

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

14.30 Monday 8 Sept 2008  
Ashdown Forest Centre

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

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.*

*Mr Alan White*

Mr White asked if the Board knew there had recently been a National Ragwort Awareness Week. He said that 25 years ago there had been no Ragwort on the Forest but now it was in many places. He went on to list various sites where the plants could be seen. He then asked the Clerk how many hours had been spent on removing the plants and asked for assurance that the work would be carried out earlier next year.

The Clerk replied that so far approx. 20 hours had been spent on the removal of Ragwort and that it was an ongoing task. He went on to say that Ragwort was an important habitat for several insects such as the Cinnabar Moth which could be seen feeding in high concentrations and that there was no evidence the plant spread was any worse. Mr Thornely-Taylor commented that it was a notifiable plant under the Ragwort Control Act 1983 and asked the Clerk what the legal position was. The Clerk replied that plants less than 300m from agricultural land were required to be removed. He went on to say that there was support from Natural England on retaining some Ragwort as a habitat. The Chairman asked that the Conservation Committee keep a watching brief on the control of Ragwort and ensure an appropriate balance was struck.

*The Chairman thanked the public for their points.*

**19/08 Apologies.**

Mr L Gillham, Cllr A Reid, Cllr S Shing and Cllr F Whetstone.

**20/08 Declarations of any interest by Members of a Personal or Prejudicial Nature.**

There was none.

**21/08 To approve the Minutes of the Board Meeting of 9 June 2008 and Matters Arising – Board 10/08**

21.1/08 The Minutes of the last meeting had been circulated and were assessed by the Board for accuracy. It was noted that Mr Galley and Cllr Hoy had attended. The required changes were made and the minutes were duly received.

21.2/08 Cllr Martin drew the Board's attention to minute 17.6/08. Cllr Whetstone had asked for the Ashdown Visitor Management Partnership minutes to be circulated. Cllr Martin tabled the minutes for the Board's information.

**22/08 To receive the Minutes of the Meeting of the Conservation Committee of 30 June 2008 – Board 11/08**

22.1/08 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.

22.2/08 Mr Glyn drew the Board's attention to Conservation minute 23/08. He stated that, after discussion with Mrs Marriott, he had arranged a meeting with Mrs Temple in order to gain a greater understanding of the complexities of this cost centre and to clarify the future presentation.

- 22.3/08 Mr Glyn drew the Board's attention to Conservation minute 27/08. He stated that he would be meeting with Miss Amos to go over the points previously raised. He went on to remind the Board that the project was a feasibility study and that, as yet, no evaluation had been made nor view taken. He went on to say that comments regarding lack of data had been noted and would be addressed in the next report.
- 22.4/08 Mr Galley referred to Conservation minute 24/08 which, he recalled, was a long debate with differing points of view with no conclusion. He stated that he would like to see more and better briefing for the Board and for the public via the Parish Liaison Committees. Mr Glyn replied that the Committee as a whole wishes to make information more widely available and that there were opportunities for Conservators to go out with Mr Marrable to look at work sites. The Chairman stated that he would like to see information enter the public domain as early as possible. He went on to say that winter work would go ahead but tackled with as much sensitivity as possible. There was a short discussion about the process being one of 'communication' rather than 'consultation'. The Chairman asked the Clerk to pull together a rough timetable for the proposed winter work. Mr Galley asked the Chairman if the timetable would be made available at the Parish Liaison meetings and he replied that it would.
- 22.5/08 Mr Stenhouse stated that comments made regarding 'consultation' implied that the process had no worth and no effect on the work taking place. The Chairman responded that essentially there were no differences between the views of Mr Stenhouse and those of Mr Glyn, however, the word 'consultation' had a poor public image and more appropriate words would be 'dialogue' or 'communication'. He went on to say the Board would listen, consider objections and suggestions seriously and when unable to comply give a full explanation. Mr Stenhouse stated that the Board should make information on the felling of mature and semi-mature trees available to the public at the earliest opportunity.
- 22.6/08 Mr Stenhouse stated that the Forest was very wet and there were many ruts caused by mowing and mechanical extraction that had not been made good. This was, in his opinion, bad estate management. The Chairman commented that there were ruts that were rutted but where no machinery had gone. He had been advised that they were caused naturally. The Clerk indicated that ruts happen wherever there are people, that the staff were fully aware of ruts and damage that had to be repaired. He went on to say that ruts were part of the Forest landscape and that repairs were expensive. He reported that there was machinery out on the Forest now, operating without difficulty, and if conditions worsened they would be pulled off even if it delayed the work. Mr Spicer commented that there had been two letters to the North Chase Ranger regarding rutting and nothing had been done about it. The Clerk responded that he was not aware of those complaints and asked that in future letters be sent to him and copied to the appropriate Chase Ranger. Cllr St Pierre commented that often, rutting that was entirely natural could look mechanically made. The Chairman asked for an assurance from the Clerk and the Conservation Committee that, in heavy weather, mechanical work would be suspended. Mr Glyn responded that they had done that in the past and would do so again.
- 22.7/08 Mr Glyn reminded the Board about work carried out last winter at Wren's Warren and asked that anyone who had been upset by that work should visit the site now to see the remarkable recovery. He stated that he would provide 'before and after' photos for the next meeting and the Board would be pleasantly surprised.
- 22.8/08 Mr Stenhouse stated that there were now deep ruts in the A275 and there was 'ponding'. He went on to say that the work should never have been allowed. The Chairman observed that the Conservation Committee should be sensitive in the timing of the use of machines and that if any Conservator was concerned they should draw the Clerk's attention to the area in question. He went on to say that restoration work of ruts should be carried out if there was

