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Dear Freeminers Association,

Biosphere Questions 18th May 2026

Thank you for your detailed questions which have been well thought through and assist in understanding the association's concerns.

We have provided a full response on the attached. We have set it out in a format that presents the key information in bold under each question, followed by more detailed information.

We shall make the content of this letter available through the biosphere website as others may find the questions and answers useful.

Following the Council decision on the 21st May we have a further six months to carry on engagement across the district. I would like to take this opportunity, on behalf of the biosphere steering group, to extend an invitation to further discussions and engagement with the Freeminers Association to further understand the associations concerns and, hopefully, to provide information and processes that address those concerns. This could be through workshops, facilitated sessions or a working group. Please let me know if this is something that the association would be happy to engage in further and any format preference you have.

Yours sincerely

Chris McFarling

Cabinet Member for Climate Emergency & Biosphere
Vice Chair Biosphere Steering Group

Question 1:

The 9 December 2025 visits came eight months after the 20 March 2025 Council vote. The Council's own published account uses "briefed", not "consulted". On what basis is the Council confident the application's design has been informed by the bodies whose tradition it claims to carry forward, when its own account of the engagement uses the language of information-giving rather than consultation?

We can only apologise for the use of this language, because it does not reflect the nature of the relationship we want to build. We also thank you for raising this point, because it has already been received as very useful by colleagues as an example of where more thought needs to be used in language. The word "briefed" is standard corporate shorthand, and as is too often the case, it was used without the nuance the situation demanded. Your correction is well taken, this is intended to be a two-way process. The biosphere itself asks for evidence of a strong, reciprocal relationship between an environment and its people, one that has shaped a working landscape over generations. We will ensure our language reflects this going forward.

Question 2:

The 1938 Coal Act and the 1946 Nationalisation Act are the established constitutional pattern for general legislation that touches the Forest's mineral framework: an express clause carving out Freemining by name. The new community summary contains no such clause. Was this a deliberate omission, or is the assumption that no carve-out is needed because the Biosphere does not constrain Freemining? If it doesn't, where is the published assessment that supports that assumption?

A UNESCO biosphere nomination carries no statutory powers and cannot override, modify or constrain existing legal rights. The Freemining rights protected under the Dean Forest (Mines) Act 1838 are entirely unaffected in law. But we also recognise that legal protection alone does not reflect the importance of Freemining to the Forest of Dean. As such, Freeminers, Commoners and Verderers are protected as one of the biosphere's eight core sustainable development objectives, and treated throughout the nomination as central to the case for the Forest's designation. Further details are provided below.

The 1938 Coal Act and the 1946 Nationalisation Act included express carve outs for Freemining because they carry equal statutory weight and could come into direct conflict with the 1838 Dean Forest (Mines) Act and could have extinguished those rights. Domestic statutory legislation carries legal authority within the UK framework, and a UNESCO biosphere nomination cannot override, modify or challenge existing statutory rights. As such a UNESCO biosphere nomination is a different kind of structure because it confers no statutory powers and cannot constrain or modify existing legal rights. Consequently, a carve out in the parliamentary sense does not apply because the nomination does not operate as statutory legislation and cannot amend or extinguish Freemining rights.

However, we recognise that frameworks which influence how the Forest is managed, promoted or understood can still create concern about indirect cultural or institutional pressure on established traditions if those traditions are not actively and expressly accounted for.

As such, Freemining is referenced 60 times across the [full nomination document](#). One of the Forest biosphere's nine proposed sustainable development objectives explicitly names the practice of Freeminers, alongside Verderers and Commoners, as activities to be celebrated and protected, aligned to SDG 11: Sustainable Cities and Communities. This is a core objective against which the biosphere's own progress will be measured. Any future action taken under the biosphere's name that marginalised Freemining would be in direct conflict with the biosphere's own stated purposes.

We hope this reflects that our work to date that Freemining's cultural and economic significance is central to the biosphere nomination. We would like to underline that Freemining, both with its continued practice and the heritage that has ensured its survival is actually an argument for the Forest's status as a Biosphere, in so far as a Biosphere is a place where people and the land live and work together sustainably. They were developed to protect against 'fortresses of conservation' and recognise local communities.

The draft nomination document is available. In the meantime, the complete list of sustainable development objectives is appended for immediate reference.

Question 3:

If the Biosphere does not constrain Freemining, why has UNESCO's own Statutory Framework not been addressed in the Biosphere design?

