GOVERNMENT RESPONSE TO THE ENGLAND FORESTRY FORUM WORKING GROUPS REPORTS

Introduction

The Government welcomes the Reports of the Forum's eight Working Groups. The reports have helpfully analysed many of the issues which need to be addressed to further the implementation of the England Forestry Strategy which the Government published in 1998.

The Government's response to the recommendations of the eight Working Groups is set out below. For ease of reference the Committee's recommendations are reproduced as published.

1. Business Advice, Training and Support Working Group

1.1 The Small Business Service should be encouraged to include the micro forestry, woodland and woodcraft businesses within their role. This should be facilitated by sector engagement with SBS to develop a partnership.

The Government recognises the need to provide advice training and support to micro businesses in the forestry and woodland sector. The Small Business Service (SBS) has been created to bring together all Government support for small businesses under one umbrella, and is well placed to provide this support through the regional structure it has adopted. This structure includes a network of Business Link advisers working closely with the Regional Development Agencies and other local partners to ensure that a range of advice and services is available to suit the needs of all business sectors within their local economy.

The SBS role includes providing support for micro forestry, woodland, forestry and woodcraft sectors, but this is difficult with such a diverse range of businesses, without a single nominated organisation or representative body such as the proposed industry group within the Lantra National Training Organisation to provide the contact (see also response to recommendation 1.3 below).

1.2 Each Regional Development Agency in England should include a positive statement on forestry and woods within its strategy and, in combination with the Forestry Commission and the Small Business Service, provide an appropriate statement on the training for the sector in each region. This should be preceded by an update of the FASTCO training needs survey at regional level.

The Government believes that it is a matter for the RDAs to decide on the priority and importance that they attach in their strategies to forestry and woodlands, and this will vary from region to region. Through the Forestry Commission, the Government will continue to work in partnership with the RDAs to ensure that the aims of the England

Forestry Strategy are recognised whilst addressing the distinctive and differing needs of each part of the country.

On the question of regional training, the Government believes that the proposed new industry group which is intended to succeed the Forestry and Arboriculture Safety and Training Council (FASTCO), should review with Lantra the application of the *Key Findings of Skills Foresight 2000 and 2001*[1].

1.3 The existing support organisations, such as the Forestry Contracting Association, Association of Professional Foresters, and the Arboricultural Association, together with the employing bodies such as the Community Forests, Forest Enterprise, and United Kingdom Forest Products Association members should be used to provide the initial contact. This will require a much more pro-active role from the whole forestry and woodland industry and a willingness to seek out and disseminate best business/technical practice.

The Government agrees that there needs to be a much more pro-active role from the whole industry and a willingness to ensure that the best advice is available to its businesses and individuals. To overcome the difficulties of such a diverse industry it is essential to avoid the confusion of having too many sources each with a limited scope of advice. The aim should be a limited number of sources of well informed advice on best business/technical practice, and to achieve this through easy access via convenient and well-publicised gateways. The proposed industry group should provide an excellent forum to agree a collaborative and simplified arrangement within the industry and simplified connections between the industry and external information services.

1.4 The level of training given should be appropriate for the needs of the sector and the Department for Education and Employment[2] should recognise that it is not always necessary to have a qualification to improve skills. Pump priming funding for some of these initiatives will be necessary at National and Regional level. Collection and distribution of information, in a form that can be understood, may well require a part-time secretariat at the national level.

The Government places great importance on the need for all training provided to be appropriate to the needs of employers and individuals. We recognise that in the forestry industry there are many self-employed contractors, including new entrants to the industry. The work of National Training Organisations (NTO) (and their successor bodies) and other representative sector bodies in setting occupational standards and learning pathways provides the link at the sector level.

Employers have the prime responsibility for making sure that their employees have the skills needed for sustained business success. Where public funding is provided, for example to support young people entering the labour market or adults after a period without paid employment, recognised qualifications provide a good basis for ensuring that good quality training to standards set by employers has been received. Such qualifications also help employees when they move from one job to another.

[1] Available from Lantra National Training Organisation, Lantra House, NAC, Kenilworth, Warwickshire, CV8 2LG and on the Internet at: http://www.lantra.co.uk/nto/nto/skills_foresight/skills_foresight.htm
[2] Now the Department for Education and Skills

The Learning and Skills Council (LSC) and the Regional Development Agencies have funds for projects covering skills and business development. An effective NTO has good links with both sets of organisations and will be active in making the case for using these funds to meet the skills needs and priorities of the forestry sector. NTOs also have strong presentational skills to present information to businesses and individuals in their sectors. We suggest that the proposed new industry group, working within Lantra, should prepare a costed business case for discussion with the LSC.

2. Land Regeneration Working Group

2.1 Increasing the effective use of information is very important. This should be achieved through a database of good practice and a brownfield land database (both to be web based), together with computer and/or web based decision support and specification tools. This work should be coordinated by a steering group of central and local government members together with forestry and regeneration representatives.

The Government agrees about the importance of this work. The National Land Use Database (NLUD) is already the 'unified brownfield database'. As well as covering previously developed sites suitable for residential development, the database also covers previously developed sites irrespective of the end use. The suitability for 'soft end uses' such as forestry are also recorded. The NLUD Partnership has established an excellent relationship with local authorities, and is developing the basis for disseminating data using a 'web based' approach. It is also conducting research to extend NLUD to all land uses, and is collaborating with the Forestry Commission (using the Woodland Inventory) and DEFRA's Rural Development Service on this. The NLUD project is very much about integrating land use data from a variety of sources to meet a range of needs in central and local government, agencies and the private sector.

