



**Friday 22<sup>nd</sup> September 2017**

**Kames Church Hall (a.m.) & Kilfinan Community Forest (p.m.)**  
Tighnabruaich

**11am – 4:30pm**

**AGENDA**

- 11.00** Arrive Kames Church Hall for tea/coffee etc.
- 11:15** **Welcome/Introduction** – Chris Marsh, *Community Woodlands Association*
- 11.20** **FCS Community Fund & Community Asset Transfer Scheme update**  
– Elaine Jamieson, *Policy, Support & Development Officer, FCS Argyll Conservancy*
- 11.35** **FCS News & Policy update** – James Ogilvie, *FCS Head of Social & Planning Policy*
- 11:50** **Rhododendron control projects update**  
– Gordon Gray Stephens, *Native Woods Co-op (Scotland) Ltd.*
- 12:05** **Friends of Duchess Wood update** – Richard Horrell, *Friends of Duchess Wood*
- 12.20** **Woodland Owners survey – Shared Forester project update**  
– Neil Donaldson, *Argyll Small Woods Co-operative*
- 12.35** **CWA news, conference, members update** – Chris Marsh, *CWA*
- 12:45** **‘Volunteering’**: group discussion/experiences/ideas etc  
– held over from February AWOO event
- 13.15** **Lunch**
- 13.50** *Depart for afternoon woodland site visit*
- 14:00** **Kilfinan Community Forest - Site Visit**  
Hosts: Mick Eyre (Forest Access Co-ordinator), Rob Borruso (Operations Manager), Marylou Anderson (Forest crofter)
- 16:30** **Finish & Departure from Kilfinan Forest.**



**Attending:**

Chris Marsh	<i>Community Woodlands Association</i>
Elaine Jamieson	<i>Forestry Commission Scotland</i>
James Ogilvie	<i>Forestry Commission Scotland</i>
Gordon Gray Stephens	<i>Native Woods Co-operative (Scotland)</i>
Richard Horrell	<i>Friends of Duchess Woods</i>
Neil Donaldson	<i>Argyll Small Woods Co-operative</i>
Mick Eyre	<i>Kilfinan Community Forest Company</i>
Marylou Anderson	<i>Woodland crofter, Kilfinan Community Forest</i>
Nikki Brown	<i>Kilfinan Community Forest Company</i>
Rob Borruso	<i>Kilfinan Community Forest Company</i>
Thomasina Glover	<i>Re-JIG, Islay</i>
Robert Smith	<i>Re-JIG, Islay</i>
Robin Webster	<i>Friends of Glenan Woods</i>
Heather Muir	<i>Friends of Glenan Woods</i>
Eve MacFarlane	<i>Friends of Glenan Woods</i>
Ron Gilchrist	<i>Grow Food Nature's Way/Eat Yourself Healthy</i>
Douglas Locke	<i>Cormonachan Woodlands</i>
Chris Ogilvie	<i>Sunart Community Company</i>
Izzy Baker	<i>Sunart Community Company</i>
Colin Grant	<i>Colintraive &amp; Glendaruel Development Trust</i>
Chris Baker	<i>Mull &amp; Iona Community Trust</i>
Dinah McDonald	<i>Deer Park Community Woodland Trust</i>
David Herriot	<i>WoodWatch Heritage Bute</i>

**Welcome:** Chris Marsh welcomed everyone to the 12<sup>th</sup> Argyll community woodland networking event, funded by Forestry Commission Scotland. The aim of the day was to provide an opportunity for groups engaged in community woodlands to network and share experience of projects as well as visit Kilfinan Community Forest Company – an award-winning community woodland group with a variety of projects that continue to demonstrate both ambition and success across a broad range of social forestry themes. It was hoped that the morning's presentations would complement the afternoon visit covering funding, regional project developments and specific examples of community action.

