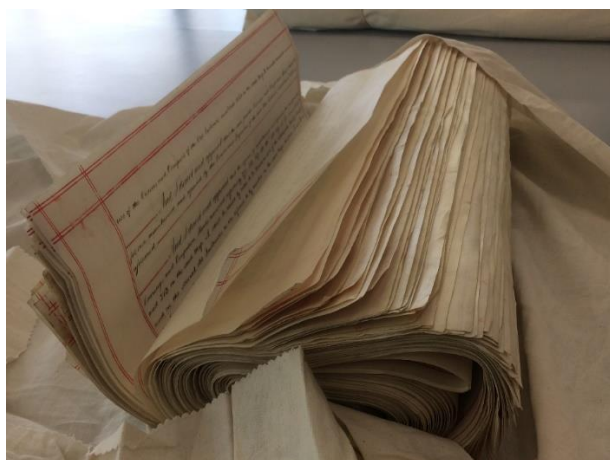


knest Fields Working Group: Evidence Dossier



Blacknest Fields Working Group: Evidence Dossier

Acknowledgements

Contents:

- 1. Executive summary**
- 2. Introducing this 'forgotten asset'**
- 3. Blacknest Fields ('BNF') history and legal constraints**
 - 3.1 Blacknest in Victorian times
 - 3.2 How did BPC acquire its land at Blacknest Fields?
 - 3.3 Blacknest Recreation Ground: Could it be sold? What can the land be used for?
 - 3.4 The Allotment Gardens: Could they be sold? What can the land be used for?
- 4. Rights of Way, access, hedges and fences**
 - 4.1 The importance of Bridleway 41
 - 4.2 Is BPC fulfilling its Rights of Way obligations? What could improve this?
 - 4.3 Lost footpaths – should they be reclaimed?
 - 4.4 Is BPC fulfilling its Village Green access obligations? What could improve this?
 - 4.5 Is BPC fulfilling its hedge and fence obligations?
 - 4.6 Car parking – should it be provided at BNF?
- 5. Drainage and flooding**
 - 5.1 What drainage and flooding issues affect BNF?
 - 5.2 What could improve BNF's drainage and flood resilience?
- 6. Is BNF ecologically valuable, or just another grazing field?**
 - 7.1 BNF is ecologically valuable.
 - 7.2 BNF's woodland edge mosaic habitat
 - 7.3 BNF's role as a wildlife corridor
 - 7.4 On-site biodiversity assessments
 - 7.5 Opportunities to improve BNF's ecological condition.
 - 7.6 Opportunities for carbon sequestration and climate resilience
- 7. Potential uses for BNF**
 - 8.1 As a halt for walkers
 - 8.2 Sports pitch
 - 8.3 Sale of land
 - 8.4 Commercial forestry
 - 8.5 Equine grazing
 - 8.6 Riding stables
 - 8.7 Wildlife conservation area
 - 8.8 Farming
 - 8.9 Community greenspace (with 9 sub-options)
 - 8.10 Designation as a SANG (Suitable Alternative Natural Greenspace)
 - 8.11 Biodiversity offsetting
 - 8.12 Hybrid options
- 8. Parishioners' views**
 - 9.1 2018 Asset Review survey
 - 9.2 Views of Working Party members
- 9. Conclusions and Recommendations**

Appendices: Correspondence, records, maps and photographs

Acknowledgements

Binsted Parish Council wishes to record its thanks to the following parishioners, who have participated in the Blacknest Fields Working Group and its discussions:

Lesley and Graham Clague, John Coney, Nial and Angela Dunne, Claire Fargeot, Tony Franklin, Charles and Kate Ironside, Alison Melvin (WG Chair), Andrew Morrell, Andrew Reavley, Rachel and Keith Ruffell, Paul Sage, Melissa and Ian Salisbury, Geoff Woollen and Peter Wonson.

The council additionally wishes to thank the following additional individuals and organisations, for the generous help they have extended to the Working Group in drawing together this Dossier of Evidence:

Gina Hynard, Archivist, Hampshire Records Office

Nia Jones and Tony George, Legal Advisors at The Charity Commission

Pat Seale, local historian

Chris Lickley, Laura Tong, Bob Epsom, Chris Paterson & Dan Oakley, South Downs National Park Authority

Adam Macey, Abby Sullivan and Elliott Rowe, HCC Countryside team

Christopher Clare, Joan Clark and Charlotte Bartlett, Forestry England (Forestry Commission)

Tim Randall, Forest Research (Forestry Commission)

Nicole Hawkings and Amy Robjohns, the Hampshire Biodiversity Information Centre

Deborah Whitfield, Hampshire & IOW Wildlife Trust

Dan Bosence and Steve Lockett, of Bealeswood Wildlife Recording group

Paul Hetherington, Buglife

Victoria Potts and Amanda Dunn, East Hampshire District Council

Cllr Mark Kemp-Gee, Alton Rural Division, Hampshire County Council

Ian Fleming, Binsted Footpath Officer

Ben Hamlin, Binsted Tree Warden

Prof Andy Moffat, EHDC Tree Warden Co-ordinator

Rob Simpson, of Bentley Wildlife Group

Barry Clarke, of Froyle Wildlife

Gareth Hurd, Alton and Villages Local Action for Nature (AVLAN)

Old maps e.g., www.promap.co.uk or www.old-maps.co.uk

MAGIC and other online maps/resources such as Google Earth Maps.

1. Executive Summary

1.1 What's the remit of the Blacknest Fields (BNF) Working Group (WG)?

The BNF WG was set up after the 2018 parish assets survey, which include 8 acres of land at Blacknest Fields ('BNF'). BNF is located east of C98 Blacknest road, at postcode GU34 4PZ, grid reference 51.169824, -0.861377. It lies within the South Downs National Park.

The WG's remit is to "**recommend** how Binsted Parish Council (BPC) land at BNF can be used to generate best value for the parish community, for BPC's decision." The final decision on how the land is utilised rests with the parish council.

1.2 What is meant by '**generating best value for the community**'?

Binsted Parish Council (BPC) wants all parish council assets to '*earn their keep*' in terms of community value. Such value generally lies in assets' contribution to the parish's social, cultural, or ecological wellbeing, rather than in financial terms. In choosing how to develop BNF, BPC must consider the needs of our local communities post-Covid, and the climate and biodiversity crises, as well as its own (limited) resources. The WG notes that:

- Blacknest Fields was acquired for the community, to assist the 'labouring poor', at a time of great change of social and economic upheaval during the mid-19th Century Inclosures.
- The current pandemic prompts us to re-think our future community needs, and to re-imagine how the council's 8 acres at Blacknest might best be used to meet social needs.
- Environmental concerns, notably climate change and biodiversity loss, also require us to re-think traditional land use, increase flood resilience, address species loss, and so forth.

1.3 Why has this Dossier of Evidence been compiled?

This Dossier aims to provide a robust, unbiased body of evidence on which BPC can confidently base its decisions, drawing all information about the site's history, legal status, current condition, and potential uses into a single document that can be easily shared.

- **Sections 1-7** analyse the site's history, legal status, physical and ecological condition, based on expert opinion gathered from a wide range of sources.
- **Sections 8-9** explore potential uses for the site, and the WG's views on these ideas.

Overall, the Dossier is framed as a series of questions, which seeks to clarify five key points:

- Is BPC meeting its BNF obligations? (public access, trees, drainage, fencing)**
- Is BNF an ecologically valuable site, or 'just another grazing field'?**
- What potential uses could the site serve?**
- Should the site be retained or sold?**
- What 'next steps' are now needed?**

1.4 What process has the WG followed to develop this Dossier?

Considerable research has been undertaken, to fill knowledge gaps, notably about BNF's legal status. The compilation process has also produced useful debate of community needs.

- The WG has met five times, most recently by Zoom in January 2021:
- January to April: the WG Chair led research to fill knowledge gaps, by searching archive records and gathering information from a wide range of sources. WG members contributed ideas on site use (Appendix J); and identified omissions/errors in the Dossier. Site visits assessed site drainage and overall condition.
- In April: WG members completed a Survey Monkey survey to rank the relative attractiveness of the site uses that were suggested, as reported in Section 9.
- In May, the Charity Commission provided legal advice on BNF's legal status. SDNPA and Hampshire Wildlife Trust made site visits; and bat and hedge surveys were undertaken.

1.5 The WG has now reached conclusions on its 5 key questions:

Question (1): Is BPC meeting its BNF obligations?

Short answer: No. Although BPC meets its legal obligations for bridleway access, drainage and fencing, the big game changer is discovering that the Recreation Ground is a registered Village Green, to which the public must have access for 'recreation and enjoyment'.

In more detail: Section 3.3 discusses the legal background. The obligation could be met:

- a) By opening 3.6 acres of the BNF site, and reducing the area let for equine grazing; or
- b) By selling the Recreation Ground and buying a new site that is *more* convenient and beneficial as a Village Green than the original (Section 3.3.1).

Option (a) is recommended. Option (b) would require significant investment. Land that's *'more convenient and beneficial'* would cost more than the land at Blacknest.

A further issue is that BPC's financial reporting to the Charity Commission is not fully compliant. The Charity Commission has suggested ways to improve this (Appendix B.)

Question (2) Is BPC ecologically valuable, or just another grazing field?

Short answer: Ecologists who visited the site advise that BNF is ecologically valuable, with four things that are particularly 'special' about it, in ecological terms:

- (i) Its woodland edge, mosaic habitat, adjacent to the Alice Holt Forest SINC.
- (ii) Its location in the wider landscape, that makes it an important wildlife corridor;
- (iii) As lowland grassland, it is a valuable open habitat and a priority for conservation;
- (iv) Its near-veteran oak trees, and other flora and fauna in the Allotment Gardens.

Additionally, visitors to the site have commented that BNF has a nice 'feel':

"There's a lovely sense of place there, I could spend the day!"

In more detail: Section 7 discusses these ecological aspects, and reviews BNF's trees, hedges, bats and other wildlife recorded. The key point is that BNF (the Allotment Gardens in particular) has potential to be a real wildlife haven if the habitat is sensitively managed.

BNF is 'wood pasture', a particularly diverse and ecologically rich habitat that occurs where old meadows lie adjacent to semi-natural ancient woodlands; and it is possible that the Blacknest area may possibly be '*ancient* wood pasture'. Alice Holt was a Royal forest and medieval deer park, and the Blacknest meadows were clear of woodland before 1852.

Sections 7.5 and 7.6 identify opportunities to improve BNF's ecological condition and climate resilience. Table 7 shows that some simple management changes can be made at near-zero cost, even with BNF's current use (grazing). Other changes require more significant volunteer effort and/or grant funding, such as adding hedges, wildflower meadows, or a wildlife pond.

Question (3): What potential uses could the site serve?

Short answer: The WG identified 19 site use options, including sale (Table 1).

The WG thinks the best options involve developing BNF as halt for walkers, place for nature and community greenspace.

In more detail: The 19 options are listed in Table 1, and fully discussed in Section 8. They comprise 11 main options, plus 9 separate sub-ideas associated with natural outdoor community space. Hybrid options are also possible, by 'zoning' the site to allow different uses on separate parts of the site, and/or using site areas to fulfil multiple uses. Table 1 summarises WG members' responses to a survey on the relative attractiveness of the 19 uses. The preference is for low-key activities, accessed by foot/bike, not by car.

	Table 1: WG's views on relative attractiveness of site uses	Mean Score*
1	Enhance BNF as a halt for walkers (no parking)	4.13
2	Wildlife enhancement (pond, flowers, trees, etc) (no parking)	4.07
3	Community - natural playground (no parking)	3.93
4	Community - permaculture and foraging (no parking)	3.67
5	Community - stargazing (no parking)	3.60
6	Community - tree seedling nursery (no parking)	3.53
7	Community orchard (no parking)	3.33
8	Register BNF on register of land for Biodiversity Offsetting	3.33
9	Community wood hub (e.g. beanpoles, men's shed) (no parking)	3.07
10	Equine grazing on part or all the site	2.93
11	Community - forest school (with parking)	2.80
12	Community - Roman Pottery kilns interpretation (no parking)	2.80
13	Community - Green social prescribing (no parking)	2.53
14	Commercial forestry, by prof mgt company on BPC's behalf	2.07
15	Leasing or selling the site for farming (with vehicle access)	2.00
16	Restoring the sports pitch (with parking)	1.87
17	Sell part of land to a Community Land Trust - affordable house	1.67
18	Change of land use to allow Riding Stables (with parking)	1.60
19	Sell part of BNF land and buy a larger Village Green elsewhere	1.13
Note: * mean score is computed from Survey Monkey responses from 15 Working Group respondents, using a 5-point scale, in which 5 = 'Brilliant idea' and 1 = 'Terrible Idea'.		

BNF has a greater potential for local community use than might be expected

- **It is surprising that such a high percentage of Binsted parish residents live near BNF:** 30% live within a one-mile radius; 55% within a two-mile radius; and approximately 100 further people work at nearby Blacknest Industrial Estate (Section 2.4).
- **Bridleway 41 provides important community access,** linking BNF with the Bucks Horn Oak community and the local Rights of Way network, including the path network around Alice Holt Forest. Fixing the bridleway's dire surface condition is agreed to be a top priority (Section 4.1): we are delighted this will be undertaken in Summer 2021.
- **There seems scope for BPC to work collaboratively with local residents and workers** to develop the site as a community asset, particularly if BPC proactively 'introduces' them to this currently unknown site, although any publicity should be deliberately low key.

The community value of access to nature and recreational greenspace

- **In the pandemic, many of us have become more aware of our local greenspace.** We have also become more aware of inequalities, and of issues like mental health and isolation. We need to consider that home working, more flexible working patterns and community collaboration may have permanently increased in importance.
- **In terms of providing relief to today's 'labouring poor':** there are local instances of poverty (in Binsted parish and in Alton and Bordon). Young people face particular stresses about jobs and affording housing.
- **Access to nature is recognised as vital for *everyone's* physical and mental health** – it is also increasingly recognised for providing a useful starting point for interventions for people in various forms of crisis, of all ages and backgrounds. In Section 8.9, this Dossier explores the potential that greenspace at BNF might be able to play in community wellbeing – for example, in discussions about Green Social Prescribing (Section 8.9 (ix)), Permaculture (Section 8.9 (iii)) and Community Wood Hubs (Section 8.9 (vi)).

Question (4): Should the site be retained, or sold?

Short answer: The WG's strong opinion is that BNF should be retained, not sold.

In more detail: Both the Recreation Ground and Allotment Fields are highly constrained by their legal status, as detailed in Section 3. The Charity Commission has advised that: any sale would involve a complicated legal process; generate little income; and in fact could require an investment of funds to be made.

- **The Recreation Ground** is an asset of 'Holt Pound Recreation Ground' registered charity (#301743) and must be used for the charity's stated purpose, namely: *"to provide a place of exercise and recreation for the inhabitants of Binsted and neighbourhood."* It is ALSO a registered Village Green that cannot be sold unless it is de-registered by the Secretary of State and various tests met, including provision of exchange land at least as big as the original green and more convenient and beneficial. The process for the latter is complex. Such an exchange would *require* significant investment, rather than *generating* funds.
- **The Allotment Gardens** are also assets of 'Holt Pound Recreation Ground' registered charity (#301743). This fact was, until now, completely unknown. 'Holt Pound Recreation Ground' (#301743) is one charity, but holds Recreation Ground and Allotment Gardens on different trusts. The latter are for the (labouring) poor and do not have recreational trusts attached. The Charity Commission has updated its Register of Charities to clarify that the Trust has both objectives (it previously recorded only the recreational trust).

The Charity Commission has advised (Appendix B) that any change in the purpose for which either parcel of land is used needs their approval: *"If the land can still be used for its original purposes, this use should continue. If the purpose for which land is used needs to be changed, the Charity Commission can consider making a Scheme to amend the charity's purpose ... and if a cy près¹ occasion has arisen which means the land cannot be used for these purposes anymore, the Scheme can include the power to Sell."* To apply for a Scheme for amendment or sale, the council would need to:

- Hold a public consultation on the change of use,
- Vote on the change of use with the necessary Council quorum, and
- Advise if the proposed change has met any opposition or controversy; plus
- Any sale would need to comply with the requirements of 2011 Charities Act.

Any sale proceeds will be Permanent Endowment, where the proceeds are held as capital and only the interest earned on this capital can be used as income. Full details are given in Section 3. Any proceeds must be spent on the charitable objective.

BPC finances are in good order. If improvements are desired elsewhere in the parish (e.g. other community greenspace), BPC has a good track record of raising grant funding.

WG members are overwhelmingly opposed to selling/leasing the site. All 'sale' options received the lowest scores in April's survey on the relative attractiveness of 19 potential site uses, (Table 1). Selling land is an irreversible act, that removes future generations' opportunity to use it. Keeping the site retains flexibility to develop future community activities, or to sell the land, should this become necessary. Most WG members feel it would be un-acceptable to sell land to bolster council reserves for as-yet-undefined projects; and unwise to play one part of the parish off against another. Some WG members are committed to robustly opposing any sale if, for example, a public consultation about this was held.

¹ Cy près is a legal term, which describes a judicial decision, when the original action cannot occur, to allow an alternative that comes as close to the original intention as the law permits.

Question (5): What 'next steps' are now needed?

Short answer: A July vote to take BNF sale 'off the table' and a clear plan by December.

In more detail: The WG has now been in place for three years. Everyone recognises that the local community urgently needs clarity on what the council is going to do with BNF. To resolve this uncertainty for parishioners, BPC must take clear and decisive action.

As continuing the Status Quo is not an option, BPC itself also needs to reach decisions about how to fulfil its obligation to provide public access to the Recreation Ground at BNF.

The WG strongly believes BNF should not be sold and recommends that BPC votes, in July, to take the sale option 'off the table'. This will assist the evaluation of remaining options.

The WG obviously hopes BPC will agree with its recommendation NOT to sell. However, regardless of its decision, the WG urges the council to agree a definitive future plan for BNF. The WG suggests the same approach is used to develop a forward plan, irrespective of whether BPC votes to sell or to retain BNF. Specifically: by mid-December, a clear, costed Development Plan *OR* a Divestment Plan should be agreed, through the approach in Table 2. If no Plan is in place by that date, BPC should revisit its sale vote decision in January 2022.

Table 2: Proposed next steps towards an Action Plan for BNF

In June (date tbc), the WG will present the BNF Dossier (by zoom), to BPC and any interested members of the public. The purpose of this briefing is simply to share the finalised Dossier, ahead of the BPC's July vote. The presentation will give an opportunity to ask questions about information in the Dossier (but not to debate the merits or otherwise of the potential site uses.)

At 6 July BPC meeting, WG will present a motion not to divest the BNF site, on which the BPC will vote. This motion has the three aims:

- (i) to bring closure to local residents, on long-running concerns about a potential sale;
- (ii) to shorten the options list, so BPC can focus on evaluating the remaining options;
- (iii) to enable parishioners and partnership organisations (SDNPA, EHDC, local wildlife organisations, etc) to engage with BPC to shape future site plans. [Positive links have been developed with external organisations during compilation of this Dossier but, unless the 'sale' option is removed, this impetus for new partnerships will be lost: prospective partners will not risk further engagement without a clear signal that BNF is not to be sold.]

At August BPC meeting, a 'BNF Routemap' will be presented:

If, in July, the council voted not to divest the BNF site, the BNF WG will present a 'Development Routemap,' clarifying a timetable to firm up the development proposals, timings and costings, which will include a recommendation (for BPC's decision) on whether the current grazing contracts should be continued (decision needs to be taken in August.)

If, in July, the council voted in favour of divesting the site, it will have appointed a BNF Divestment WG which will, in August, present a 'Divestment Routemap' that clarifies the next steps, including the appointment of legal counsel and the timetable for public consultation on the proposed Scheme for Change of Use & Sale.

By 15 December, a clear, costed Development Plan OR Divestment Plan must be agreed by BPC. If no such plan is in place, BPC will revisit the sale vote decision at its January 2022 council meeting.

Blacknest Fields: 8 acres in total

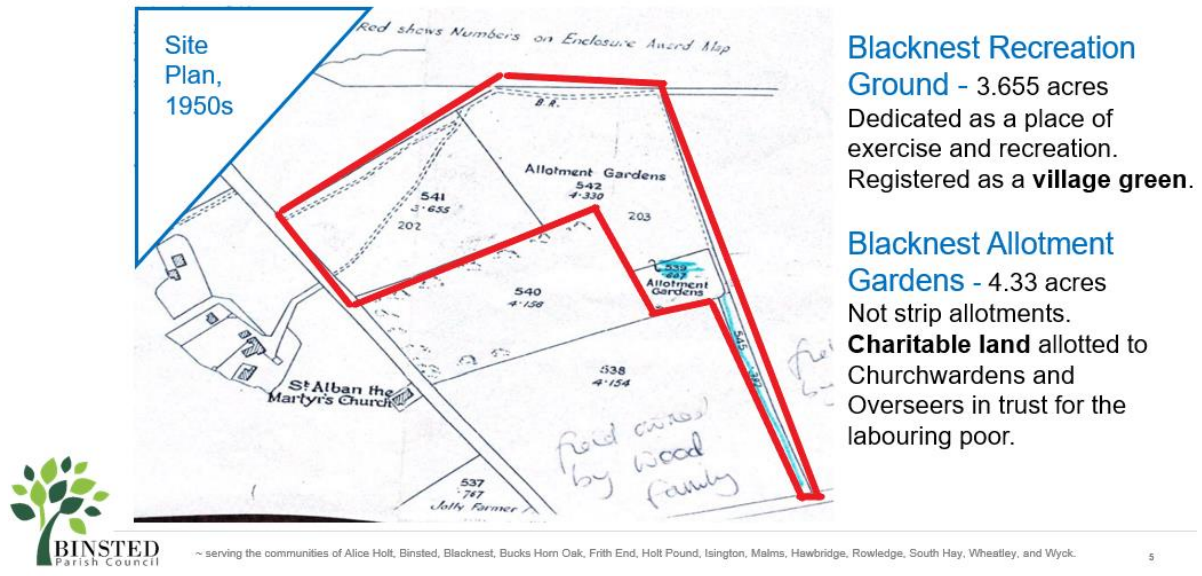


Figure A: Site Plan, from a 1950s map.



Figure B: Site Zones (Note – The Path Strip (southeast of site) is not included in this diagram.

2. Introducing this 'forgotten asset'

2.1 A 'forgotten asset'. Few parishioners are aware of Blacknest Fields' existence and very few have visited them, so this Dossier assumes the reader has scant knowledge of the site. BPC also had significant gaps in its knowledge about the legal and physical status of the site.

2.2 Located east of C98 Blacknest road, at postcode GU34 4PZ, Grid reference 51.169824, -0.861377, BNF lies within the South Downs National Park, a Dark Sky Reserve (Section 8.7.3.) The site has nice views across the adjacent forest and is very peaceful. One visitor remarked: *"There's a lovely sense of place there; I could spend the day!"*

2.3 BNF is owned freehold by BPC and comprises three elements (Figure A overleaf):

- **'Recreation Ground'**: a rectangular 3.655 acre field alongside the Blacknest Road
- **'Allotment Gardens'**, two rear fields, roughly L-shaped, 4.33 acres in total
- **'Path Strip'**, tree-covered land south of the Allotment Gardens, over a water pipeline.

The Deeds have been obtained from the Land Registry (Appendix A) – however, the Title Plan shows only the general position, not the exact line, of the boundaries

12 Zones - To assist discussion, the site has been divided into 12 Zones (Figure B). This zoning has no significance other than to ease reference.

Site utilities. There is no mains water or electricity. (Water for grazing is from adjoining house.)

Finances. The BNF site generally breaks even (Section 8): grazing generates small surpluses (after field mowing, hedge cutting), to fund tree and fence maintenance.

The land has not been registered with the Rural Payments Agency.

2.4 Proximity to modern settlements. Binsted is a highly dispersed parish, but 2011 Census figures show that 30% of Binsted parish's population live within a one mile radius of BNF, and approximately 100 people work at the Blacknest Industrial Estate. 55% of Binsted's residents live within a two-mile radius (Appendix D). Using figures from 2011 census:

- 11% of parishioners live in the Blacknest area
- 11% live in Bucks Horn Oak (BHO), 1 mile from BNF (and can access via Bridleway 41).
- 8% live in the station area of Bentley, 1 mile from BNF
- 8% of parishioners live in Frith End, 1.8 miles from BNF.
- 7% live in Isington, 1.8 miles from BNF.
- 8% live in Holt Pound, 1.9 miles from BNF.
- 2% are described as living in 'Alice Holt' (likely to be within 2 miles of BNF).
- [20% of Binsted parishioners live in Binsted Village.]

A full breakdown of 2011 Census population by location is shown in Appendix D.

Analysis of the current Electoral List shows a similar distribution to the 2011 Census figures:

% Electors	% Households	
7%	8%	Blacknest
17%	11%	Bucks Horn Oak
9%	9%	Frith End
7%	8%	Bentley Station Road
11%	9%	Holt Pound
6%	7%	Isington
18%	20%	Binsted
13%	14%	Other
12%	14%	Rowledge
100%	100%	Total Binsted Parish

3. History and legal constraints

3.1 Blacknest in bygone (Victorian) times

A volunteer local historian kindly trawled through the archives to give us a picture of Blacknest in the years immediately after the council's BNF acquisition. It was a typical rural community, in an area surrounded by Hop Gardens, smallholdings and of course Alice Holt. Blacknest was sufficiently important for BPC to have a specific 'Blacknest Committee.'

Blacknest Recreation Ground and Allotment Fields were very much at the heart of village life. From 1872 until 1913, Blacknest had two pubs: the Jolly Farmer was at the crossroads (Fig C) and The Cricketers was right opposite the Recreation Ground. The Recreation Ground's footpath continued right to The Cricketers' front door! Blacknest's most infamous murder took place at the Cricketers, where Cyrus Knight shot his wife (a crime for which he was later hanged). In 1913, renewal of the Cricketers' licence was refused, on the grounds that one pub seemed sufficient for a village of Blacknest's size.



Figure C: 'Jolly Farmer' pub at Blacknest crossroads, with Church of St Alban the Martyr behind.

After Binsted School opened in 1874, most of Blacknest's children were enrolled there, rather than at Bentley School. An 1882 Binsted School Logbook entry noted that 60 of the children came from "points along the road from Binsted to Blacknest" (on which there were four public houses within 2 miles.) The Blacknest children do not seem to have distinguished themselves. There were many complaints about their poor attendance and lateness, in part because they had to walk two miles to school, so rain and snow took their toll. Poverty was clearly a factor, too: the parents struggled to pay their 'school pence'; and the children were "often in the Alice Holt wood", "victualling pigs", "minding cows" or taken out of school to help with seasonal farming tasks, in particular tying in the hops in Spring. The children's bad language on their way home, and high incidences of childhood illnesses in Blacknest also caused the schoolmaster concern. As did the fact that many Blacknesters were 'Dissenters': Blacknest's Bible Christian Chapel (on Binsted Road) was popular with non-conformists. An Anglican alternative was built - the 'iron church' of Church of St Alban the Martyr opened in 1899 near Blacknest Fields (Fig C), which could seat 150 worshippers.

The local police were zealous. Plain-clothed police apprehended and prosecuted a group of Blacknest men for playing 'pitch and toss' (a gambling offence.) 'Stop and search' was used to prosecute a Blacknest man after his discharge from the Alton workhouse, for the supposed theft of two swedes (and later, for being in possession of 'mangold wurzels'.)

There was a well at the Jolly Farmer crossroads, and the railway stopped in Blacknest. In 1950, planning permission was acquired to build a Village Hall adjacent to the Recreation Ground (although this was never built); and the Anglican church and railway also later closed.

3.2 How did BPC acquire its land at Blacknest?

3.1.1 The Land Inclosure Acts

The Parish Council's acquisition of its Blacknest land demands an understanding of the mid-19th century Inclosures. The Churchwardens and Overseers of the Poor (precursors to parish councils) were given land for community recreation activities and to assist the poor.

Inclosure meant literally enclosing a field with a fence or a hedge to prevent others using it. This seemingly innocuous act triggered a revolution in land holding that dispossessed many, enriched a few, and helped make the agricultural and industrial revolutions possible, as discussed in the episode of Radio 4's 'In Our Times:' ['The Enclosures of the 18th Century'](#).

Inclosure Acts for small areas had been passed sporadically since the 12th century. Until 1845, inclosures were by means of local acts that had to be approved locally and ratified by Parliament. 1845's General Inclosure Act created the Inclosure Commission, which could enclose land without submitting a request to Parliament. After 1845, enclosure swept the country. Binsted's Map was drawn up in 1852, its accompanying Award document in 1857.

