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Sam Telford
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Dear Catherine

Forestry Commission Trade Unions Response to the Scottish Government's Consultation on the Future of Forestry in Scotland

Introduction

After a period of uncertainty, we welcome publication of the Future of Forestry in Scotland consultation document and the opportunity for all to contribute to future forestry policy and arrangements in Scotland.

We endorse the threefold aims:

- To introduce new organisational arrangements so that the management of forestry in Scotland is fully accountable to the Scottish Ministers and to the Scottish Parliament.
- To ensure that we have in place effective cross-border arrangements where those suit Scottish needs.
- To replace the Forestry Act 1967 with a modern approach to the development, support and regulation of forestry.

We welcome the opening statement that Scottish Ministers are committed to retaining the National Forest Estate (NFE) as an asset for the nation, with the clear understanding that Forest Enterprise Scotland (FES) will continue to manage the NFE under any new arrangements. The [economic contribution of the National Forest Estate](#) as managed by FES on behalf of Ministers generates £395 million (gross value added) to Scotland's economy each year and supports over 11,000 jobs.

Forestry Commission Scotland (FCS) in co-operation with the FES Agency has driven much of the work to realise the widest social, environmental and health benefits from forests that have become increasingly clear in recent years, demonstrating the essential requirement for Scottish Government (SG) policy teams to have a closely linked delivery arm to realise SG goals, many of which are statutory.

Forestry Commission Trade Unions (FCTU) have aimed to answer the consultation questions as far as possible at this stage; however, there are a number of issues to consider that are not within the confinements of the questions asked in the document. We recognise that this consultation is an early stage in preparing the way forward for forestry in Scotland; and as representatives of Forestry Commission staff, we seek ongoing involvement as this develops. We look forward to a continuing dialogue.

Chapter 1: New organisational arrangements in Scotland

- 1.** *"The two main parts of the Forestry Commission in Scotland are Forestry Commission Scotland (FCS) and Forest Enterprise Scotland (FES). The latter is an agency of the Forestry Commission and, for national accounting purposes, is designated as a public corporation by the Office of National Statistics. Both FCS and FES are funded by the Scottish Government and operate as part of the Scottish Government's Environment & Forestry Directorate but they are not Scottish public bodies and thus are not currently subject to our policies and practices.*

FCS promotes forestry, advises on and implements forestry policy, administers grants and regulates the forestry sector. FES is a land management body with responsibility for managing the Scottish Ministers' National Forest Estate (NFE). The aims and objectives of both FCS and FES flow from the Scottish Forestry Strategy, and Scotland's Land Use Strategy, which set out the Scottish Government's vision for forestry and land use, and from the wider economic, environmental and social objectives of the Scottish Ministers (including timber supply, climate change, biodiversity, healthy living, tourism and education)."

1.1 These paragraphs describe in simple terms the current arrangements and roles of FC in Scotland, but they do not acknowledge how much integrated working has led to the success set out in the Introduction and Background section of the consultation. The initial separation of policy and land management within FC in the early 1990s has led to increased focus on the two roles. Although some will always wish this to go further, both parts have enhanced their credibility within the industry through integrated thinking, joint working and the interchange of staff and ideas.

1.2 Examples of this include:

1.2.1 As part of FCS policy to create new health-promoting opportunities in our woods and forests, help improve the health and life expectancy and reduce health inequalities in Scotland, the national health policy advisor in FCS has established a strategic partnership between the Scottish environment and health sectors. FCS works with SG Health Division, Area Health Boards and NHS Scotland, leading to the 'Greening the NHS Estate' national demonstration programme, and management of part of the Forth Valley Royal Larbert Hospital estate by FES. Branching Out is the FCS flagship health programme. The SNP Manifesto 2016 contained the following statement: *FCS have won "multiple awards for the FCS Branching Out programme, which uses outdoor education to improve the quality of life for adults experiencing long term mental health problems and common mental health issues. We will ensure the Forestry Commission and the NHS work together to protect and extend this scheme and widen its availability".*

1.2.2 Development of the SG Policy on Control of Woodland Removal to minimise unnecessary woodland loss caused as a result of unacceptable practice in the early development of wind farms. FES included this policy in the Development Opportunity for the NFE in 2009 and has worked closely with FCS to provide appropriate policy interpretation on casework, implement good practice across the industry, including the private sector, and improve the understanding of forestry issues within planning authorities.

