

Minutes of the

MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST

1430, Monday 19 September 2005
Ashdown Forest Centre

Present Mr P. Glyn (in the Chair), Mr J. Barnes, Mr M. Cooper, Mr L. Gillham, Mr M. Lock, Mr F. Marshall, Mrs R. O'Keeffe, Dr H. Prendergast (Clerk), Mr R. Stogdon, Mrs R. St Pierre, Mr F. Whetstone, Mr A. White.
Minutes taken by Mrs R. Marriott.

The Chairman opened the meeting and welcomed the members of the public present and Mrs St Pierre who was attending her first meeting. He reminded the public that they were not allowed to speak to the meeting. He also announced that Mr Tim Raikes had been invited to address the meeting at 1530.

ITEM 1 Apologies for absence

1.1 Apologies were received from Mr F. Brown, Mr C. Dowling, Mr R. Parsons, Mr A. Reid, and Mrs J. Wirdnam.

ITEM 2 To approve the Minutes of the Meeting held on 20 June 2005 and matters arising

- 2.1 The Minutes, which had been previously circulated, were presented by the Chairman.
- 2.2 Paragraph 2.4 was amended to read "Wrens Warren had been developed unsympathetically for some years. When residential development was suggested, the Board were eager to encourage this option and agreed to a diversion. In retrospect, the Board felt the matter would be handled differently today."
- 2.3 An addition to paragraph 2.12 was made: "The Board accepted the principle of basing the charge for a Perpetual Licence for access to business operations on the Forest upon any consequent change to the valuation of the property."
- 2.4 With reference to paragraph 6.2.1 Mr White informed the Board that the Charities Aid Foundation stipulated that organisations who wished to invest with them should hold a tax exemption certificate.
- 2.5 There being no further comments or amendments, the Minutes were then approved and signed as an accurate record.

ITEM 3 To approve the Minutes of the Conservation Committee held on 4 July 2005

- 3.1 The Minutes of the last Meeting, which had been previously circulated, were presented by Mr Gillham.
- 3.2 New Barn at Whitehouse Farm The Clerk informed the Board that Ms Hutchby had agreed to an extension to the March 2006 deadline.
- 3.3 Shepherding sheep on Ashdown Forest The Clerk informed the Board that any development in shepherding would have to wait for Heritage Lottery Fund funding. Concern was expressed over the control of sheep and the Board's liability for any accidents they might cause on the roads.

- 3.4 There being no further comments, the Minutes were then approved and signed as an accurate record.

ITEM 4 To receive the Minutes of the Roads, Planning and Amenity Committee Meeting held on 18 July 2005

- 4.1 The Minutes, which had been previously circulated, were presented by Mr Marshall.
- 4.2 In response to Mr White's query about a repetition of the visitor survey, the Clerk confirmed that the survey carried out during the summer of 2004 had been a "one-off" exercise
- 4.3 There being no further questions, Mr Glyn moved the adoption of the Minutes. This was agreed.

ITEM 5 To receive the Minutes of the Finance & General Purposes Committee Meeting held on 5 September 2005

- 5.1 The Minutes, which had been previously circulated, were presented by Mr Glyn.
- 5.2 Development of the Forest Centre
- 5.2.1 In response to Mr White's query about costs, the Clerk explained that the development costs fell into two broad groups; those for interpretation, education and access, including an archive centre, and those for the buildings. The High Weald Unit is managing the Forest Ridge Project bid to the Heritage Lottery Fund of which the former group is part. Experts in their field will be reviewing the various elements. The Business Plan, which is currently being developed, coincides with the Forest Ridge objectives.
- 5.2.2 Earlier discussions had produced rough ideas for building plans. The aim was to employ an architect to draw plans by Christmas 2005. One suggestion had been to stage a competition for architects to design plans for the Centre although this might encourage higher costs. It was agreed that the functions and capacities of the various buildings would need to be clarified before plans were drawn. Once the square footage was known, Mr Barnes suggested approaching RIBA for standard costings.
- 5.2.3 Once building costs had been established, funding organisations would be sought. Mrs O'Keeffe had some experience in this field and offered to help identify possible funding partners.
- 5.3 There being no further questions or comments, Mr Glyn moved the adoption of the Minutes. This was agreed.

