

## CONSULTATIVE PANEL MEETING – 5 September 2024

### CHAIR'S REPORT

**Report by:** Brian Tarnoff, Chair, New Forest Consultative Panel

#### **1 Chair's Notes on the Previous Meeting**

Panel members may be pleased to read that our June meeting has prompted much more cursory notes, than March, which was overburdened with detail of Forestry England's altered offering for licensed food vendors.

##### **1.1 Matters Arising**

At the June meeting the fate of Fawley Waterside was much the same as in March with agreements unsigned. See Updates 2.2 below which includes how the penny dropped.

##### **1.2 Forestry England**

The Q&A included points / questions made by Panel members:

- Tree felling effecting nesting birds questioning whether this could be squared with legal obligations in the Wildlife & Countryside Act 1981
  - Craig noted that weather and climate change altered both the bird nesting season and impacted window for when work could be carried out. FE relies on Keeper surveys within their operational planning.
- Subsequent question about the scale/time/effort for species surveys for Forestry operations, and public availability of results.
- Tree planting density: stocking density (1600-3000 per hectare depending on circumstance and mix of broadleaf/conifer) is not equivalent to yield (possibly around 250 per hectare) as thinning over time will leave the best trees for crop / canopy cover. Density / timing of thinning may produce more bushy trees that are not useful for timber.
- Are trees being planted on the Open Forest – this led to a brief explanation about the statutory difference between the Inclosures, where Forestry plants trees, and the open Forest where Forestry England manage habitat.
- Anecdotal mention of tree loss on open Forest:
  - natural regeneration / process currently standard relied upon.
- Are Plastic Tree Guards still being used in latest restocking?

- Trying to reduce use on sensitive sites, deer fencing may be used instead, where they are used, using and reusing existing stock of guards. Trials ongoing for alternative, so far the life-cycle costs of some under evaluation are more damaging/prohibitive or less effective.
- Campsite closures mandated under the SAC Management Plan 2001 / both SSSI protections and the Sandford Principle in National Parks legislation supports acting upon this advice:
  - Balance managing people / wildlife. Campsites established to supplant previous wild camping, and have since become popular. Still exploring long term solutions. Campsites take up 0.3 % of the SAC.
  - At this point the Chair underlined the legal obligations that Forestry England had made in the SAC Management Plan, that Natural England should have but haven't enforced that agreement. The Plan called for the closure or relocation of Denny Wood, Hollands Wood and Longbeech. While the argument put forward by the DS for camping generally could be up for discussion, the Chair felt that for those instances the points would be moot.
- Bracken management—the way in which bracken is controlled on the Forest, while meant to encourage heathland, has also inadvertently been exercised on Ancient Woodland sites.

## 1.2 National Park Authority

The Q&A included points / questions made by Panel members:

- Grazing for recreational horse keepers may be impacted by pop-up campsites, smaller supply leading to higher rents.
- In Local Plan review make sure that new development is being planned it takes into account and all forms of active transport, with alternatives to cars higher up the agenda. Green and cycle groups should be included in consultation.
- A326 is a huge barrier to car free access to the Forest.
- Report of a mobile home on caravan site. Apparently already within a red line site with authorised caravan use, and so does not require planning permission.
- Are Village Design Statements still required/relevant despite announced planning changes?
  - Yes, they are still of use as supplementary planning documents (SPD). The proposal to do without SPD's has not been brought forward yet. If that does happen, NFNPA may find a way to elevate elements into the Local Plan, the principle and exercise remains valid, although the format may change.
- Light pollution effects wildlife, including moths, bats, etc. Will the revised Local Plan take account of this and encourage smart lighting?

- Currently Dark Night Skies are wrapped up in Tranquillity policy, but work with the NFNPA and Hampshire CPRE may lead to a distinct separate policy towards attaining Dark Night Sky status or reserve.
- Is a Country Park planned for the Waterside?
  - No proposals at the moment, but a concept talked about for years including one at Rownhams. The scale of the overall proposals for the Waterside where small pocket SANG's won't sufficiently address need, may dictate green infrastructure at scale will be a necessary component of the consequent mitigation package.
- Back up grazing land needs to have a clearer definition, particularly for planning purposes, and be inclusive of potential back up land. Loss of this land to other uses including recreation creates a situation where there may not be sufficient provision should the Forest face another Foot and Mouth type crisis requiring removal of livestock from the common land.
  - Copythorne Solar Farm application was given as an example where the impact of the change of use of this green space may impinge on the supply of back up grazing.
- Agricultural change of use to recreation was an issue that the National Park had intended to address, but hadn't gotten on top of / The New Forest heritage area defined in the 1980's boundary included potential back up land based on the stock levels of that day, but the smaller area of the National Park meant an estimated 10k acres less.
  - These issues were conceded as well as a mutual recognition of the difficulties faced historically when authorities attempted to rein in this recreational change of use. The in tandem reviews of both District and Park Local Plans may represent an opportunity to address such cross boundary issues.

