

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

14.30, Monday 8 June 2009
Ashdown Forest Centre

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

Election of Chairman and Vice 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 Lacey took the chair in order to facilitate the election of a Chairman and Vice Chairman and asked the Board for nominations.

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

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

Mr Barnes thanked Mr Lacey for opening the meeting and, as Lord of the Manor, for his interest in the Forest. The Board were sorry to lose him.

The Chairman then opened the meeting, welcomed the member of the public present and invited questions for 10 minutes from the floor. There were no questions.

10/09 Apologies.

Apologies were received from Cllr A Reid.

11/09 Declarations of any interest by Members of a Personal or Prejudicial Nature.

There were no declarations.

12/09 To approve the minutes of the Board meeting of 9 March 2009 and matters arising - BD 8/09.

The minutes of the last meeting had been circulated and were assessed by the Board for accuracy. A typographical error was noted in minute 8.14. After the amendment was made the Board agreed the minutes. There were no matters arising.

13/09 To receive the minutes of the meeting of the Conservation Committee meeting of 30 March 2009 - BD 9/09.

13.1/09 The minutes of the last meeting had been circulated and were assessed by the Conservation Committee for accuracy.

13.2/09 Mr Stenhouse said that the minutes were incomplete since he claimed that at the Conservation meeting he had voiced his concern about the number of trees, with a potential for timber use, being felled. He went on to say he had proposed that timber trees should be kept and he had since met with Mr Marrable, the Conservation Officer, who had agreed to visit future cutting areas with him. Mr Gillham stated he had no problem with Mr Stenhouse's proposal as long as it did not detract in any way from the conservation of heathland. *Post-meeting note* – The minute takers notes have no record of Mr Stenhouse's observations.

13.3/09 The Chairman said that if there was found to be an inaccuracy then the original minutes would need to be scrutinised, amended to the Committee's satisfaction and be discussed at the next meeting as a matter arising.

13.4/09 Mr Glyn stated that the meeting had been one of information sharing, updating on finance matters, heathland restoration and a site visit. There were no recommendations to the Board.

14/09 To receive the minutes of the Roads, Planning & Amenities Committee meeting of 20 April 2009 - BD 10/09.

- 14.1/09 The minutes of the last meeting had been circulated. A small change was required in minute 14.3/09 on page 4 which should read '10.1.1'; with this change made the Board received the minutes.
- 14.2/09 Mr Cooper reported that the Committee had made a site visit to look at encroachments and this would be discussed under Board minute 15/09.
- 14.3/09 Mr Cooper reported that useful progress had been made regarding access issues. There had been a further debate on the definitions of equestrian / agricultural access, horses and the realistic use of land. The Committee hoped the Board would approve the document on access.
- 14.4/09 The most up to date version of the Perpetual Licence was tabled for information. It was hoped that the Licence would be agreed at the next RPA meeting. The Chairman reminded the Board that any member could attend Committee meetings and if there were any further comments on the Perpetual Licence they should be forwarded to the Clerk or to the Committee Chairman.
- 14.5/09 The Clerk stated that work on the Perpetual Licence was ongoing and that he was waiting for descriptions of various property types.
- 14.6/09 The Chairman reported that the Committee had discussed Airman's Grave and hoped that the Board was happy with the decision made.

The Board agreed the tabled paper on access.

15/09 Paper on byelaw enforcement across different parts of the Forest - BD 11/09.

The paper had been pre-circulated.

