



For immediate release: 3/8/2013

Our Forests challenges Independent Panel on Forestry:

'Are you content to allow the Government to ignore and dilute your key recommendations for the future of the Public Forest Estate? Namely:

- ***No Charter***
- ***'Guardians' reduced to a side-show***
- ***Reducing public funding and increasing economic returns prioritised above all other benefits.***

Until February 17th, 2011 the Government was determined to 'dispose' of the entire 258,000 hectares and all 1,500 of the woods and forests that make up the Public Forest Estate (PFE) in England. It was only prevented from doing so by the over 530,000 people who signed *38 Degrees'* on-line petition [1] against the disposal along with local communities and grassroots organisations, which rose up in defence of their patch of woodland across the country - forcing the Government's first major U-turn.

On 17th March, 2011, the *Independent Panel on Forestry* was set-up by then Secretary of State, Caroline Spelman, with the Bishop of Liverpool, James Jones as its chair, to advise government on the future direction of forestry and woodland policy in England, the role of the Forestry Commission in implementing it and the future governance of the Public Forest Estate. **Nearly three and a half years since that U-turn, the future of the Public Forest Estate is still not secured and the outline governance and structures proposed by officials fall short of or appear to ignore key recommendations put forward by the Panel.**

Our Forests founder member, Jonathon Porritt said,
"Our Forests – along with other grassroots groups - is increasingly concerned that the Government is making another, less welcome, U-turn on its claimed, new found love for all things forestry. Outline proposals, such as they exist, for the Public Forest Estate and its management body ignore or dilute key recommendations made by the Independent Panel, diminish the promised role of 'Big Society' in the future management of our public woods and forests, and prioritise reducing costs rather than sustaining or increasing the proven public benefits provided by our public woods and forests.

"Hundreds of thousands of people in communities across the country placed great faith in the Panel's role and its recommendations for securing the long-term future of their woods and forests. Therefore, Our Forests is challenging the Panel to come out openly and say whether or not it is content with the Government's interpretation and proposed implementation of its recommendations?"

On 12th July 2012, the Panel published its final report setting out 31 recommendations, notable amongst which were the following:

- The Government should, *'...pioneer a new approach to valuing and rewarding the management, improvement and expansion of the woodland ecosystems for all the benefits they provide to people, nature and the green economy.'*

- The PFE, *'...should remain in public ownership and be defined in statute as land held in trust for the nation.'*
- *'A Charter should be created for the English public forest estate, to be renewed every ten years'*, which specified the public benefit mission and statutory duties of the PFE and its evolved management body.
- Those duties, *'should be delivered through a group of Guardians, or Trustees, accountable to Parliament,'* who should oversee the new public forest management organisation 'evolved' from the current management by Forest Enterprise (part of the Forestry Commission).

In the Government's response of 31st January 2013, the new Secretary of State, Owen Paterson promised that, *'England's Public Forest Estate will remain secured in public ownership...'*

And that, *'A new body will be created to hold the Estate in trust for the nation. The new body will have greater independence from Government and greater freedom to manage its resources and maximises its income but with the right safeguards in place to operate for the long-term benefit of people, nature and the economy.'*

Over the intervening 6 months since those fine-sounding words, the new arrangements and governance structures being proposed by officials seem more designed to suit 'Big Government's' vision and political philosophy, rather than to meet the aspirations and concerns of 'Big Society'.

Certainly, they deviate significantly from several of the Panel's key recommendations – emphasis has changed significantly and some principle points have been dropped altogether:

- **PFE = the Public's first priority, the Government's last**

The Public Forest Estate (PFE) was the number one priority for the hundreds of thousands of people protesting against the Government's wholesale disposal proposal.

Yet in the *Forestry and Woodlands Policy Statement Implementation Plan* drawn-up and published by Defra in July 2013, reviewing the 'commitments' the Government set out in its initial response to the Panel's recommendations, the PFE comes in last at number 36: *'36. We will establish a new, operationally independent Public Forest Estate management body to hold the estate in trust for the nation and manage its resources effectively to maximise the value of the land, trees and other assets under its care.'* [2]

- **No Charter, No Trust!**

The Panel's strongest, clearest recommendation was for the PFE to be, *'defined in statute as land held in trust for the Nation'* with a Charter *'renewed every 10 years.'* *'The Charter should specify the public benefit mission and statutory duties.'* That capital 'C' Parliamentary Charter has been downgraded to, *'a public-facing charter that summarises how the body will deliver its statutory remit'* - which sounds like the sort of high-minded, non-binding aspirational mission statement that many a corporation and organisation drafts, but rarely adheres to in practice.

