

New Forest Notes - September 1999

Verderers' Money Problems

The Verderers are once again in financial difficulties as their accounts to 31st March (published last week - 27th August) demonstrate very clearly. Expenditure exceeded income by over £27,000, eating up 56% of the Court's meagre reserves in a single year. If this rate of loss is repeated during 1999/2000, the Court will be faced with some unpalatable decisions.

The immediate and logical response to such a deficit must be to increase that income which is within the Verderers' control or to cut costs. Neither, in the present state of New Forest farming, is going to appeal to the Court. To take the expenditure first of all, about £160,000 of the £248,000 is staff costs of various sorts. The remainder such as office expenses allows little room for more than minimal reductions - with the exception of legal fees which should be cut this year. The greater part of the staff costs arises from the employment of six agisters and includes salaries, expenses and pension schemes. When I joined the Court some years ago there were only four agisters, but in response to growing public demands for higher welfare standards in Forest stock, the Verderers increased the number of their field staff to the present record level. Although agisters' salaries are determined annually by the awards of the Agricultural Wages Board, expenses are also very considerable. Keeping horses and landrovers is an expensive business.

If the standards of animal welfare agreed between the Verderers, the Commoners Defence Association, local veterinary surgeons and the national welfare organisations are not to be allowed to slip, bringing down the wrath of the public on the Verderers' heads, it is difficult to see how lower staffing levels could be contemplated. Nor are there any savings to be made in the Verderers' office, which delivers a remarkable degree of efficiency with minimal staffing and under growing pressure from the administration of complicated subsidy schemes. These now threaten to swamp the important work of day to day management. Having said all this, the hard financial facts of life cannot be ignored. If, by April 2000, substantial new money is not assured, something will have to give.

What is the Verderers' income and where does it come from ? In the old days the money came almost entirely from the marking fees. These are payments made by the commoners in respect of each animal depastured on the Forest. They are not payments for the grazing: that belongs to the commoners by right. They are a contribution, collected under statute, towards the Forest's administration. In those days, if the Verderers wanted money, they simply put up the marking fees. The commoners grumbled, paid up or attempted evasion.

It is now many years since the marking fees were last raised and in any case the level of payment is so eroded by subsidies, premiums, and prompt payment discounts as to be almost meaningless. Today the only determining factor is that the pony market is on the rocks

and an increase in marking fees (at least for ponies) would merely hasten the collapse of this aspect of common right farming. That is something which is universally feared by those who understand the workings of the New Forest. Last year an ADAS report showed a net loss to the commoner of £60 for every mare run on the Forest and the Verderers are scarcely going to add to this disastrous state of affairs by pushing up the pony marking fees.

The Verderers' income in 1998/9 amounted to about £221,000. This comprised marking fees - 28%, Forestry Commission pony and cattle subsidies - 24%, Forestry Commission compensation for loss of grazing (for example, in camp sites) - 4%, Forestry Commission compensation for the Verderers' Inclosures - 8% and a Forestry Commission administration grant 29%. The remaining 7% comprises miscellaneous small amounts of income, the largest of which is search fees relating to the Atlas of Rights, earned in the office. It will be seen that the commoners contribute a little more than a quarter of the Court's income and that the Forestry Commission provides most of the rest. It can, with justification, be argued that the high level of the commoners' contribution is already inequitable because of the service which they provide to the Forest.

Since the prospect of increased marking fees is negligible, it will be for the government to decide if it will pay or accept responsibility for a drastic cut in the service which the Verderers provide in the field of animal welfare. The Court is pledged to deliver a standard of bodily condition in Forest ponies which has been agreed by all concerned. Should it fail to do so with a force of six agisters at its disposal, the fault will lie squarely within the Forest. If, on the other hand, the government forces cuts in staffing levels by failing to provide the necessary resources, it will have only itself to blame when there is the inevitable public outcry over thin ponies.

There is, I suppose, the much argued alternative of putting the Verderers under the financial control of a national park authority, however repugnant such a procedure would be within the Forest community. It would transfer 25% of the burden of financing the Court onto the council tax payers and to that extent might be attractive to Whitehall. Attitudes in local management might be rather different. Forestry Commission officers with whom I have discussed the subject remain inscrutable, but I am left with the impression that they would not exactly welcome a puppet Verderers' Court, with Appletree Court and the Castle pulling the strings. My prediction is, therefore, that the Minister of Agriculture will find the necessary resources to keep the Court afloat. Past experience suggests that this will not be until the last moment, so as to give everyone concerned an uncomfortable winter.