Prior to inclosure, rights to use the land were shared between landowners and commoners. Traditionally, a manor's landholding would typically consist of:

- Two or three very large areas of arable land
- Several large common hay meadows (on which commoners typically had rights to graze their animals when hay was not being grown),
- *Closes* (small areas of enclosed private land, such as paddocks, orchards or gardens)
- In some cases, a park around the principal manor house
- 'Common' land, controlled by the lord of the manor, over which commoners had agreed rights, such as pasture, pannage or estovers (such as taking wood for fuel); and
- 'Waste' land (meaning *uninhabited places*) such as downland, moors, and land in awkward locations (e.g., inconvenient manorial borders), was typically used by landless peasants.

Inclosure created a legally binding ownership system. Before inclosure, lords of the manors already held the bulk of the land, but they did not legally own in today's sense: they had to respect the commoners' various rights, and their large landholdings were scattered. Inclosure enabled farms to be consolidated, and made land much more valuable – typically, inclosed land doubled in value. Freed from their traditional focus of feeding the local population, big landowners harnessed agricultural advances, specialised, and sold produce to the cities. And large numbers of poor people left rural areas to become labourers in urban areas.

Inclosure also created many new public roads (including the Frith End to Bentley road) and redefined rights to bridleways, footpaths, and water courses. Roads through enclosed common land were made as straight as possible, and to standard widths. Initially, roads were wide (> 18m), to allow easy movement of flocks and herds, but had narrowed by 1852.

Inclosure had dire effects on the prosperity of smallholders and landless labourers.

Extinguishing commoners' rights, and removing the pasture commons and *wastes*, meant ordinary folk lost rights to graze animals, gather fuel, and go gleaning/berrying. Even tenants who received land plots found their compensation insufficient to offset the costs of inclosure fencing, and the loss of previously enjoyed rights. An anonymous protest poem summed up the widespread feeling that Inclosure was a gigantic swindle by large landowners:

*They hang the man and flog the woman, Who steals the goose from off the common,
Yet let the greater villain loose, That steals the common from the goose.
The law demands that we atone, When we take things we do not own,
But leaves the lords and ladies fine, Who take things that are yours and mine.*

3.1.2 1852 Binsted Inclosure Maps and 1857 Inclosure Award

The 1857 Binsted Inclosure Award document is a bound sheaf of large parchment pages that enacted the land distribution proposed by the 1852 Binsted Inclosure maps. None of these documents are digitised, but the WG Chair viewed them at the Hampshire Archive² at the Record Office in Winchester and has transcribed text that refers to BNF (in blue italics).

The Inclosure Maps number the pieces of land owned by Binsted Parish Council as:

- Allotment 202, Blacknest Recreation Ground
- Allotment 203, Blacknest Allotment Gardens
- Allotment 206, the Blacknest Path Strip.
- Allotment 161, The Oval at Holt Pound.

It is also useful to note numbers given to adjoining plots:

- Allotment 204, at Blacknest, the corner field at the Jolly Farmers crossroad,
- Allotment 207, at Blacknest, the field immediately north of Blacknest Fields
- Allotment 241, land at Blacknest allocated for the new Frith End to Bentley road and
- Allotment 220a, land for the footway now known as Bridleway 51 at Blacknest.

The Award document starts by allotting land to public highways, bridleways, footpaths, and watercourses in the parish. The footways section mentions what is now Bridleway 41:

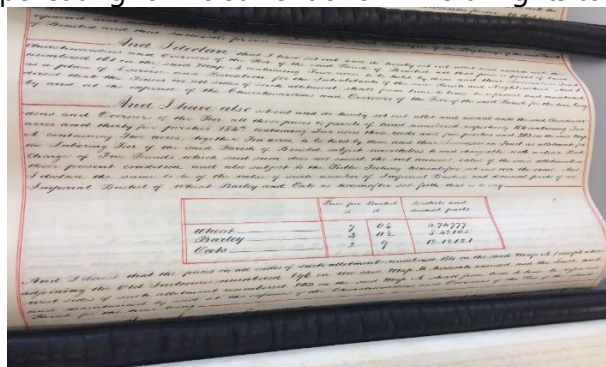
*"One other public Footway of width 6', numbered 220a, 210 and 130 on Map A hereunto annexed, commencing at the Public Carriage road or highway hereinbefore set out called the Frieze End and Bentley Road at a point marked AJ on the Said Map and extending thence in a northeasterly direction on the north side of an allotment hereinafter set out to the Right Honourable Lord Sherborne as Lord of the Manor of Alton Westbrooke **numbered 202** on the said Map A, thence in the same direction over the norther side of a piece or parcel of land set out for the Labouring Poor **numbered 203** on the said Map A [and onward ...]"*

The Award document then lists each person awarded land, and describes the land allotted, and rents or other responsibilities allotment owners must assume (e.g., to maintain hedges).

"And I further declare that I have awarded the several sums of money and set out all the remainder of the said lands to be Inclosed among the several persons hereinafter named, being all persons interested therein in the shares or allotments following set opposite to their names, which attachments I have adjudged and determined to be proportionate to the value of the respective rights and interests of such several persons in the said, lands, that is to say "

Allotment 202 was awarded to the Churchwardens and Overseers of the Poor of the Parish of Binsted as land for recreation, and Allotment 203 as land to be used by the Labouring Poor.

These awards required rent to be paid. Subsequent sections describe to whom this rent must be paid. (e.g., Blacknest Recreation Ground's rent is payable to the Lord of the Manor of Alton Westbrook, compensating for his surrender of mineral rights to Binsted common land):



² The Archive reference number for Award document is Q23/2/12/2: for maps, Q23/2/12/1A & 1B.

“And I declare that I have set out and hereby set out and allot and award unto the Churchwardens and Overseers of the Poor of the said Parish of Binsted all that piece or parcel of land numbered 161 (i.e. Holt Pound Oval) on the said Map A, containing 4 acres to be held by them and their successors in Trust as a place of Exercise and Relaxation for the inhabitants of the said Parish and Neighbourhood. And I direct that the fences of all sides of such allotments shall from time-to-time be repaired and maintained by and at the expense of the Churchwardens and Overseers of the poor of the said Parish for the time being. And I have also set out and do hereby set out, allot, and award unto the said Chuchwardens and Overseers of the Poor, all those parcels of land numbering respectively:

184, containing 5 acres 35 perches; 184A, containing 2 acres, 3 rood and 5 perches; and 203 on the same map A, containing 5 acres (together 10 acres)

to be held by them and their successors in Trust as allotments for the labouring Poor of the said Parish of Binsted, subject nevertheless and chargeable with a clear Rent Charge of 5 pounds, which said sum does not exceed the net annual value of the said allotments in their present condition and also subject to the public footway herein before set out over the same. And imperial Bushel of Wheat, Barley and Oats, as hereinafter set forth, that is to say:

	Price per Bushel in Shillings and Pence	Bushels and decimal parts
Wheat	7s 0¾d	4.74777
Barley	3s 11½ d	8.42105
Oats	2s 9d	12.12121

And I direct that the fences on all sides of such allotment numbered 184, adjoining the old Inclosure numbered 696 on said Map B, hereinto annexed, and the South and West sides of such allotments numbered 203, on the said map A, shall from time to time be repaired and maintained by and at the expense of the Churchwardens and Overseers of the Parish of the said Parish for the time being.

And I have also set out and do hereby set out, allot and award unto the Right and Honourable John Baron Sherborne the Lord of the Manor of Alton Westbrook all those pieces or parcels of land numbered respectively 256, 251, 249, 202 (3 acres and 2 roods) and 121, on the said Map A hereunder, together with the rent charge of £4 hereinafter set out unto the Right Honourable John Baron Sherborne, subject nevertheless to the said parcel of land numbered 202 on the said Map A as aforesaid to be used at all times by the inhabitants of the said Parish of Binsted and neighbourhood as a place of Exercise and Recreation and the rent charge I adjudge and declare to be equal in value to One Thirtieth part of the residue of the said Binsted Common and to be in lieu and in full compensation for the right and interest of the said Baron Sherborne in the Soil of the said Binsted Common inclusively of his right and interest in all mines, minerals, stone and other substrate under the said Binsted Common. And I direct and appoint that the fences on the southeast and northeast sides of the said piece or parcel of land number 256, the fences [... of 251, 249 ...] and the fences on the South and West sides of Allotment 202 ... and 121, shall be made and forever maintained and repaired by the owners and proprietors of the said pieces and parcels of land, and that the Surface of the piece of land Allotment 202 as aforesaid shall be kept drained and levelled by the owner and proprietor of the said parcel of land.”

The last section of the Binsted Inclosure Award document summarises what has already been discussed in an ‘easy-reference guide’, listing the owners’ names against their parcels of land.

3.2.3 Timeline with Key Dates

The timeline below summarises key dates of BPC's land acquisition and other legal milestones:

- 1845 England's General Inclosure Act.
- 1852 Binsted Inclosure Maps; and 1857 Binsted Inclosure Award.
- 1891 Churchwardens and Overseers are appointed as Trustees to manage Inclosure Land.
- 1894 Local Government Act: parish councils are established and start to take over the role of the Churchwardens and Overseers, becoming trustee of the charities.
- 1939 Deed of Title (Appendix A) records that BPC paid £100 to Mr Dutton's estate, for the freehold of 4 parcels of Inclosure Land: Allotment Gardens #203, land opposite Broadview Farm #184 & #184A and Recreation Field #202. Last must be kept as a place of exercise and recreation. 1939 Conveyance is included with Land Registry Title Deeds.
- 1944 BPC grants an easement to adjacent property 'Ashfield', giving Ashfield's owners the perpetual right to route their water supply under the Path Strip and Allotment Gardens. (It is Ashfield's perpetual responsibility to maintain such pipes.)
- 1950 Minister of Agriculture grants BPC lease to erect a Village Hall on field adjacent to BNF, on condition that Village Hall was built within 1 year. (Lease was surrendered in 1953).
- 1953 BPC sold 5.4 acres of Inclosure Land ('Allotments') opposite Broadview Farm (184 & 184A.) Sale breached terms of BPC's land ownership, but no obvious repercussions.
- 1970s Wey Valley Water Board uses Path Strip to access small nearby pumping station.
- 1973 Discussions about using BNF Inclosure Land for old peoples' bungalows.
- 1974 Legal hearing establishes Recreation Ground is a Village Green, under 1965 Commons Registration Act. BPC, confirmed as its freehold owner, must maintain as a place of exercise and recreation. In 1974, land is let for grazing, subject to tenant's covenant to permit children to play on the land.
[https://www.acraew.org.uk/sites/default/files/uploads/Hampshire/BINSTED%20\(BLACKNEST\)%20RECREATION%20GROUND%20-%20BINSTED%20NO.VG.84.pdf](https://www.acraew.org.uk/sites/default/files/uploads/Hampshire/BINSTED%20(BLACKNEST)%20RECREATION%20GROUND%20-%20BINSTED%20NO.VG.84.pdf)
- 2005-6 BPC confirmed as owner of Path Strip: access rights granted to property 'Longfield'.

3.3 The legal status of Blacknest Recreation Ground

3.3.1 - Could the Recreation Ground be sold off?

Short answer: Effectively, no. The Recreation Ground (Plot 202) is bound by TWO legal constraints. **First**, is registered as a Village Green, which cannot be sold unless it is de-registered as such by the [Secretary of State](#) and various tests are met, including provision of exchange land which is at least as big as the previous green and is more convenient and beneficial as a Village Green than the original. Such an exchange would require significant investment. **Second**, the Recreation Ground forms part of the assets of the [HOLT POUND REC GROUND \(charitycommission.gov.uk\)](#), registered charity #301743: any change of use (and sale) would need a public consultation, plus the formal approval of the Charity Commission. Moreover, the only income generated would be the *interest* earned on any capital realised by the sale, and this could only be spent the charitable objective of the Trust.

In more detail: Village greens can only be de-registered by permission of the [Secretary of State](#), who applies the 'impact on public interest' test. Greens over 200 square metres (as at Blacknest) must be replaced with suitable replacement land which is at least as big as the previous green and is registered as a village green in place of the original. It normally costs £4,900 to de-register a green. If the green is unfit for its purpose, and if it is on land allotted under the [Inclosure Act \(1845\)](#) (as BNF), the de-registration fee is waived. But approval from the Secretary of State is still required, and the owner must provide exchange land that is *more* convenient and beneficial as a village green than the original. Land within settlements costs more than land in more rural locations like Blacknest, so such an exchange would require significant investment, rather than generating funds. We have found no legal precedent where a Village Green designation has been extinguished without following the above process, even where there has been a long absence of recreational use on the land.

The Recreation Ground's charitable status imposes further legal constraints on a potential sale. The Charity Commission confirmed (Appendix B) that Plot 202 is still held in charitable trust for recreational use by parishioners. The land *could* be sold, *provided* the Charity Commission approves the sale. It has advised that the charity's beneficiaries cannot be changed; and any change in the purpose to which the land is put needs formal approval:

"Where the land can still be used for its original purposes, this use should continue. But if the purpose for which land is used needs to be changed, the Charity Commission can consider making a Scheme to amend the charity's purpose ... and if a cy près³ occasion has arisen which means the land cannot be used for these purposes anymore, the Scheme will need to include a power of Sale." To apply for such a Scheme, BPC would need to:

- i. have a public consultation on the change of use,
- ii. vote on the change with the necessary quorum, and
- iii. advise if the proposed change has met any opposition, objection, or controversy.

Any land sale must also need comply with the Charities Act 2011, requirements of which are described in CC28 'Disposing of Charity Land' [[Sales leases & transfers of of charity land \(CC28\) - GOV.UK \(www.gov.uk\)](#)]. Moreover, the proceeds of sale will be Permanent Endowment. This means that only the interest on any capital raised would be available and must be spent in line with the original intention for the land, namely recreation, as per Section 3.4.1.

³ Cy près is a legal term that describes a judicial decision, when the original action cannot occur, to allow an alternative that comes as close to the original intention as the law permits.

3.3.2 - What activities can be enjoyed on this 'Village Green'?

Short answer: With its 'Village Green' designation, the Recreation Ground is dedicated as a place of exercise and recreation.

In more detail: Government guidance on what village green owners and visitors can and can't do is clearly set out: <https://www.gov.uk/guidance/manage-your-town.village-greens>.

Local residents can take part in '*any lawful sport or pastimes*' on a green (not restricted to activities enjoyed historically when the green was registered.) It is illegal for visitors to:

- damage fences, or lay manure, soil, ashes or rubbish.
- interrupt others' use or enjoyment of the green.
- fence in a green, put up any structure, or extend their property boundary onto the green.
- disturb the soil of the green, e.g., by putting up a tent, or
- take animals on to the green which may cause damage.

People can freely use Village Greens for their enjoyment, provided they act within the law and do not cause damage. Activities considered 'unlawful' are those which cause a public nuisance (section 29, Commons Act 1876). For example, horse riding in wet conditions would be a public nuisance and so unlawful. Technically, grazing also damages the green. People can only drive on greens if it will not harm the green or interrupt the public's enjoyment. Criminal or civil proceedings can be brought against anyone who commits an offence on a green: courts apply the test of whether 'material harm' has been caused to the green and if the public's recreational enjoyment has been interfered with.

Local people do not need to pay for using the Village Green (but can be asked for a donation). Technically, non-local people could be refused entry, but this is impractical where there is a public right of way on the land.

3.4 The legal status of Blacknest Allotment Gardens

3.4.1 - Could the Allotment Gardens be sold off?

Short answer: Not easily. The Charity Commission has confirmed that the Allotment Gardens (Plot 203) is also still held in charitable trust for the poor of the parish. As with the Recreation Ground, the land *could* be sold, *provided* the sale is approved by the Charity Commission (see 'In More Detail' below), but the proceeds of any sale will be Permanent Endowment, which means that only the interest on capital raised will be available to spend, and must be spent in line with the original intention for the land, namely poverty relief.

In more detail: The term 'allotments' has caused repeated misunderstanding and confusion. BNF's Allotment Gardens are not strip allotments in the vegetable-growing sense: they are charitable land allotted to Churchwardens & Overseers in trust for the labouring poor, as laid out in the 1857 Binsted Enclosure Award document. The Charity Commission has confirmed (Appendix B) that both the Allotment Gardens (Plot 203) and Blacknest Recreation Ground (Plot 202) are part of the assets of the '**Holt Pound Recreation Ground' registered charity #301743**. [HOLT POUND RECREATION GROUND - 301743 \(charitycommission.gov.uk\)](https://www.charitycommission.gov.uk/301743). The Charity's Trustees are Binsted Parish Council. The charity's governing document is recorded as the Inclosure Award dated 29 January 1857. BPC was completely unaware that BNF land formed part of the Holt Pound charity. Also, although BPC has been duly making annual returns to this charity for years, the council was unaware of the need for the assets of the charity to be separately accounted for (as they do not form part of the Council's corporate property).

The Charity Commission has also advised that the charity's beneficiaries cannot be changed, and even a change in the purpose to which the land is put needs formal approval.

“Where the land can still be used for its original purposes, this use should continue. But if the purpose for which land is used needs to be changed, the Charity Commission can consider making a Scheme to amend the charity’s purpose ... and if a cy près⁴ occasion has arisen which means the land cannot be used for these purposes anymore, the Scheme will need to include a power of Sale.” To apply for any such Scheme, BPC would need to:

- (i) have a public consultation on the change of use,
- (ii) vote on the change with the necessary quorum, and
- (iii) advise the Charity Commission if the proposed change has met any opposition or objection or is likely to cause controversy.

Any sale of land must also comply with the requirements of the Charities Act 2011, which are described in more detail at CC28 ‘Disposing of Charity Land’ [[Sales leases transfers: disposing of charity land \(CC28\) - GOV.UK \(www.gov.uk\)](#)]. Moreover, the proceeds of sale will be Permanent Endowment. This means that only the income obtained from the proceeds (i.e., the interest earned from the investment) will be available to further the new objectives of the charity.

This advice is consistent with the landmark 2018 legal case ‘Densham v Charity Commission’

(Table 3), which confirmed that Parish Councils cannot use income from Allotment land in the same way as their Precept income, because the original charitable purpose (the relief of poverty) has not been diluted by legal changes since the 1845 Act:

Table 3: The 2018 legal case ‘Densham v Charity Commission’ established that land acquired under 1845 Inclosure Act retains an *‘imperative dedication’ to the charitable purpose of the relief of poverty*, that remains undiluted by later statutes or legal cases.

When Parish Councils took over the Overseers’ duties as trustees, Inclosure Land was held *‘as if’* it was land belonging to the parish, *‘... but in trust nevertheless...’* In other words, there IS a clear distinction between Allotment land, which must be held on trust for the charitable relief of poverty, and parish land, which can be used more freely.

‘Densham v Charity Commission’ helpfully reviewed the tangled statutory provisions in relation to the charitable status of 19th century allotment awards. The case was summarised in a [Law Gazette article, ‘The status of allotments’](#). It distinguishes between local authority land held on charitable trust, from land held for corporate (public) purposes. The full decision can be read [here](#). The case resonates with BNF’s situation. It similarly concerns Inclosure awards, where land was allotted to the Overseers *‘to be held by them and their successors in trust as allotments for the labouring poor of the parish’*. The appellant argued the land was not held on charitable trust but rather for the council’s corporate (public) purposes. Unsuccessful in the First-Tier Tribunal, she appealed to the Upper Tribunal, which undertook the task of untangling the complex 19th and 20th century legislation - the lead up to the 1845 act, provisions of that Act and subsequent legislation. **The conclusion** from the case is that there remained an *‘imperative dedication’ to the charitable purpose of the relief of poverty* which had not been diluted by subsequent statutes or legal cases. In other words, there IS a clear distinction between Allotment land, which must be held on trust, and other land belonging to the parish.

Land held by the Overseers transferred to local authorities in 1894 (Local Government Act); wider powers were then given to local authorities by 1908 Small Holdings and Allotment Act. The First-Tier Tribunal had suggested that the charitable trusts for allotment land had

⁴ Cy près is a legal term, which describes a judicial decision, when the original action cannot occur, to allow an alternative that comes as close to the original intention as the law permits.

not been extinguished through subsequent legislation: the 1908 act contained no express revocation of such trusts, its provisions did not prevent such trusts from continuing in accordance with their terms. It followed that there was no implied revocation. The Upper Tribunal considered this matter further and concluded that the use of trust language in section 73 of the 1845 act was careful and deliberate. It refers to allotments being held *'as if'* they were land belonging to the parish, *'... but in trust nevertheless...'*

BPC was scolded, in 1973, for selling Allotments 184 and 184A without consent, and for using income from the Allotment Gardens on council asset maintenance - see Table 4:

Table 4: a caustic 1973 letter between BPC and the Charity Commission!

BPC was criticised in a caustic 1973 letter from the Charity Commission, for selling Allotments 184 and 184A without consent: *"the proper use of the term 'allotments', in relation to BNF, is land given for the poor, not land to be used for strip allotments. As the land is charitable, the sale of 184 & 184A should have obtained the consent of the Charity Commission, not the County Council, whose powers are limited to consents to sell land acquired for strip allotments."*

BPC's 1973 scolding continued, with the Charity Commission expressing strong disapproval of BPC's use of income from grazing at the Allotment Gardens on council asset maintenance: *"I am ... horrified, since this is a charity for the poor, not a means of providing the Council with income for its statutory purposes."*

3.4.2 - What activities are allowed in the Allotment Gardens?

Short answer: The purpose of the charitable trust that owns the Allotment Gardens is *'to assist the (labouring) poor.'* It does not have recreational trusts attached to it. The Charity Commission has updated the Register of Charities to reflect this (previously their records were incorrect.)

In more detail: The range of activities that can be undertaken at the Allotment Gardens are less constrained than those at the Recreation Ground. The Blacknest Fields Deed of Title (Appendix A) clearly shows that the Allotment Gardens do *not* have Village Green status. Allotment Gardens activities are simply *'to assist the (labouring) poor.'* They are therefore bound only by the conditions of the 'Holt Pound Recreation Ground' charitable trust, not by Government rules that govern Village Greens.

If activities undertaken at the Allotment Gardens generate any income, this should either be spent on managing the land to support the activities undertaken there, or be held in a separate account and reported annually to the Charity Commission through the accounts submitted by the 'Holt Pound Recreation Ground' registered charity #301743.

4. Rights of Way, gates, fences and hedges

4.1 The importance of Bridleway 41

4.1.1 Bridleway 41 lies on BPC land, from its start at C98 Blacknest Road (Zone 1) and runs along BNF's boundary (in Zones 4 & 7), into the Alice Holt forest and on to Bucks Horn Oak. Approximately 380 metres of the bridleway's total 1.1 km length lie on BNF land.

4.1.2 The Bridleway's importance within the local Rights of Way network.

Once Bridleway 41 is made useable, it will improve the community's potential to access BNF:

- by enabling BHO residents to walk to both the BNF site and to the Jolly Farmer pub (although the onward path from BNF to the pub is still along a busy road.)
- by enabling walkers, riders and cyclists to connect into Alice Holt's wider track network - Bridleway 41 links with these c. 160 metres north of BNF [Appendix D.]

Hampshire CC countryside team will restore the surface of Bridleway 41 in Summer 2021. This is great news, as it is currently in dire condition, meaning that it is rarely used, especially in winter when the path is frequently inaccessible due to deep mud and flooding.

4.1.3 Potential to connect Bridleway 41 with forest tracks to north. It's only c. 200m from BNF to Alice Holt's northern network of forest paths, so it's theoretically possible to connect BNF into the wider network of Alice Holt paths (which run right to Gravel Hill carpark and connect with The Shipwrights Way.) Many of these paths are wide and in good condition (suitable for cycling), because they are maintained as fire breaks.

Forestry England (landowner of the 200m in question) does not want to create an additional formal path to connect BNF and FE paths: although a 'desire line' already exists (showing that some people do already use this route), FE would incur more responsibilities for monitoring the safety of a formal path (versus a 'desire line' path) and there are already so many paths in the immediate neighbourhood. However, as the Public Forest Estate is dedicated to public access, the public is free to walk from the Bridleway into the forest, wherever it wishes, at its own risk and provided no damage is done to trees.

4.2 Is BPC fulfilling its Rights of Way obligations at BNF?

4.2.1 Are BPC and HCC meeting their Bridleway obligations?

BPC is meeting its Bridleway obligations as the landowner, which are that it must:

- not obstruct the route, temporarily or permanently, with fences, padlocks or barbed wire
- ensure vegetation does not encroach onto the route from the sides or above.
- keep 3 metres of the bridleway route field-edge undisturbed (unploughed).
- indicate the route with official waymarks.
- maintain stiles or gates on the route, so they are safe and reasonably easy to use. [BPC can claim 25%/more of cost of replacement work from highway authority.]
- provide adequate bridges if it adds new ditches or widens existing ones.

County councils are responsible for maintaining bridleways' structure and fabric

(including the surface) in a safe condition (1980 Highways Act). Their responsibility is to maintain surfaces '*fit for the type of traffic ordinarily expected to use it*'. But, although county councils have the figurehead role, in reality the task is approached as a shared responsibility, in which parish councils are expected to play a part, especially where they're the landowners.

4.2.2 Addressing bridleway drainage problems

- **It is extremely welcome that Hampshire's Countryside management team advised**, on 8 March 2021, that it (with volunteers) plans address two bridleway surface condition problems reported on the CAMS system map [Public Rights of Way \(esdm.co.uk\)](https://esdm.co.uk) in

Summer 2021, with a mini digger. The major reported surface condition warnings are on land NOT owned by BPC (midway to BHO, Item 32998 (PROW 934836), rep Feb 2021.)

- **Extreme mud on the BNF part of the Bridleway** (item 29442, PROW995229, reported 11 May 2020). For 6 months of the year, run-off rainwater from the Lodge Inclosure's high level ponds create a spring which runs down to - and through - the earth bank separating the forest from BNF. Water flows off the bank and into the Bridleway ditch at the Allotment Gardens' boundary (Zone 7). The situation has worsened in recent years, and water runs down and floods the bridleway, making it completely waterlogged and near impassable for half the year, as shown in photographs at Appendix K.

4.2.3 Bridleway gates at Blacknest Road. BNF access from Blacknest Road is via a metal five-bar gate and a pedestrian 'kissing gate', both in good order and the field gate has a long tail latch. The bridleway is not a 'BOAT⁵', but its five-bar gate allows access for vehicles associated with grazing activities at BNF and the adjoining field. Closing this gate deters cars from parking in the bridleway and protects its users by alerting them of the road ahead.

4.2.4 Bridleway gates in BNF. There's a further metal 5-bar gate and a dilapidated stile on the Bridleway, between Recreation Ground and Allotment Gardens. Since the gate is there, replacing the stile's broken lower step is low priority for HCC Recreation team. It is recommended that the stile is simply removed.

The function of this (unlocked) gate is unclear – it would do little to deter a determined vehicle from driving into the forest, as it's kept unlocked. It would seem logical to replace this unlocked 5-bar gate with bollards – this would prevent cars driving along the bridleway and would improve access for walkers, cyclists, and horse riders.

4.2.5 Bridleway 'fencing'. The bridleway at BNF has two distinct parts.

- Its 300m lower part is well fenced; one side by an established, well-maintained hedge, the other by post and rail fencing that separates the public from horses grazing the Recreation Ground. The bridleway is so wide here that the Tree Warden and Footpath Officer suggest a new hedge could be planted without obstructing bridleway users.
- Its 150m upper part is unfenced on the Alice Holt Forest side, which is separated from the Bridleway by a bund. Three-strand wire fence separates the bridleway and BNF land.

4.2.6 Tree management for safety reasons

It is agreed that any tree work required to safeguard Bridleway users must be progressed as a priority. A site visit with Binsted's Tree Warden on 5 March established that there are overhanging dead branches on two oaks near the Bridleway boundary in Zone 7 (no other BNF trees are felt to present safety risks.) It is unclear whether the two oaks with dead branches belong to BPC or Forestry England. BPC has identified the exact location of the oaks using "WhatThreeWords" and is waiting for confirmation from Forestry England regarding ownership. Action by BPC or FE will be taken accordingly.

4.3 Lost footpaths – should they be reclaimed?

4.3.1 Historically, two footpaths also existed onsite at BNF, shown in Figure A:

- The first crossed the Recreation Ground diagonally,
 - The second ran north to south along the Allotment Gardens' eastern boundary.
- These are not included in the current definitive Rights of Way map. BPC could, until January 2026, apply to re-establish these RoW, under the terms of 2000 Countryside and Rights of Way (CROW) Act, if the footpaths can be shown to have existed on/prior to 1 January 1949.

