



Department  
for Environment  
Food & Rural Affairs

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# **Report by the Forest Regulation Task Force**

## **One Year Update**

**June 2013**

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# Introduction

In January 2013 we published our Forestry and Woodlands Policy Statement. This set out our forestry and woodlands policy for England: to protect, improve and expand the nation's woodlands. Protection of our trees, woods and forests is our top priority. Tree pests and diseases present a clear danger to our woods and trees. As well as protecting we are committed to sustaining, managing and growing our woodlands. We are committed to helping the sector achieve these priorities and securing the maximum economic, social and environmental benefits from all England's woodlands.

Key to achieving these ambitions is the removal of any barriers to success. The Forestry Regulation Task Force's October 2011 report set the agenda on ways to reduce the regulatory burden on those wanting to protect, improve and expand England's forests.

In March 2012 we published our response in which we:

- Confirmed that we shared the Task Force's view of forestry's significant value and that, as a nation, we can value our forests and woodlands more;
- Set out how we would help the industry and stakeholders release even more of forestry's potential by improving how forestry regulation is delivered; and
- Committed to publishing a one year on update on how our commitments were being delivered.

Good progress is being made against all our commitments. Highlights include:

- More action on tree health: increased threats have been met with increased action. The Forestry Commission has been working with Defra and FERA to deliver the Tree Health and Plant Biosecurity Action Plan. A Tree Health and Plant Biosecurity Expert Task Force was convened to review our strategic approach to plant health, it published its final report on 20 May. On the same day the Secretary of State announced action being taken to reduce the risk of importing sweet chestnut trees carrying sweet chestnut blight.
- Defra has commissioned £2M of research into tree diseases in addition to the extra 20% spending on tree health at Forest Research. The Forestry Commission and Defra are partners in the Living with Environmental Change Tree Health and Plant Biosecurity Initiative, which is providing up to a further £7M for research.
- In April 2013 Defra launched a consultation on legislative changes to the Gangmasters Licensing Authority operations, this includes a proposal that removes forestry-only activities from the scope of licensing.

- A new Forest Industry Safety Accord (FISA) has been created by significant businesses from across the UK forestry sector with a commitment to improve the sector's health and safety performance, which currently has one of the highest fatal injury incidence of any of the traditional employment sectors in the UK. An Action Plan has been developed to address key safety priorities.

By working in close partnership with the forestry sector we will continue to help better equip it to identify and address its own needs, thereby placing it on a more secure and sustainable footing.

## Guiding Principles

The Forestry Regulation Task Force recommended that government should recognise and actively promote the benefits and value of well managed woodlands. They concluded that the government should acknowledge, when enforcing regulations, that the forestry sector is compact and its members demonstrate high levels of compliance. The Task Force also proposed that in light of the National Ecosystem Assessment, the government should ensure that public policy is fully informed by the economic value of forestry. In response government stated that we will:

- **Continue to promote the benefits of woods. The Natural Environment White Paper stated that we are aiming for a major increase in the area of woodland in England and for a much larger proportion of existing woodlands to be brought into active management.**
- **Consider ways to better enable landowners and land managers to choose woodland creation and woodland management where it helps them realise opportunities while increasing public benefits.**
- **Further develop a more focussed and risk based approach, particularly in response to the concept of earned recognition. This approach will be based on the forestry sector's generally high level of compliance.**
- **Continually update the available evidence to inform public policy.**

### Progress to date:

The Government Forestry Policy Statement published in January 2013 set out ambitions for significant increases in the area of woodland in active management and the rate of woodland creation. It set out action in partnership with the sector that government expects would increase woodland cover from 10% to 12% by 2060 and the area of woodland in active management to 66% in the next five years. Forestry Commission indicators show that 53% of woodland is in active management (as of 31<sup>st</sup> December 2012), an increase from 52% in April 2011.

### **Case study - Ward forester**

Ward Forester is a partnership developed between Forestry Commission, Devon County Council and private sector woodland agents to assist woodland owners in getting access to a professional forester to manage their woodlands in a cost effective way.

