

1<sup>st</sup> July 2022

Dean Forest to wit

Before

At a Special Court of Attachment  
Of our Sovereign Lady the Queen at  
The Speech House on the first  
day of July in the Seventieth 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 Two

R.W. Jenkins Esq., J.P.  
I.J. Standing Esq., BDS, M.A. MUSMS Dip.  
R.G. Daniels Esq., MBE.  
Mrs S. Middleton B.Sc.

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, the Senior Verderer welcomed Sir Dusty Miller, the High Sheriff of Gloucestershire.

## **APOLOGIES**

None.

## **MINUTES**

Approved and signed.

## **MATTERS ARISING**

### **Mountain Biking**

Mrs Middleton advised the Court she had been contacted by Ian Pope from The Forest of Dean History Society who had complained about the large number of mountain bike trails on to the Bixslade tramway. She advised she had investigated and produced a document which included a series of photographs to show the extent of the problem.

The Deputy Surveyor referred to Our Shared Forest and the intention to create a plan for the area and dealing with its built heritage and ancient monuments. He advised it is not a category 1 site, but possibly category 2 and he referred to the unauthorised trail guidance that tolerates mountain biking on areas where the activity has not been previously authorised, but where Forestry England will take action such as fencing if there is damage and breach of the guidance. However, huge numbers of cyclists come to the Forest as it is noted as one of the most important destinations for mountain biking and signs do not stop them. He added that the Forestry England hierarchy will be coming one weekend to see the

problem for themselves and to review the proposed new zoning policy, so a strategy is in process but enforcement will be difficult as there are insufficient staff to police the entire Forest. He commented that most cyclists are responsible but there are some mainly local people who do act irresponsibly and build jumps, for example. They need to be brought on board to act responsibly and education about the huge pressure on the Forest will be key in this regard.

In response to a question from Mrs Middleton about the jumps near Staunton identified at the previous Court, he advised that no action has been taken yet. Hhe has no power to change national policy and even if changed to make the Forest a special case, enforcement would be very difficult.

Mr Standing commented that the problem besetting Bixslade is in fact a Forest-wide issue and Mr Daniels added that the Forest is being destroyed by adherence to the national policy and asked how it could be amended as even safe areas for deer have been impacted by the proliferation of trails and biking activity, especially during the pandemic. The Deputy Surveyor suggested the Verderers meet with the hierarchy on their planned visit to air these views.

Mr Daniels enquired why the mountain bikers have been allowed to expand their activities to such an extent when they were supposed to be limited to the Sallow Vallets area, but the Deputy Surveyor commented there had never been a ban on unauthorised trails elsewhere and the sheer numbers of people coming to the Forest was responsible for the explosion of mountain biking in the area. Mr Daniels made the point that although Forestry England 'tolerate' unauthorised bike trails according to their policy, the Verderers have a duty to protect the 'vert and venison' of the Forest, which is being damaged by the proliferation of unauthorised trails.

### **Verderers Brooch**

Mrs Middleton had had this made and indeed was wearing it to the Court sitting.

### **Verderers Website**

Mrs Middleton, Mr Standing and the Steward were invited to undertake a review of the options open for the replacement of the existing site.

### **New Fancy**

No work had been undertaken at the site as other sites have a higher priority but it will be carried out in due course. The Deputy Surveyor advised there is a shortage of staff and the national problem with recruitment and retention is also an issue for Forestry England in certain areas, with vacancies amounting to approximately twenty percent of required staff numbers. For example, a new recreation manager and three recreation rangers are required at present.

## **IMPORTANT NEW MATTERS**

### **Forest Plan**

Mr Standing asked if the The Parkend Walk and Blakeney Hill Walk Plan is now complete and

the Deputy Surveyor responded that although the silvicultural plan is complete, the zoning issue is to be clarified before publication and the categorisation of monuments is to be completed and added at a later date.

## **COMMONING**

The Court heard the Commoners Association had walked out of the last SLG meeting and advised they would not be returning. At the meeting, the Association representatives had been extremely belligerent towards the Chair and the representatives of the other interested parties, in spite of the fact all support the continuation of commoning in the Forest.

The real problem is the Association receives all the complaints but most sheep in the Forest are run by three shepherds who are not members. The Senior Verderer commented that it is an impossible situation and the same problems occurred when he chaired the SLG for some years.

The Deputy Surveyor advised the upshot is there is no SLG and no agreement for responsible shepherding.

So far as responsibility for sheep is concerned, he advised that sheep straying on to the highway outside the statutory forest is a matter for the Police and the Council's environmental health team deal with sheep faeces and urine in built up areas. Trading Standards will prosecute if animals are found in poor health or without ear tags and DEFRA are involved where there is a failure to record the movement of sheep into the Forest. So far as dead animals are concerned, the Association will continue to be permitted to bring these to the Forestry England facility for disposal.

