

Sue Westwood  
Clerk to the Verderer's  
The Verderer's of the New Forest  
The Queens House  
Lyndhurst  
Hampshire  
SO43 7NH

South England Forest District  
The Queen's House, Lyndhurst  
Hampshire, SO43 7NH  
Tel 0300 067 4601

[southern.enquiries@forestryengland.uk](mailto:southern.enquiries@forestryengland.uk)  
[forestryengland.uk](https://forestryengland.uk)

Date: 11/3/24

## New Forest Ice Cream and Hot Drinks Concessions 2024

Dear Sue,

The Verderer's have previously given consent for Ice cream and soft drink sales at agreed locations on the Crown Lands of the New Forest. The current consent expires at the end of March 2024.

We are seeking Verderer's consent for continuation of Ice Cream and soft drink sales from mobile vans or trailers at the following locations for a period of 4 years from 1<sup>st</sup> April 2024:

Site	Offer April 2024- 28
Whitefield Moor/ Beachern Wood	Ice Cream & Soft Drinks
Stoney Cross/ Janesmoor Pond	
Godshill Cricket/ Ashley Walk	
Linford Bottom	
Vereley	
Anderwood	
Burley Cricket	
Reptile Centre	



At the following sites we are seeking the Verderers consent for a period of 4 years from 1<sup>st</sup> April 2024 for sales of Ice Cream, Sugar Free Soft Drinks, Hot Drinks and Pastries/ Cake from mobile vans or trailers.

Site	Offer pre April 2024	April 2024 - 28
Blackwater	Ice Cream Van	Ice Cream, Sugar Free Soft Drinks, Hot Drinks, Locally Made Pastries/ Cake.
Bolderwood	Ice Cream Van	
Wilverley Plain	Ice Cream Van	
Dibden/ Deerleap	Ice Cream Van	
Boltons Bench	Ice Cream Van	

In asking for consent for a 4 year period we ask the Verderers to consider one of the key aims of the changes to the model that we use to licence concessions. One of the key aims is to attract a higher quality offer, with concessionaires that we can build long term relationships who invest in high quality equipment and staff so that they can reduce their impact on the special qualities, be ambassadors for the Forest and work with us to mitigate some of the concerns that are often raised in connection with this activity.

Subject to consent by the Verderers Forestry England intends to award initially a two year licence to successful bidders with a review point at 2 years where if contract conditions are successfully met it would be possible to offer the concessionaire a further 1 year extension, then again at the end of yr 3 we would consider the contract conditions and performance and offer a further year whilst a new tender was being drafted. We would intend to again seek the Verderers consent and any ecological consents during the early part of this fourth year. Effectively the contract would be a term of 2 yrs + 1 yr + 1 Yr if all conditions and KPI's were met successfully. This would include reviewing evidence from the public and stakeholders through the review of the management regulations and KPI's.

If the Verderers find it challenging to offer 4 year term at this stage due to the nature of the changes it would be possible to incorporate their evidence on the operations at the initial review stage for individual sites or if time and resources allowed, appoint a member to the review panel. We also welcome evidence throughout the contract period that will help us to review contract performance at KPI meetings.

In 2022 we carried out a review of all locations previously consented. We removed Hatchet Pond from the proposed sites and substituted it for Boltons Bench, removed Cadnam Cricket car park from the list, we also included some additional trading sites in what we consider to be more robust locations.



Concerns over some of the new sites were raised at the Verderers Court in 2022 in response to our presentment. We would like to draw attention to the fact that to date we have not had any substantiated negative feedback or problems raised since then relating to the pre-existing sites or those added in 2022.

As a responsible land manager we are always keen to hear of any genuine issues so that we can respond in the appropriate manner.

## Changes

It is our intention to look for a way to move the quality of the food and beverage offer forward in the New Forest in a way that increases the financial return, brings about longer-term partnerships with trusted suppliers who can act as ambassadors for the place, reducing the impact of the operation on the special qualities and at the same time proving a better, higher-quality visitor experience at robust day visitor sites.

We have seen and experienced good examples of such models across our organisation, on other sites within the Forest District outside the New Forest or have experienced high quality offers in other locations on designated sites such as those managed by The National Trust or in other National Parks.

