

**MINUTES of the Court of Verderers held on 20th April 2022 at 9.30 a.m.
in the Verderers Hall, the Queen's House, Lyndhurst**

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
	Mr R Manley	DEFRA Appointed Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
APOLOGIES	Mr C Harrison	Deputy Surveyor

IN COMMITTEE in the Library

2022/12194 MINUTES OF THE LAST MEETING RESUME

The minutes of the last Court held on Wednesday 16th March 2022 were approved and will be signed by the Official Verderer at the earliest opportunity.

2022/12195 NEW DECLARATIONS OF INTEREST RESUME

There were no new declarations of interest.

2022/12196 ANNOUNCEMENTS & DECISIONS RESUME

The Announcements and Decisions were approved.

2022/12197 CONDITION OF STOCK RESUME
Report from the Head Agister

Spring is just around the corner and on the verges along lanes just off the Forest, where it is sheltered, the grass is starting to grow. You can also see it in the fields. However, there is not much growth yet on the Forest, and it is still a hungry time out there. We could do with some warmer days and nights to bring that early grass on. As we know, the Forest is always the last place to green up, and some of the ponies out there have gone back in condition over the last few weeks, but not to the point where large numbers need to come in. We will continue to remove some animals as and when necessary. Overall, they have come through the winter quite well, and if the weather is kind to us, it is remarkable how quickly they will improve once the grass does grow.

Looking round there does seem to be a nice number of mares in foal, and we have had a couple already born, although these mares were covered early last year off the Forest.

We continue to mark cattle, but thankfully there are not yet large numbers being turned out. Unlike last year I think people had more fodder supplies this Spring.

One issue that has been causing some concern to cattle owning commoners, and has resulted in many phone calls to me and Tina, has been APHA sending out letters to nearly all cattle owners saying they will be required to TB test their animals in the next few months due to a radial test being implemented due to a TB outbreak. This has gone out Forest wide, north and south. On investigation by myself and Tina, we have discovered this is, for the majority, a mistake on the part of APHA. It involves an outbreak off the Forest, in the North, in a non-commoners herd. Due to the 3km zones that will be drawn round the 3 premises affected (all same ownership) inevitably some commoners in the North will be caught up in it, but not Forest wide. We are now waiting for APHA to send us maps with the zones on so we can assist them with identifying which holdings and cattle fall within those areas. A lot of anguish and worry caused unnecessarily by the fact that APHA didn't contact us first!

2022/12198 NEW AGISTER

DISCHARGE

The Head Agister reported that Michael Maton, the newly appointed Agister, is doing very well. He is working hard to get to know the commoners and animals in his area. His uniform is on order and it is hoped he will soon receive his firearms certificate.

2022/12199 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR

RESUME

	<u>2022</u>	<u>2021</u>
Forest Ponies	4114	4574
Forest Cattle	1546	1865
Forest Donkeys	110	117
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	5770	6556
Common Ponies	469	618
Common Cattle	555	1592
Common Donkeys	47	57
Common Pigs	14	68
Common Sheep	60	194
Total Common Stock	1145	2529
Ponies, Cattle & Donkeys on the Forest	5770	6556
Ponies, Cattle & Donkeys on the Commons	1071	2267
Total Ponies, Cattle & Donkeys	6841	8823
Total Stock – Forest & Commons	6915	9085

2022/12200 BREACHES OF THE BYELAWS

DISCHARGE

Mr Deakin reported that Covid has interfered with marking of some continuously depastured cattle. The Head Agister said he is marking a herd on Monday which fall into that category but there are very few left to do.

OPEN COURT

IN ATTENDANCE: Mr Paul Grugeon, Land Agent (New Forest)

APOLOGIES: Mr Craig Harrison, Deputy Surveyor

The Head Agister opened the Court with the usual proclamation

ANNOUNCEMENTS & DECISIONS

2022/12201 INCIDENTS INVOLVING MEMBERS OF THE PUBLIC AND CATTLE

In each of the last two years, the Verderers have circulated advice to Commoners about depasturing cows, in an attempt to reduce the probability of future incidents.

We are able to report that last year the number of incidents reported to the Verderers between cows and members of the public using the Forest was much reduced.

Commoners should nonetheless continue to bear in mind the advice given, and especially consider carefully when and where to depasture their cows with young calves.

2022/12202 TURNING OUT CATTLE

Spring is here and the weather has improved and it is quite understandable that commoners will be tempted to turn their cattle out after having them home for the winter. However, we would like to remind all cattle owners there is very limited feed on the Forest at the moment, not helped by the dry conditions and still cool nights, and the Forest is always the last place that the Spring grass grows. Cattle turned out too early will wander looking for feed, lose condition and are more likely to test any boundary fences. In this case the grass WILL always be greener the other side of the fence!

