CULTURAL HERITAGE
WHERE ARE WE NOW?

The Forest of Dean has a long and complex social history linked to the exploitation of its mineral wealth and timber resources.

The way people have engaged with the landscape over hundreds of years has shaped a unique and complex cultural identity. This identity is anchored in the landscape, and celebrated through a vast range of texts, poems and songs.

Whilst the integral parts of this culture are hard to separately define and categorise, there are broadly four key aspects of cultural heritage that directly link to land management, as follows:

1 Crown and Forest law
2 Grazing and the inclosures
3 Forest structure
4 Freemining (and free quarries)

Crown and Forest law

The Forest’s origins pre-date the Norman Conquest of 1066. However, many of the cultural characteristics of the Forest’s landscape today have their roots in the concepts of ‘Forest’ and ‘Forest Law’ introduced by the Normans. For the Normans, the word forest described a large area of wild land given over for hunting. This wild area would have contained a diversity of habitats, and little or no settlement to impede the hunt. Forest Law was draconian, designed to prevent local people from reducing the value of the area for hunting by protecting the ‘vert’ and ‘venison’. Vert was the greenery upon which the deer and boar depended for food and shelter, and venison being the game animals. While some property within the bounds of a forest could be privately owned, the majority was deemed to be owned by the Crown, outside of the ownership of the manors and parishes; or ‘extra-parochial’.

HM Verderers are a direct descendent from the Norman’s administration of Forest Law. The Verderers were locally elected officials who oversaw the application of Forest Law within their court. The Verderers’ Court was more properly known as the ‘Court of Attachment’, and more popularly known as the ‘Speech Court’. The Verderers were stripped of their remaining legal powers in the 1970s but are still elected in the traditional way, and meet in their courtroom at the Speech House on a quarterly basis.

The Crown’s governance of forests evolved over time, moving to a mixed economy where the Crown took revenues for common grazing, venison, mineral royalties, property rents, and the sale of timber – as well as the fines levied for abuses against the forest.

Grazing and the inclosures

The tradition of sheep grazing has long been a cause of contention. Long ago, all manner of domestic stock grazed the Forest, with the 1217 ‘Charter of the Forest’ granting a right for ‘freemen’ to ‘agisit their stock’ (graze the Forest for a fee) and to have ‘pannage’ for their pigs. The current position, arguably, had its origins in the 1668 Dean Forest (Reafforestation) Act that followed the Civil War and devastation to the timber resource caused by the iron industry.

The 1668 Act established the Inclosure Commissioners to oversee the creation of inclosures for the protection of planted trees, with those inclosures freed from common rights for a period. Under the 1668 Act, those who could exercise common rights were those who had proven entitlement to such rights in 1634.
The 1668 Act was largely repeated in the 1808 the Dean Forest (Timber) Act. Many of the surviving inclosure boundaries date from the decades immediately after 1808 when the Crown, under Deputy Surveyor Machen’s leadership, systematically inclosed and replanted the Forest. This vigorous approach directly led to the ‘Warren James riot’ of 1831, and the Dean Forest Commission that regularised much of the custom of the Forest, including the boundary, settlement encroachments and the freemining. However, the common rights were not satisfactorily dealt with – Cyril Hart relates that the evidence to the Commissioners was disjointed and conflicting. In 1898, Deputy Surveyor Bayliss tried to stamp out sheep grazing in the Forest, and referred the matter to the Crown’s Law Officers, who ruled that ‘there is no Right of Common in the Forest of Dean, instead the Crown suffer the privilege of sheep grazing’. This is the position the Crown has taken consistently and the Forestry Commission maintains today.

**Forest Structure**

The historic use of the landscape, coupled with the topography and soils (both defined by the geology) has given a spatial structure of forest wastes, wooded inclosures and pasture woodlands.

The wooded inclosures are those areas that have been planted and cropped as a timber resource over hundreds of years. The Forest wastes are those areas of the Forest that are either unsuitable or otherwise unwanted for tree planting, and thus are those areas that remained outside of the inclosures. The Forest wastes are most prevalent on the fringes of the Forest, and were encroached upon in the 19th century to create the ring of ‘squatter’ settlements that evolved into the Forest villages of today.