Often the quality of the offer provided at these sites far exceeds that provided in the New Forest due to the short-term approach that we have taken in the past and the limited nature of the offer that appeals only to mobile ice cream traders.

Previous management of the Food and Beverage offer here has been through a tender based on price only, with a short-term contract period of a year or two years and has been managed through a permission. We have lacked the ability to attract high quality concessionaires and the systems that we have used due to the short term nature of the contracts have meant it has been a challenge to maintain quality and improve the status quo.

Our aim as highlighted at your December Court by Craig Harrison is to improve the quality of the Food and Beverage offer in the New Forest with the long-term intention of having a higher quality offer delivered by a concessionaire(s) that has a longer-term interest in the site and ultimately the New Forest, someone who supports the local forest economy through purchase of goods locally or employment of local people and someone who can be an ambassador for the place and a conveyor of our messages. The environmental impact from the operations will be improved, the impact on the amenity of the place will be improved through better screening of bidders and their offer, and secondary impacts such as litter and stock interactions will be better mitigated through more robust tender and



licensing processes using longer term licences with robust and effective management regulations and key performance indicators.

The variation in previous consent that is asked for at this time is to move 5 of the 13 sales sites to a wider offer including hot drinks, some pastries and cakes as well as the ice cream and soft drink offer. These 5 sites are as listed above and are at busy day visitor sites that are well established, meet the RMS key principles for support of recreation facilities, are in relatively robust areas and are key in holding visitors who otherwise may have visited other less robust sites.

You should also note that we have removed the sales pitches on the New Forest Campsites that are managed now by Camping New Forest as the opportunity to let these is now out with the remit of this request.

Again I must stress that the changes are limited to 5 sites, we will take reasonable steps to move the offer at these sites away from livestock and we have taken significant steps to reduce packaging and manage litter. We have no plans to offer hot meals or sandwiches nor breakfast rolls or burgers as some have suggested. This is about moving with the times and increasing the quality of offer to match the quality landscape that we support in the New Forest as much as it is about increasing income from the sites.

The following pages contain information that supports this request.

Yours

Richard Burke

District Recreation Manager  
Forestry England  
South Forest District



## Supporting Information

### The Tender

The current tender has now concluded (specific detail on locations is available later in this document), we received a number of good quality submissions and we have reviewed the bids and shortlisted bidders. The process from there has been put on hold pending a decision by the Court. Ideally we would like to be able to award the lots to the successful bidders in time for the anticipated start date of 1<sup>st</sup> April 2024 but have made provision to delay this if required.

It is important to note that in previous years the tender has been awarded on financial return alone or the majority financial return with a limited inclusion of environmental performance. This process hadn't yielded the change that we were looking for in terms of quality or reduced environmental impact etc.

This time we tendered the opportunity based on a wider set of criteria, designed to help us achieve our ambition to increase the quality of the offer and reduce the potential impact on the place and the special qualities of the New Forest.

The tender evaluation criteria are summarised below:

Evaluation Criteria	Weighting % Ice Cream	Weighting % Ice Cream, Hot Drinks and Pastries	Scoring
Human Resource – Training, experience, first aid, hospitality experience, env sector experience	15	20	<p><b>0 Unacceptable</b> - Unanswered or the evaluators do not have any confidence in the bidder's proposed delivery of the requirement.</p> <p><b>1 Poor</b> - The information submitted is very limited or not relevant or contains significant weaknesses; and/or no supporting documentation has been provided; and/or the evaluators have significant reservations regarding the bidder's proposed delivery of the requirement.</p> <p><b>2 Limited</b> - The information submitted is limited or contains many minor weaknesses; and/or insufficient supporting documentation has been provided; and/or the evaluators have limited confidence in the</p>
Quality of the sales unit and equipment, how it is powered – battery/ solar whippy or gas coffee machines, payment options, look of unit, is it clean and tidy, does it look in keeping with the site.	15	20	
Food/ Drink offer – Types of product, sugar free, packaging free or paper/ compostable packaging, healthy options, quality of offer, pricing, local suppliers, new forest marque, quality of ingredients, food miles, branding, signage, sales	20	20	



