

**Notes / Action Points From The Meeting of the Applicants  
Focus Group, Held at the National Motor Bike Museum  
Birmingham 2<sup>nd</sup> May 2007.**

**Present:**

Richard Britton (FC chair), Andrew Smith (FC), Craig Harrison (FC), Richard Sochacki ConFor), Judith Webb (ConFor), Tim Shardlow (ICF), Neville Elstone (ICF), John Lockhart (RICS), John Morris (SWA), Andy Sharkey (Wildlife and Countryside Link), Mike Wood (RSPB), Steve Hunt (FC), Eddie Husband (RPA), Simon Pryor and Karen Simpson (FC).

**Apologies:**

Rod Leslie (FC), John Jackson (RFS). Richard explained that Nia Jones the Defra representative on the group had recently retired and that it had been agreed that Defra would no longer attend on a regular basis. Similarly, Fiona Howie had moved and that a new representative for the NFU would be appointed in due course.

**AOB:**

Richard Sochacki identified three issues that he wished raised either during AOB or the body of the meeting,

**Item 1 Welcome and introductions:**

Richard Britton welcomed everyone to the meeting and introduced Eddie Husband from the Rural Payments Agency Scheme Management Unit in Exeter.

**Other issues:**

Action point 6 (30<sup>th</sup> March) Defra has now abandoned ELMF.

Style of minutes was briefly discussed and general consensus was that they now suited members' needs.

Andrew Smith identified requests for minutes and supporting papers to be made more generally available to others via the FC Internet site. General view was that this would be beneficial, but that there would need to be a number of caveats built in such as confidentiality and approval of minutes.

**Action 1: Craig Harrison to look into developing an AFG area on the website. Publish papers for the meetings on this site and minutes once group members had formally agreed the latter. Andrew Smith to consider if papers could be made available prior to meetings taking place. No papers prior to the meeting of 12<sup>th</sup> October 2006 to be published.**

**Item 2      Action points from previous meeting (12<sup>th</sup> October 2006):**

- Action 1:      Completed  
Action 2:      Completed  
Action 3:      AFG+ meeting had been organised with excellent results. Feedback had been delayed due to prioritisation of workloads, but Andrew outlined what progress had been made. Some issues had already been acted upon with others being identified for further development (e.g. continuous cover).  
Action 4:      Certification issues to be carried over to next meeting.  
Action 5:      GLOS system is unable to provide the necessary feedback at present, due to development priorities. Effort would be placed in this direction over the coming six months. Reporting functionality to date has concentrated on budgeting and corporate outputs.

**Action 2:      AFG members to identify the questions that they would like to see answered. Forward these to Andrew via June Wells.**

**Action 3:      Andrew to make the GLOS Programme Board aware of AFG concerns in this area of development.**

- Action 6:      Completed.  
Action 7:      Scoring identified as current. Each region has identified and agreed with National Office a 'straight through' score for the next round. This will be on a first come, first served basis. Downside is that RDPE approval means contracts will be delayed. Andrew stressed that owners and agents should be encouraged to still submit schemes, even if they scored below this threshold.  
Action 8:      Head of Development (External Funding) attending deferred to a future meeting.  
Action 9:      Complete.  
Action 10:      Andrew confirmed that members of this group had positive input into the cost models.  
Action 11:      Completed with almost all schemes reaching approval.  
Action 12:      On today's agenda.  
Action 13:      Completed.

**Item 3      Rural development Plan for England and 2007 Prospectus**

Craig Harrison introduced this paper. The FC is still awaiting formal approval of the Rural development Plan for England (RDPE), but hoped that this will allow contracts to be agreed and work undertaken this financial year. FC's proposals for broad continuity with the last Prospectuses, but some increase in WRG funding if budget permitted, were supported. Members discussed when contracts could be issued. There is a chance of significant RDPE approval delay, which could prevent woodland creation this coming planting season and risk the 07/08 budget not being committed. Members agreed the risk of EWGS not being approved under RDPE were low and that the FC should consider issuing provisional contracts to maintain sector confidence. The covering letter for provisional contracts would have to clearly identify the offer was subject to RDPE approval and the applicant would undertake the work at their own risk. The issue of SSSI grants was briefly discussed. Craig confirmed that they were co-financed, the deadline for applications with 07/08

payment year was 31<sup>st</sup> May 2007, with applications for 08/09 payment opening on the 31<sup>st</sup> May 2007. Members agreed that the provisional contract contingency should be available for use by autumn.

