

14th April 2023

Dean Forest to wit

Before

At a Special Court of Attachment
of our Sovereign Lord the King at
The Speech House on the 14th
day of April in the First 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 Three

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.

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

The Senior Verderer welcomed Tom Brockington to the Court to make a presentation on Our Shared Forest.

APOLOGIES

Received from the Deputy Surveyor who was unable to attend.

MINUTES

Approved and signed.

MATTERS ARISING

Website

The Senior Verderer advised work is ongoing to prepare a mock up and then various matters will need to be uploaded, such as all Minutes, the 1982 byelaws (SI No 648), list of Verderers and history of the Court. Some updates will be required, such as the amendments to the election process. The Senior Verderer asked for any suggestions of other content for the future website and Mrs Middleton suggested the inclusion of some maps of the Forest.

Our Shared Forest

Mr Brockington attended the Court to provide an update on the Our Shared Forest land management principles and he explained these amounted to eight in number and each one has a number of commitments within it, as identified on the information sheet appended to these Minutes:-

1. Trees and Woodlands

In view of climate change and tree diseases, new planting is aiming to provide diversity, with some 20 different species planted in 2022. For example, douglas fir had been replaced by other coniferous species such as Japanese cedar and Western red cedar. He added that there had been no planting of larch since 2012 due to phytophthora and some 115 hectares had been felled in the last five years, leaving about 660 hectares and these trees would almost certainly have to be removed over the next 10 to 20 years.

The philosophy is now to plant the right tree in the right place for the right reason and underplanting is also to be used. There is also a commitment to reduce clear fell except where areas of larch must be removed under statutory notice. Where this has to be carried out, a dozen or more species will be planted instead of just one or two to increase resilience to climate change and disease.

The current composition in the Dean is 50% native broadleaf; 29% evergreen conifer; 6% deciduous conifer and 15% open land. There is a desire to substantially reduce use of fencing, but Forestry England are presently using more fencing to protect the young trees from deer and boar grazing.

Mr Daniels expressed concern about the spread of disease by mountain biking and Mr Brockington replied that disease awareness messages and bike washing facilities are very important in this regard. He added that communication with local people is really important and cited the example of public anger at the amount of clear felling, due to disease and not a planned choice. He felt there is a general mistrust of Forestry England as the public believe its only interest is making a profit, which shown here in the presentation is an unfair assessment. Mrs Middleton added that it is frustrating when there are events and notices to explain action being taken, but these are poorly attended.

2. Wildlife and Wild Species

There is a commitment to control deer and boar numbers, with the latter species to be kept at about 400 in total. There are approximately 1,350 deer and these comprise 62% fallow, 21% muntjac and 17% roe. Muntjac are an invasive species and cause substantial damage and must be controlled.

The Court heard that invasive plant species such as Japanese knotweed and Himalayan balsam are regularly sprayed to keep under control.

There is also a commitment to reintroduce species, such as beaver and this project has been successful in beaver dams reducing storm water flow rates. Pine martens are breeding and spreading out and it is hoped the Forest population will eventually join up with the Welsh population. It is too early to know if the reintroduction of these animals has had an effect in reducing grey squirrel numbers.

Mr Brockington reported that the Nags Head Reserve had been classed as in an unfavourable condition by Natural England, due to overgrazing and other factors preventing natural regeneration. It is planned to enclose certain areas to protect them and allow for regeneration. Mrs Middleton asked whose responsibility it was to move the reserve into

favourable condition as it is an RSPB Reserve but on Forestry England land. Mr Brockington reported that both RSPB and Forestry England will work together on improvements.

3. Geology and Soils

Forest plans had been reduced from 23 to 6 landscape plans and the use of brash "mats" to reduce soil damage by heavy machinery has been introduced. Mrs Middleton commented it is important to communicate with the public in this regard as there are numerous complaints about large ruts caused by forestry operations.

The Senior Verderer commented that there have been a number of areas clear felled but not due to disease and Mr Brockington confirmed this has been the case, but the direction of travel is to increase continuous cover in the future and reduce clear felled sites.

4. Water

There are detailed catchment management plans following substantial surveying. Areas for improvement have been identified and work is underway to deliver on this commitment. With regard to Blackpool Brook, a reduction in the number of trees within the riparian zone but retention of water loving varieties such as willow and alder, combined with use of woody debris dams has led to a substantial improvement in the environment. There is a policy to remove non-functional artificial barriers that restrict the flow of water and return to natural controls, such as the use of beavers for landscape engineering.