materials does it meet our ethos/ brand. Is it subtle and in keeping.			bidder's proposed delivery of the requirement.
Environmental responsibility – impact of your business locally and on the site. Type of food and serving containers, low/ no packaging options, paper bags only, no plastic sachets, no plastic wraps, no single use plastic, biodegradable or compostable cup, no plastic coffee cup lids or stirrers, litter management on site, waste management offsite, recycling, choice of suppliers and their impact. Management of litter across the site, management of bins.	20	15	<p><b>3 Satisfactory</b> - The information submitted addresses most aspects of the requirement; and/or provides acceptable methodology and supporting information that contains no more than moderate weaknesses; and the evaluators have moderate confidence in the bidder's proposed delivery of the requirement.</p> <p><b>4 Good</b> - The information submitted addresses all aspects of the requirement; and/or provides a clear methodology and relevant supporting information, containing only very minor weaknesses; and the evaluators have confidence in the delivery of the requirement, with no more than very minor reservations.</p> <p><b>5 Excellent</b> - The information submitted addresses all aspects of the requirement in detail; and/or provides a clear and complete methodology and relevant supporting information which does not contain any weaknesses; and the evaluators have complete confidence in the delivery of the requirement.</p>
Social responsibility – what positive impact will you make on society through your offer/ business – customer sales journey, connections to the local environment, awareness of social or environmental concerns, other socially driven objectives, re-investment of profits locally.	5	5	
Financial offer	25	20	Base fee plus turnover %



To set about increasing the quality of the offer, reducing local/ environmental impact and anticipating concerns around the amenity, livestock and litter we have been clear in our ask in the tender process. Details follow:

### **The units**

We have asked for high quality mobile catering units that must be modern, attractive, inspiring, well maintained and fit for purpose. We have specified a right to review each unit prior to contract award. This gives us the opportunity to reject offers that may cause environmental damage through poor maintenance or those that are poor quality or not in keeping. We have restricted the use of advertising banners, flags and menu boards in order to reduce the visual impact as much as possible.

### **The locations**

The licence at each of these visitor sites will allow one mobile food and beverage sales unit to operate from within the area delineated in the site location maps provided in the tender. Any Ice Cream and Hot Drinks offer will be solely from one unit on site, there will be no intensification through additional units on any site.

The exact location for the mobile food and beverage sales unit will be decided between the supplier and Forestry England at a site meeting in advance of opening. The reason for this is that we would like to move the vendors to locations within the wider sites that best suit the needs of the Forest rather than leave them to decide what suits them best. We had an open and frank discussion about this and the reasons for this at the bidder briefing day on site at Blackwater, there was full support from bidders.

For the most part the Ice Cream Sales locations will remain unchanged, we will review each site to reduce the impact on site and on livestock where possible. We already reviewed and made changes to the Ice Cream sales locations 2 years ago so don't expect much to change here at this time.

At the 5 sites identified for Ice cream and Hot Drinks etc we will take the opportunity where possible to move the location of the unit from any grazed area or area subject to free roaming livestock to an area inside an Inclosure to which free roaming livestock don't generally have access. The table below gives specific details as to proposals for this:



Site	Current location up to April 2024	April 2024 – 28 Location
Blackwater	Next to information point in car pk. Whole site in inclosure, no grazing impact.	No change. No grazing impact as fully within Inclosure. May move nearer to toilet block to reduce visual clutter.
Bolderwood	Ice Cream Van currently occupies space in gravel car pk. Outside Inclosure within grazed area	Move van away from livestock to picnic area next to Information Unit/ Toilets. New location within Inclosure and fenced from livestock. No direct grazing impact as in fenced area. Better screened, less visual impact.
Wilverley Plain	Ice Cream Van currently occupies space in gravel car pk. Outside Inclosure within grazed area	Move van to picnic area either within old BBQ area next to Toilets or within Inclosure fence next to picnic benches. New location within Inclosure and fenced from livestock. Better screened, less visual impact.
Deerleap	Currently no van.	Locate within busy gravel car park. Potential to post and rail fence around van if required. No direct grazing implications as will be located on gravel surface of CP. Within Verderers Inclosure although thrown open.
Boltons Bench	Ice Cream Van currently occupies space in gravel car pk. Within grazed area	Maintain existing location. Re-orient van to reduce impact on grass next to CP. Consider enlarged footprint area within car park dedicated to van. Reduces car park size by 1 or 2 spaces. Consider post and rail fence around van.

