I am writing to give guidance to the New Forest National Park Authority, on behalf of the Secretary of State, on how the Authority will be expected to take into account the special features of the New Forest. Please bring this letter to the attention of your chair and members as soon as possible after they are appointed.

The main purpose of this guidance is to emphasise that the New Forest National Park Authority will deliver its purposes best if it has good, close working relationships with a range of New Forest interests. Where possible it should seek consensus on the best way to deliver National Park purposes. I see partnership and co-operation as a dynamic and creative approach, not as a means of obstructing progress or going for the lowest common denominator. It is in that spirit that I ask the Authority to promote consensus and for others to help it do so while promoting excellence in policy and in practice.

In doing so, the Authority will be expected to take into account and respect the duties and aims of the various bodies with responsibilities in the New Forest; especially those of the existing statutory bodies under the New Forest Acts of 1877 to 1970 which remain in force, just as they will be asked to support the statutory purposes of the National Parks. Forging effective working relationships will foster effective use of the various existing resources to achieve the best possible outcome for the New Forest.

I expect existing organisations to reciprocate by working with the National Park Authority to deliver its purposes, which many of them will be statutorily required to have regard to under Section 11A of the National Parks and Access to the Countryside Act (as introduced by Section 62 of the Environment Act 1995).

Every National Park Authority has the same statutory purposes and duties, but each has the power to judge the best mechanisms for delivery of its purposes. And that has led to a range of different approaches being adopted by the existing National Park...
Authorities to reflect the particular circumstances in their areas. It will be for the New Forest National Park Authority to decide on the mechanisms which best fit its circumstances and be willing to show how these best suit the national and local interests in the New Forest and our overarching aim of sustainable development.

In deciding how to approach its tasks I expect the Authority to build on examples of good working practices within existing National Park Authorities in England and to be prepared to learn from Wales and Scotland.

This guidance takes as its basis both the Countryside Agency’s advice to Government on the administrative arrangements for the New Forest and the recommendations of the New Forest National Park Inquiry Inspector but with some modifications. It covers the seven main areas identified by the Agency which are:

(i) funding;
(ii) membership;
(iii) the relationship between the New Forest National Park Authority, New Forest Verderers and the Forestry Commission;
(iv) planning;
(v) land management;
(vi) visitor management; and
(vii) partnership working involving local expertise.

(i) funding

The New Forest National Park Authority will receive an annual grant from Defra to cover the Authority’s main needs. As with the other National Park Authorities this grant will be primarily decided by formula but may also contain a smaller discretionary element. The formula takes various factors into account, including the total area of the Park, the number of visitors and the resident population in the Park.

The Authority will be required to provide a bid each year for funding requirements for the following financial year(s). Defra will issue bidding guidelines each year identifying key areas of activity for the Parks to address when drawing up their bids.

I have also established a Sustainable Development Fund. Its aim is to promote new ways of achieving a more sustainable way of living in these areas of great natural beauty and diversity, which enhance and conserve local culture, wildlife, landscape, land use and communities. The fund exists to aid the achievement of National Park purposes by encouraging individuals, community groups and businesses to cooperate, to be innovative, and to develop practical sustainable solutions to the needs of the Park. I particularly encourage projects that encourage young people to understand and engage with the National Park. In the case of the New Forest this will give a real opportunity to engaging schools and youth groups in Southampton and the nearby areas and to encouraging joint projects involving young people who live in the New Forest jointly with a visiting group. I announced in September 2004 that each National Park Authority will receive £200,000 a year in each of the next three financial
years for its Sustainable Development Fund. That will apply to the New Forest National Park Authority in 2006/7 and 2007/8.

Funding for the implementation of open access under the Countryside and Rights of Way Act 2000 is also provided. At present this forms part of the discretionary element of the annual grant but from 2006/07 will be brought within the formula.

The New Forest National Park Authority should take advantage of opportunities to pursue grants from the European Union, the Lottery funds, and other suitable sources where possible, and should take part in appropriate collaborative projects to improve leverage of funding as well as achieving shared or complementary objectives.