Forest Design Plan

As a latecomer to the Forestry Commission's "Design Forum" (I was not appointed until early this year), I have been quite impressed by the proceedings so far. The Design Forum is the committee which will, in theory, determine the future use of the Forest's timber plantations.

There has been a willingness to do rather more than go through the motions of public consultation. In several cases, plans have actually been altered as a consequence of outside representations. Examples include Fawley Inclosure where a much more substantial (and permanently maintained) screen of trees is to be kept along the A 326 than was provided for in the original proposals. In my own part of the Forest, the removal of most of Millersford Plantation threatened to ruin views from the National Trust's Hale Purlieu by further exposing a line of huge pylons. That plan has now been modified to ensure the retention of adequate screening.

One of the problems in securing amendments to plans of this nature is that if you have a wildlife or other conservation argument, it is accepted almost without question, but landscape, noise screening and the simple concerns of the quiet walker in the Forest are much more difficult to sell. Even those who should be championing such causes often seem incapable of understanding, or perhaps of expressing, their importance in the New Forest. That is surprising because the number of people capable of appreciating the Dartford warbler (affectionately described by some of my ornithological acquaintances as an insignificant "little brown job") is probably a great deal less than those who would be angered by the sight and sound of a major main road over the Forest, newly exposed by tree cutting. The warbler, however, is armed with the might of European conservation directives, while the human noise victim must depend upon a few lone voices to plead his case.

The Forestry Commission has, wisely, commenced the work of the Design Forum with the least controversial of the Inclosures. In pursuing the government's national target of 6,000 ha of heathland to be restored by 2005, the Verderers Inclosures immediately became expendable. It does not matter much to the Commission if a few more or less trees are retained here or there. The real test is yet to come.

The New Forest Association, with the support of other amenity bodies such as the New Forest Section of the Hampshire Field Club, has long held that there are about fifteen Inclosures, totalling not much more than a twentieth of the whole area of plantation, which are of such amenity importance that commercial management is simply no longer acceptable. Gradual reversion to the status of "ancient ornamental" woodland - the old semi-natural woodland of the Forest - is the only acceptable treatment. One or two of these woods are so outstandingly beautiful that they were earmarked as long ago as 1971 (the date of the first Minister's Mandate) to form the basis of a national campaign if and when the Forestry Commission should try to fell them. Because of the terms of the Mandate, which require a minimum 200 year life for such woods, and because most were planted at the time of the Napoleonic Wars, that conflict is scheduled for within the next ten to fifteen years - unless the work of the Design Forum can avert it. Unfortunately these Inclosures also have a cash value arising from the timber which can be cut out of them, much in the same way that the frames of old masters in an art gallery would have some scrap value if one was willing to sacrifice the

pictures they contained. Whether the Commission is now prepared to accept the importance of such woods and relinquish its commercial objectives, remains to be seen. Nearly all the really crucial old woods fall within the latter phases of the Design Forum's work, so we shall have to wait awhile to see what happens.

Verderers' Byelaws

After years of frustrating delays, the Verderers' new byelaws were finally approved by the Minister of Agriculture and came into force on the 9th August. There is not a great deal in them that is new, but all sorts of details have been tidied up. By far the most important change is that the old derisory maximum fine of £10 has been increased to £200. It now remains to be seen if the Verderers will be prepared to use the byelaws, either in their own Swainmote Court or elsewhere. Early indications are that the new Official Verderer is more sympathetic to the use of the Swainmote than some of his predecessors. The advantages of this court (in which certain Verderers appointed by the Lord Chancellor sit in judgement) are that it is likely to have a far better appreciation of the seriousness of certain offences than would a magistrates' court. For example, if an unregistered stallion is allowed out in the Forest, it can ruin carefully planned breeding programmes developed by many pony owners. The Swainmote will appreciate the true consequences of such an offence, while the magistrates might regard it as a quaint technicality.

The new byelaws (Statutory Instruments 1999 No 2134) are obtainable from HMSO price £2.00, or may be inspected, preferably by prior arrangement, at the Verderers' office in Lyndhurst.