### Staffing and training/ awareness and communication

The tender states that we expect staff to be well presented and trained to a high standard. We already provide pre-season training for Forestry England and National





Park Volunteers and seasonal staff alongside campsite staff. We would expect any new sales staff to attend these pre-season training and familiarisation events. One of our aims is to have staff who have a longer-term interest or attendance at the sites so that they can become ambassadors for the New Forest code and be a set of eyes and ears at these busy sites. We have asked that the concessionaires display and communicate information for us at critical times such as during harvesting, drifts or wildfire danger conditions. Those tendering have been keen to work with us on this basis and many have provided evidence of having worked in a similar way at other sites previously. This will be picked up in the Management regulations/ KPI's.

### **The offer**

The offer at those sites selling ice cream will be able to sell Ice Cream and Soft drinks as already established. We have set out the tender so that higher quality offers using local suppliers or New Forest Marque suppliers score higher in the tender. As much as possible we want high quality offer that makes visitors feel that the place is important and worth taking care of.

The offer at the 5 sites selling a wider range of products will be:

1. High quality barista coffees made using a professional espresso machine
2. High quality teas
3. Low sugar cold beverages and water
4. Locally made or sustainably sourced fresh high-quality pastries and cakes
5. Seasonally or year-round, locally made or sustainably sourced ice cream products
6. Vegan or plant based alternative to main products must be available

### **Mitigating Interaction with free roaming livestock**

We have considered the potential impact on the New Forest's free roaming livestock in the tender. You will have noted from the table above the changes proposed to the trading locations at the 5 Hot Drinks sites.

At Boltons Bench we have little control on what food is brought onto our land by visitors buying food and drink in the village. We currently target Boltons Bench in our Pony Feeding/ Animal Petting campaigns and provide information and regular



patrols by staff and volunteers. We have also driven the implementation of and enforcement of the Public Space Protection Order prohibiting the petting and feeding of livestock in the New Forest.

Having a long-term partner at the sites, with a vested interest in the locations gives us the opportunity to gather better intelligence on what is happening on those sites outside of the times our staff are visiting, as well as being able to convey New Forest code messages to customers and other users of the site in a positive way through conversations. This is especially important at sites such as Boltons Bench where the additional presence at the site enable us to better report and manage activity across the site, especially pony feeding and petting.

We are also investigating a New Forest branded coffee cup that is compostable and displays the relevant New Forest Code messages around littering and behaving around livestock. We aim establish this as the preferred coffee cup for any trader on our land in the New Forest with potential to market it to other Hot Drinks traders adjacent to the Crown Lands.

Bidders have evidenced relationships they have struck up with regular customers and other stakeholders at previous sites, providing examples where they have challenged behaviours and prevented crime taking place.

### **Litter, coffee cups and packaging**

The design of the tender and the ask of the traders is twofold regarding litter.

We have asked the bidders to tells us and evidence how they will utilise products in their business that limit the amount of waste that is generated from their van/ trailer, maximising the proportion that can be recycled but more importantly reducing the amount of waste packaging that could be discarded in the Forest. Examples are the incentivising of reuseable coffee cups through discounts if you bring your reuseable mug, the purchasing of fresh baked goods that aren't wrapped and the sale of those goods without additional packaging, providing napkins only when asked.

In addition to the minimising the generation of potential waste it will be expected of the trader through the management regulations and KPI's within the licence that they keep the site tidy by litter picking, remove all waste generated by their operation and display and convey clear New Forest Code messages about the dangers of litter in our unique environment.



In sites outside of the new Forest where we are working with food and beverage concessions we have developed a KPI whereby a 20 minute walk is carried out by a Forestry England contract manager and the contract holder from the location of the trading unit and any litter is picked up recorded. This is done pre-contract start date and then at the defined KPI review dates.