(ii) membership

Subject to Parliamentary approval, the New Forest National Park Authority will have 22 members who, in accordance with Schedule 7 to the Environment Act 1995, will cover both national and local interests. Local authorities with land in the park will appoint 12 of the members and Ministers will appoint the remainder. Once they become members of the Authority all members are expected to work as a team to work for achievement of the National Park objectives and, following wide discussion with members of the Association of National Park Authorities, a “job description” for chair and members will be published shortly to help teamwork within each Authority. Of the Secretary of State members, 4 will be drawn from local parish councils to represent the local interest and an open recruitment exercise will select a further 6 members.

Department of the Environment Circular 12/96 explains that the national representatives are chosen in recognition of the individual’s own personal qualities and experiences rather than as representatives of specific interest groups. National members of National Park Authorities are sought with experience or knowledge in one or more of the following fields:-

- Landscape;
- Natural history/biodiversity;
- Countryside recreation/tourism;
- Land management;
- Agriculture/forestry;
- The rural economy and businesses;
- Rural society/culture/heritage;
- Government policies for the countryside;
- Sustainable development;
- Social inclusion.

In addition for the New Forest I added the following paragraph to the “person specification”:

“In the case of the proposed New Forest National Park Authority, members will face the additional challenge of establishing an entirely new
organisation. Alongside the general areas of knowledge or experience listed above, Ministers will also be looking for potential members who can contribute strongly to the New Forest related issues which the Authority will need to address in its early years.”

I asked relevant bodies, such as the Verderers, the New Forest Committee and the Forestry Commission to encourage candidates with relevant experience to put themselves forward for appointment. I have also asked the local authorities to ensure that local people are fully represented in their appointments and, wherever possible, to appoint members with expertise and experience on New Forest issues.

iii) the relationship between the New Forest National Park Authority, New Forest Verderers and the Forestry Commission

The Verderers and the Forestry Commission have responsibilities for the New Forest under the New Forest Acts of 1877 to 1970. The statutory powers of the two bodies will remain unchanged as a result of the creation of a National Park.

It will be necessary for the Authority to develop, close working relationships with these bodies. An early priority for the Authority will be to consider with the Forestry Commission and the Verderers how all three can best work together, making good use of each other’s skills, powers, and resources (for example by some form of exchange training), and building on the climate of cooperation which has been engendered over recent years by the work of the New Forest Committee (for example in producing the New Forest Strategy).

In entering those discussions the Authority will particularly wish to be aware of the “Minister’s Mandate” which sets out how the Secretary of State for Environment, Food and Rural Affairs expects the Forestry Commission to approach its tasks in the New Forest. A copy of the mandate is enclosed with this letter at Annex 2.

The National Park Management Plan, which must set long term aims and be a document produced for the Park as a whole, is a useful tool for involving other bodies (such as the Forestry Commission and Verderers) and for generating a real consensus as to how the Park should be managed. In particular relevant parts of the Management Plan might be jointly prepared by the Forestry Commission and the National Park Authority so that the Crown land can be managed in accordance with both the National Park Authority purposes and the purposes and directions given to the Forestry Commission.

The Verderers have statutory duties and powers under the New Forest Acts for the protection and administration of the rights of common and of the health of commoning animals within the perambulation. These duties are administered by the Court of Verderers which was set up under the New Forest Act of 1877.

Under section 1(c) of the New Forest 1949, the New Forest National Park Authority, as the local planning authority, has a statutory duty to appoint a Verderer to the Court
of Verderers (that role has previously been undertaken by Hampshire County Council, whose appointee has traditionally brought knowledge of planning and transportation).

Under section 18 of the New Forest Act 1949 and section 1 of the New Forest Act 1970, the agreement of the Verderers is needed before any recreational or tourist development can take place on commannable Crown land. The Verderers have expressed concern that the effectiveness of this power might be reduced once the National Park Authority is in place. For some reason a particular concern appears to be the theoretical possibility that a piece of commannable Crown land might be sold, leased or transferred to the National Park Authority who would then use its compulsory purchase powers to acquire and extinguish common rights on the land, thus enabling recreational development to go ahead that the Verderers could otherwise have prevented.

