

Forestry Commissioners

The Forestry Commission was established following the Forestry Act of 1919 and is tasked with managing, protecting, conserving and restoring the nation's woodland. After being considered as part of the Government's public bodies review in the summer of 2010 the Forestry Commissioners were scheduled in schedule 7 – enabling the Government to make future, undisclosed changes to the body. Unlike other bodies the Government's scheduling raised questions not about the immediate fate of the body, but rather about the possibility of forests being sold off under the provisions of the Bill. These concerns were voiced by Baroness Royall of Blaisdon who argued that the body's inclusion in schedule 7 would appear to 'allow the Secretary of State to order the disposal of any Forestry Commission land in England, or its use for some other purpose. It is hard to conceive why Ministers want such draconian powers, unless it is the Government's intention to dispose of much or all of the Forestry Commission's land' (9th November 2010 Column 71).

Prior to 2010 reform had occurred in the Forestry Commission as in 2008 the Treasury's Operational Efficiency Programme (OEP) had directed attention to cost reduction. Additionally work had begun between the Forestry Commission and Defra on potential areas of cost reduction in preparation for the spending review. Senior staff and the board had therefore been briefed about the possibility of change.

In reacting to reforms the Commissioner's themselves focused principally, according to one interviewee, on making the case for the Forestry Commission's functions rather than the body itself. Additional efforts were made by the organisation as a whole to highlight the legal complexities of reform because, as one interviewee reported, 'for the whole Public Bodies Bill, the legal analysis of the consequences, including the Forestry Commission, had simply not been done properly'. An effort was accordingly made to highlight the Commission's statutory basis and the legal complexities which arose from this and devolution.

In terms of stakeholder reaction, the government's proposals prompted significant outcry, but the Forestry Commission itself did not attempt to stimulate this reaction. Indeed, one interviewee reported that 'we are part of government so we don't... we don't set up strategies to counter government policy'. In accounting for this reaction interviewees within the Forestry Commission cited the role of historically good relationships with stakeholders and members of the public as significant in prompting this supportive reaction.

Within Parliament significant concern was voiced. In the House of Commons an EDM was tabled by Caroline Lucas on reductions in expenditure which raised concern at the 'plans to sell off parts of the Public Forest' (1199, 2012-2012 Session), this gained 51 signatories and was followed by a further EDM by Lucas which expressed deep concern at 'the threat to the future of the Forestry Commission', this was signed by 25 MPs (2925, Session 2012-2012). In the Lords concern was voiced by, among others, Lord Judd, Baroness Royall and Lord Clark of Windermere, individuals who had significant expertise in the area (indeed Lord Clark had previously been chair of the Forestry Commission).

Within the media the proposals were reported in dramatic fashion. The Independent on Sunday reported that '[g]reat swathes of Britain's forests are to be privatised' (24th October 2010), the Daily Telegraph said that the sale of forest would 'pave the way for an expansion in the number of Center Parcs-style holiday villages, golf courses, adventure sites and commercial logging

operations throughout Britain as land is sold to private firms'(24th October 2010), and the Guardian argued that the government's plans could potentially result in 'the UK's greatest change of land ownership since the second world war' (25th October 2010).

These fears were replicated in a wide-ranging, grassroots campaign that vocally opposed the selling of forests. The scale of the campaign is typified by the 538,021 signatures gained by 38 degrees as part of their save our forests campaign (<http://www.38degrees.org.uk/page/s/save-our-forests>). A number of different national save our forest campaigns emerged, including those backed by the PCS and Forestry Commission Trade Unions. 'Save England's Forests' seemed to have success in tying together a range of other organisations as it organised a letter opposing the changes signed by almost 100 dignitaries including 'Dr Rowan Williams; Carol Ann Duffy, the poet laureate; Dame Judi Dench, the Oscar-winning actress; and Bill Bryson, the author and president of the Campaign to Protect Rural England' (Telegraph, 22nd January 2011). Concerns were also raised by other national organisations such as the Woodland Trust, Greenpeace, the Confederation of Forest Industries, the RSPB, the Wildlife Trust, the British Horse Society, the Ramblers and the Kennel Club (<http://saveenglandsforests.org/whats-the-score-2>). At a local level there were also strong campaigns in the Forest of Dean (the 'Hands Off Our Forest' campaign saw personal involvement from Baroness Royall), Haldon Forest, Chopwell Wood, Thetford Forest, Cannock Chase and Sherwood Forest.

