

**Minutes of the  
MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST**

14.30 Monday 9 June 2008  
Ashdown Forest Centre

Present: Cllr J Barnes (in the Chair), Mr M Cooper, Mr R Galley, Mr L Gillham, Mr P Glyn, Cllr Hoy, Cllr B Lacey, Cllr S Martin, Dr H Prendergast (Clerk), Cllr T Reid, Cllr R St Pierre, Cllr S Shing, Cllr R Stogdon and Mr R Thornely-Taylor. Minutes taken by Mrs T Buxton.

**Election of Chairman of the Board as required by Standing Orders 1.2**

*“The Board shall elect a Chairman and Vice Chairman at the June meeting each year (after local authority elections) to hold office for 12 months from that meeting. The Chairman and Vice Chairman shall remain in office for one year and be eligible for re-election.”*

Mr Glyn proposed Cllr Barnes and this was seconded by Mr Gillham. Cllr J Barnes was duly elected, took up the Chairmanship with thanks.

The Board went on to elect Vice Chairman. Mr Glyn proposed Mr Gillham and this was seconded by Cllr St Pierre. Mr Gillham was duly elected and took up the Vice-Chairmanship with thanks.

The Chairman opened the meeting, welcomed the members of the public present and invited questions for 10 minutes from the floor.

*The following notes on the questions/answers are an aide memoire only and do not form part of the minutes of the Meeting of the Board of Conservators of Ashdown Forest.*

*Mrs Anne Haigh-McVitty*

A document was tabled detailing her objection to the wording of the introduction to the draft Strategic Forest Plan in regards to statutory duties of the Board.

**The Chairman thanked Mrs Haigh-McVitty and stated current legal advice states that the Ashdown Forest Trust makes no difference to the operation of the 1974 Act. Cllr Lacey stated that this was also his understanding. The Chairman said that it was quite that right the wording “of benefit to the public” is included and that the new paragraph drafted would address the issue.**

*Cllr Barnes thanked the public for their points.*

**11/08 Apologies.**

Mr J Spicer.

**12/08 Declarations of any interest by Members of a Personal or Prejudicial Nature.**

Mr Thornely-Taylor declared an interest in Board agenda item 16/08 as Mrs Temple is a family member.

**13/08 To approve the Minutes of the Board Meeting of 10 March 2008 and Matters Arising – Board 05/08**

13.1/08 The Minutes of the last meeting had been circulated and were assessed by the Board for accuracy and as no changes were required they were duly received. Cllr Whetstone asked if the agreed actions had been taken forward as described, particularly the question raised by the member of the public on Habitat Regulations; minute 7.1/08; Executive Committee minutes and parish liaison meetings. The Clerk stated that a response had been sent to Mid Sussex District Council regarding the ‘Habitats Regulations Assessment Scoping Report’ and a copy was available to Board members. The Clerk also reported that the ban on mountain biking had been upheld after discussions at both the RPA and Conservation Committee (minute 7.1/08) and that a member of the mountain biking community would be making a presentation to the next RPA meeting. The Clerk went on to report that minutes of the recent Executive Committee meeting were not yet approved and would be circulated in due course. He also reported that the Parishes had been contacted about liaison meetings with only one positive result received so far and that a date would be set and circulated when

more responses had been received. Cllr Whetstone commented that Nutley, Maresfield and Hartfield parishes would be raising the issue in due course. There were no further matters arising.

