

23 April 2014

WORKING WITH NATURAL ENGLAND (NE)

Purpose

1. To update the Committee and seek their views on the FC England's work with NE.

Background

2. NE are the government's adviser on the natural environment, providing practical scientific advice on how to look after England's landscapes and wildlife. Their responsibilities include:
 - a. helping land managers and farmers protect wildlife and landscapes
 - b. improving public access to the coastline
 - c. supporting National Trails and managing 140 National Nature Reserves
 - d. providing planning advice and wildlife licences through the planning system
 - e. managing programmes that help restore or recreate wildlife habitats
 - f. providing evidence to help make decisions affecting the natural environment
3. From 2014 to 2019 their priorities include: terrestrial biodiversity, landscape and geodiversity, access and engagement, environmental land management, National Nature Reserves, support to the planning system, wildlife management and evidence.
4. NE have 2,000 staff in offices throughout England, with their headquarters in York. An organogram is attached at [Annex A](#).

Discussion

5. NE are amongst FC England's most important Defra Network partners. There are clear synergies and dependencies between many of FC England's and NE's responsibilities and priorities. Our objective is to maximise the efficiency and effectiveness of our joint working, in pursuit of our shared objectives.
6. Underpinning this are some good relationships at national and local levels. The FC and NE chairs have now met twice and the chief executives are establishing a good working relationship, while there is frequent dialogue between senior FC England Forest Services staff and NE's Executive Director Local Delivery, Director Biodiversity Delivery and Managers for Rural Development Programme and Countryside Stewardship amongst others. Locally, FC England Area Directors and their teams are establishing increasingly strong links with NE's 14 Area Teams. This is generally and increasingly working well, though it can sometimes be challenging for FC's much smaller staff numbers to liaise with all the NE colleagues they would wish to in their area.

Countryside Stewardship

7. Our biggest joint venture to date is the c£900m Countryside Stewardship (CS) grant scheme that runs from now until 2020. Its main priority is to protect and enhance the natural environment, particularly the diversity of wildlife (biodiversity). Water quality is another important priority. It supports forestry by funding the planting of new trees and supporting the management of woodlands. FC and NE are also working with the Environment Agency on delivery of the CS 'facilitation scheme', which will fund landscape scale working.
8. Natural England are leading the technical delivery of CS, with FC leading the forestry elements (7% of the CS budget) and provision of technical forestry expertise. CS represents a major opportunity to refocus FC field staff's roles on their forestry expertise and leverage the combined FC and NE resources to maximise the efficient delivery of our shared CS objectives, including tree health, woodland improvement and creation. The extent to which we realise this opportunity will be determined in large part by how well we work with NE. We have therefore agreed joint working principles at Annex B aimed at maximising clarity of roles, transparency and synergies between the two organisations. This is being reinforced through joint training and assessment for CS and its regulatory context (License to Operate). Locally, FC and NE area teams are developing what this actually means on the ground, with positive progress being made through a pilot project in Yorkshire and North East. Both organisations are likely to need to be vigilant in supporting their staff to make the most of this opportunity, especially where strong local relationships have yet to be established.
9. The Rural Payments Agency will lead the delivery of CS transactional functions but, following issues with the online service for Rural Payments, NE will now lead on the set up and delivery of CS during the first year of the scheme. We are working very closely with NE colleagues to ensure that this approach supports the launch of CS, reflects the needs of our customers and is fair for our staff. Now more than ever, it is essential that we work closely with our NE colleagues to ensure an effective CS launch come July.