- **Real power with Board of Directors, not Guardians**

The Panel recommended that the Charter, its mission and duties, *"...should be delivered through a group of Guardians, or Trustees, who will be accountable to Parliament. The Guardians will oversee the new public forest management organisation evolved from Forest Enterprise England."*

But the Public Forest Estate Management Organisation (PFEMO) proposed by Defra is a very different beast to that recommended by the Panel. The available governance 'organogram' produced by officials confines the Guardians to a box outside the direct management of the PFE and separate to an additional Board of Directors made-up of Executives and Non-Executives, which will be, "*given autonomy and responsibility to make all the decisions relating to running the PFE*". [3]

The text alongside the organogram states that, "*The Board are responsible to Defra for delivering against the terms of their long-term funding agreement.*" The implication being that it is the Secretary of State (Defra), who will make the appointments.

As well as the PFE being enshrined in law as owned by the Nation and the role and remit of its new management body (PFEMO) being set down in a Charter, the Panel stated specifically that direct oversight of both PFE and PFEMO should, "*be delivered through a group of Guardians, or Trustees, who will be accountable to Parliament. The Guardians will oversee the new public forest management organisation evolved from Forest Enterprise England*". The Government's formal response to the Panel's recommendations of 31st January, 2013 talked only of, "*exploring the scope for establishing a separate group of expert Guardians, including representatives from community groups*", and downgraded the role of the Guardians to an "*advisory*" and "*supportive*" one.

Under such an arrangement the Guardians are reduced to a side-show. This looks to be a deliberate ploy by Government - paying lip-service to the Panel's recommendation to include 'Big Society' in the direct oversight of the PFE whilst diminishing the public's direct influence. Representatives of grassroots groups may be flattered into thinking their views count, whereas the real power lies with the Board of Directors appointed by and answerable to the Secretary of State.

- **Public Ownership – Government just can't let go!**

The Panel was plain in its recommendation that, "*the public forest estate should remain in public ownership and be defined in statute as land held in trust for the nation.*" The latter phrase is crucial. The PFE has always been claimed to be 'in public ownership', but that did not prevent the previous Secretary of State from deciding to 'dispose' of it in its entirety, because under current law it is the Secretary of State who 'owns' the land on which our public woods and forests grow.

The Panel was very clear in making the distinction between the accountability of the new PFE management body to Parliament rather than to the Government of the day i.e. Ministers: "*...the public forest management organisation will be run independently from Government. It will not be subject to Government direction except in matters where it delivers international obligations on behalf of Government or in cases where Parliament feels the body is acting outside or failing to deliver its 'mandate'.*"

There needs to be an absolute and unequivocal statement from Government that current law putting ownership with the Secretary of State will be rescinded. The most obvious way to reassure and ensure public trust is to follow the Panel's recommendation and place the PFE "*in trust for the nation.*"

In Defra's organogram, it is stated that the '*Evolved FEE (Forest Enterprise England) – The PFE MO – owns the land, trees and operational assets.*' That is very different to saying that the Nation owns the public forest estate.

With the Guardians hived off in a box separate to the real management and oversight of the PFE by the Board of Directors, who appear to be appointed by and answerable to the

Secretary of State, ultimately, decisions and ownership of the PFE still seem to lie with the Secretary of State - even if via his/her department. It seems that Government just doesn't want to let go!

- **Emphasis on economic growth and reducing public funding**

"Our overriding Government priority is to generate sustainable economic growth. We want all parts of the economy in all parts of the country to grow and flourish. This objective is as true for forestry as it is for any other business."[4]

The Government's focus is on 'Wood Culture', which in its narrow interpretation is primarily about the readily monetized and marketable products derived from woods and forests, bypassing the concept of 'Woodland Culture' - broader benefits to society of wildlife, environmental services, mental and physical health, general well-being that well-managed woods bring.