DEFRA and the Environment Agency are preparing good practice advice for dealing with land contamination for all types of new use. This will include advice on treatments for brownfield land affected by contamination. The DEFRA (formerly Ministry of Agriculture, Fisheries and Food's) Soil Code[3] which was published in 1998 provides advice on the impacts of contaminants on agricultural activities.

Within a specific forestry context, English Partnerships and the Forestry Commission are developing a decision support computer system for use in establishing sustainable woodlands and green space on brownfield land. This system, which is initially focussing on former colliery sites, is expected to significantly increase efficiency in the preparation of technical specifications for reclamation works. It is intended that the system should be made available for purchase by interested parties. It is also anticipated that by establishing a knowledge database, the software will also encourage and develop industry best practice in the restoration of derelict land for woodland end-use.

[3] *Code of Good Agricultural Practice for the Protection of Soil (The Soil Code).* MAFF, revised 1998 A4 60pp. (PB0617) and at: http://www.defra.gov.uk/corporate/publications/pubfrm.htm

2.2 An ongoing programme of research to help determine the costs and benefits of restoration with trees, including natural regeneration, compared to other uses is required. Priority should also be given to continued research into the economic case for regeneration using trees.

The Government acknowledges that continued research on technical issues and the economic, environmental and social benefits is required to better inform decisions on regeneration using forestry. The Forestry Commission, working with the relevant Departments and Agencies will be developing a programme of research proposals to ensure this is addressed. The Government will provide details of this programme to the Forum for discussion when it is promulgated. In addition, we will consider ways to ensure that the results of such research are made readily available, for example on the Internet and through demonstrations and examples of best practice.

2.3 The process of reclaiming brownfield sites to forestry depends on the formation of effective partnerships at all levels, together with the development of decision-making frameworks. This requires:

- **improved links between forestry interests and regeneration agencies;**
- **appropriate distinctions between mineral/waste management sites and brownfield land; and**
- **overcoming (real and perceived) constraints imposed by environmental risk and liability.**

Working in partnership and an integrated approach to delivery are two of the guiding principles that underpin our Forestry Strategy for England[4]. Earlier this year, we established an Inter Departmental Group on the Role of Forestry in Land Regeneration to conduct a high level review of the inter-action of forestry and regeneration policies. The Group has been asked to provide the Government with some sharply focused recommendations for developing new woodland areas where appropriate as part of a broader strategic and holistic approach to regeneration.

In addition, the Forestry Commission and English Partnerships are preparing a joint framework setting out how they will work together to deliver shared regeneration objectives in support of RDA strategies and the England Forestry Strategy. The framework document includes a programme for action over the next three years.

We support the recommendation of developing decision-making frameworks for brownfield sites and agree they should include means of addressing environmental risks and liabilities. Our plans for achieving this are set out in our response to recommendation 2.1 above.

The Land Regeneration Inter Departmental Group is considering environmental risks and liabilities and will be making recommendations on strategic options for addressing real and perceived constraints.

[4] *A New Focus for England's Woodlands.* England Forestry Strategy. Forestry Commission Cambridge 1998 and at http://www.forestry.gov.uk/Website/OldSite.nsf/ByUnique/HCOU-4UCF8J

2.4 There is considerable potential for a more collaborative approach between the Environment Agency and forestry practitioners in respect of planting on potentially contaminated land. High priority should be given to the production of joint Forestry Commission/Environment Agency technical guidance for the assessment of potentially contaminated brownfield sites. The Forum might consider a recommendation to the Royal Commission on Environmental Pollution that the role of the Environment Agency should be extended to provide direct help to public sector forestry practitioners where tree planting is considered to be in the wider public interest.

The Forestry Commission and the Environment Agency are examining the scope for a more collaborative approach between the Agency and forestry practitioners. They will be considering the scope for publishing a framework document setting out how they will work together to deliver their shared objectives for land regeneration. The Commission's Forest Research Agency is developing guidance on the opportunities for developing woodland on contaminated land targeted at local authorities – this is in response to recent legislation under Part IIa of the Environmental Protection Act 1990. The Environment Agency is collaborating on the preparation of this guidance.

The Government notes the Forum's views regarding the Royal Commission on Environmental Pollution. It is important to recognise that the Environment Agency also has a separate role as an environmental regulator which may limit the extent to which it can become involved directly in the reclamation of a contaminated site for whatever type of end-use.

2.5 The cost of the long-term management of trees is a particular problem in respect of the restoration of mineral and waste management sites, where there is so much potential for forestry. It is necessary to address the concerns of operators and planning authorities, and this can be done by carrying out research to establish the costs involved in woodland management. This information should be entered on the proposed website as part of the good practice guidelines. Publicity should be given to projects which demonstrate the various ownership and management options available, perhaps as part of a network of demonstration sites and projects, and centred, perhaps, on the National Forest and the Community Forests.

The Government acknowledges that it is important to ensure that robust mechanisms are in place to ensure the long-term management of trees on mineral and waste management sites. The proposals for a decision support system (see response to recommendation 2.1 above) and the research programme (see response to recommendation 2.2 above) will take account of this need. In addition the Inter Departmental Group on Land Regeneration will be bringing forward strategic advice on options for addressing the need.

2.6 The Working Group supports the recommendation of the Forum's Land Use Planning Working Group that Circular 36/78 should be replaced with a new Planning Policy Guidance Note on Forestry. This would reflect the strategic importance of forestry in delivering sustainable development through the planning system. It is recommended that the new planning guidance should emphasise the multiple uses of forestry and the linkage between forestry and the DETR's indicators of sustainability.

