

## Briefing Note

### 1 Actions From Last and Previous Meeting

<p><b>AFG members</b> to lodge their support for new small woodland threshold as 500Ha on the UKWAS consultation (should they wish to)</p>	<p>Assume ongoing.</p>
<p><b>Dominic</b> to liaise with Richard Howe - whether the draft UKFS can be passed to Task Force</p>	<p>Completed, drafts provided to Task Force.</p>
<p><b>Andy Goodsir</b> to consider AFG feedback in taking forward e-business, including consistent FC staff messages to customers and provision of support to current e-applicants</p>	<p>FCE has made improvements to GLOS to help improve the system for eApplications. The first tranche of these improvements have been implemented in September with more planned in December after which National Office will liaise with regional teams to discuss their feedback and the roll-out plan. It is envisaged to hold a series of small seminars to include external applicants in the new year most likely commencing in the South West. In addition a series of recommendations relating to a future use of simple eforms is also being investigated. It is hoped that AFG members will be able to support / contribute to the requirements specification for that project.</p>
<p><b>Craig</b> to investigate Farm Woodland claim form content to improve agent ability to find reference in future</p>	<p>We have put the best references we can on the form based on what's in the computer system; we simply didn't get some info like property name when it was migrated from NE. To help, we've put a spreadsheet on the farm woodland webpage to help claimants cross reference scheme references with extra information, and there's an annotated example remittance to help understand what it contain</p>
<p><b>Bruce Rothnie</b> to find out what is being done with the non-phytophthora damage information</p>	<p>Woodlands containing larch that are detected from aerial surveys as having some symptoms of poor health are investigated on the ground. If the cause of symptoms can be positively attributed to anything other than Phytophthora then the details will be recorded against that site on the database tracking our records of site visits. Where causes are attributed to other agents of concern then the locations are shared with researchers/managers dealing with</p>

	response/investigation of those pests/diseases.
<b>Andrew Smith</b> to provide a briefing w/c 23rd May on the SR10 proposed structural changes	Completed
<b>Craig</b> to check the phytophthora supplementary guidance regarding fallow period and how it fits with the grant budget rules	Generally we do not state a fallow period when issuing a Plant Health Notice. However WRG budget rules regarding 2 year forward commitment in GLOS can be relaxed for cases where a fallow period may be deemed necessary. WRG cannot be offered more than 5 years ahead.
<b>AFG</b> to pass any further thoughts on forestry regulations to Mike Seville asap	Completed
<b>Mike Render</b> to liaise with Mike Seville on RDPE axis 1	
<b>Mike Render</b> to organise an RDPE event with AFG members for June/July	Completed. Workshop held 28th June
<b>Steve Hunt</b> to change to Felling Licence application form, to include BL/CON split which the FC demands	Ongoing. Felling Licence application form is currently under review in relation to e-business. Opportunity will be taken to review what information we currently gather and to consider changes where appropriate.

## 2 Finance Update

The following table shows the actual grant spend for the last two years, and the programmed expenditure for the current and coming year.

Key points to note are:

- Increase in funding allocated for WAG and WPG, supporting the work of the Task Force and key elements of the revised UKFS;
- Apart from WMG funding public access, there is a rapid decline in non EU co-financed commitments due to re-categorisation of Woodland Regeneration and legacy financial commitments closing;
- Introduction of wood fuel WIG;
- 11/12 budget fully committed on paper but some work areas remain open especially Woodland Creation which we are prioritising for any new applications;
- Still funding available for the 2012/13 year for all grant categories.

Budget	Scheme	Grant Type	2009/10 Spend	2010/11 Spend	2011/12 Plan	2012/13 Plan
RDPE	WGS		1,689	1,003	460	58
		FWS/FWPS	9,279	9,941	8,434	8,445
	EWGS	WAG	38	57	56	113
		WPG	158	449	551	630
		WMG	2,005	2,242	1,875	2,441
		WIG	4,455	7,116	9,593	8,537
		WRG	-	1,031	1,483	1,672
		WCG	2,518	4,050	6,168	5,903
		FWP	1,158	1,621	1,892	2,600
		<b>Woodfuel</b>	-	-	<b>2,000</b>	<b>4,500</b>
<b>EWGS Total</b>		<b>10,332</b>	<b>16,566</b>	<b>23,618</b>	<b>26,396</b>	
<b>RDPE Total</b>			<b>21,300</b>	<b>27,510</b>	<b>32,512</b>	<b>34,899</b>
Headroom against Plan at 31/03/11			-	-	-	3,301
Total Commitments at 31/03/11 (gross of Fallout)			-	-	37,446	27,098
Overall Fallout predicted			-	-	10%	10%
Non RDPE	WGS/Old Schemes		1,491	323	91	43
	EWGS	WMG	156	231	365	365
		Forest School	137	126	46	0
		WRG	1,146	472	177	45
<b>EWGS Total</b>		<b>1,439</b>	<b>829</b>	<b>588</b>	<b>410</b>	
<b>Non RDPE Total</b>			<b>2,930</b>	<b>1,152</b>	<b>679</b>	<b>453</b>
<b>Grand Total</b>			<b>24,230</b>	<b>28,662</b>	<b>33,191</b>	<b>35,352</b>

