

# VERDERERS OF THE NEW FOREST FREEDOM OF INFORMATION ACT – PUBLICATION SCHEME

## PART 1

### INTRODUCTION

All authorities which are subject to the Freedom of Information Act are obliged to adopt and maintain a Publication scheme specifying -

- the classes of information which they publish or intend to publish
- the manner in which the information is or is intended to be published; and
- whether the material is or is intended to be made available to the public free of charge or on payment.

The purpose of our Publication scheme is to ensure that as much information as possible is readily available to members of the public, without the need for specific consideration under the Freedom of Information Act, and to inform the public of the extent of material that is available.

Readily available means that the information is included on our website or will be supplied promptly on receipt of a letter or telephone call to this office.

Part 2 sets out the classes of information that the Verderers of the New Forest publish or intend to publish, the format in which the information is available and whether the information is available free of charge or on payment.

### GENERAL

**Background.** The Court of Verderers is a corporate body set up under the New Forest Act 1877. The Verderers are responsible for regulating commoning on the Forest and inquiring into unlawful inclosures. They also have wide ranging responsibilities in respect of development control and conservation. More information is included at Part 2, Section 1.

**Verderers' Publication Scheme.** The Verderers of the New Forest were brought within the scope of the Freedom of Information Act in June 2006. This publication scheme lists the information which is formally published either on the Verderers website ([www.verderers.org.uk](http://www.verderers.org.uk)), or on request from the Clerk to the Verderers. Its purpose is to assist members of the public by showing and describing the information which is routinely made available. Where requested, information will be provided either electronically or in hard copy as specified. The list is comprehensive and includes minutes of all formally convened meetings and any general information routinely held by the Verderers – excluding any exempt information (such as personal data). Apart from the fees charged for 'Postal Searches' of the Atlases of 'Forest Rights' (scale of charges shown at Section 9), there is normally no charge for providing one-off copies of any of the information listed in the Publication Scheme.

**Charges.** Charges for providing other information, such as copies of correspondence, will be in accordance with the regulations. Where the cost of this is less than the 'appropriate limit' there will normally be no charge except that the actual costs of photocopying (not including staff time) and postage, may be charged for larger amounts.

**Publication Scheme Manager.** The Verderers' Publication Scheme is the responsibility of, and is maintained by, Sue Westwood, Clerk to the Verderers, to whom all enquiries on the Scheme should be directed in the first instance (Telephone 02380 282052).

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## INFORMATION BY CLASS

### 1. Verderers

#### **Background**

The Court of Verderers is a corporate body set up under the New Forest Act of 1877. It is the last remnant of the old form of Forest government which was at one time found in many parts of the Country. Although greatly modified since the days when the Forest Law fulfilled its original purpose, the Court's authority is based on an unusual blend of ancient and modern statutory powers.

The present Court, which has the same status as a Magistrate's Court, consists of 10 Verderers. Five are elected by those commoners whose names appear in the Forest's own electoral register. The qualification for inclusion on the register is the 'occupation' of not less than one acre of land to which a right of pasture attaches. Elections take place every three years, with two Verderers being elected at one time and three at the next. The office is entirely unpaid. They serve on the Court for six years. The other five Verderers are appointed, one each by the Department of the Environment Food and Rural Affairs, the Forestry Commission, the National Park Authority and the Countryside Agency. The Official Verderer is the Chairman of the Court and is appointed by the Queen. Appointed Verderers serve for periods determined by their appointing authorities.

The Verderers are charged with regulating commoning on the Forest and inquiring into unlawful inclosures, and they have wide ranging responsibilities in respect of development control and conservation. They work in conjunction with Natural England and the Forestry Commission which manages the Forest on behalf of the Crown, as well as with owners of other areas of common land within the perambulation. Any proposed development which will affect the Forest has to be considered and approved by the Verderers before it can go ahead. The Court has to consider proposals for new roads, telephone and electricity lines, car parks, exchanges of land, camping sites, recreational facilities, improvement of the grazing, timber inclosures, playing fields and numerous other matters. Different sections of the various Acts of Parliament, govern each of these matters and the complexity of the Verderers' affairs increases annually.