1.2.3 The National Forest Land Scheme was developed within FCS from the Community Right to Buy legislation of 2003. FES then implemented the policy and successfully transferred sites to communities to fulfil their local ambitions, including for woodland management, renewable energy generation and social housing development.

1.2.4 FCS policy team and Central Scotland Conservancy worked with other public bodies to identify vacant & derelict land sites where considerable public benefit could be created through woodland creation and provided funding to FES as a delivery agent to turn strategy and policy into action.

1.2.5 FCS has worked with SEPA to exercise our water management related functions and to promote forest management and woodland creation where it would contribute to flood risk management. FES, as a land manager for a considerable land holding, took part in these discussions and led the way on good practice by demonstrating the role that forestry can play to mitigate flooding on the National Forest Estate.

1.2.6 The Central Scotland Green Network Youth Employment Skills Programme was designed, guided and funded by FCS and administered through Scottish Lowlands Forest District. The Programme aims to equip unemployed young people (16-24) with life skills, technical training and work experience. It funds several training providers to provide land-based training and employability skills—mainly on the NFE—with programmes lasting 10+ weeks. To date, half of the c1000 participants have achieved a successful destination and around a quarter have entered the employment market.

1.3 FCTU is clear that close co-operation and co-ordination between FCS and FES is the best way of delivering Scottish Ministers' forestry policy in the most cost-effective way.

1.4 It is essential for the label 'forestry' to remain attached to both FCS and FES, as there must be bodies designated to take forward SG forestry policy without risk of dilution with other priorities. As we do not believe that forestry is concerned only with growing trees, we present further information in Section 4 on the extent of these duties.

1.5 We respect the dedication of current Scottish Ministers to the secure future of forestry in Scotland, and have commented further in Chapter 3 – Legislation, but unfortunately, we cannot be certain that this commitment will remain for the long term. Forestry policy needs to think over 50 to 100 year timescales, as can be seen from the achievements of the forestry sector in Scotland since the formation of the FC in 1919.

1.6 We note that there is an existing model within SG in the form of Transport Scotland, with its strapline 'The national transport agency for Scotland, delivering the Scottish Government's vision for transport'. This has both policy and implementation within the same body and includes successful processes for the policy arm to monitor the work of the delivery arm.

Recommendation 1: For the reasons set out above, we strongly recommend SG to set up a single body for both FCS and FES as an Agency. We understand that an Agency is of necessity not part of a Directorate, but believe it is more important to keep FCS and FES together as a strong voice in Government for the vital role forestry delivers as its importance to the Scottish economy continues to grow.

2. *"About one thousand civil servants work for FCS and FES. FCS staff are located in the Edinburgh national office and in five conservancies around the country, which provide guidance and implement policy and regulations locally and also carry out health, education and engagement programmes with local communities. The FES head office is based in Inverness with staff managing the NFE locally in ten forest districts across Scotland. In addition, 200 Forestry Commission staff, who provide some of the current shared services and cross-border functions (including research) as part of UK Government functions, are also located in Scotland."*

2.1 This description of administrative arrangements is broadly accurate. However, it does not recognise the flexibility available due to the current integration of FCS and FES, which allows hot-desking and facilities such as videoconferencing, teleconferencing and meeting rooms to be shared. This reduces travel time and cost, increases effectiveness and efficiency and allows for better work-life balance for staff within the organisation who can work from varied locations. The value in this approach to FCS & FES sharing facilities should not be underestimated in developing policy, where the feedback of practitioners can be sought easily in 'over the water cooler' conversations that would otherwise not take place. This also facilitates regular cover for holidays and other absences in corporate and secretariat services. Policy is strengthened and practitioners working on the NFE are able to lead the way and demonstrate to others how government policy can successfully deliver.

2.2 We welcome the potential benefits of closer integration with Scottish Government in reducing barriers to wider sharing of facilities and systems, which could lead to greater efficiency. However, the large majority of our staff have worked only within FCS and FES, and change should be managed and resourced to ensure they are fully supported through this process.

