



The future of public forests: An institutional blending approach to forest governance in England

Ian D. Hodge^{a,*}, William M. Adams^b

^a Department of Land Economy, University of Cambridge, 19 Silver Street, Cambridge CB3 9EP, United Kingdom

^b Department of Geography, University of Cambridge, 19 Silver Street, Cambridge CB3 9EP, United Kingdom

A B S T R A C T

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Early in 2011, the Government initiated a consultation on the potential sale of the Public Forest Estate in England. This proposal leads to vociferous negative public reaction and the consultation was withdrawn and an Independent Panel established. This paper reviews the arguments as to the options and appropriate institutional arrangements for forest management. The Government's proposal reflected a continuing focus on neoliberalisation. However, we argue that discussion of neoliberalism has become excessively broad and contradictory and we set the debate about the PFE in the context of institutional blending. First we consider whether forestry operations might be more efficient if held under private ownership and the role of contracting out forest and recreational activities on the estate. Forest land produces multiple outputs, including both private and public goods. After briefly reviewing the ways in which the state can regulate environmental management of private forest land, we consider alternative types of private ownership and their potential contributions to forest governance. Appropriate institutions will depend on the public objectives and circumstances of particular locations and we briefly outline alternative arrangements suited to particular contexts. Finally we reflect on the outcome of the review and on the role of the Forestry Commission in contemporary circumstances.

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1. Introduction

In the autumn of 2010, it became apparent that the UK Conservative-Liberal Democrat Coalition Government was minded to sell off a large proportion of the public land held by the Forestry Commission, the Public Forest Estate (PFE), in England (Adams and Hodge, 2011). The Minister of State for Agriculture and Food, said to the House of Lords Select Committee: “part of our policy is clearly established: we wish to proceed with ... very substantial disposal of public forest estate, which could go to the extent of all of it”.¹ This proposal was the subject of immediate and widespread criticism in the media. *The Daily Telegraph*, on 23 October 2010, under the headline “Ministers plan huge sell-off of Britain's forests”, commented² “The controversial decision will pave the way for a huge 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 companies”. In the subsequent public consultation on the sales, launched on 27 January 2011, the Government stated that the question being posed was “how best to protect and improve” the benefits arising from “our treasured woodlands” (Forestry Commission and Defra, 2011, p. 5). However, the Government made it clear in the consultation document that major changes were planned, apparently notwithstanding the outcome of the consultation (Forestry Commission and Defra, 2011). For instance, it is stated that the Forestry Commission's role would change substantially over the next ten years: “It will be a much smaller organisation, and it will no longer be charged with managing a large forest resource” (p. 7).

A petition to “Save our forests – don't sell them off to the highest bidder”³ received over half a million signatures and a YouGov poll found that 84% of the British public agreed that woods and forests should be kept in public ownership for future generations.⁴ Very few voices were raised in favour of sales (e.g. Saltiel, 2011 being an exception). However the initiation of the public

* Corresponding author. Tel.: +44 1223 337134; fax: +44 1223 337130.
E-mail address: indh3@cam.ac.uk (I.D. Hodge).

¹ Answer to the House of Lords Select Committee on the European Union, Agriculture, Fisheries and Environment Sub-Committee on 24th November 2010.

² <http://www.telegraph.co.uk/earth/countryside/8082756/Ministers-plan-huge-sell-off-of-Britains-forests.html> (last accessed 30/3/12).

³ <http://www.38degrees.org.uk/page/s/save-our-forests> (last accessed 16/1/13).

⁴ Damien Carrington (2011) huge majority oppose ‘England Forest sell-off, poll finds’, *Guardian* 22 January 2011, 06.00 GMT.

consultation did little to calm concerns and in the face of this continuing criticism the public consultation exercise was terminated nine weeks early.⁵ At the same time, clauses authorising the sales of forest land were removed from the Public Bodies Bill then before Parliament.⁶ In its place, the Government appointed an Independent Panel in March 2011 to advise the Secretary of State on the future direction of forestry and woodland policy in England. This published its final report in July 2012.⁷

Controversy about forest land sales is not new, some 200,000 ha were sold by the Forestry Commission across Great Britain between 1981 and 1997 (NAO, 1998) and further areas have been sold since then (Bennett, 2011). These sales were contested by conservation organisations and the general public. Buttoud et al. (2011) discuss a proposal to transfer a large proportion of the Scottish forest estate to a single lessee on a very long term lease that would have given considerable impetus for a mono-functional industrial forestry model. In the event, after considerable lobbying by municipalities, and environmental and trade union interests, the proposal was dropped. The recent Government proposals in England clearly touched on a surprisingly sensitive public nerve. The debate that ensued was characterised by its simplistic approach. This apparently equated public land ownership by the Forestry Commission with long term conservation, reflected for example in the “Save our forests” petition, the text of which read “Save our forests – don’t sell them off to the highest bidder. Don’t let private companies chop down our woodland. Protect trees for the conservation of wildlife and the enjoyment of the public.”, and private land ownership which was assumed to lead to exploitation and depletion, as represented by the quotation from *The Daily Telegraph* quoted above. This is, of course, at best a gross oversimplification. Transferring forest land from public ownership by the Forestry Commission into private ownership has a variety of implications for the social interest, some that may be advantageous and others that may be harmful. The balance depends fundamentally on what society is seeking to gain from an area of forestry, on the rules that govern the way in which privately owned land may be used, and on the character of any private organisations that might take over the ownership. Despite the volume of discussion in the media, there has been very little analysis of the issue in the context of the wider debates about privatisation and neoliberalisation.