So do please think carefully before turning any stock out too early, and wait for the grass to come to avoid any unnecessary problems.

2022/12203 MRS GILLY JONES

I would like to take this opportunity to say a very public thank you to Gilly. As you will have heard from her presentment last month she has put an enormous amount of time and effort into the work of the Animal Accident Reduction Group and in particular the anti speeding operations within the Forest. Operation Mountie which aims to reduce the amount of accidents involving stock on the B3078 has required a great deal of work and it is welcome news that Operation Mountie has been thrown Forest wide.

The Forest has benefited from the work of many volunteers over the years and Gilly sets an example to us all. Thank you again.

2022/12204 THE FORMER TALLY HO RESTAURANT SITE ON THE A31

We are very pleased to announce that this previously very unsightly, neglected area, which was often subject to illegal occupation by Travellers, has now been cleared and the road side fence realigned. The resulting gain to the Forest is an area in the region of an acre. Our thanks again to all the Agencies involved in resolving this long-term issue.

2022/12205 STALLIONS 2022

After careful consideration, it has been decided that 20 stallions will be turned out onto the Forest this year.

The stallions will be turned out this year from Monday 9th May for a period of 8 – 9 weeks. They will start to be taken home from Monday 4th July and must be removed from the Forest no later than Monday 11th July.

The breeding herd of pure-bred New Forest Ponies is reducing year on year and the breed is on the Rare Breeds Survival Trust's Watch List, as a breed considered to be at risk.

The areas in which the stallions run, are carefully decided in order to avoid inbreeding. The list will be made available on our website shortly.

Members of the public are reminded that they should always keep away from the ponies, but that this is particularly important during the stallion season.

It is also worth mentioning that stallions do not always remain in the areas in which they are first turned out and so it is wise to be particularly aware of the behaviour of the ponies at this time of year.

PRESENTATION

2022/12206 PRESENTATION OF THE ROWL KITCHER CUP 2022

In 2007, we resurrected the annual award of the Rowl Kitcher Cup which was kindly donated some years ago by Mr Rowl Kitcher's family. The Cup is awarded each year to the owner of the highest scoring young colt at the stallion inspections held in the spring and to qualify for the cup, the colt has to be selected for inclusion in the Verderers' Stallion Scheme.

Due to Covid, we have been unable to present the Cup for the past few years so I am delighted to announce that this year, we can.

This year we have been able to hold stallion and colt inspections again, at Beaulieu Road, and the Rowl Kitcher Cup has been won by Mogshade Quarryman who was the highest scoring young colt presented to the Verderers for selection. Quarryman is owned by Mrs Jehanna Stride who is here today to receive the Rowl Kitcher cup which will be presented by Elected Verderer and Chairman of the Verderers' Stallion Sub-Committee, Mr Richard Deakin. It is particularly fitting that Mr Deakin should present the cup, as he is Rowl Kitcher's nephew.

PRESENTMENTS

2022/12207 NEW ACCESS AT NOMANSLAND

Presentment by Mr A Parry-Norton on behalf of the New Forest Commoners Defence Association

'The NFCDA wishes to express our concerns over a recent event which took place at Nomansland.

It is our understanding that a Nomansland resident applied to Forestry England to create a larger, more direct driveway to a new gate located on their property. This

required creating a cutting and laying a new base through virgin forest ground. The existing drive was removed, and soil imported to cover it. The original drive, now covered in imported soil, is being trodden and compacted by stock. New vegetation has little chance to become established.

We believe that the work commenced before any agreement was given from FE, we also understand that the proposed development would require the appropriate planning permission from the NFNPA.

Our main concerns are:

1. As properties are enlarged, with more vehicles, this practice could set an example to other residents in the area and across the forest.
2. The loss of established grass lawns and the bare banks created by the cutting in, have created a negative impact on the forest and subsequent grazing.
3. Works, such as this, need to be carefully considered if we are to achieve a biodiversity net gain, and avoid further loss and damage to the protected landscape.

The NFCDA ask the court for further clarification on the following points?

Does this work require a permit from FE? And if so, would it be subject to Habitats Regulations Assessment? had this been undertaken?

Does the proposed driveway require planning permission from the NFNPA? And if so, what is the status? And how will the LPA ensure there is no net loss of grazing and biodiversity?

In 2020 the New Forest NPA declared a nature emergency, FE has a plan for wildlife which includes "continuing action to protect, improve and build the resilience of our most special habitats, including ancient woodlands and Sites of Special Scientific Interest".

We ask that those authorities responsible for protecting the New Forest adhere to their plans and statements, and therefore will be taking the necessary and appropriate action.

