



## DEFRA Landscapes Review

The Commoners Defence Association (CDA) has represented the commoners and associated commoning activities in the New Forest since 1909. It has been the commoners' stewardship of the New Forest landscape over many centuries that has protected it from development and exploitation, maintaining a system of traditional pastoral land management against considerable odds.

The extraordinary vocational commitment of New Forest commoners has to be supported by their income from other work, and currently by payments to many commoners under one or both pillars of the EU Common Agricultural Policy. This recent financial support, on top of the steps taken as a result of the 1992 *Illingworth Report on New Forest Grazing*, has done much to bring commoning back from the brink of collapse. The future for New Forest grazing, however, is once again very fragile. The New Forest is now Britain's "least affordable" national park.

The Special Qualities of the National Park are dependent upon the continuation of commoning, and the CDA continues to play a central part in the protection of this exceptional landscape, as it has done during earlier designations from royal hunting forest to heritage area.

We warmly welcome this review, we see it as an opportunity to think afresh about how we can work in partnership to maintain, enhance and protect the special landscapes of New Forest, working collaboratively to provide public benefits to all. For commoners it is vital that the New Forest continues to be a working forest, resilient to change but maintaining its cultural heritage, ensuring future generations of commoners can survive.

We hope that this review can help the New Forest meet the challenges that it faces, ensuring that grazing by commoners' livestock remains viable as a vocation, and finding new ways to protect this very precious and productive landscape. If our landscape is to survive and prosper then new policies will be required to find solutions to very real challenges for a very unique and precious landscape. In particular, it will be essential that all policies and public agencies work to a shared strategic vision: Sustaining its pastoral economy for the future, and building a clear identity for the protected landscape with local solutions to address local threats. A situation in which public policies and public agencies pull in opposite directions is unsustainable.

We consider this a public document and you are welcome to use the full paper or extracts from it in future publications from the Review.

18<sup>th</sup> November 2018

## Overview

We highlight two core threats to the landscape. These are closely associated with government policies and the operation of public sector bodies, notably the Forestry Commission. These could be addressed if the political will exists to do so:

### Inflation.

National Park designation has considerable benefits, but it also brings a well-documented “National Park premium”. The desirability of the area has long been an economic problem, inflating prices on property, but offering very few local career opportunities that could provide a salary that would make rental or purchase of a smallholding a viable proposition. National Park status has made this serious problem considerably worse.

The New Forest has become Britain’s [“least affordable”](#) national park, with the average property value now at 15.9 times average income. This is a grave threat to the sustainability of the commoning system upon which it depends. It makes it increasingly untenable for commoners to rent or buy the land and homes they need, from which they can turn out animals to graze. A small cottage with land and outbuildings in the National Park will typically be worth in excess of £1million to purchase or £2000 per month to rent. The more the landscape becomes a retirement or commuter home for the wealthy few, the more it is “tidied” and becomes a manufactured depiction of a “national park”. At present its designation does nothing to protect it from commercial exploitation.

The Forestry Commission has recently unilaterally repurposed the Crown-owned cottages it manages within the New Forest from affordable rents for commoners (under the Illingworth policies) to market rates for its own staff and the open market. It is nothing short of disgraceful that a public agency should exploit these assets in this way, with no regard to government policy or the growing crisis in commoners’ housing.

### Invisibility.

Despite the level of protection that designation as a National Park is supposed to provide, there is little that can currently be done to differentiate it.

Other than a cattle grid on the road and welcome signage at railway stations it is difficult to convey any sense of special protection. Policies for its management are tied to those for the rest of Britain; by road traffic regulations, planning policies, and by national Forestry Commission processes. Anyone who does spot a problem on the Crown Lands is likely to call to find their concerns falling on deaf ears in a Forestry Commission call centre, remote to the New Forest and devoid of local knowledge.