Our experience so far of these reviews at sites in Hampshire and the Isle of Wight is only one coffee cup being picked up at any one visit. Anecdotal experience on the sites also tells us that the presence of a responsible trader with a long term interest in the site reduces antisocial behaviour, litter and fly tipping at our sites. We will use this approach with all the New Forest licences from the contract start date, making the survey and management of litter a KPI.

### **SAC/ SPA/ RAMSAR/ SSSI potential impacts**

The existing Ice Cream and Cold Drinks sales offer at the robust sites listed has been long established and has previously been screened under the Conservation of Habitats and Species Regulations 2017 in the generic Habitats Regulations Assessment for permitted activities.

Now we have concluded our tender process for the new Food & Beverage operation, and before granting any licences, Forestry England are undertaking assessment of the revised operation for its potential impacts on SSSI, SPA and SAC features.

If we consider the activity damaging, then we will be applying to Natural England for assent. If we do not consider it damaging, we do not need to apply for assent. Forestry England, as a S28G body under the Wildlife and Countryside Act 1981 (as amended) has its own legal duties on SSSIs and the UK's national site network of SPAs and SACs. In exercising those duties we follow Natural England's S28H assents process, wherein we only need to apply for assent if we consider the operation to be damaging. As the competent authority, we will be following due process under the Habitats Regulations, and will consult Natural England for its S28I Advice if and when that becomes necessary.

We have been in contact with Natural England and they are aware of our intentions, we are currently working with a consultant ecologist to carry out the screening above with a view to this being in place before the contract start date. If you wish, we will be happy to share this document with the Court when it is available.

### **The New Forest National Park Recreation Management Strategy**



The sites chosen are already established day visitor sites that are supported long term by the principles laid out in the New Forest Recreation Management Strategy Memorandum of Understanding 2015 (RMS MoU) between New Forest NPA, Natural England, The Verderers of the New Forest, Hampshire County Council, NFDC and Forestry England.

Section 2 of the RMS MoU states that key desirable outcomes for recreation management include, in sec 2.2:

*Benefits to people, organisations and local businesses through:*

*a) positive engagement in outdoor recreation in robust parts of the New Forest and surrounding areas that results in:*

- *people actively enjoying outdoor recreation*
- *improved health and well-being, especially amongst those with greatest need*
- *increased satisfaction levels amongst all recreation user groups*
- *greater interest in, understanding of and commitment to care for the things that make the New Forest special*
- *reduced interference with or impact on other activities including land management (e.g. commoning or forest operations).*

And

*b) greater income to the local economy, and more effective use of resources by organisations providing recreation facilities, e.g.:*

- *increased income for local businesses catering for people enjoying outdoor recreation*
- *more efficient management of recreation infrastructure.*

And in sec 2.3 (b)

*b) a relative increase in use of an agreed preferred network of routes and selected sites through, for example:*

- *better information and advice to users about where the preferred recreation sites and routes are and how to enjoy them without inadvertently causing damage*
- *provision of, and information about, appropriate and well maintained facilities associated with the route/site (e.g. gates, suitable surfaces, parking, toilets, visitor information, seating, waymarked trails)*



- *provision of, and information about, key access points close to local pubs, village shops or other visitor facilities including public transport options*
- *providing a more joined-up network of agreed, appropriately and effectively signed off-road routes for all users, and safer on-road routes for non-motorised users.*

In sec 3.1 the MoU refers to a set of guiding principles. We believe that the changes to the offer at the selected sites meet these guiding principles and further help us manage visitors in a positive way, attracting and holding visitors to robust sites and thus reducing impact on the most sensitive sites. These principles are as follows:

*3.1 A range of important guiding principles needs to be taken into account.*

*a) The aim is both to improve recreational experiences and to enhance the natural beauty, wildlife and cultural heritage of the New Forest*

*b) Although enjoyable and beneficial to participants, all forms of recreation also have the potential to be harmful to these special qualities, especially if done on a large scale or if activity is concentrated.*

*c) It is important to look at the whole of the National Park and beyond; e.g. increased impact in one location may be compensated for by reduced impact in another location.*

*d) Negative human impact is usually better managed by understanding behaviours and motivations and through this, attracting people to preferred areas rather than trying to prohibit access to sensitive areas.*

