

NEW FOREST NOTES MARCH 2009

When is a commoner not a commoner ?

The New Forest answer to this riddle would seem to be “when he’s a recreational horsekeeper in disguise”. In December last year, the Verderers wrote to the planning authority (the Park) about the latter’s plans to control recreational horsekeeping. This was not a representation on the proposals of the park plan (which fall outside the Verderers’ remit), but because of the widespread perception that recreational horsekeepers threatened by the Park could somehow escape their fate by converting themselves into “real” commoners. The park plan had spawned numerous enquiries to the Court about how to keep livestock on the Forest and how to register brands, while the Commoners’ Defence Association was deluged with membership applications. During January the Park replied to the Court and at the February meeting the Official Verderer was able to announce the outcome.

On first reading, the Park’s letter seems to give a clear denial that being a practising commoner is directly relevant to permission for a change of use from agriculture to recreational horsekeeping. We are told that the critical issue for planning purposes is the actual use of the land. The letter goes on to say that “the perception that being a commoner might be relevant seems to have arisen because if someone is a commoner it is thought that they could more easily demonstrate that their animals are not kept for recreational purposes.” The letter goes on to say that in some circumstances being a commoner may be helpful evidence to support an individual’s case to show that their animals can be classified as agricultural. Still, that is only one factor and, in the Park’s view, a subsidiary one.

From starting off with a clear statement, the letter has by this point revived the confusion and, in my view at least, muddied the water still further. The problem is that in many cases there is no clear distinction between recreational horsekeeping and commoning and that is exactly the uncertainty from which the commoner aspirants are evidently hoping to benefit. For years the commoners have said, quite rightly, that keeping ponies on the Forest is a loss-making activity which can only be kept afloat by subsidy. If it is not a profitable business, but rather a loss-making way of life, it is at least arguable that it is simply a form of recreation, albeit one crucial to the survival of the Forest and one which the planners seem anxious to support. It is also plain that the keeping of a lot of riding horses in a field without any common right related activity is a potential source of concern to the planners – hence the recent controversial proposals for control. It seems to me, therefore, that someone adept at twisting planning restrictions (and I sometimes think this is becoming a new national sport) is not being entirely irrational in seeking, as a first step, to “commonize” himself.

If we leave aside the basic question as to whether or not keeping ponies on the Forest is in itself a recreational activity (the Park evidently thinks that it is not), the problem becomes even worse as one starts to analyse the use of the commoners’ non-breeding livestock – the majority of equines on the holding in many cases. Such animals may, of course, be used for colt-hunting and drifts, or simply the straightforward but essential process

of getting about the Forest looking for stock, but animals devoted exclusively to such uses are rare indeed. They are much more often multi-use animals. A horse which is driving in a sick mare on a Monday may be out hunting the next day. A pony being ridden out to look for a missing calf on Wednesday may be amusing the owner's daughter at a gymkhana at the weekend, while another toughened-up during the drift season may be kept in training throughout December in preparation for the point-to-point. There are also a great many commoners who take in one or two recreational horses for a weekly fee to help out with strained finances, while others pursue equine-related hobbies like breaking, dealing and training horses. Altogether it is an incredibly diverse and complicated area in which any planner intervenes at his peril and where opportunities for manipulating the system seem endless, whether exploited by a sixth generation Forest-bred pony keeper or a newly retired banker in search of a rural lifestyle.

We are now commencing the next stages of the park plan preparation with a new round of quasi-consultation. So far as I can see this is confined to representatives of special interest groups and statutory authorities and has no real purpose beyond demonstrating that the Park has consulted to the point of exhausting everyone – not least the unfortunate consultees. A number of new working groups has been set up and I am relieved to say that I shall not have to face the task of joining the recreational horsekeeping group. There the Verderers will be represented by my colleague, Dionis Macnair, who is well versed in the ways of both recreational horsekeepers and commoners. Since this is strictly a planning matter, it looks likely that there will then follow yet another statutory consultation period later in the year and then, perhaps, a public enquiry. After that, if the Park is inclined to pursue its horsekeeping ideas, there have been mutterings about legal challenges.