The Forestry Commission Byelaws for the Crown Lands are very rarely enforced, and known to be unenforced. As a result a wide range of harmful activities are now commonplace. These include direct interference with our livestock (feeding, petting or abusing), blocking gateways with vehicles, lighting fires and barbecues, mountain-biking off the permitted routes, drone flying, and out-of-control dogs. The Forestry Commission lacks any incentive for enforcement, and the Verderers and National Park Authority lack the resources. The small group of rangers, including volunteers, are both too few in number to have any real effect, and completely lack enforcement powers unlike their counterparts overseas. The absence of enforcement has sent a clear message that the byelaws are of little importance, creating a downward spiral of damaging activity.

A unique landscape deserves unique and active protection. Whilst the New Forest Acts and the [Ministers Mandate](#) for the Forestry Commission's management of the Crown Lands are examples of bespoke regulation, they do not override the national regulations for the highways that cross the Open Forest. We, therefore, have a situation where "normal" roads traverse an abnormal environment, where the grazing animals have right of way as an essential part of the extensive grazing upon which the New Forest's Special Qualities depend.

The New Forest needs to be very clearly differentiated from the surrounding land, cities, and highways. It needs a much stronger identity, reflecting its fragility and value, and bespoke solutions that reinforce this identity. Rules designed for very different situations, and the remote management of the Crown Lands, currently prevent the development of active and bespoke solutions to the special challenges being faced.

## Part 1 – Opening Thoughts

### National Park designation

Since designation as a National Park there has been a noticeable increase in the number of people employed to support joint working between the main New Forest organisations. Prior to this designation this brokerage role was mostly assumed by volunteers with limited time. Given the complexity of the New Forest, with bespoke legislation and a very long history, practical support for partnership working is very welcome indeed. Recent examples include the Heritage Lottery-funded ["Our Past Our Future"](#) landscape partnership scheme, and the multiple organisations involved in the delivery of the [Verderers Higher Level Stewardship Scheme](#). The National Park Authority has played an important role in both.

There has, however, been a significant cost from the 2005 designation. It is clear that the new designation further fuelled an already severe situation of land and property cost inflation. It has also fuelled a general gentrification, which undermines the identity of the New Forest. The New Forest is a working landscape, but we are now witnessing situations in which those who have bought expensive rural property, because they appreciate the benefits of an open, grazed landscape, have little tolerance of the realities of commoning and little understanding of livestock.

Commoning is a fragile, vocational activity, that has to be supported by other income. It is difficult to foresee how the next generation can maintain this commitment, and thereby maintain the New Forest, given the resources required to acquire or rent housing and back-up grazing, and in face of mounting practical challenges due to a general loss of connection with livestock and the countryside. Whilst the New Forest enjoys high rates of employment it is dominated by the low wage service sector, typically tourism and caring. Skilled employment in forestry has long been in decline, and the tender processes now employed by the Forestry Commission now go to major contractors from outside the New Forest rather than use the rural skills that exist within the New Forest.

## Part 2 – Views

The National Park Authority faced a difficult start. As National Park status had previously been rejected for the New Forest, due to its exceptional legal status and existing protections, it was a shock to many when John Prescott announced to his party conference that it would be designated in this way. The early years were, therefore, set against a backdrop of widespread animosity between the new National Park Authority (NPA) and people of the rural New Forest. More recently the NPA has done much to improve relations and work through local partnerships rather than engage in top-down decision-making.

### Cost & Visitor Pressures

We are grateful for recent very active NPA support to commoning, not least the continuation of the [Commoners Dwelling Scheme](#). This scheme began in the 1990s under the New Forest District Council as the local planning authority, enabling commoners to build a home on fields in their ownership, but with a permanent tie to commoning. This has been a vital support to young commoners<sup>1</sup>, wishing to remain within the New Forest. Although the stringent rules of the Scheme mean that it has produced, on average, less than one new home per annum it has made a substantive difference that will last in perpetuity. Unfortunately much less progress has been made in implementing the other measures contained in the [Illingworth Report](#), relating to the supply of land and housing for rent, which will be discussed in our response below on “current ways of working”.