Biodiversity 2020

10. NE is the lead delivery body for Government's Biodiversity 2020 ambitions to halt overall loss of England's biodiversity by 2020, support healthy well functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.
11. NE and FC's joint work on CS woodland options will make a major contribution to delivering these objectives, as will almost all our work on woodland protection, improvement and management. We continue to discuss a realistic assessment of forestry's contribution. Forest Enterprise England (FEE) is perhaps already making the biggest contribution of any individual land manager to Biodiversity 2020 outcomes 1A – 90% of priority habitat in appropriate management and 1D - restoring degraded ecosystems. However, much more will need to be done to make further progress towards these aspirations. The key areas for FEE lie in the

New Forest and Thetford Forest. In Forest Services we are working with NE to make the most of other opportunities to bring more woodland into appropriate management, including Countryside Productivity grants, FC's Woodlands into Management Programme including joint working on forest clusters, Deer Management, the Renewable Heat Incentive and in partnership with interested others such as local authorities, Network Rail, the Highways Authority, High-speed 2, Local Enterprise Partnerships, Heritage Lottery Fund, LIFE or equivalent and members of the Major Landowners Group e.g. the Crown Estate.

Regulation

12. NE and FC are both regulators and land managers, FC of the 250,000ha Public Forest Estate (PFE) and NE 144 National Nature Reserves (NNRs) totalling 64,000 ha and including c. 10,000 ha woodland. Each therefore often finds itself regulated by the other. For example NE regulates European Protected Species (EPS) on the PFE and FC tree felling on NNRs for which we issue c. 100 felling or thinning licenses covering c. 550 ha a year. Both organisations seek to minimise the burden on land owners of complying with the necessary regulation.
13. For the PFE, FEE are exploring with NE whether it might be possible for NE to put in place a formal delegations framework for NE to 'delegate' to FC, through a class licence, the facility to undertake certain licensed activities that FEE routinely needs. NE have suggested that they could put in place a mechanism for certain species licences on FEE's existing estate, probably starting with the relatively straightforward categories in the near future and then building on this progressively.
14. For NNRs, we are exploring with NE whether NNRs' management plans might incorporate an FC agreed woodland management plan, including the relevant felling permissions, as is an option for all woodland owners. This could be implemented on a rolling basis as NNRs update their management plans every five years. This could prove less burdensome than the felling license route currently used most often by NNRs and could bring added benefits from integration with the wider NNR management plan. However, we have been clear that plans for unconditional clear felling rightly require more and therefore usually lengthier scrutiny than plans for conditional felling or thinning, especially where compensatory planting and/or an Environmental Impact Assessment is required or where public interest is high. We have also agreed with NE that, to further accelerate progress, NE might like to investigate developing in advance of need a bank of land suitable for woodland creation (perhaps on other NNRs), for use where compensatory planting is required in response to open habitat creation on NNRs.
15. More generally, we are keen to build on the joint NE / FC England License to Operate training to increase both organisations' understanding of the other's statutory duties and regulations. These are inevitably sometimes in tension with each other, which is to be expected and can be reconciled though effective joint working. But in some areas we still need to get the basics right to avoid those rare but still unacceptable occasions where, for example, a landowner believes NE has given them permission to fell trees to create an open habitat, when

actually only FC can do so. While national agreements on such matters (e.g. on when to convert woods and forests to open habitats) are clear, the trick remains ensuring that they can be and are implemented consistently at the local level. We therefore continue to work with NE to help them embed the open habitats policy, including joint guidance on how to decide when to support, allow with compensatory planting, or not allow deforestation.

16. We are also working jointly to ensure greater consistency in the advice we give landowners. This will always evolve, in line with changing knowledge and circumstances. For example, FC is becoming increasingly knowledgeable about what woodlands are most likely to be resilient to threats such as pests, diseases and climate change. This is suggesting that we should consider using a wider range of tree species and provenances than before, which needs reconciling with conservation objectives which can suggest much more limited choices. For example, the Ash tree is unique in terms of the biodiversity it supports, yet the outbreak of Chalara means that it lacks resilience at least until any resistant genotypes are found. We have therefore welcomed recent included NE guidance to staff that recognises the need for diversification (including sycamore) and avoids immediately putting Sites of Special Scientific Interests into unfavourable condition when ash dieback strikes. We are continuing to work with NE to increase the diversity of appropriate tree species included in such guidance.