**Action 4: FC to check out the legality of provisional contracts and if OK, to prepare contracts / letters as a contingency for implementation.**

**Item 4 RPA paying agency, RDR Implications and Cross checking, Land and Customer Registration.**

Steve Hunt introduced this paper. Members asked that FC assist with both Land and Customer registration if at all possible as this could be a major “turn off” for owners, being seen as yet another barrier against woodland management taking place. Land registration in particular had been a huge issue with very long time delays. Edd Husband explained the reasons behind this and made it clear that many of these issues had now been resolved and that the time taken to process applications had drastically reduced. A number of issues were discussed. Multiple ownership of large blocks was a concern but as woodlands were not in receipt of Single Payment Scheme (SPS) funding, this was not likely to affect owners.

Further discussion revolved around raising the awareness of the requirements to register to owners and agents alike and any help that the FC could give, including any relevant dates for this process.

The Prospectus for 07 / 08 grants will carry the message first and this will be followed up by further support measures, especially on the website. Members were pleased to see a sample of mapping that the FC had developed to assist with the registration process and agreed that they would prove a great help. These maps would be produced on request and clearly identify whether the land is already registered or not and what the unique land identifier number is for any parcel.

Andrew outlined the crosschecking process more fully in response to member’s enquiries. For the first time it would be likely that areas under contract would be altered in order to match with other land uses or changes to the base parcel data due to real world change or better mapping. It was felt that owners would more than likely already be used to this process.

**Action 5: Andrew to check whether it is possible to put the RLR information onto the Land Information Search (LIS) tool on the web.**

**Action 6: Edd to check that there will be forestry expertise available in Land Registration prior to the process beginning for woodland owners. Confirm if there is a closing date by which registration must be completed.**

**Item 5 EWGS Terms and Conditions.**

Craig outlined that the same Terms and Conditions had been in force since the launch of EWGS, despite there being much development since. Changes to the Rural Development Plan (RDP) in particular now made it a priority to review and amend the T’s and C’s. Opportunity had been taken to review the layout of paragraphs and to put text into “plain English”. It has also been revised to simplify grant processes, so for example signing a contract for Woodland management Grant (WMG) would also trigger automatic payment of the grant itself.

The discussion identified that the FC have done away with Transfer of Obligations for EWGS and that it will be up to individual owners to make their own arrangements if they sell their property.

**Action 7: FC to consider how best to get information out to owners making them aware of this crucial change, including one member's suggestion that the Operations Note could be included at the back of each contract as an addendum.**

A number of related issues were raised and discussed by members.

The arrangements for agreeing the role of agent and owner in the contract and claimant / payee details are poor. In addition the remittance provided with payments and who they were sent to caused problems, to the extent that one member had received significant EWGS payments with no knowledge which scheme/client it referred to. It was agreed that this needed investigation.

**Action 8: All present to provide June Wells with specific examples of such problems. FC can then investigate and resolve the issue.**

#### **Item 6 Management of grants and Licences Efficiency Review.**

Steve Introduced this paper that was meant for updating purposes only. Some minor issues regarding staffing were raised. Query regarding some wording in the review. Andrew noted that 'efficiency savings' should read 'efficiency gains'.

Special attention was directed at the wood fuel strategy and whether the likely affect of its implementation had been included in any of the staffing models. Richard confirmed that this was not the case and that any future initiative involving fuel wood would be clearly identified as needing a separate full process of seeking more resources from government.

Issue of 'E business' was discussed at length. Although there had been a pilot running for some time it was felt generally that this process had been poorly supported and promoted. Training was identified as a key issue and the pilot did not meet the needs of this to a high enough standard. There must be a targeted system of training and back up support in place. Craig made it clear that a future initiative would not be rushed into and that everything would be done to take advantage of experience already gained, such as that in Wales.

**Action 9: FC to minute ongoing engagement with customers. FC to take account of customers needs and aim to ensure the most effective use of e-business.**

#### **Item 7 Habitat Regulations 2006**

Simon Pryor gave a presentation on the Habitat Regulations, specifically aimed at European Protected Species (EPS) and recent changes to interpretation, demanded by the EU. The key change is that there are now no exemptions against damaging a nesting or resting place on the grounds that it is 'an incidental result of a lawful operation'. A licence will be required to undertake work where disturbance of damage is unavoidable. In addition the onus is on owners to prove that an EPS species exists on a site, as purely speculative applications for licences will not be considered. Generally the implications of this have been slow to be recognised by organisations concerned. Defra are seeking a consistent approach and FC is working

closely with Defra and Natural England to establish pragmatic interpretation and implementation.

In ecological terms there is very limited capacity for specialist surveyors to undertake any initial work prior to an application for a licence being made. Local Record Centres (LRC's) now charge for release of information.

