

FOLLOWING ARE THE MINUTES AND PLANS RELATING TO THE PROPOSED LAND SWAP BETWEEN FORESTRY COMMISSION AND FOREST of DEAN DISTRICT COUNCIL WITHIN THE CINDERFORD NORTHERN QUARTER PROPOSED DEVELOPMENT.

LAND CURRENTLY OWNED BY FORESTRY COMMISSION IN THE DEVELOPMENT AREA WILL BE PASSED TO THE COUNCIL IN RETURN FOR THE LAND COLOURED BLUE CURRENTLY IN THE COUNCIL'S OWNERSHIP (some of which ownership may be disputed).

9. Cinderford Northern Quarter - Land Assembly pdf icon PDF 136 KB

View the background to item 9.

Cllr Molyneux, Leader of the Council and Cabinet Member for Regeneration, to present report SD.130.

Additional documents:

SD.130 Annex A - AAP Land Use Plan , item 9. pdf icon PDF 598 KB

SD.130 Annex B - Forestry Commission Ownership , item 9. pdf icon PDF 806 KB

SD.130 ANNEX C - FoDDC Ownership , item 9. pdf icon PDF 1 MB

Minutes:

Cllr Molyneux, as Cabinet Member for Regeneration, presented report SD.130, commenting that it represented another landmark stage in the exciting project to develop the Cinderford northern quarter. The recommendations sought to parcel the land necessary for the development, entailing a land exchange with the Forestry Commission (FC) on a one to four ratio in the FC's favour. He invited the Regeneration Manager to add further detail, since she had been working closely with the FC and all partners.

The Regeneration Manager explained that the report outlined the Council's proposal for its part in the exchange. She corrected paragraph 3.4, clarifying that the exchange did not need ministerial approval, just that of the FC's national office. She explained that the timeframe was on-going and that she hoped for progress before the planning application for the spine road and college was due in March. She commented that the FC would not want to finalise any deal before the planning application was approved and she estimated that the Planning Committee would consider it in late summer 2014.

Cllr Robinson commented that looking at the maps on agenda pages 27 to 31, it was clear that a relatively small portion of land was being developed, leaving a large area remaining green.

The Leader emphasised that the environment had remained a key factor and the Council was doing all that it could to ensure no more disruption than absolutely necessary.

Cllr Gardiner asked if the Council had full title of ownership for the land it proposed to exchange, commenting that he understood from discussions with commoners that there was a grant of pasture on some of it, dating from 2002. If the exchange went ahead that would have to be honoured.

The Regeneration Manager confirmed that the Council held the full freehold title for the land at annex C, explaining that officers would need to compare a full report on the title with the FC when dealing with the exchange. At that point both parties would be mindful of any rights and privileges. She added that the proposal would increase the area of land accessible to the public.

The Leader confirmed that the proposals would secure and safeguard public access. He also confirmed for Cllr Bill Evans that the ratio of one to four was a good deal for the FC. However, planning permission would increase the value of the land, and the exchange would ensure a good deal for the forest itself and for accessible green spaces for the community.

RESOLVED -

a) Subject to confirmation from the Monitoring Officer that the land exchange satisfies the best value test as set out in paragraph 3.8 of this report, agree the final proposed land exchange and to dispose of the council owned land in return for Forestry Commission owned land to enable the development proposed in the Cinderford Area Action Plan boundary on the terms set out in this report,

b) To note that any objections to the proposed council disposal of public open space ... view the full minutes text for item 9.

