

NEW FOREST NOTES – JULY 2001

The ultimate New Forest Book

Almost forty years ago I was given a typescript copy of a paper entitled "The Distribution of Gorse in the New Forest in relation to former land use". The title was a bit dry, but the contents were fascinating in that they constituted the first piece of modern (post war) research into the Forest's ancient history. Its author, a young ecologist named Colin Tubbs, was engaged in a long-running battle with the then extremely reactionary Hampshire Field Club and Archaeological Society, firstly to secure publication of the paper in the Society's Proceedings and secondly to bring about a reform of the Field Club's constitution. His close ally was the late Jean Cobb and between them they gave the ancient and obstructive hierarchy in Winchester an extremely hard time. In those days the New Forest's name was not spoken in polite circles and one leading member of the time was heard to say of the dissidents that "There are people in the Hampshire Field Club today that I choose *not* to meet."!

All this happened long before Colin Tubbs became a pillar of the New Forest establishment and a nationally respected scientist who was more likely to be begged for a contribution to learned journals than to be a supplicant for publication. Over the years, a string of books and papers followed as Colin became the embodiment of the Nature Conservancy, then the Nature Conservancy Council and finally English Nature in the New Forest. His first major book on the Forest appeared in 1968. This was followed nearly twenty years later by a volume in the Collins New Naturalist series entitled simply "The New Forest" which was unquestionably the most important general book on the Forest of the 20th Century. There had been many excellent specialist books dealing with narrow subjects - commoners, archaeology, forestry and so on --but this was the first and only really authoritative volume covering everything from geology to modern administration. It was copiously illustrated, including a number of colour plates, and it quickly became a standard reference book. It did, however, suffer from one major shortcoming – the publishers clearly underestimated its importance and appeal, so that it was quickly out of print. In the intervening years, I have annoyed a good many further education classes by putting it down as the only title on recommended reading lists because, by comparison, there was really nothing else worth recommending. A lot of very bad books have been written on the Forest.

Inevitably, market forces came into play, pushing up prices of secondhand copies. The original hardback price had been £22.50 and in the spring of this year I saw a copy advertised by an internet bookseller at £250.00 which, I am told by those who know, represented a bargain.

Colin Tubbs died in 1997, but not before he had completed the bulk of the work of revising "The New Forest" for a new edition. The task has now been finished by his wife Jenni. My disgruntled WEA students and many others will be delighted to know that re-publication is to take place before Christmas as a charitable project co-ordinated by the New Forest Ninth Centenary Trust (New Forest Museum) at Lyndhurst. The hardback price will be £35, but a special pre-publication rate of £28.50 will be available on orders placed before 3rd

September. Moreover, purchasers will be entitled to have their names included in a list of subscribers contained in the book. A prospectus and full list of the revised contents is available from the Museum and gives a preview of the delightful forest painting by local artist Alison Bolton which will be the jacket illustration.

Dogs

Neither the Verderers, nor the Commoners, are involved in the enforcement or otherwise of the Countryside and Rights of Way Act restrictions on dog running in the Forest. Both are, for once, mere curious observers watching the wriggling of those government agencies whose business it is to explain, justify and impose the regulations. It is true that the Commoners would be incidental beneficiaries of any reduction in stock worrying resulting from a dogs on leads policy, but they can hardly be blamed for that. It is a matter of fact that attacks on stock on the Open Forest do occur and some have been horrific. Dog runners claim that the number of attacks is insignificant and there is unlikely to be any meeting of minds on this subject.

I am told that following the concern of dog owners about the provisions of the CROW Act, there have been a number of telephone calls to the Queen's House (local headquarters of the Forestry Commission) pleading the case for continued free running of pets during the nesting season. The Act requires that dogs should be on leads from 1st March to 31st July on land, such as the New Forest, over which the public is being granted a new right of access. Some callers have evidently assumed that the CROW Act regulations are proposals being formulated by the Forestry Commission rather than what they are – national law passed by Parliament after the usual debates. The Commission is thus innocent of any evil plotting to undermine the privileges of the public. It is simply the authority charged with the management of the New Forest within the restraints of statute. How it decides to exercise those powers is a rather different matter and raises some interesting questions.

