Briefing for the Public Petitions Committee

**Petition Number:** PE1654

**Main Petitioner:** Ian Munn

**Subject:** Forestry Accountability

Calls on the Parliament to urge the Scottish Government to develop a statutory code on stakeholder engagement for the forestry industry based on the CONFOR guidance and provide a role for a Scottish Government body to oversee the implementation of and compliance with the code.

**Background**

Scotland has a total of 1.44 million hectares of woodland, 33% of which is owned and managed currently by the Forestry Commission. 74% of this woodland is populated with conifers, the remainder with broadleaves. The forestry sector (including associated wood processing, supply chains and forest related tourism) has recently been estimated to support around 26,000 jobs, and £954m of gross value added. The sector is particularly important to the rural economy.

Woodland creation and management can contribute to climate change mitigation, biodiversity, flood management, and health and well-being. Forestry can also have negative environmental impacts under some circumstances.

The forestry sector is affected directly and indirectly by a number of domestic policy frameworks, such as the UK Forestry Standard, the Scottish Forestry Strategy, the Land Use Strategy and the Biodiversity Strategy.

The CONFOR guidance referred to in the petition is copied at the end of this briefing.

**The UK Forestry Standard**

All publicly funded forestry in the UK is required to meet the [UK Forestry Standard](#) (UKFS). This includes woodland for which grants have been provided. This is a reference standard for sustainable forestry, and “provides a framework for the delivery of international agreements on sustainable forest management”. The UKFS has a section on public consultation (p 86) –

“The forestry authorities make provision for anybody to comment on forestry proposals before a decision is reached. The mechanisms for
doing this vary across England, Scotland, Wales and Northern Ireland, and with the significance and extent of the proposal. Consultation is extensive where an Environmental Impact Assessment is involved. The minimum consultation requirement in Great Britain is that clear felling applications, forest management plans (for the public forest estate and for other woodlands) and grant applications are entered on the Public Register of New Planting and Felling. The arrangements for viewing the Register are on the Forestry Commission website at: www.forestry.gov.uk/publicregister.

In addition to the Public Register, local authorities and other statutory bodies are sent details of proposals under formal consultation and notification procedures. This process ensures a wide range of views is taken into account. The majority of applications, often with amendments, are approved through this process. If objections are lodged and sustained, the Forestry Commission may ask for advice from an advisory committee, and/or refer to the appropriate forestry minister before arriving at a decision. The above procedures do not negate the requirements for forest and woodland owners to consult other statutory agencies with regard to particular woodlands, for example the conservation agencies in the case of Sites of Special Scientific Interest."

The UKFS is currently a cross border function carried out by the Forestry Commission. Negotiations are underway between the devolved administrations on how these functions will work in the future. The Scottish Government consultation - The Future of Forestry in Scotland - A Consultation proposes three priorities for continuing cross-border collaboration. Common codes, such as the UKFS was one of these. Most respondents agreed that this was a priority.

**Scottish Government Action**

*The Future of Forestry in Scotland - A Consultation* was published in August 2016. It consulted on proposals 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
- ensure that effective cross-border arrangements are in place to suit Scottish needs
- replace the Forestry Act 1967 with a modern approach to the development, support and regulation of forestry.

[Consultation responses](#) are available on the Scottish Government consultation hub.

An [analysis of the consultation responses](#) was published in February 2017.
The Forestry and Land Management (Scotland) Bill was introduced in the Scottish Parliament on 10 May 2017. The Bill seeks to transfer the powers and duties of the Forestry Commissioners in Scotland to Scottish Ministers. It provides Scottish Ministers with a duty to promote sustainable forest management and publish a forestry strategy. The regulatory regime for felling trees is updated and becomes the responsibility of Scottish Ministers, although much of the detail on felling will be set out in regulations. The Forestry Act 1967 is repealed for Scotland.