The Government's response to the Working Group's recommendation to introduce new planning guidance emphasising the multiple use of forestry and the linkage between forestry and the Indicators of Sustainability is covered in our response to the Land Use Planning Group's Report (see response to recommendation 4.1 to 4.3 below).

3. Regional Issues Working Group

3.1 There is a need to develop the policy, networking and influencing skills available to the Forestry Commission's Conservancies. This implies the need to provide more "policy" support to its Conservators together with their co-location in Government Offices for the Regions (as per MAFF).

The Government agrees with the need to develop the policy, networking and influencing skills available to the Forestry Commission's Conservancies. The Commission's staff training programmes already provide many opportunities for Conservators to hone their policy skills. In addition, the Commission operates a policy of encouraging staff secondments (in both directions) between its Conservancies and the Government Offices for the Regions. As part of an ongoing programme of 'regionalisation', the Commission is committed to continuing to enhance its effectiveness at this level.

3.2 The Government should give the Forestry Commission a formal role to "forestry proof" all policies, plans, strategies etc. at national and regional levels. A review of best practice in the representation of forestry within the various plans and strategies at the regional level would be invaluable, leading to the development of "model policies" to assist the Commission's conservancies in influencing regional activity.

The concept of rural proofing was introduced in our Rural White Paper[5], published in November 2000. Rural proofing is intended to ensure that as policy is developed and implemented policy makers should systematically:

- think about whether there will be any significant differential impacts in rural areas;
- if there are such impacts assess what these might be; and
- consider what adjustments/compensations might be made to fit rural circumstances.

[5] *Our Countryside: the Future. A fair deal for Rural England.* Cm4909. The Stationery Office London 2000 (see page 158).

We have given the Countryside Agency, the Government's statutory advisor on rural issues a specific role to advise and report on progress with addressing wider rural issues. In addition, Government Departments and the Government Offices for the Regions are now required to report to the Cabinet Committee on Rural Affairs how their policies have been rural proofed.

In the context of forestry, we do not consider it would be appropriate for the Forestry Commission, which is itself a Government department, to have a formal role of proofing the policies of other Government departments. However, the Commission does work increasingly closely with other departments at the national and regional levels to ensure that other policies take full account of forestry.

3.3 The Forestry Commission's Regional Advisory Committees should have a wider role in promoting the implementation of the EFS within the regions. Their meetings should be open to the public and the advice they give to the Forestry Commission should be in the public domain. London should be treated as a region - having an RAC or similar advisory group established - but probably not having a separate Commission conservancy. Whatever new arrangements are put in place for the RACs, they should be reviewed in, say, two years' time, to assess how they are working within the new regional arrangements, and whether further change in their constitution and membership is needed.

Regional Advisory Committees (RAC) are appointed by the Forestry Commissioners under Sections 37 and 38 of the Forestry Act 1967 to advise the Commissioners as to the performance of the Commissioners' functions under Section 1(3) and Part II of the Act. They also advise the Forestry Commissioners through their Conservators on the implementation by the Forestry Commission of the Government's Forestry Strategy for England, at the regional level.

Following a re-organisation of Conservancies from 1 April 2000, to align with Government Office boundaries, eight new Regional Advisory Committees (RAC), one for each Conservancy, were appointed from 1 December 2000. The composition of each RAC is designed to reflect distinctive regional priorities and help guide the responsive implementation of the EFS. The performance of the reconstituted RACs is subject to ongoing scrutiny. There is also a re-appointment process every 3 years giving the opportunity to adjust membership and constitution as may be necessary.

RAC meetings are not open to the public. However, it has for some time been standard practice for RACs to publish their advice to Commissioners on disputed cases. Moreover, it has recently been agreed that reports on the other issues addressed at RAC meetings should be made publicly available on the Commission's website.

The Commission is currently reviewing its arrangements for working in London, in conjunction with the Government Office and the Greater London Authority. It is considering the scope for enhancing its effectiveness in the London region, both at the strategic and operational levels. As part of this, the Commission intends to consider the need for an advisory mechanism, similar to that provided by the statutory RACs.

3.4 Regional forestry fora should be urgently established, to reflect the EFF at the regional level, providing a focus for the EFS within each Region. There is no single model for how they should emerge, but the Forestry Commission should have the responsibility for making sure that there is one established in each region. The fora need to be linked to the new Regional Rural Sounding Boards which are to be established in each region.

The Government agrees that there is a need to ensure that forestry issues are integrated with, rather than isolated from other rural development initiatives. One option would be to establish regional forestry fora as proposed. Another would be encouraging other existing fora to take account of forestry needs and opportunities in the course of their business. We also agree that there should be a link to the new Regional Rural Sounding Boards.

3.5 Each region (including London) should produce a regional forestry strategy to translate the EFS down to the regional level. Preparation of a regional strategy should go through a similar process to the EFS - i.e. starting with some sort of scoping work, followed by widespread consultation, leading to a draft Strategy for consultation prior to finalisation. The process of developing regional strategies will be as important as the document itself, but it is important that the final strategy is endorsed by the Government Offices for the Regions and Regional Development Agencies amongst others.

3.6 Each region should be urgently required to have an action plan, approved by the regional forestry forum, for implementation of the regional forestry strategy. This is the only way in which forestry will be able to pull down funds and actions from other sources and bodies.

3.7 It will be desirable to establish a small core or executive group within the regional forestry fora to take responsibility for initiating and driving forward the strategies. The organisations and individuals represented on this group should be the ones able to commit or influence resources for delivering the strategies.

