

New Forest Notes - May 1999

How a National Park would work

Over the years during which I have been writing these notes, I have received a surprising number of letters and messages (most of them friendly and helpful), sometimes offering information and sometimes asking for clarification on a specific topic. Usually I reply to these letters direct, but during April I was asked to explain exactly what powers a standard national park authority has and in what way they would affect the New Forest. That is a rather fundamental question which may be troubling other people as well as my questioner. It is probably worth covering within the "Notes", although it is a large subject - too large to deal with exhaustively in a few paragraphs.

The New Forest National Park Authority

This planning and management body would be established by order of the Secretary of State for the Environment. It would not require an Act of Parliament as comprehensive national park legislation already exists. Its membership would comprise approximately 75% local councillors drawn from county, district and parish levels. The parish representatives would be appointed by the Secretary of State: the remainder by the county and district councils themselves. The law requires that these county and district councillors must hold a majority on the park committee. The remaining 25% or so would also be appointed by the Secretary of State and no specific qualifications are laid down. However, I am told by a long serving ministerial appointee on one of the northern English parks that it is now considered important that socially disadvantaged groups are strongly represented on park authorities. To this end, the Secretary of State is likely to appoint members of ethnic minorities, disabled, and representatives of low income groups. In a New Forest context we might also expect representatives of recreational users such as campers, cyclists and ramblers. Perhaps also a commoners' representative might be appointed.

The nominal purpose of the national park authority would be to regulate land-use to protect natural beauty and to promote public enjoyment. It would be the planning authority for the New Forest Park, taking over the duties of the present planning departments. Instead of asking New Forest District Council for permission to build a pony shelter or add a bedroom to your house, you would apply to the national park. Similarly, planning applications for roads, made by the county council, would be judged by the park committee of which the county would itself be a major constituent.

The park would have wide powers. It could provide camp sites, car parks, restaurants, visitor centres, study centres and so on, especially if it thought that existing provision was insufficient. It would manage rights of way, doing the work at present undertaken by the county council. It would be allowed to buy land compulsorily for the purposes of its functions.

It would employ a national park officer and other appropriate staff. On the evidence of the West Country parks, we could expect it to occupy palatial offices, perhaps in a large former country house. It would be a major player in the supply of tourist information.

The park authority would seek to regulate the use of land by farmers, where it considered this necessary, through "management agreements". For example, a farmer might be induced to open up his fields to public recreation in return for regular payments from the park. A negative agreement might prohibit the farmer from doing something legal which the park thought inconsistent with its objectives, in return for similar payments. Management agreements are voluntary. The authority could also give grants or loans to help with the expenses of someone carrying out work to enhance the park.

The park would be funded in part from the council tax (today the statutory Forest is almost wholly paid for by the Forestry Commission) and in part from central government. By convention - there is no figure in the Act - the government is supposed to provide 75% of the cost. In practice (and according to my admittedly rather out-of-date Dartmoor Plan) it seldom does so to the full 75% and the council tax payers are left to pick up the additional bill. On Exmoor, the national park authority owns considerable areas of land which it has bought on the market and opened for public recreation. The New Forest Park would, of course, be open to the public already and in any case, the cost of property here would be prohibitive. The powers of land purchase would therefore probably not be of much importance.

The New Forest park authority would produce a national park plan, revised every five years. It would cover every aspect of life under the park - development, recreation, design, agricultural control, rights of way, traffic, tourism, wildlife etc. Other public bodies operating in the park's sphere of influence would have to have regard to the primary purposes of the park designation in making decisions.

How would the tailor-made park differ from this standard model ? Until the New Forest Committee discloses its full intentions, it is difficult to give a precise answer. Certainly the control would remain firmly in council hands, but other bodies such as the Verderers would have a member or two. This type of park would control the decisions of all constituent bodies by requiring them to follow the dictates of its park plan. That, if nothing else, makes such a body wholly unacceptable. It means in effect that the councils, through their majority, could direct the policies of the Verderers and Forestry Commission. Both standard and tailor-made parks would be damaging to the Forest, but the lack of this power to direct probably makes the standard version marginally less objectionable. In any case, there seems no prospect of parliamentary time being made available for tailor-made legislation, especially because such a Bill would be opposed, with petitions to both Houses of Parliament. We are thus likely to face a standard national park.

The Consequences of Establishment of the New Forest Park

National parks undoubtedly have a role in contexts such as Dartmoor and Exmoor where there is little state-owned land, no effective regulation of common land (by Forest standards), no Verderers' Court to prevent development and where, at least in the recent past, there was a strong economic incentive to destroy moorland by agricultural improvement. In the New Forest things are very different. Virtually all of the land thought of by the man in the street as "New Forest" is owned by the Minister of Agriculture and open to the public. Development upon it is rigidly controlled by the Forestry Commission and the Verderers. In the remaining land, the Forest villages, and in the suburban fringe, there are stringent planning controls. I know there are arguments about the adequacy of the planning regime, but I have heard of no one who would seriously object to giving enhanced planning powers to the councils if that were proved necessary. Why, therefore, apply a ponderous layer of additional bureaucracy duplicating or substituting for functions already carried out efficiently by the Forest authorities and the councils ? The answer seems to be that the government wishes to be perceived as doing something "green" - creating the nation's newest national park - however illusory are the benefits and however damaging to the Forest's defences that something is.

There are three ways in which the Forest's protection will be weakened by establishing a national park. First, it will put effective control of the Forest into the hands of councils which have repeatedly shown themselves unworthy of that trust. They have an appalling record where the Forest is concerned, promoting or supporting the most damaging development proposals over many years. Examples are well known - Lyndhurst Bypass, Shell oil drilling, building of the A 326 and so on. This control may not involve taking powers from the Verderers and Commission, but simply overwhelming those powers by massive influence. Public development projects, hitherto blocked by the Forest, will be forced through with the support of the national park committee claiming status as "the statutory guardians of the New Forest".

The second weakening of the Forest will be in the public's perception of a national park and the inevitable huge boost in tourism which the park would bring. Several years ago, a farmer from the Lake District said on television that there are two problems with a national park: "Because it is national, the public thinks that it owns everything within it, and because it is a park the public thinks it can do as it pleases within it." Can anyone doubt that the hype which would surround the emparking of the Forest (hype which would itself be a primary government objective), would greatly increase public pressure from outside ? "Visit England's newest national park" would become the foundation of every tourist advertisement.

The third attack on the Forest's defences would come from a national park system dominated by party political control. Councils are run by political parties and appointments to the New Forest park committee would be determined by party politics. This curse is already apparent in certain other English parks. Today, party politics are blessedly absent from the Forest's management. With the single exception of the County Council's Verderer (a political

appointment), I have no idea how any of my colleagues on the Court would vote in a general election and no idea of the political allegiance of anyone in Queen's House (the Forestry Commission's headquarters).

A national park committee with a political basis would certainly seek to influence such issues as hunting permits, on which the Verderers' Court has always been steadfastly neutral. Once that issue had been resolved, I cannot believe that it would be long before other sensitive matters would receive the attention of the park authority. Could the park really continue to tolerate ponies in the camp sites, putting the public at risk, or could it even allow the commoners to continue turning out animals at all except in pens - nasty dirty beasts and such a danger on the roads ! It is not many years back that the prospective Liberal candidate for the New Forest campaigned along exactly these lines. All these are very important questions which real and no doubt well-meaning councillors have raised in the past. They would be very easy meat for a new national park authority with the bit between its teeth, immense influence at its disposal and confronted only by a weakened Verderers' Court and a cowed Forestry Commission.