UNESCO's own rules prohibit resource exploitation, including mining, in the core zone of any Biosphere Reserve. The community summary circulating in May 2026 does not address zonation. Where will the core zone be drawn, by whom, on what evidence, and with what role for the Freeminers in that decision? Is there any mapped scenario in which a working gale would sit beneath core-zone land?

The Forest of Dean is unique and the low impact form of freemining makes the landscape and communities what they are today and that is why it is central to the application. We have not, to date, had any feedback from UNESCO or the UK Man and Biosphere Committee that freemining is not compatible with the designation. What UNESCO do ask for is the core zones are under the relevant country's national protection, which in the case of the UK is Sites of Special Scientific Interest (SSSI). We would be grateful if you could provide the reference for the point you mention in the question so we can enquire with UNESCO and answer more fully. Please see below for our answer as it applies to the UNESCO rules as understood. As with prior questions, because domestic law and policy already applies, the Biosphere designation cannot alter the provided national context.

The core zones for the proposed Forest of Dean biosphere are drawn from sites already designated as SSSIs under the Wildlife and Countryside Act 1981. This is consistent with UK biosphere practice in that core zones are mapped onto existing statutory designations, and nowhere in the UK have they been created as new regulatory boundaries. To further underline this point, the UK Man & the Biosphere (MAB) Committee's own description says core areas require "a legally constituted core area" The Council's published biosphere zones page confirms this, and an interactive zonation map is publicly available. Any restrictions that apply to mining within or beneath those SSSIs apply now, under existing law, and would apply regardless of whether the biosphere is designated. The biosphere designation itself does not create new statutory restrictions for these sites.

This means the legal position of any working gale is unchanged by the designation. If a gale currently operates within or beneath SSSI land, the legal and regulatory framework governing that gale is determined by existing legislation and existing environmental protections, regardless of biosphere designation.

The biosphere's own framework provides an additional layer of recognition that works in the Freeminers' favour. As mentioned in the answer to Question Two, one of the nine sustainable development objectives explicitly names the traditions of Freeminers, alongside Verderers and Commoners, as heritage to be celebrated and protected. Freemining is referenced many times across the full nomination document. Any future action taken under the biosphere's name that constrained Freemining would be in direct conflict with the biosphere's own stated purposes.

The zonation follows existing statutory designations and is therefore determined by boundaries that are already established and publicly available.

Question 4:

Will the Biosphere Management Plan or the successor unitary authority's Local Plan be drafted to recognise Freemining as a protected activity under the 1838 Enactments?

We are told a UNESCO Biosphere does have planning weight. Its objectives though will influence local plan policy at the next plan review. The successor unitary authority will write a new Local Plan post-2028. What protection has the Council put in place to ensure that any future Local Plan or Management Plan recognises Freemining as a protected activity under the 1838 Enactments and is not drafted in a way that constrains it through the back door?

Freemining rights are protected by primary legislation via the Dean Forest (Mines) Act 1838, and no Local Plan can extinguish or override an Act of Parliament. That statutory protection exists now, applies regardless of the biosphere, and survives local government reorganisation. Importantly biosphere supports Freemining as one of its nine core objectives explicitly names Freemining as heritage to be celebrated and protected, and the governance structure guarantees the Freeminers a seat where management plans and strategic priorities are shaped. The full position on planning hierarchy, LGR transition and safeguards is set out below.

The 1838 Enactments are primary legislation. A Local Plan cannot extinguish or override rights established by Act of Parliament. Planning policy sits below statute in the legal hierarchy, and any future Local Plan that purported to override statutory Freemining rights would be vulnerable to legal challenge. This protection does not depend on the biosphere and it does not change with local government reorganisation. Iterations of Local Plans covering the district have been made over the years in this way.

On the question of planning influence: the biosphere's objectives will inform future planning policy to a degree in the sense that it would be a piece of community led evidence that plan making could consider, but in the context of the legal requirements for a local plan and the constraints it may need to balance. One of the nine sustainable development objectives explicitly names the traditions of Freeminers, alongside Verderers and Commoners, as heritage to be celebrated and protected. Any Local Plan that drew on the biosphere's objectives would be drawing on a framework that requires the recognition and protection of Freemining.

On the question of safeguards through the LGR transition: a biosphere cannot bind a successor authority's planning decisions. However what we can do is ensure that the nomination itself, the governance structure and the objectives are drafted so that the protection of Freemining is explicit,

embedded and difficult to overlook. In this way biosphere is clear voice why Freeming needs to be supported and safeguarded. The biosphere's Delivery Partnership has been conceptualised around the Freemining tradition and the principle of respect for local technical expertise. The Freeminers have a formal place proposed within the governance structure, ensuring they are in the room when management plans and strategic priorities are shaped, not consulted after the fact.