The English Public Forest Estate (PFE) is the largest government land-holding, extending to some 250,000 ha of freehold land and 50,000 ha of leasehold land. The land is owned by the Secretary of State and placed at the disposal of the Forestry Commissioners under section (3)1 of the Forestry Act 1967 (as amended) (Forestry Commission, 2011a). The Forestry Commission is a government department, established after the First World War in 1919 in order to create a strategic reserve of timber and to implement government forestry policy more widely. Responsibility for forestry is devolved and the separate commissions in England, Scotland and Wales report to their national governments, while Forestry Commission Great Britain takes a GB-wide approach dealing with cross-border and international issues. In England, Forest Enterprise, an Executive Agency of the Forestry Commission, has responsibility for the management of the PFE.

The area under woodland in the English PFE comprises over 151,000 ha of conifers and 66,000 ha of broadleaved woodland, of

which 53,000 ha is ancient woodland. Forestry Commission and Defra (2011) characterise the Estate in four “broad but overlapping” types of woodland:

- large commercially valuable forests and woodlands with commercial timber operations but relatively low to moderate levels of public benefits (about 25% of the estate);
- small commercially valuable woodlands providing timber and other commercial uses, again with low to moderate levels of public benefits (about 20–25% of the estate);
- multi-purpose forests and woodlands combining timber production with significant recreational facilities and high levels of biodiversity (about 20–25% of the estate); and
- heritage and community forests and woodlands providing high public benefits, often associated with particular landscape and biodiversity character, high levels of recreation and active community involvement (about 25–30% of the estate).

A substantial area is under various designations: 26% of the estate is in Sites of Special Scientific Interest, designated for their significant biodiversity and geological values, and 45% lies within an Area of Outstanding Natural Beauty, designated for their high landscape and amenity values, or a National Park. There are over 40 million recreational visits to the PFE per year and it includes 27 visitor centres and 350 way marked walking and cycle routes. It is estimated to account for 44% of accessible woodlands in England (Independent Panel on Forestry, 2011).

The Forestry Commission is the largest producer of timber in England. While the land area of the Estate is estimated to represent about 18% of the woods and forests in England, timber sales from the PFE are estimated to have accounted for about 60% of English softwood sales in 2010 (Independent Panel on Forestry, 2011). The remaining 82% of forest land is held under private ownership, dominated by personal ownership, including landed estates and investment owners (47%), businesses (14%) and charities (7%) (Forestry Commission, 2001). Forest Enterprise derives 70% of its income from trading activities on the estate. The management of the estate is “founded on the principles of sustainable development and the last decade has seen a shift in emphasis toward demand for increased delivery in the public benefit areas of biodiversity and people-focussed outputs” (Forestry Commission, 2011b).

Recognising the diversity of the PFE, the Consultation Paper (Forestry Commission and Defra, 2011) proposed a mixed-model approach to its future management. Thus, charitable organisations would be invited to take on ownership of management of the heritage forests, opportunities would be provided for community and civil society groups to buy or lease forests that they wished to own or manage, and commercial operators would be sought to take long-term leases for the large-scale commercially valuable forests.

The plans to transfer the English PFE to the private sector were consistent with the longer term process of neoliberalisation and privatisation (McCarthy and Prudham, 2004; Peck and Tickell, 2002; Castree, 2008; Peck, 2010). Neoliberalism is characterised by Harvey (2005, p. 2) as “a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade”. Since the 1980s there has been a global trend towards neoliberalisation, involving the withdrawal of government and the extension of privatisation, with impacts in a number of countries, especially the UK. The waves of privatisation completed by the Conservative governments between 1979 and 1997 were continued under the Labour government in the early years of the new century, driven by the assumption that firms operating in the private sector would be forced by pressures of

⁵ Nigel Morris (2011) ‘Forest farce: Cameron to axe sell-off policy’, *Independent* 17 February 2011; Nicholas Watt and John Vidal (2011) ‘Forests sell-off abandoned as Cameron orders U-turn’, *Guardian* 21.18 GMT, 16 February, *Guardian.co.uk*.

⁶ DEFRA 17 February 2011 ‘The Future of Forestry in England’, <http://ww2.defra.gov.uk/news/2011/02/17/futureforestry/> (last accessed 30/3/12).

⁷ <http://www.defra.gov.uk/forestrypanel/> (last accessed 16/1/13).

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