed consultants to advise on the problem of verge parking and how an effective solution to enforcement may be achieved. The Official Verderer will draft a response to that aspect of the CDA's presentment.

Action OV

Mr Dowsett said that he believes some people verge park because they are concerned about using excessively busy car parks during the Covid-19 pandemic.

2020/11388 RURAL PAYMENTS AGENCY CONSULTATION DISCHARGE

Dr Hockley's presentment was noted.

2020/11389 RESPONSES TO PRESENTMENTS RESUME

Mr Deakin reported that a commoner remarked to him that they had not received a response to their presentment.

It was agreed that the timing and method of responding to presentments will vary according to the circumstances.

The Clerk expressed concern that if a response is made too soon, before the minutes are approved, there is a risk that incorrect information may be given.

In addition, some presentments are directed at Forestry England and fall outside the remit of the Verderers. In those cases, it is more appropriate for the Deputy Surveyor to take the lead on responding.

The Official Verderer said there are different types of presentment which will need to be handled in different ways.

It was agreed the Official Verderer and the Clerk should consider the best way of dealing with the various types of presentment and prepare a paper which, once agreed, can be published on the Verderers' Website.

Action
OV/Clerk

DE-MINIMIS CONSENTS TO BE RECORDED AT THIS COURT

2020/11390	DM0100	South West Water - Field, Parsonage Farm, Bramshaw. New connection. Very short (2m max) under gravel to meter on customer's land	DISCHARGE
	DM0101	BT Openreach - Burley FTTP V31. Civil works in various lanes all round Burley	
	DM0102	BT Openreach - Burley FTTP V6008. Civil works to Woods Corner Cottage	
	DM0103	BT Openreach - Cadnam 35 & V8057 - NEWTOWN MINSTEAD Civil works - new ducts around Malwood Stables in addition to those approved in DM0093	

MATTERS ARISING FROM PREVIOUS COURTS OF CONCERN TO FORESTRY ENGLAND

2020/11391	RENEWAL OF THE CROWN LANDS WAYMARKED CYCLE NETWORK		RESUME March
		<p>Whilst the Court considers the Deputy Surveyor's paper on how he proposes illegal cycling will be policed is inadequate, a twelve-month extension of the consent for the waymarked cycle network was agreed.</p> <p>The extension was agreed on the basis that the Deputy Surveyor will take action against cyclists who are found to be off track. The situation will be monitored as the year progresses.</p>	
2020/11392	BT PROPOSAL FOR THE PROVISION OF A BROADBAND FIBRE SPINE AT EAST END		DISCHARGE
		<p>BT is currently negotiating with private landowners to site the poles and cables off Forest land. The short length of fibre at the Norley Wood end will be placed underground. Formal proposals are awaited and are expected to fall within the authority of the de-minimis committee.</p>	
2020/11393	BRAMSHAW GOLF CLUB		RESUME
		<p>The meeting with the Golf Club took place yesterday. Mr Readhead said it was a good meeting. Mr Greenwood and Mrs Westerhoff attended as well.</p> <p>Actions were agreed in principle which should resolve the problems which are being experienced in respect of the works and infrastructure. Mr Gurgeon will prepare papers setting out what is and is not permitted on the course. An MOU between the three parties will be drawn up. Mrs Westerhoff is keen that a document is produced which will sit alongside the Management Plan.</p>	Action PG

The licence for the club is due for renewal in 2025. At that stage, the documentation will be tidied up.

2020/11394 RESTORATION OF TURF HILL RESUME

Mr Pasmore will check that the areas he felt should be done, have been completed recently. The Deputy Surveyor said a map of any outstanding areas would be helpful. Action AHP

2020/11395 RECREATION MANGEMENT STRATEGY STEERING GROUP – VERGE PARKING DISCHARGE

The Official Verderer referred back to the earlier discussion and said that the independent advice that has been commissioned, will cost £9,000 plus VAT. The OV felt strongly that the Court should not only support but also contribute 25% of the cost. Forestry England will be paying the greater portion, 75%, but it will be seeking contributions from other relevant organisations. The Court accepted the OV's proposal.

2020/11396 ADVERTISING SIGNS ON HCC HIGHWAY SIGNAGE POSTS DISCHARGE

Cllr Heron reported that HCC has an established process for agreeing signs advertising developments and most reputable sign suppliers, e.g. the AA, appreciate the need to obtain consent before placing signs on the verges and/or attaching them to existing highway infrastructure. The signs, which have to be yellow to comply with prescribed traffic signage regulations, can contain the name of the development, but not the developer/builder or telephone numbers or websites, and they are usually time limited – normally linked to occupation and completion.