This will have a major effect as the changes also relate to sites that already have permissions granted on them to undertake potentially damaging work. Survey and on site costs protection costs are likely to be very high. It was felt that an existing management plan and general knowledge of a site formed a good basis on which to work and could act as mitigating circumstances in the event of any legal action in connection with disturbance. A clause had been included into the draft legislation that allowed courts to take account of any mitigating circumstances when sentencing! Likely that owners would take a risk management approach to working in the future.

A series of draft guidance notes have been drawn up outlining good working practices. Members of the AFG felt that input from a wider representative group was needed and these should be issued as 'provisional' and subject to review. Discussion revolved around how distribution could best be achieved given the limitations imposed by Defra on communication and the tight timescale. Other issues discussed included the need for multiple licences, implementation times and whether *Glis glis* (Edible dormouse) was included under this legislation. Simon confirmed that *Glis glis* wasn't on the EPS list and **not** protected.

**Action 10. Simon to check whether multiple applications are required where more than one species is present in a woodland.**

**Action 11. Simon / June to email a copy of Simon's presentation along with the minutes of the meeting.**

**Action 12. FC to distribute draft guidelines to group members with clarification on the level to which these can be distributed to their representative bodies members. Individual members to act as conduit for comments back to the FC. Responses back to Simon by the 27<sup>th</sup> May.**

Members present expressed thanks to Simon in particular and the FC in general for the level of input into this issue, without which the implications to the industry could have been far greater.

### **Item 8a Red Band Needle blight.**

Andrew introduced a paper on this issue. Outlined the background to the level of disease and how the results of a recent survey had taken FC staff by surprise. This showed a far greater level of damage than had been identified previously and the disease was now seen as a major issue. All FC nursery stock had been destroyed due to its proximity to a disease source. Survey was timely in that it prevented any further sowing of Corsican Pine seed, the species that appears to be most susceptible to the disease. FC is currently updating its existing Information note. Default replacement species is mainly Scots Pine, but may also be broadleaves, larch or Douglas fir depending on location. The paper addresses the balance between the FC estate and private woodlands. FC and ConFor are due to meet to discuss impacts on private nurseries.

**Action 13. FC to produce press notice and Questions and Answer sheet as soon as possible to allow owners to make more informed decisions.**

**Item 8b FWS / FWPS paper.**

Andrew introduced this paper and gave a brief verbal update as to where we are at present. No further comments.

**Item 9 Private Wood Sector Supply.**

Richard introduced this paper in Rod's absence. Judith gave the background as to why this issue had been put on the agenda. In broad terms the FC had fully committed its annual timber cut to the market and there remained a shortfall in supply. This is expected to increase as demand continues to rise. Harvesting capacity was seen as a major stumbling block with current resources already fully committed. It was felt that there would need to be a sustained demand before many of the larger companies took the decision to invest time and money into expanding their harvesting resource.

RDPE Regional Plans, currently out for consultation highlighted important opportunities for expanding training opportunities and support.

**Action 14. Richard to discuss with Rod whether FC staff resource could be made available to look into ways in which the private sector could access funds for building up capacity, plus any other opportunities.**

Further issues surrounding contractor base were discussed. FC were urged to engage with the private sector in order to avoid 'competition' for available resources, whether it be labour or funding from other sources. Much more effort would need to be put into securing funding through various streams, especially Axis 1.

The issue over the level of Woodland Regeneration Grant (WRG) was raised and FC were asked to consider, in the light of the level of fall out of schemes through the year, whether some of this funding could be re-directed to encourage work in other areas.

**Item 10 AOB.**

Extension Services. Issue was raised over lack of cohesion. There was scope to better co-ordinate the work of Grants and Regulation, Forest research and the Programme Group. This feedback would be considered.

ConFor Representation. Judith confirmed that ConFor felt there was a conflict of interest between her new role as a Forestry Commissioner (for Wales) and representing the organisation. She would cease to work for Confor in Wales from the end of July and with other changes underway at Confor it was likely that her contract for work in England would also be modified. This might therefore be her last meeting, if so ConFor would confirm in due course her replacement. Richard thanked Judith for her input into the group over a number of years and all agreed that she would be a great loss.

Felling Licences. Issue raised over whether there had been a policy change with regards felling licence applications in that there now seemed to be a distinct increase in the level of supporting information being requested by regional offices. Craig confirmed that there had not been a national policy change, but made the point that there was tension between UKFS and the original Forestry Act. Regions were no doubt seeking to address this issue.

Properties straddling national boundaries. Confirmed that where this situation arises each component of the property **must** be entered into the relevant grant scheme for the country in which it sits.

Contracts. Issues around this were covered within the main meeting.

***Date of next meeting – June Wells to trawl for suitable date. Suggested dates of 30<sup>th</sup> and 31<sup>st</sup> October or 1<sup>st</sup>, 7<sup>th</sup> or 8<sup>th</sup> November.***