

NEW FOREST NOTES MARCH 2005

The last of the council Verderers

The passing (from office) of the last of the council Verderers may lack the emotional force of disappearing Mohicans, but it does mark the end of more than half a century in which the councils have been directly represented on the Verderers' Court. I can remember some years ago there was a tremendous battle between New Forest District Council and Hampshire County Council for the right to appoint a "planning authority Verderer", since both bodies possess planning responsibilities. That resulted in the post being left vacant for quite a long time until Hampshire emerged victorious. Now the power of appointment has been usurped by yet another planning authority in the shape of the national park so that both the District and County councils are losers.

It has to be said that most of the planning Verderers have been distinctly unmemorable and one or two of them a good deal worse than that, but there have also been some honourable exceptions. I suppose that a lack of interest can hardly be blamed upon the councillors concerned. They no doubt sought election with a view to doing those things in which councillors specialise – providing services, roads, schools education and so on. They can hardly have expected to have dumped upon them a share in the complex and highly specialised business of managing the New Forest. This, of course, lies at the root of the undesirability of a council-dominated national park administration, but that is a battle which the Forest has now fought and lost.

The honourable exceptions to this rule of nonentity include Alan Rice who stood out against his own council when it tried to construct a damaging outer bypass for Lyndhurst. That took courage and a sense of responsibility to the Forest which is rare and will not be forgotten. The second exception is the present holder of the office of planning Verderer, Kathy Heron, whose enthusiasm for the job and understanding of the Forest is more akin to that expected of an elected Verderer than of a council appointee. Exactly when the park will demand her replacement is not yet clear, but presumably once the authority is established later this spring.

What can the Verderers expect from a replacement for the present valued member of the Court? They might be lucky and receive an appointee knowledgeable in the ways of the Forest, prepared to put the commoners and the protection of the area before development and intensified recreational pressure – but I doubt it. The recent antics of other park authorities give little ground for optimism, with the Lake District pursuing extreme politically correct policies, Pembrokeshire backing the building of an intrusive holiday village and Exmoor supporting the damaging activities of four wheel drive enthusiasts.

How the National Park will be run

DEFRA has issued its long awaited guidance to the national park authority on what is expected of it by the government. It is a depressing document, full of platitudes and pious hopes, but devoid of any concrete safeguards for the Forest. It is signed by Alun Michael, but

how far it is his personal directive is open to doubt. DEFRA is faced with a fundamental difficulty in issuing guidance. The government clearly sees the New Forest as a countryside resource to be exploited for the benefit of the town. That is the philosophy which patently lies behind what the Minister has written, yet it is in partial conflict with the statutory purposes of national parks and so cannot be openly expressed. It will be interesting to see how the council-dominated authority, of an opposite political persuasion to the minister, handles this conflict of objectives.

After ignoring or over-ruling almost every other assurance to the Forest given or implied by the Countryside Agency over the last few years, it is hardly surprising that the government has now spurned the advice of the inquiry inspector on the protection of the Verderers' powers. That advice, if adopted, would have made it difficult for the park to overcome the Verderers' veto on damaging recreational development. The Forest is thus now wide open to any development of this nature which the park sees fit to force through. Admittedly, the use of compulsory powers is a difficult and rarely-used procedure and the park will have a fight on its hands if it seeks to follow this line, but it will only have to do it once. After that the Verderers will be beaten and may offer little resistance to future adventures.

A further potential conflict which it will be interesting to observe is that over visitor management. The minister's letter sees the park authority as taking the lead in this area which has previously been the sole preserve of the Forestry Commission, apart from such input as the Verderers are permitted by statute. No doubt all will appear harmonious in public, with the Commission being instructed to knuckle down to the park and keep its mouth shut, but I am sure the tensions will be there under the surface. After all, the Commission has been running the Forest's visitors for fifty years past and, a handful of horrible errors excepted, it has made a very fair job of it. A park takeover can scarcely be welcome in Queen's House. Indeed, the eleventh hour dash to secure major camp site development at Roundhill can hardly be interpreted as other than an attempt to forestall park intervention. Both park and Commission may share a desire to develop and expand recreation, but they may have differing ideas on who should be the beneficiary.