Much of the work of the Verderers is connected with ensuring the health and welfare of the commoners' animals. The Verderers have a set of byelaws which can be enforced in the local Magistrate's Courts. The byelaws help to ensure that commoners act in a responsible manner in the exercise of their rights.

In order to assist them to carry out their duties, the Verderers employ five Agisters who supervise the day to day welfare of the commoners' stock. In addition, they employ three administrative staff. These comprise the Clerk and assistant to the Clerk, and a manager who runs the Verderers' Countryside Stewardship Scheme.

Except for the months of August and December, the Court of Verderers meets on the third Wednesday of each month in public session, at which 'presentments' may be made. The 'Open' Court is followed by a private committee meeting. There is no meeting in August and, in December, the Verderers meet in Committee only. A 'presentment' is a verbal statement made to the Court (which must be accompanied by a written note) in which concern is expressed, a complaint is made, or a question is asked, about a matter relevant to the Forest.

In summary, the Verderers' primary objective is to regulate and protect the commoners' interests and to preserve the natural beauty and traditional character of the Forest. They do not profit from their office and indeed, by law, they are not permitted to do so.

A set of 5 leaflets providing detailed information on the Verderers, the Agisters, Commoners, Stock and the Verderers' Countryside Stewardship Scheme, are available on the Verderers' website or on request from the Clerk to the Verderers.

### 1.1 Verderers – General Information

Availability      Verderers' Website/Verderers' Office – Sue Westwood 02380 282052  
Information Leaflet, Verderers' Office – Sue Westwood 02380 282052

## 2. Verderers' Byelaws

The Verderers byelaws are updated periodically. Revisions are notified in accordance with Section 25 of the 1877 New Forest Act (as amended by Section 9(5) of the New Forest Act 1949) by the placing of notices in the local newspapers stating the Verderers' intention to apply, no earlier than one month from the date of the notice, to the relevant Minister at the Department for Environment, Food and Rural Affairs, for confirmation of the Byelaws.

A copy of the byelaws is available on the Verderers' website, or on request from the Clerk to the Verderers.

### 2.1 Byelaws

Availability      Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

## 3. Verderers' Policies

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. A detailed explanation and list of their policies is available on the Verderers' website, or on request from the Clerk to the Verderers.

### 3.1 Policies

Availability      Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

## 4. Verderers' Elections

Five of the 10 Verderers are elected by those commoners whose names appear in the Forest's own electoral register. The qualification for inclusion on the register is the occupation of not less than one acre of land to which a right of pasture attaches. Elections take place in November every three years with two Verderers being elected at one time and three the next. The office is entirely unpaid and elected Verderers serve for a term of 6 years. Elections are scheduled for 2009, 2012, 2013, etc.

#### 4.1 Election Notices

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052.

### 5. The Verderers' Court

Except for the months of August and December, the Court of Verderers meets at 10.00 a.m. on the third Wednesday of each month in public session, at which 'presentments' may be made. The 'Open' Court is followed by a private committee meeting. There is no meeting in August and, in December, the Verderers meet in Committee only. A 'presentment' is a verbal statement made to the Court (which must be accompanied by a written note) in which concern is expressed, a request or complaint made, or a question asked, about a matter relevant to the Forest.

Copies of the minutes of Court meetings are available on the Verderers' website, or on request from the Clerk to the Verderers.

#### 5.1 Regulations Of The Verderers Of The New Forest Relating To Courts Of Swainmote For The Dispatch Of Administrative And Judicial Business As Provided For In Section 24 Of The New Forest Act 1877 As Amended

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

#### 5.2 Court Dates

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

#### 5.3 Minutes

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 6. Agisters

The Verderers employ five Agisters. Their name comes from the word 'agist', which means to take in to graze for payment. Their work is to assist in the management of the commoners' stock on the Forest and to carry out instructions issued by the Court of Verderers. They are on call 24 hours a day and their rosta is arranged so that at least two Agisters are always on call to respond to any problem involving stock on the Forest.