There were 5 presentations as follows:-

## Community Fund & Community Asset Transfer Scheme *update* – Elaine Jamieson, FCS Perth & Argyll Conservancy

This presentation is available online at [https://youtu.be/NNzFn\\_kgL0c](https://youtu.be/NNzFn_kgL0c)

As Operations & Development Officer within FCS' Perth & Argyll Conservancy, Elaine gave an overview of the four main FCS grants relevant to community woodland groups available through application to the local Conservancy. Her accompanying powerpoint presentation also outlined salient features of:-

- The Forestry Grant Scheme - the most conventional form of support for forests and woodlands consists of a suite of management and improvement grants across a diverse range of planning and operational activities. The WIAT (Woodlands In & Around Towns) funding and 'Improving Public Access' grant were highlighted as two particular options that provide finance towards increased public access and associated social opportunity within woodland.
- The FCS Community Fund supports community groups and projects which facilitate greater use of woods by people for health, wellbeing and community benefit. There is up to 100% funding for projects under £5k; 90% for £5-20k projects; and 75% funding for >£20k projects. The Perth & Argyll budget for 2017/18 is £60k and just over half has now been committed (project details given) so groups are encouraged to contact Elaine as soon as possible if they have proposals they wish to explore funding towards and intend to take forward before the end of March 2018.
- The FCS Seedcorn Fund has a smaller budget aimed at helping facilitate projects that fall outwith the Community Fund remit such as one-off events, specialist consultancy, other community resources and tools. Of a budget of £25k for 2017/18, £19.3k has now been committed. Again Elaine detailed projects funded.
- Finally there is a Forestry Development Fund focussed on supporting projects that are typically more strategic or medium- to long term in ambition and delivery. The Argyll Small Woods Co-op and the Collaborative Rhododendron Partnership (both presenting at this AWOO event) were highlighted as typical examples from over a dozen listed programmes across the region.

Elaine finished by encouraging groups to get in touch with her or other Conservancy staff if they are exploring projects that might fit the eligibility criteria of any of these funding streams. She can be contacted at [elaine.jamieson@forestry.gsi.gov.uk](mailto:elaine.jamieson@forestry.gsi.gov.uk). More info about FCS can be found at <http://scotland.forestry.gov.uk> and on Facebook: <https://www.facebook.com/ForestryCommissionScotland>

## FCS News & Policy update – James Ogilvie, Head of Social & Planning Policy (FCS)

James provided an overview and update on a broad range of topics relevant to the community land and national forestry agenda from a policy context. 4 pages of handouts were distributed providing underlying facts and figures referenced in his presentation (*appended at the end of this Report document*). Topics included:-

- An overview of the general scale of Forestry and forest activity in Scotland – in terms of gross area, species composition, private/state proportionality, contribution towards employment and the economy with some comparators of Scotland in a UK context.
- The progress and timescales of ongoing devolution of forestry matters to the Scottish Government. Whilst administration and delivery of forest policy, regulation, grant-aid and associated advice will be absorbed into a new dedicated Forestry Division within Scottish Government, management and development of the National Forest Estate will move into a new executive agency – Forestry & Land Scotland. These changes are enshrined in the new Forestry and Land Management (Scotland) Bill introduced to Scottish Parliament this May, currently undergoing a number of iterative stages of consideration and amendment, and is expected – upon royal assent – to become an Act of Parliament in 2018.
- The inception of the new Bill is being seen as an opportunity to modernise and make more accountable/transparent the administration of forestry in general. For example, current regulation and processes surrounding approval of new planting are to be streamlined as significant new woodland creation targets are an important ambition of the current Administration.

- In 2018, the Community Asset Transfer Scheme (CATS) replaced the earlier National Forest Land Scheme as the mechanism whereby communities could use new rights, enshrined in the Community Empowerment Act, to express interest in - and pursue acquisition of - parts of the National Forest Estate. There is further guidance and detail on how to apply to the Scheme available on the FCS website. FCS employ a CATS Manager, Rebecca Carr, who is available to discuss and advise any community groups who wish to discuss application.

NB: CATS Manager, Rebecca Carr made a presentation at the last AWOO event in February. It can be viewed at <https://youtu.be/TBpm9cLH5a4>.