### 3 UKFS

The Minister announced the release of the revised UKFS on Thursday 3<sup>rd</sup> November. 'Hard' copies of the standard and its supporting guidance can be purchased from FC publications or PDF versions are available now by clicking [\(here\)](#).

We are currently undertaking refresher training on the revised standard for all FC field staff. In the New Year it is envisaged that there will be a series of local events for owners and agents, aimed at making attendees aware of the key changes between the previous, and the revised standard. Regional staff will contact their regular agents and advertise these events in due course.

### 4 Felling of larch species during the Winter

The Operations Note 23 remained in force until the 1<sup>st</sup> May when it was rescinded and replaced by Operations Note 23a, which only covered the options for the planting and restocking of larch whilst taking into account this seasons advances in the spread of Phytophthora.

The decision was taken in mid September to re-introduce a moratorium on the felling of larch during the coming winter. The original Operations Note was reviewed including the boundaries for the zone maps. As from the 1<sup>st</sup> October 2011, we will no longer issue licences involving larch in **zone 1**. Owners can either agree to wait until May 2012, or accept that the timber be treated as infected, in which case a Statutory Plant Health Notice will be issued instead of a licence. For full details of the current note go to [Operations Note 23](#).

Further supplementary guidance relating to species choice and site preparation for sites felled as a result of Phytophthora infection is also available to owners. For full details go to [Operations Note 24](#)

### 5 Joint Working with NE

As part of the Arms Length Body Review work, we have been in discussions with NE colleagues looking at ways of improving the day to day customer experience. This is relevant to owners who either have SSSI woodland that they wish to undertake work in, or for owners entering into HLS agreements, where they may need approval for tree felling.

This will involve FC and NE working more closely together with the intention of:

- On SSSI sites where owners are entering into EWGS or seeking a felling licence, FC contracts / licences will be accompanied by the NE formal consent where possible. Currently, owners must seek separate consent from NE as well as EWGS approval;
- On SSSI sites that are managed under HLS. The HLS contract will be accompanied by an approved felling licence. Currently owners must apply for a separate licence once they have an HLS agreement in place;

- Any HLS contract, where felling has been identified as part of the work schedule, will be accompanied by an approved felling licence.

We will seek to exchange the relevant information and undertake the necessary processing that will allow either organisation to issue the necessary permissions. However for this to work on SSSI sites, applicants will need to know at the time of application, the working methods etc. for the proposed felling work.

The Regulations team in National Office are currently working with NE colleagues on the 'paper trail' for these changes to processing, with the aim of having a refined process in place for early next year. The EWGS / HLS integration work will take this work into account.

## 6 Phytophthora management 2011

We implemented changes to the administration process for Phytophthora management as of 16<sup>th</sup> April 2011. The National Office Regulations team in Bristol was responsible for managing the disease database, liaising with regional and disease management team staff, and be first port of call for the industry and members of the public wishing to report potential incidences of disease. They are also responsible for the issuing and ongoing management of the Plant Health Notices. We have refined some of the processes as the year progressed. We are currently reviewing the database itself, with a view to upgrading either the current database, or transfer data to a new one. The purpose of this is to provide a better means of managing data and improved reporting functionality.

As a reminder for information, key contacts are:

The National Office team:

Dedicated telephone : 0117 372 1070

Email: [plant\\_health\\_england@forestry.gsi.gov.uk](mailto:plant_health_england@forestry.gsi.gov.uk)

(Note that there is an underscore where the gaps in address are).

Technical advice on disease management and latest developments can be sought from Ben Jones and the dedicated disease management team, or Forest Research.

Contact details are:

Ben Jones: 01392 834224

07721 042813

Email: [ben.jones@forestry.gsi.gov.uk](mailto:ben.jones@forestry.gsi.gov.uk)

Joan Webber (FR): 01420 526241

Email: [joan.webber@forestry.gsi.gov.uk](mailto:joan.webber@forestry.gsi.gov.uk)

## 7 European Protected Species (EPS) and Phytophthora

Owners and agents are reminded that European Protected Species must be taken into consideration for all sites where a Statutory Plant Health Notice has been issued. It is recommended that the checklist provided for EPS assessment is completed for all cases where a Notice is issued. Where EPS are an issue, it is unlikely that owners and contractors will be able to undertake the felling work in such a way that it meets with the good practice guidance. If this is the case, a licence will be required from NE, to undertake the work required under the Notice. Woodland Officers will help with advice where necessary. Natural England is alive to the need to work infected sites as soon as possible, and will fast track any applications that they receive.