Land Management

17. FC and NE and both involved in exploring how to continue to protect the high level of protection that NNRs have and scoping options for a new and more joined-up approach to the management of the NNR estate across Defra network bodies. Of the 224 NNRs in England (94,000 ha) NE owns or manages 144 NNRs (64,000 ha), with 46 of these owned exclusively or predominantly by NE (7,400 ha). FEE managers around 10 NNRs or parts of NNRs (c. 3-4,000 ha), including Lady Park wood, Kielderhead and Kielder Mires, Beford Purlieus and Wyre Forest. The remainder are owned / managed by a range of Approved Bodies, including the National Trust, RSPB, wildlife trusts etc.

Organisational change

18. Both FC and NE have undergone significant review and organisational changes in recent years, which we might anticipate being revisited as part of the spending review expected after May's general election. Regardless of the outcome of those considerations, it is as clear as it has ever been that it is in both FC's and NE's interests and that of their customers to maximise the efficiency and effectiveness of their work together.

Communications

19. No immediate communication is recommended. However, the Committee may wish to consider what support for the importance of FC and NE's effective joint working they might wish to communicate at the appropriate time to staff and stakeholders.

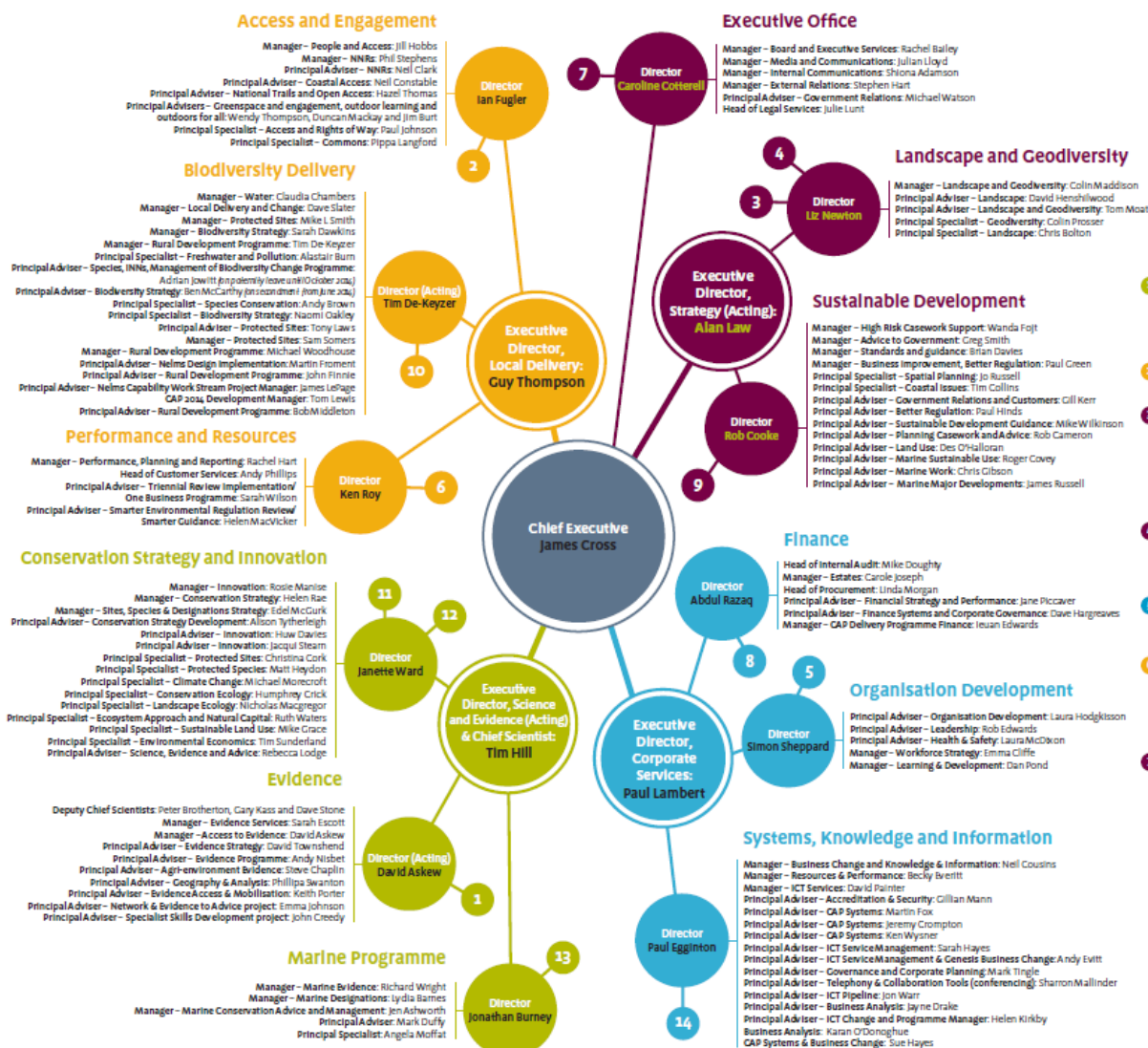
Recommendations

20. The Committee's views are invited on:

- a. FC England's current joint working with NE
- b. its future development
- c. how the Committee wishes to support this

Richard Greenhous
16 April 2015

Executive Directors and National Teams



Area Teams

- 1 **Northumbria**
Area Manager: Rob Aubrook
Manager: Christine Venus
