

THE NEW FOREST

*precious
wilderness or...*

*...suburban
park?*

*The Verderers' policies for
conserving the New Forest*





Who are the Verderers of the New Forest?

The Verderers Court is a statutory body set up to share in the management and protection of the New Forest. It is governed by various (mostly post war) Acts of Parliament which allow it to control aspects of the Forest's agriculture and to limit development and other uses. The majority of Verderers (by voting strength) comprises representatives of various public bodies, while there are also members elected by the local community, especially the farmers and other occupiers of land. The Court is often described as the Forest's primary line of defence against misuse.

In 2005 the Verderers Court published policies showing how it would carry out the task of looking after the Forest and its traditional pastoral agriculture. This guide explains in non-technical terms exactly what those policies mean in practice. If you want to read the policies in full, you can find them on page 8-11. What follows is an abbreviated and non-technical summary with illustrations of some of the problems. The actual wording of the policies takes precedence over the summary.

The case for protecting the New Forest

Short of wholesale building development, the surest way to degrade any piece of beautiful countryside is to erode its qualities bit by bit. It is actually very rare for the New Forest to be threatened by major individual development projects. In the 1960s, much land in the north west of the Forest was lost to gravel digging and twenty years ago a major road scheme was proposed but defeated. No other development on this scale has faced the Forest in post-war years, yet its peace and natural beauty have declined and its system of pastoral land use has been placed under growing pressure. Traffic noise dominates all but its deepest recesses, its ground-nesting birds are in decline and litter is everywhere. Much of this has happened because of small-scale developments, individually inoffensive, but collectively very damaging. It is an old cliché that every man kills the thing he loves and in the case of the New Forest that has come close to being true. The pressure upon the Forest has become insupportable. Yet it is not the number of people alone that has been responsible. The Forest has the ability to absorb quite large numbers of people while retaining much of what makes it unique. It is what those numbers of people seek to do with the Forest, and especially the facilities they are provided with, that is causing the damage. Over time this has become a cancer of creeping minor development.

It is a sad fact that most of this recreational development is well-meant, yet its promoters often fail to see that it has contributed to a steady decline. Similarly, the damage from recreational activities is unintentional, but can be equally harmful.

Here is a typical illustration of how the damage is done:

One may start with a pristine stretch of undulating heathland – wild and lonely – with grazing ponies and unspoilt views to the Isle of Wight or to Cranborne Chase. On its edge a car park is built. Perhaps ice cream sales are permitted there. Picnic tables appear, then litter bins, and then a lavatory block. An “interpretation” board is thought desirable. What about a heathland walking trail, with marker posts and information plaques? There must be a notice telling people about the ponies. Physical exercise is very important, so the track across the heath needs to become a cycle route. Perhaps some disabled facilities may be thought desirable and of course there will be kite flying and orienteering at the weekends. Dogs are allowed to run free off the lead in the nesting season—unlike on other areas of common land. Where now is that unspoilt heath?

The Verderers' View

The Verderers believe that the New Forest should be available to the public without restriction for quiet informal recreation and that such pressure can be accepted for the time being, although not necessarily forever. There may come a time when the sheer numbers seeking access may become unbearable, but that is a problem for future generations. In the meantime the Verderers aim to control the creeping development caused by the pursuit of formal recreational uses.

Why not just develop the New Forest as a magnet for formal recreation and sport?

There is a fundamental conflict between the wilderness quality of such areas as the New Forest and Dartmoor and their use for formal sporting and recreational pursuits. That is a difficult concept for many to accept. The Forest looks large and empty, ripe for being developed with trails, with camps and for sporting events.

The Verderers accept that all such facilities are crucial in a modern urban society, but they can and should be provided where they will not conflict with the unique qualities of the Forest. There is only one New Forest, but there is much land which can accommodate such uses elsewhere – perhaps even within the boundary of the National Park.

The sections on the following pages set out what the Verderers are seeking to achieve through their policies. The Court invites the support of residents, visitors and the various management bodies and local authorities in implementing these policies.





The commoners

Among the Verderers' chief objectives is looking after the traditional farming practices of the area and securing high standards of animal welfare. These duties are, by and large, uncontroversial. They include making every effort to reduce the terrible toll of animals killed on the roads by speeding motorists.



Combating the terrible toll of livestock killed on Forest roads is one of the Verderers' chief concerns in managing the agriculture of the Forest.

It is often necessary to restrict uses of the Forest which conflict with farming, because the natural beauty of the woods and heaths is so dependent upon the grazing and browsing of the Forest livestock.