To improve the productivity of small woodlands Ward Forester maps clusters of woodlands under different ownership (wards), and brokers the placement of a professional forester with responsibility for finding best offers for any type of woodland operation.

The 'ward forester' is an independent consultant working alongside woodland owners (or managing agents) to seek opportunities for cross-ownership working in order to reduce costs and provide attractive tender opportunities. It is a low obligation approach that gives the woodland owner access to professional forestry expertise with the choice of when to participate or not.

Over 3,700 ha of woodland (157 woods) have been mapped over the last 3 years and 5 Ward Forester clusters are in operation. After 3 years of pump-prime funding it is intended that the partnership will convert to a social enterprise body and become financially self-sustaining.

Grant inspections were already carried out according to a risk based methodology prescribed by the Rural Development Regulations.

The Forestry Commission has developed a risk based approach for felling licence inspections. Roll out commenced on 1 January 2013, with data being collected for the current year. A risk based approach to site visits for felling licence applications is also being implemented.

Evidence is continually updated to help improve policy development. We have worked with stakeholders from across the sector to contribute to the revision of the Science and Innovation Strategy for Forestry in Great Britain (SIS). A formal consultation on the SIS is planned for spring 2013 with a launch in autumn 2013.

## **Long Term Management Plans**

The Forestry Regulation Task Force made a number of recommendations concerned with achieving long term management for forestry, and highlighted the role of long term management plans within these. In response the government stated it will:

- **Work with others, including Natural England, to develop joint permissions within long term management plans, wherever possible.**
- **Promote the use of the UK Forestry Standard in dealing with other codes and regulations that relate to forest management.**
- **Develop a series of UK Forestry Standard compliant management plan templates for a range of forest types.**

## **Progress to date:**

Since May 2012, where customers need a Felling Licence for work on a designated site (e.g. Sites of Special Scientific Interest (SSSI) or National Nature Reserves (NNR)), customers now need only to submit one application. Forestry Commission and Natural England then work together to ensure that the customer receives all the necessary permissions and consents at the same time. Later this year Forestry Commission and Natural England expect to offer a similar service for Higher Level Stewardship grant applications.

In approving a long term management plan the Forestry Commission issues the necessary felling licenses. We are investigating the possibility of tying other permissions into long term management planning approval, however our work to date suggests that, at the higher level planning stage, there is insufficient information available to enable regulators to give formal approval for any of the identified operations. It would only be possible to provide this approval at the individual site level, where actual working practices would be identified. This is a similar level to the 'Operational Plan' already expected by the UKFS General Forestry Practice Requirement 18.

Forestry Commission, Natural England and the Environment Agency continue to collaborate to seek further ways to simplify or align the process of gaining necessary environmental permissions, consents and licences.

A short introductory note "UK Forestry Standard for Planners - Woodlands, trees and the Planning System" was published in April 2013 for Local Authority planning departments and has been placed on the UK Forestry Standard webpage.

The Forestry Commission has provided technical advice on UKFS and the UK forestry sector during the development of the new BSI 'Exercising due diligence in establishing the legal origin of timber and timber products – Guide to Regulation (EU) No 995/2010'. Published mid Oct 2012, it highlights the role of the UKFS in current supply chains and includes an example of a supply chain where evidence of compliance with UKFS is used to demonstrate legality.

Good progress has been made in developing UK Forestry Standard compliant management plan templates. Working with private forestry sector representatives, we have produced a draft product which includes mapping functionality, a web-based management planning template and a spreadsheet for representing a 'Plan of Operations'. The product will be finalised in late spring 2013 and piloted in the early summer, with training and communication in late summer.

The Task Force noted that current legislation does not allow the Forestry Commission to insist on entry to a long term management plan, hence this cannot be used as a condition of re-stocking notices. Changing this would require primary legislation. We will therefore continue to monitor the situation. Changes within the EU Rural Development Regulation for support mean that from 2014/15 any grant aided work will require a management plan, which will usually include licensable felling activity.

