

26th November 2021

Dean Forest to wit

Before

At a Special Court of Attachment
Of our Sovereign Lady the Queen at
The Speech House on the twenty sixth
day of November in the Sixty Ninth 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
Twenty One

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

K.G. Stannard Esq., Deputy Surveyor,
Forestry England.
D.L. Howell Esq., CSM, IMMM, Deputy
Gaveller, Forestry England.
K.P. Griffin B.A. Solicitor, Steward to the Court.

Prior to the commencement of the Court, there was a minute's silence in remembrance of Maurice Bent who had passed away on 3rd October 2021.

APOLOGIES

None

MINUTES

Approved and signed.

MATTERS ARISING

Although not in the Forest, the Court heard that the individual referred to at the previous Court and who had posted film of himself on YouTube cutting down trees to make jumps and other unacceptable behaviour had received a Solicitor's letter and had undertaken to desist from this behaviour. If he is found to breach the undertaking, an injunction will be sought to ban him from all Forestry England property

IMPORTANT NEW MATTERS

In order to commence the process for the election of a new Verderer, the Steward is to prepare the documentation required to pass to the Deputy Surveyor and to enable an application to be made to the Crown Office at the High Court for the issue of a Writ De Viridario Eligendo.

It was agreed there is a need for clarity on the issues of who can stand for election and who can vote and at what age. After some discussion, the Steward was directed to invite the

High Sheriff to attend at the next Court.

DEVELOPMENTS AFFECTING THE STATUTORY FOREST

The Court heard that Messrs Daniels and Standing had attended the District Council committee established to review the plans for the Northern Quarter. Mr Daniels reported that some of the Council members had been unaware of some of the legislation affecting the Forest, such as the 1981 Forestry Act. He had advised the committee of the importance of the Forest Waste. Mr Standing commented that Mr Morgan, who is now a member of the County Council, had given a long and detailed representation to support his view that the whole project was, in his words, “dead in the water”. There had clearly been a great deal of confusion and errors made, such as the denial of the existence of a Council tip on site but this was a matter of public record. There had also been reports that the Northern United site had been sold by the HCA.

The Deputy Surveyor added that he had had a discussion with two of the Council members who had established the enquiry and had made it absolutely clear that the Hawkwell Enclosure was not and had never been part of the Northern Quarter development as this was a brownfield development only and did not include afforested land.

The Court also heard the County Council is no longer involved in the construction of the development roads as the cost of the road to the new College had been well over budget, due to the vast amount of soil and other material that had to be removed from the site.

The Deputy Gaveller commented that every piece of information required by the planning consent had been provided to the Council. He added that the freehold of the Northern United site remains owned by Homes England (formerly the HCA) and the confusion about sale is probably due to leases of part of the site changing hands.

COMMONING

The Court heard there had been a meeting with Trading Standards whose representatives had advised they were generally happy with the health of the sheep in the Forest, but two shepherds were to be approached about missing ear tags. The Deputy Surveyor added that the Sheep Liaison Group, comprising representatives of the Commoners Association, the District Council, Police, Trading Standards, Gloucestershire Highways and Forestry England is struggling to reach an agreement to introduce a new responsible shepherding agreement, but the efforts continue.

With regard to complaints, the Court was advised these concern the sheep in Bream and especially the constant problem of sheep mess outside the School and on pavements.

DEER AND BOAR

The Deputy Surveyor advised the boar cull has been very successful and will exceed the previous year’s target. He added that there is great concern about the illegal feeding of the boar, especially in an area of Cinderford, due to the issues of African Swine Fever and Foot and Mouth disease. The Rangers are not empowered to shoot the animals in this area as it is not Forestry England land.

The Court was advised the last survey showed boar numbers to be under control and on a downwards trajectory at under 1,000.

STRATEGIC APPROACH

With regard to Our Shared Forest, the Deputy Surveyor advised that a new line manager to deliver the programme has been appointed and Tom Brockington will commence his duties in the New Year

DEPUTY SURVEYOR'S REPORT

Diseases

Chronic and acute oak decline continue apace and research studies now confirm the problem is linked to climate change as fewer periods of severe frost enable the insects carrying the fungus to survive and multiply.

Ash dieback has resulted in large number of infected trees being removed from Symonds Yat and this has proved controversial, but was necessary and the site is now being regenerated.

Phytophthora ramorum continues to infect larch in the Forest and it is clear the days are numbered for the continued existence of larch in the Forest.

A new variant of phytophthora, named pluvialis is affecting Douglas Fir and Western Hemlock. It was present in the USA and New Zealand and now found in South West England. The disease causes lesions and the trees then die. As with the ramorum variant, the problem started in Cornwall and is almost certainly due to increased warmth helping fungal pathogens and bacteria to survive and increase.

Forest Waters

There is a major project to re-naturalise watercourses in the Forest to deal with two problems: drought and extreme rain events. With regard to the latter, the heavy rainfall in September 2020 caused flooding of over 100 properties. He added that the plans are in place and a Forest Waters Delivery Officer is to be appointed.

In addition to his duties as Deputy Gaveller, Dan Howells has been appointed as project manager for the Cannop Ponds. The dam there is in poor condition and must be rebuilt by November 2022 to comply with legislation.

With regard to native crayfish, numbers have been decimated due to crayfish plague and the fishing ban continues. Signs have been erected to try to stop dogs entering the water in the Blackpool and Soudley Brooks and in the hope that the few remaining native crayfish can survive.

In response to an enquiry, the Deputy Surveyor advised the beavers are doing well and their efforts certainly mitigated the flooding at Lydbrook by reducing the amount of water reaching the village.

Pine Martens

All reintroduction has been completed and now being monitored to discover if the grey squirrel population is reduced. It is too early to say if this is the case.

MINERALS

The Deputy Gaveler presented his Report and a copy is appended to these Minutes. He had held a meeting with the galees of the Northern United site and provided them with all necessary information to deal with the ongoing scrutiny of the development by the Council.

ANY OTHER BUSINESS**Verderers Website**

The Steward advised he had been in contact with the organisation hosting the site and had arranged for minutes to be uploaded, following the resumption of Court activity after the coronavirus restrictions had been lifted. He had also paid the fee on behalf of the Verderers.

DATES OF THE NEXT COURT SITTINGS

These dates were agreed as 28th January 2022 and 29th April 2022, both commencing at 2.45pm.

Verderers

Deputy Surveyor

Steward