Unless real action is taken to secure land and homes for rent for the next generation of commoners, the New Forest will once again face a collapse of grazing and all of the public goods associated with it. The gulf between property values and local incomes continues to rise. The low wages associated with the local growth of the tourism and retirement sectors, mean that young commoners are forced either to rent homes outside the area or seek better-remunerated careers in the surrounding cities or London. Both eventualities make commoning at any appreciable scale very difficult (given the 24-hour responsibility of each commoner for their own animals), and make the grazing of cattle impossible. Furthermore, any professional career involving working from home or flexible working that could make commoning a practical possibility remains a severe challenge given the very poor broadband availability to many New Forest homes.

Whilst affordability is the greatest threat to New Forest commoning, the commitment needed is also severely undermined by a general decline in public consideration for the needs of grazing livestock and the working landscape: Putting animals and visitors at risk by feeding and petting, blocking gateways with cars, poor dog control, and dangerous driving all push commoners to abandon their vocational commitment.

We agree with the NPA focus on education in relation to protecting the landscape for quiet enjoyment. It is also important, however, that the promotion of *appropriate* recreation does not become a general promotion of the landscape as a site for any type of recreation, at any scale.

Within the context of what many people view as a “park” it seems that personal and commercial self-interest can predominate. We are increasingly witnessing conflicts because people do not understand or appreciate our grazing livestock; treating our animals as domestic pets within a petting zoo, or as a nuisance obstructing their daily activities and making the New Forest muddy and untidy. Despite considerable educational efforts few seem to understand the benefits they enjoy due to the grazing, or appreciate the exceptional biodiversity associated with the grazing of the heaths, mires, and woodlands. Rangers are powerless to enforce the byelaws, and the Forestry

---

<sup>1</sup> Very few commoners would be able to comply with an Agricultural Occupancy Condition given the vocational nature of commoning and the need for support from other earned income

Commission has little inclination to do so. It has a clear conflict of interest given the growing income stream provided by the licensing of recreational activities on the Crown Lands and associated revenues.

These problems peak in relation to large-scale exploitation. Mass commercial events are becoming the norm throughout the year, as the National Park “brand” is exploited, and associated licence fees boost Forestry Commission revenues. The concept of “quiet enjoyment” that does not detract from the Special Qualities is being lost. The New Forest is fast becoming an expensive theme park, instead of a free, open access and very special landscape that anyone, of any means, can quietly discover and enjoy. In summer the roads are badly congested with day visitors, for many of whom their only connection with the countryside is to sit in a hotel restaurant for a few hours or eat a barbecue in a Forestry Commission car park. The Forestry Commission campsites are some of the worst locations for harmful behaviours and damage to the grazing land. Too few people who move into the New Forest have any real understanding of the role of the grazing animals or of common land; fences are moved, hedges removed, driveways and parking spots formed, and piece by piece the common land is being lost and the character of the landscape lost. Yet the statutory agencies too often leave it to our association to fight each case, with only our membership fees and volunteers’ commitment to make this possible.

It is clear that the New Forest has a deep problem related to its **weak identity**. To anyone who drives from Bournemouth to Southampton across the New Forest there is nothing that will make it clear that they are transiting through a protected landscape. Traffic regulations and signage must conform to the national manuals. Speed limits are only reduced when the rate of human fatalities reaches a level deemed unacceptable to the Highways authority and police. No regard is given to the continued loss of grazing livestock to road traffic accidents, despite the grazing animals having an important right of way on roads within the New Forest.

Around 60 commoners lose an animal to a road traffic accident each year, with many more being injured and imposing suffering on the animal, and additional costs and care needs on the owner. Proposals to introduce an average speed camera on the highest risk route must compete for resources and attention with motorways and other Police and Highways projects beyond the boundaries of the national park. To these agencies the routes that cross the New Forest are just ordinary roads, competing with other priorities.