## Earned Recognition

The Task Force made a key recommendation that the government, working with the private sector, should develop, pilot and implement a system of earned recognition for the forestry sector in order to provide a clear framework for a reduced burden of regulation for woodland managers and owners. In response the government committed to:

- **Develop a system of earned recognition as a high priority.**
- **Incorporate risk assessments into existing practice and ensure that they take into account a broad range of evidence and consider this when developing a system of earned recognition.**

### Progress to date:

The Forestry Commission explored a number of similar existing schemes with other government departments sought and received comments from the Applicants' Focus Group and produced a phase one report.

The sector has recognised and welcomed aspects of earned recognition in the way the Forestry Commission currently does its business. It has been agreed that as a first step the present procedures, including development of risk based approaches, will be summarised and presented as an existing contribution to earned recognition.

Significant other work is in progress that will alter the context within which earned recognition for the forestry sector will have to operate: notably advances in woodland management planning and grant administration. It has been agreed that the next priority is to ensure that implementation of these welcome reforms should be completed over the next two years.

The work to date has also highlighted some serious challenges to the concept of earned recognition in forestry. Amongst the forestry sector there is little consensus about how earned recognition might bring advantages. However, the Forestry Commission, Institute of Chartered Foresters (ICF) and some others still wish to see what more could be done over the longer term. Therefore, while the existing reforms are underway the Forestry Commission will continue to work with the ICF and others to consider any scheme which the industry may wish to promote, including learning from other countries.

## Woodland Partnership

The Task Force made a series of recommendations concerning the development of a partnership approach to deliver better outcomes for woodlands and forests in England. In response we committed to:

- **The Forestry Commission will further embed partnership working into its work with woodland owners and managers.**

- **Work across the Defra network to clarify and streamline processes where possible to ensure that customers' interaction with government is as straightforward as possible.**
- **Develop an improved methodology to identify owners of unmanaged woodlands and to gain a better understanding of what would best enable them to manage their woodland.**

### **Progress to date:**

We believe that there is a need to develop a new woodland culture and a resilient forestry and woodland sector. The Forestry and Woodland Policy Statement recognised that government cannot and should not do this alone. It stated that realising this vision will require close working in partnership with others and invited the sector to work with us to achieve this common goal.

The Forestry Commission has improved its customer interaction by simplifying its website and developing a web forms service for applications for grants and felling licences. In addition it has run a series of agent training sessions across the country around the use of its grants system (GLOS) to help customers be more self sufficient.

The Forestry Commission is working closely with Defra, the Rural Payments agency and Natural England to develop and deliver a single Common Agricultural Policy (CAP) payment system for all our customers. This will provide a single portal for all customers to apply for all funding delivered under the Common Agricultural Policy, which currently comprises the Single Payment Scheme (delivered by RPA), Environmental Stewardship (Natural England), English Woodland Grant Scheme (FC) and socio-economic schemes (Defra).

In October 2012, Forest Research were contracted to describe a clear methodology for finding out who owns woodland in England. The methodology was completed in January 2013 and is being field tested in the North Devon Nature Improvement Area with a completion due in May 2013. With agreement we will then use the results of the field test to further determine our approach to bringing more woodland into management.

Directly building on the area pilot, an additional contract with Forest Research has been agreed to determine how owners find out about land management and grants, what networks they belong to and how the Forestry Commission might improve and expand its reach by channelling its messages. Results from this work will be available from June 2013.

A significant contract was placed with URS and Ipsos Mori consultants in October 2012, jointly financed by Forestry Commission and Defra. This will look at a number of existing and potential ways of bringing more woodland into management to work out which is likely to have the most impact in terms of enabling woodland to be brought into management. Preliminary results will be available from May 2013.

The British Woodlands Survey, organised by Sylva in conjunction with Oxford University is building on survey data from 1963 (*by Cambridge University*) and seeks to involve as many owners as possible via a web based survey. The survey is supported by a wide range of organisations including Confor, Woodland Trust, Royal Forestry Society and RSPB. It's particular value is its long time series providing a good indication of long-term trends. Early results were presented at a Conference in December 2012 and further data has been made available to Forest Research.

