

MINUTES of the Court of Verderers held on Wednesday 15th December 2021

At the time of this Court, the UK Government has lifted many restrictions in respect of the outbreak of novel Coronavirus, known as Covid-19 which started at the beginning of 2020. However, from Monday 13th December, in the face of a new Covid variant which appears to have a higher transmission rate, Government guidance is that people should once more work from home wherever possible and face masks should be worn indoors in public places. In view of the risks associated with meeting in person, combined with the proven ability of the Court to function well via video link, it was decided this meeting would be conducted via Zoom.

PRESENT	Lord Manners	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr A B Dowsett	Forestry Commission Appointed Verderer
	Dr G Ferris	Co-opted Elected Verderer
	Mr R Stride	Elected Verderer
	Mr A H Pasmore	Senior Elected Verderer
	Mr D Readhead	Elected Verderer
	Miss A Sevier MBE	New Forest National Park Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
	Mr C Harrison	Deputy Surveyor
	Mr P Grugeon	Area Land Agent
APOLOGIES	Mr R Manley	DEFRA Appointed Verderer

2021/11989 MINUTES OF THE LAST MEETING RESUME

The minutes of the last Court held on Wednesday, 20th October 2021 were approved and will be signed by the Official Verderer at the earliest opportunity.

2021/11990 NEW DECLARATIONS OF INTEREST ACTION

Mr Stride is newly elected to the Court and will complete a Declaration of Interest form which will be uploaded to the Verderers' website. Action Clerk

MATTERS ARISING FROM PREVIOUS COURTS

2021/11991 DIBDEN INCLOSURE RE-FENCING RESUME
February 22

The Deputy Surveyor said he wants to better understand the issue at hand, clarity of objectives and consideration of other options available before a decision on re-fencing is made. Action DS

2021/11992 LONG TERM STRATEGY FOR FORESTRY ENGLAND INCLOSURES RESUME
February 22

Further discussions are required concerning responsibility for stretches of fence not required for forestry purposes. Action DS/RD

2021/11993	<p>INFECTIOUS DISEASES CONTINGENCY PLAN (ANIMALS)</p> <p>Further discussion is required. This and the item above are closely linked. The DS said he will share the latest draft plan with Mr Deakin. Mr Pasmore asked to see it as well.</p>	<p>RESUME February 22</p> <p>Action DS</p>
2021/11994	<p>FORMER TALLY-HO RESTAURANT SITE ON THE A31</p> <p>A discussion on costs will take place once a final plan in respect of this site has been agreed.</p>	<p>RESUME February</p> <p>Action PG</p>
2021/11995	<p>DE-MINIMIS CONSENTS TO BE RECORDED AT THIS COURT</p> <p>DM0140 Wessex Water project at Burley, Mill Lane – pumping station upgrade</p>	<p>RESUME</p>
2021/11996	<p>SSSI ENHANCEMENTS LIST / SSSI REPAIR & MAINTENANCE LIST</p> <p>It was pointed out to the Deputy Surveyor that this list was originally intended to be a snagging list for past SSSI restoration schemes, not a list of forthcoming schemes. In May 2020, the title of the list was changed. The Court requested the list's title be revised again, to the above, and for the list to record repairs and maintenance of earlier restoration schemes as necessary.</p> <p>Pondhead – FE was reminded that full consultation with local residents should be undertaken place prior to the commencement of further works on this site.</p>	<p>RESUME</p> <p>Action DS</p> <p>Action DS</p>

ANY OTHER BUSINESS FOR FORESTRY ENGLAND

2021/11997	<p>LONGMEAD COTTAGE</p> <p>This cottage is an ideal commoners' dwelling/holding. It is now available for rent and will be advertised this week. The deadline for applications is 11th January 2022. The Selection Panel will meet before the end of January.</p>	<p>DISCHARGE</p> <p>Action PG</p>
2021/11998	<p>EVENT ON ROUNDHILL CAMPSITE</p> <p>A large recreational event took place on Saturday 11th December, during which a certain amount of damage was caused to the grazing. The Court was greatly concerned that this had been allowed to happen, given the new HRA, which is supposed to prevent damage to the SSSI. It was suggested the control of such events needs to be much tighter.</p> <p>It was also queried why an event like the one at Roundhill could be held when the organisers of the Point to Point, an event which is part of the cultural heritage of the Forest, faced significant difficulties in obtaining permission.</p> <p>The Deputy Surveyor replied that due to Covid impacts on team capacity, he has not received further information but will investigate the matter. He noted the large number of permission requests that</p>	<p>RESUME</p> <p>Action DS</p>

FE handles (>3000 per year) and aim that they are scrutinised in a fair and consistent way. He added there will be a review of the HRA/Planning next year.

2021/11999 NEOSPORA & FOREST CATTLE RESUME

A commoner who turned out 40 in-calf heifers has found that upon bringing them home, approximately 50% were no longer in calf. He called a veterinary surgeon who undertook some diagnostic tests and the cattle were found to be suffering from Neosporosis.