a danger to the public and that all other areas should be closely monitored by the Conservation Committee.

22.9/08 Mr Stenhouse returned to Conservation minute 27/08 specifically the Shepherded Grazing Project first annual report and repeated his opinion that it was heavily flawed. He went on to say the report should have been reviewed by the Board before being sent to Natural England. Mr Spicer agreed. The Chairman responded that the question for whom the report was commissioned was an interesting one. In his opinion, the funders were responsible for the information requested. He went on to say that there were lessons to be learned and that he was confident Miss Amos would take them on board and produce more hard data, comparisons and information. He repeated that the Board were not committed to implementing close herded grazing but that, with caveats, it would be very desirable. Mr Glyn replied that it was not yet known if the project would be viable and that it would never be cheap to use machinery. There were areas where machinery was not able to deliver. Mr Cooper commented that it was unreasonable for Mr Stenhouse to criticise the report as the Board did not state, when commissioning it, what content it required. Mr Glyn wished to defend the report. He said Miss Amos had, almost single-handedly and under difficult circumstances, moved the project forward faster than expected. The Clerk defended Miss Amos who, in his opinion, was a robust and determined person, with an excellent academic background and the Board could not have found a better person to take on the project. He went on to say that he too was expecting a more detailed report next year. Cllr St Pierre commented that, in her experience, it was dangerous to look at feasibility studies from a purely financial point of view and to take them out of their context. She went on to say that, as the project develops and matures, the Board could look forward to more detailed reports.

22.10/08 Mr Thornely Taylor drew the Board's attention to the Standing Orders, Section 5.7, "*Conservation: To exercise all the powers and duties of the Board in respect of the conservation of Ashdown Forest.*" which clearly states Conservation Committee had full delegated authority in respect of the Shepherded Grazing report.

22.11/08 Cllr Stogdon asked if there was a suggestion that the project was costing more than expected. Mr Glyn explained there had been several unexpected problems such as Foot and Mouth and Blue Tongue that had increased costs.

### **23/08 To receive the Minutes of the Roads, Planning & Amenities Committee Meeting of 14 July 2008 – Board 12/08**

23.1/08 The Minutes of the last meeting had been circulated. In minute 23/08 the word 'agreed' would be changed to 'recommend to the Board'. The required changes were made and the minutes were duly received.

23.2/08 Mr Cooper stated that he had received a further letter from the mountain bikers. He had not yet responded to the letter. There was a short discussion regarding gathering evidence in order to provide a well researched answer. He went on to say that this matter should be discussed at the Parish Liaison Committee.

23.3/08 There was a further short discussion on mountain biking and the Chairman reminded the Board that the issue could not yet be re-visited as detailed in Standing Order 4.7.

23.4/08 Mr Cooper reported that a working party meeting had been planned in relation to RPA minute 21.3/08 and a document on access would be drafted. This would then be discussed by the RPA Committee and passed to the Board. Hopefully the document would aid the Clerk and staff on access issues. It was noted that Mr Spicer would be joining this working party.

23.5/08 Mr Cooper reported that a solicitor's letter had been sent to the property owner in relation to RPA minute 21.4/08. He also noted that the property particulars apparently claim there is

direct access on to Ashdown Forest and reported that he would be formally contacting the agents to inform them that there is an outstanding legal issue.

23.6/08 There was a short discussion regarding the access licence for the Cats Protection site and it was noted that a legal opinion was required to take into account the Board's current thinking on licences.

23.7/08 There was a short discussion on RPA minute 23/08.