## More Effective Regulation and Delivery by the Forestry Commission

Whilst recognising the quality of work in many areas, the Task Force highlighted the need for the Forestry Commission to further improve its ability to be an effective regulator and delivery body by prioritising deployment of its resources to deliver its responsibilities. In response the government committed to:

- **Explore the feasibility of civil sanctions under the Regulatory Enforcement and Sanctions Act.**
- **Make changes to The Forestry Commission website by July 2012.**

### Progress to date:

In November 2012 the government issued new operational guidance indicating the size of company to which each civil sanction may be applied. For example a Restoration Notice may now only be applied to a company with more than 250 employees. The majority of the Forestry Commission's enforcement and compliance activity involves small enterprises, usually of less than 10 employees. For all Civil Sanctions options the Forestry Commission has viable and effective alternative measures which can be applied to any size of company. These alternative measures are at Forestry Commission's disposal for all its regulatory functions under the Forestry Act as well as Plant Health and Environmental Impact Assessment requirements. These measures include a Restoration Notice which can require any size of organisation or entity to restock a woodland. The Forestry Commission has, therefore, decided not to pursue adoption of civil sanctions.

A significant redesign of the Forestry Commission Industry, Grant and Licences web pages was completed by June 2012, covering the following areas:

- The information on the main grants and regulations page now has a portal layout with imagery, heading & descriptive text around the links to each section, allowing the user easily to identify where they need to go.
- The English Woodland Grant Scheme (EWGS) front page has been redesigned and simplified enabling site visitors to more easily navigate to information or application forms. Information within these pages has been re-organised and restructured.

- Within individual grant pages the display of forms & guides has been simplified to make them more easily identifiable to the user.
- Access to forms has been separated out to provide a more obvious route to the document library for forms.
- A route has been provided to help site visitors navigate to information on their particular scheme depending on what they may wish to do to their woodland.
- The woodland regulations page has been revamped into a portal page to allow the user to easily distinguish each area e.g. plant health, countryside and right of way etc.
- Wording on all pages has been revamped with shorter, simplified sentences.
- A new Forest Services Areas map has been created with links to the new Area pages and contact details. Area pages have been streamlined and linked back to the central English Woodland Grant Scheme pages for general grants information.

## Grants

The Forestry Regulation Task Force made a series of recommendations around the design and delivery of forestry grants. These included that government re-designs its forestry grants to integrate with long term management plans, and that simpler forestry grant products are introduced to coincide with the beginning of the next Rural Development Programme for England round in 2014. In response government committed to:

- **Ensure that any forestry grant scheme is appropriate for the delivery of the next Rural Development Programme.**
- **Ensure that the applicant experience is considered in taking forward the re-design of grant schemes.**
- **Consider whether eligibility to claim Woodland Management Grant should be dependent on certification when developing the grant scheme under the next Rural Development Programme for 2014.**
- **Ensure all forestry related forms are made available electronically and will seek to introduce these from April 2012.**

### Progress to date:

Work is underway to take forward the design of a New Environmental Land Management scheme. This is looking at the potential for a new scheme to replace the existing Environmental Stewardship and English Woodland Grant Schemes. Discussion with forestry interests continues by means of approximately quarterly events, the latest being held in London on 20 March 2013. These forestry specific events are in addition to Rural Development Programme for England-wide consultation led by Defra.

The Forestry Commission is engaged with other delivery bodies in the CAP Delivery programme to deliver a single online portal for all funding delivered under the Common Agricultural Policy. Applicant experience is heavily influenced by the application methodology, subsequent means of monitoring agreements and receipt of payment. The Forestry Commission has identified applicants who are willing to view and comment on prototypes of the system alongside internal users.

A web based application process launched in October 2012. All application forms for Grants, Incentives and Regulations are now live on the Forestry Commission website.