We do not support the preparation of a forestry strategy, action plan or executive group *per se* for each region as we believe no one single model would meet the needs of all of the English Regions. We do however consider that there is a need for generic guidance on the preparation of regional strategic frameworks for forestry. The Forestry Commission will be preparing advice on this next year. In some regions, it may be appropriate to have an explicit forestry strategy document, with supporting action plan. In others, existing strategies might be revised in time to take fuller account of forestry. The planned guidance is intended to help clarify the range of issues that should be addressed.

4. Land Use Planning Working Group

4.1 The Working Group therefore strongly recommend that a new Trees, Woods and Forestry Planning Policy Guidance Note (PPG) be produced.

4.2 Responsibility for taking forward the production of a new PPG lies with Government. It is essential that an early start is made on its production, as the PPG will be an important mechanism in helping to take forward the newly emerging urban and rural agendas - in the form of the Urban and Rural White Papers; the new EU Rural Development Regulation (1257/99); the England Rural Development Programme; and the EC Structural Funds Regulations (1260/99).

4.3 The aim should be to have a new PPG in place by January 2002. Without the PPG there will continue to be a void in effective, forestry-related planning guidance and limited progress is likely towards implementing the planning aims of the England Forestry Strategy.

We do not support the proposal for a dedicated PPG covering trees, woodland and forestry. The England Forestry Strategy highlighted the need for a review of Circular 36/78 and the consideration "as part of a rolling programme, how the role of woodlands might be highlighted through regional and national planning guidance". The Land Use Planning Working Group have rejected this in favour of a dedicated PPG on the grounds that a PPG would carry more weight and would need to be taken into account by bodies other than local authorities. Those are incorrect assumptions. PPGs and Circulars have equal weight in the planning system. Both are statements of national policy and are material considerations that local planning authorities must have regard to when preparing development plans and in determining planning applications. Developers and other organisations cannot be obliged to act on the content of a PPG or a Circular; but, irrespective of whether policy is contained in a Circular or PPG, it will be in their interest to take account of those national policies which may be material to the decision on any planning application they submit.

We have previously rejected the idea of such cross-cutting PPGs (for example, one covering inland waterways). It is also a fact that much of the material identified for the dedicated PPG by the Working Group is not planning policy, but covers woodland and forestry management or related issues which would be more appropriate for a Circular.

The modernising planning initiative aims to streamline and speed-up the planning system. We do not believe that producing additional PPGs is consistent with that approach. Indeed a number of outside organisations involved in the planning system (as well as many local planning authorities) have consistently argued for more focussed statements of government planning policy and fewer PPGs. This view has now been endorsed by Stephen Byers, Secretary of State for Transport, Local Government and the Regions. In his recent speech[6] (26 July 2001) to the Institute for Public Policy Research the Secretary of State said that one of the issues the forthcoming Planning Green Paper needs to consider is whether planning is being

[6] Available on the Internet at http://www.dtlr.gov.uk/about/ministers/speeches/byers/260701.htm

asked to deliver too much and is being overloaded at the national level, and that therefore there may be a need for more focussed and less detailed PPGs.

We have already announced that PPG9 (Nature Conservation) is to be revised and this will include material on ancient woodland and the contribution of trees, woodlands and forests to biodiversity. We will consider the extent to which it is also possible to provide further advice on the protection of areas of ancient woodland that are not designated as Sites of Special Scientific Interest. Other PPGs, when reviewed, might provide opportunities for inclusion of relevant material. But the scope for the inclusion of such additional material may be limited in view of the forthcoming Planning Green Paper and the Secretary of State's call for more focused PPGs.

4.4 It is recommended that the England Forestry Forum considers whether a Best Practice Guidance publication should be produced to help towards implementing the England Forestry Strategy.

The Government supports the principle of a best practice guide which pulls together all of the existing guidance. It will be important to ensure that such guidance does not unnecessarily duplicate other existing material and that it can be kept up to date and relevant to the needs of readers. We will consider how this can be developed and bring forward a proposal for consideration by the Forum.

5. Protection of Ancient Woodlands Working Group

5.1 It is recommended that English Nature should measure the nature, extent and rate of loss by:

- **collecting information on actual cases of loss – 'anecdotal monitoring'.**
- **through a systematic (temporally) re-survey of the data in the AWI by reference to either the sample squares of the CS2000 or the National Inventory of Trees and Woods (or some other agreed sampling method).**

English Nature already collects data on loss of ancient woodland that is also designated as SSSI, but only limited information is available on losses outside the SSSI series through "anecdotal monitoring". The Forestry Commission investigates any damage to ancient woodland arising from illegal felling, and this provides a degree of informal monitoring. The problem with simply extending this anecdotal monitoring is that it cannot provide a statistically valid picture of loss of ancient woodland.

However, we accept that there should be a more formal assessment of changes in area and condition of ancient woodland, given the need to report progress on the various woodland Habitat Action Plan (HAP) targets, for which the Forestry Commission is the lead partner.

A working group under the UK Native Woodland HAP Group, involving English Nature, the Forestry Commission and other partners is currently engaged in looking at how data-sets might be linked to provide a basis for assessing changes in the extent, distribution and quality of the woodland resource in England. The group's conclusions are expected early in 2002.

The group is expected to recommend the development of costed proposals to improve national monitoring of losses. The proposals are likely to build on current projects which include:

- Forest Research linking data from the National Inventory of Trees and Woods with the Ancient Woodland Inventory.

- Linking in the identification of ancient woodland within sample squares of Countryside Survey 2000.

A second HAP working group is dealing with condition assessment in native woodland. Informed by this group's work, the Forestry Commission and English Nature are investigating what other data gathering and sampling can be implemented in order to provide better information on the condition and quality of ancient and semi natural woodland in England.