## Part 3 – Current Ways of Working

### One Landscape – Multiple Managers

We believe that the National Park Authority is striving to work well with most of the private landowners who manage lands within the New Forest, as well as the National Trust for the Northern Commons and the Forestry Commission for the Crown Lands. It is unfortunate, however, that the co-ordination of the content or timelines of the multiple Higher Level Stewardship Schemes has not been possible under Common Agricultural Policy Rules: The Crown and other landowners must each have their own scheme. We, therefore, have one landscape with multiple management systems. Our animals do not recognise these artificial boundaries on maps, but which are invisible on the landscape. If the New Forest is rightly treated as a single landscape under a future environmental land management scheme then the National Park Authority could play a more significant role, alongside the commoners and the Verderers of the New Forest. It is the rights of commoners that span the multiple landholdings, which unify the landscape, and which have ensured its survival.

Whilst the New Forest has multiple large landowners, our greatest concern is the growing divergence between the National Park purposes and the direction of the Forestry Commission (FC), responsible for the management of the largest landholding in the New Forest, owned by the Crown. There is a deep conflict of interest here that will worsen if it is not addressed directly, with much more firm protection for the New Forest. The perception of the Commoners Defence Association is that the Forestry Commission has lost any real interest in the Special Qualities of the New Forest, and that it is now seen as little more than an awkward divergence from its core business model based on commercial forestry and recreation provision.

### Forestry Commission exploitation

As agri-environment restoration schemes have grown in importance in the New Forest, so the Forestry Commission appears to have lost its intrinsic commitment to protective and restorative work. In 2019 the Commission celebrates its 100<sup>th</sup> anniversary, and it is deeply worrying that it is being allowed to revert to its original mission of using the New Forest for revenue maximisation.

The Commission's growing disregard for the special status of the New Forest and for government policy is becoming increasingly clear. It will now undertake environmental activities, including those to support continued grazing, only if it is repeatedly pressed or directly paid to do so (by the Verderers HLS for example).

The National Park Authority and Natural England appear impotent in tackling the Commission's refusal to respect the Ministers Mandate for its management of the Crown Lands; this sets protection of the grazed New Forest above the internal need for financial efficiency, which itself is a direct application of the Sandford Principle for national parks.

The reversion of the Forestry Commission to a financial priority has reached the stage where it now threatens commoning and the special qualities of the New Forest. The government abandoned the "privatisation" of the Forestry Commission in 2011, but the Commission's strategy since then appears to pursue the a similar goal by stealth.

Perhaps the two most obvious examples of the tension between the commercial strategy of the Forestry Commission and the protection of the National Park are its effective privatisation of the Crown freehold properties it manages within the New Forest and its strategy for the recent joint venture for operation of the New Forest campsites.

The Forestry Commission manages more than 60 cottages in the New Forest, built to serve the needs of the Forest "woodsmen" in Victorian times, most of whom would also have been commoners. In light of the decline of commercial forestry plantations in the New Forest, meaning that the Commission no longer has an operational need for them, government policy has been that these properties should continue to be let to practicing commoners at affordable rents, regardless of whether they were employed by the Commission: To underpin New Forest grazing and thereby produce real value for the New Forest and the country. Since 2016 the Commission has shifted unilaterally to a policy of market rents, to be offered as a benefit to its own managers or placed on the open rental market. Advertised rents are as high as £1800 per month. These are classic state-owned holdings that have long provided a base for commoning, that have been removed in order to maximise Commission income.

The Forestry Commission's disregard for Government policy established by the Illingworth Report is direct and blatant, but no amount of persuasion will shift the Forestry Commission from its new strategy of exploitation of the Crown assets. The harm being done is real and will be lasting.

Every cottage that is used for the financial benefit of the FC is one less to enable a young commoner to remain within the New Forest. Whereas ministers said in 2006<sup>2</sup> that they expected the proportion of cottages let to commoners to increase, as commercial forestry needs declined, the reverse is now true.

With regard to recreational exploitation, the [Annual Report and Accounts](#) of Camping in the Forest LLP, in which the Commission is a 50% shareholder cites the protection of the New Forest as its “principle risk” stating that:

*“The New Forest sites have to be maintained in strict accordance with the expectations of the New Forest National Park Authority, which potentially limits development of the sites, in terms of revenue growth opportunities. **The challenge of recovering and growing pitch nights remains a key strategic focus.**”*

Campsites located on the Open Forest, protected as SSSI units, are a damaging relic of past exploitation policies that predated modern environmental protection. Growing the campsite business in the way the Commission and its commercial partner propose is a direct challenge to this protection and would represent a further loss of grazing and biodiversity.