Charging for horse riding

For reasons which I have been quite unable to fathom, there has been a sudden revival of the old fear that the Forestry Commission is seeking to impose charges on those using the Forest for horse riding. So far as I can see, this is completely groundless. No doubt there are some in the Commission who would like to do so, but that is a very different matter. Since the Commission has now abandoned its old claim that the public uses the Forest by permission only, and has stated that there is a public right of access to all the Crown commonable lands, the old fear of a riding charge is removed once and for all. It cannot impose such a charge because the law which grants public access includes access on horseback.

This, of course, does not mean that the Commission cannot charge riding schools and other commercial users of the Forest. They fall into a different category from private riders and may still be on some undisclosed target list in Queen's House.

Draghunting – round two

If I have understood matters correctly, it is the intention of the New Forest Foxhounds to substitute a form of draghunting, using dead fox scent, for its former sport. I am not clear if this involves some type of synthetic fox essence, or the towing through the Forest of a fresh (but humanely dispatched) fox carcass. All this is subject to obtaining consent from the Forestry Commission and, presumably, the Verderers. The idea is to keep the hunt together and financed pending a change of government and the promised repeal of the Hunting Act. Thereafter the drag hunting would be abandoned and there would be a reversion to former practice.

This plan will present the Forest with some interesting problems. Back in 1999, a proposal for drag hunting was put forward and met with extremely hostile responses from most Forest groups, ostensibly on the grounds that it would be highly damaging to the Forest, disruptive of commoners' stock and that it would have serious effects on wildlife. The largely unspoken additional reason for this opposition was that drag hunting was perceived as a means of undermining "real" hunting in the New Forest.

Eventually and much against the Verderers' wishes, trials were undertaken. By common consent they proved to be rather a fiasco. At one trial the hounds set off in pursuit of deer. In another, which I attended, a senior appointed member of the Court trudged deliberately through the scent trail and at right angles to it. He was duly pursued by the bloodhounds !

In the end and after much acrimony, and threats of legal action, the application did not progress. I think it got rather muddled up with the outbreak of foot and mouth disease in 2001. Now it looks like coming back again with its former bitter opponents as its chief advocates. It will be interesting to see how both the Forestry Commission and the Verderers' Court meet this challenge. Perhaps they will jointly decide that this really is an item which should be on the agenda for the first meeting of the park authority. After all, it involves recreation and government policy, so what better forum is there to tackle the question ?

Stallions

Nothing within the Forest community seems to arouse such passions as the subject of stallions and that is before one begins to consider the response of the mares. Several years ago, with pony prices at rock bottom levels and a great glut of unwanted foals, the Verderers introduced a scheme designed to meet this problem. The standard of stallions allowed to run on the Forest was to be raised allowing for better quality but fewer numbers of sires. The period during which they could be turned out was limited to about two months in the early summer, so as to prevent the birth (in subsequent years) of early and late foals. Early foals are undesirable because they put a strain on the mares at a lean time of year, while late foals are too young to be sold at the principal sales and owners may have to keep

them over the winter. Under the scheme, owners were also to receive a substantial payment to help with keeping their stallions over the winter. The scheme was voluntary in that it could not be enforced through the byelaws, but it received widespread support and showed good signs of achieving its aims. Now, however, that support has collapsed with some owners insisting on being allowed to turn out their animals for a much longer period. This year stallions reappeared on the Forest in February. It is anticipated that this may mean a return to very early foals in 2006, while the longer turn-out period should increase the chance of more mares getting in foal. Apart from the continued higher standard, therefore, some argue that the scheme has virtually disintegrated, although payments will still be made to the owners.

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