5.2 It is recommended that DETR should ensure guidance on the importance and protection of ancient woodland is specifically built in to formal planning guidance through a Woods and Trees PPG (as recommended through the planning working group of the England Forestry Forum) and/or other PPGs and Circulars of relevance, for example PPG9, Nature Conservation.

For the reasons set out in our response to Land Use Planning Working Group's Report (recommendations 4.1 to 4.3), we do not support the proposal for a dedicated PPG covering trees, woodland and forestry. The Secretary of State for Transport Local Government and the Regions has said that one of the issues the forthcoming Planning Green Paper needs to consider is whether planning is being asked to deliver too much and is being overloaded at the national level, and that therefore there may be a need for more focussed and less detailed planning guidance. For this reason, it is not possible to give a more definite commitment to further advice or a Circular (beyond that in our response to recommendations 4.1 to 4.3).

5.3 Given that a few Local Plans have incorporated the importance and protection of ancient woodland it is recommended that a systematic survey of local plans is undertaken by DETR to determine the extent to which they reflect Government policy in this area, and that subsequently measures are put in place to ensure that national policy is adequately reflected.

The Government Offices already scrutinise development plans to ensure they properly reflect appropriate national policies. But neither the Government Offices nor DTLR have the resources to undertake the sort of systematic survey called for here.

5.4 It is recommended that DETR should ensure that the current draft guidance for local authorities on the preparation of community strategies includes reference to the desirability of establishing a system of local wildlife sites as part of local strategies.

DTLR's *Preparing Community Strategies - Government guidance to authorities*[7] was published in December 2000 and so it is too late for this recommendation to be reflected in the guidance. However, the requirements under Community Strategy will underpin local authorities power to promote environmental well being and this could include local wildlife sites if that emerges as a local priority.

Local biodiversity action plans can incorporate work on local wildlife sites and this should be integrated into the wider community strategies being put in place under the Local Government Act 2000. In addition, DEFRA has asked English Nature to prepare guidance on the operation of local wildlife site systems in England. This stems from recommendations made by the Local Sites Working Group, set up by the then DETR during the passage of the Countryside and Rights of Way Bill through Parliament to consider issues associated with the identification, protection and management of local wildlife sites. The intention is that the guidance should promote best practice amongst local authorities and, by leading to improvements in the robustness of local designations, ensure local sites are better protected against damage, and better resourced. It is not be possible to indicate at this stage what the guidance will contain: nor will it address the issue of ancient woodland specifically. However, it is intended that it should promote general principles for site selection which acknowledge the importance of sound ecological judgements in identifying sites, and have regard to local, regional and national biodiversity action plans, while ensuring that the criteria can be sufficiently sensitive to local circumstances.

5.5 It is recommended that DETR undertakes a study to ascertain the nature and extent of how the GPDO affects ancient woodland and that recommendations on the future revision of the GPDO should follow.

The Government has no evidence to suggest that the exercise of particular permitted development rights are giving rise to widespread problems in relation to ancient woodland. We therefore consider that the existing limitations in the General Permitted Development Order[8], and the scope for local planning authorities to make article 4 directions withdrawing permitted development rights in appropriate cases, provides sufficient protection for ancient woodland. However, we also recognise that we do not have formal mechanisms in place to monitor the situation. If the condition monitoring work referred to in 5.1 provides evidence that GPDO activities are having a significantly adverse effect on Ancient Woodland, we will examine whether there needs to be a formal review in this area.

[7] *Preparing Community Strategies – Government Guidance to Local Authorities*. Available from DTLR Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7NB. Also available on the Internet at: http://www.local-regions.dtlr.gov.uk/pcs/guidance/index.htm
[8] Town and Country Planning (General Permitted Development) Order 1995. Statutory Instrument 1995 No. 419. The Stationery Office.

5.6 It is recommended that the mandate which the Forestry Commission and English Nature have to comment on planning applications is made clear (in particular the role of English Nature in relation to non-SSSI woodland), and that sufficient resources are employed to carry out that mandate.

The Statutory and Non-Statutory Report[9] issued by the then DETR in January 2001 brought together in one document all the existing advice on the statutory and non-statutory consultation arrangements about planning applications. This included the arrangements for consulting the Forestry Commission over development proposals affecting woodlands recorded in English Nature's Provisional Inventory of Ancient Woodland. The report encourages consultees to review their own arrangements and to produce guidance for local planning authorities on why they wish to be consulted on different types of application.

In the circumstances, the Government does not propose to review the arrangements for consulting the Forestry Commission and English Nature about planning applications. Nevertheless we will keep the existing guidance under review. The forthcoming Planning Green Paper will provide an opportunity to consider the current consultation arrangements. As well as looking at broad strategic aspects of the planning system, the preparation of the Green Paper will look at all aspects of development control.

5.7 It is recommended that the Forestry Commission reviews and re-launches (in the current or alternative form) its series of guides on the management of semi-natural woodlands. This should take into account current knowledge and understanding, and current technology, in particular the use of web technology.

These guides are currently being re-printed, and will be launched later this year. They will be linked to a package of support measures intended to encourage the better management of both ancient and native woodlands. Over the next 2-3 years the Forestry Commission will also be updating the content of these guides, and is also considering more in depth handbooks. A guide on restoration of planted ancient woodlands back to native woodlands is also being developed and will be published by the end of the year. We will make use of web technology as appropriate.

5.8 It is recommended that the Government ensure that in addition to the current contributions being made by the Forestry Commission and other members of the Deer Initiative, sufficient funding is made available via the Forestry Commission for the Initiative to be sustained.