⁵ A Byway Open to All Traffic is a highway over which the public have a right to drive vehicles (incl motorbikes), but which the public uses mainly for the purposes of a bridleway (i.e. walking, cycling or horse riding).

- It does not seem worthwhile to re-establish RoW for the footpath that diagonally crossed the Recreation Ground, since 'The Cricketers' pub that it originally connected with is no longer a pub. Making a second roadside entrance to Blacknest Fields would create extra cost and safety risk, for no obvious advantage.
- It could be worthwhile to establish RoW for the footpath that formerly ran north to south along the Allotment Gardens' eastern boundary, if this helped towards providing a safer pedestrian route between Blacknest Fields and the Jolly Farmer pub. This issue needs further evaluation and must consider the footpath flooding discussed at 4.3.2.

4.3.2 Footpath along Allotment Gardens' east boundary is said to act as a stream bed. This could be alleviated or changed. Geoff Woollen has twice attempted to address this issue and has also raised the problem with HCC. If the land is retained, it will be interesting to see if a collaborative volunteer working party can monitor and keep this 'troublespot' clear of floods.

4.3.3 **Access from C84 Binsted Road to Allotment Gardens** - has a metal five-bar gate, which is kept locked (a key is kept by ??) The waterpipes supplying 'Ashfield' run under this land. The land along the Path Strip is typically waterlogged clay, making winter use difficult.

4.4 Is BPC fulfilling its access obligations as regards Village Green?

4.4.1 No. Public access to BNF is currently extremely restricted. Except for the Bridleway, the public is currently, to all intents and purposes, shut out of BNF. Most of the Recreation Ground and Allotment Garden areas are sectioned with tape barriers, to separate horses kept there. The site does not look welcoming to visitors, who assume they do not have access, given the metal gate from the bridleway into the Recreation Ground. In fact, it is easy to climb through the post and wire fence in Zone 7, and through a broken wooden fence strut in Zone 1. There is no use of electrified fencing (but nothing in the Grazing Tenancy agreements regarding its use, or prohibition).

4.5 Is BPC fulfilling its hedge and fence obligations?

4.5.1 What obligations do the grazing agreements set for fences and hedges?

Historically, grazing contracts for the Allotment Gardens and the Recreation Ground have specified that *"tenants are responsible for fencing their own stock and to trim or have trimmed the hedges around the site at least once in the agreement period, preferably in the winter months"*. Tenants did not carry out any hedging work in Winter 2020/21, due to contract agreements having been shortened to 6 months duration.

Roadside gap. A central section of the roadside hedge (in Zone 2) has been completely removed, presumably to create turning space for long vehicles using driveways of houses opposite. Brambles mask the gap, but in dry weather vehicles could access the site here.

4.6 Should car parking be provided at BNF?

On-site carparking at BNF is unanimously viewed by WG members as a complete 'no-no':

- **Alice Holt parking pressure would result in visitors accessing Alice Holt from BNF.**
- A car park is extremely likely to attract Anti-Social Behaviour, including Fly Tipping.
- Parking in Zone 2 would block the bridleway.
- There are poor sight lines from the Bridleway onto the fast Blacknest Road.
- It would be unacceptable for traffic to drive into/out of a bridleway to park at BNF.
- It would be expensive to build a carpark on such a boggy site, and costly to maintain.

- Encouraging people to drive to recreation areas fuels undesirable car use. It works against actions to combat the Climate Emergency suggested by Hampshire County Council, SDNPA, East Hampshire District Council (EHDC) and BPC itself.
- A WG member remarked, "*Currently vehicles using the site to access the fields are parking rather dangerously on the main road.*", but this seems a very infrequent occurrence.

Off-site carparking at BNF could be provided via two potential routes:

- **Formation of a roadside lay-by** could enable a limited number of cars (perhaps up to five) to park parallel to the adjacent highway. **It is noted that part of BNF's roadside hedge has already been removed, and a grassy 'layby' formed in its place, presumably to assist long vehicles to turn into driveways opposite.** Formation of an asphalt roadside lay-by is not considered viable or desirable by the WG: Even if Hampshire Highways granted permission for a lay-by, site drainage issues discussed in Section 5.1.3 would make its creation complex and expensive. Concerns about Alice Holt overspill parking, Anti-Social Behaviours and maintenance costs are felt to outweigh the benefits. Building a lay-by may also encourage visitors to park in other gateways, blocking access to adjoining fields.
- **A car parking arrangement with the nearby Jolly Farmer pub** might potentially provide a mutually beneficial way of providing carparking sufficiently close to the site to facilitate occasional activities at BNF (e.g., Stargazing, Wildlife Bioblitzes) and increase pub custom. Developing this option would, however, demand consideration of whether a safe off-road walking route between BNF and the Jolly Farmer can be devised.

5. Drainage and flooding

5.1 What drainage and flooding issues affect BNF?

5.1.1 **The heavy local clay** means BNF is a poorly drained site. The locality is famous historically for Alice Holt clay pots, supplied in quantity to Roman London as kitchenware.

5.1.2 **Streams in the locality.** There are many streams nearby. Natural springs arise in the Alice Holt forest to the north and east: in past generations these supplied a well at the Jolly Farmer crossroads. There are also several 'Osier Beds' and wet woodland in the vicinity. Maps from 1872, 1897 and 1911 show a stream/pipe crossing the adjacent field (immediately north-west of BNF); a further, larger stream/pipe crosses the field to the south-east, diagonally. Subsequently, a large drain was constructed in the field south of the site, presumably linked to 1950s construction of a pumping station to the east of BNF. By 1985, the pumping station had closed; the drains remain.

5.1.3 **Watercourses on BNF site.**

BNF is pretty flat. The land falls 11m from its highest point (104m at the top of the Bridleway in Zone 9); to 99m in Zone 6, and to 93m along roadside boundary, the site's lowest point. BNF has no year-round stream or pond, but there are extensive areas of boggy ground and ditches, that become shallow ponds in wet conditions. There are five notably wet areas (listed below); and it seems the first four of these legally count as 'watercourses':

- Gateway 'pond' in Zone 1** (near Recreation Ground Bridleway gates by roadway hedge)
This is the wettest area of the site. A sizeable mound of earth suggests that the land has been deliberately dug out in this area, presumably to drain the land. considerable mound of earth adjacent to the boggy 'pond' has resulted. The roadside ditch needs to drain to the north but is prevented from doing so by the roadway entrance. This could be rectified to improve drainage from the 'pond' area.

- ii. **Zone 2 'sedge grassland' and its Zone 5 feeder ditch** (Recreation Ground side of roadway hedge, near 'Long House' boundary), a boggy area where water collects from a 'feeder ditch' dug all down Recreation Ground, parallel to the site boundary [It's possible that water also accumulates here if there are overflows from the ditch outside the Long House - this ditch seems to be the outlet point for the 6" perforated drain installed by Ashfield to alleviate historical flooding problems experienced to its garages/gardens.]
- iii. **Intermittent Bridleway 'Stream'** in Zone 7 wells up in the forest, just outside BPC land, as discussed in Section 4.2.1 and shown in photographs at Appendix J.
- iv. **The wet (former footpath) route along Zone 10**, linking into the Path Strip.
- v. **Roadside bogginess** It is surprising there is no ditch in BNF's road-side strip. In March 2021 (after a wettish winter), there was no standing water on the roadside of the hedge, but sedges growing there indicate this is a damp area. It seems likely that there used to be a ditch: there are roadside ditches in all neighbouring plots, and deep drainage ditches along the roadside of properties on the opposite side of the road.

It seems that BPC owns the road verge and can dig a ditch in it, or not, as it wishes:

Although the Title Deeds are unclear whether this road-side land strip belongs to BPC or Hampshire Highways, the neighbouring householders asked Highways many years ago. HCC suggested verges are normally part of the highway but maintained by the adjacent landowner. From the Highways website, *"Highway rights can only be removed by formal order, so should an adjoining owner fence off part of the verge, he is guilty of an encroachment (adverse possession or 'squatters rights' does not apply in the case of highway). However, if an owner moves his boundary back and effectively allows the public to use his land as if it was part of the highway, then highway rights can become established. There is an exception where Registered Commons and Village Greens are concerned. Here, there are no verges, since common rights supersede highway rights. Thus, the highway is confined to the carriageway itself. (Note: If existing highway land was registered as Common or Village Green in error: in such cases, as registration is 'definitive', such land is both highway and Common/Village Green.) And if the highway authority has formally acquired land from the Common/Village Green, then these will be highway."*

5.1.4 BPC is generally meeting its water management responsibilities, as follows:

- to let water flow naturally.
- to remove blockages, fallen trees or overhanging branches from its watercourses, if they cause flooding to other landowners' property.
- to prevent pollution, by removing any animal carcasses or litter from ditches.
- to safeguard wildlife, [not to disturb certain species or their habitats](#) in water courses and to [prevent any invasive species](#), such as Japanese knotweed, from spreading.

5.1.5 Land drains at BNF

Terms of its 1939 Recreation Field lease purchase re-iterated BPC's obligation to keep the recreation ground level and drained, to be useable as a sports field. BPC has no obligation to drain the land other than to enable sport to be played.

There are no records of what drainage work was undertaken: we do not know if land drains were installed (or where these were located). Part of the drainage work undertaken seems simply to have involved digging trenches near the site entrance - this would explain the adjacent earth mound. BNF has not been used as a sports ground for decades, nor has its land been actively drained. It is unclear when drainage work was last done, but it is certainly over 15 years ago. Any land drain may have been installed decades prior to BPC's acquisition

- agricultural field drainage activity was particularly prevalent in the 19th century (12 million UK acres were drained from 1840 to 1890).

BPC's 2021 inspections of the site have failed to locate a land drain/drain outlet, so BPC has been unable to confirm any drain's presence, condition or if its outlet is free of blockage.

5.2 How could BNF drainage and flood resilience be improved?

5.2.1 The need for greater flood resilience

The UK is predicted to experience more frequent and more extreme precipitation events in coming years. BPC is aware of the need to improve flood resilience. This will help inform how BPC can improve onsite drainage and if BPC/HCC should dig a road-side ditch.

5.2.2 Remediating failed land drains.

Most land drains stop working because they gradually become clogged with sediment and silt. Soils with high clay content, as at BNF, are particularly prone to this. Small clay particles fluidise and clog the pipes. Due to their construction, old land drains cannot be effectively cleared with modern water jetting methods and are instead be replaced with new pipe work and/or granular material. Failed drains are generally replaced with modern PVC land drains: *"the availability of machines that can trench and install land drain in a continuous action means that large areas of land drain can be regenerated very speedily."* Installing a land drain for an area like the Recreation Ground is estimated to cost c. £10K.

Neighbours have asked BPC to restore BNF land drains, and to dig out BNF ditches annually, to help manage runoff and prevent future flooding problems. BPC questions if it has any obligation to do this, unless the Recreation Ground is re-used for sport, and questions the wisdom of channelling runoff towards the road in high rainfall conditions.

5.2.2 Nature-Based Solutions (NBS) present an alternative approach to controlling soil moisture, drainage, and flooding, by using tree or hedge planting, swales (sunken, marshy ditches) and creating wildlife ponds, reed beds or boggy areas to increase the land's moisture-holding capacity. By 'slowing the flow' and preventing flash floods, the NBS approach can have significant advantages over engineered solutions in building climate resilience and dealing with extreme precipitation. For example:

- a 50m hedgerow in a 1ha field can store 150-375 cubic metres of water in rainy periods for slow-release downslope in dry periods – and this effect is greatest in clay soils, like those at Blacknest. Hedgerows have deep roots, so they remove water faster from the soil than crops during periods of excessive rainfall, through increased evapotranspiration.

7 Is BNF ecologically valuable, or just a grazing field?

7.1 Experts have concluded that the BNF site is ecologically valuable

Expert ecologists who have visited the site believe that the BNF site is ecologically valuable, with four things that are particularly 'special' about it, in ecological terms:

- (v) Its woodland edge, mosaic habitat, adjacent to the Alice Holt Forest SINC.
- (vi) Its location in the wider landscape, that makes it an important wildlife corridor.
- (vii) As lowland grassland, this valuable open habitat is a priority for conservation, and
- (viii) Its near-veteran oak trees, hedges and other flora and fauna, especially in the Allotment Gardens.

Additionally, many visitors to the site have commented that BNF has a nice 'feel': "There's a lovely sense of place there; I could spend the day!"

This Section draws together observations about the site's current and potential ecological value, made by the following experts who have visited BNF:

- an ecologist from the Hampshire and Isle of Wight Wildlife Trust (HIWWT)
- the South Downs National Park Tree Officer and its local rangers; and
- several keen amateur local ecologists who have visited the site.

The Hampshire Biodiversity Information Centre (HBIC) has also supplied information and ecological records, as detailed in Section 7.2.5.

7.2 The importance of BNF's 'woodland edge', mosaic habitat, adjacent to Alice Holt Lodge Inclosure

7.2.1 Why woodland edges are so important. For wildlife⁶, the most important feature of a woodland edge is that it is made up of different layers – the more layers, the greater the plant and animal biodiversity. Areas with 'soft' edges typically have a higher biodiversity than areas where there is a sharp contrast between tall woodland trees and open fields with no intervening shrub layer. RSPB research shows that more woodland birds are found in woodland edges with a high proportion of shrub cover under four metres in height, than in the heart of woodlands. Many species (such as spotted flycatchers) favour woodland edges where two habitat types mingle. The story is similar for lepidoptera and plants.

7.2.2 BNF's shrubby edge layers (Zone 9 copse and Zones 4, 7, 10 & 12 trees/hedges) provide an excellent 'soft' edge to the adjacent Lodge Inclosure forest. Woodland edges provide important transition zones between one type of habitat and another. These transition zones enable wildlife to move from trees, through shrubs, to grassland.

7.2.3 BNF can definitely be described as 'wood pasture', a habitat that occurs where old meadows lie adjacent to semi-natural ancient woodlands. This is a particularly diverse and ecologically rich habitat, especially if the meadows are 'unimproved' or semi-improved'. The Allotment Gardens fall into the latter category, having a long history of light grazing. [The Recreation Ground is described as 'improved' as it may have been fertilised in its past and has a less diverse flora.]

105 of England's priority species are associated with wood pasture. Bentley Station Meadow, 2 miles away, and in a near-identical forest-edge location, is recognised as one of Hampshire's richest examples of this rare habitat and has consequently been designated as a Site of Special Scientific Interest (SSSI).

Wood Pasture needs to be managed to respect the importance of deadwood, and ensure it is retained onsite. It is noted to be important not to high-prune veteran oaks [see: [Tree Care and Management in Wood Pasture - People's Trust for Endangered Species \(ptes.org\)](https://www.ptes.org/)].

7.2.4 Is BNF 'ancient wood pasture'? Where there is a long continuity of Wood Pasture, a still-rarer, more valuable version of it can be found – 'ancient wood pasture', which also overlaps with the definition of ancient woodlands. It derives from a combination of historic management and land use, and generally occurs where there have been Royal Forests (as at Alice Holt), in parkland, on common land, or on agroforestry systems. Ancient Wood Pasture is characterised by big veteran trees (typically oaks) that have grown in an open habitat, as at BNF. The trees usually show good lateral branch development (as at BNF) or have sunlit

⁶ For humans, woodland edges are also very important, as they play a vital role in reducing air pollution. Pollutant uptake by trees is greatest at the canopy edge, rather than in the heart of the forest. This is because water vapour evaporates faster from leaf pores (stomata) at the canopy edge, and high stomatal conductance increases the efficiency of pollutant uptake. Tree-lined road corridors therefore generate significant human health benefits because the trees capture particulate matter such as PM10.

areas of the trunk. An open ground layer (whether grassland, heathland and/or woodland flora) will have had a history of grazing.

The whole Blacknest 'corridor' may possibly be ancient wood pasture: SDNPA's Woodland Officer explained that ancient wood pasture is more often identified at a landscape-scale, rather than being confined to an individual plot. The fact that Alice Holt was once a Royal forest and medieval deer park, combined with evidence from old maps that suggest that the meadows in Blacknest were clear of woodland before 1852, may be consistent with the Blacknest area being Ancient Wood Pasture. It certainly seems possible that users of the Royal hunting forest would ride out of the forest, across the meadowland clearings, to reach other parts of the forest (for example, leaving Alice Holt Forest and crossing the open fields at Blacknest, to reach Cobden's Copse.)

Onsite at BNF, one of the Zone 6 oaks is thought to pre-date the 1852 Inclosure process. The remainder of Zone 6's oaks were probably planted after Inclosure established the Recreation Ground, to mark the field boundary. Thus, not all the oaks in Zone 6 at BNF are veteran: nevertheless, they do show the lateral branching that is consistent with Ancient Wood Pasture (see Figure C). They may perhaps be considered 'halfway' to becoming 'the ancient wood pasture of the future'.

Clarifying if the Blacknest area and/or part or all the BNF site is 'Ancient Wood Pasture' would be useful – in the longer term, it could assist in making a case for some form of designation or protected status.



Figure C: Field oaks at BNF

7.2.4 Importance of the rich biodiversity in adjacent Alice Holt Lodge Inclosure

When evaluating the ecological value of BNF, the fact that BNF's neighbour is the Lodge Inclosure of Alice Holt Forest is also significant. Forestry England's Alice Holt Forest Plan [[Alice Holt Forest Forest Plan.pdf](#)] describes its importance for wildlife.

Alice Holt (all) is designated as a Site of Importance for Nature Conservation (SINC), since all seven of its sections are considered sites of county wildlife importance:

- Alice Holt Forest is identified as a Priority Lepidoptera Site in Forestry England's Strategy for Lepidoptera on the Public Forest Estate. Key butterfly species at Alice Holt include Purple Emperor, Silver-washed fritillary, White admiral and Pearl-bordered fritillary.
- Alice Holt is also a key site for Mammals in East Hampshire's Local Biodiversity Action Plan, including Dormice, an ancient woodland flagship species.
- Alice Holt is important for woodland bats (for both roosting and feeding).
- Otters are recovering along the River Wey - nearby streams and drainage channels could draw this predator into the Alice Holt woodland interior.

Ancient and veteran trees are also an important feature of Alice Holt Forest. As with many lowland forests, the oldest trees are found at forest's external boundaries / margins. The Indicative Age of the block of the Lodge Inclosure of Alice Holt Forest that immediately adjoins BNF is given as '1501-1882' – the oldest category - as shown in map at Appendix G.

- Alice Holt's oldest trees date from its days as a Royal Hunting Forest. Lodge Inclosure has several ancient yews, including 3 well over 700 years old (& 1 over 1000 years old).
- Alice Holt's 'Napoleonic' plantation oaks, planted from 1811-20, have started to take on the features associated with old-growth stands. These oaks were planted to replenish England's strategic timber stocks after the Napoleonic Wars, during which 1,800 oaks had been taken from Alice Holt for shipbuilding.

7.2.5 Species recorded nearby by Hampshire Biodiversity Information Centre.

HBIC ecologists have documented a wide range of Protected and Notable Species recorded nearby. These HBIC data search results (in Appendix G) document the area in the immediate vicinity of BNF (a 100m buffer zone beyond BNF's boundary) in relation to:

- (i) **A long list of Protected and Notable Species** are identified on the HBIC database as having been found within the vicinity of our search area, as detailed in Appendix F. The list includes 3 species of bat, 4 protected butterfly species and 22 bird species, of which 11 bird species are on the 'Red List.' Birds listed include: nightjars, cuckoos, honey buzzards, tree pipits, spotted flycatchers, woodcocks, and marsh tits.
- (ii) **Declining and Near-Threatened Species** are also found in the vicinity of our 100m search area. 8 plants are listed here, including wood sorrel, tormentil, fragrant corn mint and marsh ragwort. Again, the full list from the HBIC database is included in Appendix G.
- (iii) **The whole of the adjoining Lodge Inclosure is a SINC** (Site of Importance for Nature Conservation), although there are no other non-statutory designated sites within our search area. The map and associated table, again in Appendix G, explain why the SINC sites have been so designated, and show an interesting link with the Hampshire Ancient Woodland Inventory, within our 100m area of interest.
- (iv) **Maps which HBIC provided about Priority Habitats and Broad Habitats** are also in Appendix G, with maps that illustrate local 'Ecological Network Mapping' and show other statutory designated sites in the search area, such as Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs), RAMSAR sites, National Nature Reserves (NNRs) and Local Nature Reserves (LNRs).

7.3 BNF's importance as a wildlife corridor

- 7.3.1 **Wildlife corridors** describe physical linkages (such as hedges) plus habitat 'stepping stones' across the landscape (such as woodland patches) that help species to move across (increasingly-developed) wider landscapes. This mosaic helps animals to move into new 'patches'; and plants also migrate, gradually 'colonising' suitable new land. Such movement assists climate change adaptation and aids genetic diversity.
- 7.3.2 **BNF's location between two large blocks of the Alice Holt Forest is important**, especially given that a gradual loss of local tree cover has occurred since 1898. Although the fields and houses in Blacknest retain good numbers of hedges, trees and copses, there's been a gradual overall loss of trees in the Blacknest 'corridor' since WWII, as the industrial estate replaced the railway and new houses were developed. Blacknest's remaining hedges and trees are thus of heightened importance, to provide much-needed [wildlife corridors](#) in-between the forest blocks.

7.3.3 **Buglife's 'B-Lines'**. [B-Lines](#) are a network of routes that have been drawn through UK countryside, to link the best existing wildlife sites for invertebrates. BNF and Alice Holt Forest are both on a 'B-line route' (Appendix H). Over time, Buglife hopes these sites will be joined, by 'filling' the B-Lines with new wildflower-rich areas, in collaboration with landowners and local communities. The Buglife website gives a advice on how this can be done, for small areas (<https://www.buglife.org.uk/community-group-guidance/>) and for larger areas (<https://www.buglife.org.uk/land-owner-guidance/>).

7.4 BNF's on-site biodiversity.

7.4.1 Considerable evidence of interesting wildlife has been found onsite.

It has not been possible to include a full biodiversity survey in this Dossier (the site is still in use for grazing, so vegetation that could potentially develop is not present). Nevertheless, considerable evidence of interesting wildlife has been found in the limited surveys undertaken. Appendix L summarises Biodiversity data collected. Examples include:

- A woodcock (Red List) was seen on an evening site visit.
- A bat survey confirmed pipistrelle bats were present.
- The site has a many mature trees, mostly oak (see Section 7.4.4).
- Two of BNF's hedges have good biodiversity.
- Ungrazed field margins have good plant diversity & natural oak regeneration.

The Hampshire Biodiversity Information Centre (HBIC), (whose ecologists have Not visited BNF), looked at its records and satellite photos to assess site habitat and to see if any records have been received from the public about the BNF site itself. No on-site records were found but, as HBIC noted, it would actually be surprising if such records *HAD* been submitted to HBIC, given that the public has no/limited access to the site. Overall, the HBIC ecologists were keen for this report to emphasise the important biodiversity in the adjoining forest, and to highlight that '**absence of on-site evidence is not evidence of absence.**'

7.4.2 Trees at Blacknest

None of BNF's trees are covered by Tree Protection Orders. BNF has c.30 mature oaks and some ash, holly and willow, as detailed in Table 5 (overleaf). Some are in the small copse (Zones 7 & 9), some are field trees (Zone 6), and the remainder grow along the site boundaries, in-line with the hedges. Lateral branching of the field oaks (Fig. C) is consistent with Wood Pasture, as discussed in Section 7.3. There is natural regeneration, in Zones 7 & 9 and the ungrazed field edges. The Path Strip has a further 9 mature oaks and some willow.

Are any of BNF's trees 'veteran trees'? The UK Forest Standard classifies a veteran tree as '*a tree of considerable age that is of interest biologically, culturally or aesthetically because of its age, size or condition, including the presence of deadwood micro habitats*'. Its management should leave a proportion of standing and fallen deadwood in areas of high ecological value and create linkages where appropriate. The availability of dead and decaying wood benefits a wide range of priority species, including saproxylic invertebrates (e.g., rare violet and bright red click beetles, and hole-nesting digger wasps.) Britain has over 2,000 invertebrate species which are dependent on deadwood to complete their life cycles.

None of BNF's trees were described as 'Veteran' in the 2016 arboricultural survey, but several have significant quantities of deadwood and lichen, characteristic of Veteran trees, and horizontal branching consistent with Wood Pasture trees (Figure C and Appendix K).

Protection of Bat Roosts by Natural England Results of a bat survey undertaken (Section 7.4.4) confirmed the presence of pipistrelle bats. When bats' presence is officially confirmed, the individual trees in which they roost, or the whole woodland, becomes protected by law.

[Note (1): Such protection is managed by Natural England and isn't conferred in perpetuity: so it doesn't automatically trigger a TPO protection - Natural England's system to protect wildlife is maintained separately from the tree protection system.] [Note (2): Arboricultural surveyor's 2016 comment that "*there was a 'medium' potential of bats using the mature oaks as roost sites*" has a specific meaning: if any arboricultural work is to be undertaken on those trees, a dawn or dusk survey to identify if bats are present must first be undertaken.]

Natural oak regeneration. Natural oak regeneration throughout the site indicates that the site can support W10⁷ oak woodland, which Forestry England confirmed during a site visit.

The condition of BNF's trees Most of BNF's trees were assessed as being in 'Good' condition in the arboricultural condition survey carried out in 2016. Subsequent work removed two 'failed' trees and tidied torn branches. The survey seems to have been conducted from a 'litigation risk' viewpoint - its recommendations would be seen through a different lens if the site was considered as a conservation site.

In the 2016 survey, none of BNF's trees were described as in 'Poor' condition, and none of the work recommended was described as 'High' or 'Immediate' priority. Tasks of 'Moderate' priority that were recommended in 2016 related to:

- installing fencing, to protect tree roots from compaction / damage by grazing horses.
- pollarding/removing failing willows
- coppicing the hazel understory; and
- thinning oak, to improve crown density and prevent excessive 'lean' to the light.

2016 survey recommended high pruning of oaks (but inappropriate if BNF is Wood Pasture).

Table 5: A zone-by-zone description of BNF trees

Zone 1, at the side of Blacknest Road: A large single oak is the only tree on the BNF 'Recreation Ground.' This oak is a nice shape, but it is battered, having suffered recurrent damage from passing high-sided vehicles, and from having been pruned by the utility company to keep it clear of an overhead power cable. Its condition does not pose risks to road traffic or Bridleway users.

Zone 5: Oak tree 6 is in good condition; oak tree 5 only in 'Fair' condition.

Zone 6, internal field boundary: Trees here are in a line (not a straight line!) In the G1 group of 6 oaks, the tree nearest to the Bridleway has a torn internal branch, but this should be left, for wildlife benefit, as it is not assessed to present any danger to humans /horses. Oaks G2, G3 & G4 need nails removing from their trunks.

Zone 7, top corner, adjacent to Bridleway: There is a line of oaks (G14) which currently need some hanging dead branches removing. There is also a small copse (G13), mainly oak, described as only in 'Fair' condition in 2016 (its ash and hazel understory needs thinning).

Zone 9: Many Zone 9 trees have considerable ivy growth, providing good bat habitat. [A citizen science project removed ivy from some trees, but no further ivy will be removed.]

Zone 10: eastern site boundary has a line of 6 oaks (G12), with an understory hedge of hawthorn, with occasional ash and willow.

Zone 12, along western boundary. A line of mature oaks in good condition, except for oak G8 ('Fair' condition) and a failed (fallen) willow, G11.

⁷ Note: The [National Soil Resources Institute](#) (NSRI)'s Native Woodland Model⁷, suggests BNF land can support 'W8 Lowland mixed broadleaf' (whereas land in Forestry England's adjacent Lodge Inclosure is described as supporting 'W10 lowland oak-birch.'). This difference arises because of NSRI differences in categorisation between BNF and the Lodge Inclosure in the UK Land Cover Map [BNF is classified as 'improved grassland', whereas Lodge Inclosure is 'unimproved'.]

7.4.3 Hedges at Blacknest. The WG Chair conducted a hedge condition survey, using the People's Trust for Endangered Species survey methodology [[Survey Guidelines \(ptes.org\)](https://www.ptes.org)]. The PTES method evaluates hedgerow condition in structural terms and in terms of its potential benefits to native wildlife, assessed from the woody species present. Each hedge is scored for its connectivity, structure and biodiversity value. Resultant scores give a simple hedgerow health check and suggest ways in which improvements can be made. Five sections of hedges at the Recreation Ground were surveyed, per Figure D. Collected data has been uploaded to PTES' website, to form a baseline against which future assessments can be made. Results are summarised below:



Figure D: Hedges surveyed



Figure E: Hedge ash with "knuckle"

On the site as a whole, the dominant hedge species is hawthorn, with blackthorn and occasional mature oak, ash and goat willow also present.