2022/12208 FORMER TALLY HO RESTAURANT SITE ON THE A31
Presentment by Mrs Mary Gray, Commoner

Mrs Gray said that she wanted to acknowledge the work that has been undertaken to clear up a site that has been in a dreadful condition for so long. She said she is very pleased it has now been brought back with the fence in its correct position. She added there is still a little more work to be done and added that the commoners are always ready to grumble but they must be grateful when things are done!

2022/12209 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN
COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Lucy Bramley

'Good morning everyone. My name is Lucy Bramley. I am speaking to you today as a resident of Burley, but also as a representative of the Burley Women's Institute and Burley Garden Club, as I am a committee member of both organisations. I am also here in my capacity as co-leader of the New Forest Green Party.

I have consulted with the groups I am representing on the Jubilee Tree Planting proposal for Burley. The feedback I have had illustrates that our residents feel passionately that we should be planting, nurturing and celebrating trees. A lot of people have talked of ensuring that our woods are vibrant, mixed ecosystems for future generations of Burley residents and visitors. Indeed I have heard many concerns about our copses becoming graveyards filled with the skeletons of dead trees, with leaf cover only thriving above the line where grazing animals might reach. Also of woodland floors that are absent of saplings, for the same reason. All young life needs to be protected in order to thrive, and there is great consternation among our residents about why we cannot create a haven for 12 trees to grow in the area by the cricket club, which is currently gorse scrub like much of the surrounding landscape. The recent storms and the felling of diseased ash and oak trees along our arterial roads have added to the net decline in the number of trees around our village.

Last December I stood as Green Party candidate in the New Forest District Council by election for one of the Bransgore and Burley seats, which had come vacant due to the resignation of the incumbent. During the course of my short campaign I heard over and over from residents across the ward of their concerns for the future of this wonderful, unique part of the countryside that we call home. Amongst the complaints about litter, crime, cyclists and dog mess I was often asked 'why are more trees not being planted?'. I did not have a good answer for them. Indeed, as a volunteer for the charity Ringwood Actions for the Climate Emergency I have seen over 25,000 saplings planted in urban and suburban settings around the town in the last 2 years. The majority of which have been on public land. I know it is possible to plant a lot of trees, and I also understand that we share the national park with a wonderful variety of browsing animals, who need space to roam and food to eat. But there needs to be room for flora or there will one day be no fauna.

I would like to finish with a few words about climate change. Human activities are fuelling an exponential rise in carbon dioxide emissions. This is not an exaggeration - emissions have been doubling every 39 years. Scientists believe that we will exceed the carbon budget that will lead to a 1.5 to 2% increase in temperature over the next 3 to 5 years. We have already seen that rising global temperatures lead to violent weather conditions, oceanic acidification and species decline. What can we do to slow this down? The simplest of the more natural solutions is to plant trees. Natural England produced a report this time last year which the following quote is from:

Remaining fragments of ancient woodland are significant carbon stores and important places for wild species. Creating new woodland where there once was forest cover has the greatest potential to sequester carbon. Our review shows that a natural woodland composed of native species without active production management is a reliable way of capturing carbon and at the same time supporting the recovery of biodiversity. In the right places they can also contribute to reducing flood risk, stabilising soils and providing recreational opportunities.

Are they not referring to our land here? Is it not our duty to future human and non-human life that we plant more trees now? Thank you for listening.'

2022/12210 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN
COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Mr Andrew Morris, Burley Resident

Mr Morris supported the previous presentment, commenting that due to the storms a significant number of trees have been lost and that trees of all species are valuable.

2022/12211 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE - RENEWED REQUEST FOR CONSENT TO FE/B.P.C.'s 12-TREE PLANTING PROPOSAL IN COMMEMORATION OF H.M. QUEEN'S PLATINUM JUBILEE AND IN FURTHERANCE OF TREE REPLACEMENT PLANTING IN THE OPEN FOREST Presentment by BPC Cllr ROBERT CLARKE FRICS

'Official Verderer, Verderers, Ladies & Gentleman,

Good morning. I speak again in response to the Official Verderer's letters of 22 January, and now that of 18 March regarding our Jubilee tree planting proposal – plus, other correspondence.

We note you still regard that planting 1 tree in Cott Lane (instead of 12) as “sufficient to fulfil the ethos of our wanting to commemorate the Queen's Jubilee”.

But No - our 'ethos' is in linking the commemoration to the concern we should all have for this Country's Climate Change emergency.

And, thus, the need for much more positive local action in addressing the now dramatically worsening effects we are seeing in our local woodlands.

Your further decision is apparently now of such controversial significance that it has been deferred to this subsequent month's Court.

But all the indications – past & present – must mean that you're going to say 'no', again. Consequently, you have apparently not felt able to meet BPC and discuss the matter in proper detail, as we suggested here a month ago.