The combination of statute, which already exists, biosphere objectives that explicitly protect Freemining, and a governance structure that guarantees the Freeminers a voice in how those objectives are applied offer a very strong protection of Freemining rights.

Question 5:

Are Freeminers proposed to have a seat on the Delivery Partnership? — in the body of the Council's documents?

The Council's documents are inconsistent on whether Freeminers will be a fundamental part of the design and delivery of any proposed status. What is the Council's settled position, and what voting or veto rights would any Freeminer seat carry?

We apologise if it appears inconsistent and that is helpful feedback. Just to be clear in the draft governance framework Freeminers and Commoners are invited to have a seat on the Delivery Board , Stewardship Assembly and the Custodians and Monitoring Panel as well as any theme specific working groups (domain circles). A more detailed explanation is set out below.

The governance papers (Biosphere Governance for the Forest of Dean and the accompanying Detailed Governance Structure) are not a settled position, but aim to provide a detailed framework for further discussion and engagement. This framework has been designed for co design with the community and specifically with the Commoners and Freeminers, whose traditions it draws on as structural foundations.

Within that draft framework, the Freeminers' Association holds a named seat on the Biosphere Delivery Partnership Board, the body responsible for operational coordination across the biosphere. Within the Partnership's Domain Circles, Freeminers' representatives sit on the Land Stewardship and Natural Capital circle, where decisions about land management, biodiversity, habitat connectivity and natural capital are coordinated. The Delivery Partnership itself has been conceptualised around the Freemining tradition and the principle of locally embedded technical expertise, whereas the companion discussion paper draws an explicit structural parallel between the Freemining system, the mining lodges and the operational logic of the Partnership. Both full papers are appended for immediate reference.

In the Stewardship Assembly, which sets strategic direction for the biosphere, it is proposed that Freeminers hold a named constitutional heritage seat. In the Custodians and Monitoring Panel, which provides independent oversight, community oversight seats must include at least one member drawn from the commoner or freeminer traditions. In the Charter Assembly, the one off constitutive process that adopts the Forest Charter, Freeminers are again specifically named among constitutional heritage participants.

On decision making: the proposed model for the Partnership Board and Domain Circles is consent based. Proposals proceed unless a member raises a principled objection, and objections must be addressed before the proposal can advance. This means any partner, including the Freeminers' representative, can require that a concern is heard and resolved before a decision is taken. For cross cutting matters involving competing priorities or resource allocation, it is proposed that the board

seek consensus or exceptionally moves to a simple majority vote following guidance from the custodians panel. There is no formal veto for any single partner. These arrangements are part of the framework open to co design.

If earlier community facing documents did not convey this level of detail, we recognise that the summary materials may have created an incomplete picture. Our priority was ensuring that all residents had a clear explainer as quickly as possible. The full governance papers are available and the Freeminers are invited to shape what we hope will become a truly democratic, community-focused governance model ahead of LGR and fit for the Forest.

Question 6:

Freemine operating conditions and continuation of the custom, will be greatly affected by the design of a Biosphere or similarly introduced status. Will the Biosphere Management Plan or the successor unitary authority's Local Plan be drafted to recognise Freemining as a protected activity under the 1838 etc Enactments?

The biosphere creates no new legal powers, no new regulatory authority and no new planning restrictions. It cannot alter the 1838 Enactments or any other statute. The legal framework within which Freemining operates is unchanged by the designation, and as the nomination form is written, it is actively protected under one of the Forest of Dean Biosphere's stated objectives. Therefore the premise that operating conditions and continuation of the custom will be greatly affected by the biosphere, is not considered to be the case.

What the biosphere does affect is the policy and institutional context within which future decisions are made. Biosphere will continue to champion the importance and status of Freemining . This is addressed in our earlier answer on the Local Plan and management plan, which we do not repeat here in full but summarise as follows: the 1838 Enactments are primary legislation and a Local Plan cannot override rights established by Act of Parliament; the biosphere's own sustainable development objectives explicitly name Freemining as heritage to be celebrated and protected; and the proposed governance framework gives the Freeminers a formal seat at every level of the structure, from the Delivery Partnership Board and Land Stewardship Domain Circle through to the Stewardship Assembly and Custodians Panel. As mentioned, these arrangements are designed for co design with the Freeminers

The biosphere, specifically the objectives in the nomination form, are designed to strengthen the institutional recognition of Freemining within the policy landscape.