### Rhododendron control projects *update* – Gordon Gray Stephens, Native Woods Co-op (Scotland) Ltd.

This presentation is available online at <https://youtu.be/sW76-hS9-Bw>

At previous AWOO events (2014 & '15) Gordon has spoken about conventional and more contemporary techniques employed in rhododendron control as well as early thinking behind a potential landscape-scale eradication project in Glen Creran. Since then, FCS have published a strategy document “*An approach to prioritising control of rhododendron in Scotland*” which lays out the rationale for state funding of control efforts going forward. Government spending is to be targeted primarily at ‘priority habitats’ i.e. botanically-designated sites that are presently compromised by the presence of rhododendron. However there is due recognition that – in order to be effective – control needs to be undertaken at a landscape (often multi-landowner) scale. SRDP funding from either the Woodland Improvement Grant of the Forestry Grant Scheme or the Rhododendron Control option of the Agri-Environment Climate Scheme is therefore targeted to support control projects in Priority Control Areas (map in the FCS document as well as Gordon’s presentation). Outwith these target areas, projects may still be eligible for funding if strong justification is given by SNH or FCS (i.e. on other ecologically sensitive sites or *Phytophthora* risk zones).

After six years of evolution, the Glen Creran project is almost due to start(!). There has been considerable effort to get to this stage: plant populations mapped, clearance costs quantified, multi-agency funding raised, negotiations and outline agreements reached with 19 separate landowners and a number of local organisations (councils, schools, local special interest groups) trained and/or engaged. Lead organisation Argyll and the Isles Coast and Countryside Trust (ACT) will soon be inviting contractors to tender for the work. Meanwhile a similarly ambitious landscape-scale project on Islay is now underway. This has utilised FC Development funding in its evolution and has EU INTERREG and SNH funding in its delivery. With a similar level of groundwork research and engagement, it will tackle both grazing control and rhododendron eradication to restore the integrity of important peatland and wet heath habitat on the island.



Glen Creran rhododendron distribution



Islay project areas

You can find out more about the work of the ACT invasive species work at [www.act-now.org.uk/en/what-we-do](http://www.act-now.org.uk/en/what-we-do). Gordon’s previous presentation on rhoddie control techniques is at <https://youtu.be/TBpm9cLH5a4>.

## **Friends of Duchess Wood update – Richard Horrell, Friends of Duchess Wood**

This presentation is available online at <https://youtu.be/kdMeKfUDK6E>

Duchess Wood lies at the western end of the town of Helensburgh and is in effect a regenerated remnant of the wooded grounds of Ardencape Castle - originally established by the Duchess of Argyll in the late 18<sup>th</sup> century. The 23ha semi-natural woodland site is owned by Luss Estates, but managed by Argyll & Bute Council and 'run' on a local basis by the charity Friends of Duchess Wood (FoDW). In 1998, Duchess Wood was designated a Local Nature Reserve on account of the range and accessibility of its biodiversity. It is further recognised (and protected) within Glasgow's Green Belt as a Local Nature Conservation Site, an Open Space Protection Area, and as part of the Helensburgh Green Network. It is a highly valued local resource for a wide variety of users: walkers, joggers, horse riders, school groups, outdoor nursery and forest school venue. It also plays host to many activities/events: field trips, cross country sports, environmental surveys, guided walks, even theatrical productions.

The Council and FoDW work closely in both management planning and practical maintenance of the woods and path network. The FoDW volunteers are particularly active in site maintenance, renovating old or damaged infrastructure and overseeing the construction and installation of new features. In the past this has included production of leaflets, threshold signboards and all manner of tree planting, storm clearance, weed and invasive species control. Significant recent projects include the construction and landscaping of a new pond and replacement of number of dilapidated bridged burn-crossings with impressive formally piped and stone-pitched bridges and another new timber bridge structure.

FoDW draw membership from the local area and as such have good contacts (and can call upon favours from!) local contractors. They host guided walks and evening talks as well as maintain good links with wider organisations such as RSPB, Galgael, the Community Payback scheme amongst many others - bringing in expertise, assistance and enthusiasm from further afield. 2017 is the 10<sup>th</sup> anniversary of FoDW setting up as a charity and they were treated to a grand civic reception at Council headquarters in rightful recognition of the many years of hard work and community commitment.



You can find out more about Friends of Duchess Woods at [www.duchesswood.org.uk](http://www.duchesswood.org.uk).

### Woodland Owners survey – Shared Forester project *update* – Neil Donaldson, ASWC

This presentation is available online at <https://youtu.be/MP8k0kmaU7g>

Neil has presented at the two most recent AWOO events as the Argyll Small Woods Co-operative are actively investigating the concept of a Shared Forester resource for Argyll. He was keen to share progress to date, reveal some of early survey findings and encourage community woodland groups to participate.

