

**The Dean Forest Greenway
(multi-use track)
Linking
Lydney to Parkend
and the Forest's
Wider Active Travel Network**

A report for West Dean Parish Council
And Lydney Town Council

Prepared by: The joint Working Party

March 2024 (Final revision April 12 '24).

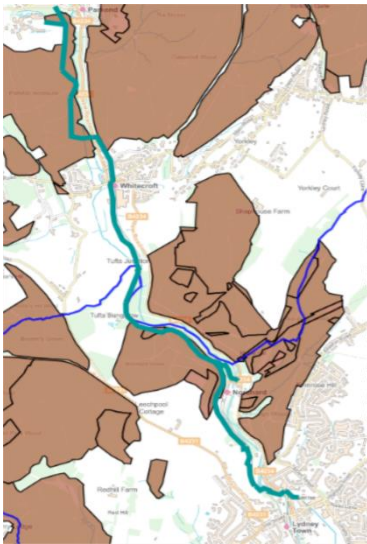
Introduction

Following the May 2023 elections West Dean Parish Council (WDPC) began to formulate ways of re-energising the stalled planning application for the Dean Forest Greenway (MUT) that had been submitted in November 2022. A group of four councillors were asked to begin this work. It had been agreed by WDPC that due to the sensitivity and confidentiality of this work it should proceed 'in camera' and in conjunction with a similar group (of three councillors) from Lydney Town Council the work began. We are pleased to report that we have been able to hold this line throughout our work and thank both Councils for their patience as we have developed and explored options to bringing this report forward.

The make-up of the working group is detailed in Appendix 1.

The Challenge

This route has a long a chequered past, the current situation is a continuation of this history. The route proposed by Greenways (and our thanks to the previous Steering Group and to engineer John Grimshaw must be noted) on which the Planning Application is based hit a major barrier in that it passes through areas of Ancient Woodland; Parkhill Enclosure and Norchard Wood. Ancient Woodland is protected by legislation, which raised objections from Natural England and the Woodland Trust.



The planning officer felt he was not able to advise the DC Planning Committee to approve acceptance of the application as it was not in line with national guidelines in respect to the Ancient Woodland and the need to demonstrate 'wholly exceptional circumstances in the National Interest' for the path traversing Ancient Woodland. Although the intrusion into the Ancient Woodland was not extensive there was the possibility of a legal challenge.

Other challenges:

- Objections from local residents concerned about the impact on their amenity value,
- The technical difficulties of the wetland area,
- Highways crossing in Lydney,
- Land ownership and potential need for licensed access,
- Confirming comfort letters.

Executive Summary

By establishing good working relationships with Forestry England, Natural England, the Woodland Trust, the owners and managers of Whitemead Holiday Park and maintaining an open a working relationship with FoDDC Planning the Working Group have, through discussion and negotiation, have overcome the majority of the planning issues. We are proposing alterations to the planned route to provide a way of overcoming the major obstacles and other changes to address the objections at Parkend and Norchard Link. We are now able to present a revised route that opens up the way forward.

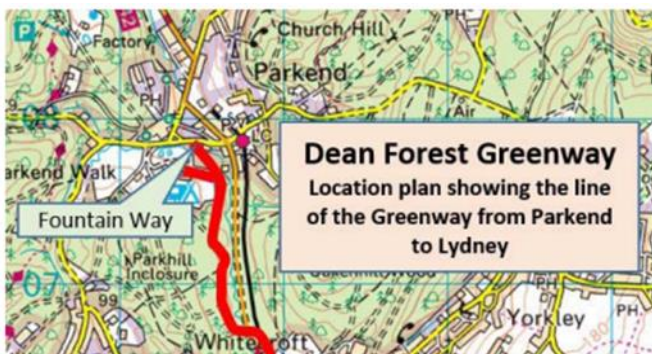
This report also addresses other issues such as;

- Long term maintenance,
- Land ownership,
- Project Management and oversight,
- A plan for ongoing pursuance of the plan,
- Funding,

If the two Council's support our proposals, then this will enable work to continue and move to the Planning application being amended in light of the proposed route changes and the process of approval being sought.