The Task force recommended that forest owners in long term plans should be required to confirm their intention to claim replanting grant by a given trigger point in the year to make the grant system easier for applicants. The government recognises the benefit of this and the Forestry Commission is undertaking work to ensure customers' interaction with government is as straightforward as possible as well as ensuring that any forestry grant scheme is appropriate for the next Rural Development Programme. The Forestry Commission does not therefore propose to make significant changes of this type to the operation of the current English Woodland Grant Scheme during its remaining lifetime.

## Felling Licenses

The Forestry Regulation Task Force Report recommended retaining felling licences as a valued mechanism to manage woodlands, that long term management plans for woodlands should be used as a requirement of restocking notices and that it should be made easier for members of the public to be able to monitor and report on potential illegal felling in their local area. In response government committed to:

- **Retain felling licences as a mechanism to manage woodlands outside of a long term management plan.**
- **Establish a web based reporting method for illegal felling by March 2013.**
- **Supplement the web based illegal felling reporting method with information on telephone and email contacts for Forestry Commission Area Offices.**

### Progress to date:

Felling licenses are seen as a valuable mechanism for woodland owners who do not wish to enter the forestry grant process. There is therefore no intention to remove this service. To do so would require changes to primary legislation.

The Forestry Commission has devised an 'electronic form', combined with a simple Google mapping tool that allows the reporter to identify where the tree felling is taking place. Full delivery of this functionality was delivered in February 2013 and can be viewed on the Forestry Commission's ['Reporting an unlicensed felling to the Forestry Commission'](#) webpage. The corresponding section of the Grants and Regulation Code has been updated to confirm the arrangements for the reporting of alleged illegal felling and the Forestry Commission's admin hub teams are aware of the changes.

The contact details of all Area offices are up to date and accessible on the Internet from the [Area Offices pages](#).

## Mapping

The Forestry Regulation Task Force advocated the need for landowners to have access to good quality maps as these are an essential tool for much activity in the land based sector. A free Ordnance Survey base map in electronic form is available from the Forestry Commission for all owners wishing to make woodland plans. In response the government committed to:

- **Promote the availability of the free electronic Ordnance survey map.**

### **Progress to date:**

Further investigation identified that wider promotion and uptake required better guidance and a more robust process to ensure 'Digital Application Maps' (DAM) are used in a way that saves time for both applicants and government. Guidance for applicants wishing to make a DAM based English Woodland Grant Scheme application will be published in summer 2013.

## Biosecurity and Resilience

The Forestry Regulation Task Force highlighted the need to confront the increasing threat to England's trees and woodlands from pests and diseases. In response government committed to:

- **Enhance capability by better co-ordinating our approach and increasing research spend through the Tree Health and Plant Biosecurity Action Plan.**

### **Progress to date:**

We are giving a greater priority to tree and plant health than ever before. The Forestry Commission has been collaborating with Defra and FERA colleagues to deliver the Tree Health and Plant Biosecurity Action Plan, with most of the actions being initiated and underway or completed.

A Tree Health and Plant Biosecurity expert taskforce was convened and published its final report on 20<sup>th</sup> May. The Taskforce's recommendations included:

- Develop a UK Plant Health Risk Register;
- Appoint a Chief Plant Health Officer to look after the Plant Health Risk Register;
- Develop and implement procedures to predict, monitor, and control the spread of pests and diseases;
- Review, simplify, and strengthen governance and legislation;

- Improve the use of intelligence from EU/other regions and work to improve the EU regulations concerned with tree health and plant biosecurity;
- Strengthen biosecurity to reduce risks at the border and within the UK;
- Develop a modern, user-friendly system to provide quick and intelligent access to data about tree health and plant biosecurity; and
- Address key skills shortages.

The Chalara Management Plan was published in March 2013. The plan provides an update on the action government and others have already taken in response to the disease; sets out new science based action that will be taken and outlines future work that will be undertaken to further develop our understanding of the disease.

Defra has commissioned some £2m of research spend into acute oak decline, Dothistroma needle blight, Oak Processionary Moth and Chalara dieback of ash to complement the additional 20% spending on tree health at Forest Research.