It is interesting to speculate as to how all this is going to end. Probably in the final document there will be some watered-down and face-saving reference to the draft horsekeeping proposals. Behind the scenes, officers will be told to avoid any confrontational action on horsekeeping and within a year or two everyone will be carrying on exactly as before and the whole controversy will be forgotten. After all, the Park is dominated by councillors for whom the next election is important. Whether control of recreational horsekeeping is a crucial planning tool upon which the future of the Forest depends or a gross assault on traditional freedoms is not the point. As with traffic control, road closures, wildlife protection and the maintenance of tranquillity, those who shout the loudest will almost certainly come out on top – good management notwithstanding – but that is the inevitable consequence of national park administration.

A foal-less spring

There was a time, not many years ago, when New Forest commoners bred as many foals as they could, without much regard for quality, and simply threw them onto the market irrespective of demand and consequently of the proceeds of sale. How times have changed ! At the February Court, the Commoners' Defence representative asked the Verderers to consult on not turning out any stallions at all this year to reduce the anticipated glut of

unwanted foals in 2010. The Verderers do not have the power to exclude properly approved stallions, but they can withhold the valuable subsidies which in recent years have been made available to stallion owners. That should be a powerful incentive not to turn out.

I suppose we have all got used to the unpleasant idea of dairy bull calves being “taken behind the barn and shot” because there is no demand for them. Nobody likes it – least of all the farmers concerned – but it is a fact of life. The spectre which is clearly frightening the New Forest pony keepers is of a similar fate being the only outlet for unwanted colt foals. Shooting a calf is one thing and the public will just about tolerate it, but mass slaughter of foals could be very different and hence the prudent advance planning suggested by the CDA.

For some time the Verderers have been investigating the possibility of controlling foal numbers by means of a long-acting contraceptive for mares. The work was delegated to the DEFRA Verderer, Pat Thorne, but at the February Court she reported that the scheme has come to nothing. It seems that the contraceptive is not licensed for use in this country and that the method of administration is in any case not practical in Forest conditions, so that leaves stallion control as the only option.

Already I am told that the slaughterers are under great pressure from the number of horses being destroyed because of the economic crisis. A horse is a luxury and top of the list for sacrifice when household budgets are being squeezed. First class young broken animals will always find a market, but there are many old and second-rate horses for whom the future looks bleak. The market can certainly do without a huge influx of unwanted foals at the bottom of the pile, whether from the New Forest, Dartmoor or any other native pony area.

Shave Green gipsy camp

There is, apparently, a new play doing the rounds which celebrates the romance of carefree gipsy life, centred on the charming woodland camp at Shave Green (otherwise Brockis Hill). The theatre does not interest me greatly and I have not attended this entertainment. For all I know, as a piece of drama it may be outstanding and beautifully acted, but the summary given on television is sadly at variance with my memories of the site.

In the days when Brockis Hill flourished I lived at Cadnam and the vicinity of the camp was one of those places which everyone tried to avoid, especially on a horse. The woodland was littered with broken glass and every imaginable form of rubbish, partly from the domestic activities of the residents and partly from their scrap dealing activities. At the Verderers' Court (I was not then a Verderer) there were repeated complaints from residents of Bartley (the nearest village) of alleged thieving and vandalism, although these were properly matters for the police and the Forestry Commission rather than the Court.

Far from being seen as the heavy-handed work of uncaring authorities, the closure of the camps and the rehousing of those who lived there was regarded as a great blessing by nearby villagers. Even today, forty years or so after Brockis Hill closed, anyone riding there or in the other former gipsy sites, needs to be aware of the still-lingering danger of broken bottles and steel.

VIPs at the Verderers' Court

In recent years there has developed something of a fashion for important people to visit the Verderers on court days. This month we can expect the High Sheriff, Mr. Michael Campbell, who will also attend part of the subsequent committee. Then, in April, the Court will be attended by an old friend of the Verderers, the Lord Lieutenant, Mrs. Mary Fagan. I suppose the Queen's House setting and traditional proceedings of the Verderers are an attraction. It is hard to imagine a local council or Park meeting having quite the same allure.

Anthony Pasmore