

Consultation Title	Scotland's Forestry Strategy 2019-2029
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Scottish Land & Estates (SLE) is a membership organisation representing a wide range of land-based rural businesses. Our members interests include farming, forestry, tourism, housing, leisure, and renewable energy. The organisation and its members are committed to continuing to help rural Scotland thrive.

SLE represents those who own and manage a considerable proportion of the private forests and other land-based assets required to deliver the stated targets for both sustainable forest management/expansion and integrated landuse.

To ensure our members can continue to deliver high quality sustainable forestry and integrated land-use outcomes, we believe any regulatory change and strategic policy development needs to be based on a full understanding of the potential consequences – both positive and negative.

We very much welcome the new level playing field that the Forestry and Land Management (Scotland) Act 2018 delivers which will ensure the public sector will be subject to the same regulatory framework and strategic policy as the private sector.

SLE welcomes and supports all efforts to promote and develop sustainable forestry in Scotland which currently contributes significantly to the productive forestry activity and capacity of the UK forestry sector. We believe that forestry provides significant opportunities for land use and rural business diversification, sustaining rural communities and tackling environmental issues.

We welcome the opportunity to respond to this consultation. This response is given with particular reference to, and in recognition of, significant private sector contributions towards the sustainable management of forests and their valuable associated habitats.

Consultation questionnaire

Q1. Do you agree with our long-term vision for forestry in Scotland? Please explain your answer.

Not entirely.

Whilst we support the broad concept this 'vision statement' is trying to impart, we believe it could be enhanced through further simplification and clarity.

Forestry should of course be viewed in the wider context but should not be framed in such a way that it is required to deliver on every Scottish Government policy area.

We feel, for maximum impact, the vision statement should focus on simply 'supporting sustainable forestry and encouraging integrated landuse' because this is broadly understood and accepted whilst inherently delivering the other elements.

We welcome the long-term approach taken in the strategy. As the consultation identifies, forestry is a long-term business and it is important there is a consistent approach and support for the sector to ensure confidence to invest remains high.

Regarding the bullet-point list that follows the vision statement on p14, we have the following comment:

We agree that the two principles of *i) the right tree, in the right place for the right purpose* and *ii) integrating forestry with other land-uses and businesses* are good starting points for forestry proposals. However, both principles remain subjective. The new strategy should recognise that the latter requires compromise to deliver the former at any meaningful scale against the stated targets. We also feel that a third principle of viability should be added, or at least referred to as an underpinning principle.

To this end we would suggest "*encouraging and supporting economically viable, innovative and ambitious proposals*."

We suggest two further points are made to:

- emphasise support for productive forestry to provide timber suitable for Scotland's processing industry which will reduce imports and create jobs.
- commit the SFS to UK-wide forest research with support for areas such as genetics, experimental crops and disease management.

We welcome the opportunity to continue working positively with the government on forestry matters. We are pleased to see a new and necessary focus on productivity and efficiency. We also welcome the opportunity to contribute to defining and developing the most appropriate mechanisms that would enable government to further support these contributions throughout the private sector in Scotland, now and in the future.

We therefore hope the final strategy will greatly assist in enabling private landowners to progress innovative and ambitious forestry plans and objectives within a more practical, simplified and less bureaucratic regulatory framework, for both productive and non-productive forestry.

Q2. Does the strategy identify the right objectives for forestry in Scotland over the next 10 years? Please explain your answer.

Not entirely

We suggest Objective 1 is amended to “Increase the **area and** contribution of forests...” to enable a tangible measurement against the objective. We recommend the term ‘inclusive’ should be removed as it does not add to the statement.

SLE would like consideration given to separating the three stated objectives out to at least reflect the six key national outcomes shown in Figure 1. Whilst we appreciate there are a myriad of possible variations, we would suggest the majority of the terminology of the vision statement could be teased out in objectives to provide context.

Q3. Do you agree with our assessment of the major issues likely to have the greatest impact on the achievement of our objectives? Please explain your answer.