**The Board agreed the Committee's recommendation that there would not be a poppy drop at Airman's Grave on Remembrance Sunday and that the pilot be asked to make an appropriate aerial signal.**

23.8/08 Cllr Lacey reported that he had been involved at a small anniversary ceremony at Airman's Grave with Mrs Potts (sister of one of the seven crew members), and this had been well received.

**24/08 To receive the Minutes of the Finance & General Purposes Committee of 18 August 2008 – Board 13/08 & 13i/08**

24.1/08 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.

24.2/08 Mr Thornely-Taylor drew the Board's attention to FGP minute 18.1/08 to 18.4/08. After a short discussion these recommendations were agreed.

**The Board agreed the Committee's recommendation that Mrs Marriot's limit on cheque signing and internet banking is increased to £200.00 and that the petty cash limit be increased to £250.00.**

**The Board agreed the Committee's recommendation that the wording in the Standing Orders regarding internet banking be amended to read, "*sign cheques or authorise internet payments hereafter*".**

**The Board agreed the Committee's recommendation that new wording in the Standing Orders regarding Conduct of Conservators be added to read "*Board members must not conduct themselves in a manner which would reasonably be regarded as bringing the office of Conservator or the Board into disrepute*".**

24.3/08 Mr Thornely-Taylor drew the Board's attention to FGP minute 19/08. After a very brief discussion the recommendation was agreed.

**The Board agreed the Committee's recommendation that DMC remain acting as internal auditors on their behalf.**

24.4/08 Mr Thornely-Taylor drew the Board's attention to FGP minute 20/08. He reported that the policies had been drawn up with the advice from ESCC. After a short discussion the recommendation was agreed.

**The Board agreed the Committee's recommendation that the Health and Safety Policies be formally adopted.**

24.5/08 Mr Thornely-Taylor drew the Board's attention to FGP minute 22/08. The Clerk reported that it would appear the Rural Payments Agency had simply made an error, however, this had taken a great deal of time and effort to sort out. He continued that Natural England had given their assurance that the correct payments would be made. Mr Thornely-Taylor commented that in the wake of the Rural Payments Agency letter several areas were identified for cost savings either by work being suspended or, in the worst case scenario, withdrawn. He drew the Board's attention to page three of document 13i/08 and to the

revised forecast for non-HLS expenditure and commented that the Board was still in the position to end the year in balance.

24.5/08 The Chairman stated that the Board needed to resolve the legal basis under which monies were received. He went on to say that a formal legal agreement on the correct hectareage needed to be formulated and that some progress was being made on this. He went on to report that there had not, as yet, been a formal response from the RPA on the overpayment. After a very brief discussion it was agreed there was nothing more at present that could be done. The Chairman asked that the FGP Committee keep the Board fully appraised.

*15.45 Cllr Lacey left the meeting*

#### **25/08 Executive Committee Minutes**

The Chairman tabled the minutes of the last meeting and apologised for not circulating them earlier. The Committee assessed the minutes and as no changes were required the Board received the minutes. There were no questions.

#### **26/08 Parish Liaison Panel**

26.1/08 It was agreed that Cllr Whetstone should be added to the list of Conservators attending the panel. The Clerk reported that the Conservators attending were the Chairman of the Board, the Vice-Chairman and the Chairmen of the three Committees; plus one other Conservator. Cllr Martin stated she would also be present as an observer.

#### **27/08 Government Office South east (GOSE) – proposed changes made by the Secretary of State to the draft Regional Spatial Strategy (the South East Plan) – Board 14/08**

27.1/08 The Clerk thanked Cllr Whetstone for bring this issue to the Board's attention. The Clerk gave the background and stated it was important the Board makes a statement to GOSE, as had already been done to Mid Sussex District Council, by 24 October 2008. Mr Galley commented that the Board should make a strong representation with as much evidence as possible. Cllr St Pierre stated that a coherent strong response should be made to all local authorities who may have planning issues affecting the Forest. The Chairman stated that, clearly, the Board should be making similar responses to all local authorities.

27.2/08 There was a long discussion on how the Board was assessing the impact the proposed development would have on the Forest. The Clerk reported that a visitor survey was being carried out by Mid Sussex District Council at 20 sites across the Forest in an attempt to get some real data. He went on to say what the mitigation would be for any potential damage was an unknown quantity. Mr Thornely Taylor suggested that the phrase "largest wilderness area in South East England" should be utilised and that the Campaign for the Protection of Rural England had a remarkable tranquillity map that might be of assistance. There was a short discussion on the assistance that DEFRA and European legislation could offer.

