

9th January 2015

Dean Forest to wit

At a Special Court of Attachment
of our Sovereign Lady the Queen at
The Speech House on the Ninth day
of January in the Sixty Third 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
Fifteen

Before

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

K.G.Stannard Esq., Deputy Surveyor
Forestry Commission
Penny Simpson (Mrs) M.R.I.C.S.,
Area Land Agent, Forestry Commission

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

Prior to the commencement of the Court, the Senior Verderer welcomed Mr Paul Morgan, a retired Home Office qualified mines surveyor who had been invited to advise the Court on the proposed Cinderford Northern Quarter development.

APOLOGIES

Mr Ray Wright had sent apologies and unable to attend due to a problem with his knee.

MINUTES

The Minutes of the Court held on the 3rd October 2014 were approved and signed.

MATTERS ARISING

None.

MINERALS

Mrs Simpson advised the Court that she was now able to provide annual output figures for quarrying to support the increased activity in this sector mentioned at the last Court. For Stowfield, the output for the year would be between 450,000 and 600,000 tonnes. For the stone firms, the output had increased to between 6,000 and 8,000 tonnes.

She added that a new free quarryman had been registered, the first in many decades.

COMMONING

The Deputy Surveyor advised that the SLG meeting had taken place in spite of the dispute between the Commoners Association and West Dean PC.

The Court also heard that the Commoners Association had been directed to resolve an issue with one of their members, Mr Kevin Hancocks, whose sheep had been causing damage to new turf lawns on a Redrow Housing development outside the Statutory Forest

DEER

The Deputy Surveyor reiterated his report at the last Court, namely that muntjac are seen in ever increasing numbers and are becoming a real issue. Otherwise, there was nothing to report.

BOAR AND FERAL PIGS

The Deputy Surveyor advised that the cull had continued satisfactorily with some 215 animals culled since September.

He added that the activity by campaigners against the cull and the threats and intimidation of Commission staff had reduced following the cessation of the badger cull activity in the County

The Court heard that the thermal imaging survey would take place over a two week period, commencing on the 20th February, with the results expected at the end of April. In addition, the Worcester University survey continues, against a backdrop of increasing concern about diseases affecting the boar population

Some 30 to 40 people had attended the inaugural meeting of the Boar Initiative Group at Lydney Park. It had been agreed to establish a management group to coordinate the management of the boar population in the areas surrounding the Forest. This was seen as a very positive development as the landowners can operate without the constraints placed on a public body such as the Commission.

CINDERFORD REGENERATION

Mrs Simpson advised that planning permission had been granted, subject to the conclusion of the terms of a Section 106 Agreement. She added that the newts are being moved but there had been no further action taken regarding the land exchange arrangements.

The Steward referred to an email received from Mr Ivor Ellis and circulated a copy to the Court attendees. In respect of the fencing, Mrs Simpson commented that the land had been the subject of a CROW closure order to allow the newts to be collected and moved, with the HCA given licence to gain access for this specific purpose.

The Verderers felt it inappropriate to comment on the actions of Councillor Gardiner as this was a matter for the Local Authority's Standards Committee.

Mr Paul Morgan was invited to address the Court and to update the Report he had prepared in 2012. He explained the background history of mining in the Forest, with the ever-present issue of water. Many shafts were well below sea level and had to be pumped out continuously to allow mining operations to take place.

With regard to the Northern Quarter, he produced a map from the National Grid, showing a substantial area of moving clay, due to the presence of water. He added that a great deal of rock had been removed during the opencast mining in the area, with the site backfilled with domestic refuse over a protracted period. Methane gas and chemicals had been released when the trial boring had taken place on site. He expressed grave concern about building over an opencast site of this nature and commented that gas protection measures will be required.

He commented that the Coal Authority opposed the development of the site due to the number of disused shafts, as a result of which the Council had commissioned a mining assessment for the area. He had viewed the assessment and had not been impressed by it, especially as some information was factually inaccurate, such as a diagram depicting a pump working at a "typical" mine. He commented that the pump simply would not work as the depth was greater than 33 feet.

He produced a plan of the site with a 30 metre "protection zone" around the opencast area and if this was adopted, the whole site could not be developed at all.

In summary, he expressed grave concern that the site was to be developed at all, especially with housing and a college envisaged.

The Senior Verderer thanked him for his presentation and requested him to explain his qualifications and experience. Mr Morgan advised he had started work at the Waterloo pit in 1948, doing one week underground and one in the office. After 4 years experience and passing both written and practical exams, he was certified as a Mines Surveyor as required by the Coal Mines Act, enabling him to sign off on mines, however small. A further 3 years experience was then required before he could take charge of a colliery. He worked in the Forest of Dean coalfield until the last mine closed in the 1960s.

DEPUTY SURVEYOR'S REPORT

Heritage Lottery Funding

The revised bid had been successful and a total of £3 million had been allotted, with £450,000 for the initial development phase. A new carpet and appropriate artwork for the Courtroom had been discussed.

Tree Diseases

There have been no outbreaks of Phytophthora Ramorum found in the Dean in 2014.

Lydbrook Flooding

The Court heard that the Environment Agency had formulated new plans to alleviate the problem, with funds available for the proposed works.

ANY OTHER BUSINESS

Freedom of Information Request

The Steward had provided a copy of the email from Christopher Hastings of the Mail on Sunday and his initial response, but the Court was advised that in any event, the Star Wars filming had been on private land outside the Statutory Forest, so was not an issue for the Verderers.

DATES OF NEXT TWO COURT SITTINGS

The date for the next two Courts will be Friday the 17th April 2015 and Friday the 26th June 2015.

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Verderers

Deputy Surveyor
Forestry Commission

Steward