This shift to commercial exploitation is happening rapidly, and the National Park Authority and Verderers have no means of intervention to ensure that Government policy for the New Forest is respected and its continued grazing secured. The New Forest is once again paying a heavy price for the management of the Crown Lands by a distant, state-owner landlord bent on revenue maximisation. The New Forest deserves much better and more local management.

### A need for Protective, Local Action

In order to succeed in its designated purpose the National Park Authority must play a part in holding the Forestry Commission and other large landowners to account. Given the size and distant management of the Commission, the National Park Authority is evidently powerless to exert any real influence. It is deeply worrying that designation as a National Park has had so little impact on the management of the Crown Lands.

Whether it is in the enforcement of the Ministers Mandate for the Forestry Commission management of the Crown Lands, or the various sets of byelaws that apply across the landscape, transgressors must believe that they will be held to account for their damaging actions. Whilst national parks in other developed countries have rangers with police powers, including the power to levy on-the-spot fines, our national parks remain unprotected on every level.

Every National Park is unique, and it is wrong that the management of the majority of the New Forest is decided by managers based in Edinburgh or Bristol. Even the Forestry Commission Deputy Surveyor of the New Forest now has a role that extends across a wide area of southern England. It is little wonder, therefore, that the unique needs of the New Forest are increasingly neglected.

A unique landscape deserves bespoke protection, that is sensitive to local needs. This should be true across the entire landscape, or villages, roads, and common grazing. **In short, National Park status must much more strongly support a distinctive local identity and empowered local management, that enhances the Special Qualities.** It is ironic that it is a public landlord, not one of the private landlords, of the open New Forest landscape that is pulling in the opposite direction.

---

<sup>2</sup> HC Deb, 24 July 2006, c716

Only the specific terms of the New Forest Acts, guarded by the New Forest Verderers, stand in the way of further Forestry Commission exploitation. The interests of the Verderers, the New Forest, and future generations who stand to benefit from the continued grazing of the New Forest should be much more widely supported by policy.

The National Park Authority must also be better able to convey to everyone the special, protected status of the landscape. It must be clear on entering the National Park that they are entering a special place, that will be actively protected. How this differentiation is achieved is open for discussion, but the need to forge this strong identity is urgent.

## Part 4- Closing thoughts

We do not believe that the terms currently used are the right ones. It seems that “National Park” and “Park” are too easily confused in Britain.

Even in the New Forest, with multiple protective designations, the environmental value of the landscape is mostly overlooked in favour of personal and commercial exploitation. The New Forest deserves much better and more effective protection, and the title selected may play an important role in this. It is ironic that many people will believe that a National Nature Reserve requires more sensitive behaviour than a National Park. Nowhere is this more true than in the New Forest. The failure to communicate a clear identity to everyone who experiences the New Forest must be addressed. Steps are urgently required to show that the New Forest is an extraordinary landscape, free for all to enjoy, that will be actively protected. The most obvious solutions are within the realm of public policy, providing greater localism, allowing policies for this unique landscape to better reflect its unique circumstances. This review could mark the start of this change.

The New Forest is an exceptional place. Due to the defence of the common grazing over centuries it still exists as an open, accessible landscape. It is extraordinarily accessible and can be enjoyed at zero cost by anyone. Its mosaic of grazed habitats has sustained species that have been all but lost elsewhere in Britain. This landscape has huge potential to produce even greater public benefits, if it is given better protection. As commoners we are keen to share our commitment, knowledge, and love of the landscape, but this will only be possible if commoning remains viable in Britain’s most expensive National Park and if it is not undermined by weak protection.

We would be happy to meet with you to discuss any of our comments in further detail, we hope that this review can help to start to resolve some of the challenges we are facing and find ways to protect and enhance the New Forest for our future generations.