On the 27th of January 2011 Defra launched a public consultation on the future management of the public forest estate which was due to run until the 21st of April 2011, however this was suspended on the 17th of February as 7,000 responses had been received in under a month. In response to public opinion and legal complexity the Forestry Commissioners were removed from the Public Bodies Bill and an independent review was established. Speaking to the House Caroline Spellman stated:

'First, I have taken a decision to end the consultation on the future of the Public Forest Estate and I take full responsibility for that. I am doing so because it is quite clear from the early responses to the consultation that the public and many MPs are not happy with the proposals we set out. Second, the Government will support the removal of the forestry clauses from the Public Bodies Bill, currently at committee stage in the House of Lords. And thirdly, I would like to announce that I am establishing an independent Panel to consider forestry policy in England. It will report to me with its findings this autumn. The Panel will advise me on the future direction of forestry and woodland policy in England, on the role of the Forestry Commission, and on the role of the Public Forest Estate. The Panel will include representatives of key environmental and access organisations alongside representatives of the forestry industry' (DEFRA, 17 February 2011).

The panel was established on the 17th of March 2011 and produced its final report on the 4th of July 2012. It proposed that 'Forest Services should evolve to become a public body with duties, powers and functions to champion, protect and increase benefits from trees, woodlands and forests that are good for people, good for nature and good for the green economy' (Independent Panel on Forestry, 2012, p.9). Furthermore it argued that the 'public forest estate 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. The Charter should specify the public benefit mission and statutory duties, and 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' (ibid). In reaction to these recommendations Caroline Spellman made an initial public announcement in which she asserted that '[o]ur forests will stay in public hands. We will not sell the public forest estate. We'll be talking to all those who are passionate about our forests to decide how we will manage our forests for the future" (Forestry Commission, 4 July 2012).

In formulating a formal response to the review the Forestry Commission worked with Defra. The forestry and woodlands statement, in response to the Panel of Forestry's final report, was published on the 31st of January 2013. In a ministerial foreword Owen Paterson MP outlined how having listened to businesses, interest groups and the public the government had decided that:

England's Public Forest Estate will remain secured in public ownership – for the people who enjoy it, the businesses that depend on it and the wildlife that flourishes in it. We have rescinded the previous policy of disposing of 15% of the Estate and we will be providing sufficient funding in this Spending Review to ensure that high levels of public benefit can continue to be delivered' (Defra, 2013, p.2).

In addition the Government pledged to create a new body, the Public Forest Estate Management body, to hold the Estate in trust for the nation. It was argued that this body would have 'greater independence from Government and greater freedom to manage its resources and maximise its income' (Defra, 2013, p.2).

Key Documents:

Bennett, O. (2nd June 2011) The Forestry Commission and the Sale of Public Forests in England. London: House of Commons Library.

Department for Environment, Food & Rural Affairs & Forestry Commission England. The Future of the Public Forest Estate in England: A Public Consultation. Edinburgh: The Forestry Commission

Department for Environment, Food & Rural Affairs. (17 February 2011) 'The Future of Forestry in England', <https://www.gov.uk/government/news/the-future-of-forestry-in-england>, accessed 21 November 2012.

Department for Environment, Food & Rural Affairs. (25th January 2011) Impact Assessment.

Department for Environment, Food & Rural Affairs. (January 2013) Government Forestry and Woodlands policy Statement: Incorporating the Government's Response to the Independence Panel on Forestry's Final Report. London: Defra.

Forestry Commission. (January 2011) Forestry Commission Equality Impact Assessment.

Forestry Commission. (2011) Selection Criteria for the Sale of Forestry Commission England Land in 2011.

Forestry Commission. (4 July 2012) 'Publication of the Independent Panel on Forestry report', <http://www.forestry.gov.uk/newsrele.nsf/WebNewsReleases/BDABA49CF329EB6380257A310022B4A3>, accessed 21 November 2012.

Independent Panel on Forestry. 2012. Final Report.

Lawrence, A., & Jollands, M. (June 2011) The Future of the Public Forest Estate in England: Analysis of responses to the Suspended Public Consultation January-February 2011. Final Report. The Research Agency of the Forestry Commission.