



HOUSE OF COMMONS  
LONDON SW1A 0AA

To: All Coalition MPs

Dear Colleague

27<sup>th</sup> January, 2011.

**Consultation on new models of ownership or management for the  
Public Forest Estate**

Today we have published a consultation paper on the options for ownership or management of the publicly owned forest estate. The consultation itself can be found at [www.defra.gov.uk/corporate/consult/forests/index.htm](http://www.defra.gov.uk/corporate/consult/forests/index.htm) and I would urge you to read it fully, but in the meantime I thought it would be useful to summarise the key points in it.

The consultation has been shaped by these over-riding principles:

- To protect and enhance biodiversity
- To maintain public access for recreation and leisure;
- To ensure the continuing role of the woodlands in climate change mitigation
- To protect nationally important landscapes.

In considering new models of management or ownership, the consultation makes clear that **there is no one-size-fits-all model and any changes will take place in a gradual and considered way such that safeguards and protections can be secured.**

The types of woodland held by the State, in the form of the Forestry Commission, generally fall into the following categories; heritage forests, small scale local woodlands and large commercially valuable forests.

Summarised below is the approach on which we are consulting for each category.

**Heritage Forests (eg. Forest of Dean, New Forest)**

Protecting the public benefits and biodiversity of these forests is of paramount importance and for these types of forests we are consulting on new or existing charitable organisations taking on ownership or management of them. **There will be no sale of Heritage Forests to the commercial or private sector – and we will bring forward an amendment to the Public Bodies Bill to give this the force of law.**

**Smaller scale, local areas of woodland**

These types of woodland are extremely valuable in terms of the recreation and environmental benefits they offer. Accordingly we will offer first refusal to community bodies or civil society organisations and give them preferred status in taking over these sites. If no such organisation wishes to take over these sites, we would consider leasing these sites on the open

market, subject to access and environmental safeguards being imposed so that local people can continue to enjoy them.

### **Commercial Forests**

These forests are primarily, but not solely, used for commercial timber production. However, we recognise there are other important considerations such as their environmental significance and amenity value. Managing timber production is not something that needs to be done by the State, so we propose leasing these sites on the open market, but this will be on a long lease basis so that conditions for continued public access and other public benefits can be maintained.

It is understood that in some cases individual sites will be a mix of these and in recognition of that **each woodland would be dealt with on a case by case basis** to see which options are best suited to particular sites. Clearly local people will have a strong view as to what category woodland near them falls into, and as you would expect they will have an opportunity to get involved.

I would also reinforce the point that any land transferred to a new model of ownership or management will be subject to strict legal controls which are already in place, including country rights of way protection, planning restrictions, wildlife conservation laws and felling license requirements etc.

We have also looked at the 25,000 acre programme of sales that we inherited from the previous administration and are going to offer greater protections than before. Unlike sales that took place previously, we have taken the decision to prevent the sale of any site in which more than 10% is Planted Ancient Woodlands (PAWs). This is important because it is part of a series of measures we are proposing to recover and regenerate as many PAWs as possible, other possible measures include using leasehold conditions to insist on PAWs being replanted, and separating PAW sites from larger woodland units so that they can be offered to preferred custodians such as charities like the Woodland Trust.

I believe the proposals in this consultation are an exciting opportunity to improve the levels of public benefit and environmental protection we give to our woodlands. It is consistent with the Government's Big Society approach of devolving power from central government down to civil society, and it puts our forests on a more environmentally and financially sustainable footing.

As you will be aware, the means by which we can consider transferring ownership or management of publicly owned forestry would be through the Public Bodies Bill. There has been a considerable measure of concern that the powers in the Bill would permit future administrations to dispose of our heritage woodlands in a way that does not safeguard access and benefits. In order to rule this out, in perpetuity, we are going to bring forward **amendments to the Public Bodies Bill** which will exempt our heritage forests from commercial sale.

One of the principal reasons the Forestry Commission is unable to remain unreformed is that in its current position it is both the regulator of the English timber sector yet also the biggest player in that market. Given the importance this Government has attached to transparency and accountability, it is clearly important that these functions are separated.

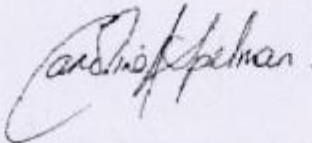
Safeguarding access rights, public benefits and environmental protections is paramount and this consultation not only conserves existing measures, it considerably improves them.

In summary, we are protecting our forests by:

- Enshrining in law the commitment that no Heritage Forests can be sold to the private sector.
- Offering first refusal to community groups or civil society organisations in sales of local woodland.
- Guaranteeing access and benefits in any sales of commercial forests by only selling land on a leasehold basis.
- Preventing the sale of any site in which more than 10% is Planted Ancient Woodlands (PAWs).

If you would like any further information please do not hesitate to get in touch with me or my colleague Jim Paice.

Yours ever



Rt Hon Caroline Spelman MP  
Secretary of State for Environment, Food and Rural Affairs

*Useful points to be aware of:*

- Only 18% of England's woodlands is managed by the Forestry Commission, the remainder being owned by various types of organisation (eg Crown Estate, charities like National Trust, farmers, local authorities)
- Between 1997 and 2010 there were over 25,000 acres sold with significantly less access and benefit protections than would be the case under the options considered in this consultation.
- Reform of the public forestry estate has been under consideration for some time under the previous Government, with the 2009 'Operational Efficiency Programme' detailing "alternatives to public ownership" and "new commercial opportunities" for the estate.
- The National Trust is a successful example of where preservation, access and public benefit of nationally important assets have been delivered through a model which is not reliant on state-ownership.
- The Public Forestry Estate has operated at a net cost of over £10m each year, with the net cost growing each year since 2007.