Proposed Land Use Plan

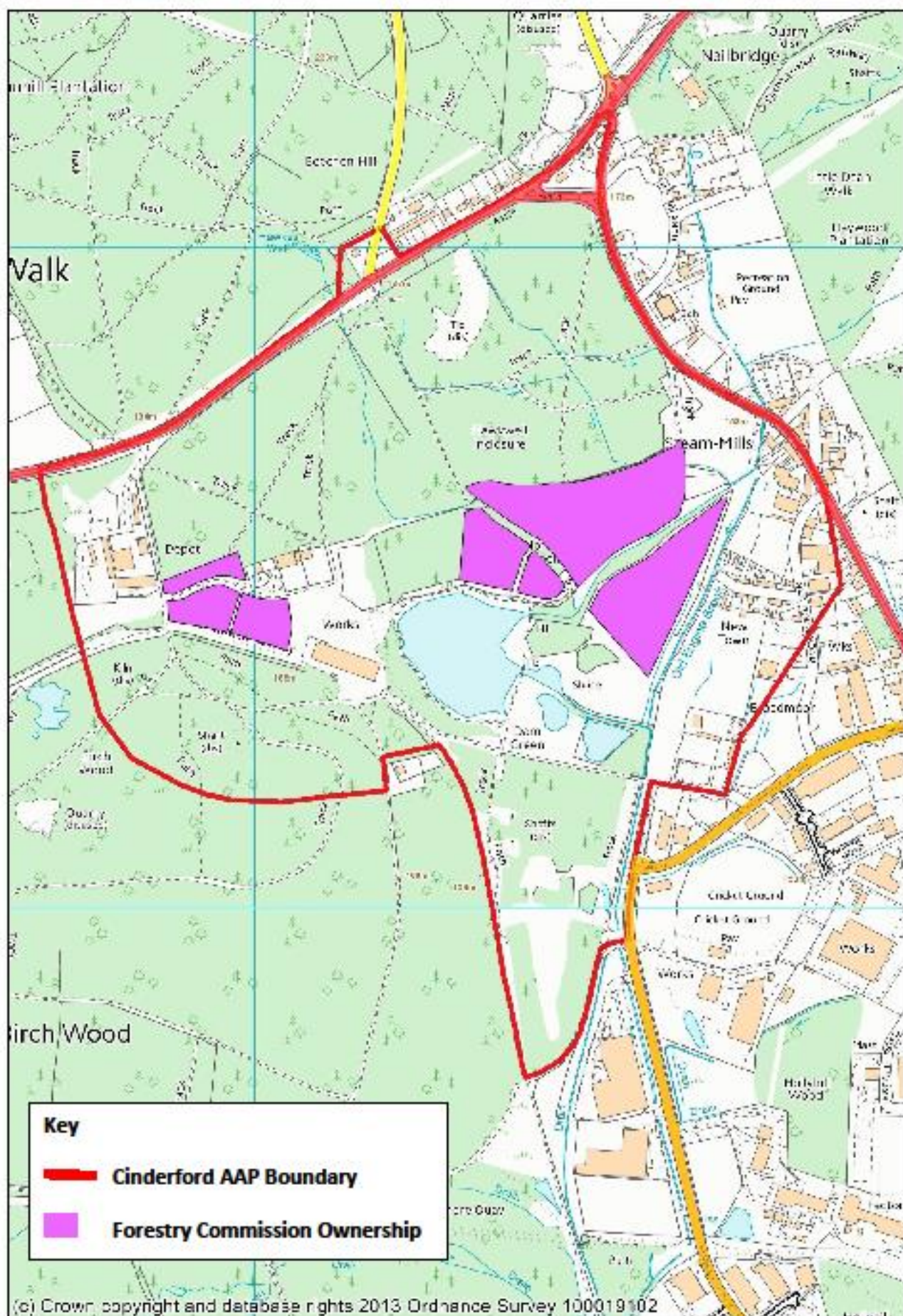


- | | | | |
|---|--------------------------------|---|---|
|  | Residential |  | Eco - visitor centre |
|  | Healthcare |  | Activity centre |
|  | Education |  | Hotel |
|  | Industrial (B2, B8) |  | Mixed employment uses (B1, B2, B8 & service-based jobs) |
|  | Office / light industrial (B1) |  | Education / car parking |
|  | Office (B1) |  | Public open space |