Question 7:

Why has no primary baseline survey of the Forest of Dean district been published from the beginning? Why has no primary baseline of the Forest as a working landscape been commissioned and published over the seven years of project development?

The nomination form itself is designed to establish the current circumstances of the area, compiled from existing datasets held by statutory bodies, research institutions and local partners. This in itself creates a baseline survey, if there are further areas of information freeminers would like to see included we would welcome your thoughts and references for inclusion. The detail behind this answer is set out below.

The UNESCO nomination form is an extensive evidence based document and provides (with supporting papers) this holistic baseline. It is appreciated that the draft nomination has only been published recently and the association may well not have had time to review the draft nomination. It draws on multiple existing data sources including Natural England's SSSI condition assessments, Forestry England's woodland management data, Gloucestershire Wildlife Trust's dedicated ecological expertise, Dean by Definition, Our Forest, ONS economic data, public health datasets, species monitoring records and the district's own commissioned work on tourism carrying capacity and local economic performance. These evidence bases have been synthesised across the nomination form to produce a detailed picture of the district's ecological, economic and social condition.

The nomination process does not require a standalone primary baseline survey as a precondition of designation. The nomination form itself is designed to establish the condition of the area at the point of designation, compiled from existing datasets held by statutory bodies, research institutions and local partners. This approach is consistent with guidance received from North Devon Biosphere, the longest established biosphere in the UK.

Any nomination process involves choices about methodology, sequencing and scope. We concluded that best practice would be drawing from previously established UK biospheres. Our overall objective was, via the nomination form itself, to provide an evidence base that is sufficient, rigorous and transparent. The draft nomination form runs to just under 100,000 words covering all the areas cited above, and is available in full.

Question 8:

On what published environmental basis has the zonation map of the district been drawn? Particularly Sustainability Appraisal or Habitats Regulations Assessment of the Biosphere proposal been published? How has the working area and practicality of the Freemining custom been considered for the zonation?

A Forester directly asked, in the FEP's own commissioned survey, for the audit that any zonation map will require as its technical foundation. The FEP recommended in its own Conclusion that respondents' concerns be carefully considered. Four years later, no such audit has been published. Why not? And on what published environmental basis has the zonation map for the Forest been drawn? Will this be done?

The biosphere nomination is a voluntary UNESCO designation, not a statutory planning document or development proposal. There is no role or requirement therefore for Sustainability Appraisal (SA) or Habitats Regulations Assessment (HRA), which apply to planning documents and plans or projects affecting European sites respectively. The zonation itself, however, rests on a substantial foundation that every core zone is an existing protected area. The detail of how these designations map into the UNESCO framework, and what this means for Freemining, is set out below.

A Sustainability Appraisal is a requirement for planning documents under the Planning and Compulsory Purchase Act 2004. A Habitats Regulations Assessment is required when a plan or project may affect a European site. The biosphere nomination is neither a planning document nor a statutory plan or project. It is a voluntary UNESCO designation rather than a statutory planning document or development proposal. On that basis, SA and HRA requirements are not triggered by the nomination itself, though any future statutory plans or projects would continue to be considered under the relevant legal frameworks.

The zonation has been drawn on a substantial published environmental basis. The eleven core zones are all Sites of Special Scientific Interest, already designated and protected by DEFRA under the Wildlife and Countryside Act 1981. Six of those core zones are also Special Areas of Conservation (SAC) Seven lie within the Area of Outstanding Natural Beauty. Two lie within the statutory forest. The twenty two buffer zones all contain SSSI land (with the exception of Collinpark Wood, which is classified as a SSSI impact risk zone), and include ten SACs, two Ramsar sites of international importance and two flood zones along the Severn Estuary. The transition area covers the remaining areas of settlement, farmland and working landscape across the district, bounded by the district boundary.

These designations have been drawn from statutory ecological assessment, condition monitoring and legal protection by Natural England, DEFRA and predecessor bodies. The zonation maps these existing designations into the UNESCO framework, without creating any new boundaries or imposing new restrictions.

On the specific question of Freemining and zonation: as set out in our earlier answer, the core zones are mapped from existing SSSIs. Whatever constraints apply to mining within or beneath those SSSIs apply now, under existing law, and are unchanged by the biosphere. The gale maps held by the Deputy Gaveler and the SSSI boundaries held by Natural England are both available datasets, and the spatial relationship between working gales and core zones can be established from them, but we underline that the biosphere designation itself does not alter the statutory position. The biosphere's own sustainable development objectives explicitly name Freemining as heritage to be celebrated and protected.