#### **14/08 To receive the Minutes of the Meeting of the Conservation Committee of 31 March 2008 – Board 06/08**

- 14.1/08 The Minutes of the last meeting had been circulated and were assessed by the Conservation Committee for accuracy. No changes were required and the Board received the minutes.
- 14.2/08 Mr Glyn reported, as a point of interest, that scraping performed by Wakehurst to harvest bracken debris was a management tool that worked extremely well. Other suppliers of this service had been approached for and the costs were found to be approx. £25,000.00 per ha. He went on to say as scraping was such an effective heathland management tool it could not be assessed on purely economic terms. The Committee had agreed to look at alternative income streams as arisings could be a potential source of income that could be sold as a premium product. The Chairman asked that the Committee evaluate the pros and cons and report back in due course.
- 14.3/08 Mr Glyn reported that in regards minute 14/8 described a clear ‘yes’ from the Forestry Commission regarding funding. However, it would now appear help is available for up to 70% of standard costs which will allow us to get help for what we are already doing and not any additional work. The Clerk stated that 70% funding would allow the Board to fulfil its current obligations and though worthwhile was disappointing. Mr Stenhouse questioned the decision-making behind the commissioning of the ESUS report and was critical of the extra costs incurred with its re-drafting and asked that the Committees look more closely at terms of reference when commissioning such reports. The Clerk responded that no extra charges had been incurred in returning the report. Mr Glyn responded that the report quality had left a lot to be desired and it had been correct to return it given the Board’s priorities. He went on to say that there had been an inadequacy in the process and asked how the Board would ensure this did not happen again. The Chairman stated that the responsibility lay with the Committees and with their chair.
- 14.4/08 Mr Glyn stated that he remained disappointed with the comments made at the stakeholder meetings described in minute 15/08. He went on to say that he was looking forward to the round of parish liaison meetings. The Chairman stated that the first round of stakeholder meetings had been valuable but the second round much less so that a clear communication strategy was required and that the website, newsletters and liaison committees went some way towards this; other than that he was not sure what more could be done. He also reiterated his offer to give presentations to parish assemblies to discuss the work of the Board. He went on to say that it would be useful if Board members could make critical readings of the website to familiarise themselves with the content and any omissions. Mr Gillham stated that he was disappointed that nothing had happened with parish newsletters. The Clerk responded that contact had in fact been made, and further copy was being prepared and final press dates would be checked.
- 14.4/08 Mr Stenhouse referred to minute 16/08 and stated he had received two complaints regarding mature trees being felled on the A275 in the vicinity of Churlwood. The Chairman confirmed that the felling policy had been refined and although the area described looked untidy given a year it would look very nice. The Clerk reported that the office had received compliments about the area and would welcome knowing who had complained so that their questions and concerns could be answered. Mr Glyn commented that the work at Goat / Wych Cross had transformed the area and opened out some wonderful views. It was noted that minute 16/08 paragraph two stated that gorse also makes an effective barrier and at different levels provides good habitat.
- 14.4/08 Mr Glyn gave an update to minute 19/08 on mountain biking. There was wide disquiet and unease amongst the Forest staff about licensing mountain biking. It was felt that such an

arrangement could lead to an uncontrollable situation. Mr Cooper commented that a recent 'Open Country' had an interview with a Ranger who described problems such as how he had to remove mountain bikers 'humps'.

#### **15/08 To receive the Minutes of the Roads, Planning & Amenities Committee Meeting of 14 April 2008 – Board 07/08**

15.1/08 The Minutes of the last Meeting had been circulated. There were two typographical errors in minutes 12/08 and 15/08 and these were dully amended. The last paragraph of minute 12/08 would be amended to read, "*The Chairman considered it would now be reasonable to go ahead with a re-draft of the document taking note of the views which had been expressed and commented that the Board would need to tender for a specialist to assist with calculations on property value and uplifts and with legal advice*".

The last paragraph of minute 17/08 would be amended to better reflect the outcome of the discussion and it was agreed that the Chairman would re-draft this outside of the meeting.

The RPA Committee agreed, with the amendments made, the accuracy of the minutes. The Board received the minutes.

15.2/08 Mr Cooper clarified for the Board that minute 4.6/08 related more to the delivery of the report than the content.

15.3/08 Mr Cooper commented that the paper on access issues had been re-drafted and a date had been arranged to discuss this, before the next PRA meeting, with the Clerk. This discussion would cover any legal advice. The Chairman reported that he had become aware that the Common Land and Public Access Act 2006 precludes presumptive rights to motor vehicles in regard to agricultural access. Mr Cooper stated that this was a very complex issue and pragmatism was not always as easy as it sounded.

15.4/08 Cllr Martin thanked the Clerk for making planning information available to the Board and asked, in relation to minute 13/08, if the meeting with Wealden Planning Officers had been arranged. A short discussion on the purpose of the meeting followed. Mr Galley briefly explained about the bio-diversity working party and habitats directive. He considered that the voice of the Board should be available to the planners when making decisions about planning and development control. The Chairman stated that it was important not to encroach on the Conservation Committee remit and that Mr Glyn might want to be involved in giving evidence to any working party or scrutiny committee.

Cllr St Pierre gave a brief outline of the River Ouse Catchment Flood Management Plan and its implications for the Forest. The Chairman stated that this was something the Board should comment on in so far as its relevance it was relevant to the Forest.

15.5/08 Cllr Whetstone asked what the progress was on minute 13.1/08. The Clerk reported that some of the work had been done, however, some remained outstanding and that a second letter had been forwarded.

15.6/08 Cllr Whetstone asked what the progress was on minute 13.4/08. The Clerk reported that a letter had been received from the property owner claiming prescriptive rights and a further letter in reply had been sent again urging compliance. The shed had already been removed; the hedge and the hard standing are planned for removal in the autumn. The matter would be referred back to the Committee.

15.7/08 The Clerk reported that, in regards to minute 13.3/08, nothing more had been heard from the Fords Green Management Association. Mr Galley reported that he had recently been contacted by the Secretary and that they had accepted that the Board were only able to give support and advice.

15.8/08 Cats Protection was briefly discussed and the Clerk reported that the production of a licence was pending awaiting legal advice.

