

## **NEW FOREST NOTES MAY 2001**

### **Reopening the Forest to Recreation**

It will probably take a long time and a good deal of effort before the Forestry Commission is able to re-establish for itself much respect within the New Forest community. Its decision to reopen some tourist car parks, while foot and mouth disease continued to ravage the West Country and the North of England, proved extremely unpopular. Of course that decision was dressed up in some (very unconvincing) risk assessments in which the Forestry Commission's advisers concluded that it was quite safe enough to let the public in, while home-grown authorities, including some vets and leading figures in the Deer Society, were of a rather different view. Deer are regarded by the locals as a key element in the threat of spreading the infection within the Forest.

Opinions seem divided as to how far the opening of the car parks was dictated by government and how far it represented the ambitions of the recreational enthusiasts within local management. "Six of one and half a dozen of the other", was one informed view, while from within the Commission came a determined denial that local officers were the instigators. I am inclined to think that is true and that the opprobrium heaped on the Deputy Surveyor may well be unfair. That officer remains inscrutable, but the government seems to be the real villain. How could they, while putting unsuccessful pressure on county councils to open footpaths, allow their own property to remain fully protected against the disease? It was absolutely necessary to make an example of the New Forest and to demonstrate that the keepers of a few mangy cows should not be allowed to emphasise the fallacy of the story that "the British countryside is open for business".

I suppose it is possible, if one places a very low value on New Forest farming and the sensitivities of local people, to make a case for throwing the Forest fully open to the public. A better case can be made for keeping it completely closed, but the government chose the worst of both worlds opening portions of it, to the confusion of visitors, with a totally inadequate policing of the rules, and to the bitter resentment of local Forest users. They had tramped miserably along the tarmac for weeks, towing their dogs or wearing out horse shoes and generally trying to do the "right thing". They considered, probably rightly, that they constituted no risk because they had not been out of the district and they were not at all amused when the Commission suddenly opened up parks for outsiders. As the Verderers were told last week, among the first coaches spotted were vehicles from Dawlish and Carlisle – direct links with the infected areas. No wonder there is an almost universal feeling of betrayal in the Forest.

Even if one takes the unreasonably optimistic view that foot and mouth is already defeated and that the practical risk to the Forest is infinitesimal, it is still peculiarly insensitive to invite back the ice cream-eating and dog-running visitors, while Forest livestock continues to suffer immense welfare problems through being banned from its rightful grazing and some of its owners are in real financial difficulties. If muddle has been the hallmark of the

government's management of foot and mouth nationally, in the New Forest it has been extreme tactlessness.

When the minister first announced his intention of opening the Forest, a coalition of local groups – NFU, Commons Defence and Verderers – immediately began to look into the legality of what was proposed. It is, to say the least, a difficult area of the law. It seems unlikely that there will be an immediate legal challenge unless there are fresh outbreaks close to the Forest. The really sad thing is that such a challenge should even have to be contemplated. If the letter and spirit of the "Minister's Mandate" (instructions to the Forestry Commission on how the Forest should be managed) had been observed, there would have been no question of taking risks. The Forest would have remained firmly closed until the danger was passed. Whatever the fine words of the mandate, it is now clear that recreation provision is and will remain the prime objective of management. If walking trails can be opened up in the Peak and Lakes national parks, why should the New Forest be allowed to maintain its promised protection? In 1999, Mr. Prescott promised to give the New Forest to the nation and at Easter his agents commenced delivery.

### **The plight of local horseowners**

At the Verderers' Court on 23rd April, the New Forest Equestrian Association drew attention to the exceptional difficulties of local horseowners under the foot and mouth access restrictions and contrasted them with the reopening of the tourist parks. Horses, always unpopular with the Forestry Commission, remain banned from all parts of the Forest except the tarmac roads. The Commission says, with some justification, that if uncontrolled riding is again permitted, "boxing-in" will occur. In other words, riders prevented from using bridleways in better protected areas will come to the Forest in road transport. Day visitors, their dogs and vehicles from infected areas are apparently acceptable, but even horses which never set foot outside the Forest area are not. The suggestion that the same inclosures used by tourists might be opened up to horses is patently nonsense, because most of them are completely inaccessible to riders without expensive road transport. If those desperate enough to use such transport appear in the car parks, how would the keepers differentiate between a trailer from Blackfield and one from Newbury?

