

NEW FOREST NOTES JANUARY 2024

Some valuable Forest research

Last month the New Forest Association (otherwise Friends of the New Forest) published the latest of its occasional magazines “Forest Matters”. It is a publication that almost always includes something of interest, ranging from research undertaken by the Association to articles by individuals. The latter, the editor says, do not necessarily represent the policies of the Association and that is probably just as well.

The present issue (Autumn and Winter 2023) contains an excellent account of recent research into the disagreeable and illegal behaviour of many visitors to the Forest and into Forestry England’s failure to enforce its byelaws. The extent of that failure has long been perfectly obvious to most Forest people, but to see it set down in print still comes as something of a shock. The Association’s secretary says that a freedom of information request in 2021 showed that no enforcement action had been taken in the Forest since 2015. That appalling revelation led in part to the establishment of a programme called Byelaw Watch, to measure the extent of abuse. The first report from a group of volunteers was a limited pilot exercise leading to a more detailed study in 2022. I referred very briefly to this in New Forest Notes in October last year. The earlier survey showed about 21,000 recorded breaches of the byelaws, so the actual number during the same period must have been many times that figure, with litter and the spread of dog excrement topping the list. Close behind came off route bike trespass and verge parking.

The more recent survey (July and August 2022) was more complex, involving both a free-roaming assessment and a static watch. The figures for both were quite as disturbing as on the first occasion and largely reinforced the findings of the earlier work. The secretary is careful to point out that “most visitors” behave themselves, but a lot depends on one’s interpretation of “most”. Does it mean eight million of the fifteen-million day-visits or 95% of day-visits? My own observations suggest that the answer depends on the type of visitors and their intended use of the Forest. Those who come here to walk quietly, enjoy the scenery, wildlife and livestock or simply have a family picnic are probably very little trouble at all. Dog walkers on the other hand, are much less respectful of the Forest and perhaps half or more allow their pets to roam free, fouling the grazing as they go. Some dump bags of dog mess in the nearest bush. Whether the ancient and inadequate byelaws, which specifically prohibit the depositing of “filth or refuse of any kind” cover the activities of dogs brought in by visitors is a question for the lawyers.

As to off-route cycle trespass, with all its damaging consequences, I think that the proportion of offenders is even higher amongst those who use the Forest for sport than other classes of visitor. Nobody, I suppose, objects much to the use of approved cycle routes by pedal cyclists when they are respectful of other Forest users and of the wildlife and livestock, but increasingly such considerate users seem to be in a minority. The desired experience of the New Forest now seems to be to crash

about in the mud off the permitted routes and preferably in saturated conditions, in total disregard of the damage and disturbance they cause. Both on and off the approved routes there is now an



invasion of electrically powered cycles and scooters for which permission has never been given. Forestry England does nothing about such abuses.

The NFA's report does not give figures for less frequent types of illegality such as drone flying, illegal camping or digging up the turf or wild plants, but these are still (fortunately) a minority of offences and with proper management might be easier to stamp out now.

If I have one concern about the otherwise excellent Byelaw Watch programme, it is not of the nature and process of the research, but rather as to what, if anything, that research

Cycle trespass damage near Long Pond at Burley

is leading to. The Association's reputation was built in the 19th century on its work as a campaigning body, but today that function seems to have fallen away. A good doctor's work is not only to make an accurate diagnosis of disease, but also to set about trying to cure it. The present state of New Forest management is deeply depressing and that calls for more than just careful reporting – it demands action.

Barriers and gates on the Adjacent Commons

Forty years ago, the NFA did take decisive action to protect the Forest, or rather an important subdivision of it called the Adjacent Commons. In the years following the publication of "Conservation of the New Forest" in 1970, the Forestry Commission took active and invaluable action in providing physical works (locked barriers, ditches and posts) to stop motorists driving illegally onto the Crown

lands. For several decades the works were well maintained and only recently have they been allowed to fall into the disrepair which is evident across Forestry England's land today.

At that time (mid 1970s) the commons around the Crown lands were still wholly unprotected and presented a particular problem because they were in many different ownerships. Some of the owners, notably gravel companies, were probably content that their property should be damaged, as they hoped that would improve the chances of planning permission to exploit the land.

The Association promoted a scheme for providing protective works on these privately-owned commons, to match that being put into effect by the Forestry Commission. It was a complicated process because so many owners were involved and all had to give their consent. Money was raised, chiefly from grants. Local contractors, including the Forestry Commission, were employed to carry out the work. Because the commons were the last refuge of joy-riders and other vandals, the protection was at initially damaged, over and over again. Mostly it was the wrecking of barrier gates and the stealing of padlocks, but even lengths of ditching were sometimes filled in. Inspections of the whole complex system of protection were needed every couple of weeks. They involved hours of work and I can remember driving from common to common recording one case of vandalism after another and then sending out repair orders to our excellent and efficient repairer – Frank Gailor of Minstead.

Over the years the rate of vandalism slowly declined and when the National Trust acquired more of the commons the burden on the Association was greatly eased. Later still, Hampshire County Council acquired much of the land formerly in the ownership of the gravel companies, including Hyde Common and Gorley Hill, so that the NFA could finally withdraw after perhaps fifteen years.

Today it is sad to see so much good work of those years being largely abandoned. The works at Hyde and Gorley have disintegrated to an alarming extent, with hardly a barrier on Hyde Common in fully effective and locked state. The photograph shows, near the Abbots Well car park, one of the many collapsed barriers across the common.



At Hyde too, it needed a serious attack by vandals on the surroundings of the cricket ground before a length of protective ditch was finally renewed – presumably by the County Council. Even on

the Crown Lands, Forestry England seems to have lost interest in the maintenance of what used to be called the car-free protection. Roadside ditches are left filled-in, so that cars can be driven over them, while a new and stupid policy on dragons' teeth (short posts), means that they are spaced so far apart that cars can be driven between them with little difficulty when the land is dry. Whether all this is the result of apathy, ignorance of new staff, or a shortage of money, is difficult to say.

Costicles Pond revisited

The Forest sometimes seems a large place and there are parts of it that I don't manage to visit for a year or so. That was a length of absence made worse by the covid restrictions and I had hoped I was now beginning to make progress in correcting it. A November visit to Costicles Pond, buried in the woods near Ashurst, proved me wrong. I was astonished to find from my records that I had not been there for eight years, but it is not a very attractive place and it is of only very specialised interest. I wrote about its history in these Notes for September 2015.

In the 1990s the pond had been the subject of great interest to ecologists and even greater expense to the public. This so-called Mediterranean temporary pond must once have been an important landscape feature, similar in size to Whitten Pond at Burley, before being swallowed up in the making of Busketts Lawn Inclosure in 1864. Thereafter it disappeared and become overgrown with willow and other scrub. Then, twenty years ago, it was "discovered" by the ecologists. Trees were felled, and huge amounts of silt were excavated and dumped untidily in the Inclosure. Very expensive fencing was erected, including portions of hand-made cleft oak post and rail. There was then an unsuccessful attempt to persuade some unfortunate ponies to graze the pond compound. Next there were grandiose plans for the throwing-open of parts of the Inclosure so as to allow free movement of livestock from Woodlands Road to the pond, but all came to nothing. They were too complicated or too expensive.

Today the fencing lies in ruins with horrid tangles of wire presenting a lethal trap to any pony or deer unlucky enough to become caught in it. Scrub is again taking over and I see that in 2015 I wrote of the pond that "in a few years' time it will simply melt back into the plantation without leaving any trace beyond an ill-drained depression amongst the trees". That seems to have been an accurate prediction and perhaps I should go in for the prophesy business.

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