## **16/08 To receive the Minutes of the Finance & General Purposes Committee of 19 May 2008 – Board 08/08**

16.1/08 The Minutes of the last meeting had been circulated and were assessed by the FGP Committee for accuracy. There was one typographical error in minute 14/08. With this amendment made the Committee agreed the accuracy of the minutes. The Board received the minutes.

16.2/08 Mr Thornely-Taylor stated that the Committee had been presented with a very large Health and Safety document and that the Committee had not felt in a position to say if it was appropriate or not. Cllr Reid had offered the advice of the County Council via Mo Hemmersley at Transport and Environment. The Clerk commented that he was extremely disappointed at the Committee's reaction to the presentation of the policies which were not only based on previous Board and ESCC ones, but had been developed in very close consultation with ESCC specialists. The policies he had presented did not mean that there were not further policies needing review. Mr Stenhouse stated that, in his opinion, an outside expert should be sought. Mr Thornely-Taylor stated that the Federation of Small Businesses, of which the Board is a member, should be approached for assistance and advice the quality of which was very thorough. The Chairman and Cllr Reid both stated that they were happy with that solution.

16.3/08 Mr Thornely-Taylor stated that the Committee had discussed the VAT situation and that there was no financial advantage given the Board's current status of partial VAT exemption. The Clerk had been asked to seek advice from Charles Hendry and Norman Baker with regards to applying to be added to the list of organisations in Section 33 of the VAT Act 1994.

### *16.30 Cllrs Shing and St Pierre left the meeting*

16.4/08 Mr Thornely-Taylor presented the financial information. There were no comments on this. He went on to say that the two parts of the Clerk's work in relation to heathland management should be separated out into management costs and conservation expertise. It was noted that helpful advice on the customary practice regarding pay awards had been given by Mr Parsons and this would be taken forward. A provisional increase of 2% would be granted from 1 April with any upward adjustment being made once the Local Government Pay Award had been settled. Should the pay award be less than 2%, no member of staff would suffer a reduction in pay.

16.5/08 Mr Stenhouse commented that the Single Farm Payment should not have been made. Mr Thornely-Taylor and Mr Glyn both stated that Mr Marrable, the Conservation Officer, had initially thought the Board was not entitled to the payment and had queried it with DEFRA who confirmed that we were entitled to it.

16.6/08 The Board agreed the accounts and authorised the Chairman to sign on the Board's behalf.

## **17/08 The Strategic Forest Plan – Board 09/08**

17.1/08 The Plan, which was pre-circulated, was discussed in great detail and at great length with numerous amendments made. All these amendments were recorded on a copy of the Plan. It was agreed that changes should not be made at the table and an editorially revised draft should be circulated in due course.

17.2/08 There was a long discussion regarding the term 'tree conservation' used in the document produced by the Chairman and Cllr Whetstone asked where it says the Board could do this. Mr Glyn directed him to 17(a) in the Act. There was a short discussion on tree felling and Mr Gillham stated that the Board should be absolutely honest, open and up front about what it does, how it does it and why. He went on to say that the Board should not be ashamed of

what it does (in regards to tree felling). It was suggested the term used in the Plan be re-worded from tree conservation to woodland management.

*17.00 Cllr Martin left the meeting*

17.3/08 After discussion it was agreed that more of the history needs to be pulled out and the importance of the landscape and how it happened stressed. It was suggested that a glossary was required for the plan.

17.4/08 Mr Stenhouse stated, in his opinion, the whole of the section, in Amenity and Community, on the Forest Centre was all wrong and should not be included. It was agreed, after a lengthy discussion that a large amount of editing and re-writing was required throughout this section. This was gone through point by point and recorded on a copy of the Plan.

*17.30 Mr Thornely-Taylor left the meeting*

17.5/08 Cllr Whetstone stated, in his opinion, any references to the Vachery should be removed. After a long discussion it was considered that this item would be better placed under the archaeology section.

*17.35 Mr Galley and Cllr Reid left the meeting*

17.6/08 Page 18, box 4 was discussed in detail and the Clerk stated that the Board had a responsibility for the management of the public, however, conservation was the overriding purpose. Cllr Whetstone asked where the minutes were for the Ashdown Visitor Management Partnership as he felt strongly that the Board should be aware of what they were doing and what their terms of reference were. .

17.7/08 There was a long discussion regarding the significant and considerable local representation on the Board and that it was important that the Plan clearly reflected this. The fact that councillors from other parts of the County were represented on the Board highlighted the wider importance of the Forest.

*18.10 Mr Stenhouse left the meeting*

17.8/08 There was a long discussion regarding the need for an executive summary. It was generally felt this should be longer than the current summary and located at the front of the document for ease.

**18/08 Any Urgent Items of which the Clerk has notice in order to pass to the elected Chairman.**

There was none.

There being no other questions or comments, the meeting ended at 18.20.

Chairman \_\_\_\_\_

8 September 2008

Clerk \_\_\_\_\_