2.3 Many research staff also benefit from these arrangements when carrying out their work in Scotland and interaction of staff helps to spread good practice within the organisations.

Recommendation 2: For these reasons, we support the move to a closer relationship with SG and recommend FCS and FES be managed as one integrated organisation.

3. *"Our proposals are designed to enable the state forestry sector to expand its contribution to Scotland's rural economy and to other social and environmental outcomes."*

3.1 Scottish Ministers may ask FES to continue with a Repositioning Programme to use sales income from selling land with lower public benefit in order to acquire and establish woodland on sites with higher public benefit.

3.2 Woodlands targeted for sale so far have been, by definition, those which have poorer access, are in more remote rural areas, or are smaller blocks with higher management costs. The cost per hectare of acquisition and establishing woodland is higher than the sale income. This has already reduced the NFE from >670k hectares to now <640k hectares and retrenched from a number of rural areas.

3.3 While FES is undoubtedly expanding its contribution to social and environmental outcomes in parts of Scotland, it is reducing its contribution to many locations in the rural economy and will have to continue to do so in order to fund the other aspects. It is increasingly difficult to find areas to sell without impacting on other income from timber, recreation or renewable energy generation, thus accelerating the downward spiral.

3.4 Scotland's climate change targets are widely recognised as ambitious and challenging. Forestry is a valuable tool to sequester carbon, while providing rural employment and raw materials for industry. In recent years, the contribution of the NFE towards these targets has declined with sales of land and significantly reduced planting programmes. An integrated state forestry sector would provide the Scottish Government with increased control over these targets and the tools to deliver them.

Recommendation 3: We recommend Ministers should reverse this trend and invest in the expansion of the NFE in order to achieve their aims.

Consultation questions

- 4.** *Q1. "Our proposals are for a dedicated Forestry Division in the Scottish Government (SG) and an Executive Agency to manage the NFE. Do you agree with this approach? Please explain your answer."*

4.1 Throughout the consultation document, the term 'forestry' is not defined, but Chapter 3 suggests that the Forestry Act of 1967 is updated to reflect modern forestry good practice. There is an emphasis in the document on the production of timber and economic development, and we recognise the impact over many years of the increased production from the NFE (and from the private sector). This provides the main funding base for the maintenance of national and private sector forests as well as supporting many timber users throughout Scotland and beyond. The Gross Value Added is recorded in detail in the report referenced in our introduction on page 1. The timber industry has been able to expand so rapidly in Scotland based on the long-term commitment of FES to sustained production even in times of lower timber prices, when many private sector forest owners withdraw from the market.

4.2 The significant benefits of timber production must be placed alongside the increasingly wide range of activities delivered on the NFE and through FCS regulation of the private sector. The ever-growing and changing environment of a 'forest' includes stands of productive trees ranging from dense and impenetrable to wide spaced and open; trees growing with less management; and areas recently cleared ready to replant. The spaces between the trees are just as important and FES manages about 200,000ha, or 30% of the NFE, without trees, principally for social and environmental objectives. These spaces are also part of 'forestry'; the sector understands this and is determined not to repeat the mistakes of the past, which led to environmental damage and loss of public support for forestry. Scotland is currently an exemplar of multipurpose forestry, delivering economic, social and environmental objectives. Long term commitment to this concept is part of building resilience for the future.

4.3 The following are additional essential elements of 'forestry', which contribute to sustainable forest management:

- 4.3.1** Right trees in the right places – good design including the spaces in between.
- 4.3.2** Forest Habitat Networks – maintaining connections for all the organisms living in the area; trees, birds, animals, insects, ground flora, fungi, micro-organisms etc.
- 4.3.3** Biodiversity – delivering the Scottish Biodiversity Action Plan. Lower disease risk and increased range of successful organisms.
- 4.3.4** Built & Cultural Heritage – supporting 'Our Place in Time' and the emerging Scottish Archaeology Strategy. Remnants and reminders of our history over many centuries.
- 4.3.5** Habitat management – restoring peatbogs, butterfly conservation, soil protection, control of non-native invasive species.
- 4.3.6** Access to the countryside – promoting the Scottish outdoor access code and access rights and responsibilities.
- 4.3.7** Recreation – Go Ape is up in the trees, but most is in between them and some of it needs those wide, open spaces.
- 4.3.8** Welcoming atmosphere – brand recognition, clear signage and good management
- 4.3.9** Woods for health - creating new health-promoting opportunities in our green environment, particularly trees, woods and forests.
- 4.3.10** Community engagement – local knowledge, facilitation and empowerment.
- 4.3.11** Forest school – transforming educational prospects for many.
- 4.3.12** Minority engagement – widening opportunities for protected characteristic groups through FCS engagement strategy.