An award of LEADER funding has allowed ASWC to commission initial grass roots investigation in Argyll which is hoped will inform and validate a potential Heritage Lottery Fund 'Shared Forester' pilot scheme. A survey is currently underway of farmers, crofters, small woodland owners and woodland contractors. This aims to establish the nature and character of their woodland resource, understand motivation for/barriers to management, aspirations of woodland owners and contractors, as well as identify the potential market for environmental and social "woodland services" that can be developed and economic benefits that might be expected.

Although still in process, Neil presented some early survey findings which revealed that the relatively small size of woodland holdings - coupled with low levels of inherent woodland knowledge and skills - were the most prevalent barriers to active management. The survey was also beginning to develop a sense of the resident forestry contracting workforce within the region. Many companies are comparatively small (less than 5 employees) and this scale - coupled with low levels of active forestry management – is showing a very mixed (50/50) picture of growth/decline in the sector.

With the survey deadline looming (mid-October) Neil urged everyone to engage and complete it as well as broadcast its existence to any other contacts who shared an interest in its themes. The next stage of the project is to hold a Shared Forester Development Workshop in November (*details circulated to all AWOO attendees by email & publicised on the CWA Facebook page*). Survey findings will be presented and discussed at this public meeting and it is hoped that a Steering Group can then be established to take forward further evolutionary stages of the Shared Forester concept.



**Towards a Shared Forester  
WHAT'S NEXT?**

- We need more questionnaires completed
- Analysis by end of October
- Feedback workshop in Lochgilphead on 7<sup>th</sup> November
- Set up Steering group for Shared Forester project
- Submit bid
- If you haven't done so – please help by linking to Survey Monkey or request hard copy
- Come and input to the development of the Shared Forester funding bid
- If you are interested – please contact Neil

[www.argyllsmallwoods.coop](http://www.argyllsmallwoods.coop) Supported by 

You can find out more about ASWC at <http://www.argyllsmallwoods.coop/> and Neil can be contacted at [mail@donenvironmental.co.uk](mailto:mail@donenvironmental.co.uk).

ASWC's previous AWOO presentations - March 2017 & Sept 2016 can be seen at <http://bit.ly/2cEinH3> and <https://youtu.be/nFmiFpKvmyY>.

## Community Woodlands Association Update – Chris Marsh, Community Woodlands Officer

Chris gave a quick summary of the role of CWA – a membership organisation established in 2003 to support, promote and represent the interests of the community woodland sector. CWA provides an advisory service to over 150 member groups (governance, social enterprise evolution, project/contract/forest management) as well as undertaking consultancy work, organising training and networking events, hosting online resources, social media feeds, regular e-bulletins, newsletters and an email discussion group facility for its members. If the staff don't have an immediate answer to a query, they will undoubtedly know other CWA member groups who've done and learnt from a similar issue or experience and can therefore find out or put groups in direct contact.

The CWA is overseen by a board of volunteer directors drawn from across Scotland to ensure all regions and 'styles' of woodland group get due consideration in strategy development, new initiatives and projects being brought forward. The Argyll/Bute area is well represented currently with three CWA directors: Ian Hepburn (Mull), Rob Borruso (Tighnabruaich), Gordon Gray Stephens (Kilmartin) should members wish to engage with CWA at a local but more strategic level.

Finally Chris promoted the upcoming CWA annual conference due to take place in Cumbernauld on October 20<sup>th</sup>/21<sup>st</sup> and which is always a very informative, inspiring and enjoyable 'meeting of the tribes'. This year's conference should be even more so as the event is also serving as annual conference for the 'Making Local Woods Work' programme (MLWW). Many CWA groups will already be familiar with - or at least aware of - MLWW as it is a UK-wide Lottery-funded support programme for over 50 community woodland groups including a dozen CWA member groups. As a consequently the CWA/MLWW conference will have groups attending from across England, Wales and Northern Ireland to complement the usual Scottish contingent. More conference details and application forms can be found on the CWA website.

You can find out more about the Community Woodlands Association at [www.communitywoods.org](http://www.communitywoods.org) and at [www.facebook.com/Communitywoods](https://www.facebook.com/Communitywoods). The CWA website also holds reports from all previous A Wood of Our Own events (<http://www.communitywoods.org/resources-details.php?id=16>).