Following preparation of a Development Strategy and a costed 5 year Business Plan establishing the Deer Initiative as a charitable company, the Government through the Forestry Commission, provided start up capital funding for a 3 year period to March 2002. Following an independent review of progress, this grant agreement is being extended for a further 2 years to March 2004. This is in the expectation that, as well as delivery of effective deer management on the ground, the Deer Initiative will have made significant progress with achieving longer term financial viability through

[9] Report on Statutory and Non-Statutory Consultation. Available from DTLR Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7NB (Product Code 00 PD 0624). Also available on the Internet at: http://www.planning.dtlr.gov.uk/snscr/index.htm

external funding. The Forestry Commission will remain a major shaper, stakeholder and contributor but expects that in the longer term the level of its support will reflect more specific Forestry Commission related outcomes.

5.9 It is recommended that there be further measures through incentives, cross compliance or other mechanisms to encourage farmers to reduce the level of grazing pressure on woodland in the uplands. Action should accordingly be taken by the Forestry Commission, MAFF and English Nature.

5.10 The group welcomes the changes introduced in the recent Rural Development Regulations to base hill farm payments on area rather than stocking levels. However we understand that the position on the control of grazing of woodlands under these provisions may offer less protection than was at first envisaged. We recommend that the position be regularised by MAFF in association with FC as soon as possible.

The Government acknowledges that overgrazing can lead to a lack of regeneration and ultimately to loss of upland ancient woodlands. In some woods, however, some grazing is important to biodiversity and woods have an important shelter (and therefore welfare) function for livestock. The Government will carry out a review of overgrazing in the Uplands. This will include defining significant overgrazing in the context of ancient woodlands as well as providing guidance for field staff. Discussions are taking place with English Nature and other interested parties, with a view to issuing a consultation paper later in 2001. In addition, the Forestry Commission, DEFRA and English Nature have set up a technical group to examine techniques for defining, assessing and monitoring the overgrazing of ancient upland woodlands. The findings of this group, due later this year, are expected to be picked up in the Forestry Commission's review of support for existing woodlands, and by DEFRA in relation to cross compliance with Good Farming Practice[10]. The Commission and DEFRA will consider what measures are appropriate when the technical group's findings are received later this year.

5.11 It is recommended that the Forestry Commission and other relevant Government agencies consider how the criteria for the regeneration of upland ancient woodland (where landscape and biodiversity measures are foremost) can be amended to reflect the relatively few trees needed to ensure continuity of the woodland.

There has been increasing flexibility with regard to the planting densities and timescales that are acceptable, in recognition of the greater reliance on natural regeneration in such woodlands. Owners have in fact had the option of planting at lower densities for some time, with grant paid pro-rata. The flexible criteria applied to New Native Woodland have proved successful and it is accepted that it may be appropriate to extend this to restocking in some circumstances. The Forestry Commission will therefore, over the next 12 months, conduct a review of the required stocking densities and timescales appropriate for the regeneration of upland ancient woodland under the Woodland Grant Scheme, in the light of the UK Forestry Standard 1998.

[10] England Rural Development Programme 2000-06. Annex IV, Good Farming Practice. Available from DEFRA Publications, Admail 6000, London, SW1A 2XX. Available on the Internet at: http://www.defra.gov.uk/erdp/docs/national/annexes/annexiv.htm

5.12 The Forestry Commission should review the WGS and felling licence procedures to capture data on loss of ancient woodland and on planted ancient woodland sites particularly in relation to Habitat Action Plan targets.

We agree. The Forestry Commission has recently commissioned a study to derive information on work contributing to the Habitat Action Plan targets from data held in the Woodland Grant Scheme (WGS). Proposals for further data capture will arise from the work of the Working Group referred to in the response to recommendation 5.1 above, and may lead to complementary changes in the WGS and felling licence systems.

5.13 It is recommended that a clear and defined programme for the expansion of woodland be developed so as to help to meet the need to extend and buffer ancient woodland.

The Forestry Commission has established the JIGSAW Challenge as part of the WGS. The main aim of this Challenge is to encourage the establishment of woods which extend and buffer ancient woodland, and the first year has been very successful. The Commission is very interested in the various initiatives in landscape-scale planning and opportunity mapping which are currently being developed, and is keen to explore how these might be used to guide woodland expansion. The England Native Woodland Partnership would seem to be the appropriate body in which to develop and integrate these ideas and, if appropriate, to develop a proposal for a strategic programme.

5.14 It is recommended that the position of the Forestry Commission in relation to developments, which may have an impact on ancient woodland as a result of pollution, be clarified.

The control of pollution falls within the remit of the Environment Agency, not the Forestry Commission. The Agency is the regulatory body for discharges to water, and for the potentially most polluting or complex industrial process (about 2000 in all). Local authorities also have a role through the planning process, and in respect of releases to air from the 20000 or so smaller industrial processes in England and Wales. The process by which the polluting impacts of new developments, which may affect ancient woodlands through the release of pollutants into the air or water, are regulated is briefly described below.