It is highly unlikely that the National Park Authority (or indeed the Forestry Commission) would engage in such activity given that:

a) the Authority is charged with “conserving and enhancing” its Park;

b) the “Sandford” principle makes clear that where there is an irresolvable conflict between the conservation purpose and the recreation purpose, then conservation must take precedence;

c) its compulsory purchase power can only be exercised with the consent of central Government;

d) in all that they do affecting the Park, both the Authority and central Government (and indeed others) are bound by the “Section 62” duty to have regard to Park purposes.

For its part, the Government would not support recreational (or other) development on what is currently commannable Crown land which did not have the support of the Verderers, unless there were to be demonstrated a compelling case for such development, in the public interest, and this could not be as satisfactorily achieved by an alternative course of action.

The Inspector suggested that I should reproduce as part of my guidance the table which had been presented to the Inquiry, showing the main statutory functions of the Verderers, the Forestry Commission, and the National Park Authority. This is attached as Annex 1.

iv) planning

Under section 4A of the Town and Country Planning Act 1990, The New Forest National Park Authority will be the sole local planning authority for its area. This requires it, under Part 2 of the Planning and Compulsory Purchase Act 2004, to prepare and maintain a local development scheme, local development documents setting out development and land use policies for the area of the Park (including
minerals and waste policies) and a strategy of community involvement. The National Park Authority will also exercise development control functions for its area.

At the regional planning level, under Part 1 of the 2004 Act and its accompanying regulations, the Authority will be involved in the preparation of the Regional Spatial Strategy (RSS) for the South East, in whose region it is considered to be wholly within for regional planning purposes. Under section 4(1) of that Act, the Authority’s advice must be sought by the regional planning body in the preparation, review and monitoring of an RSS revision. The Authority is also a statutory consultee for any draft revision of the RSS, where the regional planning body considers the revision will affect it. In addition, at least one National Park Authority in each region containing a National Park must be represented on the regional planning body itself. I will expect the New Forest National Park Authority, as the only Park in the region at present, to take up its seat on the regional planning body in due course.

It will be for the National Park Authority to decide whether or not to delegate any planning activities to other authorities but in any event I expect the Authority to establish clear, efficient and effective consultation arrangements with neighbouring local planning authorities over matters of mutual interest. In addition, the Authority should also work with relevant local authorities on preparing their local transport plans and community strategies that are expected to be reflected in the National Park Management Plan.

v) land management

In order to maintain the landscape and nature conservation interest of the area and also to fulfil its socio-economic duty, I look to the Authority to make use of available expertise on local land management issues, cultural heritage, nature conservation, farming and forestry, by consulting the existing bodies and where appropriate by recruiting staff with relevant fields of expertise.

I also expect the Authority to draw upon best practice elsewhere, including the work of the existing National Park Authorities and voluntary working agreements between the existing local authorities. The Authority will also wish to make use of the papers that were produced by the Countryside Agency’s working groups prior to the submission of the New Forest National Park (Designation) Order 2002 to the Secretary of State. The New Forest Committee’s 2003 strategy document for the New Forest has been drawn up using a collaborative approach. Since it is an excellent document that effectively summarises the New Forest’s needs, I believe that the the New Forest National Park Authority would find it a very helpful basis for its National Park Management Plan. I expect the Authority to involve as many stakeholders as possible in the preparation/review of any future Management Plan or the existing strategy document.

Commoning is important both to the cultural heritage of the New Forest and as a means of preserving the open land which is a distinctive feature of the area. It would therefore be very hard, if not impossible, for the National Park Authority to achieve its purposes if there were to be any radical change in the part played by the commoners and their animals in Forest life. The National Park Authority will thus wish to ensure (with advice from the Verderers as appropriate) that it fully understands the workings
of the commoning system and it will want to consider whether there are any actions which it needs to take, from within its areas of responsibility, to support commoning and to foster its long term viability.

vi) visitor management

The New Forest National Park Authority will need to set standards by which access is managed in the National Park. I look to it to:-

a) Give the strategic lead on access, rights of way and recreation policies across the Park area;

b) Set high level, common standards in mutual areas of operation such as signage, and features such as stiles and gates; and

c) Monitor visitor use and impact.

