

NEW FOREST NOTES JULY 2006

The ravaging of Kings Copse

Kings Copse near Blackfield is, of all the Inclosures in the Forest, the one furthest from my home. At a distance of over twenty miles, my visits tend to be infrequent and in any case it is not the sort of place where one expects controversial events to occur. It is tucked away on the edge of a large private estate – a sort of Forest backwater, although almost within the shadow of the Waterside industries. The Inclosure was made in 1815 and planted with oak a few years later, some of which remains. However, it is on the site of much earlier woodland as its name, its archaeology and its documentary records testify. It was certainly woodland in the early 17th Century and probably much before that. It was, and despite recent events remains, one of the prettiest small Inclosures in the south of the Forest. I am told that botanically it is important, although now somewhat less so following recent damage. It is one of those woods which is planned to remain in commercial production (subject to the New Forest Acts), with the greater part managed as broadleaved woodland and with some mixed woods in the north east part. Despite its proximity to the Waterside, it is not swamped by recreation – especially since one of its two car parks was closed a few years ago as a result of the disagreeable activities of some who frequented it.

The tranquillity surrounding Kings Copse came to an abrupt end last month following some heavy fellings of oak by the Forestry Commission. As news of what had happened spread, the complaints started to come in, giving me the opportunity of renewing acquaintance with a now much changed wood.

The accusations against the Forestry Commission were numerous. It had cut large quantities of beautiful old oak in violation of the New Forest Act 1877; it had felled and extracted timber in dreadful weather conditions resulting in the wrecking of the track network and had then carried out excessive “restoration” works. The felling, extraction and restoration had damaged archaeological sites and rare plants. Masses of felling debris, some of it in a matrix of excavated clay had been spread about the woodland floor. All in all, it sounded like an exact re-run of some of the bad old events of the 1960s.

So far as the nature and extent of the felling is concerned, I think that the Commission has probably kept just within the letter of the law, although the endless lines of felled oaks and the hundreds of yards of stacked cord wood suggest the application of a very heavy hand. A colleague has suggested that fifty percent of the mature oak has been cut in places, but there has been no clear felling (it is prohibited by the Act) and it is at least arguable that a “sufficient number of the most ornamental trees” have been retained. Keeping within the spirit of the legislation is a very different matter. The felling or at least the extraction was clearly undertaken under very adverse conditions resulting in widespread and serious ground damage. Despite some tidying in places, much of the felling areas is still in a dreadful mess and damage to the fragile soils is irreparable. Why the Commission persists in operating in such conditions is a mystery to almost everyone outside Queen’s House and

probably some within it. Clearly they cannot fell in the nesting season, but what is wrong with the late summer and early autumn ? Instead it seems to the public that they choose to flounder about in Somme-like conditions during the wettest months and doing incredible damage as a result.

As to the alleged botanical damage, I am not qualified to judge. I am told that the New Forest Association's ecologists are extremely concerned at what has happened. On the other hand there is no doubt that the archaeology *has* been damaged and should not have been as the Commission was aware of its existence. The fact that the sites concerned were of secondary importance is beside the point. There have been too many slip-ups of this type in recent years.

Perhaps the most visible damage, or rather its aftermath, is the re-grading, ditching and levelling of the rides. The work is a very neat but massive engineering project which has left behind level compacted yellow clay ride surfaces following the destruction of the natural soil horizons with their grassy cover. In two separate places I was accosted by walkers who, on seeing someone with an official-looking map, concluded that they had trapped one of the perpetrators of the damage. They demanded to know (with justification) what would happen to the clay tracks once the rains come and they are subjected to heavy use by hooves and feet. Experience shows that over perhaps a decade or so, such clay surfaces do stabilise to some extent and the good drainage here provided should help, but the whole operation should not have been necessary in the first place. Unfortunately the contractor was evidently left with a large surplus of clay and this, sometimes mixed with a dense reinforcement of oak branches, has been spread for ten to fifteen feet into the woodland margins along the tracks. It is about the most unpleasant aspect of the entire job.

Finally, the rides have been restored before all the cut timber has been removed and, indeed, felling of spruce is still taking place beside them. If (as seems inevitable), this timber is pulled out along the new flat clay rides, there will presumably be yet more damage to repair. In short, the Forestry Commission has a lot of questions to answer over its work in Kings Copse.

The camp site paradox

The Verderers' opposition to the expansion of Roundhill Camp and the upgrading of Hollands Wood on a smaller area remains resolute, so it is something of a paradox that on the 6th June the Court signed the "appropriate assessment" under EU regulations. This means that within the very restricted and peculiar scope of the regulations, the development must be deemed to cause no damage to certain wild creatures and habitats. In fact the Court believes that the proposals will cause significant damage to the conservation value of the New Forest, but because the rules are so restrictive, the Verderers are not allowed to reflect this damage in making the assessment. They were, in effect, compelled to sign it, but they did so "with great reluctance" in the words of the press statement, which also appears on the Court's website.

The signing of the assessment in no way alters the Verderers' refusal to grant consent for the development under the New Forest Acts, announced in January of last year. The fact that Forest Holidays is apparently pushing ahead with the planning application can only be interpreted as showing that the new lessee of large chunks of the Forest thinks that it can somehow overturn the Court's decision – at least if planning permission is secured.

It remains to be seen if the planning application will be determined by the national park or if it will be called in by the minister. If the former happens, it will be an interesting test of the park's priorities. Will protection of the Forest or its recreational use come first? The law requires that where there is a conflict, protection must take precedence and recreation second place. There can be no doubt that there is a very significant conflict in this case. I imagine that a desperate search is now on for some fudging mechanism and that the Verderers' clear-cut refusal remains the best hope for the Forest.

Abandonment of the Minister's Mandate ?

The Minister's Mandate is a set of rules which instructs the Forestry Commission on how to manage the New Forest. It has been renewed from time to time since it was first issued in the early 1970s. The current version dates from 1999 and was for a ten year period. Perhaps the key phrase within it is that the Forestry Commission will run the Forest with "conservation of the natural and cultural heritage as the principal objective of management". I am told on good authority that within the Commission the Mandate's priorities are now regarded as having been superseded and over-ruled by the establishment of the national park. Accordingly, recreation must now be regarded as the equal of conservation in running the New Forest. That, if true, is a worrying development. I must admit that in the absence of other supporting evidence I might have been somewhat sceptical of the report, but a speech by the Deputy Surveyor at the formal launching of the National Trust's ownership at Foxbury Plantation provided just such evidence. So far as I know the speech was not printed, but it certainly eclipsed the Trust's big event and was the principal subject of discussion for the remainder of the day. I did not take notes, but the thrust of what he had to say was that the present emphasis upon conservation in the New Forest was likely to decline in future and at the same time the importance of providing recreation would grow.

Good news on power lines

Earlier this year the Forestry Commission put to the Verderers some welcome proposals for, in current jargon, "undergrounding" various power lines in the vicinity of Picket Post. At the same time, proposals were brought forward for renovating the overhead lines further south. These renewal plans included the hideous lines in and around Broad Bottom near Burley which are among the most intrusive in the Forest. The Court was told that there was no way in which these lines could be buried, not least because of the cost. It is the sort of story the Verderers had heard often in the past and, not least because government money had recently been made available for burying power lines in beautiful areas, the Court refused consent for the proposed refurbishment and asked that the electricity company should think again. That proved the worth of not taking official refusals at face value, because the money

has since been found and most of the cables north of the Crow road will now be buried. This follows the valuable precedent set at Hinchleslea Bog several years ago and should ultimately lead to all smaller overhead lines being removed from the Open Forest as they reach the end of their lives.

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