As I understand it, an affected landowner (and that means the relevant minister in the case of the New Forest) has the power to set aside some requirements of the CROW Act in relation to dogs and other matters. In simple terms, the minister's agents the Forestry Commission, might say: "We are of the opinion that the free-running of dogs in the nesting season, throughout the woods and heaths of the New Forest, is a cherished privilege which should take precedence over the wellbeing of ground-nesting birds. We will accordingly allow it to continue once the new access rights are granted to the public." That is the sort of decision which might be made by any private landowner in respect of any ordinary bit of his land newly subjected to public rights of access. No private landowner is *likely* to do so, but that is beside the point. For the Forestry Commission, however, the decision is not quite so straightforward as that, whatever its inclinations might be. For a start, the conservation provisions of the CROW Act presumably represent government policy and the Commission is a government land manager. If Parliament has concluded that ground-nesting birds require some element of protection on access land, it is difficult for their land managers to pursue a different line. Secondly, the New Forest possesses a string of conservation designations, some of them the product of European law. They require not only the protection of habitats, but in some cases their enhancement also, when management decisions are being made.

The relevant designations include SSSI (site of special scientific interest), the protection of which the CROW Act was designed to promote and which lays upon the Forestry Commission a duty to "further the conservation and enhancement of the SSSI". That will be an uncomfortable obstacle for them in supporting dog running. The next label is the SAC (special area of conservation) which brings European law into play through the conservation regulations of 1994. Then there is the Special Protection Area for birds which is designed to protect some of those species claimed to be most at risk from dog running – nightjar, woodlark, Dartford warbler etc. I say "claimed" because many dog runners maintain that there is absolutely no conflict between the wellbeing of these birds and the enjoyment of their pets. The relationship and interaction of all these conservation designations is rather beyond me, but they represent on paper a formidable array of protection.

It is at this point that a new player appears on the scene and that is English Nature who will be intimately involved in any decisions on dog running. Now I suspect that they, like the Forestry Commission, lack the political muscle to stand against dog-running public opinion and will be looking desperately for a way out of the dilemma they are facing. With European and national law at their backs, neither is going to find a very easy escape route. When all else fails in such circumstances and scientists are faced with making an unpopular decision, it can usually be avoided by a tried and tested formula. It will be discovered that the matter requires more research before a decision can be made. Consultants will be appointed to carry out a ten year research project. The authorities will be off the hook and the dogs will be off the CROW Act leads. English Nature will have some embarrassing moments explaining away the provisions of its SAC management plan that "dogs should be under tight control on leads" (in sensitive areas and at sensitive times), but my assessment of developments so far is that the dog-runners are heading for a resounding victory.

The plastic Forest

Over the last few years, a horrid rash has been spreading across the New Forest in the form of the disposable plastic sign. Back in the 1970s, one expected to find a light scattering of chain oil and diesel drums, tractor tyres and broken wire hawsers in the wake of forestry operations. There were rules about subsequent collection of such debris, but they were seldom observed. Today's rubbish is far more extensive. Every time forestry work is undertaken, three or four garish signs appear on every gate in the vicinity, warning of work in progress, the need for hard hats, the need for the public to keep out, the inadvisability of climbing on timber piles and so on. Others proudly announce the presence of commercial contractors. The signs blow down or are vandalised. They end up in bushes and ditches and the workers move on leaving the fading remnants of the survivors flapping helplessly from rusting nails. As icing on the cake, the Forestry Commission uses red and striped tape tied round trees for various purposes connected with felling. So far as I can see, no attempt is ever made to remove this. I know of some of it which has been in place for over five years. Now I see quantities of redundant foot and mouth signs joining the sedimentary layers of dross. Operation Cleansweep is an excellent way of tackling visitors' rubbish, but perhaps cleanliness ought to begin at home.

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