

Countryside and Rights of Way (CROW) Act 2000:

PROPOSAL FOR A LONG TERM DIRECTION BY THE RELEVANT AUTHORITY

SUMMARY FOR PUBLIC CONSULTATION Prepared by Forestry Commission

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Case Reference Number:	2014087340
Name of site/land parcel:	Cinderford Northern Quarter – CNQ – SO643151
Access Authority:	Gloucestershire County
Relevant Authority:	Forestry Commission
Local Access Forum:	West England, Gloucestershire

The Forestry Commission has received an application under section 25 (1b) of the Countryside and Rights of Way Act (the Act) for a direction to exclude the public from the site indicated on the attached map in order to carry out trapping and translocation of GC Newts and to conduct felling operations.

Having considered the application, the Forestry Commission now proposes to give a direction on the site that may last for longer than 6 months continuously. The direction proposed is for a closure of 264 days between 11 January 2016 and 30 September 2016. This is in addition to previous closures at this site. The Act requires us to consult publicly on all such proposals for ‘long-term directions’.

This is a summary of our proposal, explaining the reasoning in support of the proposal. It is accompanied by a map of the site which will be available on the Open Access website from 27 November 2015:

https://www.gov.uk/government/publications?publication_filter_option=consultations

To access the consultation enter “Open Access” into the free text box titled “Contains” and then filter by “Natural England” in the Department drop down. Other documents relating to the proposed direction may be inspected and copies obtained by contacting the Forestry Commission at Buller’s Hill, Kennford, Nr Exeter, EX6 7XR; e-mail: cca@forestry.gsi.gov.uk.

2. SUMMARY OF RELEVANT AUTHORITY PROPOSAL

i) Summary of proposed direction to restrict access

Long term full direction for a closure of 264 days between 11 January 2016 and 30 September 2016, for the purpose of trapping and translocation of GC Newts across an area of 9.4ha followed by clearfelling and brash raking to create a mitigation area.

ii) Why is a statutory restriction necessary?

Sensitive ecological survey and public safety.

iii) What is lowest level of restriction required?

Full exclusion of public access.

ADDITIONAL INFORMATION TO SUPPORT THE APPLICATION FOR OUTLINE DIRECTION OF LONG TERM CLOSURE

Case number 2014087340 - Cinderford Northern Quarter.

This CRoW closure is required to facilitate a development project on the edge of Cinderford in the Forest of Dean. The plan is to create a new college and spine road, which is a core part of the Forest of Dean District Council's (FoDDC) development plan for the area. They are working in close partnership with the Homes and Communities Agency (HCA) to achieve this.

The exclusion zone in question will be a mitigation area that must be successfully established as compensation for the loss of habitat where the planned college and spine road will be built.

The vegetation within the exclusion zone at present is primarily commercial conifer plantation that must be converted to a mixture of open grassland and mixed broadleaved woodland in order to compensate for the loss of this type of habitat on the college development site.

Great crested newts (GCN) have been found within the proposed mitigation area, and as European Protected Species (EPS), they need to be removed from this mitigation area prior to felling the conifers and converting the site into grassland with mixed broadleaves. To this end, a newt fence has been erected around the mitigation area to facilitate the trapping and translocation of GCN from this area

and the exclusion of further reptiles entering the site.

Trapping and translocation work, under licence from Natural England (NE), has taken place in 2014 and throughout the summer and autumn of 2015, with the exclusion fence being maintained in situ over the winter period of 2014/15. Following a long winter season GCN etc. trapping was finally able to be re-started in June 2015. Large numbers of GCN and other protected species continued to be located and translocated from the proposed clear fell areas right up until October 2015, and destructive searches are continuing, with the intention of completing by the end of November.

There is insufficient time remaining in the current season to complete the destructive searches in the mitigation area and then complete the clear felling, which is anticipated to take around 25 working days, since all work would have had to be complete by the end of November in accordance with the original EPS licence.

The revised programme is for the clear felling to be undertaken in January/February 2016, to ground level. Following this the stumps will be removed, but this cannot take place until the GCN/dormouse hibernation period has completed, in the spring being May/June 2016.

Therefore to maintain the exclusion of protected species from the site, and to ensure the integrity of the exclusion fence, the Heras security fence will need to remain in place until summer/autumn 2016. Provided that the tree clearance can take place in January/February 2016 as planned, it should then be possible to remove the boundary fences in July 2016 once the grass seeding has taken place.

Consequently, for the development to proceed and for it to be in compliance with the conditions of the Natural England licence, this fencing and exclusion zone must remain in force until the trees in the mitigation areas are felled and the mitigation area created.

3. SUBMITTING COMMENTS ON THE REVIEW:

If you wish to comment on the review of this direction then you must do so by 24 December 2015 directly to the Forestry Commission at Buller's Hill, Kennford, Nr Exeter, EX6 7XR; e-mail: cca@forestry.gsi.gov.uk.

A map accompanies this notice and can be seen on the Open Access website:

https://www.gov.uk/government/publications?publication_filter_option=consultations

If, following consultation, we decide to give a long-term direction, we must formally review the decision not more than 5 years after it is given. We may also revoke or vary the direction at any other time, if new evidence comes to light showing that the circumstances have changed.