

NEW FOREST NOTES JANUARY 2003

The New Forest and the Hunting Bill

Like a great many other people, I have been trying to understand the Hunting Bill and then to estimate its likely effects on the New Forest. Neither task is easy. Even on a national scale there seems to be little agreement among commentators. Some believe that it will virtually eliminate hunting with dogs in all but a few upland areas. At the other extreme is the opinion that most hunts will have little difficulty in satisfying the government's tests of "utility and cruelty" and that, West Country stag hunting excepted, there will be little change. After fighting their way through a lot of paper, the hunts will continue as before. Everything depends upon those tests and how they are interpreted by the hunting registrar, the appeal tribunal and (inevitably) thereafter the courts.

As I understand it, it will be necessary for the New Forest hunt to demonstrate, firstly, that it will make a significant contribution to the prevention or reduction of serious damage caused by foxes to livestock, game birds, crops etc. That raises immediate problems. What is "significant" and what is "serious"? Secondly, it will have to show that such a significant contribution in controlling serious damage could not reasonably be made in a manner likely to cause significantly less pain suffering or distress. This looks like developing very rapidly into a battle of statistics. What is the density of the Forest's fox population and is it above or below average or desirable levels? How many chicken farms are there in the area and what is the rate of fox predation on these farms? The questions are endless and no doubt the opposing factions are working hard collecting figures.

The opportunity for argument in a New Forest context is evidently immense. For example, it is patently obvious that in the New Forest there are 45,000 acres of Crown land on which there are no lambs to be taken by foxes, no cultivated game birds (except strays) and hardly a single chicken! That looks, at first sight, like a compelling argument as to why the hunt cannot meet the requirements of the utility test. In answer to it, the hunt will point out that it is not the chicken population of the Crown lands which matters, but rather the presence of chickens in the interspersed villages who may fall victim to Forest foxes. How many flocks are there in Burley, Brockenhurst and Beaulieu and how regularly are they ravaged in raids emanating from the Forest? Never before in the history of the New Forest will the welfare of the humble fowl have been so important or her death so well documented.

I live in an area with a particularly large fox population, nurtured by the delights of a massive local landfill refuse site. I see foxes regularly at all hours of the day and in headlights at night, but they appear to be foxes with a very selective attitude to chicken. My neighbour's cockerels roam the fields with apparent impunity, dying eventually of old age or the chopper. On the other hand, on those rare occasions when a treasured hen of my wife's has escaped, it has been snatched from outside the backdoor in a matter of hours, sometimes with a hail of Wellington boots or other handy missiles flying about the abductor's head.

As to the second (cruelty) test, the answer is just as unclear. Against the hunt it will no doubt be said that the New Forest possesses a government-employed team of highly trained marksmen in the shape of the Forest keepers so that, even if there was a need to cull (and that may not be admitted), hunting with dogs would not be the favoured option. The contrary view is that a hard-pressed handful of keepers, herding tourists and chasing byelaw offenders, are not the people to be spending their time unproductively in shooting foxes.

Perhaps the strangest aspect of the whole licensing issue is that important local matters must not be taken into account by the hunting registrar. During the Second Reading debate in the Commons, the minister was asked what would replace the hunt's dead animal collection service in areas where hunting is banned. The minister replied that this was under active consideration by the government but that it was not a matter relevant to consideration of the Bill. That may be perfectly correct, but there are a great many small farmers in areas such as the New Forest for whom hunting as a sport may not be of overwhelming importance, but who are very dependent upon the flesh collection and will for this reason be sympathetic to hunting. If the government is inclined to squeeze hunting, it does itself no service by leaving this important question in the air. Other important matters which the registrar may not consider include, for example, whether or not hunting plays a role in the social cement of the local community, whether it is or is not appropriate in a honeypot recreation area such as the New Forest, and whether the tradition and sporting enjoyment it provides have any worth. It must be "utility and cruelty" and nothing else: everything else falls within the scope of the Deputy Surveyor's licence to the hunt to use Crown land. That is a second hurdle for the hunt to overcome – something which it has always achieved successfully in the past, but which must now be open to question in the light of government policy. Will a government which has produced a bill which, to say the least, is not sympathetic to hunting with dogs and which is in the process of trying to create "Labour's hundredth birthday present to the nation" in the shape of a New Forest national park, see continued foxhunting as a desirable activity on its own property in that potential park? The one thing which does seem obvious in all this muddle is that there will be no clear or early decision, even if the Bill becomes law. I would be very surprised if the New Forest hounds do not remain busily at work, at least for several years to come.