- 4.3.13** Passionate staff, many with long service – dedication, commitment, knowledge and experience.
- 4.3.14** Site restoration – opencast coal, vacant and derelict industrial land.
- 4.3.15** Partnerships – we are not the experts on everything, but facilitate the opportunities that others seek.
- 4.3.16** Renewable energy – there will shortly be 1GW of capacity generating on the NFE and we provide access to much more than that on neighbouring land.
- 4.3.17** Agricultural grazing lets – integrated land management and maintenance of local employment and culture.
- 4.3.18** Starter farms – opportunities for young people wanting to make their way into the industry.
- 4.3.19** Biomass energy – continuity of supply and building the demand and the market together.

Recommendation 4.1: We recommend that Scottish Ministers recognise this wider definition of forestry and ensure it continues in any new arrangements for FCS and FES within SG.

4.4 Resentment at the close relations between FCS and FES now largely arises from parts of the private forestry sector, which believes that regulation of private and public sectors differs too much. FES, managing the NFE, is accountable to Scottish Ministers and through them to the Scottish Parliament and the public. It is subject to Freedom of Information legislation and has developed a policy of increasing openness in ways of working, consulting on Land Management and other local plans. Furthermore, FES can demonstrate that it works to the same and even higher standards than many private sector land managers through being subject to regular, independent UKWAS audits of process and delivery.

4.5 It would therefore be a waste of public money to replicate precisely the arrangements for the private and the public sectors, so there is full justification for the small number of differences. These small differences could also be offered to trusted private sector managers through ‘earned recognition’. For example, FES has a universal license to thin, and this could be offered more widely.

4.6 Similarly, in practice, FCS scrutiny of private sector plans will vary according to the quality of what is submitted and individuals or companies developing a reputation for high quality work are likely to find faster approval.

4.7 The private forestry sector is continuing to grow in Scotland and will continue to deliver the large majority of ambitious New Planting targets set by Ministers. It is in their interest to have a strong voice within SG, but while there is opportunity to speak to Ministers, officials and other politicians, the day-to-day relationship will be with the new body responsible for forestry. FCS consists of a small policy team, based mainly in Edinburgh, but a much larger section which regulates both public and private sector forestry throughout Scotland. These teams deliver the approvals necessary to meet the needs of the timber processing industry, so heavily dependent on the production from this increasing resource. They work with the sector to promote forestry, encourage landowners to bring forward areas for new planting and have a strong reputation for professional competence. This is built on the close relations and regular interchange of staff and ideas that come from being a single organisation. The strength of the new arrangements will be greatest when integration of policy and practical delivery are credible and successful. A powerful voice in Government will be the best security for the private sector’s long-term future.

Recommendation 4.2: We welcome the proposed creation of a dedicated Forestry organisation within SG, but strongly recommend that this manages all

forestry functions together and consists of Policy and Regulatory arms, as it is now set up, and the current FES Agency.

5. Q2. *"In bringing the functions of FCS formally into the SG, how best can we ensure that the benefits of greater integration are delivered within the wider SG structure? What additional benefits should we be looking to achieve?"*

5.1 Many staff in FC, who are not used to working with colleagues in Government, are wary of a larger, seemingly inflexible, centralised organisation with processes and activities unused to our culture of practical delivery. Although the experience of staff who regularly work with SG is positive and increasingly widespread, this is largely confined to more senior staff. SG must recognise this concern and provide the resources required for successful transition into new structures.