We note that your 'Court' procedures are likened in the relevant Act of Parliament to those of a 'Magistrates Court'. However, those present in this hall today – and unfamiliar with the ways the Verderers exercise their responsibilities on behalf of the New Forest Commoners - must be struggling to see any similarity with the normal exercise of transparent justice in this country.

In such circumstances, it must be obvious that the democratically empowered Burley Parish Council is at a distinct disadvantage in trying to press home the justification of our request; i.e.

The case for planting a meaningful number of trees to commemorate our gracious Monarch's platinum jubilee in our village's traditional manner.

In the way that is patently close to Her Majesty's heart for this most notable occasion. In the place best known for its precious mature trees (but which are now grievously diminishing in number, and have been over at least the past 35 years).

And apparently because the small plot of land identified by Forestry England and ourselves for this purpose is prioritised for growing gorse!

In our March presentment, we addressed most of the points the Official Verderer's letter of 22 January said to be in order “to summarise the reasons behind the decision of the January Court”,

But now the following the points demand our further comments: -

'Preservation of the grazing and vegetation' The attributes of gorse are, of course recognised by pony owners, as is its previously dominant role on the Cott Lane site. But could anyone think its ubiquitous place in the forest is threatened? Or that it couldn't be occasionally replaced more productively?

'BPC's proposal ... would ... when mature occupy an area of 1 acre'. Is that, in fact, really thought to be a meaningful extrapolation? 21 trees initially within timber enclosures in Pound Lane & Cott Lane will represent an area of 1/50th acre over the next 10 years.

Moreover, broadleaf woodland (of the *Quercus Robur* variety) provides all-year round grazing and a valued protective habitat of much wider animal appeal, especially when planted in a spacious low-density non-commercial way, like the adjoining 1977 jubilee copse.

That provides an undergrowth mix of established grass, brambles and other pasture species, not least of which are 9 healthy, small holly bushes.

Compare that, then, to the much more limited pasture value of land dominated by mature gorse.

'It's the Verderers policy to refuse consent'. But surely you know that 'sticking to policy' is never an acceptable excuse for persistent negative thinking? How then do you take account of changing needs and circumstances? Like global climate change? Furthermore, your specific resistance to tree planting would not, in fact, appear to be one of your publicised policies.

Why then should there be a blanket embargo on sincere, community-related gestures requiring relatively minimal use of space? Whilst you're simultaneously placing no recognisable limits on pasture rights for grant-encouraged commoners' animals, each requiring acres of individual pasture?

Is it simply then that the Verderers & the Commoners are basically anti-tree planting, seeing such plans as a threat to the future welfare of their animals?

You should not then be surprised to learn that people are being heard to regard your reaction to our well-intended request as 'ridiculous', and reflective of the way you seem to be ignoring the health of non-inclosed, woodland elements of the New Forest, so characteristic of Burley village.

So, who then is going to ensure that the long-established wooded areas of the Open Forest will continue to function in the traditional manner if this is not otherwise within the current plans of the Verderers, the New Forest National Park Authority and Natural England?

Your website itself explains that Forestry England are licensed to manage the New Forest Crown Lands by virtue of the Forestry Minister's Mandate, granted in 1999. It "places a high priority on maintaining the Forest's traditional character". But we know FE are always underfunded by gov't and can handle only urgent matters pertaining to safety and regular management requirements.

Nonetheless, it is FE who have made this tree-planting application on land they manage, prompted by BPC motivation and financing.

Whether or not you recognise the longer-sighted environmental aspirations of a legally entitled community body like Burley Parish Council and its local resident

electorate, ultimately this application remains one made by Forestry England, in line with their Mandate from the Minister. Under what authority then, we must ask, are the Verderers entitled to rule against FE?

If we cannot look to you – The Verderers (as upholders of the Commoners' rights) - for assistance in conserving what these ancient Crown Lands mean in tree terms to so many people in this country - where do you think we should look? Can we all really afford to sit back & do nothing?'

2022/12212 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Mr Roger Hutchins

'Ladies and Gentlemen,

In the past, groups of trees were planted in Burley to commemorate Queen Victoria's Diamond Jubilee (1897), for the Silver Jubilees of King George V (1935) and Queen Elizabeth (1977), and to mark other important occasions. You might say that the village community has form in this area, and it would be tragic if this tradition were not followed on this occasion too. A reign of 70 years is unique in British history, and probably world history too, and deserves a unique memorial.

I see the basic structure of the New Forest as a trinity, like a tripod resting on the three legs of mires, moors, and woods. Over recent years, there has been huge investment in restoring and rejuvenating the mires; there has always been a rolling programme of burning and clearing the moors and they have recently been extended through the clearance of some conifer plantations. Yet, anyone who visits the ancient & ornamental woods will see everywhere fallen, damaged and decayed trees and little sign of new growth - the browsers will have seen to that. It appears that the woods are the poor relation of the New Forest trinity, but what will happen to any tripod if one leg breaks?