### Site visit: Kilfinan Community Forest

Hosts: Rob Borruso, Nikki Brown, Mick Eyre & Marylou Anderson

After an initial briefing in the community polytunnel about the history of forest acquisition and the early evolution of the KCFC site, AWOO attendees were split into two separate touring parties - on account of the number of attendees – to tour around many features of the site. Unfortunately this reporter has since lost the notebook used to make copious notes and keen observations on the day but can offer 'headline recollections' here and direct readers to the KCFC website (<http://www.kilfinancommunityforest.co.uk>), Facebook page [www.facebook.com/Kilfinan-Community-Forest](https://www.facebook.com/Kilfinan-Community-Forest) for more detail about KCFC, the site and its project work. The tour included:

- The communal polytunnel and outdoor raised beds area – a community-allocated and organised allotment scheme operates and grows here with self-built composting and wormery facilities. Future expansion will include a hydro-electric heated tunnel to trial year-round veg as well as an ornamental cut flowers enterprise.
- The Hydro-electric turbine house – a 75kW run-of-the-river scheme generating a reliable income from electricity sold into the National Grid under the Feed-In Tariff Scheme. Completion has involved many years of feasibility, fund-raising, engineering and construction work. Even switching the damn thing on and off is complicated (syncing voltage levels and phasing with the grid!?!)
- The Woodwork shop/future enterprise units building – where youth Skills Development Training courses run, a Women's Woodworking Group meets, Branching Out courses undertake craft wood

projects and a community Tool Library resides. Some rooms within this building are currently being fitted out to provide leasable units for local new-start businesses.

- The new-build Forest Centre – utilising a large proportion of construction timber from their sawmill – much of which would conventionally be classed ‘low- grade’ and un-useable timber. Rob has fought and won many a Planning and Building Standards battle to allow the structure to be constructed in this way.
- The Sawmill and Woodyard area – where they mill much of their construction timber as well as timber for local sale to residents and contractors for joinery/carpentry, garden/landscaping work. Sawmill offcuts and some other seasoned logs are processed, bagged and stored here for local sale and supply as firewood.
- The Woodland Crofts and Social Housing zone – although not yet at the construction phase (still a brash-strewn clearfell site) KCFC are actively advertising housing plots and woodland croft units with the intention of using the timber self-build skills and specifications gained on other structures for new housing here. Once again planning issues and constraints constantly frustrate them (access roading being the current ‘hot potato’) but KCFC are confident that they will continue to make progress and be breaking ground in the very near future.
- Marylou’s Woodland Croft planning exercise – as one of the new woodland croft tenants, Marylou led a group of AWOO attendees through a ‘visioning’ exercise: trying to make best use and spatial integration of numerous functions into (very variable and challenging) croft terrain. Food and shelter grown within the ‘permaculture’ ethos are to be accompanied by more communal spaces for educational, folklore and celebratory use – even trialling some tea growing!



Dodging a shower in the community polytunnel...



...and another one in the ongoing self-build Forest Centre



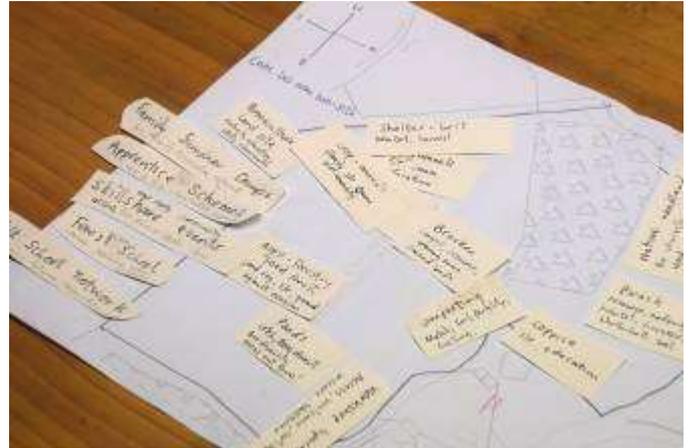
The woodshed (sawmilling & woodfuel enterprises)



Discussing social housing, access & Planning Constraints



Marylou leads a craft planning exercise



Some ideas put down on paper



Another part of the woods – another structure



Worked on by volunteer groups - some roof work is pretty ambitious!