5.2 Some will welcome access to wider opportunities within SG. There is a good fit with the other parts of Government in the environmental remit of FCS and FES, and the strong support from Ministers for the work of FC will help to spread knowledge and understanding of its work further. Furthermore, interchange and close collaboration between staff in research (FR), policy & regulation (FCS) and practice (FES) must continue, because when all three combine on projects, the results are truly powerful – see earlier examples in Section 1.2.

5.3 We recognise the importance of sharing ideas and good practice, interchange of staff and widening experience, and hope that many in FCS, FES and SG will appreciate a closer working relationship and seek opportunities for personal and organisational development across this wider field.

5.4 FCS and FES benefit directly from their status as a Government Department and Agency respectively. This contrasts with Scottish Natural Heritage (SNH) and Scottish Environment Protection Agency (SEPA), which are more distant from Government.

Recommendation 5: We strongly support further integration of FCS and FES into the heart of Scottish Government, but seek assurances that resources will be made available to assist staff in making any transition.

6. Q3. *"How should we ensure that professional skills and knowledge of forestry are maintained within the proposed new forestry structures?"*

6.1 As set out above, the skills and knowledge of 'forestry' range much wider than traditional management of trees and it is essential that the full range of skills is considered in any proposals – silviculture, social, environmental and cultural.

6.2 Forestry, both public and private, is not alone in the rural areas in having difficulty attracting young people to take an interest. As urbanisation has increased, the opportunities and facilities offered often limit interest in mainly rural activities. Recent apprenticeship and student placements have been successful, most resulting in full-time employment in the sector. It is unfortunate that in 2015, shortfall in income led to closure of the current programme, but SG has declared full support for apprenticeship schemes and these should be permanently reinstated to both FCS and FES. As the Scottish workforce evolves over time, people wish to have more flexibility on when and how they work, including working into older age. The target audience to attract into these training places should be to the widest possible range of ages and backgrounds.

6.3 The Institute of Chartered Foresters (ICF) has worked with all parts of FC and the private sector to improve the status of the forestry profession, with considerable success. Chartered status and full Fellowship, with Continuous Professional Development provide incentives to improve skills and there is widespread co-operation with other bodies, such

as the Royal Scottish Forestry Society, to ensure optimum sharing of knowledge and experience.

6.4 Many people from countries elsewhere in the European Union have the right skills and interest in forestry. They have been a welcome addition to the FC over a number of years and this opportunity should continue.

Recommendation 6: We recommend the Scottish Government fully supports the provision of opportunities for apprenticeships, training places and a culture of continuous improvement within FCS, FES and the rest of the forestry sector in Scotland.

7. Q4. *"What do you think a future land agency for Scotland could and should manage and how might that best be achieved?"*

7.1 We must express our disappointment that the consultation includes a name for the organisation proposed for the current FES to move into. There are two main reasons for this; achieving public support; and achieving staff support.

7.2 The FC brand currently has widespread public recognition – the name Forestry Commission, the 'two trees' symbol and the colour schemes for signs, clothing and vehicles. This is a valuable asset. The Forestry Commission was established in 1919; the 'two trees' and the green colouring came later, but these are used throughout both FCS and FES, with an immense sense of pride by the staff and immediate recognition by the majority of people who have any connection with the organisation. It is a shorthand for all that they represent; professionalism, knowledge and understanding, a trusted organisation.

7.3 We recognise that there may be legal restrictions on the use of the name Forestry Commission, as this name will continue in the remaining organisation in England. It may be that the 'two trees' also has that intellectual property right.

7.4 Many organisations, both public and private, have been criticised for money spent on rebranding. This is particularly strong where it is public money. Work done within FES has so far identified that making the changes necessary would cost at least £5m, none of which is included in the already desperately tight FC budget in Scotland.

Recommendation 7.1: We strongly recommend that SG seeks dialogue with all other parts of FC to agree how to retain the maximum value in both Scotland and England that the 'FC Brand' asset represents.

7.5 We have set out in Section 4 our view of the breadth of activity that is included in the term 'forestry' and reiterate that this must remain in any new arrangements within SG.