### 1.3 NFDC

Unfortunately, Derek Tippet was unavoidably at Copythorne's D-Day remembrance. He did send through notes, which with one thing and another, were not available for the Panel's discussion. They may be found here:

<https://www.newforestnpa.gov.uk/app/uploads/2023/11/NFDC-Update-Consultative-Panel-6-June-2024.pdf>

### 1.4 Verderers

Fortunately, Graham Ferris was present, but also quite sensible of the Panel's time and so had prepared additional notes for later distribution, specifically about the ongoing and

not to be glibly summarized search for a suitable agri-environment support scheme. They may be found here:

<https://www.newforestnpa.gov.uk/app/uploads/2023/11/VERDERERS-CONSULTATIVE-PANEL-002.pdf>

As noted in the minutes Graham gave good news of this year's foaling season to date, and how impressed the attendees of the welfare tour with the condition of the stock. He expressed the challenge faced communicating this to representatives of charities which often have a massive turnover of personnel, those

“who've never been to the Forest, never dealt with feral animals and their welfare and it's really important that they understand the realities and how we do it, how it's managed successfully and also understand that feral herds of ponies, for example, will go through a natural cycle every year of being very well and tending towards fat at one end of the spectrum, and a little bit “ribby” when they've just foaled and there's not much grub around at that time of the year.”

## 1.5 AOB

**SAMM report** – A panel member asked the panel to consider the New Forest Strategic Access Management and Monitoring Strategy 2023 report by Footprint Ecology. It explores the options available to use various access opportunities to help mitigate pressure on the Forest, and although somewhat uneven, it is certainly an important step in the right direction.

<https://www.newforestnpa.gov.uk/app/uploads/2024/04/New-Forest-SAMM-report-Footprint-Ecology.pdf>

The report was commissioned by Test Valley Borough Council on behalf of the key members of the National Park's Partnership Plan including BCP Council, Dorset Council, Eastleigh Borough Council, Fareham Borough Council, Forestry England, Natural England, New Forest District Council, New Forest National Park Authority, Southampton City Council, and Wiltshire Council. It is hosted on both the TVBC and NFNPA websites. The NPA website gives a more thorough description of the report.

<https://www.newforestnpa.gov.uk/conservation/managing-recreation/managing-recreation/research-into-recreational-use-of-the-new-forests-protected-habitats-footprint-ecology-2020/>

I have invited the authors from Footprint Ecology to give a presentation at a future meeting.

**Panel Tour** – I am still in the process of agreeing a possible future Panel Tour, likely for Spring 2025.

## **1.6 Chairs Amendments to minutes:**

Page 1 2 “Minutes of Previous Meeting” date was 3 March 2024, not, 23 September 2023.

Page 3 4.1 Mixes up separate issues of tree planting in Inclosures and the reliance on natural regeneration on the open Forest. A surmise about an opinion of the Panel, which was not generally expressed or polled should be removed.

Page 5 6.1 Suggests members voted for meeting cancellation measures including notification and online alternatives. They gave a straw poll indication that the chair and secretariat bring a proposal for this change to a subsequent meeting for a formal vote. (apologies to secretariat for my not spotting this before signing off on the draft minutes, I include this here to avoid the point being reiterated in the June meeting).

## **2 Updates**

### **2.1 Proposed Amendment to Consultative Panel Constitution to Allow For Online Panel Meetings as Circumstances Dictate.**

No less than three meetings were cancelled by the previous Chair in the space of two years. This was particularly damaging to the work of a Panel that meets quarterly. In the aftermath of the lockdown which forced all up the learning curve of online discussions, it seemed frankly slipshod that no alternatives were planned or offered. As Chair I promised to address this, hence this amendment to the Panel constitution below (*amendment italicized*).