The Forestry Commission and Defra are partners in the Living with Environmental Change Tree Health and Plant Biosecurity Initiative, which is providing up to a further £7m over the next three years for research into tree and plant pests and diseases. These combined initiatives will make a significant contribution to the capacity and capability of UK plant and tree health research over the next few years, and will provide a sound platform for implementing the longer term recommendations of the Tree Health and Plant Biosecurity Expert Taskforce, which will produce its final report in Spring 2013.

Enhanced operational activity over the past year has all benefitted from the advice of the applied scientists at Forest Research. This has included action to eradicate an outbreak of Asian longhorn beetle in Kent, enhanced surveillance on oak processionary moth in London and eradication at Pangbourne in Berkshire, and surveillance and monitoring of Chalara dieback of ash. An increased programme of action against oak processionary moth costing £1.5m was announced in May 2013. In the same month acting under advice from Forest research the Forestry Commission undertook the first aerial spraying against oak processionary moth on a wood near Pangbourne.

## UK Forestry Standard and Compliance

The Forestry Regulation Task Force understands the value of the UK Forestry Standard in providing woodland owners with the assertion that they are complying with international agreements and domestic policies on the sustainable management of forests. The UK forestry standard is the reference standard for sustainable forest management in the UK. It sets out the approach of the UK government to sustainable forest management, defines standards and requirements, and provides a basis for regulation and monitoring.

### Government will:

- **The Forestry Commission will produce a 'Quick Start Guide' for the UK Forestry Standard by 1<sup>st</sup> April 2012.**

- **The Forestry Commission will work with the UK Woodland Assurance Standard partnership to identify scope for harmonisation between the UK Forestry Standard and UK Woodland Assurance Standard.**
- **The Forestry Commission will promote the UK Forestry Standard across government as the consistent benchmark for sustainability in forestry.**

#### **Progress to date:**

The Forestry Commission has published a UK Forestry Standard summary checklist of Requirements and Guidelines as an eBook designed for use on mobile devices. It can be accessed on the Internet - <http://www.forestry.gov.uk/ukfs>

The UK Forestry Standard (3rd Edition) was published in November 2011. The UK Woodland Assurance Standard version 3.1 has been revised and was endorsed by both certification schemes in June 2012. The latest version of UK Woodland Assurance Standard draws on UK Forestry Standard and refers to it.

The next edition of the UK Woodland Assurance Standard will be issued by November 2016. The revision process has just been initiated and the scope for harmonisation has been raised as an issue to be addressed. However, there are likely to be major challenges in accommodating the requirements of the two certification schemes (Forest Stewardship Council and the Programme for the Endorsement of Forest Certification) into the next version of UK Woodland Assurance Standard, which may limit the scope for harmonisation with the UK Forestry Standard.

The Government Forestry and Woodlands Policy Statement reiterated that the UK Forestry Standard will remain our benchmark for sustainable forestry management and woodland creation.

Forestry Commission has been working with DECC, other government departments and industry to develop sustainability criteria for bioenergy supply chains. During this work, the Forestry Commission raised awareness of UK Forestry Standard amongst energy producers, fuel suppliers and non government organisations. It has recommended alignment of these standards with criteria used to ensure wood procured by government is sustainably sourced.

Details of evidence that complies with this process is available from the Central Point of Expertise on Timber Procurement (CPET). If this process is adopted for ensuring sustainability along bioenergy supply chains receiving government incentives, evidence generated by compliance with UK Forestry Standard, such as Woodland Management Plans and Felling Licences, could be used to prove sustainability. A consultation on bioenergy sustainability was held by government during autumn 2012.

## Health and Safety at Work Act – Health and Safety Executive

The Forestry Regulation Task Force recognised that the forestry sector is not currently performing well in the area of occupational health and safety and a key recommendation was that the Health and Safety Executive should work with senior managers in the Forestry Sector through an 'industry safety summit'. We recognise that forestry is a high risk activity and believe that industry working in partnership can improve safety in the forestry sector. Government committed to:

- **The Health and Safety Executive have held a safety summit on 5<sup>th</sup> and 6<sup>th</sup> March 2012.**

### Progress to date:

The sector has made good progress in taking the lead on improving safety performance. Following the Safety Summit a "Forest Industry Safety Accord" (FISA) was launched at the APF National Forestry Exhibition in September 2012.