7.6 How great would it be if SG asked FC staff how they would like to move into the new arrangements, and staff and the public about the value of the brand, what would be an appropriate name and how they can take the values associated with that brand forward? Let us not be confined by some need to define the future so tightly that we cannot accommodate new thinking.

Recommendation 7.2: We strongly recommend that Ministers consult FC staff and the Scottish public on the name of the organisation, and the use of the FC brand.

7.7 The key commitment required from Ministers and SG is that whatever the FC in Scotland is asked to do must be fully resourced, so that it can be delivered to the standard required.

Recommendation 7.3: We strongly recommend that Ministers commit the necessary resources to deliver their forestry policies through FCS and FES.

Chapter 2: Effective cross-border arrangements

8. Q5. *"Do you agree with the priorities for cross-border co-operation set out above, i.e. forestry research and science, plant health and common codes such as UK Forestry Standard? Y/N"*

8.1 FCTU views the complete list of cross-border functions in the consultation document as priorities going forward. We do not accept the implication that there could only be three priorities.

8.2 In terms of forestry science and research, the current Forest Research brand continues to be recognised across the world for its relevance and quality. FR is closely aligned to the needs of its users, continuing a strong tradition of public and private sector partnership, under which the forest estate across GB was significantly expanded and sound principles of forest management were established. New techniques have been developed, yet this tradition of applied research to meet the needs of practitioners continues today. FR maintains effective feedback systems to ensure that its research remains relevant to current needs. Research is, and will remain, critically important in the coming decades, due to changing climate, changing suitability of tree species and new, aggressive pests and diseases. We need a strong and experienced research team on a GB basis to address these issues, with the continuation of the broad-based understanding, currently provided by FR, of the holistic requirement for successful research. For example, critical research into tree disease requires a strong team of field research staff, statisticians, silviculturalists, climate change experts and pathologists.

8.3 FR manages and continues to develop research trials on both the public and private sector forest estate, primarily on the NFE. Access to NFE land for such trials is a key requirement for field-tested research. While the FES and Forest Research have been parts of the Forestry Commission, this has been straightforward to achieve. We would not welcome new arrangements for FR or any new land management agency which put this at risk.

Recommendation 8: The current Forest Research Agency should form the core of any organisation managing cross-border arrangements within the United Kingdom. SG should ensure any transition allows the work of the Agency to continue and maintain, if not enhance, its international reputation for research quality.

9. Q6. *"If no, what alternative priorities would you prefer? Why?"*

9.1 We regret that the wording of these questions is not as open as those earlier in the document. The consultation primarily asks respondents to consider the priorities for cross-border collaboration, but less so the basis on which cross-border functions will be delivered and how.

9.2 As stated above, we view all of these cross-border functions as priorities. Inventory, Forecasting and Operational Support (IFOS), currently part of FR, is an essential priority in our view. SG relies on programmes such as the National Forest Inventory (NFI) and

Forester GIS to transparently develop, implement and evaluate sustainable forest management in Scotland. In 2015 we went through a process of consultation and due diligence on the 'refresh' of Forest Research; with various functions, including IFOS and Statistics, transferring to FR, so these functions are no longer separate from research. FCTU, Defra, SG, the Welsh Government and country policy leads were included in this process of rigorous evaluation and consultation.

9.3 While we see IFOS as a priority, this does not lessen the need to continue with Tree Health and Common Codes on a cross-border basis. Furthermore, we believe that Economics and Statistics should remain priorities, because if they diverge across the border, the value of the information devised and published will substantially decrease over time. The economics expertise is highly specialist, and has been developing important new areas of work on investment models and ecosystem service provision, both of which are important priorities for the future of forestry. As with Statistics, it is important to recognise the difference between generic skills and specialist forestry expertise in these areas.

9.4 In terms of international forestry policy, there is a very clear and potentially devastating example of the importance of this to all of the UK, in the form of Chalara Ash Dieback disease. Although it is likely that this would have arrived in the UK by natural means, the spread of the disease by importing nursery stock for planting from Europe has undoubtedly spread it much more quickly than would have been the case with home-grown stock. This is just one example of the clear need for international forest policy to be integral to cross-border co-operation.

