RURAL ECONOMY AND CONNECTIVITY COMMITTEE

FORESTRY AND LAND MANAGEMENT (SCOTLAND) BILL

SUBMISSION FROM THE ROYAL SCOTTISH FORESTRY SOCIETY

The Royal Scottish Forestry Society, incorporating the Royal Scottish Arboricultural Society was founded in 1854. It is devoted to the advancement of forestry and arboriculture in all its branches. Its 700 members come from a wide spectrum of interests and include both professionals and amateurs; some members are involved in forestry and the timber industry, others in conservation and woodland management, some just love trees. The Society organises talks and field visits throughout Scotland and a four day annual excursion. The Society’s journal, Scottish Forestry, is internationally recognised and carries a mixture of serious research reports and very readable articles on every aspect of forestry and arboriculture.

The Society welcomes the Government’s review of forestry and understands its desire to complete the devolution of forestry and bring it under the control of Scottish Ministers.

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?**

While accepting the desire for full devolution of forestry functions and the need to update forestry legislation, the Society does not agree with the approach of establishing a Forestry Division within the SG as this Division would have no statutory basis and could easily be diluted over time (e.g. through merger with other Divisions). The Society fears that this would lead to a loss of focus on promoting forestry in Scotland and a loss of professional forestry expertise. Even if this loss of focus were not to occur, there would inevitably be a loss of visibility leading to less transparency, less public accountability and poorer governance. The Society urges SG to talk to its counterparts in Wales, Northern Ireland and the Republic of Ireland. They have all gone through similar reviews and the lessons learned in regard to what works well and what works less well should help inform decisions in Scotland.

The Society believes that Forestry Commission Scotland should be fully devolved but remain as a single body, with responsibility for forest policy advice, regulation and grants as well as management of the national forest estate. The current arrangements work well most of the time. People understand, respect and trust the Forestry Commission to a degree that should be the envy of other organisations. This body would be accountable to Parliament and to Scottish Ministers; furthermore, through the appointment of non-executive directors it would also be more accountable to stakeholders than a Division of a Scottish Government Directorate.

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

The Society agrees with this proposed measure and suggests that there should be a requirement to revise the Strategy periodically - at least once every ten years. (The first Scottish Forestry Strategy was published in 2000 and the current Strategy was published in 2006.)
The Society particularly welcomes the new duty to promote sustainable forestry management, which reflects internationally agreed best practice. This does, though, raise the issue of which matters should be in the new legislation and which should be covered in the Forestry Strategy. It seems, for example, strange to have a duty in the Bill to promote sustainable forest management, but no duty to increase the amount of forest cover.

Scottish Government needs to be clear on how it wishes to handle other aspects of forestry that may be best covered on an all island basis:

- Forest research
- Tree health
- Statistics
- Codes such as the UK Forestry Standard and accompanying guidelines and the Carbon Code
- International Policy

The Society believes that Scotland may be in a good position to lead for the UK on these matters.

The link between the Forestry Strategy and others such as the Land Use Strategy must be clear and complementary.

Scottish Government needs to think through how it intends to encourage the best people to work in forestry and remain in the sector. The Society believes this to be the single biggest challenge facing forestry today. This includes recruitment and retention of skilled workers, those at professional and managerial level and leaders. There is a role for a Chief Forest Officer.

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?**

See relevant section of answer to question 2 above. These powers can only be used effectively if there is access to the necessary scientific expertise. It is essential that Britain’s current forest research capability is not lost, and that discussions on a cross-border approach to Forest Research reach a successful conclusion.

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?**

Following unsuccessful attempts to use compulsory purchase powers to acquire land in the 1950s, the Forestry Commission has relied on a voluntary approach. It is not clear why the present Bill contains provisions regarding compulsory purchase.

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

The definition of felling should be modified to include the cutting down of trees.
It is not clear why it is necessary to carry forward “felling direction” powers from the 1967 Act into sections 31 and 32 of the Bill; powers to require tree felling are only used by the Forestry Commission for tree health reasons – and these are provided for separately in the Plant Health legislation.

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

   No.

Royal Scottish Forestry Society
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