The ponies are often described as the "architects of the Forest's landscape". Their grazing and the tranquillity of the Forest is under threat from inappropriate use.



Camping

The Verderers approve the use and enjoyment of the New Forest by campers, but it is becoming increasingly clear that the actual location of the camps, upon the common land, is a growing problem. It may well be that the future lies in smaller camp sites relocated to private land close by, where visitors can enjoy all that the Forest has to offer without intruding upon the sensitive wildlife, landscape and farming interests by the presence of their vehicles, caravans, tents, facilities blocks and other infrastructure on the common.



People and ponies do not mix. There is conflict in the camps on common land. Contrast this with a well-run private camp off the Forest (right)



Camp sites in sensitive ancient woodland are worn bare of vegetation by the relentless pressure of feet, cars, bikes, caravans and tents. Here virtually all grass is eliminated in a part of Hollands Wood camp

Car parking and formal recreation

The Verderers believe that the Forest cannot accommodate any increase in car parking and that some parks are already causing unacceptable damage, and they should be relocated.

Car parking and recreational use of this intensity is better provided for in an urban or suburban setting than in the sensitive depths of the New Forest



This leaflet sets out the nature of the conflict between wilderness quality and formal recreation. The Verderers fully understand the pressure for more and more facilities within the Forest, but they believe that these pressures must be resisted if the special qualities of the area are to be protected for future generations. In order to protect the Forest's special qualities the Verderers' policies make specific statements on various types of development.

1. There should be no new grants of land for sports fields, playgrounds and the like. Such new facilities should be created off Forest land.



Formal sports facilities such as this run-down pavilion are ill-suited to the Open Forest and can be accommodated elsewhere. That is why the policies provide that there shall be no new permissions of this type on the common land.

2. New urban clutter such as play equipment, sculptures, sales points, outdoor furniture, etc has no place on the Forest. Similarly, formal trails, routes, gravel surfaces, can be very damaging to wilderness quality, although there may again be a case for them on private land within or near the New Forest National Park.



Gilding the lily. The Forest is a beautiful place in its own right and does not need 'enhancing' with sculptures and other urban clutter. Here a supposedly ornamental arch frames an ice cream van in one of the Forest's most majestic conifer woods.

3. The Verderers acknowledge the need for well designed public health and safety facilities like lavatory blocks, litter bins and standpipes, but only if they are in appropriate locations.



A utilitarian wash house on a Forest camp site - design more fitting to an industrial estate than the ancient and ornamental woods.



A better-designed lavatory block, marred only by a large and completely unnecessary logo.

4. New formal recreational activities (distinct from facilities) should be provided for off the Forest. Examples of these activities include such things as kite buggying, motor sports of all types, BMX biking, and large organized events. The Verderers will not expect to grant permission for such uses on Forest land.

Utilities and roads

Few modern uses have touched the Forest to worse effect than roads. Their noise degrades all but the most remote corners. Road margins become linear litter tips, often extending to a depth of a 100 yards or more where motorists are able to stop and park. Ponies and cattle are killed in large numbers by speeding motorists and visual intrusion and fumes add to the unpleasantness. Other public utility works (cables etc) are also damaging.

Noise from the A 31 road dominates the north of the New Forest and its visual intrusion is immense.

The Verderers policies are directed to supporting schemes which will limit both noise and visual intrusion.



Public utilities have done much to damage the Forest's landscape in the past and their works are now strictly controlled by the Court.



There is permanent conflict between livestock and traffic on unfenced B roads



The Verderers will support new works in these categories where they will actually contribute to improving the special qualities of the Forest – such as sound screening for roads, putting cables underground or road works which result in a net reduction of land used and in traffic volumes.

The Verderers will expect adequate compensation land where permission is granted – so that the area available for the public to enjoy and for the animals to graze is not diminished.

Signs

Signs are another major problem in the Forest. There are far too many of them and they are often badly designed, located or maintained. Too often there is an assumption that a standard sign will do, rather than one which respects the special character of the Forest.



A group of fourteen different signs, many of them rusty, faded or badly designed, disfigures this road junction at Brook. It is this problem which the Verderers' policy on signs seeks to solve. Contrast with this well designed and maintained modern signpost of traditional form and more in keeping with the Forest.



The Verderers will support any sign that is clearly essential, well designed and in keeping with the Forest landscape.