9.5 Although the UK is a small forestry nation, its influence through international policy engagement is much greater than its forestry resources would suggest. As the UK and Scotland is a net importer of forest products, ensuring that its interests are properly represented in internal fora is crucial to fair trade and the reduction of unnecessary and costly economic burdens.

Recommendation 9: The existing cross-border functions should all be taken forward as priorities, while recognising that IFOS and Statistics are now part of Forest Research.

10. Q7. *"Do you have views on the means by which cross-border arrangements might be delivered effectively to reflect Scottish needs? E.g. Memorandum of Understanding between countries? Scotland taking the lead on certain arrangements?"*

10.1 FCTU is strongly in favour of retaining a single body to deliver cross-border functions into the future. Splitting these up would be highly inefficient, as it would result in duplication of effort and the need to set up new co-ordination arrangements. In terms of research and forestry pests and diseases, country borders have no real meaning, with similar geology, soils, terrain and climate in the three countries. We therefore do not wish to see any artificial boundaries put in place simply due to political borders. FCTU is encouraged by the commitment to continue to ensure ongoing effective cross-border arrangements, but now seeks a commitment to retaining an effective and resilient single body to deliver these, with the means and ability to develop commercially.

10.2 The importance of forestry to Scotland is likely to be of much greater significance than in England and Wales, due to its relative scale in the economy of the country, but a unified and GB arrangement, mutually respected and valued by the three administrations, would continue to meet Scottish needs and provide a robust science base for forestry in Scotland.

10.3 In Plant Health matters, the timber processing, haulage and wood packaging material manufacturing sectors (many with operations based in Scotland, England and

Wales), benefit from being able to engage directly with a single cross-border body on matters such as timber product movement controls etc., to prevent the spread of forestry pests and diseases throughout GB. Examples of this include the cross-border licensing arrangements in place for the processing and movement of larch material affected with *Phytophthora ramorum*, and the certification of wood packaging material destined for export in accordance with the requirements of the UK Wood Packaging Material Marking Programme.

10.4 Chapter 3 includes a definition of Sustainable Forest Management, which is admirable and shows the clear link to European and United Nations standards.

Recommendation 10: We recommend a single cross-border body, which is responsible to Scotland, England and Wales for delivery of the necessary cross-border arrangements. This body must have governance in place to allow it to remain fully owned by the administrations within each country.

Chapter 3: Legislation and regulation

11. Q8. *"Should the Scottish Ministers be placed under a duty to promote forestry? Y/N"*

11.1 Please see comments under Section 4 on the meaning of 'forestry' nowadays.

Recommendation 11: Scottish Ministers should be placed under a duty to promote forestry in line with the principles of Sustainable Forest Management (SFM) as set out on page 16 of the consultation document.

12. Q9. *"What specifically should be included in such a general duty?"*

12.1 We strongly support the principle set out in a 'commitment to maintain international standards of good forestry'. **We strongly support** the proposal to achieve a 'reasonable balance' between afforestation, management, timber, climate change, conservation, enhancement of natural beauty and conservation of flora, fauna and geological or physiographical features of special interest. We have noted in Section 9.2 the importance of cross-border co-operation through Forest Research, delivering rigorous applied scientific research, critical decision support systems and trusted, impartial strategic forest monitoring to international standards.

12.2 We strongly support the proposal to include the duty that felling is carried out according to standards of good forestry and obligations for restocking to be carried out following felling. We urge the Scottish Government to include the current SG Woodland Removal Policy into these duties to increase the authority of this regulation.

12.3 We recognise the increasing research and understanding of the social aspects of forestry and their importance to the public. These show increasing benefit to wellbeing of the population in general, and individuals specifically, from a green environment, for both everyday life as well as recreational activities.

12.4 It is important to recognise that the timescale of forestry is much longer than many other areas of SG policy development. The long-term vision of the founders of the Forestry Commission in 1919 was well ahead of its time, and has delivered on the original remit, as well as developing policy over the decades since. The role of Commissioners was to advise Government on providing the stability needed, and to be the continuity which is more difficult for politicians to achieve as they try to balance so many different pressures and priorities.

