

NEW FOREST NOTES - MAY 2000

Verderers and the Subsidy Problem

Over the past year, cracks in the structure of the Verderers' Court have become increasingly obvious. The problem is not that there is any serious flaw in the system as devised by the New Forest Acts. The Court, in carrying out its prime functions works well enough - certainly a great deal better than any conceivable alternative. The difficulty arises when the Verderers, with the best of intentions, begin to stray outside the sphere originally allocated to them by parliament. As in a company which neglects its core business in a rush to diversify, neither the new nor the old businesses can prosper.

The Verderers' core business is managing the agricultural use of the Forest and controlling almost all forms of development which are proposed there. The latter task, except in respect of recreational development, is not a very onerous one. Most public developers long ago gave up on the idea that the Court could be bribed or bullied into allowing them their evil way with the New Forest. The Forestry Commission, on the other hand, is continually pushing and probing (not always successfully) for further recreational concessions in the Forest. As to agricultural management, fatally injured ponies are shot promptly, the verges are kept reasonably free from public-offending carcasses and health and welfare byelaws are enforced more or less successfully. The system has all the strengths and weaknesses to be expected of a community left to do its own policing, but again I doubt if a better could be devised.

The problem comes with the "diversification". That comprises the administration of an ever-growing and increasingly complex system of pony and cattle subsidies, financed by the Forestry Commission and (latterly) doubled by European funding under the so-called Life Project. The Verderers have tinkered with subsidies for years and even in the early stages, strains were apparent. Today the accounting, stock inspections, reports to Europe and the preparation of schemes are all fiendishly complicated and threaten to become even worse as new stallion and cull schemes are loaded onto an already groaning structure, with too little thought for the consequences. The plain fact is that the Verderers' office is no longer able to cope. Not only are the subsidy schemes themselves at risk, but the ordinary day-to-day business of the office is going downhill. This is not in any way to imply criticism of the office staff. There is a limit to what the most willing and efficient flesh and blood can stand and the Verderers have pushed the load well past that limit - despite repeated warnings. Now they are seeking to apply patches (in the form of temporary clerical assistance) to this extremely leaky ship, and for which (at present) funds seem non-existent. Altogether, it is a most unsatisfactory situation.

The subsidy schemes in themselves are, of course, a vital prop to a decaying pony-keeping regime and I am certainly not arguing for their abandonment. The difficulty is simply the way in which they are administered. To my mind, they are properly the business of the

Forestry Commission which manages the New Forest on behalf of the Minister of Agriculture and which is the chief beneficiary of the livestock grazing in the Forest. Without that stock, the effort and expenditure of its owners and the work of the Verderers, the Commission would incur vast expenditure annually in keeping the Forest open to the public. Moreover, the Forestry Commission (controlled by MAFF), has access to great reserves of finance and expertise in the payment and administration of subsidies. Of course they would always have to work closely with the Verderers, because the latter employ the necessary field staff, but one way or another, this intolerable self-imposed burden of subsidy administration has got to be removed from the Court. The old divisions and hostilities between landowner and grazier in the Forest began to break down long ago. It is now time for MAFF to adopt a more generous and supportive attitude to the commoners who are an indispensable (if impoverished) partner in managing the Forest for the nation.

Whether headage payments are the best long term solution to the problems of the Forest (or indeed of agriculture generally), is a different question from how those subsidies should be administered. I have yet to meet a commoner who would not prefer a stable and adequate pony market to official hand-outs - however justified those payments may be. At the moment it is far from clear if there is any alternative.

The 1960s Forest in Colour

Thirty five years ago I started taking colour slides of the New Forest, perhaps even then with half an eye to their long term historical interest, because I concentrated on places undergoing change. These included the Verderers' Inclosures at or soon after planting, the main roads before fencing, the tourist honeypots before the introduction of the car free zones and the felling of hardwoods before the Minister's Mandate of 1971. Over the decades the collection grew to over 2,000 slides and expanded in range to include archaeological excavation and fieldwork in the Forest, vegetational patterns and buildings undergoing alteration. It seems odd looking back through the collection to long-forgotten houses such as Holmhill Cottage and the little cob hovel at the corner of Ogdens Purlieu. There is also the beautiful cob outbuilding (razed with unpardonable vandalism by the Forestry Commission) in Stockley Inclosure. Anyhow, dreams of a long term future for this slide collection were brought to an abrupt end by an insidious attack of mould which commenced some years ago - ugly grey and purple blotches spreading across landscapes of treasured memory. Re-photographing was prohibitively expensive and washing in Fairy Liquid, although successful, was impossibly slow.