- 15.1/09 Mr Cooper reported the paper was the result of long discussions, input from Forest staff and site visits. The approach laid out in the paper would continue. However, the last paragraph was an addition that he did not entirely agree with. He went on to say there were two possible approaches, a straightforward no compromise position or take the view that some land was less valuable and license it for use, i.e. parking permits.
- 15.2/09 The Clerk stated that it was an easy option to have a no compromise stance. There was a great danger in saying some parts of the Forest were more valuable than others and could cause such land to be treated by some as 'third class'. He went on to say that all Forest land was important and it was the offences that were taking place on the land that should be dealt with. A further problem was people deciding for themselves, without contacting the office, as to what was appropriate. The last paragraph referred to by Mr Cooper was one based on comments made by Forest staff. In some circumstances he could envisage parking being granted by licence where it was not possible within the curtilage of a property (for which the Board already had a protocol) but this would cause other issues to arise.
- 15.3/09 The Chairman replied Mr Spicer had wanted to create a commercial licence for Forest land particularly where enforcement was difficult and licensing a solution. However, he questioned if the Board was breaching the sanctity of common land by allowing licences for parking.
- 15.4/09 Mr Cooper stated his objective was to reduce the workload of staff and that it might be worthwhile to take longer over discussing the issue and look closely at the different categories in order to allow some staff discretion on parking. He went on to say that the areas under discussion were hardly comparable to heathland.
- 15.5/09 Mr Thornely-Taylor stated that if the paper was adopted by the Board as policy any decisions regarding individual parking matters should be made by the Clerk rather than by the Rangers.
- 15.6/09 The Chairman said there might be derogation from policy but the policy itself would stand. To licence someone to park would suggest that under normal circumstances it would not be

permitted and would further re-enforce policy. He went on to say the Rangers should advise the Clerk and, if necessary, the Board on possible problems to remove the burden from their shoulders.

- 15.7/09 Mr Cooper acknowledged the Chairman's words but stated there needed to be a mechanism in place to allow the office to make a judgement with less reference to the RPA Committee or the Board.
- 15.8/09 Mr Gillham said the paper was not perfect but probably as good as the Board were ever going to get. He acknowledged that no encroachment went without comment and that the Board should both sanction and licence, or, the Clerk make a comment to the property owner and pass the responses to the Committee and if appropriate the Board.
- 15.9/09 Mr Stenhouse said he had asked at previous meetings for a full list of access issues so Board members could look and come to a better, more sensible, solution. The Chairman said that the Committee had looked at a typical set of problems and Mr Spicer's conclusion that some situations be licensed was a sensible one. However, it was important not to be absolute and that the principle of the Forest's inviolate nature was core to any policy. He went on to say a register of bye-law breaches could be drafted over time.
- 15.10/09 The Clerk said that it was useful for the RPA Committee to make site visits in order to view a wide range of issues; however 95% of problems encountered by Rangers were quickly and easily rectified and any list would be very quickly out of date. He confirmed all encroachments were brought to the attention of the property owners and that every property had its own file containing correspondence.
- 15.11/09 Cllr Whetstone said the most important thing was 'nipping it in the bud'. Once an encroachment was established it was more difficult to deal with. He also thought that people were dealt with in an officious manner and that a register would be useful. The Chairman said that a simple three column register showing what the encroachment was, what had been done and what action was necessary or recommended would be easy to create. Mr Stogdon said that WDC had a useful spreadsheet used for planning matters that might be of help. Mr Stenhouse thought this was an excellent idea and the RPA Committee could be given an update, attached to the agenda, at every meeting

16/09 To receive the minutes of the Finance & General Purposes Committee meeting of 18 May 2009 - BD 12/09.

- 16.1/09 The Minutes of the last meeting had been circulated and were assessed by the FGP Committee for accuracy. No changes were required and the Board received the minutes.
- 16.2/09 Mr Thornely-Taylor drew the Board's attention to minute 9/09. He reported there had been a discussion on balances and reserves and the Committee decided having a separate Information Barn fund was now not appropriate as it served no purpose. The Information Barn fund would, in future, with the agreement of the Board be added to the reserve fund.
- 16.3/09 Mr Thornely-Taylor reported that there had been a review of the HLF project funding and that a special meeting had been arranged with Simon Aguss (project co-ordinator at the High Weald Unit) to seek clarity on financial planning.
- 16.4/09 Mr Thornely-Taylor reported that there had been a positive meeting with the HSBC Relationship Manager, regarding low rates of interest and increased bank charges; however, since then the responses had been very uncooperative. At the meeting short-dated gilts had been discussed. It had since transpired that commission costs would exceed any income and it was likely the idea would be shelved.
- 16.5/09 Mr Thornely-Taylor reported that a possible replacement bank account had been sourced. The Co-operative Bank were offering a free banking service. Enquiries about the credit rating had shown that the Co-operative Bank did not meet ESCC criteria, however, WDC are customers

