General
1. I remain concerned about the imbalance of the Bill in that some significant issues are dealt with, with a few short lines such as Sustainable Forest Land Management without any clear definition and then other aspects are dealt with in significant detail such as Felling Licences.

2. The Bill needs to give confidence to the Forestry Sector and the long-term, that there is going to be cross-party support for productive Forest management in Scotland.

3. There is significant opportunity for the growth and development both of timber production, of timber processing and of timber for use in Scotland and export to England. While the general approach of the Bill is welcomed, I think more could be done to give real support to the development of the Scottish Timber industry.

Part 2, Chapter 1 - General Forestry Functions
I do not think that it is sufficient that the role of the Scottish Ministers is merely to promote sustainable Forest management. I think there should be a commitment to develop and expand the production of timber and timber products in the Scottish economy. We need Scottish Government support for greater realistic use of timber, especially in housing. We need Scottish Government support for initiatives to enhance the use of Scottish timber locally in preference to the imported products. Further, I think the Scottish Ministers have a role in enhancing knowledge of Forestry and Forestry products in a general sense to the public as a whole and also in a specific sense to encourage training throughout the industry. Merely to promote sustainable Forest management without definition is a weakness of the Bill. In terms of definition of Forest management, I would agree with that proposed by Confor to use the generally recognised European definition.

Part 2, Chapter 2 – Tree Health and Sylviculture Material Testing Functions
Research, communication and collaboration and also Forestry standards throughout the whole industry must be UK-wide. We cannot have health standards in Scotland which deviate in any way significantly from those south of the border. This is an issue which links with matters such as the UK Forest Standards. I would suggest that the best way to handle this is to have a UK Committee composed of trained Foresters or people with industry expertise and a membership drawn from Scotland, England, Wales and Norther Ireland.

Part 3, Management of Land by Scottish Ministers
The definition of a Community Body needs to be the same as in the Community Empowerment Act.
Acquisition/Disposal of Land
As was made very clear in the Evidence Session on 21 June 2017, compulsory purchase never has been a part of State Forestry management in Scotland. Such powers of compulsory purchases as necessary for Scottish Ministers are contained in other legislation.

Part 4, Felling Provisions
As has been widely noted, the felling provisions in the 1967 Act work perfectly well so why change and re-define them? However, I would suggest that the whole Felling Provisions are removed from the Act because in this instance it does seem to be better to handle it in terms of secondary legislation and to have Felling Licence Regulations, which would be based on the 1967 Act, although there are instances where this could be updated.

The Structural Arrangements
I am concerned with the proposals detailed outwith the Act that Forestry administration is to become part of the overall Civil Service structure. It is vitally important that Forestry is administered by trained Foresters and not by people with merely a political administrative capability. Ideally I would like to see Forestry Commission powers being handled by the Forestry Commission Scotland with its existing structure remaining. It is incredibly important that the regional structure is maintained. I see no indication that it should be changed but the structure of conservator, operations manager, field officer is clear, simple and is understood throughout the industry. If the Scottish Government is unable to take on board that suggestion then at least I would hope that there can be a Chief Forester for Scotland, who would act as an overseer of the interests of the practical aspirations of the Forest industry.

I have previously suggested that the Forest Enterprise is separated from the administrative functions of the Forestry Commission for Scotland and should be set up as a private company, totally owned by Scottish Government. I think this would be hugely beneficial. It would give an opportunity for the development of the National Forest estate with a vibrant drive for working on the existing elements of integrated land management within the broad Forestry initiative of the National Forest strategy. I think it would be an opportunity for dynamic initiative whilst at the same time the Scottish Ministers maintaining control in the interests of the Scottish nation. It would be possible for a Senior Civil Servant to be a statutory appointee to the Board.

Ballogie Estates
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