Education and interpretation

The Verderers fully support efforts to educate the visiting public and to provide interpretation of the Forest. However this must be achieved without damage to the special qualities of the Forest and that means severe limitation of sign boards. The Court specially endorses off-Forest initiatives which take school parties to Commoners' holdings and to well-equipped locations such as the New Forest Centre.

A school party visiting a commoner's holding. Such visits assist people in understanding the Forest, without causing damage or disturbance to fragile areas.



The Verderers' policies in full

1. THE PRIMARY OBJECTIVE

1.1 The primary objective of the Verderers is to protect and administer the New Forest's unique agricultural commoning practices, to conserve its traditional landscape, wildlife and aesthetic character, including its flora and fauna, peacefulness, natural beauty and cultural heritage, and to safeguard a viable future for commoning upon which these depend.

1.2 The following overall aims and policies are all directed to achieving the Primary Objective, and for convenience the characteristics in the Primary Objective are referred to below as the *special qualities* of the Forest.

2. OVERALL AIMS

2.1 The Verderers will endeavour to ensure that the unspoilt natural beauty of the Forest is maintained and, where necessary, restored and/or enhanced.

2.2 The Verderers will seek the relocation or cessation, or where that is not possible, mitigation of any activities that are damaging to the special qualities of the Forest, and in particular those which impinge on its peacefulness and tranquil character.

3. COMMONERS AND FARMING

3.1 The Verderers believe that the system by which the Forest is farmed through the exercise of common rights is essential to the protection of its special qualities. In carrying out their functions (with due regard to statutory constraints), the Verderers will

3.1.1 ensure a high standard of livestock health and welfare

3.1.2 enforce the byelaws of the Court

3.1.3 seek to provide an environment in which farming through the exercise of common rights is viable and successful

3.1.4 seek to reduce road accidents involving commonable animals, subject to a general presumption against further road fencing except as a last resort

3.1.5 seek to reduce any harmful effects of other uses of the Forest upon farming

3.1.6 promote, so far as lies in their power, the well-being of the Commoners as a community essential to the future of the New Forest

3.1.7 seek to maintain the number of commoners stock to a level that is commensurate with conserving the Forest and maintaining its traditional character as required by the Court's agreement with DEFRA.

4. CAMPING

4.1 In deciding on proposals for new or altered camping facilities, the Verderers will give favourable consideration to any application they receive where

4.1.1 they are advised by English Nature and/or any other relevant authority, that the proposed development and its subsequent use will cause no material conflict with the ecological or other scientific qualities of the Forest which the Court has a statutory duty to protect, and,

4.1.2 they are satisfied that the proposed development and its subsequent use will otherwise cause no material conflict with the special qualities of the Forest.

4.2 In relation to existing camping facilities, the Verderers will, where these facilities or their use is in conflict with the special qualities of the Forest, seek to secure either their relocation to such more suitable sites less damaging to the Forest and beyond the commonable lands as may be approved by the planning authority, or where that is not possible seek their closure.

5. CAR PARKING

5.1 Where car parking or the recreational use which it generates is in conflict with the special qualities of the Forest, the Verderers will seek to secure its reduction or relocation to more suitable sites, which are less damaging to the Forest. Proposals to increase overall levels of car parking will not normally be given favourable consideration.

6. RECREATION AND RECREATIONAL FACILITIES

6.1 The Verderers believe that the New Forest should be available to the public for quiet recreation. To achieve this, while protecting the special qualities of the Forest, the Verderers will seek to ensure that new formal recreational facilities and uses such as playgrounds and sports fields are not normally provided on the commonable lands.

6.2 Existing formal recreational facilities and uses which are causing unacceptable damage to the special qualities of the New Forest should, whenever possible, be relocated to more suitable sites approved by the planning authorities outside the commonable lands.

6.3 New development, ancillary to recreational uses such as the provision of furniture, play equipment, sculptures, sales points and sports trails will not normally be permitted on the commonable lands. Wherever possible, the Verderers will seek the removal or better regulation of such existing facilities and uses where they are causing damage to the special qualities of the Forest.

6.4 Essential development ancillary to recreational use (such as lavatory blocks, standpipes, and litter receptacles and signs) must be kept to a minimum and will normally only be approved where they are of an acceptable design and are appropriately located.

6.5 New formal recreational activities (distinct from facilities) will not normally be approved where they would cause material conflict with the special qualities of the Forest, or intensify existing pressures on the Forest.