Not all developers follow the prescribed process however and HCC can (and often does) remove unauthorised signs, or those that do not accord with the guidelines, once they are made aware of them.

Cllr Heron said he has asked the local HCC team at the Totton depot to review existing signs to make sure they accord with the guidelines and to be mindful of the Forest/NP environment when considering new applications. Upon receipt of a response, he will advise the Clerk. Action EH

The Court thanked Cllr Heron for his assistance in this matter.

2020/11397 BT OPENREACH PROPOSAL FOR BROADBAND PROVISION FROM BROOK TO FRITHAM DISCHARGE

Representatives of the Court and local residents recently met with BT on site to discuss this project. A newly designed machine for undergrounding cables, known as a Ditch Witch, was inspected. A special attachment has been designed for the Ditch Witch which should create minimal ground disturbance and allow ducts and cables to be buried in accordance with Natural England's Pipe and Cable Laying Method Statement. It is intended that the machine will be trialled on other, smaller projects in the Forest first. The design of the machine is such that excavations can be carried out in parallel to the direction of travel of the machine and this means that when working on verges, the machine itself can run along the road and so reduce the impact on the grazing.

Attempts were made to try to persuade BT to underground some of the existing overground infrastructure but as the lines carry other cabling, BT felt unable to oblige at this time.

There will be two new underground junction boxes with visible concrete covers but no large green broadband cabinets. There may be some issues with tree roots and the design of the Ditch Witch means it will not go through large tree roots. In places where roots are a problem, excavation will be carried out by hand.

This project was too large to be agreed by the de-minimis committee but Mr Dowsett and Mr Deakin were happy to recommend the proposals are approved. On the basis of the information provided and the recommendation of the de-minimis committee Verderers, the Court was happy to grant consent.

SSSI RESTORATION WORKS INCLUDING THE ENHANCEMENT LIST

2020/11398 ENHANCEMENT LIST RESUME

Noted

ENCROACHMENTS ON FORESTRY ENGLAND LAND INCLUDING THE ENCROACHMENTS LIST

2020/11399 ENCROACHMENT LIST RESUME

Noted. Nothing to add

ACTION LIST

2020/11400 ACTION LIST RESUME

Noted.

OTHER AGENDA ITEMS INVOLVING FORESTRY ENGLAND

2020/11401 CLOSURE OF ACCESS TO SHRIKE COTTAGE, HOLMSLEY LODGE & RELOCATION OF CATTLE GRID BYPASS GATE. DISCHARGE

The Clerk explained the proposals which should give back grazing and reduce fly tipping. The Court was in agreement.

2020/11402 NFDC DRAFT WASTE & RECYCLING STRATEGY - INTRODUCTION OF WHEELIE BINS DISCHARGE

The strategy document had been circulated prior to the meeting. Subject to some recommendations in respect of ensuring the safety of livestock, no objections were raised although it is recognised that some residents are not in favour of the introduction of wheelie bins for general household waste, recycling and food waste. The Official Verderer and the Clerk will respond to NFDC.

Action
OV/Clerk

2020/11403 RAILWAY TRACK RENEWAL AT WOODFIDLEY DISCHARGE

Mr Pasmore and Mr Dowsett met onsite with representatives of Network Rail (NWR). They both felt the proposals from NWR in respect of track renewal are reasonable. Existing hard standing on an old Ministry of Transport site close to the north side of the railway will be used for the

workforce welfare unit. Parking for any vehicles will be on the south side of the line. All materials and equipment will be stored at Beaulieu Road Station and brought on site via the railway itself and minibuses will drop off and pick up the workforce on a daily basis which will reduce vehicle movements to a minimum.

NWR wishes to close the pedestrian crossing and this is welcomed as it will greatly reduce noise pollution from trains which are required to sound the horn each and every time they approach the crossing. The benefit to the nearby residents will also be immense and very welcome. Whilst it is understood there have been objections from members of the public, it was pointed out that there is a bridge close by which provides a much safer means of crossing the railway line. The crossing is thought to be a right of way but that will be a matter for NWR to resolve with HCC.

In addition, it was suggested that another crossing, close to Sandhole Bridge, should also be closed and the Court would be happy to support NWR in achieving this.

The major elements of the works are scheduled for the two long weekends either side of Easter 2021.