The Authority will need to establish good relationships so that it can work closely with the other organisations that have responsibilities regarding visitor management in the Park, namely the highways authorities and Forestry Commission. The Forestry Commission and Countryside Agency also have a role to play in implementing the new right to open country and registered common land under the Countryside and Rights of Way Act 2004. I expect the Authority to be guided by its own local access forum and to consult those of the surrounding local authorities in respect of cross-boundary matters. It may also be useful for the National Park Authority to establish a relationship with the regional office of Sport England.

The Authority may wish to consider developing a “New Forest Code” for the whole Park in order to harmonise the various byelaws issued by bodies with responsibility for countryside management such as Hampshire County Council, the Forestry Commission, and the National Trust. In addition, the Authority will need to produce educational and informative material to explain and support national park purposes and to promote New Forest interests. It must work with others, including local tourism and business initiatives which deliver national park purposes and organisations which promote an understanding of wildlife, the countryside and access issues. Their views could be taken into account as part of the New Forest National Park Authority’s Management Plan.

vii) Partnership working involving local expertise

The Authority should work closely with local organisations and take account of the views of local people and visitors, drawing on local expertise and building on existing relationships. Mechanisms to allow this could include involvement in consultative and working groups and committees but it will be for the Authority to decide how these arrangements should be made.

In particular, the Authority will wish to consult a wide range of Forest bodies, such as those currently represented on the New Forest Consultative Panel.
One of the distinctive features of the New Forest National Park is to have within it a working harbour. In the case of the Lymington Harbour Commissioners (and, where appropriate, the Port of Southampton) I advise the Authority to work closely to identify any areas of technically overlapping powers and devise codes of conduct to ensure that the overall efficiency and economy of the ports is not impaired, while paying appropriate regard to National Park purposes. I suggest their views should be taken into account as part of the New Forest National Park Authority’s Management Plan.

Both the National Park Authority and most of the bodies with which it deals will need to remember at all times their duty under Section 11A of the National Parks and Access to the Countryside Act 1949. This places a general duty on all relevant authorities, including the National Park Authorities, statutory undertakers and other public bodies, to have regard to the two purposes of the Parks. This is commonly known as the Section 62 duty because it was inserted by that section of the 1995 Environment Act. The duty ensures that relevant authorities take account of Park purposes when coming to decisions or carrying out activities relating to or affecting land within the Parks. It may sometimes be the case that the activities of certain authorities outside a National Park may have an impact within the Park. In such cases it will be important to ensure mutual co-operation across Park boundaries, particularly in planning and highway matters.

The New Forest Park Authority should monitor authorities’ compliance with this duty and bring serious contraventions to the attention of the Countryside Agency. I would also expect the Authority to be active in raising awareness of the duty amongst relevant authorities whose work may impact on Park purposes. Defra is currently consulting on a list of authorities considered to be subject to the duty and the Authority should consider referring people to this when it is published. For the avoidance of doubt, I should make clear that it is not the responsibility of the National Park Authority to provide funding to other bodies to meet this duty.

Circulation of this letter

I hope that the points above are helpful in directing, enabling and encouraging the Authority to recognise the special needs of the New Forest National Park when undertaking its purposes.

As think this guidance will be of interest to other organisations, especially those who will be working closely with the National Park Authority, I shall place a copy on the Defra website and make it available to anyone who requests a copy. In particular I am copying to all those on the attached list.

Alun Michael
Minister for Rural Affairs & Local Environmental Quality
Circulation list for the Ministerial guidance

This letter is being made freely available to anyone who requests it and in particular copies have been sent to:

The Chairman, Forestry Commission.
The Deputy Surveyor for the New Forest, Forestry Commission.
The Official Verderer.
The Leader of Hampshire County Council.
The Leader of Wiltshire County Council.
The Leader of New Forest District Council.
The Leader of Test Valley Borough Council.
The Leader of Salisbury District Council.
The Chair of the South East England Regional Assembly.
The Chair of the South West Regional Assembly.
The Chair of the New Forest Association of Local Councils.
The Chair of the New Forest Committee.
The Chair of the New Forest Consultative Panel.
The Chair of the Countryside Agency.
The Chair of English Nature.
The Chair of the Council for National Parks.
The Chair of the Association of National Park Authorities.
### Main statutory powers of National Park Authority; Forestry Commission; Verderers

