

## NEW FOREST NOTES OCTOBER 2003

### Trouble in the Wetlands

The rather curiously-named Life III Project seems to be running into a certain amount of trouble on both the legal and practical fronts. Shorn of all its eco-jargon and technicalities, this is a very expensive scheme for “restoring” certain aspects of the Forest’s wetlands (streamside areas and bogs) to a condition which its instigators consider appropriate. There is a very informative, if somewhat out of date, website at [www.newforestlife.org.uk](http://www.newforestlife.org.uk) which explains that the project’s targets are about 650 acres of riverine woodland, about 50 acres of bog woodland, 450 acres of bog and 350 acres of wet grassland. The work is funded with a million pounds of European Union money and presumably a matching sum mostly from the British taxpayer. The chief spenders of this money are the Environment Agency and the Forestry Commission who are joined by some other lesser partners and an advisory committee made up of representatives of local groups.

Life III’s legal difficulties arise, somewhat surprisingly, from EU conservation law which is imposed on Britain. As I understand it, and as it was put to the Verderers in a presentment by Mr. Bob Cooper, anyone carrying out significant works to a protected site such as the New Forest is normally obliged to prepare an “environmental assessment” of its intentions. The Life III operators are certainly carrying out (and propose) major works, but have apparently undertaken no assessment. They claim that they do not need to do so. Mr. Cooper contends otherwise and has complained to DEFRA along with the Commoners’ Defence whose objection is now said to have been withdrawn. The complaints seem to have put the cat amongst official pigeons and DEFRA is to arbitrate in the dispute. As for the Verderers, they are treading wearily as this is a complicated area of unexplored law which is only just beginning to bite in the New Forest. It would seem that the Environment Agency is very keen to put over its case to them as a special presentation to the Court has been arranged for next week and perhaps not before such an approach was due.

From the practical point of view it is fear of what is going to happen rather than a judgement of the work already undertaken which is at the heart of the matter. What exactly (and when) are they going to do to the 450 acres of supposed former bog and 350 acres of claimed “wet” grassland? Is it to be a standard stream-blocking and flooding exercise along the lines of earlier Life work? If it is, how much good grazing and aesthetically attractive streamside environments will be lost in a rather soggy, if ecologically exciting, mess? A few years ago I saw some draft plans which suggested that bogs are to be “restored” all over the place where bogs have never existed and where no drainage has ever been carried out. If this is to be the pattern across the Forest, the commoners have every reason to be concerned. It seems, so far, impossible to obtain from the Environment Agency precise locations of proposed work on the Open Forest, although unless the planning is extraordinarily haphazard, that information must be available. The fact that it is apparently being concealed is not encouraging.

The work which has been undertaken so far is chiefly in Vinney Ridge Inclosure which was planted in 1859. That was presumably the date at which its present drainage pattern was established. Most of the heavy earth-moving has been just upstream from the ice cream van. It was preceded by the clearance of conifer trees from the margins of the River Blackwater and then the stream course was modified by blocking the established channel and diverting the flow along the line of ancient meanders. River blockages with fallen timber and cut trees have also been constructed.

Now it is one thing to restore some of the rather ill-conceived and managed drainage projects of the 1970s, but quite another to disrupt a drainage system which has apparently operated perfectly happily since the early part of Victoria's reign and which is perfectly acceptable in landscape terms. I am far from convinced that such obscure scientific benefits as may be obtained here are worth the expenditure and the physical disruption which is being caused. The latter will, of course, become far less obvious after the autumn leaf fall, but that is beside the point. As to the attitude of the Environment Agency and Forestry Commission, I have to say that their response was efficient and cooperative once it was pointed out that their plans threatened important archaeological sites on the river banks.

Although most further work under the scheme is shrouded in mystery (if not secrecy), we do know that the next phase will include large-scale disruption of drainage courses in North Oakley, Dames Slough and Highland Water, including some very limited work on the Open Forest at Blackensford and Ocknell Sling. Certainly some of the Dames Slough and Highland Water sections of the rivers show signs of modern canalisation, but major "restoration" could well damage more attractive features of these watercourses.