ITEM 6 Access to the A275 – presentation by Mr T. Raikes (RH & RW Clutton)

- 6.1 Mr Glyn welcomed Mr Raikes to the meeting.
- 6.2 Mr Glyn began by confirming the need to reach a fair and durable rule when an access to properties across the Forest was required. Best practice was considered to be to approach a professional advisor, stipulate the conditions to the applicant and if there was a dispute, to go to an independent valuer such as the President of the RICS. The

applicant should pay any costs incurred. The Conservators of the Malvern Hills follow such a process. As a charity themselves, they are required by the 1993 Charities Act to seek a valuation of the property requiring access. They may make no concessions to charities. Similarly, the Board, as a statutory body, has a fiduciary duty to the Forest under the Ashdown Forest Act 1974.

6.3 Mr Raikes gave a comprehensive history of his negotiations with officers of Cats Protection. See Appendix 1.

6.4 After some discussion, a number of issues were clarified:

- i) Wealden District Council is not involved in the discussions between Cats Protection and the Board.
- ii) It was a planning requirement from WDC that no development should take place on the site without an improved access onto the A275.
- iii) Cats Protection do not agree that an improved access would give an uplift in value to the site.
- iv) The Board agree to derogate the principle of land in exchange for access.
- v) A licence should be linked to the rateable value.
- vi) Independent arbitration was the only way forward.
- vii) The resolution of the issue would enable the Board to set a policy for future use.

6.5 Mr Glyn moved the following motion:

The Board should:

- 1 decline the offer made by Cats Protection in its letter of 18 August;**
- 2 establish by arbitration, through an appointee of the President of the Royal Institution of Chartered Surveyors, the uplift in value of the site with due regard to its potential for development;**
- 3 once the preceding point is settled, set an appropriate licence fee.**

The motion was agreed unanimously.

ITEM 7 The members of the public withdrew and the Board moved to a confidential session.

The meeting closed at 5.30 pm.

Chairman _____
14 November 2005

Clerk _____

**ASHDOWN FOREST
CONSERVATION COMMITTEE MEETING**

1430, Monday 4 July 2005

Ashdown Forest Centre

Present: Mr L. Gillham (Chairman), Mr M. Cooper, Mr F. Brown, Mr P. Glyn, Ms L. Hutchby (EN), Mr F. Marshall, Mr C. Marrable, Dr H. Prendergast, Mr A. White,
Mrs J. Wirdnam

Apologies: Ms J. Mortimer (DEFRA) Dr A. Tait (ESCC), Dr A. Woodcock (ESCC)

1) New barn at Whitehouse Farm

Ms Hutchby said that EN could pay 50% of costs or up to a maximum of £25k; the funds must be spent by the end of March 2006. It was agreed that Mr Marrable should seek new quotes (the last ones were ca. £40k) and that he visit a local solicitor to start the legal process of land transfer. To recall, the Board has set aside £50k in case of funding problems; it will acquire the freehold of the land and barn; and the sole leasees will be Mr H. Osborne and his son.

2) Higher Level Stewardship update

Mr Marrable reported that Ms Mortimer had emailed to say that there were still no DEFRA maps available for the Forest. Maps are required for applications. The Forest has supposedly been fast-tracked although commonland generally is deemed to be of low priority compared with agricultural land. It is possible that applicants may be able to submit their own maps or that those made for CRow access may be used.

The Forest's Farm Environment Plan has been completed. It includes, as it has too, an archaeology report; this was obtained from ESCC.

3) Monitoring

The team of entomologists is now looking at meadows, verges and hedgerows in the Forest area, extending the heathland work from last year. The report from that work is now all but finished, and is already attracting a lot of interest nationally; it may, for example, lead to a grazing workshop.

In answer to a question from Mr Cooper, Mr Marrable said that the interesting points from the report will be those that relate to management and that a précis would go into various media in entomological and ecological circles, i.e. the results will not be 'lost' for want of publication and dissemination.

Ant and seven butterfly transects are taking place this summer and the Bird Group is very active.

Mr Hutchby said that EN is writing a Conservation Objectives document for all SSSIs, suggesting how they might be managed. The documents will define favourable condition, and

will specify what habitats look like rather than the means to achieve them. The Forest is complicated because of the range of species for which it is important. Guidance notes for birds have been written but not yet for invertebrates. She was planning an autumn workshop with national experts to help develop a document for the Forest.