4.2 Ordinary meetings will be held at the Lyndhurst Community Centre or at such other venues as may be agreed by the Panel and Chairman. *In the event of it not being possible for members to attend a physical meeting of the Panel due to unforeseen circumstances such as extreme weather conditions, an on-line meeting of the Panel will be held to deal with the business on the agenda. The Secretariat will contact Panel members to advise them of the change and make appropriate arrangements for the on-line meeting to take place. Notification of the change will be posted on the website on the Panel meeting page, and if practicable at the meeting venue.*

A vote will be held to adopt this amendment at the 5<sup>th</sup> September 2024 meeting.

### **2.2 Fawley Waterside**

On July 11<sup>th</sup> the announcement was made that Fawley Waterside outline planning applications had been withdrawn. Assessments of the current scheme determined it was

unviable. This does not end the project per se, but will require the developers and the planning Authorities to work toward a new development strategy for the site.

<https://www.newforestnpa.gov.uk/news/fawley-waterside/>

### **3 Statutory Member Updates and Current Consultations for September Meeting**

Panel members should note, we have. I had meant to include summary updates from our statutory representatives, so that these briefing notes could serve to prepare our discussion at the June Panel. They did provide “headline” items which have been added to the Agenda, which may whet your appetite if not inform you more comprehensively.

#### **3.1 National Park Authority – Steve Avery**

Steve shared this summary of his likely talking points:

Like Derek, I shall mention the Government's [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/proposals-for-reforms-to-the-national-planning-policy-framework). This is a current consultation which runs until 24 September 2024. The NFNPA will be responding to the consultation, both in its own right as well as contributing to a collective National Park Authorities' response (through National Parks England).

The headlines of the consultation have been well reported with the focus on increasing the number of homes built each year in England. The proposed changes to the NPPF reverse those made last December, which saw a ‘softening’ in housing targets to make them advisory. It is now proposed to make the housing need figures ‘mandatory’ – in that the way they are worked out (the ‘standard method’) will be non-negotiable – and that there will be a presumption that local planning authorities will either deliver these numbers or achieve cooperation from neighbours to pick up the shortfall. In addition, the numbers themselves will be much higher than the existing figures because the new standard method applies an affordability accelerator which boosts numbers in areas like ours – as evidenced in the table below:

Local Authority	Current Standard Method Housing Need	Proposed Standard Method Housing Need	Change
New Forest District	729 dwellings per annum	1,465 dwellings per annum	+101%
Test Valley Borough	524 dwellings per annum	921 dwellings per annum	+76%
Wiltshire	1,917 dwellings per annum	3,476 dwellings per annum	+81%
Eastleigh	645 dwellings per annum	902 dwellings per annum	+40%
Southampton	1,473 dwellings per annum	1,295 dwellings per annum	-12%

As before, it is important to remember that these numbers are a ‘policy off’ starting point and take no account of the constraints and designations that apply to a local authority area. It is also worth noting that the protections for National Parks in the NPPF remain unchanged, as does the legislative basis for our purposes and duties – and footnote 7 to paragraph 11 is

also unchanged. We will need to work closely with our neighbouring authorities in making the case for a lower number of dwellings in and around the National Park. It would be good to get some views and feedback from the Panel on these proposed changes and how we might respond.

We welcome the proposed increase in planning fees and the Government's commitment to better fund local planning authorities.

I shall also want to touch on our engagement with visitors over the summer, drawing on the experience and anecdotal evidence of our Rangers' team, and the effectiveness of the PSPOs. I'll be offering some reflections too on the New Forest Show and the 'Behind the Scenes' campaign [Come behind the scenes of the New Forest National Park - New Forest National Park Authority \(newforestnpa.gov.uk\)](https://www.newforestnpa.gov.uk/come-behind-the-scenes-of-the-new-forest-national-park)

### 3.2 Forestry Commission – Craig Harrison

Craig did not provide a preview of his presentation for September's meeting. However, he has sent through this previously mooted statement about fly tipping:

