

26th April 2019

Dean Forest to wit

Before

At a Special Court of Attachment
of our Sovereign Lady the Queen at
The Speech House on the 26th day of
April in the Sixty Seventh 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
Nineteen

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

K.G. Stannard Esq., Deputy Surveyor,
Forestry Commission
D.L. Howell CSM, IMMM Deputy Gaveller
Forestry Commission

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

APOLOGIES

None.

MINUTES

The Minutes of the Court held on the 18th January 2019 were approved and signed.

MATTERS ARISING

None

IMPORTANT NEW MATTERS

There were no new issues to report.

DEVELOPMENTS AFFECTING THE STATUTORY FOREST

In response to an enquiry from Mr Daniels, the Deputy Surveyor advised that reports of the construction of a new building in the Forest were incorrect as this had been merely a prop for a Netflix film and had been removed.

COMMONING

The Deputy Surveyor advised that there had been an incident where a ram removed from a farm to an animal sanctuary had escaped and injured an elderly woman. This had nothing to do with the Commoners, but the woman had suffered serious head injuries.

DEER AND BOAR AND FERAL WILD PIGS

The Deputy Surveyor advised that the thermal imaging survey had been completed and pressure had been brought to bear to have the results as soon as possible. However, one issue had been noted in that boar had been found in high numbers in certain areas but not in others and this indicated a change from the previous even spread of the animals. He added that he expected numbers to have increased to more than 1,800.

The Court heard that two new and experienced Rangers had been employed and it is planned to increase the number to eight, with a new manager to oversee the cull and with a view to get boar numbers within the target population.

The Court also heard that the issue of African Swine Fever had prompted increased interest in the boar and including at Ministerial level, although developments are awaited but there will be increased culling in areas outside the Statutory Forest. In response to an enquiry from the Senior Verderer the Deputy Surveyor advised the boar population had spread into Wales and also up to the M50 Motorway.

Mr Daniels enquired about the Boar Management Group and the Deputy Surveyor explained this was an offshoot of the Deer Initiative and related to private land owners and was continuing to seek funding for its secretariat. He added that a second group had formed and the Commission plans to attend its meeting in Swindon, together with the NFU and the Country Landowners Association.

The Deputy Surveyor also mentioned the possibility of an aerial survey, probably using a helicopter and extremely sensitive infra-red equipment.

STRATEGIC APPROACH

“Our Shared Forest”

There had been approximately 1,200 responses to the survey and the Commission was in the process of checking these, with a view to launching the new strategy in May. This will be discussed at the next Court.

Beechenhurst Funfair

Despite some criticism of the inappropriateness of the event in this location, it had been very successful in introducing many people to the Forest who would otherwise not have visited, especially the engagement with young children.

DEPUTY SURVEYOR'S REPORT

Forestry England

The new rebranding of Forest Enterprise England from 1st April. It will take about 5 years to change everything to the new brand, such as new vans and vehicles.

The Commission now only covers England as Wales and Scotland have autonomous bodies, with Forest Research being the only GB-wide body.

Centenary

Events have commenced throughout England and in the Forest, the Retirement Association had unveiled a plaque. There are various tree planting programmes and in September there will be a 10k run at Mallards Pike.

Travellers

One group had moved but only to Staunton. There is another group on the Linear Park. Legal action for eviction would only be taken if a nuisance is proved.

MINERALS

The Deputy Gaveller presented his written Report and a copy is attached to these Minutes.

ANY OTHER BUSINESS

Conservation Grazing Scheme

The Steward advised the Verderers had met to discuss further correspondence from Dean Forest Voice and concerning the legality of the Commission's enclosures. The Court agreed the scheme was not a matter for the Inclosure Commissioners as it did not involve forestry operations. The Deputy Surveyor commented that the scheme was a temporary measure to effect landscape change and in fact to encourage responsible commoning. He had advised the Inclosure Commissioners and had taken legal advice before embarking on the scheme.

After some discussion, the Verderers agreed that as the Commission owned the land in question and its title to the entire Forest had been registered at the Land Registry, it had acted within its powers to create the scheme, as commoning was a privilege and not an absolute right. The Verderers did not accept the view that the fencing was "illegal" as alleged by DFV.

The Awdry Case

The Court was reminded that Mr Awdry had issued proceedings against the County Council and the Police for removing his sheep from Bream and impounding and selling them. Although a copy of the judgment is awaited, it appears he had succeeded on a technical issue that the authorities had relied on a 19th Century statute, the Town Police Clauses Act, to carry out the pre-planned operation to remove the sheep but this use was not permitted as the relevant legislation was designed for emergencies only. The case itself had no bearing on the issue of fencing and so forth.

Speed Limits

The Steward had received a letter from the County Council to advise that no action was proposed to reduce speed limits in the Forest. The matter is to be discussed further at the next Court

High Sheriff

It was agreed to invite the new High Sheriff to one of the future Courts.

Forest Forum

A proposal to take oversight of this into the Verderers Court is to be considered by the Verderers and discussed at the next Court.

DATES OF THE NEXT COURT SITTINGS

These dates were agreed as the 19th July 2019 and the 18th October 2019, both commencing at 2.45pm.

Verderers

Deputy Surveyor

Steward