All trees in the hedges have been cut, instead of being allowed to grow out as hedge trees. [Note: Goat willow is the principal food source for the purple emperor caterpillar, so allowing the willow to grow into hedge trees could have significant wildlife benefit.]

Hedges A and D are dense and healthy; the others have become gappy and sparse. All hedges have woody 'knuckles' (Fig E), indicating repeated trimming to the same height. Survey results (in Table 6) show that the hedges could be significantly improved by simple changes in management approach, to improve their vigour, structure and wildlife value.

Table 6: Hedges	Connectivity	Structure	Biodiversity	Total Score	Overall
A	10 out of 16	17 out of 22	23 out of 27	50 out of 65	Good
B	5 out of 16	8 out of 22	14 out of 27	27 out of 65	Poor
C	8 out of 16	7 out of 22	10 out of 27	25 out of 65	Poor
D	12 out of 16	20 out of 22	15 out of 27	47 out of 65	Good
E	6 out of 16	11 out of 22	14 out of 27	31 out of 65	Average
Average	8.2 out of 16	12.6 out of 22	15.2 out of 27	36 out of 65	Average

7.4.4 Results of Bat Survey

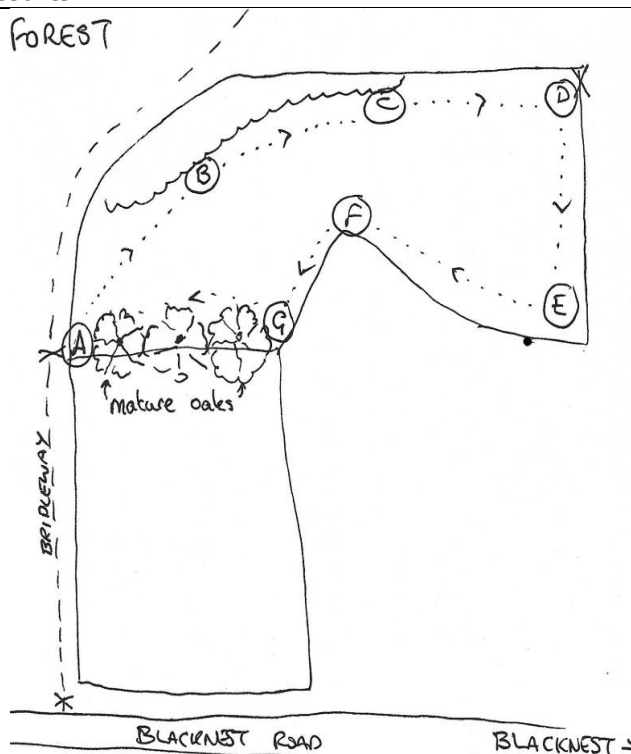
A bat survey was carried out by Steven Luckett of Dockenfield, using bat echolocation and visual observation. Steve used a Magenta bat4 heterodyne bat detector to observe activity at chosen points, and during transect walks between these points, as shown in Table 7.

Pipistrelle bat activity was recorded as shown below. At least some of these pipistrelles were identified as soprano pipistrelles. All bat activity was entirely within the Allotment Gardens, with no bats seen or heard in the Recreation Ground field.

Any future plans for BNF should be sensitive to the needs of these protected mammals.

BNF appears to have potential to support communities of bats of Pipistrelle species and possibly others, given the adjoining mature woodland in Alice Holt Forest, the mature oaks in Zone of the site, and the open grassland habitat of the two enclosures.

Table 7: Bat Survey map and survey results		
Date: 27 May 2021, Time 21:30 Wind – Calm, Temp 13 C		
survey point	Bat passes	Species
A	1	soprano pipistrelle
walk A-B	0	
B	1	unidentified pipistrelle
walk B-C	0	
C	0	
walk C-D	0	
D	3	soprano pipistrelle
walk D-E	0	
E	0	
walk E-F	0	
F	0	
walk F-G	0	
G	0	
walk G-A	1	unidentified pipistrelle



7.5 Opportunities to improve BNF's ecological condition

7.5.1 Improving BNF as a place for nature:

Creating and maintaining wildlife meadows demands expertise, management and effort. A range of actions are possible, at varying levels of effort and cost, as illustrated in Table 8:

Table 8: Changes which could improve BNF as a place for nature.	
Simple management changes at near-zero cost:	
Trees	Remove fencing nails from various oak tree trunks! Coppice hazel to encourage understorey development & improve woodland structure.
Hedges	Modify the hedge management regime, for example to a two-year cutting interval. Allow hedgerow trees / young hedge trees to grow above current hedge height. Thicken hedge gaps by introducing additional shrubs/saplings.
Collaboration	with biodiversity groups can provide opportunities for community engagement.

Changes requiring more significant volunteer effort and/or grant-funding:	
Hedges	Add a new hedge, along the bridleway southern boundary. Coppice or lay the gappy hedges, to reinvigorate them. Replace the hedge section that has been removed along road boundary
Trees	Selectively thin woodland area to increase light, to benefit ground flora & butterflies.
Wildflower meadow	The site's soil Ph has not been tested but is thought to be neither strongly acid, nor alkaline, which is the basis for 'neutral meadows' - the classic flower-rich meadows of fertile, pastoral landscapes. The site's range of wildflowers could be increased by sowing a suitable seed mix (e.g. https://www.bostonseeds.com/products/wildflowers-seed/wildflower-seed-mixtures-20/bs5m-heavy-clay-soils-wildflower-meadow-seeds.html) or by getting plug plants, although this is more expensive. (e.g. https://www.bostonseeds.com/products/wildflower-plants/wildflower-plants-all/). An alternative would be to obtain 'green hay' from a local meadow already established, for example through the 'Coronation Meadows' project, Creating Coronation Meadows Coronation Meadows . The coarse grasses that have established through grazing would need to be close-cropped by grazing, or scarified, before seed is sown. Wildflower areas need an annual mow, with removal of the grass clippings (e.g. for hay). Highland cattle, or similar, are often used seasonally to help maintain wildflower areas, although this requires secure field fencing to be in place.
Pond Creation	A wetland feature would be great for wildlife. A pond or scrape could be created in the Recreation Ground's natural wetter area and left to colonise naturally, then scraped again after a period of time. Or, to retain water all year round, an artificial liner or puddled clay could be used.
Monitoring	To evaluate progress, it will be important to monitor some key species (e.g. numbers of flowering plant species in grassland areas, and bats, breeding birds, bumblebees and butterflies).

A majority of the BNF WG want a wildflower element to be considered, even if only on a part of the site, in view of the wildlife corridor / B-Lines discussions of Section 7.3.3. It's noted that wildflower meadows on clay differ from the picture-perfect 'wildflower meadows' of 2012 Olympic Park or Chelsea Flower Shows, which generally feature chalk grassland flora.

Geoff Woollen has a concern that high levels of volunteer effort would be required to make this option feasible, citing the re-growth of briars at the 12.8 acre SSSI Bentley Station Meadow as a cautionary tale. However, Bentley's SSSI is in a 'Favourable Condition', so the regime seems to be working for the wildlife, even if it may sometimes look messy.

7.6 Opportunities for carbon sequestration & climate resilience

7.6.1 Carbon sequestration

Creation of new woodland is much promoted to mitigate climate change. The protection and management of existing trees also has an important role.

A number of WG members asked for information on how much carbon is currently stored at BNF, and what opportunities may exist to increase carbon sequestration.

Levels of carbon stored on-site at BNF – and relationship with CO₂ removal. BNF's forests, hedges and pastures all hold significant quantities of carbon, both above-ground and in their soils. Since 3.67 tonnes of CO₂ contains 1 tonne of pure carbon, every tonne of carbon stored saves 3.67 tonnes of CO₂ from being emitted into the atmosphere. The UK emits around 7 tonnes of CO₂ per person per year. An economy-class return flight from London to New York emits c. 0.7 tonnes of CO₂ per passenger.

Carbon in soils: Grassland, woodland and wetland habitats all hold large stocks of carbon in their soils. Undisturbed soils, whether in permanent grassland or woodland, hold especially important stores of carbon. For example, grassland can store up to roughly 2 tonnes per hectare per year. Soil disturbance releases carbon into the atmosphere. Arable

soils therefore release net carbon. When new trees are planted in woodland, this also causes a short term 'hit' in terms of carbon released from the soil. Permanent grasslands sequester less carbon than fast-growing forests, but almost as much carbon as slower-growing ones.

Carbon in trees and hedges: As BNF has around 30 mature oaks, there's probably c.150 tonnes of carbon stored in these alone. Long-lived trees like oaks each typically contain around 5 tonnes of carbon in their roots and above-ground parts at maturity (150 years). After oven drying, their above ground dry mass is typically 7-8 tonnes, with the roots a further 2 tonnes dry weight. Around 50% of a tree's dry weight is carbon. Hence, a mature oak typically has c. 4 tonnes of carbon above-ground, and a further tonne below-ground. The amount of carbon that is actually sequestered by trees and woodlands depends on a host of factors - not least species, site and management. As a general guide, young tree absorbs about 6 kg CO₂ per year, while a 10-year old tree absorbs c. 22 kg per year. When you average the average CO₂ that a tree absorbs during his lifetime, it turns out that one acre of forest absorbs about 2.5 tonnes of CO₂ per year. Hedgerows also play a significant role in carbon storage. A new hedgerow can sequester 600-800 kg of CO₂ equivalent per year per km, for up to 20 years.

The potential for further carbon capture at BNF. Adding further trees and hedges, and managing existing hedges in a two-year cutting cycle, could significantly increase the amount of carbon being captured at BNF. Looking ahead, future farm support schemes such as the UK's post-Brexit Environmental Land Management scheme (ELMs) may well use soil carbon measurements to evidence delivery of farms' environmental benefits.

7.6.2 Opportunities to increase climate resilience

Landowners also need to take account of the UK's expected increase in the incidence of extreme weather in the years ahead. To cope with more frequent periods of flood and drought, a range of nature-based solutions can help increase land's moisture-holding capacity, as discussed in Section 5.2.2 (e.g. planting trees/hedges and creating swales, ponds and boggy areas). Such measures increase land's capacity to absorb water in rainy periods and hold it against periods of drought, helping to counter the threat to UK woodlands from summer drought.

8 Potential Uses for BNF

Options Considered: The WG considered each of the main potential uses suggested by 2018 Asset Review survey respondents, and made further suggestions, including hybrid options. These discussions, summarised below, consider eleven main ideas:

- i. Enhancing BNF as a halt for walkers
- ii. Restoring the sports pitch
- iii. Selling the land
- iv. Commercial forestry
- v. Equine grazing
- vi. Riding stables
- vii. Wildlife conservation
- viii. Farming
- ix. Natural outdoor community space (covering nine separate ideas)
- x. SANG (Suitable Alternative Natural Greenspace)
- xi. Biodiversity offsetting
- xii. Hybrid Options.

8.1 Enhancing BNF as a halt for walkers.

Bridleway 41 will continue to exist in all future scenarios, even if BNF land is sold. The WG must decide if dedicating part of BNF as a 'halt' for walkers would benefit the local walking network (noting that Bridleway 41 condition is about to be fixed). Timber or stone-built, wildlife-friendly benches could encourage walkers to stop to enjoy the site, as could an interpretation board explaining the site history.

Incorporating BNF into one of Binsted's local 'Tree Walks' may provide a further interest. Walkers will mostly be local residents; but may include some tourists. Workers at Blacknest Industrial Estate could possibly also be interested in walking to BNF - perhaps to eat their lunch outdoors on sunny days?

8.2 Restoring the Sports Pitch.

The option of restoring the Recreation Ground sports pitch was firmly dismissed:

- EHDC's 2019 playing pitch strategy states there is no under-provision of pitches in the local area, for 10-year time horizon, so would be unwilling to contribute to any costs.
- Organised sports would require on-site car parking, which is considered undesirable, as discussed in Section 4.6.
- It would be very costly (c. £100K) to restore a proper pitch suitable for football/cricket.

8.3 Selling the land.

8.3.1 It is surprising and unfortunate that the legal constraints governing BNF were not clarified from the start of WG discussions. Much time and emotion was wasted discussing sale options before it became known that funds cannot be realised from selling BNF and therefore that such a sale cannot be a route to fund improvements to BPC's other assets. The idea of selling BNF has created dissent. In 2018, there were four viewpoints:

- **Respondents to the 2018 Asset Review**, unaware of constraints imposed by BNF's Village Green/charitable status, who developed expectations that BNF could be sold for a high price and the funds spent on other parish projects.
- **Residents who simply feel that parish assets should never be disposed of** (all areas).
- **Blacknest residents**, who consistently stated that they absolutely do not want the land to be sold, due to inappropriate residential/commercial development, or unwelcome activities following changes in land use/ownership (industrial use/ travellers/ tourism.)
- **Residents from parts of the parish that lack local community greenspace** A couple of respondents highlighted that Bentley station area, Isington, Bucks Horn Oak and Frith End have no community land that they can use for recreation or allotments, and wish BPC would purchase/rent more local greenspace nearer their settlements.

8.3.2 **Selling off the site, and buying a larger, alternative Village Green elsewhere**, would be likely to require a significant input of funds, which BPC would find hard to secure. Without change of use, the land would be sold as low-grade agricultural land, which is likely to perpetuate the site's use as grazing land. Securing planning permission for a change of use, either to industrial use (for example, for Riding Stables) or to housing development would be hugely controversial. Covenants restricting certain uses can be inserted in sales contracts, but it is very difficult to ensure their proper enforcement.

Overall, BPC would face considerable legal challenge if it countenanced a sale of any kind, even for part of the site. Even if the council successfully navigated the legal hurdles discussed in Section 3 and secured the funding and legal clearance to make such a sale, the controversial nature of any sale would require BPC to be very certain that it has a clear mandate from parishioners for any sale. It was suggested by a parishioner that any

proposed sale should be confirmed by further consultation with the whole parish before any sale. In fact, the legal process that is required by the Charity Commission makes this mandatory, as explained in Section 3.

8.3.3 'Leasing' of BNF land which retains public access to the site in perpetuity would be possible via an extremely long-term lease for commercial forestry with Forestry England (considered in Section 8.4), or designation of the site as SANG (Suitable Alternative Natural Greenspace), (discussed in Section 8.10). These long-term arrangements would have a finality that is like a sale, in the sense that they would prevent future revisions in use.

8.3.4 Sale of part of site to a Community Land Trust (CLT), for affordable housing/etc.

This could be an interesting way of meeting BPC's obligation to use the Allotment Gardens to benefit 'the poor' of the local area. For example, building a small house, exclusively rented to trainee nurses, to help enable low-paid NHS trainees to afford to live in the parish, could be a 'thank you' for the much-appreciated efforts of NHS staff during the Covid pandemic. A CLT is a non-profit, community-based organisation run by volunteers. The CLT movement is growing fast (six-fold in the last six years). Short case studies are showcased at [Rural CLTs \(communitylandtrusts.org.uk\)](https://communitylandtrusts.org.uk). Rural CLTs are the 'classic case' for CLT development - village communities taking the initiative to respond to high house prices, by building affordable houses that enable key workers to live locally. CLTs can often get planning permission to build just a few houses on the edge of a village, or some other small plot which would not be worthwhile - or would not be allowed - for a commercial developer.

CLTs are formed specifically to NOT make profits, and do not have expensive overheads, staff and consultants to pay, as most of the work is done by local volunteers. HOWEVER, trying to build a house inexpensively on a wet site that lacks mains drainage or electricity would be a challenge, and a new access road that is separate to the Bridleway would be needed.

8.3.5 Addressing the need for community greenspace elsewhere in the parish.

The WG acknowledges Bentley station and BHO areas have expressed interest in acquiring community greenspace in their locations. The majority of WG members strongly believe that any need for additional community greenspace in these other areas should be pursued independently of the BNF discussions: the 1st step to action this is for these communities to evidence their need in an appropriate level of detail. Overall, it is felt to be unwise to play off one part of the parish against another.

8.3.6 Would land-swapping enable community greenspace to be obtained elsewhere?

The idea of land-swapping is complicated by the legal constraints of Section 3. Additionally, Forestry England has stated that it is not interested in considering any sort of a land 'swap' (for example, to exchange some BNF land for land in BHO). FE made it clear that it cannot consider any deal that ties together two pieces of land, and that there are constraints on encouraging community recreation areas on Ancient Woodland sites. As FE land owns no land in the Bentley Station area, the Bentley community could not benefit from accessing FE land.

8.3.7 WG members are robustly opposed to sale. Appendix J sets out parishioners' suggestions about BNF - and evidences the depth of opposition to sale. Overall, there is a strong desire for the uncertainty this review has created to now be drawn to a close. It is clear that the trust of the WG will be lost unless the option of selling the site is taken 'off the table', and that some members of the WG will continue to oppose sale in any public consultation. It is also noted that, when many communities are fundraising to *acquire* land for rewilding, it seems perverse to sell off land the community already owns, that is suitable for this purpose.

8.3 Commercial forestry

- 8.3.6 **Nationwide interest in tree planting.** Woodland creation is a key part of the government's 25 Year Environment Plan, which aims to increase the area of woodland in England to 12% of land by 2060, as part of the UK's Climate Change action plan. There is widespread public support for this agenda.
- 8.3.7 **Planting incentives.** Forestry England (FE) aims to expand the national forest estate. England's new post-Brexit land management grants (NELMs, to be introduced in 2023) will also incentivise private and local authority landowners to plant more trees.
- 8.3.8 **Three possible approaches.** Commercial forestry is an obvious use for BNF, given its proximity to the large Alice Holt commercial forest. If BPC wished to develop BNF for commercial forestry, there are three main ways it could approach this:
- i. **Arrange a long-term lease with FE**, to design, plant and manage the forest, which would become part of the public forest estate, with open public access. FE's Alice Holt Forest plan favours the use of continuous cover forestry systems, a 'close to nature' approach appropriate to Alice Holt's large amounts of semi natural woodland and its freely regenerating understory. FE's stated medium/long term vision for the Lodge Inclosure, which immediately adjoins BNF, is 'managed native woodland'. This means progressive thinning to retain the best timber trees. If FE acquired rights to plant at BNF, FE would be expected to adopt a similar approach to land at BNF.
 - ii. **Appoint a professional forestry management company** (e.g. [Lockhart Garratt](#)) to design, plant and manage the forest for the parish council. (Any applications for forestry/NELM/other grants would be undertaken by management company).
 - iii. **A more 'hands-on', 'DIY' approach**, whereby the parish council itself makes applications for forestry/NELM/other grants for this small site and brings in forestry consultancy help on an 'as needed' basis.
- 8.3.9 A December 2020 meeting with FE land agent Joan Clark was organised by WG Chair John Coney. FE confirmed its interest in expanding its planting area and in acquiring additional land adjacent to Alice Holt. Planting would be mixed broadleaf woodland, or entirely oak, in line with agreed long-term plans for Alice Holt. FE is developing a new business model, whereby it will lease land on a long-term basis (e.g., 150 years for an oak forest), which FE would then plant and manage as a commercial forest, in return for an agreed rent. No leases of this type have yet been agreed, as the model is still in development. The landowner in the agreement would have significant scope to influence how the land was developed – e.g. specifying areas of open space in the forest design. FE noted that landowners' scope for control through a lease model would be higher than through traditional land sales with restrictive covenants.
- 8.3.10 The sum that FE would be willing to pay for such a lease would depend on various factors. FE would need to conduct a survey of its own before any financial scoping is possible - for example, to consider the land condition, the amount of planting that could be achieved and the expected financial return. (The level of woodland planting grants available to landowners via NELMs would also presumably be an influence.)
- 8.3.11 As mentioned at 8.3.3, FE made clear at this meeting that it was uninterested in considering 'land swaps' whereby other parish areas of FE forest were allowed greater design influence over that land, as part of an agreement for FE to manage BNF. FE would not wish to tie together two parcels of land under a legal agreement.

- 8.3.12 January 2021 WG meeting discussed this idea. A majority of WG members were strongly opposed to the idea. They prefer to retain an open landscape. There is some distrust of FE as a land manager because the organisation is seen as under-resourced, and concerns that the public forest estate is not wholly safeguarded from future sales, due to past government proposals to sell England's public forest estate, and ongoing divestment of rural woodland to fund urban greenspace acquisition.

8.5 Equine grazing

- 8.5.1 **Income.** The Recreation Ground and Allotment Gardens are let for equine grazing, on rolling six-month contracts (Sept-Mar and Mar-Sept). The contracts generate income of just over £1,000 per annum. There is a high level of local demand for grazing.
- 8.5.2 **Expenses.** BPC's outgoings associated with grazing specifically (i.e. excluding tree care, etc.) vary from year to year. In 2019-20, expenses were £325, (£300 cutting the hedge in Zone 5; and £25 on a padlock.) In 2020-21, expenses were minimal.
- 8.5.3 **Contractual notice period.** Any change to the current grazing contract for the Recreation Ground should be decided by mid-August, to give one full month's notice to the current tenant, ahead of 22 September renewal for the current agreement.
- 8.5.4 **Contractual obligations.** As mentioned in Section 4.4.1, the grazing contracts for the Allotment Gardens and The Recreation Ground specify that *"tenants are responsible for fencing their own stock and; at least once a year, to cut or have cut the grass in order to keep the premises free from Ragwort or any other notifiable weeds or scrub on the said land; also to trim or have trimmed the hedges around the site at least once during the Agreement Period, preferably in the winter months"*. There is nothing in the grazing tenancy agreements prohibiting electrified fencing.

8.6 Riding stables

- 8.6.1 **Leasing the land with the view of developing a commercial riding stables** has also been suggested. The land's proximity to the Bridleway and network of forest paths makes this a logical suggestion.
- 8.6.2 **Permission for Change of Use from agricultural to industrial** status would be required to establish a commercial riding stables, and therefore this option cannot easily be contemplated unless the site is sold. Competition with existing commercial riding stables in the neighbourhood (at Frith End) also need to be considered. If this option was pursued, it seems likely that the whole of the site would need to be used, and this could make it difficult to give proper protection to the mature oaks onsite.

8.7 Wildlife conservation area

- 8.7.1 **Actively managing BNF as a wildlife conservation area** could be rewarding, given the discussions about BNF's valuable ecological status (Section 7). Section 7.5 highlighted actions that would improve BNF's biodiversity. If a decision is made to retain BNF, a Development Plan will be drawn up, identifying the sequence and timings of conservation actions. Specific opportunities to improve particular species or areas of habitat would become clearer once a full biodiversity survey is completed.
- 8.7.2 **The importance of expert guidance and community support.** Successful wildlife projects need guidance from the right experts, plus community support. If BNF is to be successfully developed as a wildlife conservation area a professional ecological survey should be carried out, and careful evaluation made about public access to sensitive wildlife zones.

8.7.3 Taking a gradual, focused approach to conservation efforts. The recommended approach is *'Evolution rather than Revolution'*, which makes this option clearly affordable. Getting initial phases of work right is vital and makes it easier to build support from potential local volunteers. Over time, and as the site becomes better understood, follow-on work can be scoped. There are many potential grants to fund such work.

8.7.4 What conservation actions could be considered?

Section 7.5 already outlined some actions that would fit with this Option, such as: a wildlife pond; a wildflower meadow; and increased tree and hedge planting. For each action, the cost of materials and labour obviously need to be properly costed. For example, Table 9 illustrates that there is considerable choice in sources of free tree saplings:

Table 9: Potential sources of free tree whips
• The Woodland Trust (grant scheme is currently open, for delivery of saplings in Nov 2021). • SDNPA's 'Trees for the Downs' funding scheme Trees-for-the-Downs-Guidance.pdf (kinstacdn.com) provides both saplings and tree guards, and is open until 31 May 2021, with further Spring applications annually thereafter. • EHDC's tree planting initiative may be a source of free trees, although EHDC is thought to be less keen on providing funding for their subsequent upkeep and maintenance. • Local Authority Treescapes Fund (www.gov.uk) Defra's £2.7 million (2021/22) Local Authority Treescapes Fund (LATF) aims to increase tree planting and natural regeneration in local communities. It will continue in further years. The fund is part of the Government's Nature for Climate Fund and aims to establish more trees in non-woodland settings such as in riverbanks, hedgerows, parklands, urban areas, roadsides and footpaths, in copses and shelterbelts, and neglected, disused and vacant community spaces. It is targeted at landscapes that have been neglected in the past, ecologically damaged or affected by tree diseases like ash dieback). • Since Hampshire CC applied and won funding from this, lower tier local authorities must apply to HCC. HCC's allocation for 2021-22 has already been committed. • The Queen's Green Canopy, a new initiative to celebrate the Queen's Diamond Jubilee in 2022, is also encouraging communities to plant trees. The Woodland Trust will provide 3 million saplings free of charge to schools. Others wishing to be involved must buy their own saplings.

8.8 Farming

8.8.1 A long-term lease or sale for farming activities could be considered. However, the poorly drained clay is probably no better than Grade 4 land and would represent a challenging site for farming activities. There is more local demand for grazing than for farmland. This option therefore seems unviable.

8.9 Various outdoor community activities

8.9.1 A wide range of human/social activities could potentially be enjoyed at BNF, from the totally 'informal' (picnicking or flying a kite), to more organised group activities. If the site's purpose was to be re-aligned, it would be worth giving BNF a new 'name' [e.g. *'The Green at Blacknest'*]

8.9.2 Guiding principles. In considering potential community activities, the WG was clear there are some complete 'no-nos', which must be actively discouraged or banned:

- carparking at the site (as discussed in Section 4.6)
- BBQs (because of the risk of forest or grass fires) and
- camping (which is not allowed on Village Greens).

'Smart' site design is needed, to deter antisocial activities (e.g. fly-tipping and vandalism) and carparking, and to manage public access in areas sensitive for wildlife.

The success of any group activities will rely on finding appropriate community volunteer co-ordinators. BPC lacks the staff time to run these.

8.9.3 The following Natural Outdoor Community space options were considered:

(i) Natural playground

Such a wide range of play facilities exist in the nearby Alice Holt Visitor Centre, that it is tempting to think there is no need to consider further provision. However, BNF's Village Green status means this aspect should be properly explored. Additionally, there is clear local interest in having a small-scale 'natural' play space for local children to play frisbee, kick a ball or simply enjoy being in the fresh air.

We're not talking about investing in complex play contraptions surrounded by a sea of wood chips, but rather of designing the BNF site to tickle children's imaginations, so children visiting the site find places to run, let off steam, explore, pretend and hide. For example, by: providing an area where den building is allowed; mowing grass paths in longer grass; or creating 'hillocks' that small children can run down or go sledging in the winter. Family activities such as Geo-Caching could also be considered. Less organised activities are vital to children's interaction with nature: they encourage freer and more spontaneous types of play, especially when adults take a less intrusive approach. There is a wealth of knowledge in many organisations (including Forestry England) on designing and managing natural playgrounds, including associated public liability issues, which must be thoroughly understood.

(ii) Stargazing. The South Downs National Park (SDNP) has Dark Sky Reserve status and Alice Holt forest area is one of its darker parts - BNF lies in Zone E1 of Dark Sky Reserve area. This area is an excellent one from which to observe the starry skies and would make BNF a good place to hold public stargazing events. Contact has been made with Dan Oakley, SDNPA's Dark Skies co-ordinator, who has confirmed he would be willing to give advice on running star sessions. Dan also suggested that BPC/the local community could designate BNF as Dark Sky Discovery Site - '*the nomination process is usually painless and SDNPA staff can assist.*' Collaboration with The Jolly Farmer pub could potentially allow visitors visiting BNF for Stargazing to park at the Jolly Farmer carpark?

(iii) Permaculture is a land management approach to produce food (or indeed housing/other goods) by copying natural ecosystems: for example, to grow food in dry areas without irrigation. BNF could consider 'light-touch' permaculture, to grow and consume food produced onsite (recognising that birds/deer may eat it first!) It is a step up from simple foraging for berries, wild garlic, or fungi – for example, by allowing raspberries to grow onsite. [Serious-scale permaculture at BNF seems inappropriate, such as agroforestry systems integrating crops/ animal systems with woodland, as when chicken farming is carried out in woodland.]

There is well-documented value in gardening hubs as therapeutic centres for community wellbeing. Farnham's excellent Space2Grow project [space2grow - what we do](#) demonstrates this: its 1-acre plot acts as a hub for Gardening groups, Veg Club, Cooking Club, Natural crafts, Learning in Nature and Men in Sheds.

The Alton Local Food Initiative also runs plots for community permaculture and would be an obvious source of help if BPC wished to consider such options at BNF.