Yes, we broadly support the assessment of major issues subject to the following comments:

The draft strategy is light on detail and what actions are required over the next decade to overcome the barriers to delivery. The SFS is an opportunity to tackle various issues as soon as regulatory freedom is achieved at the point of full devolution of forestry after Brexit.

We believe it would be helpful to include the key issue of woodland expansion delivery. The existing target to plant 100,000 hectares in the decade to 2022 is not being met, especially in regard to the productive conifer element. Recognition of this, and the factors which have led to this, should be recognised. We need to plant about 14,000 hectares a year for the next 3 years if we are to achieve the target. Increasing the target to 15,000 hectares per year from 2024 seems futile if delivery mechanisms and policy restrictions fail to support the achievement of these targets.

There needs to be acceptance in the strategy that compromises need to be made between competing interests. An explicit acceptance in the strategy document that trade-offs between land uses, landowner objectives, stakeholder/public opinion etc to the change in land-use will be necessary. This would greatly assist in land-use planning, management of public expectations and the successful delivery of ambitious planting and integration targets.

Addressing this issue should be linked to skilled/professional rural job creation and the retention of families in remote rural communities. Strategic commitments should also be made to improving rural transport infrastructure to attract more investment in rural businesses and communities.

4.1: Final para p19 : We would welcome an acknowledgement that issues surrounding both ‘inappropriate deforestation’ and ‘effective restocking’ cannot necessarily be addressed through this strategy, the government’s woodland removal policy or the new felling/restocking regulations.

“Inappropriate deforestation” is most often associated with planning applications and approvals, often at ministerial level. This is a key planning policy issue as opposed to a sustainable forestry issue. The SLE position regarding development related deforestation can be viewed in our response to the Felling and Restocking consultation [here](#).

We agree that effective restocking is vital, but it should be acknowledged that inappropriate restocking has also been exacerbated by past policy. For every hectare of productive forest felled, restocking policy has contributed to a significant net loss of productive forest area. Minimum requirements meant a felled productive area needed to include 35% non-Sitka spruce (open ground, broadleaves and/or other mixed conifers). These restocking thresholds were applied regardless of existing landscape scale distributions or dynamics. The outcome of this has, in many properties, been a net loss of productive crops.

It is difficult to support the subjective terms “appropriate” or “effective” in relation to restocking productive forest areas without any published tolerance thresholds.

4.2: First para p21 : Land-use integration : Under modern practices and regulations only appropriate designs are approved. Badly designed forests are an historical matter and this reference should be removed, or at least qualified. It implies that the driver for integration of land-use is simply to mitigate visual impacts from historical forestry.

The SFS should champion that modern forestry practices have evolved considerably over the past fifty years and deliver sustainable and relatively low-cost public benefits across a broad range of government policy portfolios. Forestry today has been built on practices developed over the last 50-100 years. Learning from the past, our forests and woodlands have much to take forward. The SFS refers to a collective obligation and for all sectors to work together which we welcome.

Whilst acknowledging that forestry has been subjected to very harsh criticisms, it is important to also recognise that, over time, these same forests have also delivered some of the most celebrated, spatially and ecologically diverse, iconic forested landscapes in Scotland. These forests continue to be managed as productive forests, sequester vast volumes of carbon and attract considerable numbers of visitors to Scotland. For example, 70% of the Loch Lomond and Trossachs National Park forest resource is managed as productive forestry which supports thriving and dynamic rural communities, habitats and wildlife. Similar examples can be found throughout Scotland.

Regarding the statement “*Managing woodlands without considering how they interact with surrounding land-uses has been one of the major criticisms of forestry in Scotland over recent decades, resulting in missed opportunities and some badly designed forests.*”, we suggest it should be reworded to recognise the positive steps taken over “recent decades” based on UKFS and UKWAS principles. In our view it misrepresents the current situation, where the sector consults frequently and widely.

We welcome the reference to the Land Use Strategy and while we agree with the broad principles outlined under the heading *Complementary land-uses “for a single joined-up approach to integrated land management planning...”*, there needs to be an acknowledgement that, in order to deliver the desired integration, there will be a need for compromise by some parties and a willingness to consider land use change.