In response to the environmental crisis, the government is promoting massive tree planting programmes around the country, and it would seem perverse if the New Forest, the very heart and soul of English forests, was not seen to embrace and promote this vital initiative. The recent cycle of storms has destroyed many large and beautiful trees around Burley, and we should begin to replace them now, as a gift to generations who we will never see. They may not know us, but they will thank us.

I respectfully ask the Court to favourably consider and to accept this proposal, on the largest possible scale.'

2022/12213 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Mr Philip Daubeney

Mr Daubeney supported the presentments made by Lucy Bramley, Andrew Morris and Robert Clarke. He added that he is a local person and he understands the Forest. He also stressed the importance of taking into account the trees that have been lost as a result of recent storms.

2022/12214 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Mr Mike Eccles on behalf of the New Forest Commoners' Defence Association

'We are aware that local communities across The New Forest would like to mark The Queens Jubilee in some way. The recent presentment by Burley Parish council requesting permission to plant 12 trees is one example. However, whilst at first sight this appears to be an admirable gesture, this Association believes the number of trees and the location to be inappropriate.

In support of their request, Burley Parish claimed to have lost 126 village trees during recent storms. We would like to point out that about 100 of those were Holly, Birch and Willow. None of which are in short supply or scarce, either locally to Burley or across the wider Forest as a whole. Only a small proportion of that number were trees of note.

In the mid 19th century our Commoning forebears fought a battle against the Office of Woods, who were intent upon using the legislation current at that time, to plant tree inclosures over the most productive soils of the New Forest. The commoning interests won the day, leading to the New Forest Act of 1877, which still influences much of what we do today. Planting stands of trees on the Open Forest would be a betrayal of their endeavours, and also flout the intent of the 1877 act.

Her Majesty The Queen has met with Verderers and Commoners on notable occasions in the past, and has always appeared to be both knowledgeable and interested, and clearly understands countryside matters. We would respectfully suggest that she would probably not wish that her extraordinary achievement to be marked in a way which involves conservation controversy. We feel that a prolonged public debate related to something which is intended as a tribute, would tarnish the very thing Burley is wanting to celebrate. We ask that Burley Parish Council withdraw their request and find an alternative to their proposal, which is much less controversial, and more fit for purpose.

We support the Verderers policy and their initial response, and recognise the need and importance of a consistent approach to these types of requests which will inevitably come from more Parishes.

On a more general note, this subject concerns the management of the Open Forest. Matters concerning the Open Forest are usually reviewed by an established multi-agency partnership, including Forestry England, Natural England, NFCEA, and The Verderers. Could you please bear this in mind in future.'

2022/12215 ENCROACHMENTS & PERMISSIONS
Presentment by Dr Gale Pettifer, Vice Chair, Friends of the New Forest

'As you well know, the Verderers' remit and powers require many decisions to be made regarding the uses of the Crown Lands, particularly with permissions and encroachments. These extend from seeing off the presumptive erection of telephone masts; the casual annexation, by those fortunate enough to adjoin the Forest, in extending their gardens or parking areas; to allowing, with proper legal mitigation, necessary changes for the safety of roads, such as the Holmsley Bridge on the A35.

However well-meaning many of these requests may be, the Verderers are obliged to be mindful that any grant or exception may set a precedent, which other petitioners may regard as justification for their cause. The sum of all these good intentions should not pave over the Forest.

We now find that one of the local authority appointed members of the National Park Authority took the Verderers recent decision regarding a request for symbolic planting of a handful of trees to portray the Verderers as “difficult”, a similar refrain to that heard when County Councillors were inappropriately laying broadband problems at the Verderers’ feet.

An uninformed contention was made that the modest tree proposal would be a useful contribution to the Forest’s climate change response. The habitats of the New Forest are already very good carbon sinks. Indeed, evidence shows that when these habitats are restored they perform even better. The fact is, restoring heathland, wetlands and grasslands* can give far more benefit than afforestation.

Our Association (currently made up of biologists, mycologists, planning experts, and historians) was formed in 1867 to campaign for laws to preserve these common lands against actions that individually or cumulatively would have killed the New Forest as we know it. Since then, the Verderers have thankfully exercised their powers conscientiously to prevent the Forest’s death by a thousand cuts. We trust the Verderers to give all these matters due consideration and respond to requests in a way that is proportionate and fair. It is our hope that our support will remind others, including their partners, that these powers should not be eroded and that the due diligence of the Verderers be commended.’