I have seen riders sticking carefully to the MAFF guidelines and riding along the tarmac roads across the Forest, constituting an inevitable traffic hazard to themselves and others, while the benefit of their being on the road rather than twenty yards or half a mile from it completely escapes me. Indeed, it could be argued that they would be safer away from the roads on which there might be car-borne virus. Horses, of course, do not catch or carry the virus internally.

There is a simple answer to this problem. If veterinary advice suggests that horses off a road across the Forest constitute no greater danger than those on it, local riders (that is those **not** using any form of vehicular transport) should be allowed to exercise their animals again. By the very fact that they come into the Forest on foot, they must constitute a far lower risk than the tourist whose dog may have been bounding through the fields of west Devon

before breakfast and be chasing a deer through Knightwood at lunchtime. The discrimination against local horses is just another example of the illogicality of the present situation.

I am told that the tourist-related business most seriously affected by the restrictions include riding stables in the Forest, and a relaxation in relation to private riders could also apply to such premises

### **The shape of the national park**

Almost unnoticed amid the foot and mouth pandemonium, the Countryside Agency has issued its recommendations for the New Forest national park's management and they are just about as bad as many predicted from the start. Particularly disappointing is the outright rejection of a compromise plan put forward by the Verderers, which would have allowed the existing protection of the Forest to be maintained. In other words, the Countryside Agency seems determined that the park should be able to dictate what recreational development takes place in the Forest, rather than having to obtain the consent of the Court. In the Agency's words, the Verderers must not be allowed to "undermine" the park authority's purposes. That is code for saying that the protective powers of the Verderers must be subservient to the recreational ambitions of the park.

As to the constitution of the park authority, only two votes (at most) would go to the Forest. The Verderers would have one and the commoners a second, although the person representing the commoners might be expected to speak for other interests also. In other words, the Forest will have two votes out of perhaps thirty, guaranteeing a resounding defeat on every controversial issue.

Government circulars will require the park to "focus" on commoning – a fairly hollow direction bearing in mind that the park will be promoting one of the greatest threats to commoning in the form of excess recreational use. That is theoretically contrary to park purposes, but evidence from the existing parks shows that in fact recreation usually dominates. A final recommendation is that most planning powers will be delegated to local councils. That probably does not affect the Forest much one way or the other.

There will shortly be a formal consultation process and, assuming no change of heart by the Countryside Agency, objections and a public enquiry will follow in due course. The Verderers discussed the proposals at their last Court and, for the first time, I sensed a little more backbone developing over the park issue. We shall see. When the Commoners Defence and its fellow societies eventually emerge from the foot and mouth mess, I doubt if they will find the Agency's ideas very attractive either.

### **Beaulieu Road Saleyard**

As if the Forest's farming community was not beset with enough problems, the traditional market for New Forest ponies is now under immediate threat. The yard requires considerable expenditure to make good deterioration and the Forestry Commission has reservations about granting a worthwhile extension to the licence. Both these problems might have been overcome, but an apparently insuperable difficulty over animal health regulations has also arisen. Washing-out and disinfecting facilities would be prohibitively expensive to

provide on a site without main drainage and with very limited water. Unless some miraculous solution is found, closure seems inevitable.

If Beaulieu Road is lost, the disposal of surplus Forest ponies (especially foals) will be even more difficult than at present. The obvious solution of moving the sales to a modern market has unexpected difficulties. The present yard may look primitive, but the earth floors and wooden sides to the pens are in fact particularly welfare friendly. Selling wild ponies in a gleaming modern concrete and steel market has been shown to lead to many injuries, including broken legs which necessitate the destruction of the animal. Vets shooting ponies in public is hardly a good advertisement. Such problems do not arise on the present site.

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