Their day to day work is overseen by the Staff Committee which normally meets on the first Monday of the month. Minutes of Staff Committee meetings are available on the Verderers' website or on request from the Clerk to Verderers.

An information leaflet on the Agisters and their role is available on request from the clerk to the Verderers.

#### 6.1 General Information

Availability Information Leaflet, Verderers' Office – Sue Westwood 02380 282052

#### 6.2 Staff Committee Meetings - Minutes

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 7. Relationship of the Verderers with the Forestry Commission

The Forestry Commission is responsible for managing the Crown Lands of the New Forest. In exercise of their responsibility the Forestry Commissioners have power, amongst other things, to authorise the use of land in the New Forest for the purpose of recreation including the appropriation of land for car parking and camping sites. They also have powers under section 23(2) of the Countryside Act 1968 to provide tourist, recreational or sporting facilities. The powers in the New Forest Act 1949 and, by virtue of section 1 of the New Forest Act 1970, those in the Countryside Act, are only exercisable with the agreement of the Verderers of the New Forest. These arrangements are contained in a Memorandum of Understanding which is available on the Verderers' website, or on request from the Clerk to the Verderers.

## 7.1 Memorandum of Understanding

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

## 8. Stock

Forest stock comprises ponies, cattle, donkeys, pigs and a few sheep. All stock on the Forest is privately owned by commoners who are entitled to depasture their animals on the Forest. Stock numbers fluctuate from year to year, but in most years it is likely that there will be in excess of four thousand ponies, two and a half thousand cattle, a hundred donkeys and several hundred pigs (which are only allowed to be turned out during the pannage season, a period of (normally) 60 days in the Autumn), and considerably less than a hundred sheep (detailed information is included in the Annual Report of the Verderers' Countryside Stewardship Scheme which is available on the Verderers' website or on request from the Scheme Manager).

The majority of Forest ponies are semi feral and are rarely handled more than once a year when they are rounded up. As 'wild' animals, they should not be approached or touched, despite their often docile appearance, as their behaviour can be unpredictable. The 'round-ups', known locally as drifts take place in the late Summer and Autumn. There are around 40 drifts which are held in different locations throughout the Forest in order to round up as many as possible of the Forest ponies as part of their essential management – including the requirement for branding foals and/or weaning them. A detailed drift list is published each year and is available on the Verderers' website or on request from the clerk to the Verderers.

The Verderers have established strict criteria for the condition of stock on the Forest – based on the standards laid down by DEFRA, and this is monitored by the Agisters who will require commoners to remove any animals falling below the minimum standard. Details of condition standards are available on the Verderers' website or on request from the Clerk to the Verderers. Condition is also monitored by representatives of the principal horse, donkey and animal welfare organisations who are invited to attend 'welfare tours' organised by the Verderers in Spring and Winter.

A number of Forest animals are killed and injured each year in road traffic accidents: information on this is available on the Verderers' website or on request from the Clerk to the Verderers.

As part of the management of the Forest ponies, the Verderers manage a 'stallion scheme' which limits the number of stallions that are allowed to be turned out and the length of time they are permitted to spend on the Forest. Details of this are available on request from the Clerk to the Verderers.

A leaflet setting out more, general information, is available on the Verderers' website or on request from the Clerk to the Verderers.