## Event Feedback Summary

Please rate the following by ticking the statement which best matches your opinion:						
	Organisation	Location	Venue	Catering	Speakers	Site Visit
very good	3	5	1	2	2	2
good	3	1	4	4	4	3
fair			1			
poor						
n/a						1

### Do you feel that the event delivered your expectations?

Yes: 6 No: 0 Partly: 0 n/a: 0

If your answer to the above was 'No' or 'Partly' please tell us why, and how we can approve things. *(no responses)*

### What benefits do you feel you gained from attending the event?

*See what other community woodland groups are doing and how long they have taken to achieve results.*

*What is available in the way of funding streams.*

*Mainly the opportunity to network with other attendees and speakers on various subjects, although the presentations were also of interest and the shared forester scheme was certainly of particular interest.*

*Networking & contacts, news ideas, funding opportunities, opportunities for partnerships.*

*Networking. Opportunity to see how KFC have progressed, and to hear about their pipeline of projects.*

*Networking.*

*Always gain information of some kind. Networking always very useful.*

### Where would you like the next event to be held?

*Surprise me.*

*I thought the Dalmally Hall was a particularly good venue.*

*Don't mind.*

*Islay/Jura.*

*Blarbuie is the right answer I recall!*

*Open to new experiences.*



**What would you like to see on the agenda for the day?**

*Anything.*

*I think it would be useful to draw upon the experience of the various groups who have sold standing timber forward to raise funds or who have entered into leasing arrangements with commercial forestry concerns would give a useful insight on options available for more commercial type woodlands.*

*Emerging and established Groups' different approaches to island community forests.*

*More on volunteering.*

**Would you recommend others to take part in such an event?**

**Yes: 6      No: 0**

Please explain why / why not:

*Meet people who have experienced the same problems and how to overcome them or not.*

*As noted above the opportunity to discuss matters with other participants is really valuable.*

*Useful networking/knowledge exchange days.*

*Useful networking, knowledge exchange and CPD*

*Useful event.*

**Please list any other training/ events you would like to see organised: (no responses)**

**Any other comments:**

*Keep up the good work and don't forget cake at the events.*

**Gender:**

Male: **5**

Female: **1**

**Age Group:**

16-25:

25-60: **4**

60+: **2**

**Ethnicity:**

British White: **4**

Scottish: **1**

No comment: **1**

**Handouts for James Ogilvie's FCS Policy Update presentation**

**FORESTRY OVERVIEW**

- There are 1.4 million hectares of Forestry in Scotland, covering 18% of the land area.
- Scotland's woodland area consists of 74% conifer and 26% broadleaf species.
- Forest Enterprise Scotland manages the National Forest Estate which covers 640,000 hectares (8.22% of Scotland), 471,000 hectares of which is forest.
- There is 965,000 hectares of privately owned forest in Scotland.
- Scotland's forest resources represent 45% of the UK total, and 60% of the UK's softwood production.
- The EU forest area as a percentage of land area is 32%.

**Forestry's Contribution and Achievements**

- Forestry contributes almost £1 billion per year to the Scottish economy and supports more than 25,000 full-time equivalent jobs.
- To assist with achieving this goal the forestry budget has increased by £4 million from £36 million to £40 million.
- In 2015, the timber harvest in Scotland was nearly 7 million tonnes. This is seven times the size of the 1976 harvest, and around 60% of the total UK harvest.
- The processing sector has made significant investments in recent years, for example including £95 million in Norbord at Dalcross.
- Between 2007 and 2015 Scottish Government have supported the creation of over 54,000 hectares of new woodland in Scotland, with investment of more than £230 million.
- In 2015-2016, Scotland created 83% of all new woodland in the UK.
- Between 2012 and 2014 woodfuel usage increased by nearly 50% in Scotland.

**AWOOO - September 2017**

**1. The Future of Forestry in Scotland**

The Forestry and Land Management (Scotland) Bill has been introduced to Parliament (see separate sheet). Forestry will be fully accountable to Scottish Ministers and the Scottish Parliament, through:-

- A new executive agency - Forest and Land Scotland - based on Forest Enterprise Scotland, focussing on management and development of the National Forest Estate and with the potential to take on a wider land management role.
- A dedicated Forestry Division within Scottish Government to lead on forestry policy, advice, regulation and grants.