27.3/08 There was a discussion on traffic and 'rat runs' across the Forest and there were concerns that proposed housing developments and the suggested relief road round East Grinstead could lead to the Forest suffering with more and faster traffic. The Clerk reported that ESCC have equipment across the area counting vehicles and assessing speeds that will give directly comparable data. Mr Stenhouse stated that the National Trust have good information on pathway damage.

27.4/08 Cllr St Pierre asked if the Board's response will refer to the areas immediately adjacent to the Forest where the landscape changes from an urban to a rural one. The Clerk replied that the entomological survey performed three years ago shows the importance of these areas. He went on to say that the surrounding habitats are important stepping stones to the Forest and destruction of these areas may be relevant. The Chairman tasked the Clerk with pulling together a response, with the assistance of the Chairmen and Mr Galley, including all evidence that was readily available and whatever evidence (such as that from the visitor

survey) would be ready soon. Mr Cooper asked that the letter be available at the next RPA Committee meeting.

**The Board asked the Clerk, with the assistance of the Committee Chairmen and Mr Galley, for a full written report to be made by 24<sup>th</sup> October 2008 including the evidence immediately available to GOSE and indicating that which will be available to in due course.**

#### **28/08 Paper on Management – Board 15/08**

- 28.1/08 Mr Stenhouse re-presented his paper which was originally put before the Board a few months ago. He re-iterated what were, in his view, problems in the management of the Forest and made suggestions on how these could be addressed. Mr Spicer agreed.
- 28.2/08 Cllr St Pierre replied that the suggestions were interesting but that tight, small groups could be perceived as ‘cabals’. She went on to agree that committees could be ponderous but remained reluctant to make changes.
- 28.3/08 Cllr Stogdon agreed there were some important points raised. He stated that the Board was not discharging its duties. He felt the Board should examine matters such as Health and Safety, and accident recording, be more ‘hands on’ and expect more information on the day-to-day operation of the Forest.
- 28.4/08 Mr Cooper stated the suggestions were a formula for management paralysis and that getting involved in the day-to-day running of the Forest would undermine the Clerk. He went on to say that the Clerk needed a good Executive Committee to advise and direct him. Furthermore, the current structure was workable but was not operating as well as it could. Cllr Stogdon asked if the Board was getting the right information and Mr Cooper replied it was incumbent on the Board to say clearly what it wanted. Cllr Martin commented that it was the responsibility of the Committee Chairmen to question the Clerk before each meeting and ask for specific information to inform discussion.
- 28.5/08 Mr Galley commented that the paper does resonate but does not supply the answers. He felt that the Board did not take a strategic view and that, in his opinion, clearer lines of delegation were required as currently roles are mixed up and accountability and operations are unclear.
- 28.6/08 Cllr St Pierre agreed with Cllr Martin that the Board and the Executive Committee need to be more pro-active. She also agreed it was up to the Committee Chairs to make this happen.

#### *17.00 Cllr St Pierre left the meeting*

- 28.7/08 The Chairman replied to Mr Stenhouse that after the first presentation of his paper the Executive Committee was created. He agreed that the Board needed to look more closely at what it does and took on board the points relating to contracts. He went on to say that there was an open invitation for any members of the Board to attend Executive Committee Meetings. He continued that there were no performance measures to ensure management is performing. Mr Thornely Taylor replied that the issues and concerns raised could be simply resolved with a pro-forma monthly report.
- 28.8/08 The Clerk said he disagreed with Mr Stenhouse but that he was considering performance management for all staff, that he had introduced an annual report and a strategic plan and forward planning. He went on to say that there were factual errors in Mr Stenhouse’s paper for example extra staff such as Mrs Buxton and Mrs Temple who were available to help Mr Marrable as well as the other staff. He had also given the Board two updates in five weeks and asked if these were not what the Board wanted he needed to be told; in fact he received little feedback on the updates.

#### *17.10 Cllr Martin and Mr Galley left the meeting*

28.9/08 There was a short discussion regarding the current management situation. The Chairman stated that there should be a properly formulated scheme of delegation between Board and Committees and that the Executive Committee would look at the whole issue in the light of these discussions. He went on to say the Clerk's updates might not quite fit the bill but the pro-forma suggested by Mr Thornely-Taylor would go a long way to resolving this and he asked that Mr Thornely-Taylor submit a template.

28.9/08 Mr Spicer asked that the deliberations and findings of the Executive Committee be made available to the rest of the Board and eventually to the public and the Chairman replied that they would be made public.

**29/08 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 17.15.

Chairman \_\_\_\_\_

24 November 2008

Clerk \_\_\_\_\_