<u>Industrial Pollution Control.</u> The Environment Agency authorises[11] discharges to air and water from approximately 2000 of the potentially most polluting or technologically complex industrial processes. In setting authorisation conditions the Agency will take account of national environmental objectives and standards, and European environmental quality standards. In submitting an application for a new authorisation, the developer or operator is asked to identify designated sites such as Sites of Special Scientific Interest in the vicinity of the process. Before determining the application, the Environment Agency undertakes an initial screening for sensitive

[11] Regulation is under Integrated Pollution Control (IPC) which was introduced by Part 1 of the 1990 Environmental Protection Act (EPA90). This is progressively being replaced by the requirements of the Pollution Prevention and Control Regulations, which implement the EC Directive 96/61/EC concerning Integrated Pollution Prevention and Control ("the IPPC Directive"). Processes currently regulated under IPC will be progressively brought into IPPC in the period up to 2007.

receptors that may be affected. This includes areas of ancient woodland. It is also required to consult a number of statutory consultees, including English Nature, who would be expected to draw such sites to the Agency's attention. The operator is also required to advertise the application in the local press. The Forestry Commission is not consulted directly, but has an opportunity to comment via the public notice procedures.

The impact of the process on these sites can then be taken into account in determining the requirements for pollution control techniques. The Agency is also required to review the impact of existing authorisations on Habitats Directive sites, which include some ancient woodlands. This includes the implications of cumulative impacts from distant sites.

The dispersive nature of aerial pollutants means that when measures are put in place to protect one particular ancient woodland site (or other habitats with similar or more stringent air quality controls), other such sites in the vicinity, and particularly those further away from sources, will also be protected.

Water Pollution. Discharges to water from other forms of development are also regulated by the Agency, and a similar process applies, with both internal screening and external consultation to identify sensitive sites that may be affected by the proposal.

6. Community Forestry Working Group

Community forestry is an important vehicle for the delivery of our Forestry Strategy for England. The programme of 12 Community Forests has demonstrated how the combination of a strategic vision, an integrated environmental planning approach and partnerships between the public, private and voluntary sectors can deliver significant benefits close to where people live over a long period of time. We will continue to support this programme as a vehicle for implementing our Strategy. As we noted in our Rural White Paper[12] we would like to see this approach adopted more widely. We have already made an additional £4.5 million available to the Countryside Agency to develop the Regeneration Through Environmental Action (REACT) initiative. This initiative has a specific remit to extend the principles of community forestry more widely.

6.1 Creation of a central database of community forestry initiatives, including details of partners, coverage, aims and objectives, resources etc.

6.2 Establishment of a national 'community forestry forum', bringing together a network of practitioners and researchers on a regular basis to share experience and develop forward thinking.

[12] *Our Countryside: the Future. A fair deal for Rural England.* Cm4909. The Stationery Office London 2000 (see page 137).

6.3 A programme of senior level expert seminars/workshops to embed recognition of the potential contribution and benefits of community forestry into strategic Government programmes, including agricultural change, health promotion, sustainable development, regional regeneration, cultural strategies and social inclusion.

The Government recognises the important role that shared experience and information on the benefits of community forestry and best practice is essential if our aim of extending the principles of community forestry is to be achieved. The Forestry Commission and the Countryside Agency will be developing proposals to facilitate this. We will draw on the experience of the national programme of 12 Community Forests as well as other related initiatives. We note that members of the Working Group have expressed an interest in contributing to this and we intend to continue to work with them.

The 12 Community Forests have developed working arrangements for collaboration and co-operation on national and crosscutting issues. For several years, the Forestry Commission has hosted a Woodland Initiatives Working Day which has brought together people who are working in a wide range of activities, and not just in the community forestry arena. The Forestry Commission will consider the scope for establishing a new Forum to focus more widely on community forestry issues.

6.4 The establishment of an institutional or academic 'centre of expertise' in community forestry, to create a focus for research, advice, technology transfer, building the knowledge base, documenting and sharing good practice.

The Government agrees that bringing all of this work together in one 'centre of expertise' is something to aim for in the longer term. But in the short term, it is unrealistic given the sheer number of different bodies who are involved. The priority is therefore on making linkages between these various organisations and projects.

6.5 The need to document, collate and disseminate the innovative and high quality experience, expertise and good practice being accumulated within community forestry initiatives through the regular publication of authoritative case studies, possibly along the lines of the Forestry Commission's existing 'Information Notes'.

The Government agrees that many existing community forestry initiatives are accumulating a good deal of experience, expertise and good practice. Disseminating this information must be considered in the light of resources available and the audiences which it needs to reach. A wide range of relevant information is already published by many organisations. We will explore how this can be collated and made available more widely.

6.6 Production of a series of 'advocacy based' publications illustrating the potential contribution and relevance of community forestry to a range of external agendas beyond the 'green sector'.

The Government recognises the increasing role which community forestry can play within other strategic programmes, including health and environment led regeneration. Our Forestry Strategy marked a turning point for forestry in England. Forestry can be a very effective vehicle for delivering a much wider range of economic, environmental and social objectives than hitherto. We will continue to work across central government, and with partners in local government, the business and voluntary sectors to promote the benefits that forestry can offer.

6.7 Development of a better understanding of how strong local partnerships, founded on an integrated and inclusive approach, are brought together and sustained to create community ownership, and how the skills required to develop and manage such partnerships can best be nurtured.

Working in partnership is one of the four guiding principles that our Forestry Strategy is founded on. Much research, both of a general nature, and specific to forestry, has already been done to help understand how effective partnerships can be established and maintained. The Forestry Commission is strengthening its own research capabilities in this area and is increasing the emphasis on such research. Understanding the needs of effective partnerships, including those that involve local communities, will be an important component of their future research programme on social forestry.

6.8 An analysis of the potential barriers to the growth and expansion of community forestry as a step towards identifying new mechanisms and approaches to overcome them and enhance future progress.

The Forestry Commission and the Countryside Agency will undertake research to better understand the scale and nature of the potential barriers to the expansion of community forestry in order to inform further work on how they might be overcome.