- (iv) **Community orchards** can be highly successful: they can also fail without sufficient community involvement. An orchard could be planted by BPC but would require volunteers to maintain the trees, keep undergrowth under control and pick the fruit at the appropriate time. BNF's wet conditions may also mean that parts of the site are too wet to grow fruit trees successfully - advice from fruit-growing experts (e.g. Brogdale) should be sought before pursuing this option. The WG is aware of Bentley School PTA's successful community apple collection project (running for over 10 years), which raises school funds by selling apple juice pressed at a nearby apple-pressing company. Bentley School PTA could be interested in considering some sort of apple collaboration at BNF.
- (v) **Community tree seedling nursery** Reserving a small area at BNF as a small 'Community Tree nursery' would enable the community, assisted by Binsted's Tree Warden, to raise tree seedlings for use by community groups to re-plant elsewhere.
- (vi) **Community Wood Hub.** There has been an upsurge in initiatives to revitalise England's woodlands by establishing groups that organise projects celebrating and encouraging the active use of woodlands (e.g. The Dorset Woodhub). A woodland site gives an important outdoor dimension to groups already involved in woodland management activities. It also enables community groups to take an active role in woodland management, through coppicing (producing beanpoles, pea sticks, willowcraft withies) and/or production of charcoal and/or firewood from forest arisings, etc. Such groups can function as rural versions of Men's 'Shed' networks, encouraging community cohesion, improving mental health and reducing isolation. Longer term, coppiced goods produced onsite could be sold for charity, in keeping with the Allotment Gardens' charitable purpose.
Running events in partnership with organisations such as Space2Grow ([space2grow](https://space2grow.co.uk)) or the Field Farm Project (www.fieldfarmproject.com) could be a means of establishing local interest in a wood hub activity. The Field Farm team, in Froxfield (near Alton) has expertise in a wide range of woodland craft such as basket-weaving, bow-making, and qualifications in forest school and other educational areas.
- (vii) **Forest schools** have grown in UK popularity since their introduction from Scandinavia in 1993. They offer child-centred learning through regular class sessions in natural settings. BNF's absence of toilet facilities and on-site parking make it impractical to base a Forest School at BNF. However, although BNF may not be ideal as a permanent base for a forest school, it could well be viable to run occasional events (such as summer holiday activities) at the site.
- (viii) **Interpretation site for Roman Pottery kilns.** As the area was the 'Stoke on Trent' of Roman times, it may be an attractive idea to develop a themed local walk with on-site historical information about the local pottery kilns. Blacknest's links with pottery are weaker than those of Frith End and Abbots Wood (where most of the Roman kilns were centred). However, the fragility of the actual sites in Abbots Wood, makes it preferable for any 'commemoration' of this history to be celebrated at some distance from the actual sites themselves.
- (ix) **A role in green social prescribing.** Pre-Covid, the [NHS Long Term Plan](https://www.nhs.uk/longtermplan) committed to significantly expanding social prescribing, an important strand of which relates Green Social Prescribing. This links patients to nature-based activities and interventions, such as walking for health schemes, community gardening, food-growing projects or the community wellbeing gardens, or 'men's' sheds', mentioned

in (iii) and (vi) above. The COVID-19 pandemic has increased momentum for such measures, having highlighted the importance of being outdoors to people's mental and physical health. The question of whether BNF could play a role in such projects needs discussing with local GPs, health care agencies and practitioners.

8.10 Designating BNF as a 'SANG' (Suitable Alternative Natural Greenspace).

8.10.1 What is a SANG? Developers who want to build on sites within, or in proximity to, high-value wildlife sites such as Special Protection Areas (SPAs) are required to either contribute to, or to provide, a Suitable Alternative Natural Greenspace (SANG). SANGs must be ecologically 'ordinary' areas of greenspace (often, agricultural fields) which can be brought into use as recreational greenspace (often, for dog walking), to mitigate increased population pressure on other, ecologically protected areas. The logic is that, by drawing recreational visits to the SANG, the damage such visits would cause to more ecologically valuable sites is lessened. For example, SANGs were provided at the Hogmoor Inclosure, the Bordon Inclosure and Standford Grange Farm to limit damage to the SSSIs around Bordon-Whitehill, following its residential expansion. SANGs are discussed further in: [What is a SANG? Q&A: The Land Trust](#).

8.10.2 Is there a local demand for SANG sites? Possibly. It is currently unclear what local demand exists for SANG provision:

- East Hampshire's Local Plan is still not yet finalised. Local demand could potentially be created for SANG sites if, Northbrook site development is included in EHDC's Local Plan. The SANG issue in relation to Northbrook is discussed in EHDC's 2019 document 'East Hampshire's Regulation 18 Local Plan - Interim SANG Assessment Report', see [Analysis of Potential SANG Sites Strategy 2018-11-21 \(easthants.gov.uk\)](#). Revisions affecting SANGs are currently being made to the [National Planning Policy Framework](#).
- It is also not obvious how BNF, being adjacent to the public land already available at the Alice Holt Forest, would be evaluated as a SANG.

8.10.3 What would BPC gain financially from designating BNF as a SANG? SANGs can be provided from privately-owned land, which is sold (often at a high market value), to a local authority or other management body (like the Land Trust). Where land is already owned by a local authority (as at BNF), that public sector owner receives income through the Community Infrastructure levy system. Exact tariffs vary according to the size/complexity of the land, distance from the new development, etc – and income received covers two costs:

- An upfront payment, to cover work needed to convert the land into a SANG, which varies from site to site, and depends whether the SANG is being formed by:
 - opening up existing greenspace that is currently inaccessible by the public,
 - modifying existing greenspace to make it more attractive to potential visitors,
 - or, converting land that is not currently green space.
- Ongoing payments for managing the SANG in perpetuity, to cover costs such as:
 - maintaining the carpark, paths and signage, and emptying dog waste bins.

8.10.4 Could BNF qualify as a potential SANG?

A BNF SANG does not seem viable or desirable and is ruled out. BNF falls short of many of the minimum qualification criteria for a SANG site, set by Natural England, which lays down 14 specific requirements which MUST be met, and a further 5 features which are 'desirable', as set out in Appendix M:

- The BNF site is too small (below the minimum 4 Hectares (10 acres) for a SANG)

- It could not provide a circular walk of at least 2.3 km around the site.
- It would be extremely challenging to provide the carparking so critically required.
- The BNF site has too high a level of biodiversity to meet Natural England's guidelines, which state that candidate SANG sites must not be land which itself is of importance for nature conservation (as such sites cannot provide the sought-for avoidance of damage to ecological sensitive areas).
- Natural England also seems to state that SANG cannot be land with existing public access. This alone seems to disqualify BNF's Village Green part from being considered as a candidate SANG site.
- SANG designations often create strong public emotion. In 2015, there was public uproar⁸ when Guildford Borough Council proposed three areas of common land as SANG sites, as these commons already had full public access. Not only was the public gaining no new public access through this move, but there was indeed a LOSS of public benefit, as existing wildlife would be imperilled by urbanisation and opportunities to improve nature conservation at these commons were lost.
- BPC does not want to create public controversy by designating BNF as a potential SANG site, especially in the context of controversial developments (Northbrook).

8.11 Biodiversity offsetting

8.11.1 The concept of Biodiversity Net Gain is incorporated into the UK's flagship 2020 Environment Bill, which will redraw environmental legislation after EU departure. Developers will be mandated to include a 10% biodiversity net gain in their development plans. The idea is that they should include on-site biodiversity measures where they can (e.g. by tree planting/ bat boxes), but if their on-site measures are insufficient to secure the biodiversity net gain required, they must arrange to fund biodiversity improvements off-site, on land with biodiversity improvement potential. The final version of the biodiversity metric is still expected to be published imminently: in January 2021, Defra advised that the legislation for Biodiversity Net Gain will not be affected by delays to the timetable for the overall Environmental Bill.

8.11.2 Register of Land to meet Biodiversity Net Gain legislation. Planners in our Local Authorities (EHDC and SDNPA) are already preparing for the implementation of these new mandatory Biodiversity Net Gain rules. EHDC is establishing a register of land which might meet criteria for potential biodiversity gain, with a view to matching developers and off-site land. Sites which are 'candidates' for the register will be assessed by Hampshire's County Ecologist, to gauge their nature and suitability. An EHDC Project will also examine how the new land register can best be linked with existing local Biodiversity plans. To evaluate if BNF could potentially be added to these registers, the County Ecologist would need to visit to assess the site - BPC has his contact details and for this activity in EHDC and SDNPA Planning Departments.

8.12 Hybrid Options

A hybrid option, either where the site is 'zoned' to allow multiple uses, and/or where certain areas of the site fulfil multiple uses, could be an attractive way forward. For example:

- (a) BPC could protect certain sensitive conservation zones, continue to lease part of BNF for grazing, and allow public access to some areas.
- (b) if a sale is considered, this could be for a part, rather than for the whole site.

⁸ See: [We fight threat to Guildford's unique commons - Open Spaces Society \(oss.org.uk\)](https://www.oss.org.uk/) (Broad Street, Backside Commons and Stringer's Common)

9. Parishioners Views

9.1 2018 Asset Review

9.1.1 **BPC's 2018 Asset Review was a much-needed exercise** to start the parish community thinking about how BPC's assets might be used more fully. Sadly, its results were unhelpful in respect of deciding what to do with BNF:

- Most Asset Review respondents were entirely unaware of the BNF asset.
- Few respondents who gave comments about BNF were knowledgeable about the site; and no-one was aware of the constraints on sale imposed by its legal status.
- Bucks Horn Oak's proximity to BNF (by bridleway) was not mentioned in Asset Review, so BHO residents largely ignored BNF question, unaware BNF could be useful to them.
- Certain parts of the parish community participated more than others in the Asset Review. BPC's success in engaging Binsted village communities skewed the results, as those who were aware of the need to improve the school/church /parking/Pavilion suggested that the (previously unknown) BNF should be sold *"to provide revenue for Binsted Rec/provide facilities in Binsted village/improve parking for Binsted school and Binsted church."*

9.1.2 **The Asset Review proved an extremely divisive exercise.**

The Review fell far short of being a "democratic" exercise – those who expressed any views represented a tiny percentage of total parish residents. Respondents fell into 3 camps:

- (25%) Retain the land for grazing.
- (60%) Sell it to provide revenue to develop other council assets (mostly in Binsted village)
- (10%) Develop it as a community asset.

9.2 Working Group Members' Views

9.2.1 **Meetings.** The Working Group has met four times:

- twice in 2018, with Claire Fargeot as Chair,
- once in Oct 2019, with John Coney as Chair, and
- once in January 2021, with Alison Melvin as Chair, with a further meeting in June 2021.

9.2.2 **Appendix J sets out WG members' views**, as collated after January 2021's WG meeting, and through the Survey Monkey questionnaire in April 2021.

10. Conclusions and Recommendations

WG conclusions are summarised in the Executive Summary. There are 5 fundamental points:

(1) BPC is NOT fully meeting its legal obligations at BNF

The Recreation Ground is a registered Village Green, which should be open to the public for 'recreation and enjoyment'. It seems preferable to open up the BNF site, and reduce the area let for equine grazing; rather than to sell Recreation Ground and buy a new Village Green, which would be hard and costly to achieve.

(2) BPC is ecologically valuable, especially the Allotment Gardens.

BNF's location is important, as is its 'wood pasture' (possibly '*ancient* wood pasture') habitat. There are exciting opportunities to improve BNF's ecological condition and climate resilience. Simple management changes can be made at near-zero cost; other more significant changes (such as adding hedges, wildflower meadows, or a wildlife pond) could be funded by grants. There also are opportunities to significantly improve site drainage and flood resilience.

(3) The favoured uses are community greenspace and space for nature

as summarised in '*Table 1: WG members views on 19 potential uses for the site*'. Hybrid options, either where the site is 'zoned' to accommodate multiple uses for the overall site, and/or where certain areas of the site fulfil multiple uses, could be attractive.

'Evolution rather than Revolution' is the favoured approach: After a full biodiversity study, a development plan would be drawn up, and judgements made about follow-on work as the site evolves and becomes better understood.

A surprisingly high percentage of Binsted parish's residents live near BNF (Section 2.5) and Bridleway 41 is an important aspect of the community's ability to access BNF.

(4) The WG strongly believes BNF should be retained, not sold.

An overwhelming majority of WG members recommend that BNF is NOT sold or leased.

Selling land is an irreversible act, whereas retaining the site retains future flexibility to develop community activities, or to sell if this ever proves necessary. The WG recommends, if new assets are desired elsewhere in the parish, that this is pursued independently from BNF. The Charity Commission would need to approve any change of use, including sale. When voting whether to retain BNF, BPC must consider the effort and cost that would be required to apply for a Scheme for change of use or sale - BPC would need to:

- (i) Hold a public consultation on the change of use,
- (ii) Vote on the change of use with the necessary Council quorum, and
- (iii) Advise if the proposed change has met any opposition or controversy; plus
- (iv) Any sale would need to comply with the requirements of 2011 Charities Act.

(5) BPC need to take clear and decisive action, to remove uncertainty.

The WG recommends that the council votes, in July, to take the sale option 'off the table'.

This will allow a detailed evaluation of the remaining options - continuing the Status Quo is also not an option, given BPC's obligation to provide public access to the Recreation Ground. Following this vote, the WG recommends that an identical process to develop forward plans be used, irrespective of whether the vote is in favour of selling or retaining BNF. Specifically, it recommends that, by mid-December, a clear, costed Development Plan OR Divestment Plan must be agreed by BPC. If no such plan is in place, BPC should revisit the sale vote decision at its January 2022 council meeting.

Appendix: Correspondence, records, maps and photographs

A - Land Registry Title plan and Conveyance

B - Advice from the Charity Commission

C – Advice from Hampshire and IoW Wildlife Trust

D - Old maps

E - Binsted parish population in relation to BNF

F - Rights of Way maps

G - Biodiversity Records from HBIC

H - Maps from Alice Holt Forest Plan

I - Other Biodiversity maps (MAGIC and Buglife B-Lines)

J – Parishioners’ views

K - Photographs of the site

L – On-site Biodiversity Survey observations

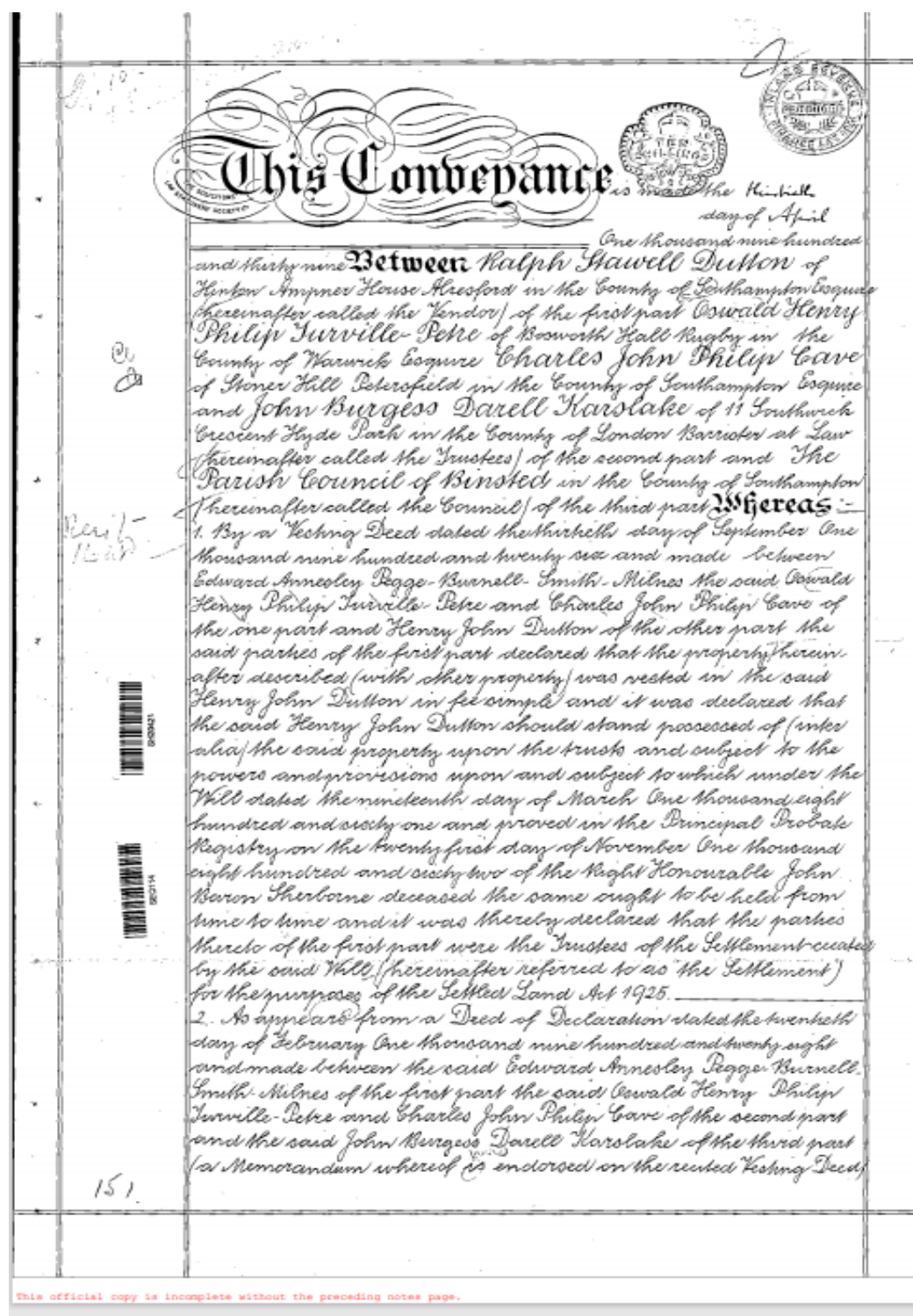
M- Requirements for SANG (Suitable Alternative Natural Greenspace)

HM Land Registry
Official copy of
title plan



© Crown Copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 1000263





30/4/1939 – Conveyance between Ralph Dutton, Trustees and BPC

Whereas, (1) by a 1926 Vesting Deed, Ralph Dutton owned the land;

(2) by a 1928 Deed of Declaration, the Trustees became Trustees of the Settlement for the purposes of the 1925 Settled Land Act (This 1925 Settled Land Act seems to have enabled the sale of land that is held in Trust.)

the Trustees became and are the present Trustees of the Settlement for the purposes of the Settled Land Act 1925.

3. The said Henry John Dutton died on the first day of January One thousand nine hundred and thirty five and Letters of Administration were on the twenty sixth day of February One thousand nine hundred and thirty six granted by the Principal Probate Registry to the Trustees the said grant being limited to the Settled Land comprised in the Settlement.

4. By a Vesting Assent dated the fourteenth day of April One thousand nine hundred and thirty six the Trustees as personal representatives assented to the vesting of (inter alia) the said property in the Vendor in fee simple Upon the trusts of the Settlement referred to in the heretofore recited Vesting Deed and declared that they were the Trustees of the Settlement.

5. The Vendor as such trustee and estate owner as aforesaid has agreed to sell to the Council the property (hereinafter described) and the fee simple thereof in possession free from incumbrances at the price of One hundred pounds.

Now this Deed witnesseth as follows:

In pursuance of the said agreement and in consideration of One hundred pounds by the direction of the Vendor paid by the Council to the Trustees as such trustees as aforesaid who hereby acknowledge the receipt thereof the Vendor in exercise of the power for this purpose conferred on him by the Settled Land Act 1925 and of all other powers and as trustee hereby conveys and releases unto the Council and their successors in title First, All that perpetual yearly rent charge of Four pounds arising out of and secured upon Fields No 184, 184A and 203 in the Binsted Enclosure Award and Map 1852 (hereinafter referred to as the Award) and situate in the Parish of Binsted aforesaid of which fields the Council are owner in fee simple subject to the rent charge and which are delineated and coloured pink on the plan annexed to these presents Together with all powers and remedies for securing and compelling the same so the intent that the said yearly rent charge shall cease to be payable and forthwith merge and be extinguished in the freehold of the said fields and that the said powers and remedies shall cease to be enforceable And Secondly, All that piece or parcel of land being Field No 202 in the Award situate in the Parish of Binsted aforesaid and containing 3.655 acres being No 541 on the Ordnance Survey 1910 Edition and by

This official copy is incomplete without the preceding notes page.

(3) Dutton died in 1935, (4) 1935 Vesting Assent said Dutton was free to sell the land.

(5) The trustees are selling lands for £100 to BPC on Dutton estate's behalf; namely:

(I) Allotment Gardens (203), and the land opposite Broadview Farm (184 and 184A), which have until now been leasehold and are now converted into freehold land, and

(II) Recreation Ground (202),

way of further illustration delineated and coloured blue on the said plan **Cotfold** unto the Council in fee simple discharged as provided by Section 72 of the Settled Land Act 1925 Subject as to the land secondly hereinbefore described to a liability to maintain the same as a place of exercise and recreation for the inhabitants of the said parish of Binsted and neighbourhood and to drain and level and keep drained and levelled the surface thereof and to maintain and repair the fences on the South and West side thereof in accordance with the terms of the Award.

2. The Council (by way of indemnity only but not further or otherwise) hereby covenant with the Vendor that they will at all times hereafter observe and perform the liability and conditions to which the piece of land secondly hereinbefore described is subject and will indemnify the Vendor and his estate and effects from and against all claims and demands on account thereof.

3. The Vendor hereby acknowledges the right of the Council to production of the documents of title enumerated in the Schedule hereto and to delivery of copies thereof and hereby undertakes for the safe custody thereof.

4. It is hereby certified that this transaction hereby effected does not form part of a larger transaction or series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds five hundred pounds.

In witness whereof the parties hereto of the first and second parts and the Chairman and two Members of the Council have hereunto set their hands and seals the day and year first before written.

The Schedule referred to.

1926, 30th September The hereinbefore recited Vesting Deed.
 1928, 20th February The hereinbefore recited Declaration as to Trustees.
 1936, 26th February The hereinbefore recited Grant.
 1936, 14th April The hereinbefore recited Vesting Assent.

Signed Sealed and Delivered
 by the before named Ralph Hawell
 Butten in the presence of
 L. R. Pres.
 Leslie Campbell Shaford
 Butten

Ralph Butten

... (which is being sold to BPC by Section 72 of 1925 Settled Land Act,) ... noting that the Recreation Ground is subject to (1) land being A Place of Exercise (i.e. a Village Green), it being kept drained and the fences to South and West (=Bridleway edge) being kept repaired; (2) BPC indemnifying Vendor for any failure to ensure Recreation Ground meets above conditions (3) Vendor is happy for BPC to draw up title documents; and (4) something about no "stamp duty" type charges being payable. Signed, sealed, Delivered!

(There is a 1953 Memorandum stating that 184 and 184A land parcels were sold.)

(The last page is a Plan, which shows which bits of land are which.)

Appendix B: Advice from the Charity Commission

First email received 12 May 2021:

Dear Alison

Thank you for your emails and for sending a copy of the Binsted Inclosure Award dated 29 January 1857 through numerous pictures.

Of particular interest is the land known as Allotment 203, Blacknest Allotment Gardens.

There is a charity registered with the Commission called Holt Pound Recreation Ground (301743). The objects are simply recorded as *“a place of exercise and recreation for the inhabitants of Binsted and neighbourhood”* but the governing document is recorded as the Inclosure Award dated 29 January 1857. The extracts from the governing document held on that charity’s file include reference to the allotment land in question.

It seems that you consider that the allotment land is held on charitable trust. The attached picture of the 1857 Inclosure Award also states that the land is *‘to be held by them (Churchwardens and Overseers) and their successors in trust as allotments for the labouring poor of the said parish’*.

The land therefore seems to be designated land. This is land that must be used for the purposes of the charity. In this case as allotments for the poor. Where allotments can still be used for their original purposes, this use should continue. But in some cases, allotments are not needed for their original purpose. If this is the case, the Commission can consider making a scheme to amend the charity’s purpose. This scheme will be made both under the Commission’s usual powers and the Commons Act 1899. The information we would need to consider making a scheme is attached. This also provides further detail about what any new purposes should be and about the power of sale.

I hope you find this email and the attached document helpful.

Kind regards, Nia Jones W: <https://www.gov.uk/charity-commission>

Second email received 18 May 2021:

Dear Alison

Thank you for your email. I think the main point to make clear is that while Hold Pound Recreation Ground (301743) is one charity - it holds the recreation ground/s and the allotment land on different trusts. The recreation ground/s are to provide recreational facilities for the inhabitants generally whereas the allotment land is for the (labouring) poor (and does not have recreational trusts attached to it). I have updated the Register of Charities to make clear that it has both objects (and not just to refer to the recreational land). If the allotment land is no longer needed for this purpose, then the Commission can consider making a scheme.

In answer to your specific questions:

1) **If permanent endowment land is sold**, then the proceeds are held as capital and only the income or interest can be used to further any new purpose. The trustee can consider releasing permanent endowment and this could require the Commission's agreement depending on the capital amount (over £10,000) and charity income levels (over £1000).

There is more guidance about this below: <https://www.gov.uk/guidance/permanent-endowment-rules-for-charities#about-permanent-endowment>

2) Yes - Plot 202 does seem to form part of the land of Hold Pound Recreation Ground.

The Commission is not the body to advise on Village Green status but as it seems that the land is also held on charitable trusts, then to change those trusts a scheme would be needed. Charity law does allow the replacement of land to be held on the same trusts without a scheme, but this would need to be of equal monetary and amenity value (but, as you state, there are other considerations due to the Village Green status of the land).

The assets of the charity should be separately accounted for as they do not form part of the Council's corporate property and, often, the easiest way to help with this is through a separate bank account. We have guidance for Council's as trustees and I have provided a link below: <https://www.gov.uk/government/publications/local-authorities-as-charity-trustees>

Kind regards, Nia Jones

Attachment to 12 May email: Overview of information needed to make a scheme (in this case under the Charities Act and the Commons Act 1899)

In altering the purpose of a charity by scheme, the steps to be followed are set out in the Charities Act 2011. In summary, it is necessary to:

- firstly, identify the circumstances that make it necessary to alter the present purpose(s) and ensure they meet the criteria for making a scheme; and
- secondly, consider the similar purpose(s) that the charity should now have – that is, the use to which the charity's property might now be put.

When this has been done, it is necessary to:

- consult with stakeholders and consider the results (if this has not already been done) and make any necessary modification to the proposals.
- pass a resolution at a meeting of the trustees to formally apply for the scheme.
- consider the draft that we then prepare (if we agree to make a scheme); and
- arrange to publish a notice of our intention to make the scheme (if we think this is necessary).

In making their decisions, the trustees should ensure they follow our [decision-making guidance](#).

1. Demonstrating the criteria for making a scheme have been met

To provide a scheme, we must be satisfied that the criteria for making a scheme to alter the purposes of the charity have been met. These criteria are known as 'cy près occasions' and are set out in s.62 of the Charities Act 2011.

Section 4.2 of the following guidance explains the circumstances in which we can make a scheme to change a charity's objects. Please explain which situation (or situations) applies here and why.

[Changing your charity's governing document](#)

2. Deciding the new purposes/objects

If the criteria for making a scheme have been met, we can make a scheme to provide new purposes of a similar nature. When deciding on the new purposes, we have to consider:

- The spirit of the original gift;
- The desirability of providing new purposes that are close to the original; and
- The necessity for the new purposes to be suitable and effective in light of current social and economic circumstances.

Please set out what the trustee thinks the new purposes should be, and explain how they relate to the three considerations above.

Please note that the charity's beneficiaries are the poor in the local area and this must be reflected in any new purpose.

3. Consultation

We expect trustees to have carried out appropriate consultation to help inform their decision-making regarding whether any of the criteria for making a scheme have been met and, if so, what new purposes are appropriate. The consultation would need to be appropriate to the situation.

Please provide details of what consultation has been carried out and a summary of any responses received. Please explain how this has helped inform the trustees' decision-making, both regarding whether the criteria for making a scheme have been met, and what the proposed new purposes should be.

If consultation has not yet been carried out, we would ask the trustees to conduct a suitable consultation exercise before proceeding with the scheme application.

4. Formal application for a scheme

The trustee must make a formal decision to apply for a scheme at a properly constituted meeting of the charity. This decision must be recorded in the charity's records (e.g. minute book). When this has been done, please email us the following confirmation:

"I declare that:

- The charity has formally made a decision to apply for a scheme.
- The meeting was held on [insert date].
- The meeting was quorate.

5. Drafting the scheme and public notice

If we are satisfied that the criteria for making a scheme have been met and the other necessary information has been provided, we will consider drafting a scheme.

