

# APPLICANTS' FOCUS GROUP MEETING

## FC England National Office, Bristol

### 22 July 2010

#### 1 Welcome, Introduction & Apologies

Present: Steve Hunt (FC), Richard Sochacki (Confor), Poppy Saunders (FC), Julian Ohlsen (UPM & South West AFG), Mike Render (FC), Ben Walker (FC), Tim Shardlow (ICF), John Morris (Small woods Association), John Lockhart (RICS), John Blessington (LGA), Jane Karthaus (Confor), Chris Mcgloin (Community Forests), Simon Mageean (Wildlife and Countryside Link), Andrew Smith (FC), Mike Seville (CLA), Simon Lunniss (Mapping RPA) and Eamon Doyle (Customer Registration RPA).

Apologies: Neville Elstone (ICF), Craig Harrison (FC), Judith Webb (RFS), Caroline Harrison (Confor), Mike Wood (RSPB), Alison Mable (Defra), and Andrea Graham (NFU)

Andrew Smith opened the meeting and welcomed all. Several new faces, introducing Eamon Doyle and Simon Lunniss from RPA and Poppy Saunders and Ben Walker from FC. Quick run round the table by way of introduction, for their benefit.

Andrew apologised for the late notification of the meeting and change in venue.

He briefly ran through the staffing structure in the National Office team.

#### 2 Minutes and matters arising from previous meeting

Steve ran through the minutes and action points from the previous meeting

##### Actions from Previous Meeting

AP	Action
2	<p>Some issues relating to Higher Level Scheme (HLS)/ and English Woodland Grant Scheme (EWGS) relationship were covered between John L and Craig Harrison but this still remains an issue. Still a need to clarify situation with HLS payments.</p> <p>Andrew made members aware of initial talks with Natural England (NE), looking at closer ways of working between HLS and EWGS.</p> <p>Also highlighted concerns raised as to eligibility for Single Farm Payment (SPS) and Farm Wood Payment (FWP). Message regarding being able to receive both payments has still not reached many field staff, especially those working for NE. Important that message gets out. Current training of HLS field assessors</p>

	<p>underway, would be an excellent platform to promote the payment situation.</p> <p><b>Action 1: Craig</b></p>
3	<p>Craig was still clarifying some outstanding issues with regards Remittance Advice note. Members expressed concern that money was still appearing in agents bank accounts with no explanation as to where it comes from, causing a lot of extra work. Andrew confirmed that issue appears to be related to main contact / payee details and FCE needs to check how this relationship is set up within GLOS. Those undertaking applications through E-pilot confirmed the process worked well with email notification.</p> <p><b>Action 2: Craig.</b></p>
14	<p>FC still need to produce documents for agents to allow them to market FC grants. Current restrictions on Government expenditure will limit what can be done. Farm Woodlands booklet seen as a priority. Message regarding SPS and Farm Woodland still not getting through and needs further consideration.</p>
15	<p>Phytophthora. Andrew took opportunity to update members on current situation. Considerable change in situation over last 8 months, with marked increase in spread of disease since Spring 2010. Most recent development is suspected outbreaks in North Wales and Wiltshire. Other suspected cases further afield, but early indication that these would not be Phytophthora. Main issue is the very high capacity to sporulate on Japanese larch (JL), and the risk to infect other species. FC is currently in process of serving notices to fell infected trees, initial indication is that volume of timber likely is 150,000 cubic metres in England (split 50/50 between private and Forest Enterprise (FE) estate and 200,000 cubic metres in Wales (almost exclusively FE – equating to 25% of annual FE felling volume). Volumes made up of infected material and trees likely to prove infected. Other species on the ground were susceptible to infection, but main difference is that generally the level of subsequent sporulation is vastly reduced from that of JL. Signs of silver needling are the first indication of infection, and survey team are now noting death in trees where month previously, crops showed no signs of infection. FC setting up spore traps in less susceptible areas. Unknown at present what effect might be if the disease reached these areas. Andrew identified how outbreak was affecting staff outputs as no increase in financial resource to help fund the work. Members identified this as a major threat to their day to day work as staff resource was taken away from processing EWGS applications. Was there scope for agents or WO's in other regions, to be used to cover some of this work? Responsibility for day to day management to be transferred from Policy and Programme Group to G&amp;R. Concerns were raised at the list of mills licensed to receive infected material – only three took timber on a commercial basis. Concerns also raised as notices requiring felling did not require owners to restock. Environmental Impact Assessment (EIA) – (deforestation) might then become an issue. FC currently considering possibility of offering an extra supplement to be added to Woodland Regeneration Grants (WRG).</p> <p><b>Action 3: AFG members.</b></p> <p><b>Action 4: Andrew</b></p> <p>Other issues such as insurance and compensation briefly discussed. FC to seek Ministerial approval for waiving need for consultation when dealing with pre-infection applications for removing JL (other than on designated sites).</p>

