

# GROWTH & INFRASTRUCTURE SCRUTINY COMMITTEE

THURSDAY 17 FEBRUARY 2011

## **CONSULTATION ON THE FUTURE OF THE PUBLIC FOREST ESTATE Report by Deputy Director Growth and Infrastructure**

### Introduction

1. The Coalition has set out its intention to sell 15% of the Public Forest Estate. Powers to enable the sale are contained in the *Public Bodies Bill 2010*. A public consultation was launched on 27 January. Consultation documents and a map are available at the DEFRA website. The deadline for the response is **24<sup>th</sup> April**.
2. The Public Forest Estate (PFE) refers to the 18% of England's woodlands currently managed by Forestry Enterprise on behalf of the Government. The consultation sets out a move away from the Government owning or managing woodlands in England, and principles behind the disposal. It proposes a mixed model whereby woodlands are categorised (large commercial; small commercial; multi-purpose; heritage/community) to help determine suitable new owners.

### Oxfordshire's Woodland Resource and Public Forest Estate

3. The consultation includes 641ha of the 740ha Forest Enterprise managed woodlands in Oxfordshire. At 5% of woodlands, the total PFE in Oxfordshire is low compared to neighbouring counties: of the remainder, 94% of woodland is in private ownership and 1% in other public ownership. Oxfordshire has the lowest woodland cover in the south-east at approximately 8%. However some landscapes are very well-wooded.
4. The PFE woodlands being consulted on are mainly located in The Chilterns AONB. There is also Oxon's 137ha Waterperry wood, which is part of the Forest of Bernwood to the east of Oxford on the Oxon/Bucks border.

### Summary of some of the public issues

#### *Future use and management of the woodlands*

5. All woodlands are protected from harmful development and deforestation under national planning policy and legislation, Environmental Impact Assessment regulations and Forestry Commission felling licences. When development is proposed which may harm woodland, the planning authority will decide whether the benefits of the development outweigh the harm, and therefore whether permission is granted. Woodlands with European or national environmental designations (SACs & SSSIs) are protected by European and national legislation (Habitats Regulations 2010, W & C Act 1981, CROW Act 2000). Consent is needed from Natural England before land management works are undertaken.
6. There are issues however, around management of woodlands. The PFE is sustainably managed for multiple public-benefit objectives, including timber, recreation, biodiversity, heritage, landscape and carbon sequestration and storage –

benefits valued at £600 million per annum. These benefits may be lost if the woodlands are managed privately, as demonstrated by the many UK (and Oxfordshire) private woodlands which lie unmanaged. The Oxfordshire Woodland Project was set up to address some of these issues by helping landowners actively manage their woodland assets.

### *Public Access*

7. Forest Enterprise currently provides greater levels of public access beyond the CROW Act (open access land) requirements, including permissive access on all freehold and some leasehold sites, of benefit to walkers, cyclists and horseriders. In addition the PFE sites managed for recreation are very well known and liked by the public, providing a trusted visitor 'brand'. Covenants can be applied to woodlands sold by the PFE to preserve access and other public benefits, but on re-sale these can be removed.

### *Categories of Woodland and Future Ownership*

8. The sale of the PFE could create opportunities for private owners, charities and community groups to own and manage woodlands – although some charities have indicated that costs could be prohibitive. Broadly the consultation proposes that different types of owners would be found for different categories of woodlands. Oxfordshire's Chilterns woodlands are categorised as 'small commercially valuable' where 'levels of public benefit are generally low or moderate'. Local people and groups may disagree with these designations, feel that public benefits are higher, or want more safeguards on future ownership and management. Waterperry (Bernwood) is categorised as 'Heritage', with high public benefits.

### *Government as Regulator and Owner*

9. The Forestry Commission is made up of 3 distinct bodies, and in addition has devolved governance (England, Scotland and Wales). In England the PFE is managed by the Forestry Commission's agency, Forest Enterprise. Since the 1990s grants and regulation have been undertaken by a separate body - The Forestry Commission - to address and remove potential conflicts of interest. As the distinction is largely irrelevant to the public Forest Enterprise brands its sites as 'Forestry Commission' because it has more public resonance.

### *Wider Forestry Issues*

10. Timber is the UK's 6<sup>th</sup> largest import, but as noted above many of the UK's private woodlands lie unmanaged. Forestry Enterprise manages 18% of the nation's woodlands, but produces over 70% of timber, indicative of wider issues in the industry needing to be addressed. The consultation does not address wider these. The proposal may therefore lead to a decrease in national production and increased reliance on imports, where sustainable woodland management is even more difficult to guarantee.

### *Recommendation*

11. The County Council will submit a response to the consultation. The Committee is invited to consider the issues set out in this paper and highlight points for consideration in preparing the response.