

17 January 2008

MANAGING ANCIENT AND NATIVE WOODLAND – ENGLAND PRACTICE GUIDE**Purpose**

1. To obtain the Board's endorsement of the Practice Guide and agreement to go out to consultation. The full document can be found in Annex 1.

Introduction

2. The practice guide is the single most important action in the delivery of the Forestry Commission / Defra policy on ancient and native woodland – Keepers of Time (KoT) – launched in 2005. Indeed, it was disagreement over silvicultural practices that catalysed the production of a new policy, and these issues will not have been resolved until the Practice Guide is adopted. The document was substantially complete at the time the policy was launched but has been held back until we had the staff capacity to handle consultation, finalisation and publication. The Practice Guide is a key part of a package of work to 'refresh and follow through' Keepers of Time, which will include renewing the Action Plan and an FC-wide seminar in April 2008 to bottom out all the outstanding issues around full implementation of this policy.

3. The key messages within the Guide were trailed in the 10 regional seminars and the 6 internal training events on the Ancient Woodland policy. During 2005/06 drafts were also presented to the Executive Board, Regional Directors, G & R Managers, and an FE Ancient Woodland Working Group. The SW Region Ancient Woodland Group has had particularly close involvement. It has also been presented to the England Woodland Biodiversity Group, which includes all key stakeholders, and Defra. Leading figures in Natural England, the Woodland Trust and Confor have had significant input to drafting it. However, we made a public commitment to consult on it before final publication.

4. The Practice Guide will fit below existing UK level standards and guidance. The UK Forestry Standard sets out the framework for sustainable forest management. The UK Forest guidelines (currently under informal consultation) sit under the standard and set out how forestry in the UK will meet the standard. We have been waiting for a suitable opportunity to co-ordinate our consultation with the consultation on the UKFS guidelines. However their timetable has become increasingly uncertain consequently there is a window over the first part of 2008 before these UK documents go out for consultation during which we can consult on the Practice Guide.

5. The England practice guide provides more practical and specific guidance on how to protect and enhance the diverse values of ancient and native woodlands and the public benefits they provide. The Practice Guide is designed to summarise and update the eight A5 booklets on Managing Semi-natural Woodland (published in 1993). It will sit alongside the Handbook on Native Woodland being written by FR. It will, however, replace Bulletin 112, which will no longer be given a significant profile. Whilst it is generic guidance for all types of ancient or native woodland, it also stresses more than previous guidance the need to tailor management to the specific character, history and special features that makes every woodland unique.

Key facts

6. The approach taken in the practice guide differs from most existing guidance in its overall rationale and its underlying principles. We have attempted to move away from a prescriptive approach to one based on achieving future outcomes. The outcomes address key threats and are designed to enhance the uniqueness and specific values of the woodland, work at a landscape scale and safeguard the environmental and socio-economic value of ancient and native woodlands.

7. The guide is based on defined 'outcomes': these summarise the conditions woodland management should be seeking to achieve. The outcomes are supported by 'guidelines': these sections list the more obvious and well proven ways of achieving the stated outcomes. Although there is a presumption that managers will comply with them, they are essentially guidance and they leave scope for managers to propose alternative ways to achieve the specified outcomes. Thus whilst it may appear as a new attempt to regulate, it is actually an attempt to ease the constraints on owners and give more control back to managers.

8. In order to keep it succinct it is written for professional managers. It is intended that all EWGS and Felling Licences will have to comply with the Practice Guide. We have had positive discussions with NE over the production of a simplified version which would accompany HLS woodland options, thereby achieving consistent standards across the Defra family. There are a number of specific outcomes and guidelines in the document, which represent a significant evolution from existing guidance. These specific changes reflect recent policy developments and our greater understanding of issues such as climate change, landscape ecology and cultural heritage. These are summarised in Annex 2.

Discussion

9. The practice guide has been a long time in development (in part due to repeated staff changes) and with the production of the UK guidelines the publication of this document now would be very timely.

10. The Keepers of Time delivery plan is due to be reviewed and republished in 2008 and this practice guide provides detailed guidance of how to deliver many of the key actions of the plan as it stands and the likely action in the new plan.

11. The production, consultation on and communication of the practice guide are programmed work for Natural Environment unit of programme group. Further communication will be required within the regions both on the FC estate and in the private estate to aid promulgation of the guidance and to ensure the practice guide is being implemented. This will require some input from regional staff but mostly next financial year.

Resource Implications

12. Production of the consultation draft and consultation events (see Communications below) has been included in the Natural Environment Programme budget. However, the cost of the final publication has not been budgeted for as a decision has yet to be made about how this guide will be distributed. Since it will be 'the rule book' for EWGS every

applicant will need one and the print run might be tens of thousands. The options are: a) free hard copies; b) priced publication; or c) a web-based publication.

13. Although FE have been encouraged to use the current draft over the last two years, and have produced Operational Guidance based upon the Practice Guide, minor changes may still be required in the way operations are carried out on the FC estate. This will delay some harvesting or increase harvesting costs, plus increase some restocking and management costs.

14. Implementing it via EWGS will not require any immediate change in grant types and should not substantially change grant uptake. However, existing grants – particularly Restocking and Management Grants – are not very well aligned and opportunities should be taken to review these. Private owners will face similar impacts on costs and income as those listed for FE. However, these should not be at a level that they adversely affect the overall viability of woodland management.

15. The consultation events, and associated stakeholder liaison, will require staff time input from Regions, and to a lesser extent Districts, in early summer.