*Review of the evidence of the impacts of management decisions and condition on carbon stores and sources. Natural England Research Reports, Number NERR043 2012.

Grassland Condition / Management option	Area Carbon exchange (+ emissions; - sequestration) (tCO ₂ -e ha ⁻¹ yr ⁻¹)
Grassland to afforestation	-0.37 (Dawson and Smith, 2007)
Maintained - Grazed	-2.20 (De Deyn and others, 2010)
Restored (from other land use or improved grassland)	-11.62 (De Deyn and others, 2010)

2022/12216 BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE
Presentment by Mrs Lyndsey Stride

‘Good morning, Verderers, members of the public. I haven’t prepared a presentment but I have listened and twice today we have heard people making presentments asking people to listen.

I’m a commoner. I’m also a company secretary to the Foundation of Common Land, and I’m a Forest School leader so I teach children across the Forest, particularly at primary school recently about the Forest. We walk in the Forest and we have learned about what makes it special. Now I’ve listened to all the representatives from Burley and I share your concerns about climate change, and about the future of the Forest. I have listened to the Commoners’ Defence Association and to the NFA. I haven’t once heard the word heathland mentioned. You’ve referred to gorse as scrub. I teach the children, that I work with, about the importance of the wetlands, and about the heathlands and their role in carbon sequestration and it’s really really critical. I also teach the children about what we have and why the Forest is so incredibly special. Our open heathland is so, so important, for our animals and also for the flora and fauna of the Forest. We think about our ground nesting birds and we think about birds like Dartford Warbler. All of those rely on our heathland. I’ve listened to those of you who talk about the number of trees that have fallen recently. We ride regularly in the Forest. We know our little patch of the woods very very well and we have seen so many large trees fall recently and I completely agree with those members of Burley Parish Council and the committee that our ancient woods are losing some of their most precious trees. So why are you not asking for more trees to be planted in the

woods? Why are you asking to take away heathland, which is so precious? Why are you not asking Forestry England to restore perhaps our Chestnut coppices? We used to be, as a Forest, totally self-sufficient in fencing materials. We used to coppice Chestnut. Now it's imported. We have a friend in Kent. We buy our wood from Kent because there are no Chestnut trees, not enough Chestnut trees in the Forest to coppice for fencing. Why are you asking for twelve trees on heathland when you should be asking for a whole inclosure of wood for fencing. You know, you want to think big, think big. Twelve trees on heathland isn't thinking big, nor going to make a difference. So listening is important but also we have to really value what the Verderers and the Commoners have fought for over hundreds and hundreds of years. It's not about Burley. It's about the big picture of the Forest. We all, everyone in this room, care about the Forest but, decisions have to be made that benefits the whole.'

IN COMMITTEE – in the Verderers' Hall

CONSIDERATION OF PRESENTMENTS

2022/12217	NEW ACCESS AT NOMANSLAND	DISCHARGE
	Forestry England staff had advised the property owner that he needed to obtain all necessary consents before carrying out the work but it seems he ignored that instruction. The NFNPA has stipulated that a retrospective planning application is required. Meanwhile FE will check to make sure that no imported material has been incorporated into the reinstatement of the old access.	Action PG
2022/12218	BURLEY PARISH COUNCIL COTT LANE TREE PLANTING PROPOSAL IN COMMEMORATION OF H M QUEEN'S PLATINUM JUBILEE	DISCHARGE
	Mr Grugeon confirmed that Forestry England supports one commemorative tree being planted per parish. The Official Verderer is seeking the view of Natural England.	
	The Court is not minded to change its stance and the reasons for refusing the 12 trees will be given in Open Court in May in the normal way. Meanwhile, the Official Verderer will advise the Chairman of Burley PC of the decision.	Action OV

NEW SUBMISSIONS INVOLVING FORESTRY ENGLAND

2022/12219	EAST BOLDRE PARISH COUNCIL PROPOSAL TO PLANT ONE TREE TO COMMEMORATE THE QUEEN'S PLATINUM JUBILEE	DISCHARGE
	The Court approved the application for a tree to be planted in the vicinity of East Boldre Village Hall.	
2022/12220	DE-MINIMIS CONSENTS TO BE RECORDED AT THIS COURT	RESUME
	The following proposals have been approved:-	
	DM0148 BT Openreach – Stocks Cottage, Tyrells Lane, Burley – very short length of duct crossing the verge	