7. UTILITIES AND ROADS

7.1 To protect and restore the special qualities of the New Forest, the Verderers will only approve new public development on the commonable lands where

7.1.1 the development will further the primary objective (above); for example, trenching to put existing overhead cables underground, or a reduction in traffic speed on unfenced roads, including road improvements which are otherwise acceptable incorporating noise and visual screening or

7.1.2 the works are minor in nature, have no significant effect on the primary objective and no reasonable alternative is available (e.g new underground pipes or cables to an individual house or field).

7.2 Where required by the Verderers and before approval will be given, adequate exchange land must be offered, and agreements must be entered into for the removal and full restoration of the site of the utility should it become redundant.

8. SIGNAGE

8.1 The Verderers will normally approve signage on the forest where it can be demonstrated to be necessary for safety or essential information. The visual impact of signs should be no more than is necessary for the signs to be comprehended. The design, materials, colours and location of signs should be sympathetic to the landscape of the forest and, where appropriate, emphasise the identity of the New Forest.

8.2 The Verderers will seek to be consulted in the formulation of any signage policy which may be drawn up by the Highway Authority, the Forestry Commission, or the National Park Authority.

8.3 The Verderers will seek the removal of any unauthorised signs erected within the Forest, including highway and Forest verges.

9. MAN-MADE FEATURES

9.1 When man-made features and infrastructure on the Forest become a hazard or redundant the Verderers will usually seek the removal of such features, the restoration of the site where necessary, and the making good of any damage to the ground. Exceptions will be made where a feature is either considered important to the cultural heritage of the Forest, or the feature has an appropriate new use or if its removal would cause unacceptable damage.

10. LAND EXCHANGES WITH THE MINISTER

10.1 The Verderers will agree to a land exchange only after detailed examination of the proposal and after a public presentment, and where the exchange would not prejudice the primary objective above. Exchanges will be on a value basis only - not area for area.

11. EDUCATION AND INFORMATION

11.1 The Verderers support the provision of education and information for the public as to the special qualities of the New Forest, and the carrying out of scientific research. Where consent is required the Verderers will give favourable consideration to such proposals, provided the activities would not materially damage the special qualities of the Forest.

12. RELATIONSHIP WITH OTHER PUBLIC BODIES

12.1 NATIONAL PARK

12.1.1 The Verderers will, in recognition of their duty to have regard to the statutory purposes of the National Park, forge and maintain a close working

relationship with the National Park Authority and will ensure that Park purposes are taken in to account when considering or carrying out their primary objective.

12.1.2 In addition, and as set out in the Minister's Guidance to the New Forest National Park Authority, the Verderers will seek to ensure that the Park Authority:

12.1.2.1 fully understands the workings of the commoning system

12.1.2.2 will take any action necessary to support commoning and foster its long term viability

12.1.2.3 fully includes the Court in the preparation and review of the Management Plan.

12.2 OTHER BODIES

12.2.1 The Verderers will seek to maintain a close working relationship with the Forestry Commission, and all other public bodies or relevant authorities with duties and responsibilities within or affecting the New Forest, and will consult with them when necessary.

12.3 NATURE CONSERVATION

12.3.1 Before deciding on any permission or proposal which may affect an SSSI, SAC, SPA or Ramsar Site the Verderers will seek advice from English Nature and/or any relevant authority. The Verderers will seek to ensure that any application they receive is assessed in accordance with the relevant nature conservation legislation.

VERDERERS OF THE NEW FOREST

Policy approved: 20th July 2005

NOTE: Sources of statutory, customary and relevant powers and duties include primary legislation set out in:

The New Forest Acts of 1877, 1879, 1949, 1964, and 1970; The Countryside Act 1968 Section 23.

General statutory duties set out in:

The National Parks and Access to the Countryside Act 1949 Section 11A (as introduced by Section 62 Environment Act 1995), The Wildlife and Countryside Act 1981 Section 28G (as amended by Countryside and Rights of Way Act 2000), Regulation 48 of the Habitats Regulations.

Existing Agreements:

Memorandum of Understanding, Verderers & Forestry Commission, 12th November 2002; Declaration of Intent, Verderers, Forestry Commission & English Nature 25th July 1995; Commons Agreement 1964; Enclosures Agreement, Verderers & Forestry Commissioners 18th January 1960.

Relevant Agreements:

The Minister's Mandate 1999 - 2008, confirmed by the Forestry Minister 28th July 1999; Minister's Guidance to the New Forest National Park Authority, on behalf of the Secretary of State, 17th February 2005.

The above list is not intended to be exhaustive and merely lists the main statutes and agreements for ease of reference.

The Verderers acknowledge with thanks the contribution of several photographs in this leaflet by Graham Cooper and one from the Christopher Tower Library



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