Mr Dowsett and Mr Pasmore will liaise with the Clerk and NWR will be advised that the Court is content with the proposals. Action BD/AHP/Clerk

2020/11404 SOUTHERN WATER PROPOSED INSTALLATION OF MONITORING EQUIPMENT DISCHARGE

The proposals were acceptable to the Court, however Mr Grugeon was asked to ensure that the scheme is time limited. Mr Pasmore explained there is at least one, possibly two, concrete structure(s) on Highland Water which were installed approximately 25 years ago for another monitoring scheme. They remain in situ and the Court would like them removed. Mr Grugeon said he sees no reason why their removal cannot be part of this latest consent. Mr Pasmore said he will assist Mr Grugeon with the details. Action PG/AHP

ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND

2020/11405 BURLEY GOLF CLUB LICENCE RENEWAL RESUME April

After some discussion it was agreed the licence can be renewed when it expires at the end of December. However, a site meeting must take place in the spring when the site management statement and site plan will be updated. The improvements requested by the Club will be discussed at that time. Action PG

2020/11406 DOG FLEA TREATMENTS DISCHARGE

Mrs Westerhoff said she has concerns that certain dog flea treatments are harmful to aquatic invertebrates and she felt that a newly treated dog, entering a Forest pond or water course could, result in chemicals washing into the water.

Mr Grugeon said Forestry England has stopped farmers grazing stock on its land in Dorset from using certain chemicals on their animals but he said he does not know how the problem highlighted by Mrs Westerhoff can be resolved.

2020/11407 OAKLEY INCLOSURE FENCING RESUME

Mr Deakin referred to an item discussed in the last Staff Committee meeting. Agister Peter Rix had expressed concern about the poor condition of some of the fences surrounding Oakley Inclosure which are allowing ponies access. The Clerk said the matter has been raised with FE and a staff member has asked to meet with Agister Rix to identify the poor fencing. The main concern is that the time of year is approaching, when ponies have in the past been witnessed eating the bark on beech trees. The Court asked the Deputy Surveyor whether monitoring will take place this year and if so, by whom.

Action DS

2020/11408 HOLLY POLLARDING DISCHARGE

Mr Deakin asked the Deputy Surveyor if the annual holly pollarding work can please commence as soon as possible.

Action DS

The Deputy Surveyor and Mr Grugeon left the meeting

MATTERS ARISING FROM PREVIOUS COURTS

2020/11409 BOVINE TB RESUME
February

Mr Deakin reported that there has been a serious outbreak of Bovine TB in the Forest which will result in a number of commoners being caught up in Radial Testing. This is because the holding where TB has been identified, turns out in a number of different parts of the Forest.

A video conference with AHPA will be arranged in the New Year, attended by the Elected Verderers. The Clerk will set up the conference.

Action Clerk

Mr Manley said he had spoken with APHA recently about 6 monthly testing for TB. He was informed that TB testing intervals have recently been reviewed and therefore any changes in the Forest are unlikely.

2020/11410 DEFRA/RPA CONSULTATION ON BPS/DE-LINKING OF PAYMENTS RESUME

The Official Verderer explained that the reason for this consultation is that the RPA has received a legal challenge that the current system is effectively a headage payment and is unlawful.

De-linking is something that has been sought by the Court for some time in the hope that it will control the ever-increasing numbers of stock for which marking fees are being paid.

The deadline for responses is 3rd February. Mr Greenwood will prepare and circulate a draft response which will be discussed in a video conference which the Clerk will arrange early in the New Year.

Action JG

Action Clerk

The Forest Farming Group will submit a joint response, to which it was agreed the Court will contribute, but it will also submit its views independently.

2020/11411 CO-OPTED ELECTED VERDERER DISCHARGE

The announcement seeking expressions of interest has been placed on the website and responses are awaited.

2020/11412 WELFARE TOUR DISCHARGE

The Head Agister will write a condition of stock report which will be circulated to those organisations which usually send a representative on the Welfare Tours.

Action
JRG/Clerk

OTHER AGENDA ITEMS

2020/11413 FORESTRY ENGLAND HOUSES FOR RENT – VERDERERS REPRESENTATION ON THE SELECTION PANEL DISCHARGE

The Verderers representation will consist of the Official Verderer and one Elected Verderer. Mr Greenwood and Mr Readhead both indicated their willingness to sit on the panel. The Official Verderer will forward the email he has received from Mr Mike Graham at Forestry England.

Action OV

REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2020/11414 JOINT LITTER WORKING GROUP DISCHARGE

Mr Dowsett reported that the National Park's Forest Ambassador initiative is a great success with approximately 500 people signed up. Every Ambassador is provided with the equipment necessary to safely collect litter. So far, each has carried out an average of 5 litter picks and they have made a significant impact. The Ambassadors are also putting out some very useful behavioural messages. It is understood many more people have expressed an interest in becoming Ambassadors. The Court expressed its gratitude for an excellent idea.

GENERAL REPORTS AND ADMINISTRATIVE MATTERS

2020/11415 VERDERERS CATTLE INSPECTIONS DISCHARGE

Mr Deakin said that the Staff Committee decided that as the Agisters are not marking and therefore not inspecting cattle before they are turned out, the Elected Verderers will proactively inspect cattle on the Forest this winter.