#### **Fly tipping in the New Forest – Forestry England perspective**

##### **Context**

- This is a national problem. Elsewhere in the country EA have recently been told to clear up a major fly tip which is going to cost them over £10million. Summer 2023 stats show how fly-tipping is a major issue nationally.  
<https://www.gov.uk/government/statistics/fly-tipping-in-england/local-authority-fly-tipping-enforcement-league-tables-for-england-202122#about-these-statistics>
- This report shows the New Forest ranks at about 200th in a list of over 300 English LAs in terms of the overall number of fly tip incidents (the top being the biggest number). It is also eighth on a list of LAs issuing the most fixed penalty notices for fly tipping, with 390 fines issued against 952 offences. This also represents a 6.8pc increase on the 891 fines issued in 2021/22.
- As we all know Fly tip on private land is the landowners responsibility to remove and is a major headache which has also been raised by the CLA and RICS as a an issue; I'm sure it's a headache for other landowners such as NFDC and Highways
- Forestry England - We are suffering an increase in fly tipping across the country. South District is seeing a marked increase with some major sites that are likely to cost 10s or 100s of thousands of pounds to deal with.
- The financial operating environment is challenging and dealing with fly tipping is effectively dead money that reduces what we can spend on what we want to do to protect and enhance the Nation's Forests
- New Forest – we're seeing an increase in fly tipping locally, having to deal with it alongside our other work managing the forest and recreation. A lot of the material is cement, hardcore, tiles, plaster etc that are now charged for at the HCC centres

### **What we're doing**

- The focus is on pro active work to prevent it happening in the first place, not just how we deal with them when they happen
- The joint ops we are doing with NFDC, the police, VOSPA and NPA are having an impact. The team carry out random spot check on vehicles carrying waste and we give education
- Last year this resulted in 200 vehicles being stopped and 50 charged for offences. This also of course also has a wider deterrent effect. These operations are continuing this year and are over and above our usual duties
- With partners we also run a public education campaign shared by all of us on social media and at events – advising the public how important it is to check that anyone they use to remove waste (including their builder!) has a licence to do so – easy to check on the EA website. This campaign highlights how we are increasingly seeing more commercial waste being dumped – builders rubble, commercial size house clearances, etc. An example of the campaign materials is this [recent video shared on You Tube](#)
- We flagged the issue in our response to HCC on their recent proposals for changing service provision in the future (including closing tips) – we have a major concern that fly tipping will increase if centres are closed

### **Way forward**

- Firstly, please don't blame us, we are victims with regard to this activity
- I'd like Consultative Panel representatives & organisation members to work with us to reduce fly tipping – including vigilance and joined up messaging. We would welcome their support in sharing the public campaign material and supporting the joint operations
- I'd suggest Panel members should direct their concerns at HCC who have made it more difficult to drop off waste at recycling centres and may make it worse if they close waste/recycling centres

## **3.3 NFDC – Derek Tippet**

Derek shared this summary of his likely talking points:

### **National Planning Policy Framework / Local Plan**

I can talk about the new government's proposals for changes to the National Planning Policy Framework and link this to our Local Plan development.

The Government consultation on this runs from 30 July 2024 until Tuesday 24 September 2024. Here is a link:

[Proposed reforms to the National Planning Policy Framework and other changes to the planning system](#)

The housing need figure and the five-year housing land supply are two key areas.

**Revised Housing Need** –the government are looking to ramp up housing delivery across the country, with a new annual target rising from 300k homes to 370k homes reflecting



what some are calling a national housing crisis. The government believes the proposed revised method of calculating housing need will drive down house prices.

For New Forest district, there is an almost three-fold increase above our existing Local Plan target (521 dwellings per year) to 1465. It is important to note that a calculation of housing need is not the same as a housing target to plan for through a Local Plan. This target figure will be determined through the preparation and subsequent examination of the Local Plan.

In order to try and reach this target we would have to re-visit the Green Belt and make some very difficult decisions on which parts new dwellings can be built.

The government are saying that land released in the Green Belt will be subject to the government's 'golden rules', which make clear that development should deliver 50% affordable homes, increase access to green spaces and put any necessary infrastructure in place, such as schools and GP surgeries.

### **3.4 The Solent CO<sub>2</sub> Pipeline Project – ExxonMobil**

This non-statutory consultation runs from 18 July 2024 and closes at 6pm on 12 September 2024 (just a week after our next meeting). It should be noted that this consultation is solely about the route of the pipeline, not about its destination storage in an undersea subterranean saline aquifer (which will be subject to its own consultations and permissions). Three route options are presented starting at the Refinery in Fawley. The "Mainland Corridor" substantially impacts the New Forest and leaves the coast near Everton just west of Milford-on-Sea. The two Isle of Wight options leave our coast at Lepe and reach the Island at Gurnard.

My slightly prejudicial thoughts hinge on the possible effects on the habitats along the mainland (New Forest route), and perhaps naïvely presume that such an option presented as perhaps the greater of three evils, may purposely steer many to the others.