The new Deputy Surveyor

The New Forest is to have a new master in the person of Mr. Mike Seddon. His appointment is in several respects out of the ordinary. For many years past, vacancies in the office of Deputy Surveyor have been filled by senior Forestry Commission officers, most of them nearing retirement. Not since the 1970s have we had a Deputy Surveyor in the middle or early years of his career. Mike Seddon's appointment is also unusual in that he has been, in effect, promoted from within the ranks of Queen's House staff - if one ignores a few months absence during which he worked for DEFRA. This gives him an immense initial advantage in that he already has some knowledge of the Forest's geography, his subordinates and – more important – an acquaintance with nearly everyone connected with

the Forest. The sole exception to this is, of course, the newly appointed Official Verderer who took office during Mr.Seddon's short absence.

Such a degree of familiarity is not necessarily advantageous in every respect, not least because it works both ways. The Forest knows Mr.Seddon and it knows (or thinks it knows) what he is about. In his previous Forest role, he was regarded as an efficient and forceful advocate of recreational development of the Forest. Among his more notable achievements was the establishment or consolidation of deep-penetration cycle routes, some in peaceful villages to the distress of their residents and some in the quiet depths of the Forest to more general dismay. As a manager/promoter of recreation, his services were no doubt highly prized by his employers, but if he were to carry forward his former policies into the wider role of Deputy Surveyor, there might well be some disquiet locally.

Deputy Surveyors of the New Forest used to be, it was said, appointed because of their diplomatic and political skills rather than because they necessarily possessed great technical knowledge. Some quickly became known as men with overriding interests. Lascelles was a hunting man, Cadman a conservationist, Mithen a dedicated commercial forester and so on. This time, with the choice of a young and determined professional, things may be very different. The new appointment looks uncommonly like an attempt by the Forestry Commission to dig in and reinforce its position as primary recreational developer of the Forest, in the face of a potential challenge to that dominance by an incoming national park authority.

Maintaining controls on Forest commerce

Every year the Forestry Commission comes to the Verderers with a request to extend, in terms of time, the permissions to use the Forest for various recreational and commercial purposes. In December the application included ice cream sales, wagon rides and cycle routes. Not for the first time the Forestry Commission asked for long term extensions (three years) and not for the first time the Verderers refused. One year extensions were granted in each case. It is not that any of these uses is, of itself, particularly objectionable. The problem comes with the scale of use and the undoubted lack of control which would result from the granting of lengthy extensions. It is with cycle routes that the most obvious problems arise. Not only is the existing network so large and intensive that it is damaging the Forest, but it gives endless opportunities for trespass off the permitted routes into the surrounding woods and heaths. There is a widespread view, certainly not confined to the Court, that the Forestry Commission is still not getting to grips with the trespass problem and perhaps has little wish to do so. Limiting the duration of the extension is thus the Verderers' best method of maintaining pressure on the Commission to clamp down on the law-breakers.

The pig's tale

The population of my village has been variously amused, delighted or horrified by the arrival of two pigs (one very large and one very small) in an area of the Forest where pigs are not normally found. Some equestrian ladies have been reduced to a state of terror by the

reaction of their horses and even the Forest ponies at first expressed alarm. On the other hand, just before Christmas, I observed one small child with her arms around the enormous body of the sow in an ecstatic embrace. That, perhaps, was not a very good idea: pigs can bite !

On the subject of pigs, there has been going around the Forest a new comment on the pannage season – repeated to the Verderers by someone who should have known better. “The tourist season in the New Forest finishes at the end of September and then the commoners turn out their pigs to make sure that it really has finished” !

Anthony Pasmore