On the question of the audit requested through the FEP survey: the core zones are drawn from Sites of Special Scientific Interest designated by Natural England under the Wildlife and Countryside Act 1981. The buffer zones are drawn from SACs, Ramsar sites, AONB land, statutory forest and bat roost ranges. These designations are the product of rigorous scientific assessment by the statutory bodies responsible for them. The nomination form presents the full inventory of designated sites, priority habitats, species data and condition assessments that underpin the zonation. Therefore the draft nomination, which we appreciate the association may not have had time to review before submitting the questions, provides the environmental and spatial foundation required for biosphere zonation. We appreciate and understand the above mentioned Forester's demand for a detailed approach, and we are confident that this has been conducted in the drafting of the form which will be made available.

Question 9:

Why has no professional impact assessment been published of the effect Biosphere designation will have on the rights and practices of the three ancient bodies (Freemining, Commoning, Verderers)? Will this be done?

The Council's FAQ page asserts that ancient rights would not be affected by the designation. No methodology is cited; no impact analysis is published; no professional assessment is referenced. Where is the published work that supports that assurance? If no such work has been commissioned, what is the basis for the assurance?

The basis for the assurance is that the biosphere is a voluntary UNESCO designation and not a statutory regulatory designation within UK law. It cannot create, amend or extinguish legal rights, and there is no evidence that UNESCO biosphere designation has itself amended or extinguished domestic legal rights elsewhere. This is because it confers no statutory powers, no regulatory authority and no planning powers. The rights of Freeminers under the Dean Forest (Mines) Act 1838, of Commoners under their established rights, and of the Verderers under the

Court's statutory and customary authority are established in law. A professional assessment focused specifically on the extinguishment of statutory rights would be difficult to justify because the designation itself has no legal mechanism through which to amend or remove those rights. Essentially, because the biosphere poses no risk to rights, there is no risk to analyse.

No UK biosphere has commissioned such an assessment, because the designation does not operate in the domain of legal rights. This is consistent with guidance received from North Devon Biosphere, the longest established biosphere in the UK.

What the biosphere does produce is a policy and institutional context. The question of whether that context could create indirect pressure on established traditions is addressed directly in the nomination. The biosphere's sustainable development objectives explicitly name the traditions of Freeminers, Verderers and Commoners as heritage to be celebrated and protected. The proposed governance framework gives all three bodies a formal place within the structure. The Delivery Partnership has been conceptualised around the Freemining tradition and the principle of locally embedded technical expertise. The Verderers' custodial role is reflected in the design of the Custodians and Monitoring Panel. These are not afterthoughts. They are structural features of the nomination, designed for co design with the three bodies themselves.

The protection of these traditions is however further embedded in the objectives against which the biosphere's own success will be measured. Any action taken under the biosphere's name that undermined these traditions would be in direct conflict with the biosphere's own stated purposes.

Question 10:

What proportion of any £61.6 million benefit is projected to remain within the Forest of Dean District over thirty years?

What proportion of any £61.6 million benefit is projected to remain within the District? What proportion is projected to flow to Foresters and the three ancient bodies (Freeminers, Commoners, Verderers) as opposed to NGO's, non-Forest businesses, distributors, retailers and brand-licensors elsewhere?

This relates to a central issue faced by the district, and one we believe the biosphere is well placed to address and is detailed in the nomination form. More broadly, the district's economy is productive but 'leaky', in that value is generated here but does not stay here. The nomination addresses this directly through nine bespoke Prosperity Indicators that measure whether economic activity benefits our area or benefits people elsewhere, which would be monitored through a governance structure rooted in the traditions that have sustained this landscape and economy. With local government reorganisation imminent, the case for a dedicated place-based framework to tackle this becomes more pressing. Further detail is set out below.

This is an issue that we have actively stated and addressed in the nomination form, which itself requires a series of economic measures in place to ensure that any Biosphere is delivering for its people. As mentioned above regarding the 'leaky' economy: the Forest of Dean has the highest GVA per hour in Gloucestershire but the second lowest total GVA. That essentially means that the Foresters are highly productive but the money they are producing flows out of the district. We can conclude value is generated here but does not stay here. Additionally, commuting drains skilled labour and daytime spending. Externally owned businesses and national supply chains extract profit from the district without reinvesting locally. Tourism can increase visitor numbers while allowing revenue to flow to platforms, distributors and operators based elsewhere.

The nomination includes a set of nine bespoke Prosperity Indicators developed specifically for the district, mapped to biosphere objectives and aligned to the UN Sustainable Development Goals. These would be governance tools designed for the community to track whether value generated within the district is retained and circulated locally, and whether that value reaches Forest households, businesses and communities.