MATTERS ARISING FROM PREVIOUS COURTS OF CONCERN TO FORESTRY ENGLAND

2022/12221	CYCLING	RESUME June
	A date for a further meeting with FE was agreed – Friday 20 th May at 1.00 p.m.	
2022/12222	WESSEX WATER PUMPING STATION – MILL LAWN, BURLEY	RESUME
	Mr Dowsett reported that a meeting with SSE to discuss the issue of an additional pole has been arranged for Monday 25 th April at 10.00am. Mr Deakin will also attend as will Mr Sean Marsh from FE.	
2022/12223	NEOSPORA & FOREST CATTLE	RESUME
	A report has been received from the veterinary surgeon who dealt with the cattle which were reported to have been affected by Neospora. The vet has confirmed the report may be disseminated to the CDA and NFDog.	
	Surrey University is interested in undertaking a study on the Open Forest to try to ascertain whether Neospora and other parasites and diseases in dog faeces is an issue. The Clerk will ask for an estimate of the cost of the study and will then seek to secure additional funding from other organisations. The more funds that can be obtained, the more in-depth the study can be.	
		Action Clerk

SSSI RESTORATION WORKS

2022/12224	REPAIR AND MAINTENANCE/ENHANCEMENT LIST	RESUME
	The list was noted.	

ENCROACHMENTS

2022/12225	ENCROACHMENTS LIST	RESUME
	FE did not report any encroachments but Mr Deakin believes there are two in East Boldre and he asked Mr Grugeon to investigate.	
		Action PG

ACTION LIST – ISSUES REPORTED TO FORESTRY ENGLAND

2022/12226	ACTION LIST	RESUME
	The list was noted.	

ANY OTHER BUSINESS

2022/12227	HOLMSLEY PASSAGE - BT OPENREACH ENFORCEMENT UNDERTAKINGS	DISCHARGE
	Mr Dowsett reported that a recent repeat site visit has taken place and no new issues were identified. To minimise damage, BT has adopted the Verderers' suggestion to employ heavy horses to extract a large number of redundant telegraph poles from the open Forest. These works will greatly enhance the landscape. The Court formally approved the works proposed by BT.	
		Action BD

2022/12228	QUEEN'S HOUSE CAR PARK	DISCHARGE
	Mr Grugeon advised the Court that the car park at Queen's House will be closed completely from the 9 th May for approximately 8 weeks. Parking for staff is being arranged in the village car park.	
2022/12229	ICE CREAM VAN AT HATCHET POND	DISCHARGE
	An ice cream van was seen at Hatchet Pond. This location is no longer on the list of sites with consent. Mr Grugeon said he will remind the operator that he must not be there.	Action PG
2022/12230	CONTROLLED BURNING AND VERGE CLEARANCE	DISCHARGE
	Mr Deakin thanked Forestry England for the controlled burning and verge clearance it has carried out.	
2022/12231	OVERNIGHT CAMPING IN CAR PARKS	DISCHARGE
	Mr Deakin commented that there is a lot of overnight camping in a number of car parks. He said he knows of at least 4 'regulars'. Mr Grugeon asked for a list of hotspots. Miss Sevier said NFDC is discussing what can be done about illegal camping. In some of their coastal and town car parks, people are allowed to stop for £10.00 a night.	

Mr Grugeon left the meeting

MATTERS ARISING

2022/12232	CYCLING	RESUME June
	A second meeting to discuss off network cycling has been arranged for 20 th May.	
2022/12233	VERDERERS' ELECTION	RESUME
	A meeting of the sub-committee is due to be held this coming Friday.	Action S-Ctte
2022/12234	NEW DEVELOPMENT & BACK UP GRAZING	RESUME
	Mrs Westerhoff is drafting a letter to go to local planning authorities.	Action DW
2022/12235	CAMPSITES	RESUME
	A letter in response to FE's is being drafted.	Action OV
2022/12236	DENNY CAMPSITE SOLAR ARRAY	DISCHARGE
	Mr Deakin reported an array of solar panels have been constructed which provide electricity to the Warden's Office/Caravan. The Court was concerned that the cables may be a hazard to stock. On the plus side, it is a quieter, more environmentally friendly means of supplying electricity than a diesel generator.	

2022/12237 AVERAGE SPEED CAMERAS RESUME
June?

Mr Manley reported on a recent meeting held to discuss how this project is progressing. He said he has been asked for a letter setting out 'a case for commoning'. NFDC is open minded and Mr Manley said he is hopeful the feasibility study will get underway soon. Action RM

2022/12238 INFORMATION FOR THE PUBLIC DISCHARGE

The Clerk said she feels one of the reason the Verderers' Office receives so many calls on subjects that are outside the organisation's remit is because people object to ringing an 0300 number. They prefer to ring a local number. She added that unfortunately some of the other local authorities are sometimes confused about what is dealt with by the Verderers and what should be directed to Forestry England. Responsibility for deer is a prime example. Miss Sevier said she will ensure NFDC's customer service staff have accurate information. Action AS

ENCROACHMENTS

2022/12239 PICKET HILL, SHOBLEY RESUME
June

Papers have been drafted and will served shortly.