Alongside this SFS is a need to create meaningful integrated primary industry strategy with its component biosecurity, agriculture, forestry, fisheries elements. Finding pragmatic solutions to landuse integration, involving all sectors, needs to be addressed and SLE members are frustrated that this work is not progressing. Whilst acknowledging the need for planned land reform policy, caution is also necessary to ensure that such planning does not dictate what a landuse should be.

The SFS should acknowledge that, as a strategy, it cannot deliver the stated objectives in isolation from new strategy development across all landuse sectors. Whilst the SFS will set the direction of travel, fuller recognition must be given to the issue that delivery will largely be dependent upon the private sector, and in particular, willing landowners.

If private landowners, particularly traditional estate owners and farmers, are being encouraged to deliver the SFS with investment, land and time, then mechanisms need to be developed to enable UK Forest Standard compliant proposals to be approved, even in the face of disapproval and objections by others, whether conflicting policies, groups or individuals.

SLE believe a balanced approach to achieving integration and consensus at scale requires robust decisions and that complex trade-offs will be required to deliver the strategy.

The 'right tree in the right place for the right purpose' is an aspirational baseline from which both positive and negative impacts can be considered. However, the subjective nature of who decides what the 'right tree in the right place' is, needs to start with the individual landowner, their objectives and proposals. If landscape scale collaborations can then be forged between neighbours it should be welcomed, but it should also be acknowledged that this is not always easily achievable. Collaborative landscape scale approaches are to be celebrated and supported where consensus can be achieved.

We recognise that this strategy intends to "place forestry at the heart of government" as a consequence of the 2018 Act. However, we believe more work is required to support and encourage private landowners to assist in the delivery of strategic government objectives. Engagement with the private sector will always be subject to a wide range of non-policy related factors that influence voluntary private actions and business investments.

4.3: p22: Economic Development : If part of the SFS is for forestry to provide or support affordable housing then changes are likely to be required in planning policy. At the moment it is almost impossible to have any development that impacts on woodland considered and even if there is a slim opportunity the development costs make affordable housing unattractive to many landowners, not because of lack of profit but because cost of development would result in a negative return. So while we support the aim of considering innovative ways of increasing affordable housing in rural areas, we believe that the current wording sets out an achievable aim.

4.5: p23: Forestry and Young People : We agree there are clear opportunities for both the private and public sectors to play their part in presenting forestry as a positive sector for early education through to rewarding careers.

4.6: p25: Climate Change – Mitigation : We welcome the recognition of the extensive contribution forests and trees make to climate change mitigation from sequestering and storing carbon whilst delivering a broad range of other environmental benefits such as flood alleviation. However, we believe private sector contributions need to be appropriately recognised in terms of ownership, management and financial returns.

4.10: p27: Environmental and Landscape Quality : SLE fully support and encourage compliance with all environmental and landscape good practice, guidelines and statutory requirements. It should however be recognised that the constraints of ever-increasing burdens and costs can have prohibitive practical implications. SLE believe that the private sector is willing to deliver the objectives of this strategy and assist in the delivery of the broad range of benefits that both forestry and integrated landuse offers. In order to do so, the SFS needs to acknowledge that landuse, landscape and environmental concessions and compromise need to be considered, and potentially difficult and controversial trade-offs will necessarily need to be found.

4.12: p28: Community Ownership : SLE welcomes the diversification of land ownership based on the principle of willing parties in both the public and private sectors. It is good forest management which is key. We do not believe community ownership of forestry is an end in itself and should not be pursued purely on a land reform basis.

Q4. Do the ten priorities identified in table 2 capture the areas where action is most needed to deliver our objectives and vision? Please explain your answer.

We would suggest a more useful table here would identify priorities against measurable targets/outcomes, similar to Table 4 p40. If a table is to be included here, it needs to show clear links between priorities and targets in the strategy against which strategy success can be audited and will assist in the reporting for periodic statutory review as required under the new 2018 Act.

Considering the priorities for action will be delivered mainly by landowners and farmers, Table 3 should place 'incentives to encourage farm diversification through forestry' high on such a list.

The section regarding Partnership Working should also commit to working with named private sector representative organisations such as NFU Scotland and SLE.