For example, the Local Wealth Retention and Community Economy indicator directly measures local procurement, SME participation in supply chains, local ownership patterns, community and cooperative enterprise activity, and the proportion of visitor spend retained within the district. It distinguishes between regenerative prosperity, where money circulates locally and strengthens community capacity, and extractive prosperity, where economic output rises while value leaks out and local pressures increase.

The Household Prosperity indicator tracks whether work translates into secure household conditions for residents, including pay adequacy, fuel poverty, housing quality and the structural rural premium on everyday costs. The Work, Skills and Local Opportunity indicator measures workplace containment, out commuting, skills alignment and whether apprenticeships are strengthening local pipelines or acting as stepping stones out of the district. The Tourism, Wellbeing and Carrying Capacity indicator reframes tourism success away from visitor volume and toward length of stay, spend per visitor, local value retention and resident wellbeing.

Together, these indicators provide the framework through which the biosphere will be held to account on whether economic activity benefits our community or benefits people elsewhere.

On the three ancient bodies: the biosphere's sustainable development objectives explicitly name the traditions of Freeminers, Verderers and Commoners as heritage to be celebrated and protected. The proposed governance framework gives all three a formal place within the structure. The Delivery Partnership has been conceptualised around the Freemining tradition and the principle of locally embedded technical expertise. The prosperity indicators are designed to measure whether the Forest works for the people who live and work in it, which includes the communities and livelihoods sustained by these traditions and by extension this includes the Freeminers, Commoners and Verderers.

The full proposals for the prosperity indicators can be found on the [Forest of Dean Biosphere website](#). We believe they are the appropriate governance and measurement infrastructure to ensure that whatever benefit the designation generates is tracked, scrutinised and directed toward the people and communities of the Forest.

The question of where value goes is one of the defining economic challenges of the district and, with local government reorganisation imminent and the district council ceasing to exist as a standalone authority, it becomes more urgent. The biosphere framework provides a mechanism to address this directly by bringing together the Forest's communities, businesses and institutions under one organisational framework with shared objectives, locally developed indicators and governance structures rooted in the traditions that have sustained this landscape for centuries. Without it, there is the risk that within a new administrative era there will be no dedicated place based framework for the Forest of Dean to tackle this economic issue.

Question 11:

Why haven't alternative governance models been assessed and openly published by the Council for consideration?

Alternative governance models with stronger statutory teeth than UNESCO designation have not been proposed — they would have real precedent in English or UK law, but they have not been on the table for public consideration alongside the Biosphere. Why not? What process is now available, before the September 2026 Biosphere submission, to put these alternatives on record so the Forest's communities can consider them? Will the Council publish a full options analysis of proposals?

While the Council cannot create governance with statutory force, what we have drafted goes significantly further than any comparable UK biosphere. The Forest of Dean's three-body architecture is rooted in the traditions of working with the land, Freeminers, Verderers and Commoners, with the aim of placing as much decision-making as possible with the people of the District. The framework presented is a draft and we welcome feedback and suggestions. The framework has been designed for co-design with the communities whose traditions it draws on, and we hope the Freeminers will participate in helping shape it. Further explanation is detailed below.

The District Council does not have the power to introduce governance with statutory force, as that power sits with Parliament. The biosphere nomination essentially works within what the Council and its partners can do: build a governance framework that carries institutional weight, international recognition and long-term accountability.

While a UNESCO designation does not carry this statutory weight, what it can create is a framework that is externally recognised, internationally monitored and publicly committed to specific objectives. A UNESCO designation creates an externally recognised framework with published objectives, governance arrangements and periodic review requirements that would continue to exist beyond local government reorganisation. The designation is reviewed by UNESCO every ten years against published objectives. The governance structure, the prosperity indicators and the sustainable development commitments are all on the public record. With the district council ceasing to exist as a standalone authority under local government reorganisation, a key objective has been devising a recognised governance model that hands as much decision-making as possible to the people of the Forest of Dean district.

On the question of a full options analysis: the governance framework has been developed by a small team working within realistic resource constraints. It was reviewed through the Biosphere Steering Group and has been developed to a level of detail that goes significantly beyond standard UK biosphere practice. Most UK biospheres have historically operated through relatively conventional partnership boards or steering groups. One of the objectives of the Forest of Dean proposal has been to explore whether a governance structure more deeply rooted in community participation, local institutional traditions and distributed decision making could be developed in response to the area's unique cultural and constitutional character. Equally, no UK biosphere has published a comparative options analysis of alternative governance models before submitting its nomination. The Forest of Dean's three body architecture, conceptualised through the constitutional traditions of the Freeminers, Verderers and Commoners, represents an ambitious and place specific governance proposal that already goes further than any comparable UK nomination in terms of grassroots governance. Ultimately the governance model aims to deliver as much agency as possible to the district while also respecting its unique heritage and ongoing culture.

