

NEW FOREST NOTES SEPTEMBER 2011

Bending the rules at the National Park

The Audit Commission's report on the activities of the New Forest National Park, prepared because the auditor has "concerns about the adequacy of the Authority's governance arrangements" and because "it includes matters which I believe should be placed in the public domain" and because "under legal advice the Authority declined to publish my previous report on this matter", has raised a lot of questions but provided few answers as to what actually happened. It appears that the first chief executive was paid a (presumably very large) sum of money to depart. We do not know how much, which is perhaps rather peculiar in an audit which itself says raises matters which should be made public. It appears that there may have been irregularities in the way the payment was agreed and made.

The Park next employed a stand-in who eventually cost (including agents' fees) £255,000 or, in the auditor's words, £1000 a day. Again the auditor questions the correctness of the way in which the payments were agreed and made. So far as I can see, the auditor is more critical of the procedures than the actual sums involved, but it is the huge amounts of money that were spent which will be of greater concern to the public. All this was being done at the height of the "greedy bankers" scandal but the bankers were financing themselves, at least initially, from the pockets of their unfortunate shareholders. When a public authority mismanages its affairs, it is all of us who pay from the start. Although we don't know what pay-off the first chief executive received (and no doubt that will continue to be withheld), I would be very surprised if the whole fiasco from start to finish cost us less than half a million pounds.

On 15th August, the new chairman of the park authority was interviewed on television and what little he said was really simply a claim that the expenditure was justified. I doubt whether the Forest will see things in exactly that way and certainly not those junior and moderately paid members of the park and Forestry Commission staffs whose employment is threatened by the forthcoming cuts. You can buy a lot of office worker's time for half a million pounds.

Perhaps all of this might be forgiven if we were actually getting something worthwhile in return for such expenditure, but the Park was and remains an unnecessarily expensive and frequently damaging burden, hanging about the margins of the Forest's administration. It may have hoodwinked the BBC into believing that it is, in the reporter's words, "the people who run the New Forest", but planning aside, it actually runs nothing at all of consequence. The Forestry Commission runs the New Forest, under close constraint by the Verderers. The Park is an administration without anything to administer, so it looks around for something to do and finds it in boosting tourist numbers and intensifying public pressure.

Now of course that is not the whole picture. The Park has initiated one or two valuable projects in its five or six years, notably by giving small grants to charities and others. It has helped to get some road signs removed and some of its specialist staff in matters such as landscape and archaeology have made useful contributions, if not always given sufficient teeth and backing from above. Taken as a whole, however, we are paying very heavily –

more heavily than we had thought before the auditor's report – for a bureaucracy whose only real purpose is planning. The worst of it is that we received perfectly adequate planning from the New Forest District Council and Hampshire County Council before anyone thought of paying for a park as a sort of decorative add-on.

Encroachments on common land

An announcement by the Official Verderer at the July Verderers' Court seems to have passed largely unnoticed, yet it is in a small way very important to the future of the New Forest. He told the Court that the Verderers and the Commoners Defence Association had been successful in securing the abatement of an encroachment on the common land of the New Forest near Cadnam. This case is important because although the area of land is small, such encroachments are happening all over the Forest. The Verderers, commoners and Forestry Commission (where the latter are affected) are all determined to stamp out what is in effect theft from those who graze their stock on the Forest. Since we are considering a rather specialized form of encroachment, it needs a little explanation.

Many hundreds of years ago, when parts of the New Forest were granted by the king to individuals to form fenced agricultural land, it was the custom to start off by digging a ditch around the land to be enclosed. The spoil from the ditch was thrown up on the inside, away from the Forest, to form a bank and on the bank a fence was erected or a hedge planted. Grazing animals of course continued to have access to the ditch and have done so ever since. Because the ditch could not be dug on Crown land outside the grant, it was formed within the legal boundary of the land granted and thus technically belonged to the person receiving the grant and not to the Crown. It passed from one owner to the next over many generations, but always open to the Forest and grazed by the commoners' livestock. Eventually the commoners reacquired, if they had ever relinquished, legal rights to graze their animals there. Everyone knew and accepted this, but in the 20th century came an influx of outsiders who did not understand, or chose to ignore, the Forest ways. They saw the ditches as useful bits of additional land to enlarge a garden, improve security and privacy, or to construct drives over. Easy access to excavating machinery and plenty of money meant that a ditch, bank and hedge could disappear overnight to be replaced by a close-boarded fence giving a wealthy proprietor an additional twenty five feet or so of enclosed private garden. There was, or was claimed to be, much misunderstanding about the common rights. "If I own the land, why can't I fence it in?" The answer to this is, of course, because it is subject to other people's rights of grazing, just as your land might be subject to a public right of way.