Further investigations will be made in order that the science is properly understood. Mr Deakin said he has already asked the Head Agister to seek further information. Once this has been obtained, consideration will be given to commencing a well coordinated and well sounded campaign to encourage dog owners to pick up after their dogs. Concern was expressed that this may result in a proliferation of dog poo bags left hanging in trees and bushes.

Action
Head Agister

2021/12000 PROVISION OF SALT BLOCKS ADJACENT TO THE B3078 ROGER PENNY WAY DISCHARGE

The CDA has obtained Natural England's approval to site salt blocks on the Forest in the vicinity of the B3078. Mr Grugeon confirmed the proposal is acceptable in principle. The project is very much a trial and the question of how the outcome of the trial can be measured, remains outstanding. Suggestions included surveying when the animals are seen on the road, measuring and recording the consumption of the salt and using trail cameras to provide information on which species are making use of the licks. It is recognised that deer also like salt.

Action
NE/PG/CDA

2021/12001 PENNY MOOR DISCHARGE

Following a site meeting attended by Mrs Westerhoff, the Deputy Surveyor, Leanne Sergeant (FE Senior Ecologist) and Tess Tidman (FE Assistant Land Agent) the DS said he is going to consider options. It is however considered that there are some irreconcilable issues.

Action DS

Mr Pasmore asked that he be invited to any future visits to this site.

2021/12002 THE ANIMAL WELFARE ACT AND DOGS RESUME

The Deputy Surveyor was asked for his views on the new legislation which is going through parliament. It includes a requirement for dogs to be on leads in the presence of livestock. The Court was interested to know whether it will apply to the New Forest. In response, the DS said he will look at FE's position nationally. In Dorset, a Highland Cow died as a result of being chased by a dog. The legislation could reduce conflicts including disturbance of ground nesting birds.

Action DS

2021/12003	CYCLING	RESUME February
	<p>The DS said he hopes everyone is keen to tackle illegal and irresponsible cycling although it is necessary to be realistic about what can be achieved. He added he wants to explore how to accommodate legal and responsible cycling. The DS said he would welcome a meeting with the Verderers outside the formal Court committee.</p>	Action DS

The Deputy Surveyor and Land Agent left the meeting

ITEMS FROM EARLIER IN THE MEETING, REQUIRING FURTHER DISCUSSION

2021/12004	EVENT ON ROUNDHILL CAMPSITE	DISCHARGE
	<p>Reportedly very loud music could be heard emanating from the event with a DJ 'whooping it up!' Ponies were disturbed and spent much of the day running about.</p> <p>Members of the Court were asked to obtain reports from those commoners who had been in the area and provide details to the Clerk. The Official Verderer will then write to the DS.</p>	Action RD

MATTERS ARISING FROM PREVIOUS COURTS

2021/12005	VERDERERS' ELECTION	RESUME February
	<p>The election was extremely costly (in excess of £25K) and every effort will be made to reduce those costs in advance of the next election.</p> <p>Alterations to the current legislation will be sought in order to hopefully allow postal and proxy votes, which it is thought may increase the number of electors who actually turn out to vote. The OV asked the Court to approve the expenditure of £1,500 +VAT for initial legal advice and this was agreed.</p> <p>Mr Pasmore expressed serious concerns at the very small number of voters on the Register. He felt it is imperative it is increased. Means of achieving that will also be explored.</p>	Action OV Action Clerk

2021/12006	THE COMMONS AGREEMENT	DISCHARGE
	<p>The OV reported on his and Dr Ferris's meeting with the Northern Commons Association. Members of the Association were invited to get in touch if they feel the Court can assist them.</p>	

Mrs Westerhoff left the meeting during the discussion on the Commons Agreement

2021/12007	FARMING IN PROTECTED LANDSCAPES (FiPL) THE CDA'S DRAFT APPLICATION	RESUME
	<p>The CDA will be asked to produce a summary of its application, for circulation.</p>	Action Clerk

ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2021/12008	PICKET HILL, SHOBLEY	RESUME
	The OV said it will be necessary to litigate. This encroachment is too big to ignore. The CDA will be seeking financial assistance from the Court.	Action OV

REPORTS FROM EXTERNAL COMMITTEES & WORKING GROUPS

2021/12009	RIVER BASIN MANAGEMENT PLAN & FLOOD RISK MANAGEMENT PLAN	RESUME
	Mrs Westerhoff circulated the consultation documents and the Court confirmed it is happy for Mrs Westerhoff to respond on its behalf.	Action DW
	The Court is concerned that the regular discharge of untreated effluent from Lyndhurst and Brockenhurst sewage works is not mentioned. This is a serious issue which needs to be addressed.	