Before authorising the scheme, it is likely that we will require public notice of the scheme as it will be authorising the sale of designated land. However, to enable us to confirm this, please answer the following questions:

- Are the trustees aware of any opposition to the proposals/draft scheme?
- Do the trustees believe the scheme will be controversial?
- Have any objections been raised to the proposals? (if yes, please provide details and explain how the trustees have taken account of these objections).

It is important that we are made aware of the likely reaction to the scheme or any potential objections. In the event that we discover that the scheme was opposed (and therefore should have been publicised) it might have to be cancelled.

6. Power of sale

The charity has designated land that is held as allotments for the poor. If a cy près occasion has arisen which will mean the land cannot be used for these purposes anymore and will be sold, the scheme will need to include a power of sale.

Any sale will need to comply with the requirements of part 7 of the Charities Act 2011. The following guidance provides more information about these requirements: [CC28 - Disposing of charity land](#)

In particular, as the land is designated land, one of the requirements is that the trustees must give public notice of the sale and invite representations (this is different to any public notice given of the scheme itself). Section E8 of the guidance provides more information.

7. Proceeds of sale

The proceeds of sale will be permanent endowment. This means that only the income obtained from the proceeds (e.g. through investment) will be available to further the new objects of the charity.

Appendix C: Advice from the Hampshire and IoW Wildlife Trust



Alison Melvin
Chair
Binsted Parish Council

Beechcroft House
Vicarage Lane
Curdrige
Hampshire
SO32 2DP

26th May 2021

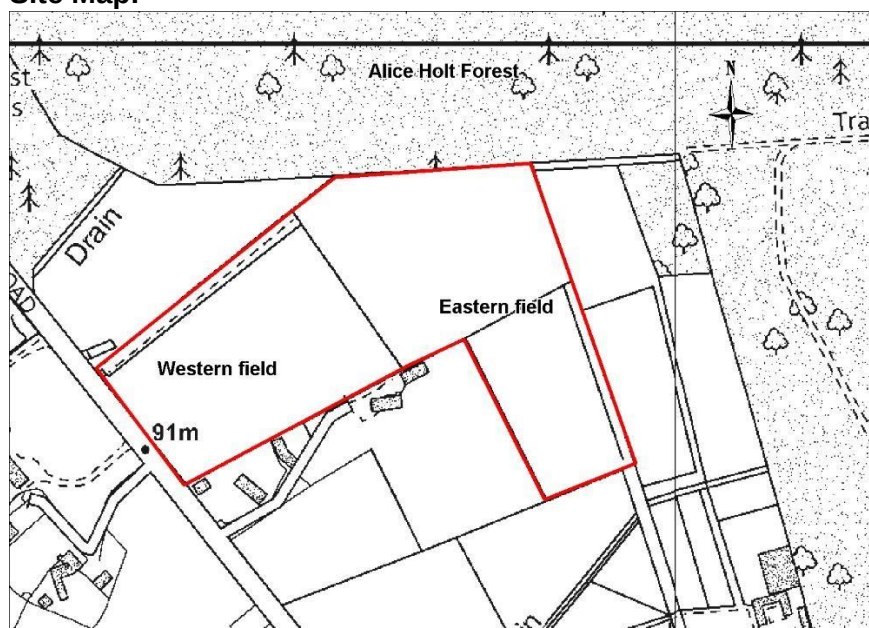
Dear Alison

Thank you for inviting me to visit Blacknest Fields in Binsted, Alton. I am writing to provide biodiversity enhancement and habitat management advice, which I hope will help inform the Parish Council's plans for the managing the site.

Habitats and Site Condition:

Since the Second World War lowland grasslands have declined by 97%, they are a valuable open habitat and a priority for conservation. Blacknest Fields consists of two fields of grassland habitat; the most western field is improved (enriched) grassland and is grazed with horses, the eastern field is cut annually and is semi-improved. There is a small area of woodland adjacent to Alice Holt Forest, as well as mature hedges, scrub, a line of veteran oak trees and a wetter area of rush pasture. The site is accessed via a bridgeway which connects to Alice Holt. The fields have not been formally surveyed and there are very few species records for the area, it is highly recommended that a detailed ecological survey is carried out to understand the current biodiversity value and to inform future management. The following advice below is based on an initial site visit and ideally should be supplemented with a follow up ecological survey and assessment.

Site Map:



© Crown Copyright 2021. Ordnance Survey Licence 100015632.

Grasslands: This eastern field sward was more diverse and semi-improved with species typical of lowland acid grassland. The area is adjacent to Alice Holt Forest, a Site of Importance for Nature Conservation, designated for its Ancient Woodland and outstanding invertebrate assemblage. The eastern field has potential for further enhancement to encourage greater floristic diversity. The fields are bounded by areas of willow and blackthorn scrub, important edge habitat for species such as spotted flycatcher and woodland butterflies. Ideally, this grassland would continue to be cut but more frequently, twice a year (early spring and late summer) with arisings removed or piled in a sacrificial area. The scrub should be kept in check with annual cutting outside of the breeding bird season.

The western field is improved grassland, intensively summer grazed with horses. In order to restore this meadow, a change in grazing regime is needed. I would recommend an early spring graze with cows (April/May) then allowing the field to grow before taking a hay cut in mid-July (arisings removed) and then aftermath grazing with cows from late July to September. I believe there was water to the field but stockproof fencing would also be needed to allow cows on, this will be expensive and funding would need to be sought to install the infrastructure needed. In addition, a seed mix could be sown to enhance the area, in the autumn the field could be chain harrowed and suitable mix sown such as <https://wildseed.co.uk/mixtures/view/5/meadow-mixture-for-clay-soils> prior to a change in regime, Restoration of the meadow and suitable management will take time and funding to arrange, however in the meantime, “some grazing is better than no grazing”, taking an early cut and late cut around the current horse grazing would help manage the nutrients until a new regime could be established.

If the eastern field could be grazed as well, following the same regime, this would be beneficial and ultimately easier to manage but again stockproof fencing and other site infrastructure would also be needed (the eastern field would not need to be sown).

Woodland: The woodland area is secondary woodland with mature oak trees and an understorey of hazel and holly. The ivy climbing up the oaks has been ringed possibly with the idea of protecting the trees, however ivy is unlikely to damage a healthy tree and is a natural feature of a woodland, it also provides habitat for roosting bats, nesting birds and is a nectar source for invertebrates; it is recommended that this practice be discontinued. The woodland area could be enhanced with some selective thinning to increase light, which will benefit ground flora and woodland butterflies. Coppicing of the hazel to encourage understorey development will also improve the woodland structure.

Hedgerows: Hedgerows are important wildlife corridors. The hedgerows could be extended and gaps filled with suitable native species such as blackthorn, hawthorn, dogwood, guelder rose and privet. Hedgerow trees should be allowed to develop and ones already present protected. The veteran oaks along the hedgerow between the eastern and western fields appeared to have features suitable for roosting bats, therefore before any tree works are planned, a ground level tree survey should be carried out. Hedgerows should be cut once a year in order to encourage bushy growth and to control scrub encroachment; as with tree and shrub maintenance, this should be done outside of the breeding bird season, ideally between November and January.

Pond Creation: A wetland feature is a great addition for wildlife, attracting dragonflies and damselflies, amphibians and even grass snakes. A pond or scrape could be created in the natural wetter area in the western field parallel to the road and left to colonise naturally, then scraped again after a period of time. To retain water all year round an artificial liner would need to be installed or alternatively, puddled clay can be used. The wetland feature could be planted up with native marginal species such as yellow flag iris, marsh marigold and purple loosestrife.

Monitoring wildlife: In order to understand if the enhancements are successful, I suggest monitoring some key species, such as the number of different flowering plants in the grassland area, as well as bats, breeding birds, bumblebees and butterflies.

Managing access: I would recommend creating an access plan for the site as currently the site receives very few visitors, and these are mostly contained to the bridleway. If access is to be enhanced, I suggest it is limited to the western field which is of lower biodiversity value (although could be enhanced with time) and this is managed with a circular path around the edges of the field returning people to the bridleway access gate and leaving the central field area undisturbed. The wetter area of the western field may need to be boardwalked to prevent off path diversions. Visual access to the eastern field would be achieved but physical access restricted, this way wildlife will remain undisturbed in the higher biodiversity value area, vital for breeding bird success. I would also recommend limiting access and permitting activities to simply those on foot, personally I would recommend no dogs allowed although this will be unpopular, managing dogs onsite successfully requires a level of wardening and dog waste management, which is resource intensive, with a relatively small site it is hard to provide enough area to balance dog friendly space with areas with no dogs. It is also incredibly hard to stop people bringing dogs to a site once permitted, as established behaviour is very hard to change, should you find it becomes an issue over time.

I hope this advice is useful and if you have any questions, please do get in touch.

Yours sincerely,



Deborah Whitfield

Ecology Manager

Disclaimer:

All advice given by HIWWT is done so in good faith and every effort is made to ensure that it is accurate and appropriate however it is the sole responsibility of the landowner/recipient of advice to ensure that any actions they take are both legally and contractually compliant. Therefore, HIWWT does not accept responsibility or liability for any losses incurred or arising from the advice we give.

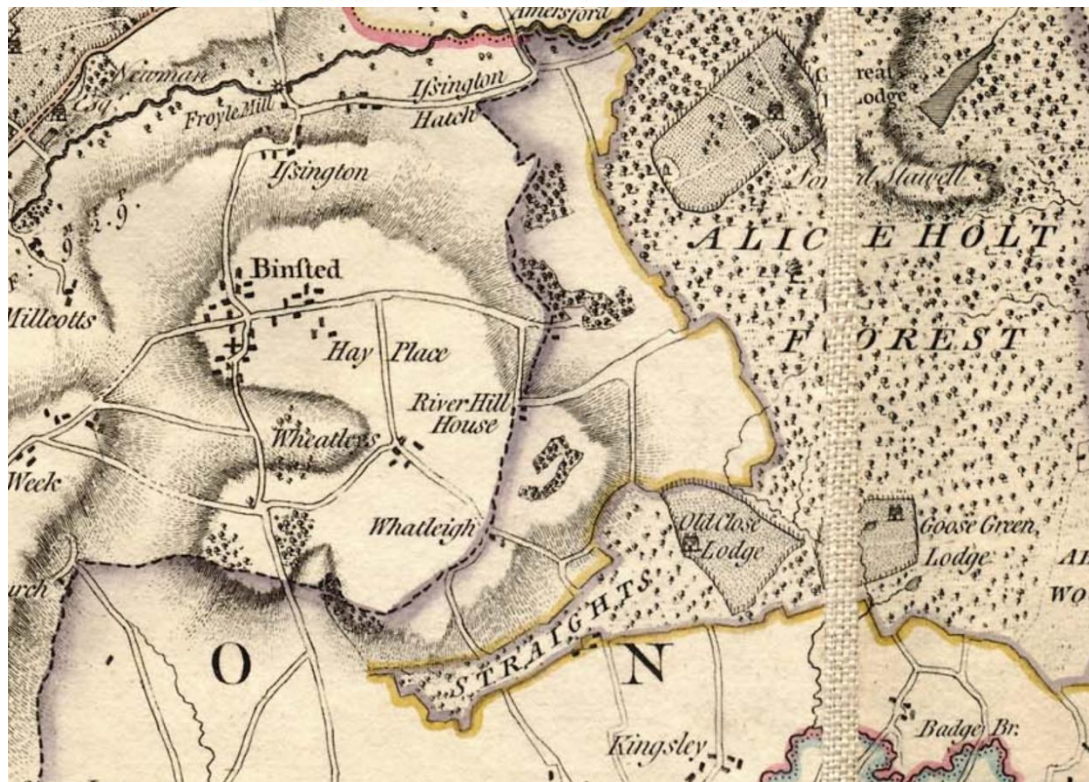
Appendix D: Old Maps

Historic maps of Blacknest



Taylor's map of Hampshire 1759

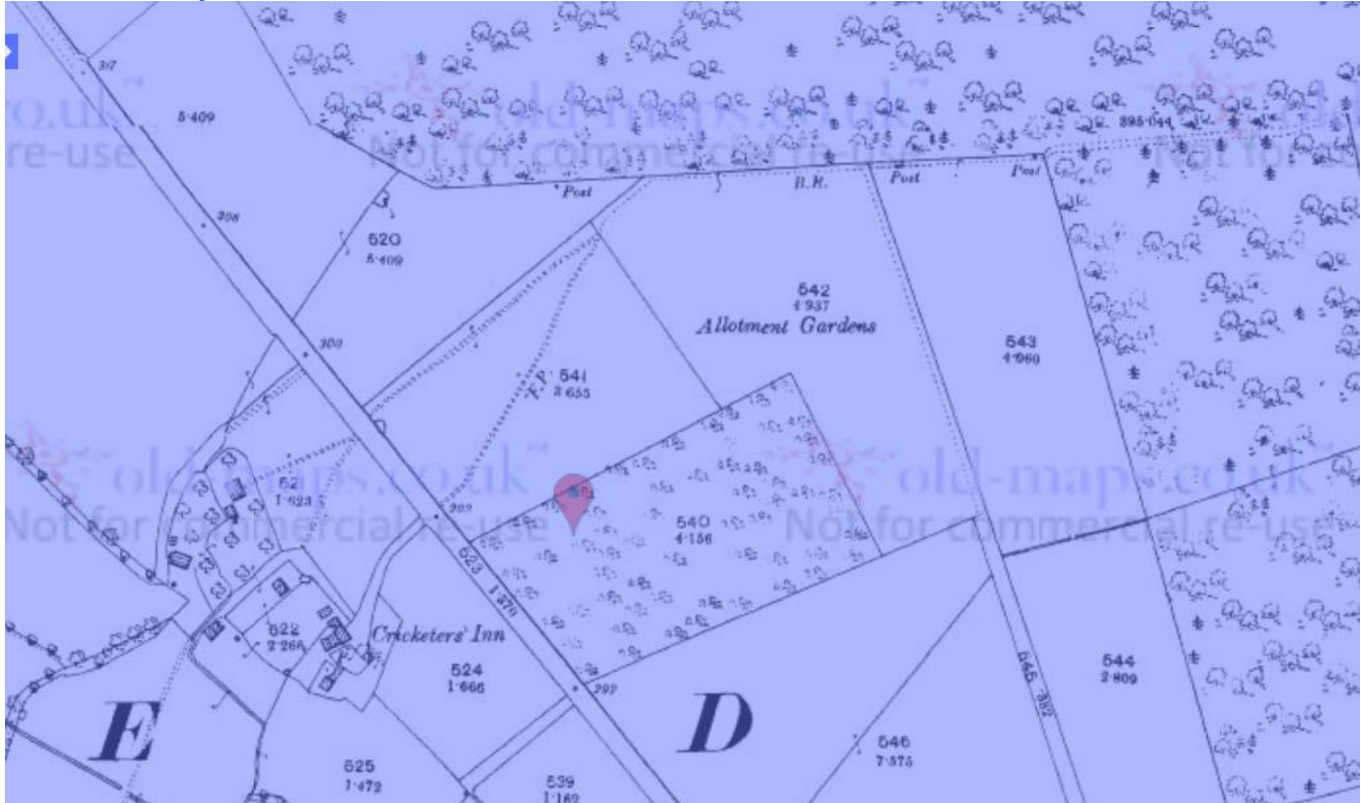
<http://www.oldhampshiremapped.org.uk/hantsmap/taylor4/TY74.htm>



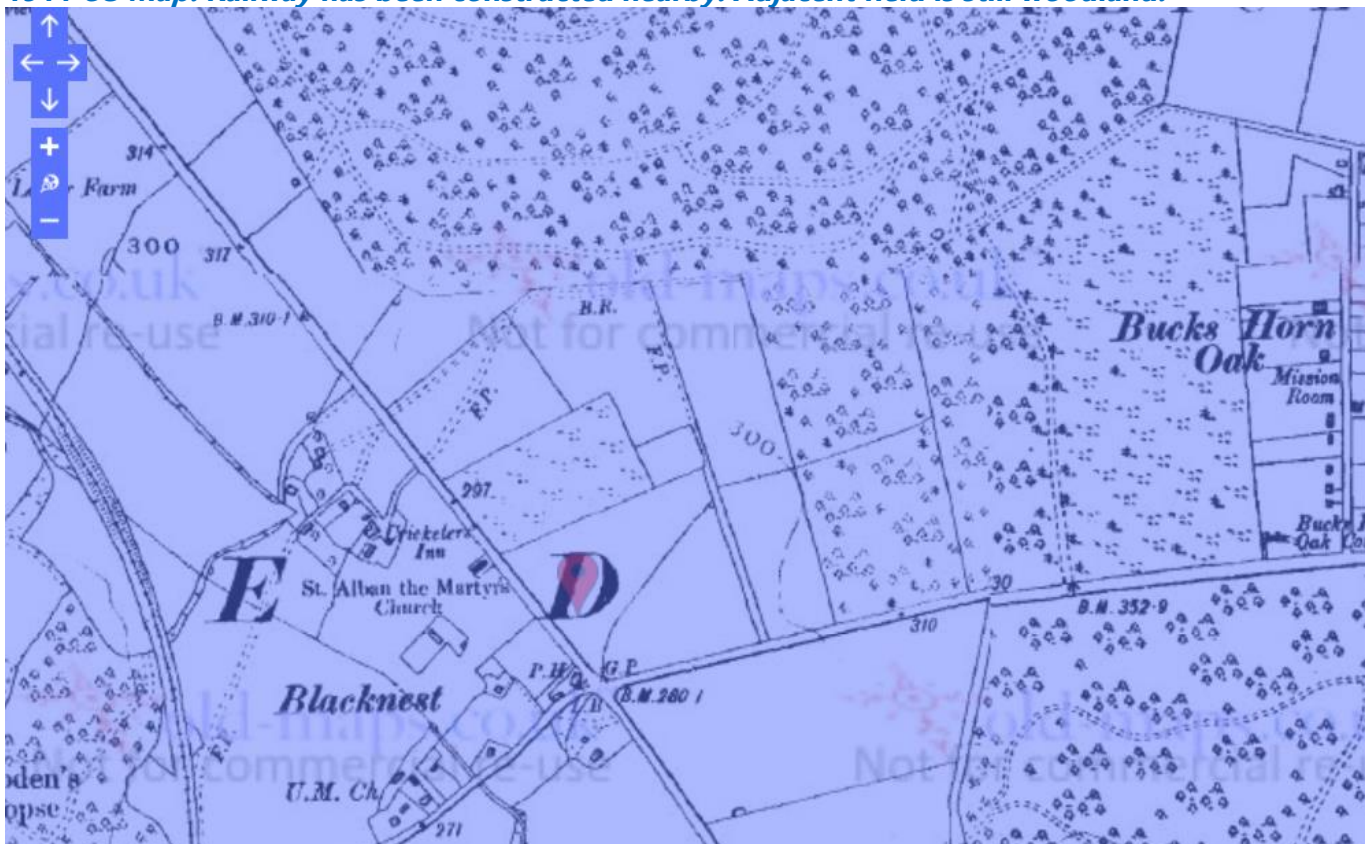
1791 Milne's map of Hampshire

www.oldhampshiremapped.org.uk/hantsmap/milneI/MLN75.htm

1897-9 OS Map



1911 OS Map: Railway has been constructed nearby. Adjacent field is still woodland.

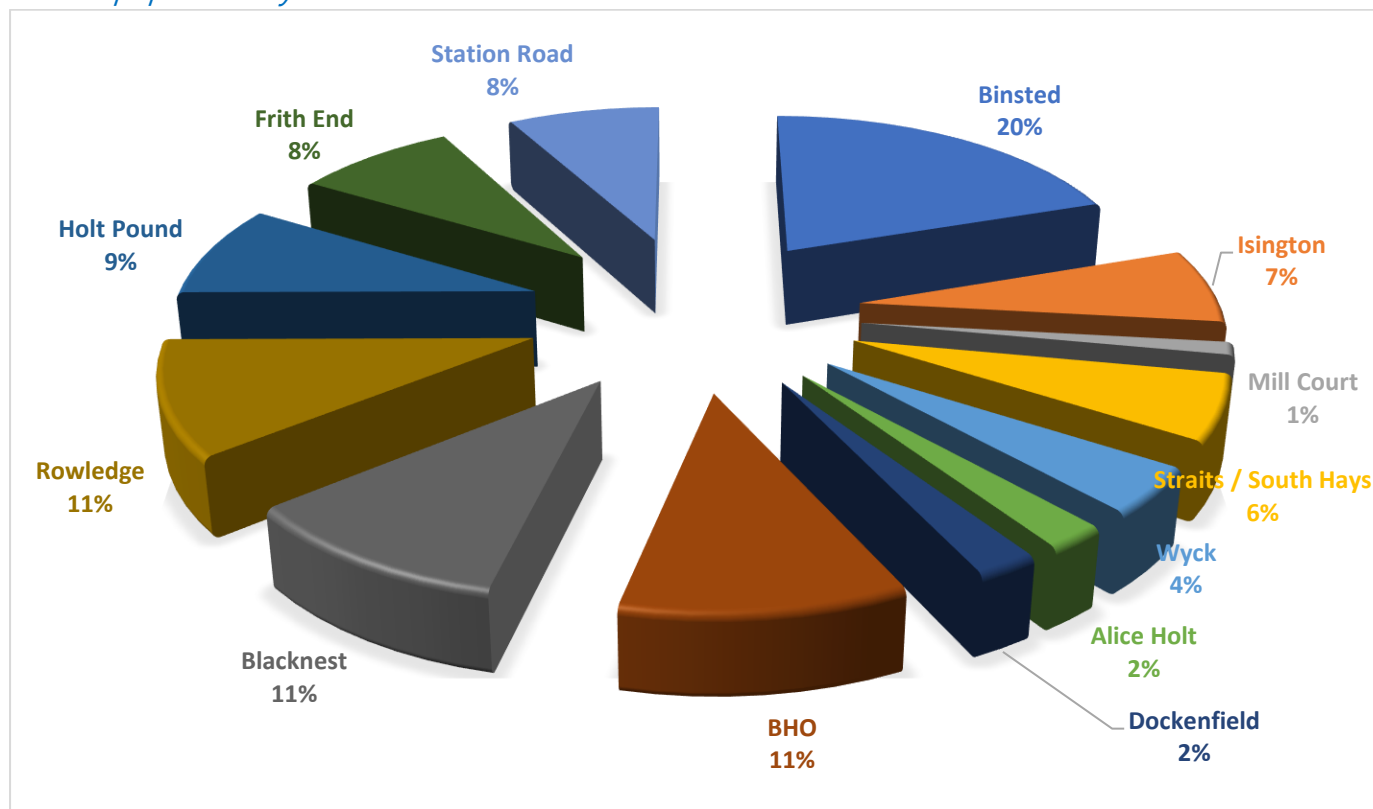


1985-94 OS Map, Ashfield and Oak Lee have been built on adjacent woodland plot. Longfield has also been built. The water channel in field at crossroads now a 'drain'.

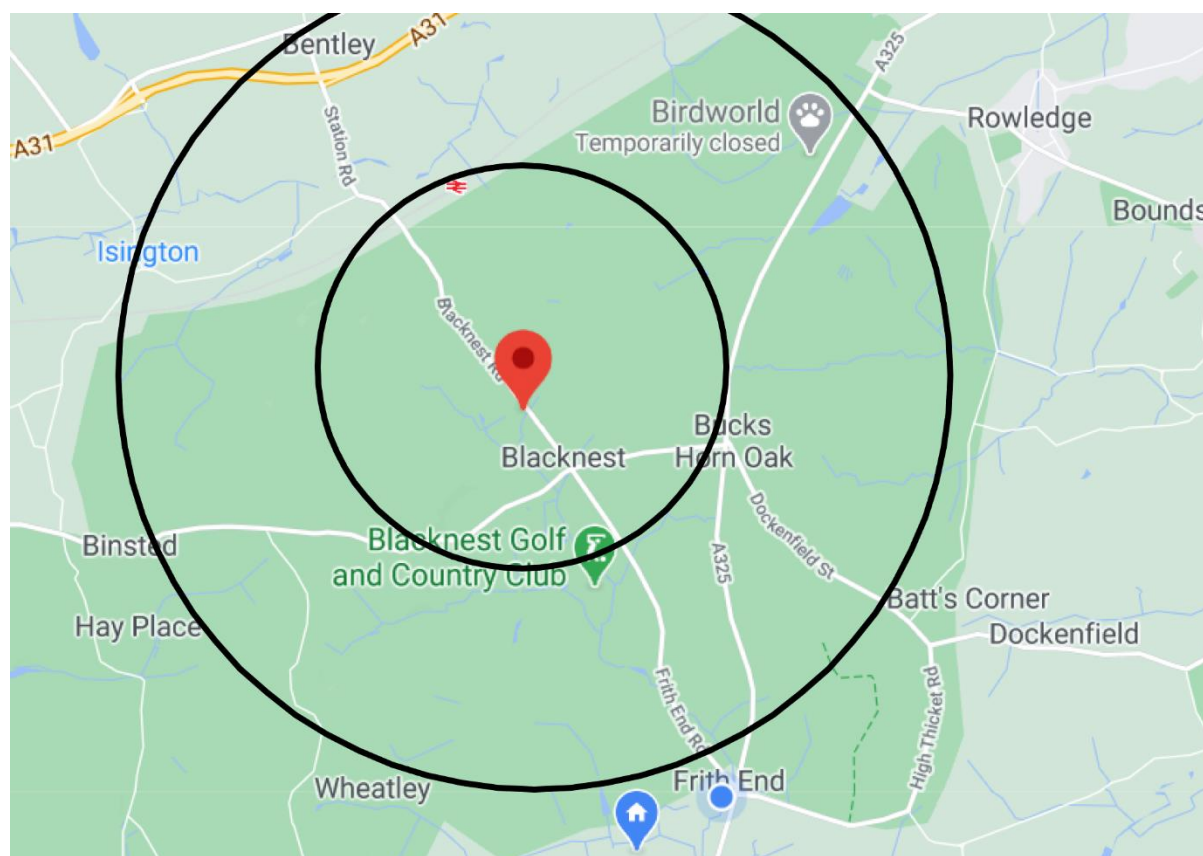


Appendix E: Binsted Parish Population in relation to BNF

Binsted population by location – from 2011 Census

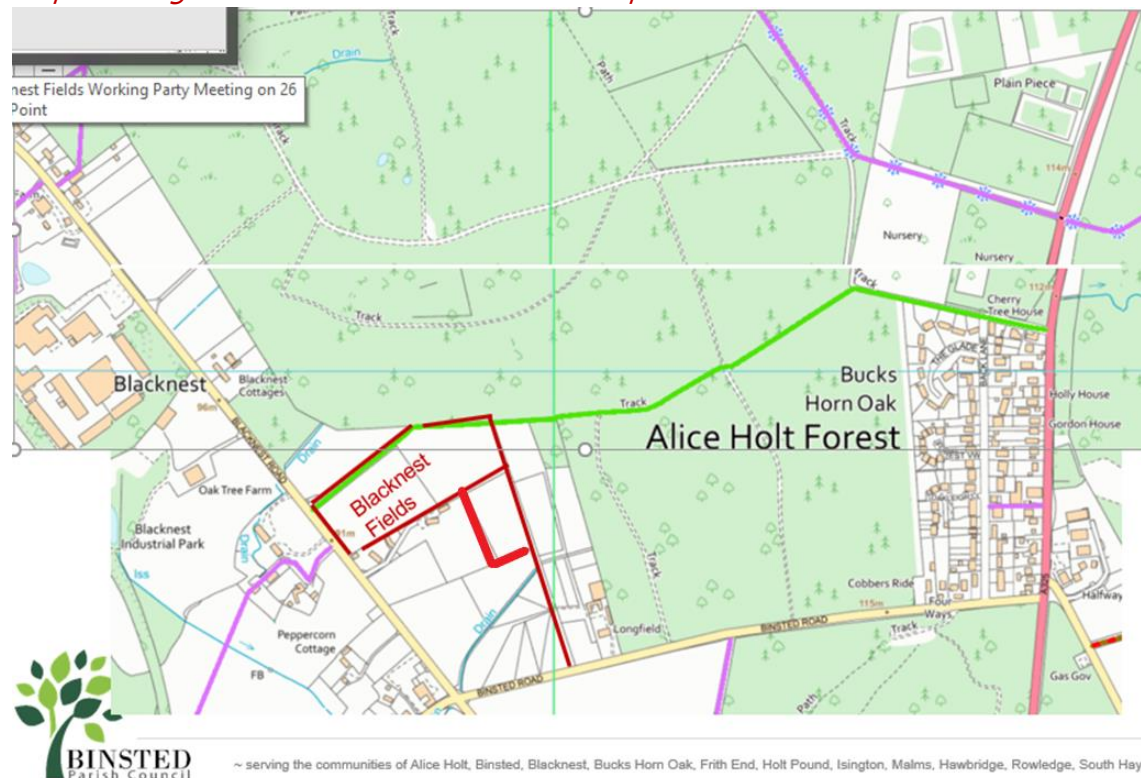


App E: Locations within one mile (inner ring) and 2 miles (outer ring) of BNF.