The Proposed Changes to the Route

From Parkend going South:



The original route was planned to follow Cannop Brook through Parkhill Enclosure. This is the first area of Ancient Woodland and the most problematic.

A revised route was suggested very early in the process, that by utilising existing hard Forest Tracks through Parkhill and land owned by Whitemead it provided a potential way of overcoming the majority of the hurdles presented by the barrier of Ancient Woodland.

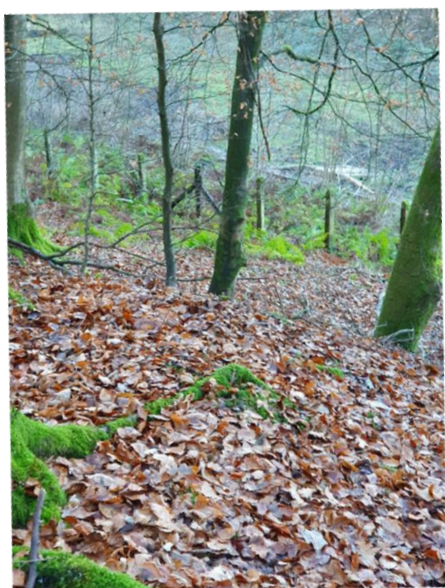
The support of Forestry England, the open and welcoming assistance of Whitemead Park's management have resulted in an agreement to use their land and the hard tracks already running through the Enclosure have provided an alternative that now has the support of Natural England.

The proposed new route is not a level as that originally planned but should have cheaper construction costs (less virgin ground) as apart from some minor ditching and culverting the majority will mainly require surface dressing only.

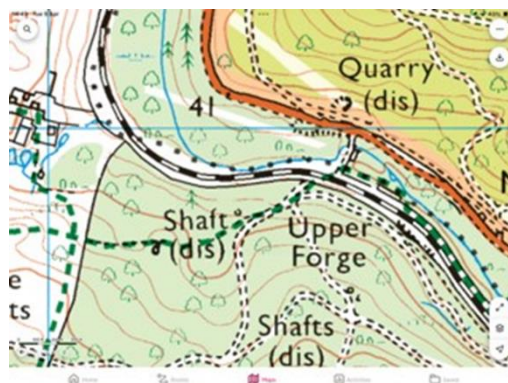
The Hard track rejoins the original route crossing the existing bridge over the brook just above Whitecroft.



Norchard Enclosure



This area just as the route breaks out from DRG land by the fish farm re-enters Ancient Woodland (Replanted). This land is owned by Lydney Park Estate and managed by Forestry England. The Forestry management of this area is such that any cycle route running through it would impact on the forestry methods of work.



Most of the hardwood trees have seed naturally and the cropping stock of pines replanted after the war.