## **DEVELOPMENTS AFFECTING THE STATUTORY FOREST**

### **Speed Limits**

Mr Daniels advised the Court he had been in contact with Tim Gwilliam at the Council on this topic as progress had stalled due to the pandemic. He commented that Mr Gwilliam remains enthusiastic about getting a 40mph limit established and suggested the Verderers promote this as a new Local Plan is to be prepared after consultation.

The Senior Verderer commented that the Police had not supported the proposal as difficult to enforce. Mr Daniels added that enforcement is not the issue and it is really a case of making the public aware they are entering a special area where both sheep and wild animals roam freely and are a traffic hazard. The use of gateways to the Forest, together with rumble strips and speed limits on the road but without the clutter of roadside signs could ensure the majority of drivers comply.

The High Sheriff commented there are volunteers who run a community speed watch project and although they have no enforcement powers, they target an area and give evidence to the Police to try to bring about change.

## **DEER AND BOAR**

The Deputy Surveyor advised the results of the thermal imaging survey are awaited, but numbers are expected to be about 800 and therefore much closer to the target population of 400 boar.

The UK Feral Wild Boar Group had met recently and it appears boar numbers have reduced outside the Forest, so the control measures seem to be working and hopefully the census will confirm the position. He added that RTAs had also reduced and this could be a sign that numbers have reduced.

The Animal and Plant Health Agency is working closely with Forestry England due to the concern the illegal public feeding of boar could lead to an outbreak of African Swine Flu or Foot and Mouth Disease.

So far as deer are concerned, there was nothing to report save that muntjac numbers continue to increase and the policy is to shoot on sight if possible.

## **STRATEGIC APPROACH**

Tom Brockington is now in charge and all Forest Waters staff are in post and working on the delivery of the Our Shared Forest programme.

## **DEPUTY SURVEYOR'S REPORT**

### **Beaver**

An Exeter University study has concluded the dam building and other ongoing works have had a positive effect on the prevention of flooding and Gloucestershire Wildlife Trust are carrying out a feasibility study for free roaming beaver to be introduced in the County and possibly in Forest waters.

### **Squirrels**

The pine marten population has become established and are breeding, but it is too early to know if their introduction will have a significant effect on the squirrel population. However, where reintroduced in Scotland, there has been a substantial reduction in the number of squirrels.

## **MINERALS**

The Deputy Gaveler presented his Report and a copy is appended to these Minutes. In response to an enquiry, he advised that there is renewed interest in reopening the Mirey Stock tunnel. He explained a group had been set up some years ago and had obtained grant funding to carry out works to reopen the tunnel, but it had been left in a dangerous state following the commencement of the work and had been closed down more than ten years ago. A new group now wished to restart the work to re-open for the cycle trail but faces many problems and the cost will be immense as there is water in the tunnel itself and several species of bats have been identified roosting in the tunnel. He added that Forestry England would support the project, but the group would have to be fully responsible for everything from obtaining planning permission to conclusion of the work itself

## **ANY OTHER BUSINESS**

### **Mock Trial**

The Steward reported an approach from George Porter JP to hold a mock trial for children in the Forest area and a request for the Verderers to attend to give some gravitas to the proceedings. The High Sheriff commented he had attended quite a number of these and they were extremely valuable in the education of children. The Verderers agreed to ensure attendance when arranged.

### **Our Forest in Future**

Mrs Middleton advised the 'Our Forest' meeting to discuss the future of the Forest would take place on the 2<sup>nd</sup> July when Mr Daniels will be chairing the meeting on behalf of the Verderers.

### **Schools Day**

Mrs Middleton reported that she had organised 'Schools Day' at St Johns School in Coleford partly as a Verderer and partly as a Governor. The purpose of Schools Day is to promote the use of all the free teaching/learning resources created by Foresters' Forest projects and now saved on the West Gloucestershire Schools Partnership website, so that more Forest schools learn about their Forest heritage. She hoped it would be successful and become an annual event.

### **Chair of the Verderers**

Mr Jenkins stated he had been the Chair for many years and at nearly 90 years of age, he felt it time to hand over to another Verderer. He proposed Mr Standing who was accepted by the others and who agreed to be the Chair in future.

## **DATES OF THE NEXT COURT SITTINGS**

These dates were agreed as 7<sup>th</sup> October 2022 and 13<sup>th</sup> January 2023, both commencing at 2.45pm.

Verderers

Deputy Surveyor

Steward

The High Sheriff explained he had been unable to attend an earlier Court as he had been greatly honoured to be called to be an inspecting officer to assist HRH The Prince of Wales at the passing out parade of a very large group of RAF personnel at Cranwell. He thanked the Verderers for inviting him and for their clear dedication and determination to promote and preserve the Forest.