Mr Brockington commented that restoration of natural features is seen as essential to control the flow of water in and out of the Forest and cited the example of Lower Foxes Bridge where some 89 hectares had been restored to mires and bogs.

5. Cultural Heritage

The five commitments were noted, but both Mr Daniels and Mr Jenkins commented there had been a substantial setback so far as commoning is concerned due to the present lack of a forum for Forestry England and other stakeholders to meet with the Commoners Association.

6. Built Heritage and Archaeology

Mr Brockington referred to the advisory panel's work in this regard and surveys undertaken and the work of the Worcestershire Archive and Archaeological Service and the support given to community archaeological digs.

7. Community

The Community Team is working hard and successfully with various local groups and Mr Brockington cited the support given to the Pan Tod group as one example of this.

8. Recreation

Mr Brockington advised facilities have improved and increased greatly at important sites such as Beechenhurst. This attracts an annual number of some 333,000 visitors. Similarly, Mallards Pike has had some 160,000 visitors and Symonds Yat over 200,000. Another major hub is of course the Cycle Centre and the various trails created to promote family cycling. Mrs Middleton referred to the Verderers Trail and enquired if this had been named with the approval of the Court and this was confirmed.

feedback details and comments on the four options available from the Forestry England data. The Senior Verderer reminded the Court that some 50,000 people had signed a petition to save the Ponds and felt the continued emphasis on other options was a public relations disaster. He added that the historical report had been completed and he had found several errors and omissions in this. The next step is the ground survey and further developments are awaited. The Deputy Gaveller commented that there had been 1400 visitors to the virtual site and although attendance at the various events had been heavy, some attendees had been to every event, so the percentage result on the exit poll is skewed due to this.

DEVELOPMENTS AFFECTING THE STATUTORY FOREST

There was nothing new to report at this juncture.

DEER AND BOAR

The thermal imaging survey analysis is awaited but Mr Brockington commented the expectation is the boar numbers will be very similar to the previous year's results. The Court heard there are six Rangers in total, including two trainees.

DEPUTY SURVEYOR'S REPORT

There was no Report due to the Deputy Surveyor's absence. There was a general discussion about Commoning and the Verderers agreed it was unfortunate that problems continue with certain owners running sheep in the Statutory Forest and who are not members of the Commoners Association. For example, there were over 30 sheep in Coleford and the owner is not a member of the Association and the sheep are not on the common.

MINERALS

The Deputy Gaveller presented his Report and a copy is appended to these Minutes. He also provided an Incident Report and commented that none of the reported items involved mines in the Forest.

He reported that the Mines Inspector, Bob Leeming had now fully retired and Mr Daniels commented that the mining community had been saddened by this as Mr Leeming had been an excellent inspector who had always taken a pragmatic approach due to the nature of the mining in the Forest.

Mr Jenkins enquired about the amount of stone being removed from Stowfield Quarry, but the Deputy Gaveller was unable to provide this information as the quarry is not subject to the Dean Forest Mines Act 1838.

ANY OTHER BUSINESS

Our Forest

MAD
Mrs Middleton advised there is an event on 30th April to discuss pressure on the Forest and including mountain biking and unauthorised trails. She added that some 46 people had booked to attend and she was hopeful there would be many more attendees as interested parties had been advised of the event.

Speech House

? Action
Mr Jenkins commented that the area to the front of Speech House spoiled its appearance as the foremost building in the Forest and the dead trees should be moved out of sight and the area tidied up generally. Mr Brockington noted this and advised he would report this comment. The Deputy Gaveller provided a map, illustrating the SSSI area which included the dead trees and reported that this designation may limit the activities that can be carried out in the area.

King Charles III

It was agreed a tree should be planted to commemorate the King's coronation. Mr Daniels suggested that the King himself might like to visit the Forest to plant it, as he is nearby in Gloucestershire.

DATES OF THE NEXT COURT SITTINGS

These dates were agreed as 11th August 2023 and 24th November 2023, both commencing at 2.45pm.