After a brief discussion on the subject, it was agreed that controlled burning should not be overlooked as a management option for the Forest.

4) Stakeholder consultation and conflict management training plus AF strategy development

Ms Hutchby explained that 'stakeholder' means anyone interested in the Forest. She added that getting public opinion on board would be vital for extending grazing on the Forest, especially if fencing is needed, and that professional help could be brought in to provide advice on preparing a plan of action. EN has funds for organising a training course in October. The course would help land managers prepare for their future actions (e.g. introducing grazing), how to defuse problems before they arrive, and to resolve conflicts. A consultation strategy could be drawn up. When problems do arise, Mr Marrable said that it was important to use expertise that was demonstrably impartial, not from environmental organisations.

Mr Gillham said that it was important that Forest users are kept informed about changes on the Forest.

5) AOB

In answer to a question from Mr Glyn, Ms Hutchby said that she had not yet seen a copy of the EN report on fencing common land. Not all organisations will sign up to its recommendations and every application for fencing will probably need its own justification.

Mr Marshall agreed to contact the Highways Agency about fencing the A22 against deer and Mr Gillham, recalling questions made at the last Commoners General Meeting, asked that costs be obtained for cutting trees back from roads. When Mr Cooper suggested improving publication of news about the Forest, Dr Prendergast said that he had had initial discussion about this with the Friends. One idea was to build on the *Volunteers Newsletter* that he currently produces (the three issues of 2004/2005 contained ca. 9000 words; copies of the June 2005 issue were handed out to Committee members afterwards).

Mr Marrable said that Ms Hutchby and he went to a meeting in Surrey on the subject of shepherding sheep on heathland in the Netherlands and Germany. On the Luneburgerheide eight shepherds each have 200 sheep which, at night, go into a barn. He has submitted a project brief to EN to explore whether shepherding would be possible on the Forest. One advantage of shepherding is that it circumvents the need for fencing. There are many fields in and around the Forest that are ready-made enclosures for in-by land at night; temporary enclosures might also be possible. Ms Hutchby thought that a trial would be very worthwhile, even if it just maintains the profile of grazing. Mr Gillham said that shepherding had been rejected in the 1990s because of costs.

Mr Marrable said about 600 sheep were on the Forest. He had encouraged Mr Osborne to reduce the numbers from last year and recommended that the Board should continue to pay him the usual rate even if he has fewer animals out.

The meeting closed at 1608.

**ROADS, PLANNING & AMENITIES COMMITTEE MEETING OF THE BOARD
OF CONSERVATORS OF ASHDOWN FOREST**

1430, Monday 18 July 2005

Ashdown Forest Centre

Minutes

Present: Messrs F. Marshall (Chair), Mr R. Beal (Ranger), Mr F. Brown, Mr L. Gillham, Mr P. Glyn, Mr M. Lock (arrived at ca. 1515), Mr R. Parsons, Dr H. Prendergast (Clerk), Mrs J. Wirdnam

In attendance: Mr F. Whetstone, Mr A. White

1) Review of seats/benches on the Forest

With the aid of a map, Dr Prendergast pointed out that the Board's current policy on seats is based on the 35 that exist on the Forest (until this review the number was not known). Their positions vary from being inside car parks (e.g. Hollies), to between car parks and the view (e.g. Lintons) and to 200-300 m from a car park (e.g. Gills Lap, Camp Hill). All are uncompromisingly ugly, urban and concrete (as had been mentioned in the last meeting of this Committee). Furthermore, some are either in bad condition or have had the ground eroded around them after years of use. Dr Prendergast showed some pictures taken by Mr Beal.

He proposed a simple policy on the introduction of replacement of seats, namely that they should be:

- ~~to~~ limited to a maximum of 2/car park, sited close to/beside those car parks with an extant or potential view;
- ~~to~~ introduced to new sites or used as replacements as appropriate;
- ~~to~~ made to an appropriately rural design using local materials;
- ~~to~~ paid for by those sponsors wanting to dedicate them as memorials, such that they provide an income, and are not a cost, to the Forest;
- ~~to~~ dedicated for a maximum of 10 years, after which there could be either a 're-dedication' or a new dedication at appropriate cost.