12.5 In recent years, the cross-border nature of the Commissioners' role has become increasingly anomalous and we support the need for change. However, we urge the SG to recognise those elements of their role which are still required; that understanding of the long-term nature of forestry and provision of strategic direction, scrutiny, challenge and support remain important. These should be built into any new arrangements and we would welcome the opportunity to be involved in further consideration of this matter.

12.6 The long term nature of forestry needs to be reflected in the new Scottish legislation. This recognises that forestry policy decisions made for short term political gains can be damaging to the sector, and undermine confidence for investors. This is critical and reflects the fact that forestry is a marginally profitable industry for those who make the investment in growing trees, yet it provides enormous ecosystem and social benefits to wider society, which is not adequately reflected in grant and support mechanisms. The current forestry act does not adequately address this issue, and the new Scottish legislation should. SG should take advantage of the future arrangements for any possible successor to the Common Agricultural Policy, to properly reflect the value that forestry provides to the rural and wider economy and to the Scottish environment and landscape. We urge SG to put forward a bold vision for forestry; better integrated with other land uses and supports and encourages the development of an active mixed farming economy, which makes the best use of the land and can attract a wider range of new entrants into the farming and forestry sectors.

12.7 In line with our wider definition of 'forestry', we support the removal of the current restriction in the Forestry Act 1967 that all activities must be tree-related, but this wider remit must still fit within the other duties of maintaining international standards of good forestry, achieving a reasonable balance, as set out above.

Recommendation 12: We recommend that a Board with a majority of non-executives with forestry and relevant related experience is established to provide strategic direction, scrutiny, challenge and support for the new arrangements.

13. Q10. *"Recognising the need to balance economic, environmental and social benefits of forestry, what are your views of the principles set out above?"*

13.1 We welcome the principles set out in the consultation, but it should be noted that these can only be achieved across a significant area of woodland over an extended period of time.

13.2 Some woodlands, depending on their location, scale, soils, species and topography may not be best placed to reflect all of the benefits.

13.3 As woodlands grow and develop, these three strands will fluctuate in importance.

13.4 Social benefits from forestry can be many and very positive. For those woodlands close to large densely populated areas, the extensive and varied forms of access will require to be additionally financed.

Chapter 4 – Assessing impact

14. Q11. *"Are there any likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please be as specific as possible."*

14.1 The SG policy on equality and diversity is admirable for the extent of its coverage and we welcome the move by FCS and FES to come under the requirements of SG, rather than Westminster.

15. Q12. *"Do you think that the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector?"*

15.1 If the SG implements the recommendations from this submission, we are confident that any perceived costs and burdens on the forestry sector are appropriate. Technology used in the management of the current forestry grant scheme is inappropriate for the job, as FCS has been tied to using software created for agricultural grant schemes. This has led to unnecessary complications, failure to use the full capability of staff at all levels and delays in processing applications. All of this increases frustration and costs for the private forestry sector.

Recommendation 15: SG should give FCS the freedom to produce customised Grants and Regulations applications for the forestry sector, making optimum use of modern electronic technology and methods of communication. It should ensure this is properly resourced and full staff training is included.

16. Q13. *"Are there any likely impacts that the proposals contained in this consultation may have upon the privacy of individuals?"*

16.1 Providing that all transfers of personal information and equipment to any new organisations are handled properly, we do not believe any of these proposals impact on the privacy of individuals.

17. Q14. *"Are there any likely impacts the proposals contained in this consultation may have upon the environment?"*

17.1 FCTU has set out our recommendations above, with further explanatory context. Provided these are followed, we anticipate a positive effect on the environment as the benefits of forestry in its widest definition under Section 4 continue to be delivered.

Conclusion

FCTU is grateful for the opportunity to meaningfully comment on these proposals. We have made what we hope are constructive context and recommendations that should guide future arrangements for Forestry in Scotland. As the representatives of staff in FC, we want to make a success of whatever arrangements are put in place by Scottish Government and therefore wish to participate in the process of implementing new structures and arrangements, both with FC management and SG.

In past years, FCTU has been offered the opportunity to meet the Minister responsible for forestry in Scotland and believe this has been helpful to both parties. We wish to continue this relationship, by meeting the Cabinet Secretary at a suitable time.

Yours sincerely,



Sam Telford
FCTU Secretary