When I had quite given up hope, modern technology came to the rescue in the form of a sophisticated and expensive scanner and a lot of assistance from knowledgeable friends. Last month, the first three hundred and fifty slides, transferred onto CD, were deposited in the New Forest Museum for public reference. They cover the period March 1966 to August 1970 and, if the manufacturer's claims are to be believed, the CD has a minimum life of one hundred years. Further batches will, I hope, follow at regular intervals.

Countryside & Rights of Way Bill

I have been struggling to understand this fearfully long piece of legislation and to assess its likely effect on the New Forest. So far as I can see, the Forest will be fairly caught by its provisions and will be opened up to what is popularly called the "right to roam". That may sound nonsensical because the public has always roamed over the New Forest, but it has been done as a privilege and not as a right. That is quite an important distinction. In times of high fire risk, or in the event of an outbreak of foot-and-mouth disease, it has always been open to the Forestry Commission to announce that the New Forest is closed. Of course they have never tried to enforce such a restriction, but the mere fact of an announcement has had its effect. It seems that the legislation will provide for access land to be closed in an emergency, but no doubt there will be a proper procedure to be followed.

As to the privately owned commons in the Forest, these also will be thrown open to roaming, whereas formerly they have been used by permission or inaction of their owners. The Bill seeks to require a reasonable standard of behaviour from those roaming, but practically, enforcement will be out of the question. The thousand well-behaved walkers with dogs on leads will be no problem: the hundred tree-hacking, litter-leaving vandals will be quite another matter. The practical effect of the legislation is that anyone will be able to go exactly where they please and do whatever they want on the heathlands of the Forest, except where byelaws apply and within the constraints of the ordinary criminal law. That, so far as the Open Forest is concerned, may be fair enough, but fair or not, it is what is going to happen. The real problem seems to be not in what Parliament is granting, but in what the public *believes* (or claims it believes) it is being given. Those who will benefit under the Act will not concern themselves with "petty" land classifications restricting access to heathland, downs, mountains etc. There are increasing reports of farmers being told "Oh, we can go where we like in your fields now, because we have been given the right to roam". This seems to be a special problem where there is existing public footpath access which can be used for random penetration over a farm. Last summer I stopped two mountain bikers who had deviated across a field from a public footpath (where they had no lawful right to be in any case), only to be told that all farmland was open to them because the government had promised a right to roam ! That, and not the obscure wording of the Bill, is the public's perception of its new rights. This is going to be a fairly shattering blow to farmers everywhere, but in the Forest with its intense recreational use and dense public footpath network, the pressure on some small farms is likely to be intolerable. Legal safeguards in the Bill will be quite meaningless. You cannot run off to a solicitor every time you find trespassers damaging a hay crop or their dogs chasing after livestock.

There is also the question of what will happen to the small areas of heathland not subject to common rights and (at present) closed to the public. I have in mind such places as the area around Sandy Down at Boldre, although there one of the principal landowners already permits public access. In my own part of the Forest, two of the large estates possess such land, some of which is a dog-free haven for wildlife. Presumably all this will be opened

up to roaming. I remember a respected local naturalist once saying to me that if ever the army pulled out of the Lulworth Ranges, it would be an ecological disaster. The tanks might kill an occasional bird and crush the odd rare plant, but that was nothing to the damage which would be done if the public was let in !

As an avid user of footpaths and bridleways (most of my holidays are spent on them), I am a strong supporter of access to the countryside, but it does seem that Parliament is now intent on delivering yet another blow against an already embattled farming community and especially in the urban fringe farms of areas such as the New Forest.

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