Mr Beal introduced and recommended a design by High Weald Furniture. He said that people pay £1500 for seats at a site he knows near Hastings. Mr Marshall suggested a metal plate up the legs, and at the junction of the upright and the headboard, to prevent chainsawing. Mr Glyn said that good timber was essential for seats.

The Committee had no issue with the policy suggested above but wanted to have itemised costs for design and manufacture, a quote from another company, and the factoring into the costs passed onto the seat sponsors for replacement and repair (especially since it was unlikely that insurance could be obtained for the seats).

[Mr Lock was welcomed to the Committee and to meeting during the discussion.]

2) Planning matters

Cats Protection

Dr Prendergast said that Tim Raikes had had a meeting with Dominic Sullivan of Cats Protection (CP) on 1 July. He had explained the methodology being used by the Board for assessing a licence fee and was (as of today) awaiting further contact.

Mr Whetstone was assured that the land by the A275 was part of the Forest. Mr Gillham said that CP had not actually started to negotiate and that the 'ball is in the court' of CP. Mr Parsons said that planning approval has not yet been given for the new access.

3) Encroachments/byelaw breaches

i) Old Fox House, Duddleswell

After years of the Forest having problems with the owners of this property, Mr Beal and Dr Prendergast had approached the County Solicitor to instigate court proceedings.

Mr Beal described how Mr Doherty had taken out a deposit licence in 1999. Since then, at various times and for varying periods, he had had building materials, a shipping container and vehicles parked on the Forest. He had not been able, as he had been due, to attend a court appearance (apparently being overseas) but now that his building work was near an end was prepared, according to his solicitors, not to break bye-laws anymore. Even today he had vehicles on the Forest.

As a new Committee member, Mr Lock was informed that problem with the bye-laws is the £50 maximum fine that is imposed for breaking them; this is why the Board has been prepared to take out court injunctions. Mr Lock suggested asking the County Solicitor if Forest staff could clamp illegally parked vehicles.

Mr Parsons said that Dr Prendergast should have the authority to act on behalf of the Board in these matters. It was agreed that he go back to the County Solicitor to find the best grounds for a case.

ii) Kidds Hill

Mr Marshall mentioned the encroachment at the top of Kidds Hill on the corner with the B2026. ESCC had agreed to have a sandstone wall erected to prevent further cutting of the corner by heavy traffic, and Matthews, the contractors whose lorries had done the damage, had agreed to pay for any works. Instead, ESCC had now surfaced the cut corner. He urged the Board to demand ESCC to reinstate the corner. The Committee agreed and Mr Lock suggested that a copy of the letter be sent to him.

4) Forest Centre development – update

Dr Prendergast reported that a) a structural engineer had assessed (but not yet reported on) what he had seen in trial pits that he had asked be dug by the toilet block (which has a number of cracks in its walls); b) he was hiring a consultant to look at the options for catering facilities and contracts at the Centre (Mr Lock suggested a franchise that could be taken in-house if successful); and c) that the next stage was to get a business plan in place. Given the amount of work involved, this would have to go out to contract and would cost considerably more than the 'high single figure' thousands that he had previously envisaged.

5) Entrance signs to the Forest

Dr Prendergast showed a draft design for entry signs into the Forest; such signs, he suggested, should provide an 'impact statement'. Mr Marshall agreed, saying that "we certainly need to tell people when they come onto the Forest". Mr Gillham said "we have to go down that route."

Mr Whetstone said he did not like the design but Mr Glyn thought it “excellent” and “distinctive”. The Forest, he added, “must have an identity”.

Dr Prendergast added that the same design should go onto bye-law signs that Mr Beal said were much needed.

The Committee approved the continuation of this work by Dr Prendergast.

6) AOB

In answer to a question from Mrs Wirdnam, Dr Prendergast said that he had had no news from ESCC about the success of its Interreg funding bid that included a study suggested by Dr Prendergast and Mr Beal on disabled access in and around a sample of Forest car parks. [News of the success of the bid came in the following day.]

Dr Prendergast informed Mr Gillham that Mr Marrable had sought legal advice on the transfer of land at Whitehouse Farm.

The Committee welcomed the invitation from the Conservators of Malvern Hills for a return visit.