To date, there have been no applications for an EPS licence, which causes concerns.

## 8 Restocking on sites affected by Phytophthora

Of the sites where Statutory Plant Health Notices have been issued, the total area of PAWS sites affected is 358 hectares and that of new plantations / secondary woodland is 818 hectares.

The first applications for the enhanced restocking rates have now been processed and contracts approved. In total so far we have received 15 applications for restocking of which five have progressed to contract stage. These schemes total 151.97 hectares. Of this, 81.57 hectares are associated with PAWS sites and 70.4 are non PAWS sites. The breakdown for re-stocking purposes is as follows:

Non PAWS to Con	7.04
PAWS to Con	69.62
Non PAWS to BL	63.36
PAWS to BL	11.95
	<b>151.97</b>

## 9 Inspection and annual payments round 2011

Title I inspections (all annual farm woodland payments and management grant) were again completed on time (by 15<sup>th</sup> October). All claims have been loaded into GLOS and the automated cross check process run. Of the total cases, GLOS identified just over 300 cases as having a cross check error (against either SPS or other stewardship schemes. Regional team members have been working to reconcile these 300 cases over the last fortnight in order to maximise the number of cases that can be paid on time. Indications are that in excess of 7,200 cases will have been paid with a value in excess of £9million in the payment run on the 9<sup>th</sup> November. This was confirmed as at 12.00 pm on 9<sup>th</sup> November.

## 10 25% farmer declaration.

Owners that derive more than 25% of their income from farming are entitled to claim higher rates for FWP than non farmers. This year we were required to undertake for the first time a 100% admin check involving all farm woodland cases and the 25% income from farming status. This involves comparing data for owners of all EWGS cases (where applicants have applied for WCG and FWP and declared that they derive more than 25% of their income from farming) with all owners who are in receipt of Single Farm Payments.

Those EWGS cases where SPS **is not** claimed are investigated further. This year's exercise identified 25 such cases. There are acceptable reasons why an owner does not receive SPS (they keep goats or pigs, grow vegetables, have sold SPS entitlement previously or they are new to farming and have no entitlement), but they are still eligible to claim the FWP. In order to confirm the income status requires the applicant's accountant to complete an 'Accountant's Certificate'. Of the 25 cases identified 19 have provided the necessary documentation and 6 have either voluntarily had their payments amended to 'Non farmer' status, or are in the process of having this status imposed. In addition to the administrative exercise we are also required to carry out checks at the time of a mandatory inspection. Woodland Officers will be required to request completion of Accountant's Certificates for each case they inspect where FWP is being claimed at the higher, farmer rate. Non return of completed certificates will result in all FWP rates being capped at the non farmer rate, and reclaim of any grant paid to date to which an owner was not entitled.

## 11 Cross Compliance Penalties

The FC has also been required to impose Cross Compliance penalties on owners for the first time this year on Title I schemes entered into since January 2009. We are currently completing the process for penalties identified during the 2009 and 2010 SPS year, and have just received the first notifications for 2011. Almost all Cross Compliance breaches are for livestock irregularities, either ear tagging or animal welfare issues. A breakdown of cases by year is given below. The level of penalty varies from a written warning up to 55% in the case of one owner who declared they had 120 sheep and the RPA inspector only counted some 80 walking the fields – the remainder were scattered across the property and had been dead for some time!

There is no de-minimis in relation to the penalty, so regardless of value, the FC is required to impose the penalty amount. Fortunately RPA has agreed that the penalty can be imposed by reduction of the next FC annual payment due.

**Number of Cross Compliance cases by penalty value.**

	<b>Level of penalty</b>					
<b>Year</b>	<b>Warning letter</b>	<b>1%</b>	<b>3%</b>	<b>4-10%</b>	<b>11-15%</b>	<b>&gt;16%</b>
<b>2009</b>	1	1	11	1	1	1
<b>2010</b>	24*	8	3	2	1	0
<b>2011</b> (up to 31/10)	0	1	1	3	0	0

\* Multiple sites managed by two beneficiaries.

**Number of Cross Compliance penalties by grant type.**

<b>Year</b>	<b>FWP</b>	<b>WMG</b>
2009	8	8
2010	7	31
2011	5	0