FISA has 30 founder members representing significant businesses from across the UK forest owning, timber harvesting, timber processing and forest contracting sectors. An Action Plan has been developed, together with eight Working Groups to address key safety priorities for the UK Forest Industry, including specific proposals for an industry-led refresher training process for chainsaw operatives that will commence in summer 2013. Membership is growing rapidly and now includes more than 130 forestry businesses and representative organisations. A website <http://www.ukfisa.com> provides members with safety information and alerts and FISA has taken over responsibility for key forestry safety publications from Health and Safety Executive. The Forest Industry Safety Accord represents an active industry commitment to work together to make a real difference to health and safety performance in forestry and to reduce accidents, injuries and deaths in the workplace. Both Forest Enterprise England and Forest Services England have signed up as participants in the Accord.

## Gangmasters Licensing Act – Gangmasters Licensing Authority

While recognising that the Gangmasters Licensing Authority (GLA) has an important role, the Task Force concluded that the lack of prosecutions for exploitation of forestry workers demonstrates that the forestry sector is a low risk and should be removed from scope of the Gangmasters Licensing Act 2004. The government's Red Tape Challenge process has

suggested that the GLA could improve its operations by focussing attention on high risk activities, whilst reducing burdens on those that are compliant.

**In response the government committed to:**

- **Look at what more the GLA needs to do to tackle non-compliant operators and any legal changes needed to support this.**
- **Support the GLA's Forestry Pilot which is applying a light touch approach to regulating the forestry sector and establishing "earned recognition".**

**Progress to date:**

On 26 April 2013 Defra began consulting on legislative changes to the GLA operations. These include removing low risk sectors and activities from the scope of licensing and the scope to use civil sanctions as an alternative to criminal prosecution. This consultation includes a proposal that removes forestry-only activities from the scope of licensing. The consultation closes on 21 June 2013.

GLA Brief 23 (Forestry update) was issued on 7 December 2012. This brief confirms that the GLA's forestry pilot will continue whilst Defra consults on whether Forestry should be excluded from the licensing requirement. Until that decision the GLA will not charge application or renewal fees. However, it remains a legal requirement to hold a licence during this transitional period. The GLA will "auto renew" all current licence holders when they reach their normal licence expiry date.

The GLA issued a survey in February 2012 to clarify whether particular groups of labour providers should have been categorised as "forestry only". Only those respondents that were consequently re-categorised are covered by the Forestry pilot procedures. These additional changes do **not** apply to any other individual or company that operates in forestry but may operate, or intends to operate, in any other licensable activity.

## **Wildlife Regulations**

The Task Force recommended that more resources are devoted to establishing a sound evidence base for determining to what degree approved woodland management activities affect European Protected Species. In response the government committed to:

- **Work with the forestry sector, species experts and Natural England to improve the current Forestry Commission guidance on managing woodland with protected species to underpin the UK Forestry Standard in England, ensuring that this work is consistent with any relevant decisions following Defra's Habitats Directive implementation Review.**
- **Continue to fund research on the effect of woodland management on European Protected Species.**

### **Progress to date:**

Forest Research has reviewed evidence and made suggested amendments to guidance for European Protected Species. The Forestry Commission will be seeking comment from Defra Legal, Public Forest Estate specialists and independent species specialists and are due to republish the Guidance once that is complete. Throughout England the Forestry Commission is running a series of European Protected Species awareness courses for practitioners in the field during 2013. Forestry Commission and Natural England met in March 2013 to discuss the Birds Directive, concluding that existing guidance on woodland birds is broadly fit for purpose.