2020/11416 AGISTER ON JURY SERVICE DISCHARGE

Agister Mike Lovell has been called up for Jury Service. It is hoped he will not have to be absent from his duties for more than two weeks.

2020/11417 FINANCIAL STATEMENT RESUME

The Financial Statement was noted.

2020/11418 AGISTERS' VEHICLES DISCHARGE

The Court has already agreed that Mr Dowsett, Mr Readhead and the Clerk should look at the provision of new vehicles for the Agisters. Mr Dowsett wished to ascertain what finances are available for the purpose and it was agreed that subject to Court approval, new vehicles may be purchased or lease-purchased, depending on the deals available.

Cllr Heron suggested consideration should be given to staggering the purchase of new vehicles to avoid them all having to be replaced at the same time again. He also suggested that as technology is advancing all the time, suitable electric vehicles may become available and that option

should not be discounted as the second-hand value of conventionally powered vehicles may well significantly reduce as the years go by.

The sub-committee will investigate available options but the vehicles are not, in any case, due for replacement until the end of 2021 although that could potentially be brought forward.

2020/11419 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2020</u>	<u>2019</u>
Forest Ponies	5029	5065
Forest Cattle	5422	5942
Forest Donkeys	135	133
Forest Pigs	555	482
Forest Sheep	0	0
Total Forest Stock	11141	11622
Common Ponies	839	804
Common Cattle	2540	2393
Common Donkeys	138	136
Common Pigs	141	136
Common Sheep	223	212
Total Common Stock	3881	3681
Ponies, Cattle & Donkeys on the Forest	10586	11140
Ponies, Cattle & Donkeys on the Commons	3517	3333
Total Ponies, Cattle & Donkeys	14103	14473
Total Stock – Forest & Commons	15022	15303

2020/11420 CONDITION OF STOCK REPORT BY THE HEAD AGISTER RESUME

The overall condition of stock on the forest at the moment is quite good, and the majority of animals are going into the winter looking well.

As reported last month, the drifts went fairly well, and since then a number of mares and foals that were not caught then, have been got in by the Agisters and their owners. There are of course still others to catch, and a few out that were let go with foals after being branded on the drift. These mares with foals will have to be monitored to make sure they don't go back in condition too much as the winter progresses.

There are also a number of yearling colts out there that will soon be two-year olds, so these also will need dealing with, and the Agisters have been making a note of who has them.

Of the cattle left out, most of these are either ones that go home every day to be let in and fed or visit feeding areas. There are a few animals that commoners have been struggling to find or catch, and some need getting in so the owner can complete their TB test. We have been helping with this where we can.

The extension to Pannage ends on the 21st and I have asked the Agisters to remind all Forest pig owners that they need to have all pigs in by that date. All the pigs have done really well out there this year.

Let's hope the weather is kind to us this winter, and merry Christmas to you all!

2020/11421 ANIMAL ACCIDENT REPORT FOR NOVEMBER

RESUME

The Agisters attended 9 accidents in November, compared with 14 in the same period last year.

1 pony was killed and 2 pigs and a cow were injured.

2 accidents occurred in daylight, and the other 7 in the dark.

1 driver failed to report having been involved in an accident.

The total killed and injured to the end of November was 55, compared with 79 in the same period last year.

2020/11422 RTA ON SATURDAY 12th DECEMBER 2020 IN WHICH THREE DONKEYS DIED DISCHARGE

Although at this stage, there is no evidence that the driver of the van which collided and killed three donkeys early on Saturday morning was speeding, the accident has once again highlighted the problem of motorists potentially not driving in accordance with road conditions on the B3078. Cllr Heron suggested that the candidates for the May 20201 election for the role of the Police and Crime Commissioner should be lobbied in an effort to secure average speed cameras on that road.

Action OV

It was agreed the Official Verderer should write again to the PCC asking for average speed cameras in the Forest and his letter should be published on the Verderers' website. An appeal will then be made via Twitter asking for support from other organisations and requesting they also write.

2020/11423 INCIDENT ON ASHURST CAMPSITE

DISCHARGE

The Official Verderer reported that a further letter has been received from the solicitors acting for a child who was reportedly badly injured by a pony whilst staying on Ashurst Campsite. Damages are being claimed from the Verderers and the letter has been passed to the Court's insurers.

2020/11424 THANKS TO THE COURT'S ADMINISTRATIVE STAFF

DISCHARGE

Thanks were expressed to the Clerk, her assistant and the VGS Officer for how smoothly the business of the Court has continued to run during the Covid-19 Pandemic.

There being no further business, the video conference ended at 12:53 hrs.

JM (Mann)
19 January 2021