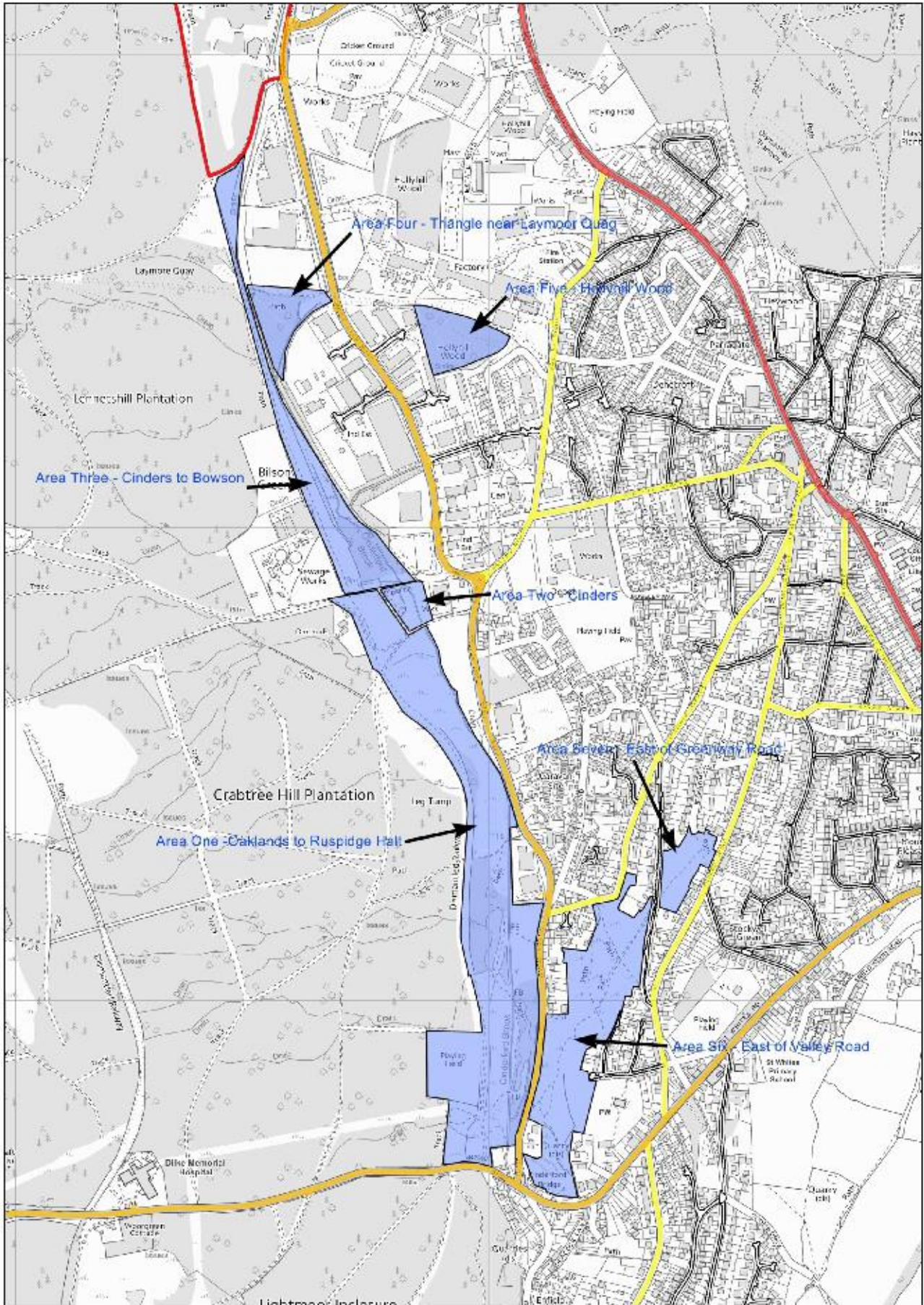


UNDERFORD AAP	
DRAFT LAND USE PROPOSALS WITH PLOT NUMBERS	
15/09/2010	
SEPT 2012	Alan Baxter

Annex B – Forestry Commission Ownership



ANNEX C – FoDDC Ownership



Question 1

The following question has been received from Derek Foster

In 1992 the FODDC signed a Public Access Agreement with the then MAAF regarding the land that became the Cinderford Linear Park. The agreement provided for full public access for 30 years starting on 31st March 2001. Please confirm whether this agreement is still in force and, if not, why?

Response from Councillor Patrick Molyneux, Leader of the Council and Cabinet Member for Regeneration

The public access agreement dated 31 March 1992 and made between (1) MAAF and (2) FODDC relates to land to the north of Linear Park, not within the ownership of the Council, and provides for public access to this land for a period of 30 years (subject to conditions set out therein) commencing on 31 March 2001. This agreement remains in force.

Supplementary question

Mr Foster was not at the meeting and would be sent the answer to his question

Question 2

The following question has been received from Ivor Ellis

In the report by her Majesty's Inspector following the hearing of the proposed developments at Cinderford Northern Quarter in September 2011 he stated –

“As I understand it the legal status of the statutory Forest can only be changed by an act of parliament and/or defined by the courts and not anything in the core strategy or an AAP”

Another paragraph reads,

“Any forest waste taken for new development is essentially a matter that body (Forestry Commission) however desirable that maybe in principle.”

These observations were also expressed in the previous inspector's report 10 years earlier when this appalling plan was first put forward.

Can this council tell me why both these observations are now ignored, has the Government or the courts changed forest protection? Or has this council formed its own interpretation, in order to suit its own agenda.

Response from Councillor Patrick Molyneux, Leader of the Council and Cabinet Member for Regeneration

“The Council accepts that the legal status of the Statutory Forest cannot be changed and is not seeking to do so.

Section 39(2A) of the Forestry Act 1967 provides that the Minister may sell any land if in his opinion it is not needed, or ought not to be used, for the purpose of afforestation or any purpose connected with forestry, and may exchange any such land for other land more suitable for either of the said purposes.

The proposed exchange of land at Cinderford Northern Quarter is within the remit of Section 39(2A), and is put forward on the basis that the Forestry Commission believes the statutory tests to be met. However, as detailed in the report, if the proposals are agreed by Cabinet then the Forestry Commission will seek formal approval before concluding any transfers.”

Supplementary question

Mr Ellis asked for the detail regarding the Forestry Commission’s formal approval.

Response from the Regeneration Manager

She clarified that the formal approval was with Mr Mark Thornycroft, the Forestry Commission’s national head of estates. She agreed to send full details ... [view the full minutes text for item 6.](#)