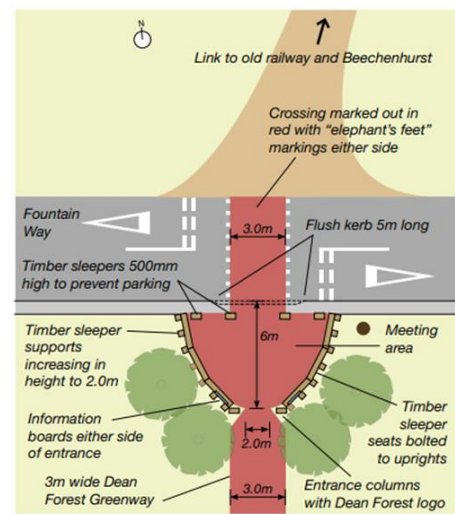
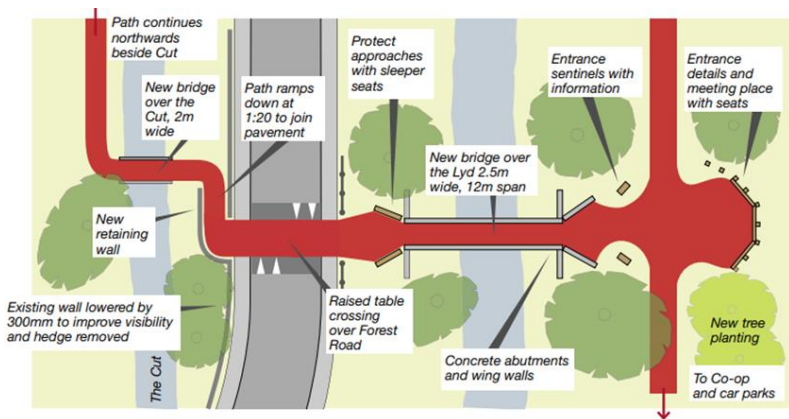
However, there are old mine workings in this area and the route has been planned to run on the top of this old tump. A compromise by moving the route as close to the fence with DFR is proposed. The engineering work detailed in the planning application before the route rejoins the existing hard tracks will be similar. By using the top of the tump the length of route impacting on Ancient Woodland is greatly reduced to approximately 200m as it runs through the enclosure. There is one gully which may need a large culvert to support the route adjacent close to the junction with the

Fish Farm land. The Planning Officer has indicated that such a short length of track can be supported within the Ancient Woodland when set against the overall aims of the scheme.

Mitigations

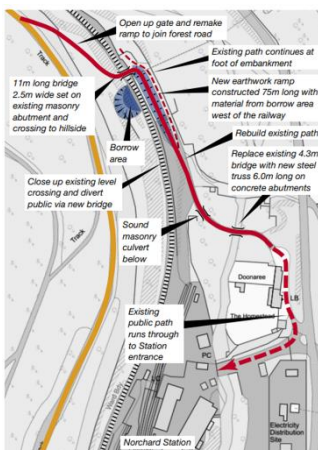
Natural England are supportive of the route. In part this has been given in response to assurance and offers of good fencing as the route traverses through Ancient Woodland to restrict casual access deeper into the wooded areas. There may well be additional mitigation that may be asked for as a condition of planning but we are confident that these will be easily met.

Removal of the 'meeting points' at Lydney and Parkend

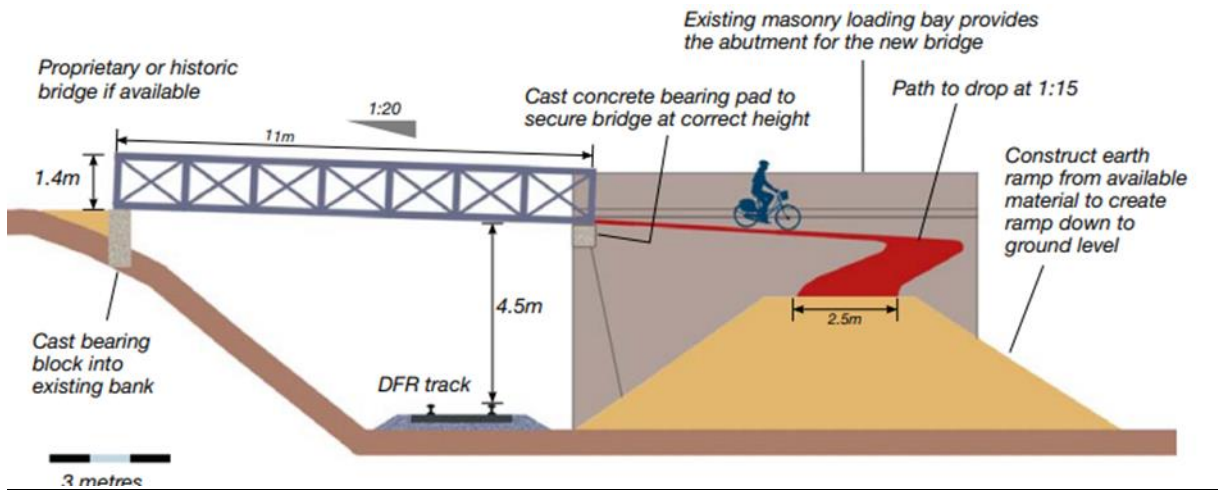


FE1: Sketch showing Fountain Way entrance arrangement based around reused railway sleepers or similar

