

13th July 2012

Dean Forest to wit

At a Special Court of Attachment
of our Sovereign Lady the Queen at
The Speech House on the thirteenth
day of July in the Sixtieth year
of the reign of our Lady Queen Elizabeth
the Second by the Grace of God , etc in
the year of our Lord Two Thousand and
Twelve

Before

R.W. Jenkins Esq., J.P.
Ray Wright, Esq.
M.V. Bent Esq.
I. J. Standing Esq., BDS, M.A. MUSMS Dip.

K.G.Stannard Esq., Deputy Surveyor
Forestry Commission
R.W. Davies Esq., F.R.I.C.S., Land Agent,
Forestry Commission

K. P. Griffin B.A. Solicitor, Steward

Prior to the commencement of the Court, the Senior Verderer welcomed the High Sheriff, Mr Duncan Clegg, and Messrs Henry Mills and Mick Holder, respectively Chair and Secretary of the Commoners Association.

APOLOGIES

None.

MINUTES

The Minutes of the Court held on the 13th April 2012 were approved and signed.

MATTERS ARISING

St Anthony's Well

Mr Davies advised that there had been no further trespass to the site.

Diamond Jubilee

The Steward confirmed he had received a reply from the Secretary to Her Majesty and he advised the Court of the contents of the letter

Lord Taylor of Holbeach

The Steward confirmed he had received a reply from the Parliamentary Under Secretary to DEFRA and he advised the Court of the contents of the letter

MINERALS

Mr Davies reported there is to be a meeting to elect a new Chair to the Freeminers.

Mr Davies also advised that the mines survey requirements are now extremely stringent, but the Deputy Gaveler has arranged an affordable survey and it is hoped this will assist local miners caught by the new regulations.

COMMONING

Mr Holder the Commoners Association thanked the Verderers for inviting the officers of the Commoners Association to the Court. He commented that the Association was pleased with the good level of shepherding in the Forest, but where there continue to be problems, such as in Bream, the resolution of such issues are not entirely under the control of the Association, although they were more than willing to assist where possible.

He welcomed the District Council's initiative to reintroduce a duty to clear sheep droppings from streets and public areas.

He also referred to the concept of a Forest Charter to clarify the whole issue of commoning. He considered that although the 2001 Agreement is extremely useful, it contains no properly enforceable powers.

He added that he believed there is no simple solution but all interested parties meet regularly and try to resolve problems when and where they exist.

Following general discussion, all agreed that many problems would be resolved if all commoning was subject to the authority of the Commoners Association. Mr Standing asked if this could be achieved under the byelaws, but the Deputy Surveyor explained the byelaws are general in nature and those specific to the Forest only refer to the marking of sheep and that they must not be put in enclosures.

The Deputy Surveyor commented that the Police and Trading Standards can and do use legislation such as the Highways Act, but there is no specific law covering sheep nuisance. A new Statute or a Court decision is required to deal with this issue. Mr Mills commented that Court decisions had failed to clarify the situation but had involved great cost.

The Senior Verderer thanked the representatives of the Commoners Association for attending the Court and for their very helpful contribution of views and information. They expressed their gratitude for the invitation and the opportunity to express the views of the Association

DEER

The Deputy Surveyor advised there was nothing to report to the Court.

BOAR AND FERAL PIGS

The Court was advised that the Commission believe numbers exceed 500.

The Commission's policy is a target population of 90, but this should be increased to 400 to avoid controversy.

The Deputy Surveyor asked the Court to support the revised total and after some discussion and questions, the Verderers agreed to support the revised management proposal.

The Court heard the cull target for September 2012 onwards is to be discussed by 2 members of the Commission and 2 from Friends of the Wild Boar. It was agreed Mr Standing would represent the Verderers in this regard.

CINDERFORD REGENERATION

Mr Davies reviewed the history of the funding availability for former mine-working areas, the Area Action Plan and the key and controversial development of the proposed relocation of the Forest of Dean College.

He produced a plan showing the County Council's proposed link road and commented that the Commission had persuaded the District Council and the HCA to give land to the Commission and to enable the road to be dedicated to the County Council under the Dedication Agreement, thereby enabling the Commission to gain land as a result.

He added there are many problems to overcome, such as the protection of the many species of bat at the Northern United site.

The Senior Verderer commented that there are many concerns and opposing views, with very strong feelings concerning the movement of the College.

The Verderers agreed to continue to monitor the whole matter.

DEPUTY SURVEYOR'S REPORT

(1) Phytophthora Ramorum

Aerial checks had revealed the existence of possible infection in the Forest, involving sudden unexplained foliage death. There had been positive tests for phytophthora and the trees removed. Eight sites are to be felled as soon as possible to prevent sporelation from infected larch and sweet chestnut. Other tree species will be infected but do not sporelate as is the case with larch.

It is hoped the very swift action will prevent the spread of infection, but it was conceded that the Forest may lose its larch trees. A map showing the infected sites was produced and the Deputy surveyor explained that the disease is carried on the wind but can also be carried on boots and shoes to gardens where species such as Azalea will be infected.

In response to a question from the Senior Verderer , the Court heard that the infection is in the bark, so felled trees will be stripped and the bark burned, enabling the timber to be used.

(2) Water Problems

Soudley Ponds middle dam was leaking and a licence required from Natural England before repairs could be undertaken, following a crayfish survey. However there had been a catastrophic failure of the dam due to the heavy rainfall. In addition, road stone had been washed away in various parts as well as damage to various tree species due to the effect of waterlogging.

(3) Queens Grove

A partnership with the District Council to plant 600 Sequoia with a view to having 60 trees to commemorate the Diamond Jubilee.

(4) Inclosure Commissioners

Numbers had fallen and a new Commission is required. The Queen's Remembrancer is to be informed to trigger the appointment of Inclosure Commissioners.

ANY OTHER BUSINESS

(1) Newland Church

The Verderers had been invited to the Church on the 22nd July on the occasion of a visit by the Archbishop of Canterbury.

(2) Dame Janet Trotter

Following a suggestion by Mr Bent, the Steward was directed to write to invite her to a Court.

(3) Natural Capital Initiative

Mr Standing advised he had received an email from Dean Forest Voice to seek the Verderers' support to an application to have the Forest assessed as part of the Initiative. After some discussion, it was agreed that the Court had not had a proper opportunity to study the initiative in order to give full support to the application.

Nevertheless, the Verderers felt that the initiative would help to raise the profile of the Forest.

(4) West Dean Parish Council

The Parish Council had expressed concern about the horse trail initiative and lack of consultation about the proposed permissive route. The Deputy Surveyor explained this was not a Commission initiative, but the horses will only be using existing hard roads and this is a permissive use only.

DATES OF NEXT TWO COURT SITTINGS

The date for the next two Courts will be Friday the 19th October 2012 and the 18th January 2013.

The High Sheriff thanked the Verderers for the invitation to the Court and said he had found the proceedings to be most interesting and informative, especially as had a great personal interest in trees.

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Verderers

Deputy Surveyor
Forestry Commission

Steward