and find the service satisfactory. He went on to say the Committee was now ready to open a new day-to-day account that would run in tandem with the HSBC account. Mr Galley reported that he had discussed the Co-operative Bank with the Finance Director at WDC and he confirmed his satisfaction with the service.

16.6/09 Mr Thornely-Taylor reported that there was a technical change in the accounting system with a move away from cash accounting.

16.7/09 Mr Thornely-Taylor reported that a staff pay award of 1% had been agreed by the Committee.

The Board agreed to the Information Barn fund being added, in future, to the general reserves.

The Board took note of the change in accounting methods away from cash accounting.

The Board agreed the 1% pay award.

The Board noted the change to the day to day bank account from HSBC to the Co-operative bank.

17/09 To receive the Financial Report, approve the Statement of Accounts for the year ending 31 March 2009 and approve the Annual Return - BD 13/09.

The document had been pre circulated and additional documents were tabled. These included the report from the auditors, a copy of the Small Bodies Annual Return and up to date cash flow.

17.1/09 Mr Thornely-Taylor asked for comments on a page by page basis. There were no comments from the Board.

17.2/09 Mr Thornely-Taylor drew the Board's attention to the Auditors Report and to the Annual Return. Mr Gillham proposed, and Mr Glyn seconded, the approval of the Statement of Accounts.

The Board agreed and approved the Statement of Accounts for the year ending 31 March 2009.

The Board approved the Annual Return and it was duly signed by the Chairman.

18/09 To receive and discuss the paper entitled The Management of Ashdown Forest written by Cllr R Galley - BD 14/09.

The document had been pre circulated. Mr Galley introduced his paper by saying it had been drafted after discussions with other Board members to stimulate and provoke debate. There was no hidden agenda, it was not aimed at any specific person but was written in the spirit of continual improvement. Neither was he suggesting the Strategic Forest Plan was in any way inadequate. He went on to say the Board was a large body and there should be more focus on the Executive Committee, that there should be clarity on what the Board was trying to achieve and methods for checking and monitoring performance. The paper was not exhaustive and he asked the Board what the next step should be.

18.1/09 The Clerk said that the document was the basis of something really useful. The Forest Plan (to 2016, the end of HLS) had been a step forward; however, rolling year-on-year Forest Plans teamed with individuals having their own personal and corporate annual plans were required and these should feed into the Forest Plan.

18.2/09 Mr Stenhouse thought this was a good idea and suggested an open discussion or 'away-day', leading to good ideas that could be put on paper.

18.3/09 Cllr Whetstone that the Board should have access to the Executive Committee minutes and a proper system should be put in place to facilitate that. The Chairman agreed and reminded the Board the Executive Committee was held very recently (3rd June) and the minutes were still in preparation. The Chairman asked Mr Thornely-Taylor, who acted as Chairman at the 3rd June meeting, to give a brief summary of the meeting.