A concise summary of the proposal is available in this leaflet:

[https://www.solentco2pipeline.co.uk/wp-content/uploads/2024/07/Solent-CO2-Pipeline\\_NSC\\_Direct-Mail-Leaflet.pdf](https://www.solentco2pipeline.co.uk/wp-content/uploads/2024/07/Solent-CO2-Pipeline_NSC_Direct-Mail-Leaflet.pdf)

More comprehensive information is available from the project website:

<https://www.solentco2pipeline.co.uk/>

Press release from the New Forest National Park Authority, in which the legal duty to further National Park Purposes imposed by the LUR Act 2023 is cited with the expectation that this should be "fully demonstrated in any future planning application."

<https://www.newforestnpa.gov.uk/news/pipeline/>

However, the key test will be the extent to which that duty interacts with the 2008 Planning legislation which advanced Nationally Significant Infrastructure Projects which will take this and other key proposals out of the direct hands of the local Planning Authority.

### **3.5 New Forest Local Walking and Cycling Infrastructure Plan (LCWIP) – Ben Kennedy, Principal Transport Planner, Hampshire County Council**

The New Forest Local Cycling and Walking Infrastructure Plan (LCWIP) sets out the ambition for investment in walking and cycling in the New Forest area (excluding the area covered by the Waterside LCWIP) over the next 10 years. Hampshire County Council (HCC), New Forest District Council (NFDC), New Forest National Park Authority (NFNPA) and Forestry England have worked together to develop this LCWIP to deliver improvements to walking and cycling facilities across the New Forest area. The draft document has been informed by engagement with stakeholders and local organisations based in the New Forest area and aims to meet local needs as well as leisure cycling. (with thanks to Ben for this summary).

The current draft will be subject to a public consultation that will be launched on 9<sup>th</sup> September and run for eight weeks ending 3<sup>rd</sup> November 2024. It will be hosted on HCC's website which will include a large-scale interactive map to fully understand the routes.

### **3.6 Local Nature Recovery Strategy for Hampshire – Laura McCulloch, Hampshire County Council**

Local Nature Recovery Strategies are a system of plans identifying valuable areas for habitat, opportunities for improvements, and local priorities. The strategy will be an input into local plans, guide the new biodiversity net gain scheme for development, shape funding for Environmental Land Management, and add to the evidence base for local planning authorities.

The current timeframe for Hampshire's LNRS will likely have its statutory consultation period falling between our September and December meetings (current estimation is November). I will email panel members with the details when it. Laura McCulloch from HCC will brief the panel with progress and/or results at our December meeting.

<https://www.hants.gov.uk/landplanningandenvironment/nature-recovery-hampshire/hampshire-strategy>

A concise overview of the Strategy, its aims and timescales:  
[Decision Day Report - June 2024 Local Nature Recovery Strategy](#)

### **3.6 Council Tax Reduction Scheme - NFDC**

The Council Tax Reduction Scheme (CTR) helps residents on low incomes to pay their Council Tax. The scheme helps roughly 8,000 households and costs around £9.8 million per year. The Council can only make changes to the working age scheme as the Council Tax Reduction scheme for pensioners is prescribed by Government.

The Scheme is undergoing its annual review, which legally requires this consultation which will run for 6 weeks from 21 August 2024 to 2 October 2024.

<https://www.newforest.gov.uk/article/3710/Consultation-on-proposed-changes>

## **4 Other Pertinent Information**

### **4.1 Hampshire Countryside Access Plan**

The Countryside Access Plan (CAP) includes the statutorily required Rights of Way improvement Plan (ROWIP) which is designed to set out how the authority can manage the Rights of Way network to enhance it to meet the public's current and future needs.

While the timeframe for consultation on the new plan is still up in the air, the current plan "ends" next year. It is worth a look in leading up to this eventuality:

<https://www.hants.gov.uk/landplanningandenvironment/countryside/accessplan>

### **4.2 Results of HCC Future Services Consultation Update**

As predicted actions on this survey to drive budget cuts were deferred by General Election. As stated on HCC's website:

... it has been concluded that it wouldn't be possible to run an effective process on the original decision-making schedule and so the Select Committee meetings that were due to take place next month, must be rescheduled to September. Final decisions will then be taken by the County Council's Cabinet in October this year.

The Consultation results for reference.

<https://www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations/future-services-consultation>

I will seek either a presentation from HCC for a future Panel meeting or seek an ongoing representative from HCC to join our other statutory members.