

2nd February 2024

Dean Forest to wit

Before

At a Special Court of Attachment
of our Sovereign Lord the King at
The Speech House on the 2nd
day of February in the Second Year of the
Reign of our Lord King Charles the
Third by the Grace of God, etc. in the
Year of Our Lord Two Thousand and
Twenty Four

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

APOLOGIES

None.

MINUTES

These were approved and signed.

MATTERS ARISING

Verderers Court

Mr Jenkins commented he strongly objected to having an open Court. It was agreed a decision must be made about the establishment of a system to permit presentments to the Court. The Senior Verderer commented he was wary of the possibility that the system could become a conduit to pass on bad news to any applicants. Mr Daniels added he was concerned that the public would raise questions that would be outside the remit of the Court and this would damage the reputation of the Court. The Deputy Gaveller commented the presentments could be triaged in advance to discover if the Verderers would be in a position to offer advice. Mrs Middleton considered the proposal a means to give the public an opportunity to come to Court and raise concerns, as had taken place when the representatives of the group lobbying to save Cannop Ponds had been invited to the Court. The Senior Verderer added that the concept requires further discussion and consideration in view of the fact that there is already in place a mechanism for people to be invited to the Court to make representations on matters of concern.

Speed Limits

The Deputy Surveyor advised that although it appeared there had been little progress on this issue, there is in fact a great deal of discussion taking place and a Community Road Safety Partnership has been established. Graham Morgan has become involved in this and there is a great deal of support for the establishment of a 40mph speed limit.

Website

The Senior Verderer advised an incorrect website address had been inserted in an article in The Forester about the retirement of the Steward but this had been resolved and the correct web address is www.deanverderers.org.uk. He commented that the site needs to be expanded and recent Minutes and Minerals Reports are to be uploaded. The Deputy Gaveller is to provide all his Reports for this purpose. An invoice for the website is to be sent to the Steward for onward transmission to Forestry England for payment.

The Verderers also discussed the future of the Court itself as it has been a closed Court for many years, with invited guests only, such as the representatives of the Commoners Association and the Save Cannop Ponds group at recent Courts. It was suggested that members of the public could possibly be invited to make presentments to the Court via the Steward. This would operate in a similar fashion to the New Forest Verderers Court, with a small number of such presentments each court and limited in time for presentation, and with a decision to follow after discussion by the Verderers. Mr Daniels and Mrs Middleton agreed to review the public view of the Verderers arising from the consultation on Our Shared Forest, with a view to discussing this whole matter at a future Court.

IMPORTANT NEW MATTERS

Biosphere

The Senior Verderer enquired if this would happen, as a proposal to establish this in the Forest had not been passed by the Council. The Deputy Surveyor made note that in his view the Biosphere designation would have been a very positive step forward, and had previously voiced the idea that Biosphere would have helped the Forest breathe out after decades of contraction and pressure. However, as the Council led initiative had now been parked, the opportunity looked to have come to an end. Mr Daniels commented there had been a vociferous anti-biosphere group concerned that the Forest would fall under the control of UNESCO and all local authority and power would be diminished. Mrs Middleton added there had also been positive support about the benefits from the North Devon Biosphere. .

DEVELOPMENTS AFFECTING THE STATUTORY FOREST

Northern Quarter

The Deputy Surveyor advised the District Council's Report is now on their website but there is nothing of immediate note or concern.

Dilke Hospital

The future for the site is unclear and the Deputy Surveyor commented there have been no approaches from the NHS to return / sell the site to Forestry England in the last 6-months or more and this is unlikely to happen.

Mr Daniels enquired if it could become a community asset and the Deputy Surveyor replied there is a six month notice period to prepare a bid in this regards, but he had no knowledge as to whether any group was doing so.

COMMONING

It was noted the SLG remains inactive and that the Verderers had declined to become involved in chairing the Group.

Mrs Middleton reported that there had been an Our Forest meeting with community projects and groups that wished to graze stock in fenced inclosures. Representatives had met with Forestry England to discuss the matter and visited to sites. The Commoners Association had objected to not being invited. A subsequent meeting with the Commoners Association had been held.

Mr Daniels commented the Association views enclosed sheep as a danger to commoning and possibly leading to the end of the tradition . Mrs Middleton argued the two methods of grazing should be able to run in tandem and could not fathom how running a few sheep in a couple of inclosures could be an issue for the Association who should be supporting new graziers even if in inclosures.

[inclosure – fenced to keep stock in, enclosure - fenced to keep stock out]

Mr Daniels replied there are many issues with commoning, such as speeding vehicles, dogs and wild boar and with limited financial reward. The Deputy Surveyor added the value of lamb and certain types of wool had increased, albeit he wasn't arguing that the financial rewards of commoning were other than minimal to nil. Mr Jenkins commented there had been dozens of commoners when he was young, but young people today are no longer interested and probably do not need the small amount of money they could earn for a great deal of time and effort.

On the subject of commoning, the Deputy Surveyor advised he had provided a history of this and sheep in the Forest to the West Dean Parish Council. He added that with regard to Kevin Hancock's sheep, the authorities are keeping an eye on this in view of the age of his teenage son who is endeavouring to keep the flock.

Mr Daniels commented the position in the New Forest is very different as there are no sheep and the Deputy Surveyor explained this is because they are not viewed as

commonable animals, whereas the Byelaws limit the grazing to sheep only in the Dean.