Removal of the Norchard Link



The Norchard Link had become a contentious issue as it ran close to cottages and exited at a blind entry point, that was used by motor vehicles. The cost of construction also outweighed the small benefit we believe the link would bring. There is a financial advantage in removing this link and the monies will be redirected. We will introduce signage on the existing public footpath to sign post users of the route of the option of visiting Dean Forest Railway. We will reinforce this is a pedestrian access and not a cycle route.

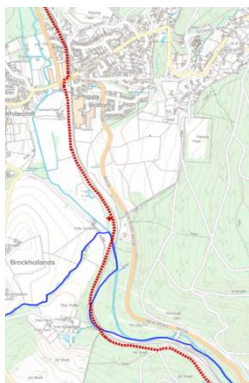


Moving of the Picnic Site



The Picnic site between Lydney and Whitecroft was originally planned to be within the Ancient Woodland of Norchard Wood. As part of the mitigation in this area it is now planned that this site is moved down the line towards the area to the north of Tufts Junction, in a wooded glade, to attract people away from picnicking in Norchard Wood.

Wetland Area North of Norchard Wood

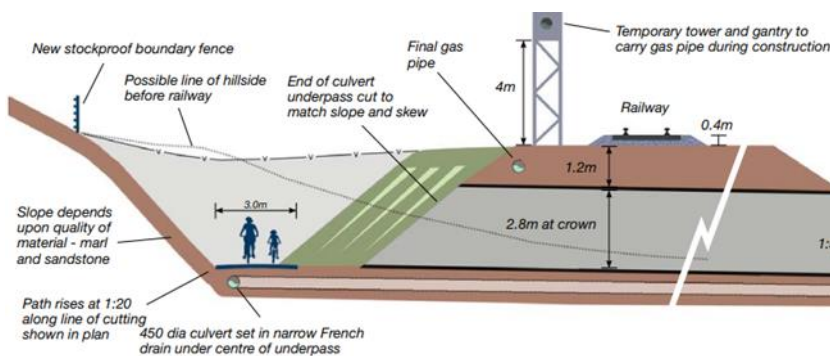
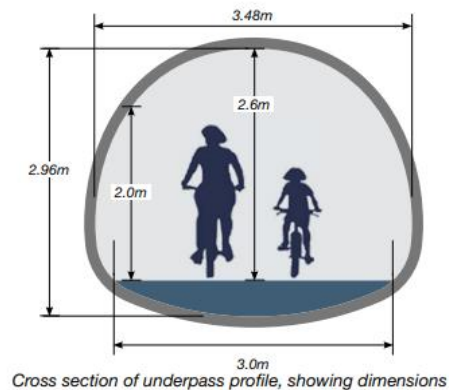
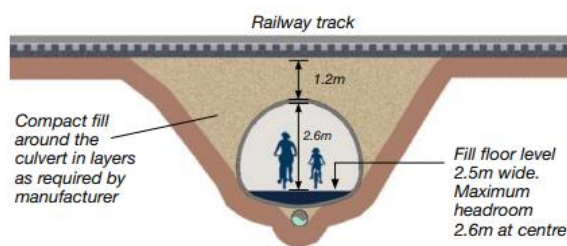


At the Fish Farm boundary, the route traverses a marshy area. To mitigate the effects of flooding covering the track, it is thought the route could be moved, slightly, to one side and raised. This would require a hydrology report and drainage work.