<table>
<thead>
<tr>
<th>Legislation</th>
<th>National Park Authority</th>
<th>Verderers</th>
<th>Forestry Commission</th>
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</thead>
<tbody>
<tr>
<td>Compulsory Purchase Act 1965</td>
<td>s. 21, Schedule 4 – committee consultation process re: compensation for common land acquired by compulsory purchase.</td>
<td>s. 11 (same as for national park authority)</td>
<td>s.11 (same as for national park authority)</td>
</tr>
<tr>
<td>Countryside Act 1968</td>
<td>s.11 – every government department and public body is to have regard to desirability of conserving natural beauty and amenity of the countryside.</td>
<td>s. 11 (same as for national park authority)</td>
<td>s.37 – (same as for national park authority)</td>
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<td></td>
<td>s. 37 – have due regard to need of agriculture and forestry and to economic and social interest of rural areas.</td>
<td></td>
<td>s.38 (same as for national park authority)</td>
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<td></td>
<td>s.38 have due regard to protection against pollution of water.</td>
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<td></td>
<td>s.9 – powers of local authorities over common land to provide facilities and carry out works where current facilities are inadequate. May purchase compulsorily purchase land in the neighbourhood for functions under this section.</td>
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<td>s. 23(2) – provision of eg. Car parking, camping sites, shops, conveniences and power to charge for their use.</td>
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<td></td>
<td>s.47(2) – powers of compulsory purchase may be exercised re: Crown Land.</td>
<td></td>
<td>s. 39(3) – Defra may exercise its power of compulsory purchase under this section to acquire land for the purposes of s.23 adjacent to land placed at the Forestry Commission’s disposal.</td>
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<td></td>
<td>s.41 (4) – byelaws made under this section not to interfere with any public right of way of any functions re: land or waterway to which the byelaws apply, exercisable by any authority under any enactment, including telecommunications.</td>
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</tbody>
</table>

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**Annex 1**
<table>
<thead>
<tr>
<th>Environment Act 1995</th>
<th>Schedule 7, 3, and 4 – Secretary of State appoints parish and non-parish members of the national park authority, numbers as specified by the Secretary of State in the relevant Order.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forestry Act 1967</td>
<td>s.1 promoting interest of forestry, development of afforestation and production and supply of timber and forest products, establishment and maintenance of adequate reserves of trees, endeavour to achieve a reasonable balance between (a) development of afforestation and (b)</td>
</tr>
</tbody>
</table>

s.41 (12) – byelaws made under s.90(3) of the National Parks and Access to the Countryside Act 1949 shall not interfere with the exercise of any public right of way or any authority having under any enactment functions re: land or waterway to which the byelaws apply, including telecommunications.

s.47(2) – consent required (from Forestry Commission) for use of powers of compulsory purchase in relation to Crown land.

s.47(7) – consent required (from Forestry Commission) for byelaw made under this Act which relate to Crown land.

