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| Shropshire Local Access Forum | <u>Item</u> | <u>Paper</u> |
| 24 January 2011 | 8 | B |
| 10.00 a.m. | | |

The Sale of the Public Forest Estate in England

1. Summary

The Coalition Government are considering selling a significant proportion of the Public Forest Estate. A public consultation on the proposals will be conducted early this year.

Some are concerned that the sale of the Public Forest Estate may lead to the loss of public benefits and environmental damage, and they wish the conservation and amenity value of such land to be protected. Others believe that the land could be managed better by other land owners such as charities and industry, in a way that preserves these benefits.

The Forestry Commission have dedicated their freehold estate as Access Land under Section 16 of the Countryside and Rights of Way Act 2000. This gives a permanent right of access on foot, which it has been stated will still apply if this land is sold off. The provision for other users e.g. cyclists, mountain bikers and equestrians, is not protected in this way. The Forestry Commission also hold land under leasehold title and it is understood that much of this is not Access Land, and there are not formal access rights for the public.

2. Public Bodies Bill 2010

Powers to enable the Government to sell a substantial part of the Public Forest Estate are contained in the Public Bodies Bill 2010.

This Bill introduced in the House of Lords, contains clauses 17 and 18 relating to the reform of the Forestry Commission. It would allow the "Secretary of State to make an order amending the Forestry Act 1967 in relation to the exercise of certain functions, including those of managing, using, letting and disposing of forestry land". Subsection (3) of clause 17 allows the Secretary of State to exercise these functions "for any purpose or without condition"

The Open Spaces Society expressed concerns last year that if the land is used for another purpose public access to it might be lost, because it could become 'excepted land' to which the Countryside and Rights of Way Act does not apply. The Ramblers Association have also sought assurances that guaranteed public access will be a prerequisite of any sale.

3. Recommendations

Mark Weston recommends that representations be made by the Forum to Shropshire MPs urging that if any of the Shropshire forests are earmarked for sale it is essential that any existing access opportunities that exist in those forests at present should be preserved and secured in any sale.