### 8.1 General Information

Availability Information Leaflet, Verderers' Office – Sue Westwood 02380 282052

### 8.2 Animal Welfare Standards

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 8.3 Drift Lists

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 8.4 Number of Animals Depastured

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 8.5 Road Traffic Accidents Involving Commoners' Stock Depastured on the Forest

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 8.6 Information Relating to Welfare Tours (Arranged Biannually – May & December)

Availability Verderers' Website/Verderers' Office – Sue Westwood 02380 282052

### 8.7 New Forest Stallion Scheme

Availability Verderers' Office – Sue Westwood 02380 282052

## 9. Forest Rights

The Verderers hold the Atlas of Forest Rights which is the definitive document showing all property within the Forest to which rights attach. The Atlas may be inspected by appointment with the Clerk to the Verderers. Alternatively, information contained in the atlases relating to Forest Rights is available in accordance with our fees regime - postal searches will be undertaken by the Clerk on receipt of the appropriate fee (see scale below) and two copies of a good location plan of the property (Land Registry or Ordnance Survey) at a scale of 1/2500 if possible.

**Fees** - The fee scale for a Verderers' search is as follows (fees shown below are correct as at 1 January 2007):-

<b>Property Acreage</b>	<b>Search Charge</b>
Under 1	£60.00
1-5	£90.00
5-10	£120.00
10-50	£180.00
50-100	£240.00
Over 100	Fee to be agreed

Payment should be made at the time of requesting the ‘search’ and cheques should be made payable to the "Verderers of the New Forest".

There are six ‘rights of common’: the right of common of pasture; the right of common of mast; the right of common of sheep; the right of common of marl; the right of common of turbary; and the right of common of fuelwood (estovers) – although the rights of common of marl and turbary are no longer exercised. Full details of these rights are contained in a leaflet entitled ‘Commoners of the New Forest’ which is available from the Clerk to the Verderers.

#### 9.1 Forest Rights – Description and Search Fees

Availability Verderers’ Website/Verderers’ Office – Sue Westwood 02380 282052

### 10. Verderers’ Countryside Stewardship Scheme

The Verderers’ Countryside Stewardship Scheme is a 10 year agreement between DEFRA and the Verderers of the New Forest. It recognises the vital contribution made by commoners’ stock to the ecology and landscape of the Forest. In return for grazing the Forest with a minimum of 3,500 animals, and a maximum of 7,000, DEFRA provides in the region of £450,000 a year (the exact amount depends on the percentage of stock on the Forest which is entered in the Scheme). In order to meet the terms of the Agreement, the Verderers invite commoners to join on an annual basis. In return for meeting the conditions of the Scheme, commoners who enter receive a payment for each ‘eligible’ animal they turn out which completes a laid down minimum period on the Forest. Eligibility for inclusion is based on limits laid down by the Verderers.

#### 10.1 Stewardship Scheme Agreement between DEFRA and the Verderers

Availability Verderers’ Website/Verderers’ Office – Leanne Sargeant 02380 283134

#### 10.2 Grazing Plan

Availability Verderers’ Website/Verderers’ Office –Leanne Sargeant 02380 283134

#### 10.3 Reports – Annually (by 31 October)

Availability Verderers’ Website/Verderers’ Office – Leanne Sargeant 02380 283134

#### 10.4 Minutes – Advisory Group – biannually (normally March and October)/ Verderers’ Countryside Stewardship Scheme Sub Committee (as and when convened)

Availability Verderers’ Website/Verderers’ Office – Colin Draper 02380 283134

#### 10.5 Scheme Budget/Audit – Annual Audit Report as at end of January

Availability Verderers’ Website/Verderers’ Office – Colin Draper 02380 283134

### 11. Media

Press Releases are published as required. Copies are available on the Verderers’ website, or on request from the Clerk to the Verderers

#### 11.1 Press Releases

Availability Verderers’ Website/Verderers’ Office – Sue Westwood 02380 282052



## 12. Verderers' Accounts

The Verderers receive two main sources of income; government funding through the Forestry Commission and the payment of Marking Fees by commoners. Additionally, further sums accrue from the conduct of searches of Forest rights and the receipt of grants for certain projects. The annual audit report and accounts are available on the Verderers' website or on request from the Clerk to the Verderers.

### 12.1 Annual Audit Report and Accounts

Availability      Verderers' Website/Verderers' Office – Sue Westwood 02380 282052