

NEW FOREST NOTES JUNE 2024

The Forest's food van row

After several months, the dispute over the licences for food sales in the Forest shows little sign of abating. Forestry England applied to the Verderers for permission to grant licences for such sales at a number of car parks around the Forest. The application was opposed on the grounds that food sales would produce conflict between visitors and forest ponies and that in any case such trading is damaging to the character of the Forest. After listening to a deluge of objections from Forest organizations and individuals, together with support from one potential trader, the Verderers approved the application. I have not seen the Forest community so angry for a very long time. The almost universal response to the granting of permission has been: "What do the Verderers think they are doing? Surely it is their duty to protect the character of the Forest and the traditional farming operations of the commoners." The soothing official replies from the Court have clearly failed to impress the complainants.

Activity within the Court is now concentrated on failures, actual or suggested, in the procedures followed by Forestry England over the food sales. For example, there was the putting out to tender of the sales concessions, before an application to issue licences was even judged by the Verderers. Next, there seems to be to be considerable doubt about the validity (or at least correctness) of the risk assessments made in advance of the granting of licences. Finally, questions have been raised about the required certificates from Natural England for works on a protected area like the Forest. Whether or not all this will achieve much remains to be seen. I wonder if it might be better to say outright "We got it wrong and we accept that the consent has put Forest interests at greater risk. We will manage things better next time." There is a fairly high bar for the Verderers to overcome if they seek to rescind their permission on the grounds that Forestry England behaved incorrectly. I have no sympathy for FE and its objectives in using the Forest in this way, but whether the Court's present tactics are the right ones is perhaps questionable.

Meanwhile, the most controversial food van site, that at Bolton's Bench, seems temporarily to have ceased operating. No reason has been given. I use that car park on a regular basis and there is no doubt that that the risk of confrontation between livestock and visitors at the site is already significant and can only become worse as the result of introducing food sales. Last month I watched an adult with two small girls walking across the hill above the car park. The girls spotted a group of ponies. They approached the animals and started to stroke them. I was too far away to give even a shouted warning of danger and the ponies, evidently annoyed, just walked away. The girls then spotted another pony and repeated their petting. This time they were confronted by a mare with her ears flat back and lunging at them with her head, but fortunately without physical contact. The children scattered and then ran back to their father, presumably very frightened and disappointed. Had they been carrying food which could be detected by the pony, whether from a van or simply the family picnic box, the outcome might have been much more unpleasant.

Brockenhurst flood water to be parked on the Forest ?

With the decline of covid, the very civilized and environmentally friendly methods of holding Forest meetings by Zoom or Teams have all but vanished. Once again, the ranks of gas-guzzling pick-up trucks and Land Rovers fill the car parks at meeting venues, streaming in from all corners of the Forest and consuming immense amounts of diesel in the process. I am a confirmed technophobe, but the two programmes saved a lot of money, time and pollution during the height of the disease. It is sad to see them go. It was therefore refreshing when, a few weeks ago, a body called the Wessex Rivers Trust (advising the Environment Agency) held a Teams meeting to explain to Forest societies and authorities, its ideas for alleviating flooding in Brockenhurst in the future. Perhaps the Trust, as a responsible assessor of natural resources, was conscious of the savings to be made by using Teams. Anyhow, we were treated to an hour and a half of highly technical information on the future limiting of flooding in the village. The proposals or, as I think the Trust probably prefers them to be called the possibilities, centred on the Open Forest water catchments of two streams west of the village. They chose to call them the North and South Weirs, although perhaps more accurately they are the North Weirs and Hinchleslea Bog areas.

In essence, and leaving aside many marginal benefits and problems, the idea is to accommodate flood water temporarily in the Forest and on a little-used portion of land adjoining Brockenhurst golf club. The water thus accumulated would be released downstream over a period of time once the crisis point was past. The promoters were at pains to explain that their proposals are tentative and subject to review and discussion.

This is not the first time that the Forest has been the target of such proposed works. In November 2003, the Environment Agency came up with perfectly dreadful proposals for works north of Brockenhurst on the various streams which amalgamate to form the Lymington River. Full details were provided to the Verderers in a meeting, but the maps which were available at the time have not survived in the Court's records and all that we have now is the Environment Agency's report of the time in which the maps are little better than sketches. I wrote of the proposals in New Forest Notes for January 2004. The idea was then to build up to three very long and low dams in the Forest to form huge temporary lakes in time of flood. The less harsh name for the dams is "bunds". This was presumably thought to be necessary for a generation which was still close to the Dam Busters and in an area only nine miles from where both the Upkeep mines and Highball bouncing bombs were tested on dry ground in the Forest. The bunds would have comprised low banks of soil, but with hard engineering where they met established watercourses. The maps depicting these areas are so poor that precise calculations are impossible, but these temporary lakes could have been located near Rhinefield (about 60 acres), in Vinney Ridge Inclosure (about 100 acres) and centred on Queen's Meadow where there would have been an astonishing 350 acres. No doubt they would have comprised an amalgam of ponds, islands and channels rather than unbroken expanses of water. Additional and apparently un-bunded storage areas were to be located closer to the village at Butts Lawn and North Weirs. As an alternative, a larger number of smaller lakes could have been formed in the Forest, but their location was not then determined.

The Verderers were aghast at these plans and wrote accordingly to the Environment Agency in January 2004, questioning the legality of such works and pointing out the risks in establishing so dangerous a precedent. Thereafter the scheme seems to have sunk without trace, but developers have a nasty habit of reappearing years later if their initial proposals are rejected. This seems to be what is now happening, if on a much smaller scale and in a different location.

The idea this time is again for bunds on the common land of the Forest and near the golf course. The extent and exact position of these temporary lakes has not been finally determined, but in due course I understand that more information will be available on the Trust's website. Technical problems have delayed it since the meeting. Unfortunately, the planners seem not to have paid much attention to the effects on the commoners' livestock and the management of those animals, let alone the potentially damaging consequences for the land itself and what it contains. As to the latter, one of the maps they produced to the meeting purported to show the archaeology of the affected area. In fact, this showed virtually none of the many important sites likely to be inundated – if only for short periods. One "barrow" (Bronze Age burial mound) was shown, but its identification is highly questionable. It is marked on the first edition of the Ordnance Survey Six Inch Map as "Mantalet" (see photo below taken 21 years ago). That is a term I had not previously encountered and, in this instance, it means a bullet-proof observation shelter on the rifle range which occupied North Weirs one hundred and fifty years ago. In addition to a probable inner steel casing, this one seems to have been mounded for protection. A pre-existing barrow *could* have been wrecked for the purpose, but the position is rather unlikely for such a burial. How much else of importance to the Forest has been omitted from the plans remains to be seen.



As one of my colleagues put it during the meeting, the initial response to threats of flooding should be to protect individual properties or settlements close in, rather than immediately attacking

the treasure house which is the Forest land. Only as an absolute last resort should this important national property be put at risk.

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