It is important to note that this framework is not a final decision. It has been designed from the outset for co design with the communities whose traditions it draws on. We hope to work with the

Commoners and Freemaners further to develop the governance structure together, drawing on their expertise and standing. The framework will also be opened to the broader public for input.

Any community or elected body is free to pursue additional statutory protections for the Forest at any time, independently of the biosphere. The biosphere does not preclude, replace or compete with statutory options. However, it does provide something none of them currently offer: a place based governance framework designed around the district's own institutional character, with the Freemaners, Verderers and Commoners built into its foundations.

Question 12:

Why has the 1999 Land Use Consultants review for the Countryside Agency, which rejected the Biosphere route in favour of a bespoke arrangement, not been revisited in the published record?

The 1999 review concluded against the Biosphere route. What has changed since 1999 to overturn that finding? On the public record, the institutional architecture is unchanged, the constitutional standing of the three ancient bodies is unchanged, the District is being abolished, and the 2025 Galloway precedent reinforces the 1999 finding. Where is the published Council analysis of why the 1999 conclusion no longer applies?

The Forest of Dean has been identified as warranting formal recognition since the Hobhouse report of 1947. A consistent difficulty has been that available statutory frameworks have struggled to reconcile the quality of the landscape with its essential relationship to its people, their economy and their culture. The 1999 Land Use Consultants review called for a bespoke, integrated, purpose-made approach but no UK agency has provided such an approach. The Government's review in 2019 did not highlight the Forest of Dean for national landscape designation. The modern UNESCO biosphere programme, fundamentally reformed through the 1995 Seville Strategy and the 2008 Madrid Action Plan, now offers the kind of framework that review called for. The full history and how we reached this position is set out below.

The 1999 Land Use Consultants review recommended "AONB with Enhanced Status" for the Forest of Dean, supported by a purpose made management structure. It considered a range of designations including National Park, AONB, biosphere and European Natural Park models, and concluded that a bespoke integrated approach was needed.

That recommendation was not implemented. The Countryside Agency's own Board concluded that no existing designation precisely fitted the Forest and resolved in 1999 and again in 2000 not to proceed along the designation route, launching instead a three year Integrated Rural Development programme with £1 million of funding. The Board committed to returning to the designation question in 2003. The IRD programme ran, was evaluated and ended and the designation question was not returned to. The Countryside Agency was then abolished in 2006.

In 2019, the Glover Review of Protected Landscapes, although visited the Forest of Dean did not recommend any national landscape designation for the district. CPRE Gloucestershire has campaigned for AONB status for years. The Forest has been identified as warranting formal recognition of some kind since the Hobhouse report of 1947 but is yet to receive it, despite the best efforts of the Forest of Dean's authorities and people.

The recurring difficulty is that available statutory frameworks have struggled to reconcile the quality of the Forest's landscape with that landscape's essential relationship with its people, their economy and their culture. AONB designation is primarily a landscape protection tool. National Park designation was considered too narrow in scope and the area too small. Neither framework was

designed to integrate environmental stewardship with economic development, cultural continuity and community governance in the way that respected the district's historic working landscape. While various recommendations were made at the time as to what this bespoke model might look like, no UK agency or department picked this up, likely due to the complexities.

However, the modern UNESCO biosphere programme is designed to support this kind of integrated approach, particularly given the changes made to Biosphere designation requirements since 1999. The programme was fundamentally reformed through the 1995 Seville Strategy and the 2008 Madrid Action Plan, transforming biospheres from conservation designations into integrated frameworks for sustainable development, community governance and learning. Specifically, the 1995 Seville Strategy shifted biospheres from conservation designations toward integrated frameworks combining conservation, sustainable development and learning. The 2008 Madrid Action Plan strengthened this further, establishing the expectation that biospheres would function as active governance frameworks with community participation, economic development strategies and measurable outcomes rather than passive conservation labels. As such, the biosphere framework being considered in 2026 differs substantially from the programme considered in 1999. The integrated, purpose made, locally governed approach that the 1999 report called for is consistent with what the modern biosphere programme offers.