This explains why the Official Verderer's announcement is so important. There are many tens of miles of such ditches fronting the common land throughout the Forest. In total, large areas of grazing are thus at risk of loss, to say nothing of the effect on the traditional landscape of the Forest as hedges are uprooted and replaced with smart urban fencing and electric gates. If such encroachment is not challenged, it could spread throughout the Forest and that is why the commoners made this successful challenge to a particularly blatant case. It should act as a warning to anyone else planning similar encroachments elsewhere.

The absent minister and the sale yard

Last month saw the completion of one of the most important New Forest Higher Level Stewardship projects so far. The new water pipeline from Marchwood to the Beaulieu Road saleyard was finished and was due to be officially opened by an agriculture minister. He was to unveil a plaque, open the new lavatory block, inspect the new lorry wash-down, make a speech and observe the start of a pony sale. Unfortunately the London riots intervened and the minister was detained in parliament, leaving a Natural England magnate to stand in for him. Still, there were a lot of very eminent local people present, all standing about in the rain and getting frozen. Altogether it was a bit disappointing for those who had worked so hard and achieved so much. A lavatory block, a wash-down and a water pipe may not sound very much to the uninitiated, but they are crucial to the effective running of a modern livestock saleyard and negotiating anything like this in a New Forest context is always particularly difficult. It was achieved by the New Forest Livestock Society, ably led by Dave Readhead.

Acorns, apples and pigs

Last month I wrote about the new arrangements for announcing the pannage season dates and the Verderers' instructions that the fourteen day quarantine period must be strictly observed. The dates for this year's pannage have now been announced and the season will commence on 10th September and run for a minimum of sixty days. At the end of that period, it is at the discretion of the Forestry Commission as to whether an extension is granted or not. Such extensions are quite usual in years of heavy acorn crops, because of the risk of poisoning which acorns present to ponies and cattle. It follows from the 10th September start date, that anyone wishing to turn out pigs for the full season must have had them on their holding and marked since 27th August.

This year the acorn crop in my part of the Forest at least seems to be fairly heavy. I remain far from convinced that the pigs have a very marked effect in reducing pony deaths. If an old mare is addicted to acorns, she will stand under an oak tree and stuff herself until the poison kills her – pigs or no pigs. Still, I suppose every little helps. We tend to think of Forest pigs as being exclusively acorn sweepers, but they eat almost anything. Beech mast, chestnuts, and crab apples are all much appreciated. This year there seems to be a particularly heavy crop of crab apples, although I do not remember the spring as being outstanding for blossom. The ponies also eat crab apples – sometimes with ill effects. I nearly lost a mare once when she got a small apple stuck in her throat. It was thus particularly irritating to see that some thoughtless person had thrown out quantities of waste apples on my local village green. The excuse, no doubt, would be that the offender was “helping the ponies”, although in fact it was a convenient (if illegal and dangerous) disposal of garden waste.

Foals

This month will see the first test of foal prices in the New Forest this year. I don't think anyone is particularly optimistic. The restrictions on the number of stallions and the time

during which they may be turned out has done something to reduce foal numbers. The theory is that by reducing supply you increase prices. Unfortunately it is a free market and restraint in the New Forest will not necessarily be copied nationally. In addition, it appears that local breeders have also been circumventing attempts to reduce numbers. The head agister told the Verderers that in his area alone at least 26 foals had been sired off the Forest and the head agister's area is very small because he has other Forest-wide duties as well.

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