Schedule 2: Must have consent of the Secretary of State to purchase land compulsorily.
<table>
<thead>
<tr>
<th>Act</th>
<th>Section(s)</th>
<th>Notes</th>
</tr>
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<tbody>
<tr>
<td><strong>Local Government Act 1972</strong></td>
<td>ss. 120, 122, 123 – re: land appropriation, acquisition by agreement and disposal.</td>
<td>conservation and enhancement of flora, fauna and features of special interest. s.3(1) – manage, plant and use for exercise of their functions any land at their disposal under this Act. s.47(1) byelaws made after consultation with Verderers and anyway are without prejudice to those made under any other Acts by the Verderers.</td>
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<tr>
<td><strong>Minister's Mandate</strong></td>
<td></td>
<td>Priority given in Forestry Commission's management objectives to conservation of the natural and cultural heritage.</td>
</tr>
<tr>
<td><strong>National Parks and Access to the Countryside Act 1949</strong></td>
<td>s.5 (1) purposes: (a) conserving and enhancing natural beauty wildlife and cultural heritage; and (b) promoting opportunities for understanding and enjoyment of special qualities. s.11A(1) – seek to foster economic and social well-being of local communities without incurring significant expenditure and co-operating with relevant local authorities and public bodies. s.11A(2) – have regard to the purposes in s.5(1) and if there is conflict, to give</td>
<td>s.11A(2) – (same as for National Park authority).</td>
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<td>greater weight to conserving and enhancing natural beauty, wildlife and cultural heritage.</td>
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<tr>
<td>s.12(1) – as local planning authority it may provide accommodation and facilities as necessary, where those in existence are inadequate. Compulsory purchase powers may be used.</td>
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<tr>
<td>s.11A(1) without incurring significant expenditure.</td>
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<td>s.11(2) .. and if there is conflict to give greater weight to conserving and enhancing ...</td>
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<tr>
<td>s.101(2) – powers conferred under Part II of this Act may be exercised re: any interest in Crown land with the consent of the appropriate authority (Forestry Commission).</td>
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<tr>
<td>s.101(8) – consent (from Forestry Commission) for byelaws made under this Act which relate to Crown Land.</td>
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<tr>
<td>s.101(10)(a) – Treasury consent required for agreements entered by government departments under s.101(3) or access agreements under s.101(3) or access agreements so made, having regard to purposes for which land is held.</td>
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<tr>
<td>s.11A(2) – have regard to the purposes in s.5(1) and if there is conflict, to give greater weight to conserving and enhancing natural beauty, wildlife and cultural heritage.</td>
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<tr>
<td>s.11A(2) – have regard to the purposes in s.5(1) and if there is conflict, to give greater weight to conserving and enhancing natural beauty, wildlife and cultural heritage. (see national park authority s.101(10)(a))</td>
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</tr>
<tr>
<td>New Forest Act 1877</td>
<td>s. 8 – obligation to preserve the ancient ornamental trees and woods and to keep the New Forest unenclosed, except as provided by the Act. Wood to be provided for fuel rights, without sacrifice of ornamental timber.</td>
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|                     | s. 8 – (same as for verderers)  
 s. 6 – to inclose, plan, replant or re-inclose, lands which were inclosed on or before the passing of the Act.  
 s.6 – inclosure subject to care to: maintain character of the ground, not level or clear the woods but leave a sufficient number of the most ornamental trees; keep the woods replenished from time to time; have regard to ornamental as well as profitable use of the ground. One month's notice to the Verderers. |
| New Forest Act 1949 | s. 13 – grant authorisation to the Forestry Commission to enclose, and hold free from rights of common, areas of up to 20 acres of the New forest for purposes of s.8 of 1877 Act.  
 s.14 – grant authorisation to the Minister to enclose and hold free from rights of common, areas of the New Forest for cultivation and grazing up to 3,000 acres at one time.  
 s.11- work as appears necessary for New Forest drainage, maintenance of culverts and bridges; keeping grazing clear.  
 s.19 – the Minister may direct that unenclosed land in the New Forest vested in him be held in severalty and free from rights of commoners. In exchange any land vested in him and surround by or abutting on the New Forest, but not part of it, shall become part of New forest and subject to rights of common.  
 s.11 – work with due regard to interests of amenity and after consultation with Verderers.  
 s.18 – Verderers’ consent required for use of land for recreation and related construction and the |
| New Forest Act 1964                                                                                                                                                                                                                                                                                                                                 | s.15 – have regard to desirability of conserving flora, fauna and features of special interest.  
  s. 3(2) – may erect fencing along or adjacent to the New Forest to regulate movement of animals.  
  s. 3(4) – may erect drift fencing within the open lands and other places as expedient for reducing danger to traffic.  
  2. 3(6) – may erect fencing to obviate danger within the New Forest where there is an unfenced or inadequately fence source of danger.  
  s. 3(2) fencing may be erected after a presentment and with the consent of the Minister. It is to be provided on open waste lands or marked areas, with due regard to the interests of amenity, consent of Highways Agency in certain circumstances, provision of gates to satisfaction of | enclosure of such land as necessary, authorisation of wires or pipes or appropriation for parking or campsite facilities and enclose of that land so far as necessary.
  s.19 – Verderer's agreement is required for appropriation and exchange.  
  s. 6 – Defra may authorise appropriation of open waste lands for camping sites, and provision of facilities or buildings as necessary. |
<table>
<thead>
<tr>
<th>Act</th>
<th>Section Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Forest Act 1970</td>
<td>s. 1(3) – enclosure of land used for s.23(2) Countryside Act 1968 purposes, held free of commoner’s rights.</td>
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<td></td>
<td>s.1 (1) re: open waste land and land enclosed under section 18 New Forest Act 1949.</td>
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<tr>
<td></td>
<td>s.1(2) – powers under s.23(2) Countryside Act 1968 may only be exercised with consent of the Verderers.</td>
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<tr>
<td>Town and Country Act 1990</td>
<td>s.244A – authorisation from the Secretary</td>
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<td>s.297 (1) – an agreement entered by</td>
</tr>
</tbody>
</table>
of State for exercise of powers of compulsory purchase under this Act.

