

CAP Reform Cross-Compliance consultation document: implications for native woodlands

1. On February 19th the Executive published a consultation paper on proposals for cross-compliance measures in Scotland. They set out the proposed conditions which would need to be met by farmers to receive Single Farm Payment as part of CAP reform.
2. The conditions have 2 main strands: a set of European laws and Directives (known as Statutory Management Requirements) and a set of conditions for maintaining land in Good Agricultural and Environmental Condition. The latter have been developed by a working group to reflect Scottish needs within a fairly tight framework negotiated at EU level.
3. The two tables at the end of the document show the proposed conditions in detail. The consultation paper is available from the Scottish Executive website.
4. There are a number of conditions in the GAEC tables particularly which have some significance for the native woodland HAPs, including wood pasture HAP.
5. The conditions only apply to land in agricultural use at the time to be set for qualifying for the scheme, so existing woodlands are in most cases excluded, but existing grazed woodlands may qualify for SFP.
6. There is still some doubt about the treatment of small features forming an integral part of agricultural landscapes like shelter belts and hedges, boundary trees and field corner clumps etc. The working group have included these within the scope of GAEC conditions as 'landscape features' which are within the agricultural unit, even where they are agriculturally non-productive and their area does not count for SFP eligible area calculations. This inclusive approach has still to be tested against EC interpretations (expected in March or April).
7. The key items of significance for native woodlands are:
 - Poaching and overgrazing would be prevented in grazed woodlands and riparian areas
 - Undergrazing/avoiding encroachment rules have been defined in a way that allows colonisation of substantial scrub and native trees onto open pastureland subject to limits designed to allow reversibility and maintain a predominantly agricultural use.
 - Likewise planting of pastureland with scattered trees and small patches of native woodland may be compatible with SFP
 - Planting of more extensive areas of woodland is compatible with overall protection of permanent pasture at national level as long as it meets environmental guidelines and any EIA required (although such planting would take the land out of SFP).

- A basic level of maintenance of landscape features like hedgerow trees and shelter belts has been proposed for SFP but this is mainly about protection from damage rather than active renewal and significant maintenance (which will be dealt with under Tier 2 or 3 agri-environment schemes or SFGS). There was debate over including the replacement of dying boundary trees for example, but this was omitted in the end.

8. The group is invited to discuss the implications for native woodlands as a basis for members' responses to the consultation paper.

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