Risk Assessment

16. There has been wide and detailed input to the drafting of the Practice Guide. We are therefore pretty confident that it represents a reasonable compromise, contains no unexpected surprises and most organisations will feel they have already had a good opportunity to influence it. There will be some adverse reaction from traditional owners and managers, but judging by the SW Group, this will be manageable.

17. The Practice Guide has already had a long gestation period, and stakeholders are impatient. A prompt consultation and publication is desirable or we risk being criticised for further delay. If we miss the current window before consultation on the UK Guidelines and possibly UKFS then we may incur an additional delay of over a year.

18. Practice on public forest estate has already been broadly aligned through new draft Operations Instructions (3 and 22) but further minor adjustments will be needed to ensure alignment is complete. Many Forest Design Plans have already been revised to meet the Keepers of Time policy but we may need to accelerate this programme of review to avoid criticism of our management on some sensitive sites.

Communications

19. If the consultation is approved the intention is to launch the consultation in late February / early March 2008 for 12 weeks. Prior to launch RI and SP will carry out internal briefing. Where there are timely opportunities to attend regular meeting of relevant staff groupings e.g. FE MB these will be taken and a presentation will be offered. An email circulation including a briefing paper, full consultation documents and Q and A will be circulated to relevant staff (including regions) prior to the consultation going public.

20. A letter will be sent to key stakeholders inviting them to take part in the consultation on the Practice Guide. This mailing will be supported with a press release, dedicated web pages and workshops to encourage engagement. To ensure all the relevant audience is reached we will also publicise the consultation through the specialist forestry press. The

Natural Environment Programme team will liaise with Communications staff to develop these ideas further.

21. The consultation letter will invite comments via questions on the newer aspects of the guidance (see Annex 2) as well as on the style of presentation of the information.

22. The workshops will be held on a regional basis in May. We intend for these to be field based on both FC and private / NGO owned sites, and centred around a structured guided walk.

23. Any organisation expressing a strong interest in the practice guide will be offered a bilateral meeting. The following organisations are anticipated to ask for this: Natural England, Confor, CLA, Woodland Trust and Wildlife and Countryside Link.

24. Once the consultation has closed, comments will be collated and taken on board as appropriate. The aim is to publish the final document in August or September 2008, although this date will be influenced by the timing of the publication of the ETWF delivery plan. If there are substantive changes to the draft text, a summary of the changes will be sent to all consultation respondees.

Recommendations

25. The Board is invited to:

- endorse the practice guide and support public consultation on the document;
- note the impact of implementing the guidance on the public forest estate and the changes needed in EWGS.

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Practice Guide document (attached separately as pdf)

Summary of the key differences that the Practice Guide will introduce and the changes in practice that will be required. (Reference provided to relevant text in the guidance following each statement.)

- Clarification of what counts as ancient or native woodland, but also taking an inclusive approach to these definitions (and thereby avoiding arcane debate about historical records, site-nativeness, etc). (Box 2 pp14)
- A primary focus on identifying and addressing threats, with just 'light touch' management if that is appropriate. (Box 3 pp16)
- Managers must keep track of whether their management is achieving the agreed outcomes for the site. (Outcome 6 pp20)
- Greater emphasis on identifying and conserving existing and 'future' veteran trees. (outcome 3 pp25)
- Much more flexible approach to species composition and stocking than Bulletin 112. For example, species composition should be moving towards a mixture of native species and there is greater tolerance of non-native non-invasive tree species. (pp29 – 30)
- Moving away from the presumption of site-based provenance as a requirement and asking practitioners to consider mixes of provenances (including local) as a climate change adaptation strategy. (Guideline 3 pp30)
- Greater flexibility on stocking densities, which should reflect the desired outcomes for the site. (Guideline 4 pp33)
- A less dogmatic insistence on the use of natural regeneration, and an acceptance that on most sites a mix of planting, regeneration and coppice regrowth will be the best and most cost effective way of achieving the desired composition and structure. (Guideline 1 pp33)
- There is explicit encouragement to restore PAWS to native woodland, but no compulsion. Where owners wish to continue growing conifers they will simply be obliged to avoid any further loss of biodiversity through careful species selection and thinning. (Guidelines 7 – 9 pp30; Guidelines 9- 10 pp34)
- Greater emphasis on restoration through gradual techniques rather than clear-felling, and on protecting irreplaceable features. (Guidelines 17 – 24 pp27)
- There is greater flexibility on open space (up to 50% in new native woods) as it is recognised that in certain urban and peri-urban situations significant open space may be desirable for reasons such as visual impacts or security. This will also give greater recognition to the fact that on many sites grazed open woodland will be ecologically and historically the most appropriate structure. (Guideline 4 pp37)
- There is a strong presumption against the creation of permanent open space in ancient woodlands to reflect the policy principle in Keepers of Time of 'maintain extent of ancient woodland'. (Outcome 5 pp36, Guideline 3 pp37)

- There is (perhaps surprisingly) encouragement to enhance the timber producing potential for future generations where this does not conflict with other objectives (this does not imply grant aid but does accommodate obligations to use registered seed sources). (Outcome 5 pp32, Guideline 4 pp33)
- Problem species must be managed where these are a threat to the value of ancient and native woodlands, and not just at restocking. Management should ideally be at a landscape scale if the species are operating at this scale. (Outcome 1 pp39)
- The needs of priority and notable species will need to be taken into account, and specific management may be required if they are rare or strictly protected. (Outcomes 1 – 3 pp42)