

## **New Forest Notes – August 1994**

### **No National Park Committee for the New Forest**

REMEMBER the sense of relief which swept the New Forest in 1971 when it was announced that the Minister of Agriculture had vetoed Forestry Commission plans to eliminate oak and beech from the Inclosures. Something of the same feeling returned last month with the announcement that, while extra planning designations would protect the Forest's suburban fringe, the New Forest Committee would not receive its coveted statutory powers and status. Delight and relief was apparent in the faces of many attending the public session of the Verderers Court on the following Monday.

The campaign against the grant of statutory Powers was long and difficult. Its origins were in the grass roots of the Forest community among those commoners and residents who were determined to resist a major threat to the tried and trusted institutions of management. Some Forest societies, notably the Pony Breeders and Commoners' Defence, were early and honourably in the field against the Committees ambitions. Others had to be dragged by their members, kicking and screaming into the opposition camp, where they proceeded to sit on their hands and contribute nothing to the communal effort. But perhaps the decisive factor in the battle was the intervention of Sir Patrick McNair-Wilson in support of the Forest. For this we owe him a great deal.

Why was the proposal to give statutory powers to the Committee so serious? After all, "national park status" in the diluted and tailor made form suggested for the New Forest Committee sounds attractive. The prefix "national" has a comforting ring to it. The National Health Service is universally regarded as a good thing; we delight in the beauty of the National Parks and the National Trust is one of our most revered institutions. Should it not also follow that making the New Forest into a quasi-national park must be beneficial? The simple fact is that the committee would have been dominated by local authority representatives and their appointing councils have in the past (and largely still do) represented the greatest single threat to the New Forest through their development projects. The New Forest District Council, which would have been the most powerful element of the committee, actively supports an outer bypass for Lyndhurst and the County Council (next most powerful member) promoted a Parliamentary Bill with the same object. If they had been given the recognition sought by the committee, they would have been able to exert massive influence to achieve their development objectives.

Their arguments and justification are not difficult to predict. "We the park committee for the New Forest, much regret the marginal damage to the Forest which this road will cause but there are times when the convenience of residents, the comfort of the travelling public and economic prosperity must take precedence over wildlife and wilderness." For, that one reason if for no other, the proposals had to be fought and defeated, but of course there were many others. There were the failures of the existing committee, let alone its proposed successor, in tourism, information and interpretation. There was the fear (I believe well founded) of the hidden agenda of some of the national appointing bodies, that the committee could be used

as a stepping stone to a full national park administration. Their resentment of the control exercised by the Forestry Commission and Verderers is well known. There can be few in the Forest who have not heard the story of the senior civil servant discussing the proposals with the chairman of one of the Forest societies. His view was that both Forestry Commission and Verderers were really unnecessary and that the Forest would be better placed under the full control of the New Forest Committee. Similarly, a prominent officer of the Countryside Commission is reported to have said that they might not get a national park while the Forest had its present M.P. but they certainly would immediately afterwards!

We now have to consider the interesting question of where the Forest's administration goes from here. After the traditional brief period of rejoicing, both Forestry Commission and Verderers will have to absorb the important lesson that gaps and weaknesses in their joint control need plugging if a renewed assault on their position is to be forestalled. I have never been enthusiastic about fresh legislation to expand the role of the Verderers, and tidy up a number of difficulties in the control of the Forest generally, but this is now certainly one option for consideration. As for the New Forest Committee, I hope it will be able to settle into the useful non-statutory role envisaged for it by its creators, the New Forest Review Group. As a discussion group it might still be valuable, but it will have to work hard to rebuild shattered trust within the Forest.

### **Mountain Bike war**

No sooner has the national park threat to the Forest been lifted, than another first class row seems about to break out. During the late spring, it became known that the Forestry Commission was about to publish a series of maps laying down cycling routes in the Forest. Incredibly, for what is perhaps the most far-reaching recreational project in a decade, the maps were prepared and published in secret - at least so far as the Forest was concerned. I have no doubt at all that the cycling lobby was deeply involved at all stages. There was no reference of draft plans to the Consultative Panel, a body set up to vet Forestry Commission plans. There was no consultation with the Court of Verderers, despite the Court's statutory responsibilities as the body with control over recreational development on the Forest. Finally, none of the local societies most intimately concerned with the running of the Open Forest was consulted or had any idea what the package contained. It was simply sprung on the Forest in the last week of July. Having now seen the maps I can understand why, this was done. They would have and will cause a storm of protest the Commission must know that they would never have obtained the permission of the Verderers.

The maps do three entirely separate things. Firstly, they show cyclists where to find the gravel roads on which for some time past they have been permitted to ride. Many in the Forest believe that these routes are already over used by mountain bikers and that the existing permission ought to be rescinded, but I suppose that this element of the maps is the least controversial. Secondly they include large scale plans of recommended routes, often encouraging bikers to penetrate deeply into the most isolated and sensitive parts of the Inclosures which, until now have been small havens of peace in a sea of disturbance. This will

be wholly unacceptable to anyone who values their remaining wilderness qualities of the Forest. Finally, and worst of all, they allocate an extensive network of new cycling routes over unmade paths on the Open Forest, many of them again in just about the last places to which recreation should be directed. Gross examples are at Rowbarrow near Beaulieu and at Splash Bridge near Linwood. The Commission states that there are over one hundred miles of timber extraction gravelled roads which cyclists may use and they have now increased this by 20% on Open Forest paths. I estimate that there are at least seventeen miles of unsurfaced paths now brought into use on the Open Forest with several miles more of artificially hardened route on the old railway. Intensified bike pressure on these paths is already apparent after only two weeks.

I know perfectly well the arguments for creating this new maze of cycling routes. The Commission will claim that "linking sections" between one set of gravelled roads and another is essential and that they will now be able to get biking under proper control. I doubt if either has much validity. Most, but not all, of the links are obviously unnecessary and comprise sheer exploitation of quiet parts of the Forest. Although growing pressure on the new routes has become apparent within days, there is certainly no diminution in cycle trespass elsewhere and, with its minimal enforcement staff, the Commission has little chance of effective control of the problem.

Clearly the maps are going to have to be withdrawn, preferably by agreement, but as the result of a Forest wide campaign if there is no alternative. An intriguing pointer to achieving this end was given in two presentments to the Verderers' Court on July 18th. Both questioned for the first time the legality of the Commissions actions.

The Forestry Commission may provide recreational facilities on the Open Forest subject to the consent of the Verderers. They may provide the same within the Inclosures by technically "throwing open" the proposed recreational consent. They may not provide recreational facilities in either the Open Forest or Inclosures without obtaining the Court's consent. By an accident of history, almost the only development the Commission may permit on the Open Forest without the Courts approval is the granting of rights of way into adjoining properties, but the dedication of cycling routes for the general public is patently outside this power. So, if the Commission wishes to design and waymark cycling routes and provide them glossy maps and guides, it is designating linear recreational facilities which need the approval of the Verderers. This has not been given. Had consent been asked, the Verderers would have followed, the usual procedure of inviting public comment before deciding the application. I cannot predict the outcome of such a consultation process, but on past experience I think it likely that the Court would seek to protect the remote places and to prohibit all but the occasional minor gravelled link on the Open Forest. It is distressing that the Commission, which shares the same duty to protect the Forest, should have adopted an entirely contrary policy.