Manager: Adrian Vass
Manager: Brad Toozie
- 2 **Cumbria**
Area Manager: Simon Humphries
- 3 **Yorkshire and northern Lincolnshire**
Area Manager: David Shaw
Manager: Robert Burnett
Principal Adviser: Jeff Lunn
Manager: Victoria Manton
- 4 **Cheshire, Greater Manchester, Merseyside and Lancashire**
Area Manager: David Drake
Manager: Steve Lawlor
- 5 **East Midlands**
Area Manager: Rob Merzies
Manager: Mike Burke
- 6 **North Mercia**
Covers: Shropshire, Staffordshire*, Birmingham and The Black Country* (excludes the Peak Park which is covered by East Midlands team)
Area Manager: Amanda Craig
Manager: Roger Owen
- 7 **South Mercia**
Covers the counties of Gloucestershire, Herefordshire, Warwickshire and Worcestershire
Area Manager: Audrey Roy
Manager: Glynis Tucker
Manager: Kay Shuard
- 8 **Essex, Herts, Beds, Cambs and Northants**
Area Manager: Aidan Lonergan
Manager: John Torlesse
Manager: Rachel Thomas
- 9 **Norfolk and Suffolk**
Area Manager: Pamela Abbott
Manager: Dougal McNeill
Manager: Gareth Dalglish
- 10 **Thames Valley**
Covers Oxfordshire, Buckinghamshire (including Milton Keynes), Berkshire, Surrey and London.
Area Manager: Andrew Smith
Manager: Chris McDonald
Manager: Adam Wallace
Manager – Area Team Business Hub: Pippa Botley
- 11 **Somerset, Avon and Wiltshire**
Area Manager: James Diamond
Manager: Matthew Heard
Manager: Mark Jones
Manager: David Whelon
- 12 **Devon, Cornwall and Isles of Scilly**
Area Manager: John Holmes
Manager: Jeremy Pyne
- 13 **Dorset, Hampshire and the Isle of Wight**
Area Manager: Matthew Carter
Manager: Fran Davies
Manager: Andy McDonald
- 14 **Kent and Sussex**
Area Manager: Melanie Hughes
Manager: Jim Seymour

Area Managers are shown reporting to individual Directors, rather than into specific National Teams.