2021/12010	FOREST FARMING GROUP MEMBERSHIP	DISCHARGE
	The Court would like Mr Jim Greenwood (former Elected Verderer) to continue to participate in the group if possible. The OV will write to the Chairman of the group, Mr David Bence, to see if this is possible. Other representatives from the Court are the OV and Mrs Westerhoff. Mr Greenwood helps represent commoners and he has extensive knowledge of BPS and ELMS going forward.	Action OV

2021/12011	FOREST FARMING GROUP - A VISION FOR A NEW FOREST ENVIRONMENTAL LAND MANAGEMENT SCHEME (ELMS)	DISCHARGE
	The document was well received. Mr Pasmore's response will be circulated.	Action Clerk

STAFF COMMITTEE MATTERS

2021/12012	THE WORKINGS OF THE OFFICE	DISCHARGE
	In view of Government's request that people once again work from home if they can, the office will go back to being open one day a week in order to assist the Agisters.	

2021/12013	STAFF COMMITTEE	DISCHARGE
	Mr Stride will join the Staff Committee. Miss Sevier expressed an interest in attending a committee. This was agreed.	Action Clerk

GENERAL ADMINISTRATIVE MATTERS

2021/12014	FINANCIAL STATEMENT	DISCHARGE
	The effect of the drop in animal numbers and therefore marking fees, is beginning to show.	

2021/12015 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2021</u>	<u>2020</u>
Forest Ponies	5001	5075
Forest Cattle	3285	5803
Forest Donkeys	150	147
Forest Pigs	251	559
Forest Sheep	0	0
Total Forest Stock	8687	11584
Common Ponies	863	843
Common Cattle	1790	2587
Common Donkeys	136	138
Common Pigs	116	149
Common Sheep	195	223
Total Common Stock	3100	3940
Ponies, Cattle & Donkeys on the Forest	8436	11025
Ponies, Cattle & Donkeys on the Commons	2789	3568
Total Ponies, Cattle & Donkeys	11225	14593
Total Stock – Forest & Commons	11787	15524

2021/12016 CONDITION OF STOCK – REPORT FROM THE HEAD AGISTER RESUME

The condition of the majority of stock on the Forest going into the Winter is really good, and the mild Autumn weather has helped, with grass continuing to grow. However, we know this won't last and the Autumn grass doesn't have the goodness in it of the Summer growth, and the ponies are starting to move onto browsing the gorse and holly.

The drifts of course are now finished and overall went well, and although there are some mares left out with foals, there are not large numbers for us to deal with. As usual it is the mares and foals and any young stock that need to be watched as the Winter progresses, and the Agisters will be busy monitoring their condition over the coming months.

Cattle were left out longer this year, due to the amount of forage available and the lack of acorns to worry about, but over the last few weeks commoners have been taking them in and the Agisters have been helping with this, and most are now removed or are going home to be fed. We have also started marking cattle for 2022, and doing this while assisting commoners with TB tests and this will continue through the 'test window' of our TB plan which runs until the end of February.

I would also just like to mention our new Agister, Michael Maton, who is now in post and out and about, learning his beat, answering calls and dealing with all the many varied things that Agisters are called upon to deal with, including the other night when he was called to a pony in a swimming pool. So literally he has jumped straight in at the deep end!

And the pony was fine!

2021/12017 COURT DATES FOR 2022

DISCHARGE

All Courts are on the third Wednesday in the month except **January** which, this year, is on the third **Thursday**

20th January	16th February
16th March	20th April
18th May	15th June
20th July	No August Court
21st September	19th October
16th November	21st December (Committee only)

2021/12018 FOREST FARMING GROUP PAPERS

RESUME

The OV reported that the FFG has asked if the Verderers' website could host its papers. Some members of the Court expressed reservations in that it may imply the Court endorses everything that is included and that may not always be the case. It was therefore agreed that the CDA should be asked instead. A link could be included on the Verderers' website.

Action OV

2021/12019 TRAINING

RESUME

Some training will be needed in order to catchup with what has been missed as a result of Covid 19.

Action RD

A list of training courses, in house and external for the new Agister will be drawn up.

ANY OTHER BUSINESS

2021/12020 DANGEROUS FENCE AT LATCHMOOR CORNER COTTAGE

RESUME

The condition of the fence surrounding this property is extremely dangerous, particularly on its boundary with the public highway. A pony was killed recently when it ran out of the property, down the bank and into the path of an oncoming vehicle. Attempts by the Clerk to resolve this issue by writing to the owner of the property, on two occasions, have failed. The Clerk will check the ownership of the property with Land Registry again with a view to a visit being made by a Verderer and Agister, to the owner who does not live at the property.

Action Clerk

FURTHER DISCUSSION ON CYCLING

Mrs Westerhoff re-joined the meeting

2021/12021 VERDERERS' CONSENT FOR THE WAYMARKED CYCLE NETWORK

RESUME

The remarks made by the DS earlier in the meeting are cautiously welcomed. The Court gave consent for the waymarked cycle network for a further year.

2021/12022 ELECTRICALLY ASSISTED BICYCLES AND ILLEGAL CYCLING

RESUME
February

A long discussion ensued during which the Court agreed that it will hold a decision on electrically assisted bicycles in abeyance, whilst continuing to press FE to control illegal off network cycling, which continues to increase, to the detriment of the Forest and its lawful users. The OV will arrange a meeting with the DS and Verderers will be invited to attend.

Action OV

The meeting ended at 13:40 hrs

*J. (Name)
20 January 2022*