

New Forest Fact File

HISTORY AND HERITAGE

Commoning

Commoners of the New Forest are those who occupy land or property to which attaches one or more rights over the Forest. The rights are attached to property and not an individual. Claims to rights, which had to be established by long usage, were registered by a Parliamentary Commission of 1858, and the lands to which rights are attached are shown on an Atlas held by the Clerk of the Verderers at the Queen's House, Lyndhurst.

Under the Norman kings, Forest Law, which was designed to protect the 'beasts of the chase' and their habitats, denied to the farmer the right to fence more than an acre or two of land next to his dwelling, or to have animals on the Forest during winter (winter heyning). However, a vigorous pastoral economy developed, based on the right of common grazing on the Forest waste. This right and subsequent uses of the Open Forest by local dwellers were recognised by the Crown, so that by the time it was decided to investigate and register claims for Forest rights in 1858, six rights of common were recognised.

The Rights of Common:

- Pasture: The right to put ponies, cattle and donkeys out on the Forest.
- Sheep: The right to turn sheep out on the Forest - only a few properties have this right and none are currently exercising it.
- Mast: The right to turn pigs out on the Forest in Autumn (pannage season) to feed on the acorns and beech mast which have fallen. This not only provides food for the pigs but removes excess acorns from the Forest which are poisonous to ponies and cattle.
- Fuelwood: The right to collect wood for fuel. This amount is now regulated with wood being put into 'cords' on the side of forest tracks for commoners to collect. The Forestry Commission and its predecessors have bought up many of these rights of fuelwood as the supply has caused them inconvenience.
- (Estovers)
- Marl: The right to take limey clay for improvement of agricultural land. This is no longer practiced in the Forest.
- Turbary: The right to cut peat for fuel. This is no longer practiced in the Forest.

These rights are only there for the use of the commoners and not for resale.

Stock turned out in the New Forest mainly comprises ponies, cattle, donkeys and a small number of pigs. In the Forest, the animals turned out to graze are known as 'the depastured stock'. Many live in the forest all year round, grazing the Forest lawns in the summer and browsing on gorse, holly and heather in winter. The commoners have a responsibility to look after the welfare of their animals.

In 2001 the numbers of Commoner's animals depastured on the Forest were as follows:

Ponies	3885	Pigs	172
Cattle	2890	Donkeys	83

VERDERERS

The Court of Verderers was established by the New Forest Act of 1877 and consists of 10 Verderers of whom five are elected and five are appointed. One verderer each is appointed by the Minister of Agriculture, Forestry Commission, Hampshire County Council, and Countryside Commission, and the Official Verderer who presides over all is the Sovereign's representative. The 5 elected Verderers must all be commoners in their own right. The Verderers of the New Forest deal with all matters affecting the Open Forest including the commoners' animals. They work in conjunction with the Forestry Commission and English Nature. The name verderers comes from the Norman "vert" meaning green and relates to their role as guardians of the Open Forest.

The Court of Verderers meet on the middle Monday of every month (except August). It is an open court, which means that any person is able to make a presentment if they so wish. The verderers will consider the presentment and a judgement will be given during the next session at the earliest.

AGISTERS

Four agisters are employed by the Verderers of the New Forest to look after the day-to-day welfare of the commoners stock. In late Summer and Autumn, round ups ('drifts'), which are the responsibility of the Agisters, are held throughout the Forest. The Agisters collect a 'marking fee' for the depasturing of the animals and cut the tails to show the fee has been made - each agister has his own individual tail marking so it is known to whom the 'marking fee' was paid. The animals are also wormed at this stage and any ponies that are to be over-wintered on properties or taken to the sales are removed. Another duty of the agisters is to attend any accidents involving commoner's stock.

COMMONING TODAY

Commoning no longer provides a living, only being economical as part of other farming practices. It is continued by many simply because it is a traditional way of life and by others because they find enjoyment in it. Children of commoners are finding it very hard to continue the practice because of the poor returns it gives especially at the pony sales, and the difficulty of finding an affordable property in the right area. Many of the houses with Rights attached have been bought up as holiday and retirement homes with the owners having no intention of continuing the old traditions.

In 1992, a Housing Trust was founded which aimed to protect the traditional nature of the Forest by ensuring genuine commoners can continue to live in the area and that houses aren't all bought by 'outsiders'.

The first register of commoners (1858) recognised the claims of 1,200 people. A decline in the number of commoners occurred over the next 100 years and reached a low in 1940. Between 1965 and 1993 the number of commoners has varied between 290 and 416 with an average of 356. In 2000 there were 455 practicing commoners.

It is important that the tradition of commoning is maintained since the ponies are the 'Architects' of the Forest. Without them the Forest would soon become overgrown with brambles, gorse and other coarse herbage and lose its ecological and recreational value as one of the major lowland pasture woodlands in Europe.



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