s.296(2) (a) – consent of appropriate authority (Forestry Commission) required for issue of enforcement notices under certain sections.

s. 296(2)(b) – no compulsory acquisition of any interest in land which is Crown land permitted under Part IX without consent of appropriate authority (Forestry Commission).

S.4A – national park authority to be the sole local planning authority for the area of the national park from such time as the order establishing it shall specify.

S.297(1) – the appropriate authority (Forestry Commission) and the local planning authority (national park authority) may enter agreements for securing use of Crown Land so far as may be prescribed by it in conformity with provisions of applicable development plan.

a government department requires Treasury approval before it may have effect.

s. 297(1) – (see national park authority)

MINISTER’S MANDATE FOR THE NEW FOREST 1999 - 2008

Foreword

In July 1998, I launched a review of the Minister’s Mandate to the Forestry Commission for managing the New Forest, following a recommendation from the Forestry Commissioners that the principal management objective in the New Forest should be the conservation of the natural and cultural heritage of the Crown lands.

The Minister’s Mandate, first introduced in 1971, is the Forestry Commission’s ‘licence to operate’ in the Crown lands – half the New Forest Heritage area. The last Mandate was confirmed in 1992, and should have been reviewed after 10 years, but the pace of change in the New Forest brought this forward.

The international importance of the New Forest, as a candidate World Heritage site and EU Special Area of Conservation, gains proper recognition in this new Mandate. Nature conservation and cultural heritage are strongly woven together in the New Forest. Commoning is a heritage that should be sustained here, because it plays a vital part in ensuring that the landscape is conserved in a very special way.

The New Forest is not only of international and national importance. Local people are passionate about the area and the local community wants to be involved in decisions made regarding its future. This is reflected in the high level of interest shown by those consulted, and by the public in general. Their views have been taken into account in the Mandate.

The Mandate places a high priority on maintaining the Forest’s traditional character. This is why it is such a popular place to visit. The Government are committed to sustainable management and we recognise the importance of the New Forest as a place for appropriate public recreation. The Mandate aims to ensure that a proper balance will be achieved between conservation, recreation and a working forest environment. The New Forest is a National asset and one we must conserve for future generations.

Elliot Morley MP

Forestry Minister
28 July 1999
Introduction
This Mandate takes account of Britain’s international commitments on the environment. It fully reflects the Commission’s principal objective in managing the Crown lands, i.e. the conservation of their natural and cultural heritage, and it places a high priority on maintaining the Forest’s traditional character. It also underlines the Government’s commitment to sustainable forestry and it recognises the importance of the New Forest as a place for appropriate public recreation.

The Forestry Commission will manage the Crown lands in the New Forest in accordance with the following principles:

Natural Heritage
The Forestry Commission will work to enhance the nature conservation importance of the New Forest, in line with its status as a candidate Special Area of Conservation, through:

- continuing to manage New Forest habitats of national and international importance to maintain or enhance their nature conservation interest;
- undertaking a programme of conversion and restoration to increase the area and/or quality of important New Forest habitats, including pasture woodlands, heathlands and valley mires, grasslands and wetlands, rivers and streams;
- implementing the UK Forestry Standard and any relevant commitments arising from the UK Biodiversity Action Plan and Forest Enterprise’s and English Nature’s Statement of Intent.

Cultural Heritage
Cultural heritage in the New Forest finds expression in a wealth of archaeological sites, in a landscape which has been determined by cultural influences, in rare agricultural and forestry traditions and practices, and in unique social interactions derived over centuries.