Q5. Can you provide any examples of delivery mechanisms that have previously been effective in delivering similar objectives and priorities?

Yes.

Non-competitive SFGS (Scottish Forestry Grant Scheme closed 2006)

Stand-alone Regional Challenge Funds

Non-centralised administration, locally based inspections & payments

Non-competitive RSS (Rural Stewardship Scheme)

Schedule B/D system abolished by Chancellor Lawson in 1988.

Q6. For any delivery mechanism examples given in answer to question 5, please explain why they worked well?

The SFGS (Scottish Forestry Grant Scheme), Regional Challenge Funds & RSS (Rural Stewardship Scheme)

Key benefits that made these schemes effective and efficient:

Simple

Logical menu-based schemes

Non-competitive

Outcome-led options for delivery

Open to applications year-round

Integrated 'life of contract' operations menu, detailing standard costs & budget <15yrs

Transparent

Local approvals and administration

Auditable

Long term

All pre-SRDP schemes enabled professional, technical & long-standing relationships to be developed between landowners/agents and FCS/SEERAD staff. SRDP led to professional analysis and opinion becoming marginalised in favour of inflexible system-led administration of cumbersome, bureaucratic and centralised processes which became progressively removed from local knowledge and/or professional inputs.

The SFGS, CF and RSS combined model possibly represents the closest template for integrated landuse mechanisms that delivered considerable positive results against stated scheme objectives. There was significant uptake of the schemes and the practical implementation, administration and auditing was relatively straight forward for both applicants and administrators.

In the development of post CAP support mechanisms, SLE is seeking a return to a simple, logical, uncompetitive, outcome-led and results-orientated support schemes such as the Scottish Forestry Grants Scheme and others.

Undoubtedly the most effective, and by far the most cost-effective delivery mechanism for establishing new forestry was through the Schedule B/D system abolished by Chancellor Lawson in 1988. All of the environmental and public benefit objectives could be achieved through conditions attached to planting approvals.

Q7. Do you think the proposed progress indicators are the right ones? Please explain your answer.

The proposed indicators appear appropriate although we would welcome the opportunity to comment on any detailed proposals once available.

Whilst we agree that monitoring and reporting are a legitimate and necessary function of government, this has to be proportionate and take into account private property rights.

When new progress indicators and reporting regimes are considered, it will provide an opportunity to review and potentially revise some existing reporting mechanisms. Reviewing climate change reporting particularly in relation to carbon (forest and peatland) would be welcome as an enabling exercise for the private sector to engage with a wider range of global off-set market mechanisms that are currently unavailable. This is entirely possible without disrupting the existing government-led schemes, or the Scottish or UK reporting processes.

Q8. Do you have any suggestions for other indicators we could use to measure progress (especially ones which draw on existing data)?

Q9. For any indicators suggested in answer to question Q8, please explain why you think they would be appropriate.

Q10. Would you add or change anything in the Equality Impact Assessment (which includes our assessment of the potential impact of the strategy on inequalities caused by socioeconomic disadvantage – Fairer Scotland Duty)?

Q11. Would you add or change anything in the Business and Regulatory Impact Assessment?

We appreciate the various impact assessments are currently part assessments. Considering our own response, and with regard to the comments emerging from the various consultation events which echo our analysis, SLE would like to see all of the impact assessments reviewed, particularly the Business and Regulatory Impact Assessment.

Q12. What are your views on the evidence set out in the Environmental Report that has been used to inform the assessment process?

Q13. Should any additional evidence sources be used in the Environmental Report? Please provide details.

Q14. What are your views on the predicted environmental effects as set out in the Environmental Report?

Q15. Do you agree with the conclusions and recommendations set out in the Environmental Report?

Q16. Please provide any other further comments you have on the Environmental Report.

Q17. Do you have any other comments you would like to make about the draft strategy for forestry in Scotland?

Please also refer to General Comments prior to Q1

The term “joint national endeavour” is one which caused concern amongst some members. Whilst the delivery of the SFS is indeed a joint national endeavour, it would be wrong to suggest that the forestry in Scotland is a single entity jointly managed for the nation. Clarification of what this term means would be welcomed.