The approaches to Lydney

It was originally planned that the route would be tunnelled under the railway at Lydney, close the canal. Local opinion commented that this tunnel would probably flood due to water exiting from the hillside into the low point of the underpass. This is now considered to be problematic and it is now suggested that a bridge is built to cross the railway track (need to consult DFR).

DFR18 Cross section of "Multi-plate 200" underpass passing beneath DFR track



Summary

The Working Group through discussion, personal contact, walking the site with our partners from Whitmead, Forestry England, Natural England and the Woodland Trust have produced a practical route that overcomes the major objection of traversing Ancient Woodland, the objections made by local residents in Parkend and Norchard. It also addresses the technical aspects of construction over marshy ground, the canal, and the railway.

We have explored the impact of these changes with the planning department, and they are more confident of the planning application being supported.

Work needed prior to a resumption of Planning Permission:

- Work up revised drawings for the sections being changed. The intention is we consult with Greenways to facilitate this.

- The Working Group has a letter drafted ready to ask for a re-commitment from landowners by to the scheme to sit alongside the existing Comfort Letters. The landowners to be approached are:
 - Lydney Park Estate,
 - Light Fantastic,
 - Dean Forest Railway,
 - District & County Council,
 - Residential landowners.
- Lydney Town Council are pursuing discussions with Highways, and GCC for the work needed to breakout and cross Forest Rd. This may include a small amount of land purchase and or licencing.
- Mitigation measures
 - Removal of hedging on Forest Road to improve visibility,
 - Potential to extend the 20mph limit to beyond Light Fantastic,
 - Increasing the height of fencing within Ancient Woodland area to deter pedestrian & Cyclist intrusion,
 - Introducing signage to inform and guide users of the new route,
 - Reactive measures with native planting as requested by Natural England.

Funding

1. Construction Costs: Need to update the budget to an estimated £2m.

Funding Streams to be explored;

- GCC strategic funding from their Active Travel Budget,
- National Government – levelling up money, active travel schemes,
- National Lottery bid,
- Local grant bodies,
- Crowd funding.

2. Ongoing costs for Councils:

- a. Current, 5 yr. and 10 yr. forecasts are to be produced by the Management Group. (It is anticipated that any expense prior to the Planning Application through will be minimal)

- b. Procurement procedures to appoint a Project Manager, once we have Planning Permission, can be managed in house. The proposed Management Group (See Appendix 2) will facilitate this action.
- c. Project Management – Approx 5% of forecast construction costs to completion of construction. Initial technical advice for the technical aspects of replanning the route to be assessed. We would expect post planning lead time to be 18mths (fund raising and technical design) and then project management costs would come in from year 2 through year 4.
- d. Planned maintenance is not anticipated until year 5 and will then be a minor expense thereafter. It is recommended that both Councils to set up a joint sinking fund (based on estimated maintenance costs). Forestry England have been requested to assist in advising a suitable estimate for these based on their costs for maintaining existing trails.
- e. Insurance is under investigation and any costings will be finalised by planning approval.

Note: £30k is still held by FoDDC as a grant agreement for this project (engineering & bridge works)

Ongoing Project Management / Phasing

Our proposal (subject to Councils' approval) is that we disband the current Working Group at an appropriate point and introduce a new Management Structure that will replace the currently dormant Steering Group. (see Appendix 2 for details)

The Management Group will formally take over the running of the project once we are ready to submit the revised planning application.

The Working Group will bring to a conclusion the following items:

- Confirmation of Land ownership, Licensing or Comfort Letters;
 - Gloucestershire County Council – highways crossing and land adjacent to Light Fantastic, (Comfort Letter in place),
 - FoDDC- the triangle the other side of the River Lyd near the overflow car park – Comfort Letter in place,
 - Investigate river crossings and any potential areas of flood risk,
 - Dean Forest Railway – land adjacent to canal and the Norchard to Whitecroft section,
 - Lydney Park Estates – land to west of railway & Norchard Wood (managed by FE),
 - Land at Tufts Junction – route across land and a bridge over river,
 - Use of Farm entrance adjacent to Whitecroft railway crossing,
 - Parkhill Enclosure – Agreement in place,
 - Whitemead – Agreement in place,
 - Natural England – Letter of support is in place.

