

New Forest Notes – May 1995

Confrontation with the Forestry Commission

Writing in the New Forests Association's annual report, Peter Roberts, the Countryside Commission's new Verderer, declares that we are set on a course of confrontation with the Forestry Commission in its new commercial clothes. He says that the Association should now question whether the Commission is the right body to manage the Forest.

The report does go on to say that these are personal views which are not necessarily shared by the body appointing Mr. Roberts. However, he is not the only voice calling for the ejection of the Queen's House administrators and if the Commission has really sacrificed so quickly all the goodwill built up over many years, the Forest is in a rather sorry state. Of course from a number of sources there is a political campaign to undermine the Forestry Commission's position. This is mostly related to national park issues and to the New Forest Committee and it has little to do with the welfare of the Forest. It is fairly well known that the Deputy Surveyor does not regard the New Forest Committee with unrestrained enthusiasm and that is quite sufficient to make his organisation a fair target in some quarters.

Perhaps some of us with longer experience of dealing with the Commission would not entirely share in Mr. Roberts' castigation of the Forest's management. There is much to be said for keeping control in the hands of trained professionals provided (and this is an important condition) that they follow government directives that the protection of the Forest should have priority. Unfortunately, over recent months the Commission has seemed determined to go off the rails and to flout both the law and the Minister of Agriculture's rules for running the Forest. Under such circumstances, the Deputy Surveyor can expect little support from his instinctive allies. At the root of the problem is mountain biking.

Earlier this year, the New Forest Association obtained counsel's opinion showing that the Commission had acted illegally in providing routes for mountain biking throughout the Forest without the consent of the Verderers' Court. In the light of this opinion, the Court told the Commission that they must immediately withdraw all cycle routes from the Open Forest and that the Verderers would expect cycling confined to byways, unclassified roads and a very few gravel roads shortly thereafter. The Commission's response was to produce a supposed "legal opinion" of two paragraphs which without reasoned argument, simply denied that permission for cycle routes was required.

Then, in the management equivalent of a rude gesture, the Forestry Commission totally ignored the Verderers' views, produced a new cycle map and continued to accommodate armies of cyclists both on and off the designated routes in a spectacular capitulation to demand, irrespective of the damage being done to the Forest. They have chosen to ignore the Minister's direction that priority (not just one factor in reaching a "balance") must be given to the conservation of the Forest's character. They have also, in the view of almost all informed opinion in the Forest, broken the law.

How are the Verderers to respond to this most open and damaging challenge to their authority? Legal action is obviously an option, but it would be ruinously expensive and very time consuming. Only as a last resort should this path be taken. I have to admit that so far the Courts' response has been rather slow and uncertain. What it ought to be doing is taking the lead in a

campaign against the commissions actions. There are enough amenity societies and individuals who are crying out for such leadership. However, it seems likely that the Court will embark on one final round of talks in the hope of persuading the commission to alter its ways. If talking fails and the Verderers then again side-step the issue, I fear that they will have little credibility left.

Turf Hill Landscaping

I have never been particularly impressed by landscape architecture as a science and my reservations have been reinforced by the present state of Turf Hill Inclosure which the Forestry Commission is in the process of landscaping. The work is still unfinished and it is certainly too early to make a final judgement but the site is a mess and there seems no proposals for remedying the outstanding problems. For example, during the so called consultation process, all the Forest bodies emphasised the importance of levelling off the deep ridge and furrow ploughing which destroyed the original heath before the trees were planted and which now has become fossilised, making the whole area inhospitable to walkers and riders. So far as I can discover, there are no plans for doing anything about the problem. No doubt The Forestry Commission hoped it would be forgotten because this essential restoration will also be expensive.

The felling throughout the area has been carried out by an incredible machine called the processor. This monster secures its victim trees one after another, cuts them down, strips off the branches and saws the stems into lengths. All without the driver leaving his cab. Watching it at work was a source of fascination for passers by (me included), but it has one serious disadvantage -- it leaves dreadfully long stumps, particularly when cutting trees within the troughs of the ridge and furrow. Some of the worst stumps are now being reduced by hand as forestry workers clear the brash, but the area continues to look like a battlefield.

From the strict landscape point view, the consequences of felling have been unfortunate. Far more of the huge electricity pylon line is now visible over a wide area. This could have been avoided by retaining some of the original broad-leaved screen which surrounded the conifer plantation. Worse still a prominent clump of Lawsons Cypress's has been left standing in the middle of the heath and I am told that the landscape architects regard it as "rather nice"! It is difficult to imagine any tree less appropriate to a wild expanse of New Forest heathland. I am no lover of the Scots pine, but that species at least has a long association with the New Forest and can sometimes make a positive contribution to the, landscape as small clumps or single trees. Landscape manipulation with foreign exotics such as appears to be taking place at Turf Hill is quite unacceptable.

Leaving aside the question of design, the restoration of heathland which is taking place at Turf Hill is of great conservation value and is welcomed by the commoners. Because the area has been planted for only about twenty years, the original heather was never entirely killed and is already re-establishing itself. Its presence will complicate the surface restoration as the ploughing must be flattened with minimum damage to the emerging plants. However, it must not be used as an excuse for doing nothing and saving money. The old mineral extractors policy of exploiting an area and moving on without restoration can have no place in the timber production and activities of the Forestry Commission in the New Forest.

Ponynapping

From time to time the Forest suffers outbreaks of rustling, although how many animals are stolen is never really known as natural causes may be behind some of the losses. Many years ago, the Verderers made a bylaw which prohibits the removal of stock from the Forest between the times of half an hour after sunset and half an hour before sunset without the consent of an agister. It will be noted that the bylaw does not cover daylight hours and its sole object was to deter potential thieves.

This winter has seen the development of a parallel problem in which without any criminal intent well meaning people have been "rescuing" Forest ponies in poor condition instead of reporting them to the Verderers for official action. The technique, which has been employed on several occasions is to remove the target animal from the Forest and lock it up on private land. The police are then notified so that there can be no claim of an intention to steal. The officer attending can it seems, deny the owner the right to recover his animal, at least for a time, if he is satisfied that there are welfare grounds for doing so.

The official view of the Verderers and of the Commoners Defence Association is that the proper procedures should be followed. Agisters are employed for the specific purpose of looking after the animals on the Forest and any pony in distress should be reported to them to deal with. Other people should not interfere and should certainly not try to remove stock without the owners consent. The owners of these ponies are, not surprisingly, infuriated by what they see as animal kidnapping but, short of expensive legal action, have no redress. At a time when all concerned with Forest livestock have been making strenuous efforts to improve conditions, it is unfortunate that this form of direct action should be creating ill-feeling and wasting a good deal of the agisters time.

At a recent Verderers Court, a Brockenhurst commoner asked how affected owners should respond such detention of their stock. She was told that apart from legal action (the publicity of which would no doubt be more than welcome to those holding the ponies) there is no solution. The grapevine suggests that ponynapping is dictated more by the feared fate of the captive animals when returned to certain owners than by distrust of the system which the Verderers have established for ensuring prompt removal of any animal reported poor. It is believed that a handful of owners whose standards of husbandry is disliked by campaigners is now being targeted. The Verderers' procedures, although under pressure at times, has generally worked well this winter with few public complaints of slow response.