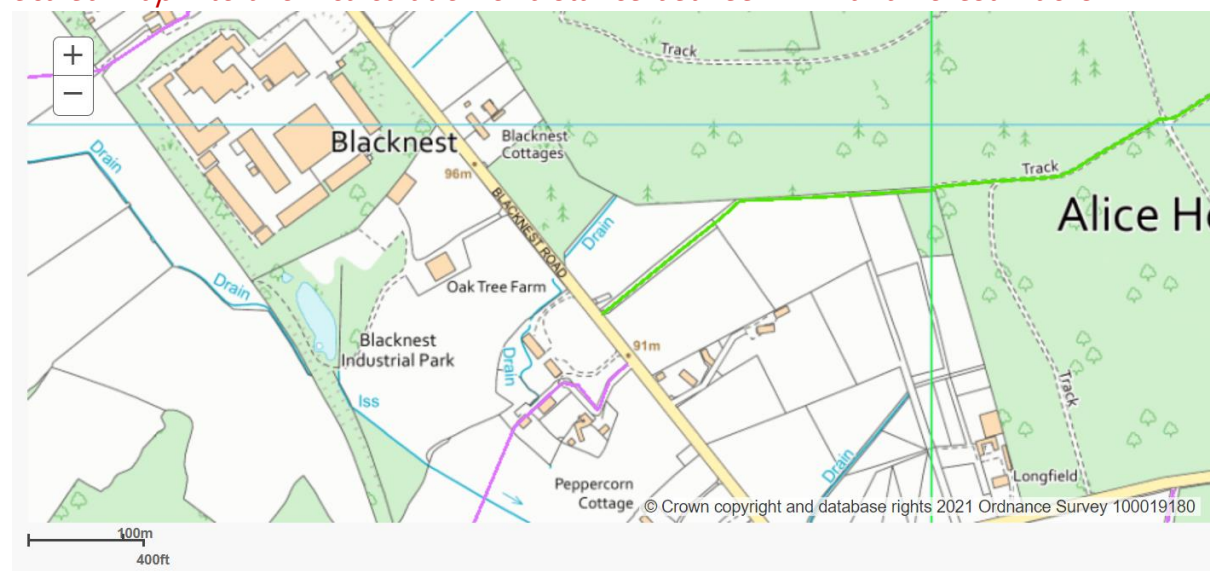


Appendix F: Rights of Way maps

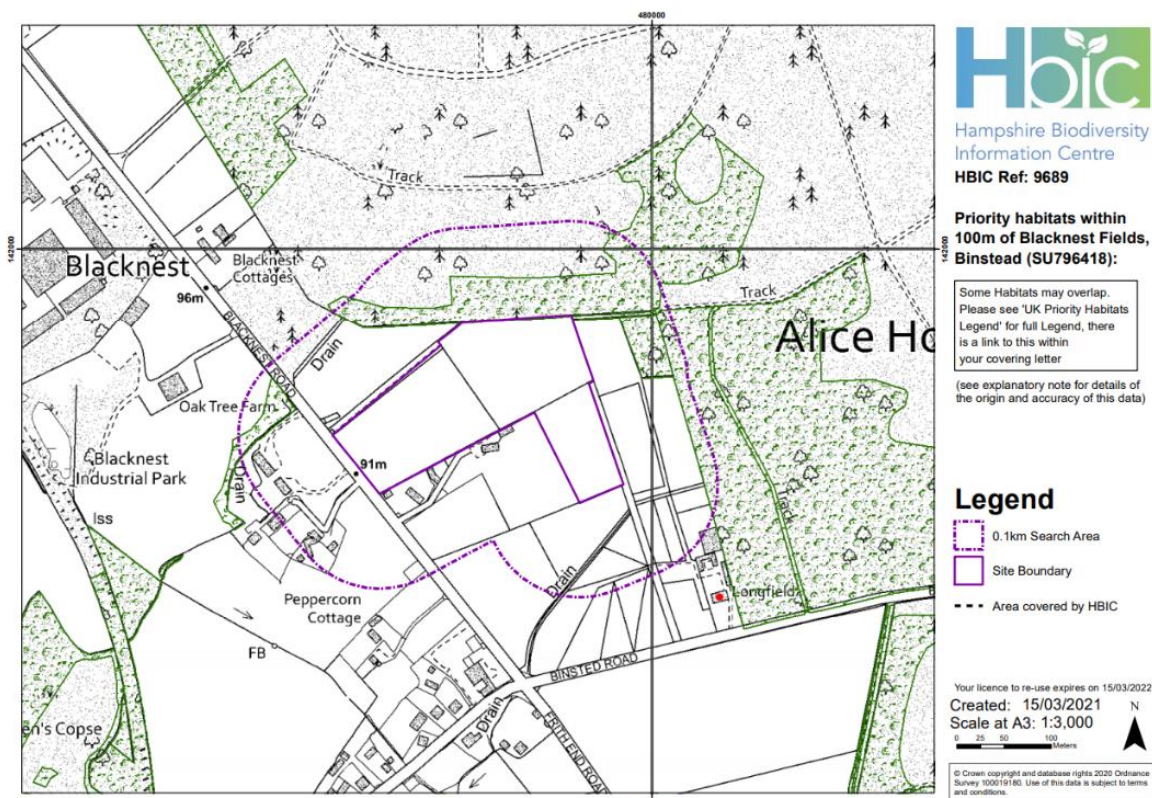
Map showing location of BNF in relation to footpaths and settlements



Scaled map – to allow calculation of distance between BNF and Forest Tracks



Appendix G: Biodiversity Records from HBIC



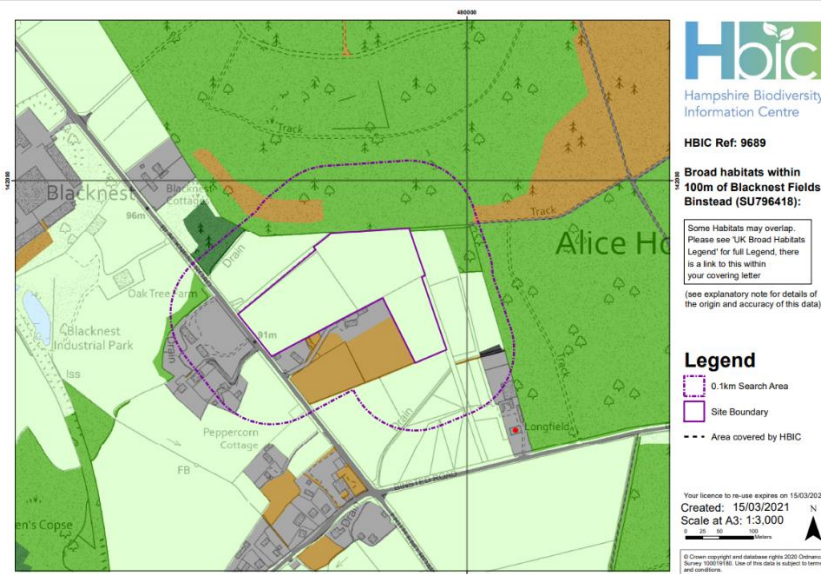
Re: map showing Priority Habitat information - click here for the [legend](#).



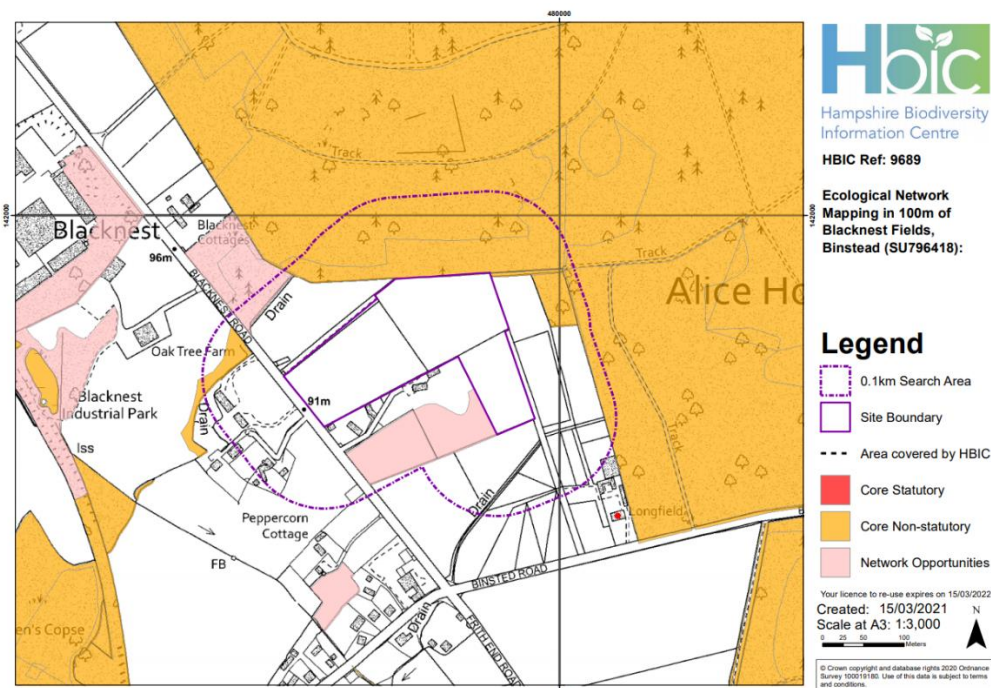
Sites of Importance for Nature Conservation (SINCs) in search area:

See [Criteria for SINCs in Hampshire](#) for more information on Sites of Importance for Nature Conservation in Hampshire.

Map Label	Status	SINC Ref	SINC Name	Central Grid Ref.	SINC Criteria	Species supported that meet Section 6 of SINC Selection Criteria	Area (ha)
1	SINC	EH0484	Lodge Inclosure	SU79804250	1B/6C	Outstanding assemblage of Invertebrates. Source: Mapmate	162.14



Re: map showing Broad Habitat information - click here for the [legend](#)



Re: map showing the 'Ecological Network Mapping' in your 100m area of interest. Information about this can be found at point 7 of HBIC website [here](#).

Protected and Notable Species Records

Search Area: Within 100m of the Blacknest Fields, Binsted

Date: 15/03/2021

HBIC Ref: 9689

[Legislation Explanatory Document](#) explains notable species statuses and legislation.

Binsted Parish Council gratefully thanks HBIC and the organisations listed below who have provided HBIC, through data exchange agreements, with datasets and regular database updates:

- Botanical Society of Britain and Ireland's (BSBI) vascular plant database for Hampshire
- British Bryological Society (Mosses, Liverworts, Hornworts)
- Butterfly Conservation's butterfly and moth database for Hampshire
- Hampshire Ornithological Society (HOS) bird records
- Hampshire Bat Group (HBG) Records of bat roost visits and sightings
- Survey data administered by the Hampshire and Isle of Wight Wildlife Trust (HIWWT):
 - o Monitoring Survey for the Nail Fungus *Poronia punctata*
 - o Alien and Native Crayfish
- Data administered by the Hampshire and Isle of Wight Wildlife Trust on behalf of:
 - o Hampshire Amphibian and Reptile Recording Network (HARRN)
 - o Hampshire Mammal Group (HMG)
- Hampshire records from The Bees, Wasps and Ants Recording Society (BWARS)
- Hampshire records from National Stag Beetle Surveys and 'Great Stag Hunts' run by PTES
- Hampshire Odonata records from Dragonfly Recording Network, maintained by British Dragonfly Society
- Spider and Fungi records gleaned from collections housed and curated by the Hampshire Cultural Trust
- Independent Hampshire Entomologist's records
- Earthworm Society of Britain's records

The following are protected and notable species records from the datasets **listed above**, in the search area recorded in the last 15 years (plants extended to 30 years, for bats there is no time restriction.)

Taxon Name	Common Name	Status	Grid Ref	G R B	Location	First Year	La st Ye ar	No. of Reco rds	Max Count
Birds									
Acanthis cabaret	Lesser Redpoll	BOCC_Red NERC_s41	SU7941		Nea Blacknest NE Alice Holt Forest	2011	2011	1	6
			SU7942		- Willows Green Inclosure	2017	2017	1	5
			SU7942		Ne Bentley Station Meadow	2011	2011	1	4
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2015	2015	2	4
Accipiter gentilis	Goshawk	WCA_s1p1 CR	SU74		Sensitive	2014	2017	3	1
Anthus trivialis	Tree Pipit	BOCC_Red NERC_s41	SU7942		Nea Lodge Inclosure Alice Holt Forest	2006	2010	3	1
			SU7942		Nea Lodge Inclosure	2015	2015	1	1

Taxon Name	Common Name	Status	Grid Ref	G R B	Location	First Year	Last Year	No. of Records	Max Count
					Alice Holt Forest				
Caprimulgus europaeus	Nightjar	EU_Bird_1 NERC_s41 CI	SU7942		Nea Lodge Inclosure Alice Holt Forest	2010	2012	3	3
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2014	2014	1	1
Cuculus canorus	Cuckoo	BOCC_Red NERC_s41	SU7964 16		NE Blacknest	2017	2017	1	1
Egretta garzetta	Little Egret	EU_Bird_1 CR	SU8041		Nea Goose Green Inclosure Alice Holt	2009	2009	1	1
Falco peregrinus	Peregrine	EU_Bird_1 WCA_s1p1 CR	SU74		Sensitive	2015	2015	1	1
			SU74		Sensitive	2018	2018	1	1
			SU84		Sensitive	2008	2008	1	1
Falco subbuteo	Hobby	WCA_s1p1 CI	SU74V		Sensitive	2012	2012	1	1
			SU74W		Sensitive	2007	2007	1	1
			SU74W		Sensitive	2013	2013	1	2
Fringilla montifringilla	Brambling	WCA_s1p1	SU7942		Nea Lodge Inclosure Alice Holt Forest	2015	2015	1	4
Loxia curvirostra	Red Crossbill	WCA_s1p1 CS	SU7942		Nea Alice Holt Forest	2013	2013	1	1
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2012	2012	1	6
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2013	2013	1	2
			SU8041		Nea Goose Green Inclosure Alice Holt	2012	2012	1	2
Milvus milvus	Red Kite	EU_Bird_1 WCA_s1p1 CR	SU7941		NE Blacknest	2018	2018	1	1
			SU7941		Nea Blacknest	2010	2010	2	Present

Taxon Name	Common Name	Status	Grid Ref	G R B	Location	First Year	Last Year	No. of Records	Max Count
			SU7942		Ne Wheatley	2012	2012	1	1
Muscicapa striata	Spotted Flycatcher	BOCC_Red NERC_s41	SU7941		Nea Blacknest	2005	2007	2	2
			SU7942		Nea Alice Holt Forest	2011	2011	1	2
Pernis apivorus	European Honey Buzzard	EU_Bird_1 WCA_s1p1 CR	SU84		Sensitive	2018	2018	1	1
Poecile palustris	Marsh Tit	BOCC_Red	SU7942		NE Alice Holt Forest - Lodge Inclosure	2019	2019	1	Present
			SU7942		Ne Bentley Station Meadow	2011	2011	1	
			SU7942		Nea Lodge Inclosure	2005	2005	2	
			SU8041		Nea Goose Green Inclosure	2005	2005	1	
Regulus ignicapilla	Common Firecrest	WCA_s1p1 CS	SU7942		NE Alice Holt Forest - Holt Pound Inclosure	2016	2016	1	3
			SU7942		NE Alice Holt Forest - Willows Green Inclosure	2017	2017	1	2
			SU7942		Nea Blacknest	2015	2015	1	3
			SU7942		Nea Lodge Inclosure	2013	2013	1	3
			SU8041		NE Alice Holt Forest - Goose Green Inclosure	2019	2019	1	3
Scolopax rusticola	Woodcock	BOCC_Red	SU7942		Ne Bentley	2014	2014	1	2
			SU7942		Nea Lodge Inclosure	2014	2014	1	3

Taxon Name	Common Name	Status	Grid Ref	G R B	Location	First Year	Last Year	No. of Records	Max Count
Spinus spinus	Siskin	CI	SU7942		Nea Lodge Inclosure Alice Holt Forest	2011	2011	1	40
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2015	2015	1	40
Streptopelia turtur	Turtle Dove	BOCC_Red NERC_s41	SU7942		Nea Lodge Inclosure Alice Holt Forest	2009	2009	1	1
Sturnus vulgaris	Starling	BOCC_Red	SU7941		Blacknest	2010	2010	1	500
			SU7942		Bentley	2010	2010	1	101
Turdus iliacus	Redwing	BOCC_Red WCA_s1p1	SU7942		Nea Alice Holt Forest	2007	2007	1	100
			SU7942		Nea Lodge Inclosure Alice Holt Forest	2009	2009	1	50
			SU8041		Nea Blacknest	2011	2011	1	100
			SU8041		Nea Goose Green Inclosure Alice Holt	2005	2005	1	60
Turdus philomelos	Song Thrush	BOCC_Red	SU7942		NE Alice Holt Forest - Lodge Inclosure	2019	2019	1	Present
			SU8041		NE Alice Holt Forest - Goose Green Inclosure	2019	2019	1	2
Turdus viscivorus	Mistle Thrush	BOCC_Red	SU7942		Nea Lodge Inclosure Alice Holt Forest	2008	2008	1	11
Higher plants - Flowering Plants									
Ranunculus flammula	Lesser Spearwort	IUCN_EN_2014:VU	SU7942		Bentley Station, S Of	2019	2019	1	Present
Invertebrates - Lepidoptera									
Apatura iris	Purple Emperor	CS	SU7942		Bentley Station Meadow	2006	2006	2	1
			SU7942		Lodge Inclosure, Alice Holt	2009	2009	1	1

Taxon Name	Common Name	Status	Grid Ref	G R B	Location	First Year	La st Ye ar	No. of Reco rds	Max Count
			SU8041		Alice Holt Forest	2007	2007	3	5
Argynnis paphia	Silver-washed Fritillary	CI	SU7941		Cobden's Copse, Blacknest	2015	2015	1	1
			SU7942		Alice Holt (lodge Inclosure)	2013	2013	1	15
			SU7942		Alice Holt Forest, Lodge Inclosure	2012	2012	1	1
			SU7942		Bentley Station Meadow	2007	2007	1	5
			SU8041		Alice Holt Forest	2007	2007	2	6
Cochylidia rupicola	Hemp-agrimony Conch	CR	SU7942		Bentley Station Meadow	2011	2011	1	1
Limenitis camilla	White Admiral	IUCN_GB_2001:VU NERC_s41	SU7942		Alice Holt (lodge Inclosure)	2013	2013	1	1
			SU7942		Lodge Inclosure	2018	2018	1	3
			SU7942		Lodge Inclosure, Alice Holt	2009	2009	1	1
			SU8041		Alice Holt Forest	2007	2007	2	Present
Mammals - Terrestrial (bats)									
Nyctalus noctula	Noctule Bat	EU_Hab_4 HabReg_s2 NERC_s41 WCA_s5s94b WCA_s5s94c	SU7942		Sensitive	2016	2016	1	1
Pipistrellus	Pipistrelle Bat species	EU_Hab_4 HabReg_s2 NERC_s41 WCA_s5s94b WCA_s5s94c	SU7942		Sensitive	1996	1996	1	Present
Pipistrellus pipistrellus	Common Pipistrelle	EU_Hab_4 HabReg_s2 WCA_s5s94b WCA_s5s94c	SU7942		Sensitive	2011	2016	2	1

Declining and near-threatened Species Records

Search Area: Within 100m of the Blacknest Fields, Binsted

Date: 15/03/2021, HBIC Ref: 9689

[Legislation Explanatory Document](#) gives explanation of notable species statuses/ legislation.

HBIC has its own extensive database of habitat and higher plant data for the County. In addition, HBIC hold copies of datasets belonging to partner organisations. Through data exchange agreements with these organisations HBIC is provided with regular database updates and can supply species information on their behalf. HBIC currently holds copies of the following datasets:

- Botanical Society of Britain and Ireland's (BSBI) vascular plant database for Hampshire
- British Bryological Society (Mosses, Liverworts, Hornworts)
- Butterfly Conservation's butterfly and moth database for Hampshire
- Hampshire Ornithological Society (HOS) bird records
- Hampshire Bat Group (HBG) Records of bat roost visits and sightings
- Data from the Hampshire and Isle of Wight Wildlife Trust on behalf of:
 - o Hampshire Amphibian and Reptile Recording Network (HARRN)
 - o Hampshire Mammal Group (HMG)
- Hampshire records from The Bees, Wasps and Ants Recording Society (BWARS)
- Hampshire Odonata records from Dragonfly Recording Network, maintained by British Dragonfly Society
- Fungi records from collections housed and curated by the Hampshire Cultural Trust (HCT)
- Independent Hampshire Entomologist's records

It is important that these species recording groups (where relevant to the data provided) are acknowledged in any document produced by BPC where data is incorporated into the document, as a matter of course.

The following are Hampshire responsible, Hampshire declining and near threatened species records from the datasets listed on the previous page, within the search area recorded in the last 15 years. For plants this has been extended to 30 years, for bats there is no time restriction:

Sensitive species: A small number of species are considered as sensitive by the relevant specialist species recording groups, for a variety of reasons, and location details for these records will not be disclosed unless specific permission is obtained. Grid references for these may be altered to give a less precise position, this is indicated by the 'Grid Ref Blurred' column.

Taxon Name	Common Name	Status	Grid Ref	GR Blurred	Location	First Year	Last Year	No. of Records	Max Count
Higher plants - Flowering Plants									
Agrimonia procera	Fragrant Agrimony	Hants resp. (15%)	SU79 42		Bentley Station, S Of	2019	2019	1	Present
Fragaria vesca	Wild Strawberry	IUCN_EN_2014:NT	SU79 42 SU80 41		Alice Holt Forest Bucks Horn Oak	2013 2008	2013 2008	1 1	Present Present
Jacobaea aquatica	Marsh Ragwort	IUCN_EN_2014:NT	SU79 42		Alice Holt Forest	2013	2013	1	Present
Mentha arvensis	Corn Mint	IUCN_EN_2014:NT	SU79 41 SU79 42		Cobden's Copse Bentley Station Meadow	2015 1993	2015 1993	1 1	Present Present
Oxalis acetosella	Wood-sorrel	IUCN_EN_2014:NT	SU79 42 SU79 42		Alice Holt Forest Bentley Station Meadow Southern Area	2013 2009	2013 2009	1 1	Present Present

Taxon Name	Common Name	Status	Grid Ref	GR Blurred	Location	First Year	Last Year	No. of Records	Max Count
			SU8041		Bucks Horn Oak	2008	2008	1	Present
Potentilla erecta	Tormentil	IUCN_EN_2014:NT	SU7942		Bentley Station Meadow	1993	1993	1	Present
Silene flos-cuculi	Ragged-Robin	IUCN_EN_2014:NT	SU7942 SU7942		Bentley Station Meadow Bentley Station, S Of	1993 2019	1993 2019	1 1	Present Present
Veronica officinalis	Heath Speedwell	IUCN_EN_2014:NT	SU7941 SU7942		Cobden's Copse Alice Holt Forest	2015 2013	2015 2013	1 1	Present Present
Invertebrates - Lepidoptera									
Apatura iris	Purple Emperor	IUCN_GB_2001:NTCS	SU7942 SU7942 SU8041		Bentley Station Meadow Lodge Inclosure, Alice Holt Alice Holt Forest	2006 2009 2007	2006 2009 2007	2 1 3	1 1 5
Mammals - Terrestrial (bats)									
Pipistrellus	Pipistrelle	EU_Hab_4 HabReg_s2 IUCN_GB_2001:NT NERC_s41 WCA_s5s94b WCA_s5s94c	SU7942		Sensitive	1996	1996	1	Present

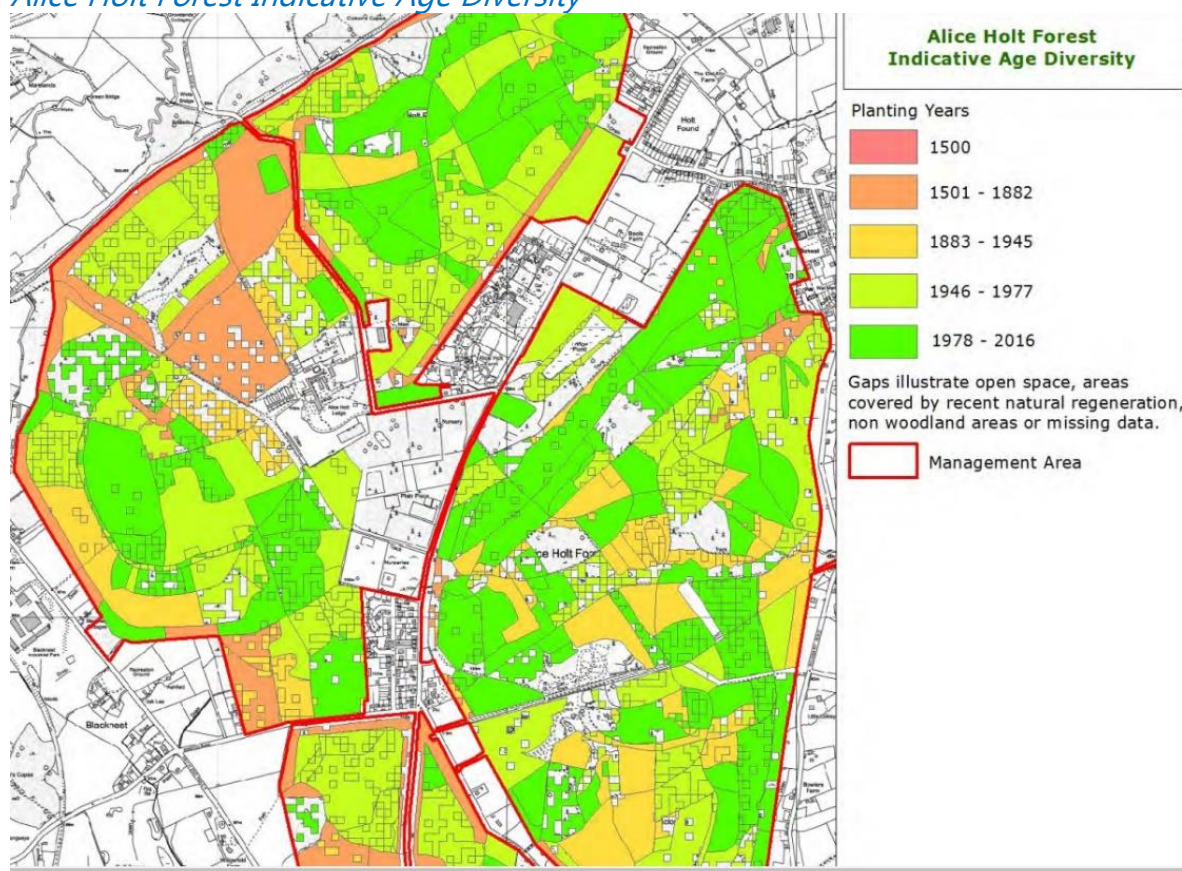
Status codes and abbreviations:

EU_Bird_1	Annex I of the Birds Directive
EU_Hab_2	Annex II of the Habitats Directive (priority species)
EU_Hab_2np	Annex II of the Habitats Directive (non-priority species)
EU_Hab_4	Annex IV of the Habitats Directive
EU_Hab_5	Annex V of the Habitats Directive
IUCN_GB_pre94	See IUCN (pre 1994) guidelines, covering Great Britain
IUCN_GB_1994	See IUCN (1994) guidelines, covering Great Britain
IUCN_GB_2001	See IUCN (2001) guidelines, covering Great Britain
IUCN_EN_2014	See IUCN (2001) guidelines, covering England
BOCC_Red	Birds of Conservation Concern Red list
NR	Nationally rare (occurring in 15 or fewer 10km squares in Great Britain)
NS	Nationally scarce (occurring in 16 - 100 10km squares in Great Britain)
NN	Nationally notable (occurring in 16 - 100 10km squares in Great Britain or less than 20 Vice Counties)
HBAP	Hampshire Biodiversity Action Plan species
NERC_s41	Priority Species listed under Section 41 of the Natural Environment and Rural Communities Act 2006
WCA_s1p1	Schedule 1 Part 1 of the Wildlife and Countryside Act 1981 (as amended)
WCA_s5s91(k)	Schedule 5 Section 9 Part 1 (killing/injuring) of the Wildlife and Countryside Act 1981 (as amended)
WCA_s5s91(t)	Schedule 5 Section 9 Part 1 (taking) of the Wildlife and Countryside Act 1981 (as amended)
WCA_s5s94a	Schedule 5 Section 9 Part 4a of the Wildlife and Countryside Act 1981 (as amended)
WCA_s5s94b	Schedule 5 Section 9 Part 4b of the Wildlife and Countryside Act 1981 (as amended)
WCA_s5s94c	Schedule 5 Section 9 Part 4c of the Wildlife and Countryside Act 1981 (as amended)