OTHER AGENDA ITEMS

2022/12240 LONG SERVICE AWARDS RESUME

Miss Sevier has produced a draft policy which was well received by the Court. Suggestions as to the type of award that could be offered are invited. This would be in addition to a framed certificate. Action AS

HIGHER LEVEL STEWARDSHIP SCHEME & VERDERERS' GRAZING SCHEME

2022/12241 LOST LAWNS DISCHARGE

This consultation is due to start soon.

2022/12242 VGS COMMITTEE MEETING DISCHARGE

The next VGS Committee meeting is in June.

EXTERNAL COMMITTEES & WORKING GROUPS

2022/12243 NFDC PSPO GROUP RESUME
June

Discussions continue. NFDC would have the legal authority but it can delegate those powers to another entity. Data concerning potential 'offences' which could be covered by a PSPO are required. For example it is necessary to be able to show the impact hand feeding has on ponies.

2022/12244	NATIONAL GRID PYLON REFURBISHMENT	DISCHARGE
	<p>The pylons in the north of the Forest are to be refurbished and high voltage cables replaced. Mr Dowsett, Dr Ferris and Mr Pasmore attended a site meeting to which unfortunately Natural England was not invited. The work will require one stone access road to be laid (on Terram) in order that vehicles carrying very heavy equipment can access the area. A metal road such as that laid on Canada Common when the water main was replaced recently is apparently not up to the job. Further details will be provided in due course.</p>	
2022/12245	NEW FOREST DOG SEMINAR	DISCHARGE
	<p>Mr Manley reported that the seminar, which was kindly chaired by Mr Oliver Crosthwaite Eyre, was a great success. Some very good, positive feedback was received. About 60 people attended. Further work will now be required to ensure dissemination of important messages to dog owners.</p>	
2022/12246	WOODCRATES 3	RESUME
	<p>Final proposals have been agreed. A summary is required in order that the Court can give formal approval. The Clerk will request a copy and this matter will be resumed in May.</p>	Action Clerk
OTHER ADMISTRATIVE MATTERS		
2022/12247	STAFF MATTERS INCLUDING MATTERS ARISING FROM THE STAFF COMMITTEE	DISCHARGE
	<p>The vegetation screening on the A35 on Markway Hill has been almost completely removed. As a result the fence has been exposed and its weaknesses are very obvious. The Clerk has been trying to ensure HCC inspects and repairs the fence to maintain it in a stock proof condition.</p>	Action Clerk
2022/12248	STALLIONS	DISCHARGE
	<p>Four stallions have now come out of the scheme. Two reached the maximum age limit of eighteen. One was failed by the vet and one was withdrawn by its owner. Only three young colts came forward and from those, only one was brought into the scheme.</p>	
2022/12249	FINANCIAL STATEMENT	RESUME
	<p>The Clerk apologised that the Financial Statement had not been circulated and she undertook to do that immediately after the meeting.</p>	Action Clerk
2022/12250	TRAINING & HEALTH & SAFETY	RESUME
	<p>There was nothing to report.</p>	

ANY OTHER BUSINESS

- 2022/12251 SUE MITCHELL DISCHARGE
- Sue Mitchell, who has been appointed to the role of Facilitator to DEFRA's Environmental Land Management (ELM) New Forest Test & Trial will be joining the Court for lunch.
- 2022/12252 NATURAL ENGLAND APPOINTED VERDERER, MRS DIANA WESTERHOFF DISCHARGE
- Mrs Westerhoff advised the Court that for personal reasons, she will very regrettably be resigning this year. Natural England will be appointing her replacement but the timing has not yet been finalised.
- 2022/12253 NEW FOREST SHOW RESUME
- The Clerk reported that the office is working on some ideas but further suggestions are still very welcome. Action Office Staff
- 2022/12254 THE DISAPPEARANCE OF THE NEW FOREST (PERAMBULATION) DISCHARGE
- After seeking advice, Mr Dowsett felt it would be difficult to persuade Ordnance Survey to add the perambulation onto the OS Explorer series map of the New Forest. It was agreed, therefore, that the Agisters' map, which shows the perambulation, is adequate for now. FE has promised to produce some copies. The Clerk will chase them up. Action Clerk
- 2022/12255 REFURBISHMENT OF THE VERDERERS' HALL DISCHARGE
- Mr Dowsett said the final work to install new exhibits and engraved plaques should be completed soon and hopefully in time for the May Court.
- 2022/12256 EQUINE IDENTIFICATION AND TRACEABILITY DISCHARGE
- Mr Readhead reported that DEFRA has opened an online consultation on this very important subject. He asked everyone with an interest to respond. Action All

The meeting ended at 13:20 hrs