Next Steps

This report has hopefully stimulated Councillors and also advised of the issues and gains to be made from the project.

The next stage is to complete the minor outstanding works before formally reactivating the planning application, modifying it to ensure safe passage through the planning process. This will be done by the current Working Group, until such time that all the outstanding issues outlined above have been resolved.

To this end both Lydney Town Council and West Dean Parish Council will have to show a commitment in principle to the construction of a Multi-Use Track between Lydney and Parkend. This commitment would also include future monetary support for maintenance and acceptance that they may become owners or lessees of small plots of land.

Both Councils will have to discuss and agree to the following action points for the project to

progress:

- That they have to a commitment to the principle of the project,
- That LTC and WDPC form a Management Group to forward the project. (*See Appendix 2 for suggested Draft Terms of Reference*),
- That they accept that they may own small plots of land (in their parish or town),
- That they acknowledge that there will be a maintenance commitment later in the life of the Forest of Dean Gateway,
- Insurance commitment,
- To agree that WDPC shall provide the administration of the project,
- Both Councils to sign up to the above action points, then both Councils will need to sign a statement of co-operation.

Recommendations to both Councils:

1. That Lydney Town Council and West Dean Parish Council adopt this report and commit to see the project through to completion.
2. The current name involves a company name (Greenways), and this is inappropriate. The Working Group are recommending that the name of the project and the route be changed to **Forest of Dean Gateway**.

Acknowledgements

Forestry England - Tom Brockington *Operations Manager*, Jordan Long, Dave Sykes

Whitemead Park – Mandy Watkins *Regional General Manager*, Oliver Reece *Deputy General Manager*, CSMA

Natural England – Emma Johnson *Midland Deputy Director*, Tom Cox

Woodland Trust – Jack Taylor *Lead Campaigner Woods Under Threat*, Rosie Walker *Regional External Affairs Officer*

Planning Department – Tony Pope *Principal Planning Officer*

Appendices

Appendix 1

Make-up of the working group

The working group was set up in May 2023, initially by WDPC at their full council meeting held in May.

Members are: Cllrs: S Dunford, R Freshwater, M Costley and A Grant. Cllr A Moore was also appointed but effectively withdrew due to other commitments. It was supported by the Clerk, K. Carpenter.

They were joined by representatives from Lydney Town Council: Cllrs T Saunders, C Harris, and R Holmes.

It was agreed that all the work of the Group would be held in Camera due to the sensitivity of the business and technical nature of overcoming the problems faced by the project.

The working group has held several meetings with Forest of Dean District Council, Forestry England, Natural England, The Woodland Trust (via Zoom) and the management of Whitemead Park. These meetings have included walking the route, both originally planned and the proposed revisions, in the offices of both Councils and Forestry England.

Appendix 2

DRAFT

Considerations for revised Terms of Reference

For the

Multi-use track between Parkend to Lydney

‘Forest of Dean Gateway’

Introduction

The journey to reach the milestone of the submission of the Planning Application for the proposed Multi-Use Track linking Lydney to Parkend has been a long one. The Working Group thanks the previous Management Group and all those who have been involved with and supported the project. Special mention must be made of Greenways who have done so much in preparing the route originally put forward for planning.

With the approval of West Dean Parish Council and Lydney Town Council the project now moves into the stage where plans turn into concrete actions, in the future there will be an opportune moment to re-set the aims and objectives of the project and formally clarify the roles and responsibilities of the new Management Group to continue moving the project forward. By doing so this will allow all stakeholders opportunity to set and approve the organisational structure necessary to take the project to completion.

(Proposed)

Terms of Reference

The role of the group is to pursue and oversee the management, design, construction, and completion of a multi-use route linking the village of Parkend to Lydney via Whitecroft, the Forest of Dean Gateway.