It remains to be seen if a more open attitude to future plans can be achieved and if such publication can deflect growing opposition in the Forest.

### **Lyndhurst Bypass**

The same old pattern is beginning to repeat itself over the Lyndhurst Bypass. The local authorities are busy discussing it and egging each other on to secure a bypass. As usual the clamour is to put the road in the Forest and as usual no-one in any of the councils has had either the courtesy or common sense to discuss the matter with the Verderers. No doubt it will be said that the plans are at an early stage, not fully developed and so on, but that is exactly the stage at which conversations should take place. As a consequence, the councils should be in no doubt that the Forest will fight any proposal for an outer route and that it will fight as determinedly as on every previous occasion. Those who are seeking to impose an outer route on the Forest are evidently relying, perhaps with good reason, on the powerful backing of any incoming national park authority, to beat the Verderers and Forest societies into submission this time. On the other hand, the Forest will be looking to European conservation legislation to bolster its weakened position if the park is established. I suppose it was inevitable that no-one would talk to anyone else, but the only certain outcome of this is that reaching a decision, one way or another, will be costly, time consuming and very very far into the future.

### **Record candidate numbers ?**

The date of the forthcoming Verderers' election is 28<sup>th</sup> November with the final electoral register being published at the end of this month. The draft register, which has just been issued, contains about 730 names – a significant reduction on the 2000 register which recorded 825 potential voters. That reduction, nearly 12%, is a pity, perhaps reflecting a general feeling that things are bad in the Forest and that the Verderers, materially weakened if a park is established, will be unable to influence things for the better. On the other hand, while the electorate is shrinking, the number of candidates is likely to be greater than ever before. Nomination papers have to be delivered by the 10<sup>th</sup> November and on the 14<sup>th</sup> (last day for withdrawal) the actual number of candidates will be known, but rumours are already widespread. At the latest count, either eight or nine candidates seem likely, comprising over 1% of the total electorate.

The election this time is for three of the five elected Verderers who collectively hold a minority position on the Court and represent the agricultural and Forest community generally. The majority control of the Court is, if the chairman's casting vote is taken into account, in the hands of various public authorities.

### **Agri Environment Scheme and new agisters**

It is now many months since this complex subsidy scheme was put to DEFRA for approval. For the commoners it will be, if it goes ahead, a crucial and long-overdue financial lifeline. At the September Court, the Verderers were told that a decision is likely to be forthcoming by the middle of this month. If the green light is given, that could be only the beginning of the Verderers' problems as the fiendishly complicated scheme will not be easy to administer and police. That will be a challenge not only for the existing office staff (augmented as necessary), but also for the newly promoted head agister – Jonathan Gerrelli – who will take over on Brian Ingre's retirement at the beginning of next month. His appointment marks a departure from former practice, since the head agister of the future will have to be as proficient with his computer and public relations as with a branding iron and riding crop. Administering the subsidy scheme could be the first test of the new system.

Jonathan Gerrelli's promotion leaves a vacancy for an agister and at the time of writing the Verderers are advertising to fill this post.

### **The Broomy Plain road**

The long running problem of the decaying road across Broomy Plain (Stoney Cross to Moyles Court) was finally resolved at last month when the Verderers agreed to new proposals from the County Council.

Some years ago the council endeavoured to combat verge overrunning by constructing concrete margins which, in due course, broke up very badly and were then remarkably efficient in reducing speed. A variety of schemes for widening were then proposed, all of which were refused by the Court because they would have made the road faster. Now the plan is to replace the broken concrete with grass cell blocks similar to those

used on the margins of the B 3078 Fordingbridge road. These blocks are undoubtedly the most tidy and visually acceptable verge treatment which the County Council has so far used. Their big problem, as anyone who uses the Fordingbridge road will know, is that it is perfectly possible to drive on them at 40 mph with no discomfort. That means that while the tarmac of the Broomy Plain road will not be widened and while motorists' perception of width may be limited by white lines, in fact the road will become both wider and much faster. How far this will influence the present modest killing rate of ponies and cattle grazing there remains to be seen.

Anthony Pasmore