RURAL ECONOMY AND CONNECTIVITY COMMITTEE

FORESTRY AND LAND MANAGEMENT (SCOTLAND) BILL

SUBMISSION FROM HIGHLANDS AND ISLANDS ENTERPRISE

1. Does the Bill achieve its aims and are you in favour overall? Is there anything else that you feel should be included or excluded from the Bill?

HIE welcomes the Bill and the focus that it brings to what is an important sector for Scotland.

HIE support maintaining the distinction between strategic (policy, grants and regulation) and land management functions. The Forestry Division will provide a national regulatory function for all forestry land use in Scotland whereas the Executive Agency will manage and develop the national forest estate. These are quite distinct duties that would not sit comfortably within a single division or agency. The proposed structure will provide clarity going forward, in the past this has occasionally cause confusion.

HIE welcomes the recognition of the importance of a local office network, the jobs in rural areas that this supports and the local input and knowledge provided.

Consideration should be given around the need to achieve nationally agreed targets on woodland cover and productive/active management of forest land. Planting targets and expansion to sustainably support the timber processing industry and mitigate the predicted decline in the timber harvest after 2040, will be balanced against wider woodland cover to help mitigate climate change and carbon emissions. This balancing act will be a key objective of the Forestry Division and HIE is keen to deploy our range of skills and client/stakeholder interests to assist in joint future planning/consultation/partnerships.

HIE agree with a number of the other respondents to the Committee that the Bill would benefit from clear definitions on the following:

- Sustainable forest management should be clearly defined to remove ambiguity
- Felling – this may perhaps be more constructively defined as harvesting or cutting down. Killing is emotive and not technically correct - as in some species the stump may regrow.

2. What are your views on the Bill’s statutory requirement to produce a Scottish Government Forestry Strategy based on sustainable forest management?

HIE welcomes the requirement to produce a Scottish Government Forestry Strategy. The consultation process of creating this strategy will help further identify and clarify the priorities. The strategy should reflect the long-term nature of forestry, to provide a degree of comfort for the businesses and communities that depend on the sector. It is suggested that the strategy take a long-term perspective, with a medium term review process and shorter term reporting against progress.
Sustainable Forest Management requires a balancing act between commercial, environmental and social considerations, the interaction between these will vary by site and over time. It is important that the Bill and future strategy is cognisant of this balance.

Given the importance of the processing sector to the economy, HIE note and welcome the commitment to guarantee timber production to support the processing sector. The productive capacity of the forestry sector should be maintained and where possible enhanced as many jobs in rural areas depend on the sector for employment.

A number of the responses have mentioned the need to ensure that both the Forestry Division and Forestry and Land Scotland are staffed by professionally qualified staff, and specifically Foresters. Where appropriate the proposed structures should recognise and support the employment of professional foresters within both the division and agency at all levels including leadership. In addition where appropriate the new structures should provide opportunities for entry at apprentice and graduate level, increasing opportunities for young people and increasing gender balance in employment in the sector. Historically the Forestry Commission has provided training and career paths for Foresters, it is important that this is maintained whilst taking cognisance of agreed National Outcomes, social, economic and cultural dimensions as well as addressing the various national agendas generated by climate change, community empowerment and land reform. There will emerge new pathways and changes in management and leadership focus leading to amended roles within the agency and executive.

3. The Bill will provide new powers to Scottish Ministers over subjects such as tree health and the ability to conduct research. What are your views on these powers?

Given the different species, silvicultural practices and emerging new disease and pest threats, it is important that Scotland maintains a research capacity in order to be able to better respond to future challenges and steer future policy and strategy. The need to maintain cross border collaboration and avoid, where possible, duplication in science and research, tree health and common codes is welcomed.

A number of the other responses make mention of looking internationally for best practice and knowledge, particularly to Scandinavia. HIE supports this international perspective and it fits well with current Scottish Government strategy.

Innovation is critical in identifying new ways of developing and adding value to the sector, perhaps more thought could be given as to how this could be better reflected in the bill.

4. The Scottish Government’s intention is that the Bill should provide greater flexibility and wider powers in relation to land management, with a focus on sustainable development. The Bill also contains provisions regarding compulsory purchase. How do you feel this will work in practice?

We support provisions in the Bill to enable a focus on sustainable development in addition to sustainable forest management. This will enable a more integrated approach to the management and development of Scottish Government’s land resource and will further support the drive to deliver more public benefits from publicly owned land. In addition,
these proposed wider powers will better enable the principles to be contained within the forthcoming Land Rights and Responsibilities Statement [as required by Part 1 of the Land Reform (Scotland) Act 2016] to be embraced.

We welcome the powers set out in section 14 which will enable Scottish Ministers to manage, provide advice or otherwise provide assistance in the management of other land. The experience and expertise of Scottish Ministers from managing a vast land resource could thus be made available to other land owners (public and private) where additionality can be demonstrated.

The public sector has been reluctant to use compulsory purchase powers in the past; however is a renewed interest in exploring these powers in other areas where reluctant landowners are holding up development. It is therefore not surprising that these powers are being considered in a forestry context as well. It remains to be seen how this will develop over time, however it does add another route for delivery of the Scottish Governments objectives. Effective and productive land use is essential to a strong economy and wider social and environmental benefits. We support inclusion of compulsory purchase provisions to enable such action to be taken when other steps to affect positive change have proven to be ineffective.

Forestry and land management can deliver across the full breadth of the Governments Economic Strategy – the fundamental question that should be asked is - “How can land deliver more?”

5. **The Bill will update the regulatory regime and enforcement powers for felling and restocking trees. Do you feel it is fit for purpose?**

As mentioned previously the definition of felling should be revised to be less emotive and to recognise that felled trees have a productive use.

6. **Do you have any comments on the bill in relation to human rights or equalities?**

HIE notes that an Equality Impact Assessment has been carried out and will be published alongside the Bill.

Highland and Island Enterprise
August 2017