WCA_s8	Schedule 8 of the Wildlife and Countryside Act 1981 (as amended)
HabReg_2	Schedule 2 of Conservation of Habitats and Species Regulations 2010 (European Protected Species animal)
HabReg_5	Schedule 5 of Conservation of Habitats and Species Regulations 2010 (European Protected Species plant)
PBA	Protection of Badgers Act 1992
NI	National Interest
CR	County Rare
CS	County Scarce
CI	County Interest
nHR	North Hampshire Rare (VC12)
sHR	South Hampshire Rare (VC11)
nHS	North Hampshire Scarce (VC12)
sHS	South Hampshire Scarce (VC11)
Hant resp.	Hampshire responsible, with the percentage of the total England population within Hampshire shown
Hants decl.	Hampshire declining, percentage decrease in Hampshire's population between 1986 and 2019

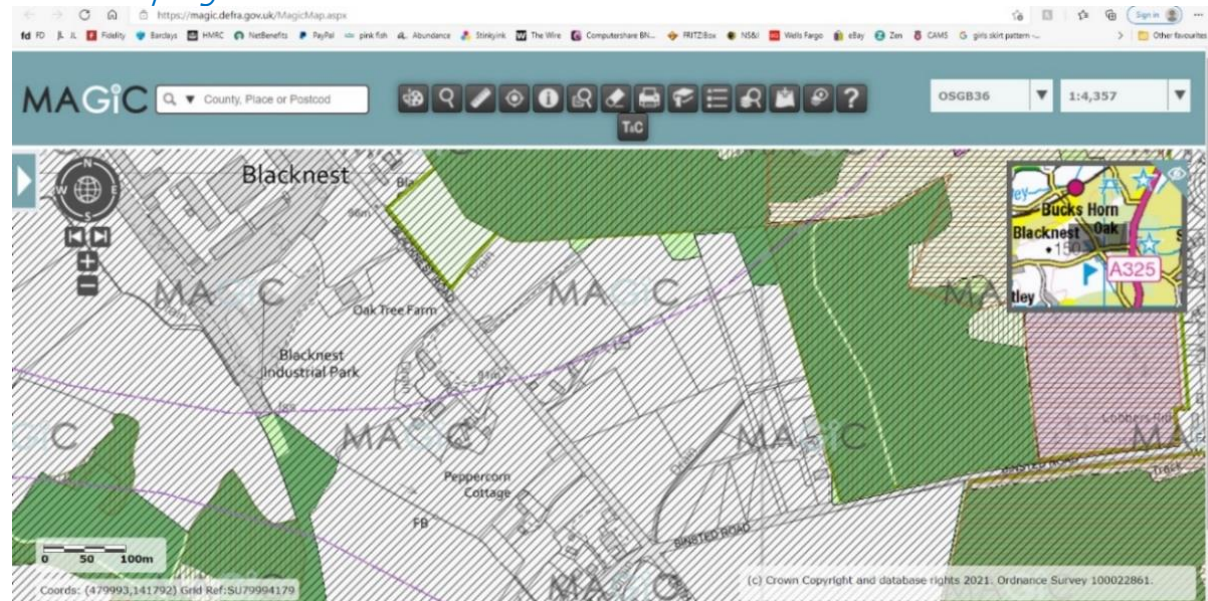
Appendix H Maps from Alice Holt Forest Plan

Alice Holt Forest Indicative Age Diversity

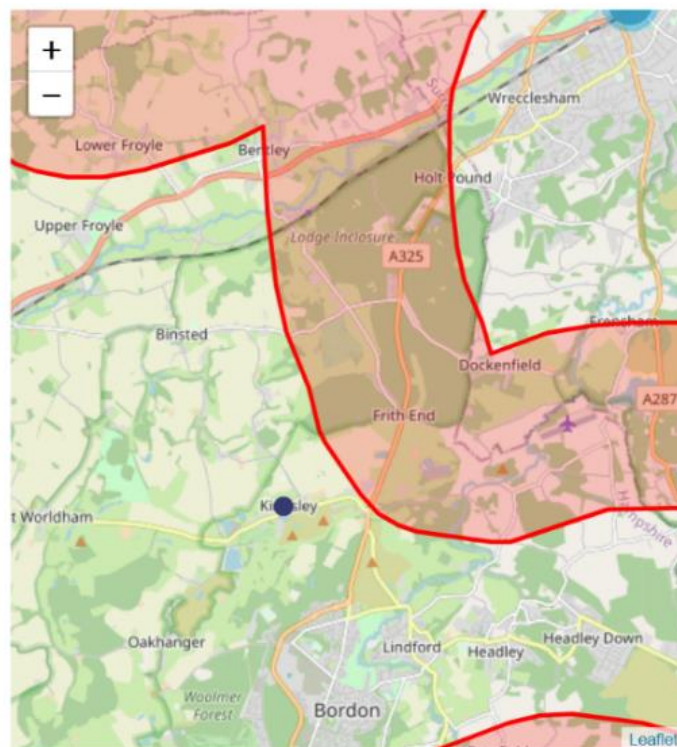


Appendix I: Other Biodiversity maps (MAGIC & Buglife's B-Lines)

MAGIC map – green shows blocks of ancient woodland forest



Map of Buglife's 'B-Lines'



← Explore the map and click on the circles to find out more about the type of work carried out.



Appendix J: Parishioners' views on how BNF should be used:

The views below were collected from individual Working Group members in January 2021.

Keith and Rachel Ruffell (neighbour) – 27 January 2021

We have discussed this, and we feel the following should be looked at, in order of priority:

- 1) Sort out footpaths/bridleways between Blacknest Road and Alice Holt Forest, if possible adding a new path along the lower part of the forest which runs parallel to Blacknest Road so local residents would have a circular walk (starting and finishing at Blacknest Rec) and would be able to walk to Bentley Station.*
- 2) Come up with a plan to retain Blacknest Rec as a public space, with a wild feel, but with areas of maintained grass that could be used for picnics etc. and possibly a pond.*
- 3) We would be keen to continue renting the Allotments field, as it is quite separate from the Rec. However, if some of the Allotments/copse were needed as part of the BPC plan, then we would be happy to rent a smaller part of them.*
- 4) We would not be supportive of the fields being offered to the Forestry Commission for further tree planting.*

Andrew Morrell (Bucks Horn Oak) – 8 February 2021

My views are quite simply that a parish asset should never be disposed of. An asset is exactly that, an asset. It may be possible to turn it into something very positive for the local area in terms of recreation or possibly in terms of leasing for some financial revenue.

My preference would be to ensure that it remains as green space whatever the outcome and for all local residents / households to have the benefit of its use.

I would further add that if an asset is to be sold / disposed of that all local parishioners should really be canvassed for comment.

Ian and Melissa Salisbury (Blacknest) - 9-10 February (3 emails)

It is vital that the parish council respects the status of Blacknest Fields as a Village Green:

- o Registration of Blacknest Fields as a village green
[https://www.acraew.org.uk/sites/default/files/uploads/Hampshire/BINSTED%20\(BLACKNEST\)%20RECREATION%20GROUND%20-%20BINSTED%20NO.VG.84.pdf](https://www.acraew.org.uk/sites/default/files/uploads/Hampshire/BINSTED%20(BLACKNEST)%20RECREATION%20GROUND%20-%20BINSTED%20NO.VG.84.pdf)*
- o HM Guidance on management of village greens <https://www.gov.uk/guidance/manage-your-town-and-village-greens> and*
- o Defra document relating to the **management and protection of registered village greens** https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/477980/tvg-faq.pdf This document contains details of the statutory protection and the legislation: I suspect BPC may be in breach.*

In the meeting on 26 Jan the Working Group was in agreement not to pursue the forest lease idea further and some present were keen for the FE to immediately be told as much.

The Working Group should be considering the potential for significant ecological biodiversity, given a level of feasible sustainable future management. Unless grazing ceases, it is likely nothing meaningful will be found in an environmental field survey.

It was pointed out to me after the meeting that currently in our row of houses there are 8 children under 16 and that having somewhere to play safely off the road would be a benefit.

I thought The Coney report was lacking in facts detail and impartiality and was only saved by the comments [Alison] added. I hope it will not form the basis of your decision. I was disappointed by Geoff's comments at the 26 January meeting: I think it unwise to be playing off one part of the community against another. As I said, if there were a need for a space for Station Road residents, and a site available, I would support the BPC in looking to add to the portfolio of community spaces. I have made my suggestions clear so don't want re-hash them.

Nial and Angela Dunne (Blacknest) - 10 February 2021

1. *We would welcome a hedge to be built where there is a wooden fence in the front field. For the field to be kept for rented grazing, but with consideration for some extra trees to be planted that fit with the ecology of the land.*
2. *Improvement made to the drainage of the allotment field and perhaps build a wildlife pond [which may also help with drainage]. Improve access to this area for walkers and the installation of picnic tables for walkers.*
3. *Improve the muddy bridle way into the forest that would enable local residents and walkers to use this part of the forest more frequently and especially through the Autumn and Winter months.*
4. *We do not feel that any major changes to this location is necessary, however these small changes would make a difference to many people in the local area and to walkers who venture into the forest and beyond.*

Lesley and Graham Clague (Blacknest) - 13 February 2021 (and re-iterated 19 April 2021)

We are not happy, of course, for the land to be put up for sale or leased to anyone, including the Forestry Commission, and however many caveats are inserted to so-call 'protect' the land from development. The BPC should remain, long term, the freeholders of the land, as at present.

1. *The Recreation Ground should remain an area set aside for use (solely) by Binsted parish residents, as previously discussed, with a picnic area, seating facilities, etc. Some small tree planting would be worthwhile considering and selected vegetation should be left to encourage wild flowering.*
2. *We would like to see the Allotments continue to be rented for horse grazing. This would provide an added interest to families using the picnic facilities, etc., provided an additional fence is installed within the allotment field so that the horses would be kept away from the main fence between the allotments and the recreation ground.*
3. *Restructure of the footpaths and the bridleway connecting the recreation ground and the forest so that people using the recreation ground could continue on a walk to take them back to the recreation ground with their dogs, etc.*
4. *Re-title the recreation ground to something more appropriate to its new intended use.*

Charles and Kate Ironside (neighbours) - 19 February 2021

Blacknest Fields an issue that is important to us as the Fields adjoin our property. We would like to make a number of points and observations.

1. *First, we really see no prospect, or sense, in any commercial development with the land. We are in the South Downs National Park and already have an abundance of local woodland and forestry around us to enjoy. We don't need any more!*
2. *As one drives along the Blacknest Road the Fields and/or greenery provide a welcome and natural break between the road and the forest. We certainly don't need to provide the deer with more cover than they already enjoy.*
3. *If you speak to anyone who has knowledge of the land locally you will know that we are sitting on a huge belt of clay which is the worst possible type of soil one can have. It's awash in winter and goes dry and cracks in the summer. You really can't easily walk on the land in winter. The ground does not absorb water easily and you tend to end up with streams of running water being formed. Indeed if you look back at old records you will discover that there was a river running through the whole area!*
4. *Kate and I believe the best thing is for the Parish Council to hold on to the land and if possible continue renting it out for grazing as and when the requirement is there. Indeed, the Reavleys and the Ruffles and ourselves have indicated our willingness to rent the land from the Council although before doing so we would expect the Council to meet their obligation of maintaining the surrounding trees, fences and ditches properly which is something that hasn't happened at all in recent years. There is a lot of catching up to do in that respect.*

5. *The day that the Blacknest Industrial Estate was allowed to be established was the moment that changed the whole nature of our small Blacknest Community, with the constant flow of heavy goods vehicles along the Blacknest Road, plus the amount of speeding cars and vans using the road as a cut through from the A325 to the A31. In other words, the road has become highly unsuitable and removes any possibility of locals using the road safely to take the air and enjoy the beautiful surroundings whether in car, on a bike or on foot.*
6. *Kate and I would have no objection to some work being done to clear and open up all the existing footpaths and bridle ways in the wood behind our property which would reopen some lovely walks or horse rides for locals to use and enjoy. In addition, we have no objection to wild flower seeds being added to the area.*
7. *The whole issue of the Blacknest Fields has been rumbling on far too long and has taken up far too much Parish Council time. It needs to be drawn to a conclusion. In our view we strongly believe that the land should be left pretty much as it is, with rental agreements for local grazing; and at the same time the council should spend money on bringing the maintenance of the land back to a safe and respectable state as well as opening up and clearing the footpaths and bridleways for the use of all parishioners.*

Froyle Wildlife, 2 March 2021

*The site should have great potential as a wildlife refuge **and** a natural outdoor community space. The proximity to Alice Holt provides valuable woodland edge habitat not dissimilar to Bentley Station Meadow SSSI. A wildflower meadow on some of the area would be amazing. A wildlife pond would increase biodiversity on the site. Commercial forestry with non-native conifers would be a disaster.*

Geoff Woollen (Bentley Station area) - 18 March 2021

- 1) *If we keep Blacknest Fields, it certainly needs to "earn its keep", and I agree this is not necessarily financial. Currently, at best, it is a back yard and paddock for locals - or in reality a patch of land that is neglected by the locals for 50 years.*
- 2) *The problem is that the site is a remote location, compounded by inaccessibility. It is highly unlikely to be an attractive location for anyone to visit. In "location/location" parlance it is the wrong place - unless significant money is spent on access and a car park?*
- 3) *My preferred choice would be: to swap the green recreation space to the back fields and to plant trees (with or without FE - to be considered); then sell the unsuitable front field and use the funds to acquire land in Station Rd/ Isington which can be allotment/ plant rewild etc.*
- 4) *It shouldn't be assumed that allotments and recreation ground are set in perpetuity. Covenants that restrict its use or sale can be overcome or varied - since the original reason for them has long gone? When was the land last used for either recreation or by the rural poor? 50 years?*
- 5) *I agree it would be unfair (and unpopular) to sell it and use the money in Binsted Village - or Holt Pound for cricket! However, it IS certainly unfair for Blacknest to sit on 8 acres which IS unused and Bucks Horn Oak, Frith End, Isington and Station Road have none. The idea I have floated on a few occasions is to sell one or more of the fields and invest in new land in the north of the parish. Land adjacent to Station/Isington Road as (either/both) allotments and tree plantation it would be locally owned, as we have 100+ homes. I'm aware of 1 or maybe 2 plots of neglected land here.*
- 6) *Rewilding is a nice idea, but nobody listed to my comments about the butterfly field experience. I invite you and Ben to come a visit it and see for yourself together with my explanation as to what will happen if it is just left. I will copy a write up of this observation to the WG in due course.*
- 7) *I hope the Dossier will include other options for its use which I have articulated previously, (e.g. Farm, riding stables, for bridleway access to Forest (I have seen no evidence the bridleway is ever used), Roman pottery kiln, tree nursery company, etc.) Other than the immediate neighbours has anyone locally wanted to actively use it? Has the maintenance/purchase offer of locals been withdrawn?*

- 8) *It is vital for the Working Group to consider all viewpoints (even the ones they don't agree with). I do not feel this working group is balanced (it is basically immediate neighbours and a few others) and I feel a lone voice representing a different view.*

Tony Franklin (Blacknest resident) - 24 March 2021

Thanks for letting me look through the information and ideas of the Working Group. Clearly a great deal of effort and thought has been put into both the issues that constrain the use of BNF and the available opportunities for its future use which remain true to the original intentions of the gift. For some of the uses, access to and car parking on Zones 2/3 is an issue not easily or cheaply resolved in a way that would satisfy HCC Highways. Could forming a lay-by which enables a limited number of cars (say 8 or 9) to park parallel to the adjacent highway potentially provide an acceptable solution at relatively economical cost?

The Working Group may also be interested in the mechanism of 'SANG' (Suitable Alternative Natural Green Space), whereby land is purchased to provide a recreational site that attracts residents of local new developments so those new residents' recreational activities (such as dog walking) are not undertaken on local sites that are protected for their valuable ecology, such as Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). The use of land for SANG is subject to planning consent, including the provision of acceptable car parking, tree planting and landscaping proposals, and would incur a commitment to its continued maintenance.

The acreage of land at Blacknest may not be sufficient to permit its use as a SANG site, but despite its relatively small acreage, Blacknest Fields may be an acceptable site, given the benefit of an established bridle path and the site's proximity to the Lodge Inclosure of Alice Holt Forest.

While it is wholly protected and dedicated solely for public use in perpetuity, SANG land is effectively traded as a commodity and has a high market value for housing development companies. The proceeds from its 'sale' could be used to meet the requirements for under-privileged groups in our community (duly modernised to a realistic objective). To look more deeply into this idea, you would need to speak to a surveying practice that specialises in this niche market.

Ian Fleming (Binsted Rights of Way Officer) – 28 March 2021

I am very impressed with the amount of research that has clearly been done to prepare this document. My thoughts on all this are not particularly well developed but I appreciate the opportunity to make at least an initial contribution to the discussion.

Overall, my feeling is that BPC should retain BNF, although I can't see a clear winning case for its future use. In terms of picturesque landscapes, it is rather lacking, although there is value in the site for its trees and perhaps potential as a managed haven for wildlife.

Comments on potential use:

I support the suggestion of BNF being developed as a wildlife conservation area, with pond and meadow. I think, in such a case, that BPC might agree an arrangement with the Jolly Farmer for car parking. Would it be possible to develop an off-road walking route up from the JF?

I like the idea of a natural playground and also a stargazing site.

A 'halt for walkers' sounds very nice, but I can't honestly imagine that BNF would see many walkers passing, let alone stopping.

I would be against restoring the sports pitch, for the reasons you have enumerated.

The Roman pottery interpretation site is certainly needed, as there isn't any alternative, but we would be back to car parking issues again...

My other comments relate mostly to its rights of way-related aspects.

Reclaiming the lost footpaths?

- *I'm not convinced of the case for the old line across the Recreation Ground. As your notes indicate, this was originally a useful route to a pub which no longer exists.*

- *The second line, along the Allotment Gardens and down to the C84 road, however, could be a viable case, as it would bring walkers who have joined it from 41 to within 100/200m of the western end of path 42. (However, as a further route, 42 is rather a disappointment, as it simply crosses a field and eventually emerges onto the road some way east of the JF pub...so no useful link in a chain of off-road routes here!)*

Bridleway 41 has always seemed to me a bit of a lost cause in terms of potential to increase use, quite apart from the current state of its surface. Every time I have been on the route I've seen local BHO people using the eastern part of it for family walks or dog walks, but the western end is not of much interest for such users, as it doesn't really go anywhere that people particularly want to go...coming out onto Blacknest Road is not much of an objective, although more serious walkers could continue south west on 40 and then join up with 71 to go towards Straits Inclosure. Incidentally, please note that I am talking of walkers rather than riders, as horse riders would probably want to avoid emerging onto Blacknest Road!

Ben Hamlin (Binsted Tree Warden) – 3 April 2021

Perhaps we should consider coppicing as an activity at Blacknest? Even [charcoal burning](#). Charcoal production was an important local industry back to Roman times. As other sites have done, we could create a reconstruction of coppicing and charcoal burning. There is plenty of evidence out there that this is a feasible prospect. Can I ask you to include this as a suggestion in your master document on the future of Blacknest? As a boy I knew how to make charcoal in recycled tobacco tins. I used it to make my own gunpowder! As a qualified science teacher I should be capable of designing a year 6 benchtop demo of trees' ability to retain carbon. Around it I could build a lesson about carbon capture. What's the best material from which to make a ruler - plastic, metal or wood? I can find a secondary school to work with to design the lesson.

I would also like to comment on Section 3 of the Dossier. References to the Allotment Gardens as existing for the benefit of the poor do not seem to limit the benefit only to Binsted parishioners. I agree with your closing paragraph that there is little evidence of poverty, rural or otherwise, in Binsted parish, but plenty close by, in Alton. There seems little doubt that any revenue from the land should not be bolstering BPC funds, but there are several local charities devoted to alleviating the wretched conditions of the poor, who would welcome the revenue. This might spur BPC to seek a more profitable use of the land.

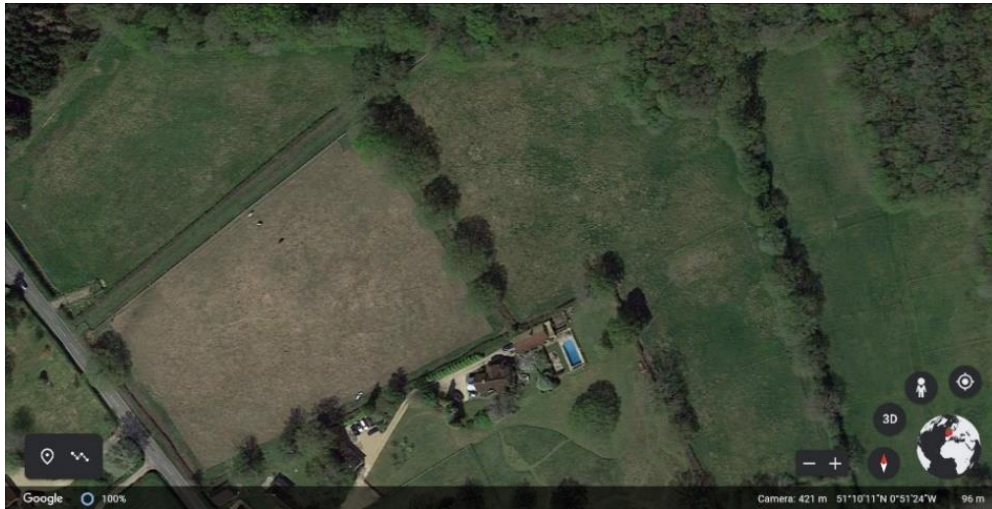
The Working Group's views on the specific options discussed in this Dossier were tested, through a short Survey Monkey questionnaire, in April 2021. Results are as shown in the Table below:

	Results of Working Group Survey, April 2021	Mean Score (*)	GREAT IDEA	QUITE A GOOD IDEA	NOT BOTHERED EITHER WAY	QUITE A POOR IDEA	TERRIBLE IDEA
	(15 respondents)						
1	Enhance BNF as a halt for walkers (no parking)	4.13	7	6	1	0	0
2	Wildlife enhancement (e.g. pond) (no parking)	4.07	4	10	0	0	1
3	Community - natural playground (no parking)	3.93	5	6	2	2	0
4	Community - permaculture and foraging (no parking)	3.67	4	6	2	2	1
5	Community - stargazing (no parking)	3.60	4	6	1	3	1
6	Community - tree seedling nursery (no parking)	3.53	2	7	3	3	0
7	Community orchard (no parking)	3.33	3	6	2	2	1
8	Apply to register BNF on register of land available for Biodiversity Offsetting activity	3.33	4	4	3	2	1
9	Community wood hub (beanpoles, etc.) (no parking)	3.07	3	5	1	3	2
10	Equine grazing on part or all of the site	2.93	0	6	5	1	3
11	Community - forest school (with parking)	2.80	3	2	3	3	4
12	Community - Roman Pottery kilns interpretation site (no parking)	2.80	2	3	3	4	3
13	Community - Green social prescribing (no parking)	2.53	2	4	3	1	1
14	Commercial forestry, by prof forestry mgt company	2.07	1	2	1	5	5
15	Leasing or selling the site for farming (vehicle access)	2.00	1	1	3	2	8
16	Restoring the sports pitch (with parking)	1.87	1	2	1	2	8
17	Sell part of BNF land to a Community Land Trust for charitably targeted affordable house (NHS trainees)	1.67	1	2	0	1	10
18	Change of land use to allow operation of Riding Stables (with parking)	1.60	0	3	0	1	10
19	Sell part of BNF land and buy a larger and more expensive Village Green elsewhere	1.13	0	0	0	5	7

(*) - Great Idea = 5, Quite a Good Idea = 4, Not Bothered = 3, Quite a Poor Idea = 2, Terrible Idea = 1

Appendix K: Photographs of the site

Current site image, from Google Earth:



Two photos below show stream arising in Alice Holt Forest, and resultant flooding on Bridleway 41. (Geoff is pointing to potential stream bed that continues on BNF site.)



Field oaks in Zone 6:



Hedge species



Gappy hedges in Zone 6:



Oaks with overhanging dead branches on Bridleway:



Appendix L: Observations from onsite Biodiversity Surveys

Survey on 27 th April 2019	Recreation Field	Allotment Fields
Grasses /Flowers		
	Yarrow, shepherds' purse, vetch, birds-foot trefoil, blackthorn, meadow grass, marram grass, silverweed,	Yarrow, honeysuckle, birds-foot trefoil, clover, shepherd's purse, dandelion, meadow vetchling, sun spurge, blackthorn saplings, goose grass, wild rose, meadow buttercup, ribwort, mouse-ear, hawkweed, cornflower
Mammals/Birds		
	Evidence of deer (muntjac?)	Evidence of deer (muntjac?)
	Blackbird	
Butterflies/Insects		
	Cold and windy - no butterflies or flying insects seen	
Observations in March, April & May 2021	Recreation Field	Allotment Fields
Grasses /Flowers		
	Dandelion, greater stitchwort, ground ivy, Bugle, yarrow, shepherd's purse, vetch, birds-foot trefoil, dock, nettles, field speedwell (veronica).	A nice stand of spurge, Zone 9. Wild roses. Clover, Yarrow, Ox-Eye Daisy, Geranium pratensis (Meadow Cranebill), sheep sorrel, Black medick, shepherd's purse, knapweed, meadow buttercup, vetch, birds-foot trefoil.
Trees and Shrubs		
	Ash, blackthorn, hawthorn, oak, bramble, viburnum, sycamore, privet, ground ivy.	Goat willow, blackthorn, hazel, holly, oak (mature and regen), ash, bramble, ivy (arboreal and ground) honeysuckle.
Small mammals & bats		
	Wood mice	Common Pipistrelle bat
Insects		
	Orange tail bumblebee (bombus lapidarius).	
Birds		
	Swallow, red kite, blackbird, dunnet.	Woodcock

Appendix M: Natural England Checklist for an Individual SANG site.

This 2008 Site Quality Checklist for the creation of suitable SANG (Suitable Alternative Natural Greenspace) by Natural England still appears to be current. (This version was cited in East Hampshire's 2019 review of SANG sites.)

The wording in the list below is precise and has the following meaning:

- Requirements referred to as "must" or "should have" are essential.
- The SANG should have at least one of the "desirable" features.

A.1 Must/Should have

- 1) For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance of the developments linked to it. The amount of car parking should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANG and the SPA.
- 2) It should be possible to complete a circular walk of 2.3 – 2.5 km around the SANG
- 3) Car parks must be easily and safely accessible by car and should be clearly sign posted.
- 4) The accessibility of the site must include access points appropriate for the particular visitor use the SANG is intended to cater for.
- 5) The SANG must have a safe route of access on foot from the car park and/or footpaths
- 6) All SANG with car parks must have a circular walk which starts/finishes at the car park.
- 7) SANG must be designed so that they are perceived to be safe by users: they must not have tree and scrub covering parts of the walking routes
- 8) Paths must be easily used and well-maintained but most should remain unsurfaced to avoid the site becoming urban in feel
- 9) SANG must be perceived as semi-natural spaces with little intrusion of artificial structures except in the immediate vicinity of car parks. Visually sensitive way-markers and some benches are acceptable.
- 10) SANGs larger than 12ha must aim to provide a variety of habitats for users to experience
- 11) Access within the SANGS must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.
- 12) SANGs must be free from unpleasant intrusions (e.g. sewage treatment works smells)
- 13) SANGs should be clearly sign-posted or advertised in some way.
- 14) SANGs should have leaflets and/or websites advertising their location to potential users. It would be desirable for leaflets to be distributed to new homes in the area and be made available at entrance points and at car parks.

A.2 Desirable It is desirable for:

- 15) Dog owners to be able to take dogs from the carpark to the SANGS safely off the lead.
- 16) Where possible to choose sites with a gently undulating topography
- 17) For access points to have signage outlining the layout of the SANG and routes available.
- 18) It is desirable that SANGs provide a naturalistic space with areas of open (nonwooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water on part, but not the majority of sites is desirable.
- 19) Where possible it is desirable to have a focal point such as a viewpoint, monument etc. within the SANG.