

*A Response from SAVE SHERWOOD FOREST
to the Forestry Commission Paper
"TOWARDS A NEW PFE MANAGEMENT BODY"*

Does the draft document 'Towards a New Public Forest Estate management body' adequately reflect the conclusions of the government 'Government Forestry & Woodlands Policy Statement'?

Broadly speaking the paper "Towards a New PFE Management Body" does reflect the government's Policy Statement. However, since the the Policy Statement was made there appears to have been an increasing emphasis on financial sustainability.

What are your views on the proposed mission and objectives for the new organisation (see Annex A of the draft document)?

Overall we are supportive of this document, but would like to see the growth of our PFE as part of the Mission Statement.

We appreciate that increasing the estate will be difficult in the early years, but think that if "growth" or "increase" isn't stated at the outset it will be lost.

Furthermore we do not think that the growth of total forest cover in the UK should be left to private industry, who will in all probability not allow public access.

It is proposed that the new body will have clear statutory duties, powers and functions focused on maximising the economic, social and environmental value of the Estate, including a requirement that it should improve the financial sustainability of the Estate. What are your views on how the new organisation could improve the financial sustainability of the Estate?

We appreciate that any organisation, either public or private has to work efficiently, be effective and "pay its way". To that end we can see the necessity of maximising the value of the PFE. The real question is how is the balance achieved between economic, social & environmental value.

We are concerned that economic sustainability will take precedence at the expense of the other priorities, and/or the "cash-cow" of forestry production will be milked to pay for the other elements allowing government to contribute less.

We are also concerned that this could mean maximising the land asset, for non-forestry commercial enterprises. Holiday Cottages are one thing, but quarrying, fracking and gas extraction are something else entirely!

The idea of paying dividends back to government does nothing to allay our concerns of too much importance being placed on economic sustainability. To us this is a nonsensical concept. Dividends are usually paid to an investor out of profits, but, under the proposed ecosystem services funding, government isn't investing money, it is paying for a service that includes recreation, conservation, health & well-being, carbon off-setting etc.

Nor could it be said that the government should receive a dividend for the assets that it gives to the PFEMO at start-up. In 2010/11 the people of the UK made it abundantly clear that the PFE was just that - the public's forest and not the government's to sell, or give away. If the PFE does in fact make profit it should use that to invest in growth or keep some in reserve as any other well managed business would do.

We support the idea of society paying through its taxes for the social benefit that is gained from our PFE. We hope that the base level set for Ecosystems Services will be realistic and not give this service on the cheap. To that end we suggest that whatever is agreed is scrutinised by a body both outside government and the PFEMO.

We also believe that if environmental/wildlife bodies want the PFEMO to create habitat suitable for their interest they should, in part at least, be expected to contribute to the added cost incurred.

What are your views on the significant assets and disposals arrangements set out in the document?

We understand that from time to time the PFEMO will need to be able to dispose of land assets just like any other forestry estate. However, we believe that as this is the public's forest estate there should be consultation at all levels - grassroots and up - before a final decision is made.

We are suspicious of the word "significant" and feel that both examples of definition in Para 50 of TNPFEMB are flawed. To some, "significant" it would be a couple of hectares of local woodland. To a District Manager it might be several hundred hectares. Therefore, we think it better to use the word "important" or the phrase "important and/or significant".

We support the idea of the overall size of the estate not reducing over the year irrespective of disposals providing that forest sold is replaced by forest or potential forest acquired.

It will be necessary to give the new body a new name because Forestry Commission is established in law as a cross-border body. Do you have any ideas on a suitable name?

We have never been convinced of the need to lose the FC or FEE name or brand, which is widely recognised and respected.

However, if this is inevitable we believe that it would be of benefit to have the word "Public" somewhere in the name, or "People's Forest" to signify ownership and cement the link.

**Some other suggestions:
Forest Estates England,
Forest(s) England.**

We would be vehemently opposed to government spending vast amounts of money to employ a consultancy to come up with a name. Remember "Consignia" ! We do not need to change root and branch for the sake of Ministers trumpeting a new organisation. The more that we can carry forward from what is already known and respected the better.

What are your views on the arrangements proposed for the new organisation's accountability to Parliament?

Politicians rarely, if ever give up power and we have some concerns that the situation being proposed seems to decrease the distance between the PFEMO and the SoS/Minister rather than increase it which was the recommendation of the IPF.