Those same broader benefits that the Panel warned the Government needed greater recognition, *"The value of the benefits they [woods and forests] provide to people, nature and the economy has not been recognised in public policy, and successive Governments have simply not seen them as a priority for public investment."*

And which the Panel estimated outweighed the costs of running the estate by a factor of 6:1. An independent economic review for *Our Forests* of the same data raised the ratio to 8:1. [5]

The only 'live' initiative progressed by Government, 'Grown In Britain' is focused on - prioritising the creation of markets and stimulating supply for wood products; rather than the provision of that wider range of public goods and services, the value of which as the Panel noted, *"does not lend itself to simple expression in pounds and pence."*

The Government's stated primary concern for the PFE is not about how to value and recognise these disproportionate public benefits against the much lower running costs nor even about economic growth, but about reducing, what is already the modest public funding provided for the PFE. In its formal response to the Panel, the Government states in several places that it wants to make the Public Forest Estate, *"as financially self-sustaining as possible," "We want to see the Public Forest Estate placed on a more secure and sustainable financial footing through greater entrepreneurial activity."*

The Government did halt the selling of 15% of the PFE which had been slated for sale to cover the funding gap in 2012/13; but real concerns remain that there will be further cuts in public funding for the PFE in 2014-15 and in the next spending review for 2015 -16.

In his opening remarks at the launch event for the Government's formal response to the Panel report on 31st January 2013, Bishop James emphasised that, **"public benefits merited public funding"** [6].

A public statement interpreted by *Our Forests* and others as indicating the Bishop's concern that the Government did not recognise sufficiently the wider values delivered by the PFE and was not committed to sustaining the public funding necessary to deliver them.

For further information contact:

Robin Maynard: 07932 040452

Rich Daniels: 07717 750689; rich@handsoffourforest.org

Jonathon Porritt: 01242 262737

Notes to Editors

[1]. Just under 90% of the 38 Degrees supporters surveyed by *Our Forests* said they were 'ready to campaign against the Government if their concerns about and hopes for their public woods and forests are not met.'

[2] Government Forestry and Woodlands Policy Statement, January 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181809/pb13871-forestry-policy-statement.pdf.pdf

[3] 'An evolved FEE: The New Public Forest Estate Management Organisation (MO). Forestry Commission/Defra, April 2013.

[4] Government Forestry and Woodlands Policy Statement, January 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181809/pb13871-forestry-policy-statement.pdf.pdf

[5] Public Forest Estate, Forestry Commission = Value For Money, *Our Forests*, Eunomia 2013.
http://www.handsofourforest.org/documents/OF_warning_economics.pdf

[6] Bishop James speaking at launch of Government response to Pane recommendations, 31st January 2013.

Our Forests was formed to ensure that the views of the more than half a million people and myriad grassroots groups who rose up in opposition to the reprehensible plans to sell-off or otherwise dispose of the Public Forest Estate in England are fully understood and taken into account by the Coalition Government and its appointed 'Independent Panel on Forestry Policy'.

Individual members, in alphabetical order, are:

Hen Anderson (Co-founder 'Save Our Woods', who also runs a small-holding and woodland)

Richard Daniels (Chair of the grassroots campaigning group Hands off our Forest (HOOF) in the Forest of Dean)

Dr Gabriel Hemery (chartered forester, cofounder and Chief Executive, the Sylva Foundation);

Tony Juniper (independent environmental advisor, campaigner, writer and former Director of Friends of the Earth);

Rod Leslie (former Chief Executive, Forest Enterprise);

Robin Maynard (environmental campaign consultant);

Jonathon Porritt (Founder Director Forum for the Future and former Chair of UK Sustainable Development Commission).

Our Forests published its own Vision for England's woods and forests [1] in January 2012 setting out some clear principles and proposals, informed by close consultation with the grassroots groups *HOOF! Save Our Woods*, the umbrella body *Forests Community Network*, and *38 Degrees'* supporters.

<http://saveourwoods.co.uk/our-forests/our-forests-vision-for-englands-woods-and-forests/>