The practice of commoning is of great cultural heritage value, both in its own right and for maintaining the traditional character and nature conservation interest of the New Forest. The Forestry Commission will support a sustainable commoning tradition, principally through actively maintaining open forest grazing capacity in a scientifically sound way.

Scheduled and unscheduled archaeological sites are found all over the Forest. The Forestry Commission will prepare specific plans for scheduled Ancient Monument Sites to ensure their protection and enhancement. The Commission will take account of the need to protect other known archaeological sites when determining any management operations in their vicinity.

The New Forest has a nationally valued cultural landscape. The Forestry Commission will consider landscape issues in preparing its Forest Design Plans.
The New Forest has had a continuous history of management interventions for more than a millennium. The Forestry Commission will identify and maintain examples of this heritage, particularly where they contribute to the positive management of important habitats and do not adversely impact upon the overall nature conservation interest.

**Public Enjoyment**

The Forestry Commission will plan and manage the provision for access and recreation for local people and visitors to the New Forest in ways consistent and compatible with conservation of nature and heritage.

**Rural Development**

The Forestry Commission will contribute towards the maintenance of a viable rural economy in the New Forest through the provision of work and business opportunities arising from the management of the Crown lands, including woodland management for timber production.

The Commission will co-operate with interested parties in maintaining business and employment opportunities dependent on the Forest, particularly tourism. The Commission will carry out rural development activities in ways that are consistent and compatible with conservation of nature and heritage.

**Working Together**

In planning its work the Forestry Commission will continue to maintain extensive local consultations. The principal fora will be the Verderers Court, the Consultative Panel and the New Forest Committee.

**Management Plan for the Crown Lands**

The Forestry Commission will prepare a Management Plan for the Crown lands of the New Forest, which will incorporate the above principles. The Plan will contain the following management objectives, which are listed in priority order, and the format and content of the Plan will be as described below.

**Management Objectives**

The Forestry Commission’s objectives for the management of the Crown lands will be:

(i) conservation of the natural and cultural heritage as the principal objective of management;

(ii) community engagement through greater public participation in decision making, promotion of rural development opportunities, provision of access
and recreation opportunities and increasing public awareness and understanding;

(iii) insofar as is consistent and compatible with the first and second objectives, efficient management of the Forestry Commission’s operations and appropriate generation of income from timber production and other uses of the Crown lands.

Format and Content

The new Management Plan for the Crown lands of the New Forest will become operative before the end of 2001. It will include component plans for the management of the Inclosures, the Ancient and Ornamental Woodlands, the Open Forest, and, over the whole area, management plans for access and recreation, and for four species of deer. The Management Plan will be consistent with the needs of the Special Area of Conservation Management Plan and the Strategy for the New Forest prepared by the New Forest Committee. In drawing up its plans the Forestry Commission will consult with local communities who may have an interest.

Plan for the Inclosures

(i) A significant proportion of woodlands in the Inclosures will be modified to restore pasture woodlands, heathlands, valley mires and Ancient and Semi-Natural native woodland where these are appropriate. A consequence of the modification will be that the present overall balance between broadleaves and conifers will be changed in favour of broadleaves. The pace of this modification will depend on markets, availability of resources and a desire to avoid unnecessary premature felling of existing growing trees, the removal of which will be necessary for restoration of habitats.

(ii) No broadleaved woodland will be regenerated with conifers.

(iii) The regeneration of broadleaved areas will be managed with an emphasis on conservation of nature and amenity. For oaks, beech and Sweet chestnut, stand rotations will be at least 200 years with cleared patches for regeneration thereafter not exceeding one acre.

Plan for Ancient and Ornamental Woodlands

These woodlands will be conserved, as at present, without regard to timber production, felling being kept to the minimum necessary to remove unwanted exotic species or promote effective regeneration, and limited to single trees or clumps of trees; consultation with English Nature and other interested bodies will precede a programme of regenerative measures.
Plan for Open Forest

(i) The Open Forest will continue to be managed actively for the benefit of common grazing.

(ii) A wide diversity of age, structure and distribution of vegetation will be sought and maintained for the protection of populations of nationally scarce wildlife in consultation with English Nature and other interested bodies.

Review
This Mandate will be reviewed and renewed in 2008.

Rt Hon Nick Brown MP
Minister of Agriculture, Fisheries and Food
5 July 1999