Principles for Ways of Working between Natural England and Forestry Commission advisers to jointly deliver the technical roles of Countryside Stewardship (CS)

1. Successful delivery of CS and wider Government objectives depends on an effective joint-venture approach nationally and locally between NE and FC, with both bodies working to underpin technical delivery, to complement the work of the Rural Payments Agency.
2. The aim is to make arrangements as simple and efficient as possible for all including through the design of fail-safes into systems that make it easy to adhere to the agreed arrangements and impossible to do otherwise.
3. For those farms/properties¹ where interest will be limited to woodland options (see Annex B) - an FC Woodland Officer will be the contact for CS agreements.
4. For those properties where interest will be limited to agri-environment options and option groups (all option groups other than in Annex B) – an NE adviser will be the contact for CS agreements.
5. For those properties where there is likely to be interest in both woodland and agri-environment option groups ("mixed-estates") – there will be two contacts, one from NE and one from FC. The default position will be that the NE adviser would be the 'principal' contact and FC the 'secondary' contact. Such properties offer the greatest opportunity for the 'value added' of an integrated scheme. If both the NE and FC contacts agree, then FC could lead on a mixed estate.
6. The elements of an agreement drawing upon agri-environment option groups will require sign-off (and any selection) by NE and the elements of an agreement that include any woodland whether or not drawing upon woodland option groups will require sign-off (and any selection) by FC.
7. The regulatory requirements of any agreement (e.g. SSSI consents, EIA or felling licences) will be the responsibility of the relevant delivery body.
8. There will be local transparency between NE and FC on agreements as they are developed (supported by a common IT system - Rural Payments. This will enable co-ordination between NE and FC advisers supporting efficient working/visits, positive interaction between agreement elements and the development of landscape scale projects.
9. These principles will also apply to the delivery of Facilitation funding in CS.
10. There will be joint training (and assessment) for CS and its regulatory context (Licence to Operate) to allow advisers from both NE and FC to handle general enquiries about the scheme and to allow effective 'sign-posting' and promotion to the other delivery body's adviser.
11. The ambition is to start with CS, learn from that and then extend this kind of approach to all areas of joint working between NE and FC.
12. These principles will provide the framework for the development of more detailed business processes. Implementation of these principles (and business processes) will be subject to joint national NE and FC review, and regular joint working delivery discussion at the NE and FC Area level of operation.

For background see Annex A

A handwritten signature in black ink, appearing to read "Guy Thompson".

Guy Thompson
Executive Director, Local Delivery
Natural England

A handwritten signature in black ink, appearing to read "Richard Greenhous".

Richard Greenhous
Director Forest Services
Forestry Commission England

February 2015

¹ The term holding has been deliberately avoided – as this will increasingly be used to refer to all the land under the control/management of the beneficiary and may include multiple properties.

Annex A**Background**

Countryside Stewardship (CS) will be delivered by Natural England (NE), Forestry Commission (FC) and the Rural Payments Agency.

In the July 2014 announcement on EU Payments, FC would remain the principal source of forestry expertise. The 'focused expertise model' was agreed as the preferred model – the description of this model included:

“Delivers a largely functional model with NE as the focus of land management grant technical functions with the FC the provider of the forestry elements ... and 7% of the grant budget” and “FC field staff would be retained in the FC to deliver integrated forestry functions including regulation relating to grants, (including assessment and approval of Woodland Management Plans and Woodland Creation Plans) and delivery of [CS] woodland options.”

Since this announcement the focus has been on developing CS – its content and processes, on the assumption that the general processes were required first onto which NE and FC could design how their teams would work together to deliver CS.

Annex B**Woodland Option Groups and corresponding RDP Measures**

Woodland Option Group	Measure
Woodland Tree Health - Restoration	8.4
Woodland Tree health - Improvement	8.3
Woodland Management Plans	8.5
Woodland Improvement multi-annual	15.1
Woodland Improvement Capital	8.5
Woodland Improvement Infrastructure	4.3
Woodland Creation	8.1