The meeting finished at 1706.

Minutes of the

ASHDOWN FOREST

FINANCE AND GENERAL PURPOSES COMMITTEE MEETING**1400, Monday 5 September 2005**

Ashdown Forest Centre

Minutes

Present: Mr R. Parsons (Chairman), Mr M. Cooper, Mr P. Glyn, Dr H. Prendergast (Clerk), Mr F. Whetstone (arrived 1410), Mr A. White
 Apologies: Mr A. Reid, Mr R. Stogdon
 Also present: Mr J. Barnes, Mr F. Brown (arrived 1430), Mr F. Marshall (arrived 1430), Mrs J. Wirdnam

1) A business proposal to the Board

This item was discussed in Confidential Session.

2) Development of the Forest Centre.

Dr Prendergast reported on progress.

- 1) Consulting engineers had completed their survey of the Centre's buildings. There are no serious problems but crack markers will need further monitoring.
- 2) A brief for a business/development plan for the Forest Centre had been sent out for tender and a decision would be made on the award of the contract on 22 September. The plan must be submitted by 23 December. Help on drawing up the brief had been provided by the High Weald Unit (HWU) and Sussex Enterprise.
- 3) A catering specialist had been hired for four days to advise on how to set up a facility, and provide options on staffing, siting, and financial projections. The work will be completed by the end of September and its results made available to the contractor in 2) above.
- 4) A chartered architect, a specialist in old barns, has been hired for 30 hours to do some initial architectural drawings of how the future Centre might look according to the latest ideas. The drawings will be made available to the contractor in 2) above.
- 5) Outline funding proposals for future interpretation and education on the Forest are being submitted to the HWU as part of the latter's bid to the Heritage Lottery Fund. Much of the proposal is based on the *Ashdown Forest area interpretation strategy* produced for the HWU (but with substantial input from the Forest) in May 2005. A further document is being submitted to HWU in September on access to the Forest.
- 6) The Visitor Attraction Quality Assurance Service carried out a *Quality assessment report* on the Forest Centre on 2 August. The Centre was not of a high enough standard to achieve accreditation. However, the assessor described the plans for the Centre as "very encouraging".

The Committee agreed to Mr Whetstone's suggestion that the final figure for the contractor should be approved by the Urgency Committee. It was also suggested that new members of the Board should be offered a tour of the Centre to hear of the development ideas.

Mr Glyn concluded the discussion by observing that there is no hope of managing visitors if the Forest Centre is not developed up to a national level.

3) Re-presentation of the 2004/2005 accounts to illustrate (only) use of the new cost centres

Dr Prendergast handed out a summary of the accounts according to the major divisions of Finance and Support, Amenity and Community and Conservation. The accounts will no longer be presented in the old system. The new one allows for more detailed itemisation of expenditure and easier budgeting. The time sheets now being filled out, following the same divisions, by all field staff will also allow better itemisation of how the Forest spends its working time. Mr Cooper commented that time-sheets were a management tool and were not necessarily of any interest to the Committee.

4) Staffing matters

David King, Ranger of the West Chase, has tendered his resignation after 13 years on the Forest. His new post is as warden for the Kent Wildlife Trust at a gravel pit site near Sevenoaks.

Dr Prendergast said he will be trying to recruit a 1 day/week litter picker and that he is applying to the Ashdown Forest Trust to support a 2 days/week, 3 year FTA Bye-law Enforcement Officer. The Committee supported this idea.

5) AOB

Dr Prendergast said that the latest quote for the construction of a barn at Whitehouse Farm came to ca. £61,000. Mr Barnes said it was important to assess maintenance costs.

Mr Parsons made some comments on the new Ashdown Forest map and congratulated staff (Roger Beal, Chris Marrable, Hew Prendergast) who had appeared in the Meridian TV programme about the Forest screened on 30 August.

There was some discussion of the access from the A275 to the Cat Protection site. Mr Parsons reminded the Committee that the matter was being handled by the Urgency Committee. An offer for a licence fee had been made by Cats Protection to which the Board will have to respond.

On the perpetual licence that was originally granted to the company developing Wrens Warren, Mr White thought that he recalled that, once the houses were sold, the new owners would have to obtain their own licences. The Committee asked for this to be checked up.

The meeting finished at 1702.