In March 2025, the Council voted unanimously to pursue biosphere designation as the appropriate framework for the Forest of Dean. That decision was taken in full knowledge of the history set out above, the options available, and the specific characteristics of the district. Information was provided to all councillors in advance of the vote in accordance with standard local government decision making procedures. A published options analysis is not a statutory requirement for a voluntary designation of this kind, and we are not aware of any UK biosphere nomination that has been preceded by one.

We would dispute the claim that the 2025 Galloway precedent reinforces the 1999 finding. The Galloway and Southern Ayrshire Biosphere has not been withdrawn, downgraded or found wanting. It was successfully renewed by UNESCO in 2023 with an expanded boundary. The Galloway National Park proposal, which the biosphere partnership actively supported as a complementary dual designation, did not progress to designation in 2025 due to lack of public support. NatureScot's response was to recommend a better resourced and more influential biosphere.

The district council will cease to exist as a standalone authority under local government reorganisation. Over the last 25 year or more national governments have 'passed over recognising the special qualities of the Forest of Dean District, through measures such as AONB or national landscape. The biosphere programme, as it has evolved since 1999, now offers a framework capable of supporting the integrated approach the district has sought through a range of earlier discussions and proposals.

Question 13:

Will the Council pause the Biosphere application until the structural protections the Freeminers need are agreed?

Cllr O'Neill's motion of 16 April 2026 (FDDC cancelled meeting) called for a six-month pause; the Commoners' Association April 2026 minutes and public meeting last weekend, records it is not persuaded the designation would be harmless to the commoning custom. As it stands, we are inclined to agree from our research.

What is the Council's position on pausing the full application until these structural protections are agreed in writing?

At the Council meeting of 21 May 2026, a motion to require a further 6 months for consultation was passed. This will delay the submission of an application to UNESCO but does provide additional time to work with key stakeholders such as the Freemaners and Commoners on the proposals and structures for a Forest of Dean District Biosphere.

We have provided full answers to the Freemaners questions above. We would welcome the opportunity to continue to engage with you over the next 6 months in a way that you would find most helpful, such as through a working group, workshops or facilitated sessions.

The intention, as it was prior to this meeting, is to continue engagement with the Freemaners and the Commoners throughout the pause. As mentioned above, the protection of the rights of both Commoners and Freemaners are explicit in the Biosphere objectives, though structural protections themselves are not legally necessary unless a new Act of Parliament poses a threat to existing statutory protection.

The Freemaners and Commoners are critical to that engagement, both in allaying concerns regarding rights — to which the biosphere poses no legal threat as set out in the answers above — and in ensuring that the governance model is a true reflection of community co design and the Forest's heritage, to which the Commoners and Freemaners are central. We look forward to further engagement over the summer.

References:

1. [Forest of Dean Biosphere: Full nomination draft submission form, Part One](#)
2. [Forest of Dean Biosphere: Full nomination draft submission form, Part Two](#)

Appendix:

List of Forest of Dean Biosphere Sustainable Development Objectives (as stated in the Nomination Draft Submission Form:

- To create conditions for economic sustainability that provides long-term growth without negatively impacting social, environmental, and cultural aspects of the community (contributing to SDG 8: Decent Work and Economic Growth; SDG 12: Responsible Consumption and Production).
- To promote practice that supports the stewardship of the natural environment for future generations (SDG 15: Life on Land; SDG 14: Life Below Water).
- To promote slow and regenerative tourism that respects the carrying capacity of the landscape and benefits local communities (SDG 11: Sustainable Cities and Communities; SDG 12).
- To promote responsible business practices linking corporate goals with community and conservation objectives (SDG 17: Partnerships for the Goals; SDG 12).
- To place local communities at the heart of decision-making, ensuring grassroots governance and inclusive participation (SDG 16: Peace, Justice and Strong Institutions; SDG 10: Reduced Inequalities).
- To promote and encourage use of the Forest to support health and wellbeing and connect people with nature (SDG 3: Good Health and Wellbeing).
- To celebrate and protect the unique heritage and culture of the Forest of Dean, including the traditions of Verderers, Freeminers, and Commoners (SDG 11).
- To work across all parts of the community to strive towards carbon net zero and to prepare for a changing climate (SDG 13: Climate Action; SDG 7: Affordable and Clean Energy).
- To measure progress through a set of eight Prosperity Indicators developed specifically for the biosphere, covering household prosperity, cost of living and access to essentials, work and skills, local wealth retention, housing and living conditions, natural capital and species stewardship, tourism and carrying capacity, and community strength and participation. Each indicator is mapped to primary and secondary biosphere objectives and aligned to specific SDGs, ensuring that economic performance is assessed in relation to its social and environmental consequences (contributing across SDGs 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 and 17).