

Presentment to the September 2025 Verderers Court

Official Verderer and Verderers and the members of public attending court today, I am Sarah Nield, Chair of the New Forest Association (NFA). I am giving this presentment on behalf of the Association to ask the Verderers to clarify the legal status of the campsites on the open Forest with Forestry England. It will give confidence to all if this clarity can be agreed sooner rather than later.

The NFA has been seeking to establish the legal status of the campsites for some years in the face of a complex legislative history. Our understanding is that an undocumented licence of the campsites was granted to the Forestry Commission (as it then was) by the Minister in or around November 1971 following recommendations for the control of camping and car parking on the open forest by a Steering Committee set up for this purpose. By law this licence could not be granted for more than sixty (60) years and thus would expire around the end of 2031.¹ The current arrangement by which Camping in the New Forest Ltd operate the campsites was granted by the Minister, with Verderer consent, at the start of 2023 and we understand is for 10 years. There is thus certainly no more than 8 years before the current licence(s) expire. A relatively short time in Forest matters!

On expiry we maintain that the consent of the Verderers will be required for any licence renewal or extension. That consent to the continuation of campsites on the open Forest can only be given if the Verderers can meet their strict statutory and public law duties for example, their obligations to conserve the Forest, protect commoning and satisfy the environmental standards governing protected landscapes. The court needs to confirm that the legal status as set out is agreed by relevant parties and that any consent to the campsites on the open forest they may give in future meets the strict legal requirements the court must apply.

We recognise the benefits of camping provision in the Forest whether that is affordable visitor accommodation, enhancing visitor's health and wellbeing and their appreciation of the Forest. However, camping, just like other facilities, needs to be in the 'right place' – not on a SSSI or Special Area of Conservation in unfavourable condition. The certainty that agreement on the legal status of the campsites would bring will enable the parties and all those responsible for the favourable conservation status of the Forest to immediately plan for the future. Investment decisions would rest on firm foundations, the relocation of unsuitable sites secured and managed with the minimum of disruption with income flows maintained as far as possible.

¹ See s18(1)(e) of the New Forest Act 1949. See also s1 New Forest Act 1970.

In short, we urge the Verderers and Forestry England to agree the legal status of the campsites now and to plan for sustainable camping provision in the Forest.