Verderers

Deputy Surveyor

Steward



-VERDERERS COURT MEETING 14th April 2023- Minerals report from the Deputy Gaveler

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1. Freemining – General
2. Coal Authority
3. Health and Safety Executive
4. Quarries (Subject to the DFMA 1838)
5. Quarries (Being dealt with by the ALA)
6. Other general information

● Freemining - General

- No new requests for Application to register as a Freeminer since the last Court meeting of the 20th of January 2023.
- Total number of Freeminer registrations since 01/09/1838 = **4370**.
Total number of Free Quarrymen registered = **320**
New Grant of Gales since last court = 0
New requests for Grant or re-Grant since last court = 0
- All operational sites reporting business as usual, but most are experiencing issues with excessive groundwater and challenging working conditions. Not unusual for the time of year but the water table is generally higher across the Dean resulting in differing air quality. Low pressure combined with high water results in pockets of CO₂ being pushed through old workings and all collieries are to be vigilant regarding air monitoring. Status quo remains the same whilst weather continues to be a mix of high and low pressure. Reminder: normal pressure at sea level is 1013 mb and there is expectation for a barometer to be always available at all mines. Low pressure increases the risk of CO₂ being encountered at a higher ground level.
- Exploratory works at Oakenhill Parkend has come to a stop. Although a small amount of coal was encountered, heavy weather has made site impossible to work without causing migration of muddy particulates into the Rudge Brook. Due to the extensive historical extraction across the outcrop, it is unlikely that site will be pursued further, and reinstatement of the site will be undertaken when practical to do so. Status quo remains the same at this site
- Briquetting Site (Freemining Futures) – I have been told that standing charges associated with the electric supply were crippling the business and as such, the CIC decided to have the supply cut-off and reconnected to a lesser supply at a fraction of the charge.

● Coal Authority

- No further news or action regarding formal Licencing since the last Court





- Several ownership checks have been requested regarding permission to disturb Gale interests. Several small privately-owned development opportunities are conducting shallow ground investigation ahead of planning. To confirm, all queries to date have involved CA assets. Queries continue to come in and dealt with on a reactive basis.
- All operating sites have had their Regulation 59(1) working plans updated and submitted to both the CA and Mines Inspectorate in accordance with the 2014 Mines Regulations
- Bi-annual meeting between CA and Deputy Gaveler scheduled for the 19th April 2023
- No further outstanding issues

• **Health and Safety Executive (HMIM)**

- Bob Leeming finally retired as HM Chief Inspector of Mines on the 28th of March 2023 with no acting Chief currently in post. General HSE administration for ED6 is being covered by Adrian Jurg (HMIM)
- Incidents Bulletin January/February 2023 courtesy of HMIM appended to this report.

• **Quarries (Administered by the Land Agent but subject to DFMA 1838)**

- No new applications for Grant of Stone-tract by a Freequarryman OR Freeminer.

Main Quarry Sites: - No further news to add since last court.

- **Bixshead Quarry** – Occupied by Forest of Dean Stone Firms Ltd under existing lease agreement but undergoing renewal process with Forestry England Land Agent. Highly productive with Minerals planning extension in the pipeline.
- **Great Berry Quarry** – Occupied by Mr McGindle and undergoing renewal with new Forestry England Land Agent. Not currently working any minerals.
- **Knobb Quarry** - Occupied by Norton Stone of Gloucester under a new lease agreement. Quietly productive with nothing further to report.
- **Monument Quarry** – Occupied by Mr H Cole under existing lease agreement. Quietly productive with nothing further to report.
- **Birch Hill Quarry** – Occupied by Cotwold Stone under existing lease agreement. Quietly productive after a recent change of staffing and site management. Nothing further to report.
- **Mine Train Quarry** – Occupied by Mr J Tainton but is not currently extracting any minerals. The lease agreement and planning are preserved, and Mr Tainton has expressed an interest returning to the quarry when the market for his unique product becomes more favourable.





- **Copes Quarry Blakeney** – Occupied by Mr N Jenkins and Mr N Bull. Currently under new lease offer and being dealt with new Forestry England Land Agent

- **Quarries (Administered by the Land Agent but not subject to the DFMA 1838) including matters from previous Court**



- **Stowfield** – Highly productive and now fully staffed. Nothing further to report.
- **Stowe Hill** – No further movement regarding the planning on the option site containing FE reserved minerals. Until this has been secured there is no conversation to be had with Crown Estates unless they begin to extract from the exempted area in their existing quarry. Forestry England's original offer regarding extraction option now requires renewal should the quarry get go-ahead.

- **Other General Information**

- Nothing to report

REPORT END.



Deputy Gaveler

D Howell
Deputy Gaveler
Dean Forest.



"Moneo et Munio"

