The South Scotland Regional Forest Forum is an informal consultative committee to the Forestry Commission. Its role inter alia is to advise FCS on the regional impact of national policy and strategy, and to feed a regional view into the development of national policy and practice. Its members, who do so in a voluntary capacity, sit on the Forum as individuals and do not necessarily seek to represent the views of their employer or sector. Its members come from across the Borders, Dumfries and Galloway and Ayrshire. While some members are professional foresters, other primary land uses, and environmental and social interest are also well represented.

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 need for full devolution of forestry functions and the need to update forestry legislation, the Forum 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 Forum fears that this would lead to a loss of focus in promoting forestry in Scotland and a loss of professional forestry expertise.

In its response to the SG consultation, the Forum said 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. 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 Forum agrees with this proposed measure, but suggests that there should be a requirement to revise the Strategy periodically - for example, at least once every ten years. (The first Scottish Forestry Strategy was published in 2000 and the current Strategy was published in 2006.)

The Forum welcomes the new duty to promote sustainable forestry management, which reflects internationally agreed best practice.

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?

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.

South Scotland Regional Forest Forum
August 2017