7. Landscape Working Group

7.1 We, recommend that in implementing the England Forestry Strategy steps should be taken to develop a landscape strategy for England's trees and woods. The Forestry Commission, with its new emphasis on multi-purpose forestry, support of community forestry initiatives, and perhaps most significantly, as the holder in trust of the majority of England's woodlands, has a particular responsibility for this task.

In our Rural White Paper[13] we set out our aims and priorities for the rural landscape. We also noted the importance of taking proper account of the factors that influence the diversity and distinctiveness of the countryside. The Countryside Agency's Countryside Character approach provides a mechanism for achieving this, based on

[13] *Our Countryside: the Future. A fair deal for Rural England.* Cm4909. The Stationery Office London 2000 (see page 108).

a bottom up approach. To help local decision makers, we will be providing good practice guidance on evaluating in a more integrated way factors such as landscape quality and local character as well as biodiversity and soil quality. Our long-term goal is to have a single evaluation framework for achieving this. Our England Forestry Strategy notes the importance of structured and rigorous landscape assessments to ensure that countryside character is properly taken into account.

The Countryside and Rights of Way Act 2000 introduced new measures for the protection and enhancement of Areas of Outstanding Natural Beauty (AONBs) which include some of our finest landscapes. The Act includes a new duty requiring relevant authorities, including public bodies, to have regard to the purpose of conserving and enhancing the natural beauty of AONBs when exercising their functions. In many AONBs, woodlands are an important component of the landscape. In July 2001 the Forestry Commission and the Association of AONBs completed a joint accord setting out how they intend to work together to conserve and enhance the character of the AONBs.

8. Funding Working Group

8.1 The Working Group recommends that an "England Forestry Strategy Funding Unit" be established as a matter of urgency.

Whilst we can understand the value of such a unit, we do not accept that the Government should be responsible for funding it as suggested in Appendix 2 of the Working Group's Report. As the Government is responsible, directly or indirectly, for the operation many of the incentive mechanisms available to support forestry there could be conflicts of interest if we were also to become involved in advising or making bids through consortia. This is more properly a role for the forestry sector itself, perhaps being undertaken by its representative organisations. Indeed it is common practice in other sectors for such units to be established either as commercial concerns in their own right, or through ad hoc partnerships.

We already devote significant resources to providing information on funding available from central government. We will continue to ensure that this information is readily accessible and up to date. However considerable funding is available from other sources, including the lottery and European Union and numerous charitable and commercial organisations. Increasingly, more and more information about such funding is being made available on the Internet.

8.2 It is recommended that a substantial study be initiated to identify the most appropriate mechanisms for properly supporting woodland management in order to secure the long-term delivery of public benefits. The Woodland Grant Scheme has an important role in this and a review of its resourcing and targeting seems essential.

In May 2001 we announced[14] a review of the Forestry Commission's support for the management of existing woodlands. The review will help focus the Commission's work on finding ways to engage woodland owners effectively in implementing the

[14] Hansard, 26 April 2001. Column 349W.

England Forestry Strategy. This will help owners sustain their own plans while supporting the rural economy and improving the environment for the benefit of all. While the review will consider the effectiveness of existing Forestry Commission grant schemes, it will also cover the whole range of support measures through partnerships, advice, training and market development. The review is being managed by a steering group including woodland owners and managers and representatives from appropriate Government Departments and agencies, as well as from Wildlife and Countryside Link. There will be widespread public consultation in the autumn, including a series of regional seminars. The review is expected to report in May 2002.

8.3 It is recommended that the Forestry Commission work with key partners within Government (especially the RDAs, Countryside Agency and DETR), the industry (through the Forest Industries Development Council) and the research community (especially BRE and TRADA) to support the development and expansion of the forest-based industries in England so as to boost the market for English wood.

We accept the recommendation. The *Wood.for good campaign*[15] was just one response by the industry to the 1998 Jaakko Poyry softwood market study, which was particularly relevant to northern growers. The problems of developing markets for low grade hardwood trees, of which a high proportion lie in the south of England, were described in a study[16] carried out for the Forestry Commission in 1998. This concluded that more wood processing could only be stimulated through medium and small sized development, and we will continue to work on the opportunities in conjunction with the relevant organisations as noted by the Forum. Despite these difficulties there may be significant opportunities as result of rising demand for certified, locally sourced products that exploit well-targeted value added niches. Skills training and education are essential and here again the FC recognises that it must work with others to make a difference. All this calls for a holistic approach to woodland management, wood product development and market development.

The Forestry Commission works closely with the Department of Trade and Industry's Construction Procurement Division and the wood processing industries in our purchasing of research from the Building Research Establishment, Timber Research and Development Association and other organisations. This research is aimed at developing and increasing markets for both hardwood and softwood timber. For example the successful development of green gluing technology for both hardwood and softwood native species has been achieved through collaboration on research funding and industrial testing, and has been taken up by some significant commercial producers hardwood and softwood products. Research funds are also directed making technical information more accessible to the industry and the consumer wood chain. We are also collaborating with other departments working on Renewable Energy to ensure that low grade or small sized timber and woodland residues are properly recognised as an existing source of energy, both for power and for heating.

[15] For information view on the Internet at http://www.woodforgood.com
[16] An Assessment of the Potential for Securing a Viable Bulk Industrial Outlet for Small Diameter Roundwood in South East England by John Clegg and Co. and Firn Crichton Roberts Ltd. Forestry Commission, Cambridge. 1998.

In addition, the Countryside Agency's *Eat the View* programme is developing support through the market for products that are sustainable and help conserve the landscape and its local character. In partnership with the Forestry Commission, a targeted programme of wood related work is being developed to enhance the market for woodland products.