A PhD commenced in September 2012 with Stirling University – “How do silvicultural practices influence bat populations in commercial coniferous plantations?” with funding from the Forestry Commission. Funding is also being finalised for a similar PhD with Exeter University on Dormice, due to commence October 2013.

## **Rural Land Register – Rural Payments Agency**

The Forestry Regulation Task Force report highlighted a high level of bureaucracy associated with forestry payments and the length of time taken to process applications. In response the government committed to:

- **Review the land registration process for forestry schemes under the Rural Development Programme for England.**

### **Progress to date:**

The long term solution for this issue lies with the CAP Delivery Programme which is integrating customer and land registration into a single system with grant applications.

The Rural Payments Agency and Applicants Focus group have considered whether there were any ‘quick fixes’ that would improve the situation for owners applying to register for the first time. However, improvements to the Rural Land Registry and Customer Registration processes have gradually eroded the need to make interim changes.

## **Planning – Local Authorities**

The Forestry Regulation Task Force recommended that planning policy should state clearly that the benefits of local developments must be assessed against the national value of Ancient Woodland. In response the government committed to:

- **Consider what guidance will be appropriate to accompany the new National Planning Policy Framework.**

### **Progress to date:**

On 27 March 2012, the government published the National Planning Policy Framework which includes the following: “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

A short introductory note “UK Forestry Standard for Planners - Woodlands, trees and the Planning System” was released in April 2013 to Local Authority Planning Departments and will be placed on the UKFS webpage.

## **Highways Act – Highways Agency and Local Authorities**

The Task Force recommended that forestry traffic is not considered to be extraordinary traffic, aligning forestry traffic with farming traffic.

- **Work with the forestry sector, via the Timber Transport forum, to continue to disseminate the guidance on resolving timber transport issues and support local discussions about this.**

### **Progress to date:**

We continue to support the GB Timber Transport Forum alongside the three established Local Timber Transport groups covering Cumbria, North Yorkshire and the North East.

We have also supported the Timber Transport Forum work relating to the Agreed Route Map WebGIS programme. This will provide internet access for all available Agreed Routes Map in a single host site.

## **European Union**

The Forestry Regulation Task Force would like to see the government shape European Union regulations by highlighting the benefits of forestry and woodland. In response the government committed to:

- **Actively promote the multiple benefits actively managed forests can provide when negotiating within the European Union.**

### **Progress to date:**

The Working Group of the Standing Forestry Committee (SFC) produced its final report on a new EU Forest Strategy in June 2012 and the full SFC provided its opinion on this report in September 2012. The EC is currently preparing a Communication which it is hoped will be adopted by both Council and Parliament this spring.

The EU SFC has agreed a SFC Opinion on sustainability criteria for solid and gaseous biomass in electricity, heating and cooling and presented this to DG Energy to inform energy policy in the EU. The Opinion stresses that all biomass and bioenergy systems must be sustainable and highlights the preferred use of wood should be where it provides the highest contribution to growth, jobs, sustainability, energy savings and carbon capture.

The Opinion also requests that EU Energy policies acknowledge that forests are managed for multiple purposes and that EU Member states are committed to sustainable forest management and its guiding principles. The Opinion stresses that EU Member States national level instruments and legislation in place in their territories to safeguard the sustainability of EU forest management including forest biomass for energy should be taken into account when considering any need for sustainability criteria for biomass.

### **Case study - Surrey Hills Woodfuel Group**

This partnership was instigated through the recent EU funded, Woodheat Solutions project following a Forestry Commission led stakeholder visit to Austria. The partnership comprises a mixture of private and public sector bodies and has operated for some 5 years, founded on a common interest to transform the forestry/woodfuel activity of Surrey. Outcomes include a significantly enhanced awareness of the forestry opportunity by Surrey County Council and their commitment to replace outdated boilers in their properties with biomass boilers if at all possible; the recruitment of a 3 year project officer to bring woodlands in Surrey into management; and an annual woodfair and conference that has gained national recognition. The success of the partnership rests in its shared vision cemented during the visit to Austria and in strong leadership by its Chair and mutually beneficial sharing of complementary skills and knowledge.