Within the core of the Forest, the classic ‘forest lawn’ structures of many so-called royal hunting forests are not evident – although place names of Moseley Green and Serridge Green, for example, may be indicative of their past locations. Instead, within the Forest core, between the inclosure boundaries, pasture woodland has arisen. These are areas that have been grazed for many centuries, but also have a well-developed tree cover. As the pasture woodlands fell outside of the areas managed for ‘timber’, they tend to be home to the oldest trees.

This long lived Forest structure gives a well-established pattern of open space being most commonly found on the Forest edge, with the larger trees of the pasture woodlands crowding the road ways and tracks through the wooded core, and then denser tree plantings and plantations, in the inclosures. This gives rise to a strong sense of being within a woodland, in amongst the trees when passing through the Forest. This is actually quite rare, with relatively few other places in the country having such an intimate relationship between people and trees. This is reflected in much of the literature of the Forest, with authors such as Winifred Foley, Leonard Cohen and Dennis Potter painting a picture of living in the trees and of a closeness with nature.

In many ways, the Forest we enjoy today is different from many. There are simply so many trees, overhanging roads and hugging paths with little open space. There is no denying that you are in a thick, dense woodland – and that is quite rare.

**Freemining (and Free Quarrymen)**

The proud tradition of Freemining, uniquely codified into law through the 1838 Dean Forest Mines Act, has its roots long before 1400. The earliest of the Dean’s miners sought iron ore. Ochre and coal came to prominence later, although the era of the deep mines of the late 19th and early to mid-20th centuries had the most profound impacts on the development of our communities.

The surface quarries have extracted the sandstones and limestones in an industry that has continued without pause for as long as the miners have worked. While the remnant mine and quarry structures can be dealt with by the Principles of Land Management for Built Heritage and Archaeology, and the interest
in the geology is covered by the Principles of Land Management for Geology and Soils, there is a continuing social legacy that needs safeguarding. These are the stories related to the mines and quarries and those who worked them. The more obvious manifestations of those stories today are the memorials sited at many of the former mine sites.

WHERE DO WE WANT TO GET TO?

In 100 years, we want the Forest to be a distinctive and cherished landscape shaped by man, where our story can be traced and understood through the practice of traditions, such as freemining and sheep badgering. The essence of lives lived and described in poetry, texts and music will echo loudly and resonate clearly with the lives of those who have yet to come.

Our cultural heritage will be better understood by more people, and those traditions will be safeguarded by people practising the skills of running sheep or digging out our mineral wealth.

However, the Forest will not be a manicured theme park. It will still feel like a wild place where nature retains the upper hand and trees loom large. It will be a place where a person can immerse themselves, get lost, and be at one with nature.

WHAT ARE WE GOING TO DO?

Our commitments:

1. **Respect and support the HM Verderers**
   Continue to support HM Verderers and their court, the Court of Attachment, in the Speech House, encouraging the Verderers to take a more active role in preserving, and encouraging engagement with our cultural heritage and the overall structure of our Forest.

2. **Respect and support HM Inclosures Commissioners**
   Maintain as far as possible the historic woodland structures of inclosure boundaries, wooded inclosure and the pasture woodlands, and continuing support for HM Inclosure Commissioners.

3. **Support and encourage the traditional privilege of sheep grazing**
   Support and encourage the privilege of sheep grazing, maintaining a focus on responsible shepherding through regular dialogue with the Commoners Association and the partners of the Sheep Liaison Group. Shape a wider appreciation and understanding of the role that grazing animals play in maintaining and improving the ecological and aesthetic qualities of the Forest.

4. **Strengthen the feel of a Forest of trees**
   Strengthening the feel of being in amongst the trees, and of being at one with the Forest’s wildlife through land management decisions, and aesthetic landscape considerations that use trees to frame views, provide for longevity of trees (ie. encourage more ancient and veteran trees) and challenge decisions that unnecessarily urbanise the Forest environment.

5. **Support and promote mining and quarrying**
   We will continue to support and promote small-scale mining and quarrying following the traditions set out over hundreds of years, adapting to necessary changes in the legislative or regulatory frameworks.

These are our principles of land management to safeguard our cultural heritage in the Forest of Dean.