Successful completion will see a safe, traffic free route linking the gateway town of Lydney, with the villages of Whitecroft and Parkend. From Parkend there will be a seamless link with the Forest of Dean Family Cycle Trail and the link multi-use routes to other Forest Towns of Coleford and Cinderford.

The Management Group

Members of the Group will be as follows:

1. **West Dean Parish Council** who will elect three members to the group. They will also allow the services of their Clerk to provide secretarial support and procedural advice where needed.

2. **Lydney Town Council** who will elect three representatives They will allow the services of their Clerk to provide support and procedural advice.

The Management Group will work in partnership with the community through the Consultation Group.

Specific Functions of the Management Group:

1. To appoint a Chair and Vice Chair from its membership.
2. To appoint a Project Manager and other professionals to complete the final detailed design of the route including liaison, discussion and agreements with all landowners, Statutory Bodies and local authorities.
3. To have direct involvement where appropriate with all landowners, Statutory Bodies and local authorities.
4. To meet regularly with the Project Team to receive progress reports.
5. To obtain funding from diverse sources.
6. To report monthly to the West Dean Parish Council and Lydney Town Council.
7. To work with professional advisors to prepare documentation and tender documentation. In doing so will follow the requirements of Local Government Financial Regulations (the Green Book) and West Dean Parish Council's Procurement Policy (2021 edition) or any future procurement or financial legislation which guides local authority practices.
8. To prepare and provide suitable information to allow scrutiny of the project by West Dean Parish Council and Lydney Town Council at set milestones between Planning Submission and Completion
9. To consider all legal considerations such as, but not limited to, passage over private land, statutory obligations, Health and Safety and insurances and whatever other topics need addressing.
10. To set up proper accounting procedures and provide proper financial reports to West Dean Parish Council, Lydney Town Council and to meet anticipated Grant providers.

Specific Roles:

- Chairperson. Will chair all meetings of the Management Group,
- Vice Chairperson. Will act in the same capacity when the Chair is not available,
- Secretary. The Clerk of West Dean Parish Council supported by the Clerk of Lydney Town Council,

- The Clerks of the two Councils will be the Proper Officers for the Forest of Dean Gateway.

Scrutiny

West Dean Parish Council and Lydney Town Council will act as the formal scrutiny panel for the project. They will receive the regular reports from the Management Group and be the approving body on behalf of all stakeholders at milestones agreed.

These milestones are expected but not limited to:

- The Management Group's responses to any substantial queries or the clarification of any points of fact or regulations arising from the Planning Process,
- Approval of the Management Group's recommendations for the invitation of all bids for project management or other professional appointments,
- Approval to go to tender for any service or construction package including oversight of documentation and satisfaction of the technical specifications,
- Approval of the recommendations of the Management Group to accept the best offer from tenders.

Reporting

- A Written progress report bi-monthly to West Dean Parish Council and Lydney Town Council.
- Financial reports quarterly in conjunction with West Dean Parish and Lydney Town Councils financial cycles.

These reports will be with the Clerks in time for the publication of the agenda for full Council meetings.

The Consultation Group

The role and purpose of the consultation group shall be:

- To provide ideas and information concerning the Gateway to enable the Management Group to initiate and fund action,
- To consider, identify and report issues of maintenance and improvement,
- To monitor the usage of the Gateway,
- Promote the Gateway as an Active Travel link and a tourist attraction. (to appoint a publicity and marketing lead),

- To formally report to the Management Group on an annual basis,
- To elect a Chairperson from their membership,
- West Dean Parish Council will provide administration.

Membership of the Consultation Group:

1. **Community:** Four members (Further members may be co-opted as the Consultative Group think appropriate),
2. **Forest of Dean District Council:** elected members serving the areas of the route are to be invited,
3. **Forestry England:** One representative,
4. **Dean Forest Railway:** One representative,
5. **Local Business:** Who have direct links to the aims of the group, two representatives,
6. **Management Group:** One representative from each Council.

Review

These terms of reference will be reviewed annually.