We are concerned that a statutorily based Public Corporation would be more at risk of sell off and privatisation than the FEE is at the moment.

While we appreciate that if an organisation receives public money it should expect government to be involved, we believe that the PFE would be better served by being answerable to a Parliamentary Committee, with the SoS only being called on to use their reserve powers in critical situations. If this scenario was adopted the PFEMO would report to Parliament - the representatives of the people, rather than the government of the day.

What are your views on the proposed Board's remit, size and composition?

Overall we have little conflict with what is being proposed.

Although it is important that collectively the executive have current and wide knowledge of both forestry and managing to meet environmental and wildlife

outcomes. This latter requirement should not be left to non-executive positions.

Non Executives would augment and strengthen the skills of the executive and must include at least one person who represents the grassroots perspective of a PFE user.

Board members should be chosen to represent a particular sector. i.e. environmental or wildlife/conservation rather than be representing a specific group. The emphasis should be on representing a particular interest, not an organisation.

We have concerns that the SoS will be involved in appointing the majority of members as this is likely to produce a rather party partisan board. We would like to see selection being the responsibility of the civil servants in Defra.

What are your views on the Guardians' remit, role, numbers and composition?

After the publication of the IPF report we believed that the Guardians would play a key role in the success and continued public ownership of the future PFE. We are less convinced now as their role seems to be one of looking backwards at what has been achieved, or not, as the case may be.

The responsibility to ask the SoS to use their reserve powers in critical situations and to make an Annual Report to Parliament are both "after the event" when what is required is the ability to influence the board on an ongoing basis. We therefore welcome the thought that within the advisory role there is the possibility to have an impact on strategic thinking.

We appreciate that it would be detrimental to the sound management of the PFE to have the Guardians as a second board but hope that a Guardian would have a place on the main board as an observer to increase transparency. However, we have reservations regarding the suggestion in Para 50 that one person could fulfil both roles - Guardian & Board Member at the same time. We feel that this arrangement would make it very difficult for the Guardian to be independent and objectively critical of the board if they needed to be. There could be a conflict of interest and loyalties.

We agree that Guardians should represent the interests of forest users and be drawn from a wide range of individuals, but, in parallel with the comment in 10 above no Guardian should be chosen to represent one particular wildlife or conservation or other single organisation. They should rather represent the broad interest. We do not think that Guardians should be recruited from the ranks of the FWACs. We believe that these groups have too broad a remit to have a sufficiently community or PFE focus.

There should also be a Guardian representative for each of the six forest districts to provide a direct link to the various forest users in their area.

We anticipate a number of between 12 and 15 Guardians would give good coverage of interest without becoming too cumbersome.

Guardians should have the final say in the disposal of land and the alternative use of forest areas, particularly in situations where it is likely to be contentious.

What are the most important things to put in a public charter for the new organisation?

In the interest of clarity and to reduce the chance of incorrect interpretation we believe that the public charter should state clearly and in some detail the objectives & responsibilities of the new management organisation.

It should also detail how it is to be governed and the roles and responsibilities of those governing it, including the Guardians. Although perhaps not including specifics it should spell out on what basis government is to pay for ecosystem and other services to society.

In particular, it should detail the role played by the Guardians and give them the authority to act to protect the PFE if the situation arises. The charter should clearly state that the new MO holds the public forest estate in perpetuity for the benefit of this and future generations.

We understand why the charter will run for 10 years before it is reviewed to take account of changing needs and priorities within the PFE. However we believe that there will be parts of the charter relating to public ownership and the triple bottom line of "People, Nature & the Economy" that are immutable and should never be changed. This fact should be stated clearly in the charter.

There is some inference that the charter cannot be written until after legislation is passed. If this is the case, than whatever legislation is put before parliament should be discussed as widely as possible, and at least debated by our parliamentary representatives.

Do you have any general comments that you believe would be of assistance in creating the new organisation?

One feature of the process that is slowly reaching its climax is the amount of consultation between officials from Defra, The Forestry Commission and other interested parties including members of the Forest Campaign Network. This is

to be encouraged as although it is perhaps not the most direct route to create the new PFEMO it will deliver a better result that takes into account the needs and aspirations of the public and delivers a PFE that serves People, Nature & the Economy.

Save Sherwood Forest
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