	No current indication that Phytophthora has moved to tree species in mainland Europe. Mike Seville identified that an EU Green Paper – “Protection of Forests” – was currently out for consultation and urged all to respond.
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## New Actions from this meeting

AP	Action
1	Craig to continue working with NE in an effort to reduce the problems / uncertainty between HLS and EWGS.
2	Original action point (3) to remain open. Craig to continue working on details in remittance advice note, and to report back at next meeting.
3	AFG members to feedback to Andrew the affect on the industry as a result of staff being drawn away from day to day processing of grants to deal with Phytophthora.
4	Andrew to confirm whether the weekly updating report on Phytophthora can be made available on the internet.
5	Steve to confirm with all regions they understand the requirements for mapping when receiving felling licence applications.
6	Eamon to convene a telephone conference involving Land and Customer Registration and FC staff, along with Woodland Trust to discuss issues. FC to seek an owner with recent registration experience. Aim to convene before the end of September, sooner if possible.
7	Eamon to arrange for review of material on the website and seek to increase the information available for woodland owners.
8	Steve to look into whether we can provide the Customer and Land registration teams with a priority list of cases.
9	Mike Render to organise a workshop early in the New Year, steered by FC, but involving interested parties from AFG and the forestry industry, with the aim of informing the draft process for the new development plan.
10	Simon to work closely with colleagues from the G&R team to ensure that: An article is drafted for the Confor magazine, Updated guidance is made available on the web site as soon as possible. Re-consider the opportunities for on site training for woodland owners and agents and report back to the AFG.
11	AFG should forward any further thoughts and ideas to Poppy as soon as possible, so that these could be fed into the Hampton Implementation Review action plan process.

## 3 Briefing Paper ([Paper 1](#))

Steve identified key points in briefing paper.

New felling licence database defaulted to five year approval but allowed regional staff to over-write where there is a need. FC National Office would be monitoring. Complaint that some FC regions were insisting on a copy of a MasterMap, when submitting a Felling licence application. Confirmed that any suitable, scaled map base could be supplied.

### Action 5: Steve

Members urged to contact Robin Maynard in FC National Office with regards any seminar items not already identified for APF demonstration in September. Concerns were raised as to how FC would be advertising the series of seminars, as details would soon need to be going to press.

## 4 Budgets ([Paper 2](#))

Confirmed that the 10/11 budget would escape cutbacks as now almost completely committed, and Minister was keen to maintain levels of new planting. Doubtful that new WCG cases could still be applied for and delivered in the current financial year anyway. Concerns were raised by FC that currently some £6 million of work was "in progress". FC stressed that it is essential that owners do not sit on contracts, as this ties funding up that could otherwise be re-allocated to other schemes.

FC is currently still allocating funds for the 11/12 budget year and would hope to commit as much as possible. Have been asked to indicate what a 30% cut might look like (this could mean no WCG or no WIG budget for the year). Timescale for any potential cuts is not clear. Spending review is due at end of November, so by time Defra gets this it's likely that FC won't be notified until early New Year.

FC getting to the end of a long path with regards to agreement of the wood fuel initiative by Defra and Ministers. Next stage would be to identify where new staff would need to be located in order to implement it. FC suggested that South and West were likely to be key areas, although need to take account of what affect the Phytophthora outbreak might now have.

## 5 RPA Customer and Land Registration ([Paper 4](#))

Andrew introduced his paper.

Some concerns among members that the time taken to process applications and the complexity of them was resulting in a high drop out rate, especially as there was no driver to owners to undertake the work. Data suggests that current delays with customer and land registration were equally apportioned between customers and the registration teams. Discussion ensued on the main areas of delay, but mapping appeared to be key area, especially with applications that have difficult land holdings. Identified that there is a lack of information on the website for applicants with woodland. Acknowledged that the application form (RLE 1) was very complex and RPA will look at simplifying the process, subject to cost constraints.

**Action 6: Eamon Doyle.**

**Action 7: Eamon Doyle.**

NE provide RPA with a list of priority cases. Can FC do the same?