The Bill does not include provision for a statutory code on stakeholder engagement for the forestry industry, as requested by this petition. However, section 3(3) sets out what a forestry strategy must include –

“(3) The forestry strategy must include the Scottish Ministers’ objectives, priorities and policies with respect to—

(a) the economic development of forestry,

(b) the conservation and enhancement of the environment by means of sustainable forest management,

(c) the realisation of the social benefits of forestry.”

Scottish Parliament Action

On 2 June 2017 the Rural Economy and Connectivity Committee issued a call for evidence on the Forestry and Land Management (Scotland) Bill. The call closes on 16 August 2017.

On 19 April 2017 Finlay Carson asked the Scottish Government what action it can take to ensure that increasing the threshold for screening proposed forestry projects for their environmental impact will not lead to a risk of significant negative environmental impacts.

Fergus Ewing answered saying –

“The Scottish Government has only increased the threshold for forestry projects outside sensitive areas. There remains no threshold for forestry projects in sensitive areas and all woodland creation projects in those areas must undergo an Environmental Impact Assessment (EIA).

In addition to the EIA process, the significant majority of woodland creation projects apply for financial support under the Forestry Grant Scheme. The scheme’s application process requires surveys and environmental information to be submitted where appropriate. All applications are then checked to ensure compliance with the UK Forestry Standard, the widely recognised benchmark for sustainable forest management.”

Wendy Kenyon
Senior Researcher
7 June 2017
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# Stakeholder Engagement Guidance Note 2015

**Stakeholder Engagement:** the process of involving people in the decisions that affect them.

**Consult:** To have regard for a person’s feelings or interests in making plans or decisions.

## When?

<table>
<thead>
<tr>
<th>Planning or Developing Activities</th>
<th>Management of Existing Activities</th>
<th>Tackling Problems e.g. Timber transport disruption, fly tipping, unauthorised mountain bike trails.</th>
</tr>
</thead>
<tbody>
<tr>
<td>e.g. New Planting, Revision of LTFPs, Significant Felling.</td>
<td>e.g. Access and Forest Management Interactions.</td>
<td></td>
</tr>
</tbody>
</table>

## Who?

<table>
<thead>
<tr>
<th>Neighbours</th>
<th>Community (Community Council, Development Trust, User Groups)</th>
<th>Neighbours (Community Council, Development Trust, User Groups, Local Schools)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Clients/ Agents</td>
<td>Local Authority</td>
</tr>
<tr>
<td></td>
<td>Legal Interests e.g. wayleaves</td>
<td>Local Councillors, MSPs, MPs</td>
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<td></td>
<td>Special Interest Groups</td>
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<td></td>
<td>PCS &amp; Statutory Consultees</td>
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<td>National NGOs</td>
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<td></td>
<td>Vollerrous Detractors</td>
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## How?

<table>
<thead>
<tr>
<th>Site Visits</th>
<th>Small informal/ Formal Meetings with key stakeholders</th>
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<th>Small informal/ Formal Meetings with key stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Telephone contact with key stakeholders</td>
<td></td>
<td>Awareness Raising via Local Press</td>
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<tr>
<td></td>
<td>Attend meetings of relevant local groups.</td>
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<td>Attend meetings of relevant local groups.</td>
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<tr>
<td>Website</td>
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<tr>
<td>Advertisement/ Articles in Local Press</td>
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<td>Interactive workshop/ event</td>
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<tr>
<td>Leaflet drop to all households</td>
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## Helpful Resources

- Forestry Commission Toolbox for Public Engagement in Forest and Woodland Planning ([www.forestry.gov.uk/toolbox](http://www.forestry.gov.uk/toolbox))

## Lessons Learnt

- One size does not fit all – it’s about the right thing at the right time. Knowing what works takes time.
- Style and tone are as important as what is said/done.
- Make yourself known and available to stakeholders/communities as this can help avoid problems escalating.
- Listening skills are essential. Often foresters want to solve problems and take action when just listening works.
- Take time to understand the problem. It may not be what you first think.
- Face to face always works better in difficult situations.
- Avoid “town hall” style public meetings.
- Visual aids (but not just maps) and “active” feedback sessions work well.
- Admit mistakes, rectify and move on.