18.4/09 Mr Thornely-Taylor said that Mr Galley's paper, the Standing Orders and a Code of Conduct had all been discussed in some detail. The Executive Committee were planning another meeting very shortly. They had noted the importance of having a Strategic Plan, and, as it had been adopted by the Board, it should be supported by members. An Annual Plan was thought to be very useful and it was also desirable to be clearer on current Board policy. Point 3 stimulated a very good detailed discussion and the Executive Committee plan to discuss this again as there are some new and important ideas coming to the fore. Points 5 & 6 had been discussed and clarification on delegation to Committees was needed. It was important to be clear about how decisions and reports were made and that a process and mechanism be put in place for dealing with problems. Standing Orders needed revising as the Executive Committee was not mentioned and an Urgency Committee was not the same thing. A Code of Conduct was discussed and it was noted that Local Authority councillors sign a code but non-councillor nominees to the Board do not. It was agreed that they should sign up to a form of acceptance as provided for in the 1974 Act. Commoner Board members had no Code of Conduct whatsoever and are outside of any process. The Board needed to draft a 'sanction' against a hypothetical Board member bringing the Board into disrepute and there was currently a limit on what could be achieved via the Standing Orders. The Committee expected to be able to bring revised Standing Orders, with detailed proposals, to the next Board meeting.

18.5/09 The Chairman commented that the Forest Plan was rather 'front loaded' and this and other issues could be discussed at an 'away-day'. He asked the Clerk to explore the possibility of setting aside a whole or half-day for relaxed discussions. He went on to say, on the management side, a small body was required to review the way the office and the Board's affairs were managed. It was also right to discuss the Standing Orders, how the Board operates, delegates and manages the Committees. It was also right to ask if the Committees were in the 'right shape'. He went on to say that the Executive Committee would meet again to discuss proposals and that the meeting would be open to all Board members.

18.6/09 The Clerk asked for further clarification on the purpose of an 'away-day'. The Chairman replied that the starting point would be to re-visit the Forest Plan, have discussions regarding the long-term, particularly the latter years that were not fully fleshed out. He emphasised that the plan would be revised not re-written. Cllr Whetstone agreed and stated discussions on implementation, best methods of management and how the Board simply 'gets it done' was required. Cllr Martin said input from the Rangers on their day-to-day problems was vital and the whole exercise would be useful for any new Board members. Mr Cooper thought that input from Volunteer Rangers would also be useful. The Chairman also said that the Board should look at whether the right management structure was in place to move forward and there were issues in the structure of the office and finance that needed to be addressed and reviewed by the Executive Committee.

18.7/09 The Chairman said he wanted a clear and speedy time-scale. The Executive Committee was set to finish its discussions by the end of June and a Special Board meeting would be required before any 'away-day' was set preferably at the end of July.

The Board agreed to set aside time for an 'away-day' to revise the Forest Plan to include discussions with Forest staff and Volunteers. A date for the 'away-day' would be explored at the earliest opportunity.

19/09 Any Urgent Item of which the Clerk has notice in order to pass to the elected Chairman

19.1/09 The Chairman reported that the minutes of the Parish Liaison Committee had been tabled. Members had been encouraged to bring forward agenda items but had not done so. Steps would be taken to communicate with the Parish Clerks to ensure members are aware agenda items were welcomed.

19.2/09 Cllr Whetstone asked for clarification on the media reports regarding deer culling. The Clerk replied that a previously unknown deer group from Hampshire had been contacted by the Courier newspaper after it had posted a notice on the Courier website earlier in the year. The

group wanted to halve the deer population in one year (which was impossible to achieve) and shoot at night (which was not legal). The Ashdown Forest Area Deer Group had no contact with or communication from the Hampshire group and steps had been taken to set the record straight. He went on to say that there had been no adverse comments from local residents about the media coverage and that plenty of culling went on around the Forest on private land. The Chairman replied that culling seemed to be a popular idea amongst local residents.

19.3/09 The Clerk stated that the Board should at this point in the year be delegating members to the Committees. He proposed to the Board membership would stay the same until the Board had confirmation from ESCC as to whom its nominees would be. Once this was known there would be a vote on Committee Chairman and Vice Chairman. A copy of the current list should be circulated to the Board. *Post meeting note* - this is available on the website. If any member has a particular wish to serve on any Committee they should let the Clerk know.

The meeting ended at 16.20

Chairman _____ September 2009

Clerk _____