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### **VERDERERS COURT 16<sup>th</sup> FEBRUARY 2011**

#### **ANNOUNCEMENTS AND DECISIONS**

##### **Forestry Commission Public Forest Estate – Public Consultation**

On 27<sup>th</sup> January the Government published its long awaited consultation paper which contains its proposals for the disposal of the FC's land in England.

The paper proposes that the New Forest will be classed as what it calls a "Heritage Wood" which can then be passed to a new or existing charity in the form of a trust or a lease. There is mention of funding being given to the charity initially, but the document specifically states that the charity would be expected to become less reliant on Government grants over time, and in some cases move towards financial self reliance. The charity could pursue income generating activities in the forest, consistent with the delivery of public benefits. So ultimately the charity may be expected to meet the full running costs from its own resources and/or by generating income from the Heritage Wood.

We have considered the document and its ideas with care, however it must be said that the consultation paper is very scant on detail and raises many more questions than it answers. Our initial response is therefore as generalised as the consultation paper is itself.

We have to say that we do not believe the proposals, if applied to the New Forest, will work.

Unless a charity can prove beyond any doubt that it has the necessary funds from day one and in perpetuity, it would be negligent for its trustees to take on the responsibility for this huge and precious national treasure. That position should only change if guaranteed funding from the Government is offered instead. It would be an act of unforgivable recklessness to allow any new owner to take on the £5 million annual running cost of the New Forest without certainty that it was financially able to do so.

To use an analogy, it would be like giving a very large, beautiful and old historic house to someone who had insufficient money to do the necessary ongoing repairs and maintenance. Within a generation it would be in a very sorry state, and possibly even uninhabitable and derelict.

Whilst we recognise that the Forestry Commission is suffering cuts, as are we, in line with all Government departments, we still believe that the funding it obtains for the Forest, as a publicly owned asset, is the most secure way of ensuring its future.

With inadequate Government support, any new owner would have no option but to take up the advice of the consultation document and raise extra funds from its asset. The New Forest currently runs at an annual deficit of £2.9 million, and that is the hole that the income will have to fill each and every year. The charity would be forced to take a ruthlessly commercial approach, and almost

inevitably the first port of call will be to see how those who visit and enjoy the area and indeed those who live here, could be charged.

Commercial exploitation will be bad for the Forest, it is too fragile and precious an environment to withstand the pressures of such an existence, and ultimately the change of ownership will end up damaging the very thing it was meant to protect and preserve.

The ancient privilege that allows the public to enjoy the New Forest for free as of right, which has prevailed for generations, will be under threat.

The Consultation also speaks of the Big Society. We believe that the way the Forest has been managed over the last hundred years is already a good example of how Big Society should work. The historic system of checks and balances that we already have, which allows the long term national interest to be protected by the Forestry commission as landowner, and the local public interest to be represented and protected by the Verderers is a winning formula proven over decades.

In addition we now have the National Park Authority playing a key role, and like us, they have members who are directly elected by the local community who are unpaid volunteers, sitting around the table making decisions and having hands-on involvement on behalf of the local constituencies that they represent. All three organisations are based here in the New Forest, and taken together they are well proven to be local, accessible and with a strong element of democratic accountability.

Therefore we say that the Big Society requirements of direct stakeholder involvement and control are already well established here in the New Forest. Rather than dismantle this system we would invite the Secretary of State ( The Rt.Hon. Mrs Caroline Spelman MP) to instead use it as an existing example of what Big Society can achieve in the custodianship of a huge tract of publicly owned land.

We feel we must do all that we can to persuade the Government that these proposals will not work, and are akin to dumping the New Forest on the side of the road with a few pennies in its pocket, and leaving it there as a "charity case".

We would urge the public, and the Forest's voluntary organisations, to respond individually to the consultation and say what you think. The Forestry Commission is running a number of events locally at which information on the consultation can be obtained, two of which will be 'drop-in' events here in the Verderers' Hall on the 7<sup>th</sup> and 12<sup>th</sup> March, all afternoon and early evening.

We would also encourage members of the public to contact their MPs directly in writing if they are as worried about these proposals as we are.

The New Forest Association, which is the Forest's oldest local charity, recently described this as the biggest crisis it has faced since 1877. We tend to agree.

### **Public Bodies Bill**

This is the legislation that will allow the Forestry Acts to be altered by the Minister, and to enable these changes. It is currently going through the House of Lords.

The Constitution Committee of the House of Lords has already concluded that there are aspects of the draft legislation that are unsafe and amount to what it has called "Henry VIII clauses" which give Ministers wide ranging powers to amend primary legislation without parliamentary scrutiny. Having examined the Bill we need to be assured that there are no powers contained in it that may allow the existing New Forest Acts to be bypassed. We shall thus be considering this morning whether or not to seek specialist legal advice on the matter from parliamentary agents in London.

***End***