**Action 8: Steve**

## 6 RDPE Mid Term Evaluation and Future ([Paper 3](#))

Mike Render gave an outline to the evaluation exercise. EU regulation requires that an evaluation is undertaken of the individual countries' development plan before and during implementation, by an independent body. Hyder and Adas are currently involved in this process with a draft report due to Defra early in September, and a final report end of December. Each body involved with delivering the plan provides quantitative (not qualitative) data for assessment, but take no further part in the assessment. The process involves a telephone survey of beneficiaries (but not agents), and non-beneficiaries (those that have withdrawn from the application process before undertaking any work and claiming grant). Three regions will be selected in order to identify case studies for further evaluation. CLA and NFU will be asked to feed into the general process. Final report will highlight where modifications can be made to the next plan, although time to influence the next round is very limited. New coalition government means that there is, as yet, no clear national priorities identified.

Mike confirmed that an initial draft for the new development plan (commencing 2014) would be drawn up next summer. The current axis policy is likely to be abandoned as this has resulted in applications being "siloeed". FC input into this process is important from Defra's perspective, but limited as a department in what we can influence. This must come from within the forestry sector. Members were keen to get directly involved with this process.

### **Action 9: Mike Render.**

Members stressed that the forestry industry needed to work closely with the land sector in order to achieve a satisfactory outcome.

England needs to ensure that they properly evaluate proposals, drawing on the experiences from Wales and Scotland, where things have not gone so well.

## 7 European Protected Species (EPS), Open Habitats and ASNW Guidelines. ([Presentation](#))

Simon introduced these three areas.

**Open Habitats:** Policy from the out-going Government, FC would be working on the assumption that it will be adopted by the present coalition. FC is working to this end but acknowledges that there are some new policies involving less regulation, dropping targets and increasing biodiversity that have potential for derailing the work. Felt likely that FC might have to adapt and modify, at least the wording, to make it acceptable to Ministers. Three main strands of implementation identified:

- 1) Through FE estate
- 2) Through licensing / EIAs and monitoring
- 3) Linkage through to NE – management of the open habitat into the future.

Noted that whereas carbon storage was still on the agenda, probably not as high as in the past. There was no national approach to compensatory planting, but FC through the G&R team, would obviously be monitoring the levels of both deforestation and creation of new woodland. The key would be ensuring that we get the best quality open habitat in the right place.

**EPS:** Simon reminded all as to the background to the directive and the various exchanges with the EU, up to the current position.

Final challenge resulted in removal of the word "significant", which means that any death or damage to a species is an offence. Secretary of State should introduce guidance, drafted by the appropriate nature conservation body, and that courts take a lenient view if this was followed but an offence still resulted. The licence route was still available as an option, but nearly all forestry work could continue provided the guidance was followed. To date there had not been a single application for a forestry related licence (two for tree surgery work associated with woodland).

FC had consciously decided to take a low key approach to managing this legislation. The reason for this had not been fed to the industry and as a result FC had been heavily criticised. AFG members still had concerns that owners were being left open to possible prosecution. Confor would welcome an article for the magazine as a means of updating owners and agents. There were concerns that the only guidance available to the industry was still the original draft. There was still a demand from the industry for field training being made available to owners and agents.

**Action 10: Simon**

Generally the EPS species were not nationally rare in the UK. With this in mind there was some consideration being given to requesting derogation for the UK from the EU Habitat Regulations.

**ASNW guidelines:** As with Open Habitats, this has been caught by the change in Government. As with Open Habitats, it is expected that the policy will be adopted in principle, but subject to some minor tweaking. It is hoped that final text will be signed off shortly. Simon reminded everyone that this paper was meant as guidance and wasn't yet more regulation of the industry.

## 8 Regulations and Hampton Review ([Paper 5](#))

Poppy introduced her paper. With the change in Government, this was likely to strengthen the appetite for review of regulation.

General feeling among members was that the forest regulation itself wasn't a huge burden on owners or their agents, and with some simple hits, the felling licence process could be much simpler reducing the burden on both owners and the FC. The major issues were perceived as the level of paperwork, complexity and level of bureaucracy associated with applying for grants. The need for customer and land registration added to this. These, and the other issues, were seen as a major switch off to owners and the biggest risk was that woodlands would remain un-managed. FC was urged to strip back the layers, target those areas where there were particular problems, and let owners and agents get on with the management of their woodlands.

Some issues were still to be taken to the FC England Executive Board for decisions to be made, after which a small working group would be tasked with taking the recommendations forward.

### **Action 11: AFG members**

Members were reminded that there was to be an industry led review of forestry regulation, instigated by the new Government. This would look further than just regulation. Confor were currently advising Ministers on the composition and factors to be considered by the group. There was concern that this group and the internal FC one on regulation ended up working individually. Confor stressed that the processes must run in parallel, and must be joined up in order to avoid time wasting and potential conflict.

## 9 AOB

Covered in action points (Phytophthora)

Date of next meeting: 17<sup>th</sup> November 2010 (location tbc)