*e) Ideally, benefits will be maximised at the lowest sustainable cost*

The sites chosen for the Hot Drinks offer meet the following generic criteria that mean that a site might be desirable or suitable to promote:

*a) is already popular, well-used, accepted and adequate for demand*

*b) is close to a residential area, campsite or public transport access point*

*c) is accessed via a good road network*

*d) has a short access track or robust surface in good condition*

*e) is well-maintained or easy to maintain*

*f) has no access limitations (e.g. steps/stiles) and few, if any, gates*

*g) already has facilities on site such as tracks, parking, buildings*

*h) has nearby services (power, water, phone) if these are needed*

*i) already has or is ideal for picnic area*



*j) is adjacent to or links with visitor spend opportunity  
k) has toilets, shops, pubs etc. on site or on route*

*m) is within robust habitat (e.g. within a conifer plantation rather than ancient woodland or heathland)*

## **Tranquility**

The sites detailed above have already had a well-established Ice Cream and Soft Drink offer and are at busy day visitor sites away from the most tranquil areas of the Forest. The chosen sites are in the busy visitor zones of the New Forest or adjacent to villages or busy gateways.

Through this tender process we aim to reduce the noise of any catering van or trailer by asking concessionaires to consider options other than diesel powered ice cream vans or generators. We have researched alternatives and bidders have provided assurances and evidence of a desire to meet our requirements. Ice cream van providers have switched their fleets from diesel powered whippy machines to fully solar or rechargeable systems as a result of this tender. Hot drinks providers have evidenced that they can provide solar or battery powered fridges and gas powered coffee machines that don't need a generator.

In moving some of the vehicles into Inclosures and away from the Open Forest and in prohibiting flags, banners and extraneous signboards we further mitigate visual clutter.

## **Planning consent**

We have checked the requirement for planning consent for the sales of food and beverages from mobile vans at our sites in the New Forest. Advice from the New Forest National Park Authority is that the previous, current and future proposals involving mobile vans or mobile trailed units do not need consent under the Town and Country Planning Act.

## **Support of local businesses**

This tender aims to engage local small businesses and our teams have engaged with numerous small to medium and family businesses that have previously worked with us, have contacted us asking about opportunities or have existing businesses that fit with the proposed offer within the New Forest

Forestry England colleagues have walked the length of Lyndhurst High Street and have outlined the opportunity to traders who provide a similar offer. We also



visited businesses in Brockenhurst High Street and Hythe Town Centre and flagged the opportunity to food and beverage businesses.

A number of the successful bidders have indicated that they are purchasing ingredients and goods from existing local businesses such as coffee beans from the roastery in Lyndhurst High Street, New Forest Ice Cream and pastries and cakes from established New Forest businesses.

It is our goal that longer term licences give businesses more confidence in working with us and in buying from local suppliers and in employing local people.

### **Licences and contract management**

Previous Ice Cream agreements have been made through the permissions process. The permissions process is only designed for short term agreements and gives limited scope to effectively manage long term relationships with concessionaires providing services such as catering.

Through this tender we have switched to using formal licences, drafted and issued by our Estates team as the means of agreeing and managing the contract between ourselves and the successful bidder. We use this method to successfully manage other catering offers across South Forest District and the wider Forestry England Estate.

The use of licences gives us a more robust contract management process and sets out the requirements of both parties as well as provides for a set of management regulations and key performance indicators that help us keep track of the concessionaires performance against the requirements and deliverables set out in the tender offer. To work outside the management regulations or to fail to repeatedly meet the KPI's would enable us to remove the trader concerned.

We will set out the Management Regulations and the Key Performance Indicators (KPI) based on the requirements specified in the tender, we will set out the KPI review dates so that we can be sure that the concessions deliver as stated in their bids.

I have included an example Management Regulations document and an example KPI document as an appendix to this document.

We are currently drafting the specific Management Regulations and KPI documents for each site/ trader in the New Forest Tender.

Please be aware that the documents supplied are generic/ relate to another site and the specific New Forest matters that I have dealt with above will be written



into the specific Management Regulations and KPI documents for each of the New Forest sites/ contract holders. I am not able to share them at this stage but may be able to do so or at least share a New Forest parent version soon depending on GDPR constraints if you require.