The Deputy Gaveller enquired about pannage and was advised this is acceptable but only with a licence from Forestry England which would only be issued with evidence that the County Council (Trading Standards – Animal Welfare) had given approval. It is unlikely that approval would be granted due to the problem of disease due to the presence of the wild boar. He added that nobody has sought permission for pannage in many years.

DEER AND BOAR

The Deputy Surveyor produced a graph for deer and boar numbers.

The Deputy Surveyor drew attention to the boar numbers which had been reduced to just short of the 400 target, but now increased to 600.

Deer numbers are surveyed using the same thermal imaging survey as is used for the boar. The long term target for deer on the Forest is 800, currently we have around 1600 deer. Two-thirds of those deer are fallow, and the balance between muntjac and roe. Muntjac were now well established in the Forest, but their numbers appear stable and haven't radically changed over the last few years.

DEPUTY SURVEYOR'S REPORT

Tree Safety

The Deputy Surveyor advised survey work continues to show decline in tree health but there is currently a nine-month delay between survey and contractors removing diseased trees. This has come about due to the sheer volume of work and a relatively small pool of contractors with the necessary specialist equipment. Trees identified as immediately dangerous are prioritised.

Forest Waters

The Court heard the Foxes Bridge restoration is going well and that a second beaver enclosure is planned. A bid for two and a half million pounds had been made to the Environment Agency to carry out riparian zone improvement work and a decision is awaited. Forestry England is concentrating on woody dam restoration and this is going well.

Mr Jenkins commented he was annoyed with the decision about the unsightly trees outside Speech House, but very pleased with the work to tidy up the area between Staunton and Berry Hill.

Mr Daniels enquired if there is any possibility of financial assistance from water companies to pay for the flood prevention works. The Deputy Surveyor replied that Severn Trent has no responsibility for surface water flooding, so no funding would be forthcoming. He added that Severn Trent is paying for work at Cinderford as part of their programme to retain the Environment Agency abstraction licence

Mrs Middleton mentioned that the Verderers visit out with James Williams, Beat Forester for East Dean, had been very helpful and informative to understand more about continuous cover forestry.

MINERALS

The Deputy Gaveler presented his Report and a copy is appended to these Minutes. He advised there is a great deal more involvement with the Coal Authority due to water and subsidence issues.

He mentioned that Knobb Quarry has a separate iron gale and there exists a very thin and unworkable iron seam, but stone cannot be extracted without affecting this seam and this remains an issue to be resolved to enable an extension to the stone quarrying works there. In response to an enquiry, the Deputy Gaveler advised that under the minerals safeguarding policy, there must be no extraction within 300 meters of any property or road.

ANY OTHER BUSINESS

Unauthorised Bike Trails

Mrs Middleton advised she had reported the existence of a new trail near a badger sett to Tom Brockington and this issue had been very quickly dealt with to protect the sett.

She also referred to the numerous trails at Bixslade and mentioned the concerns of the History Society regarding damage to the tramroad. She enquired if funding could be made available to fence the area to prevent damage to the steep sides of the valley and was directed to communicate with Tom in this respect.

Mrs Middleton also suggested a lottery bid could be made to seek funding for additional staff, notices, fencing and so forth. The Deputy Gaveler commented that education of cyclists is paramount to prevent continuing damage and both Mrs Middleton and Mr Daniels agreed, but extra resources would most certainly help in this. Mr Daniels suggested a team of volunteers under Forestry England supervision could be established, but the Deputy Surveyor advised that although this appeared to be a good idea, the cost of managing such a scheme with limited resources would be prohibitive. Mrs Middleton commented it is fundamentally important to mitigate the damage caused by irresponsible cycling and the Deputy Surveyor submitted that use of social media is the best method of getting the message across about responsible cycling.

Mr Daniels also referred to concerns raised about parking on the road near the Cycle Centre. The Deputy Surveyor advised there had been an error in a permission granted for a race and the usual number of participants had been exceeded by more than eighty over the usual limit and this had caused the parking problem. This had been exacerbated by the removal of the clearway restrictions imposed by the County Council and unbeknownst to Forestry England. He added this should not happen in the future as the parking restrictions in the area are to be reimposed and the error in the permission to limit participants will not be repeated.

Mr Daniels also queried why Forestry England continued to advertise the Dean as a wonderful place to cycle when there are so many issues with damage caused by this pursuit in unauthorised areas. The Deputy Surveyor advised this only occurs during low peak times and in order to assist businesses that rely on footfall, such as the cafes, for example. He added that although there is a great deal of focus on the responsible cycling policy, nevertheless it is important to support the various businesses to enable them to survive in periods where there would otherwise be low numbers of visitors.

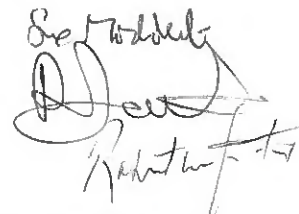
Timber Supply

Mr Daniels advised the Freeminers continue to experience difficulties in acquiring timber and the Deputy Surveyor replied he had spoken to the relevant Forestry England staff to ensure the small amounts required would be made available.

DATES OF THE NEXT COURT SITTINGS

These dates were agreed as 17th May 2024 and 6th September 2024, both commencing at 2.45pm.

Verderers



Deputy Surveyor



Steward