**2. Community Asset Transfer Programme**

Forest Enterprise Scotland launched the National Forest Land Scheme in 2005, to enhance the opportunity for Community Right to Buy introduced in the Land Reform (Scotland) Act 2003. Since 2005, there has been a total of 42 sales totalling 17,000 acres, including 31 sales to communities -totalling over 10,000 acres. Sales to Registered Social Landlords total over 80 affordable housing plots.

	Number	Area
Community sales	31	5,228
Environmental NGO sales	2*	1,707
Affordable housing sales	10	14
<b>Total</b>	<b>42</b>	<b>6,949</b>
Leases for community renewables	3**	
Lease for allotments	1	

\* Both were with RSPB in the Flow Country.

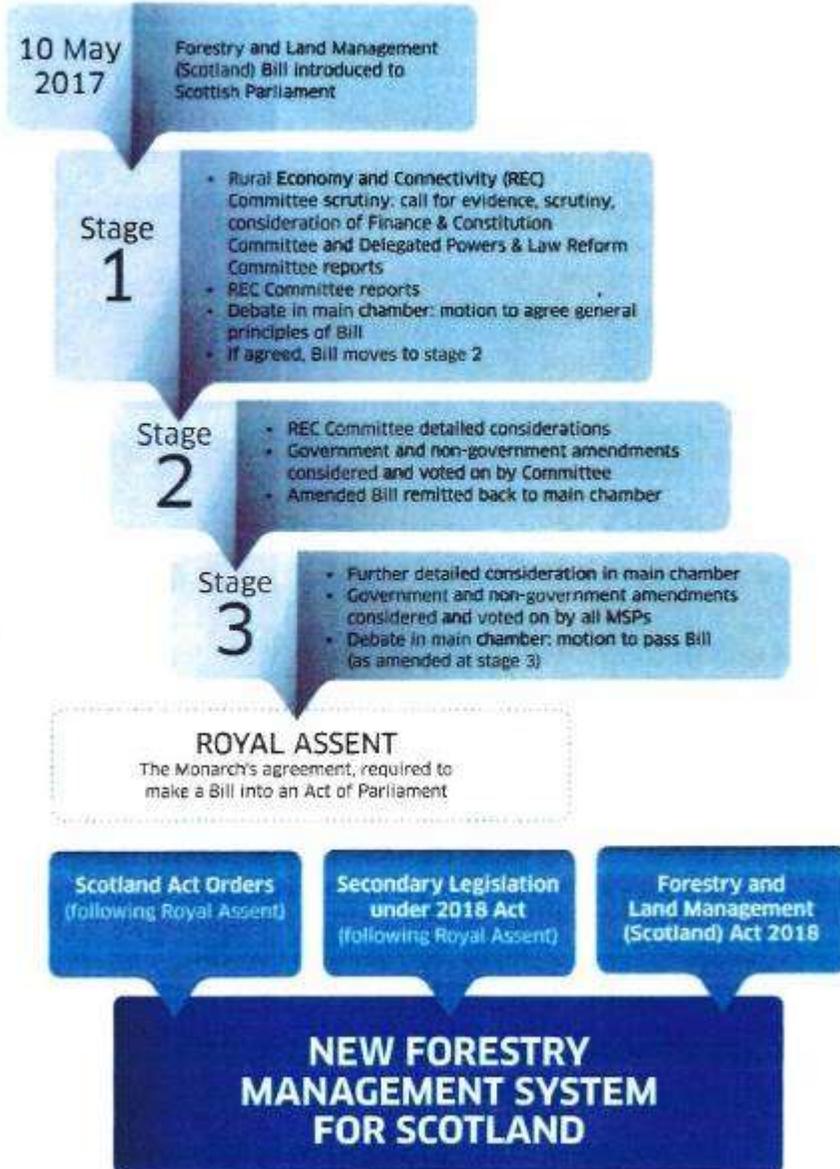
\*\* A further 4 community renewable leases have approval but await grid connection dates.

Future opportunities will be provided through the new FE Scotland Community Asset Transfer Scheme - launched under the Governments Community Empowerment Act. This will provide new opportunities for local communities and communities of interest to acquire National Forest Estate land.



**FORESTRY DEVOLUTION IN SCOTLAND**

Legislative process: the Bill



**FORESTRY DEVOLUTION IN SCOTLAND**

Forestry and Land Management (Scotland) Bill – As Introduced

The Bill contains:

**FORESTRY FUNCTIONS**

- Duty to promote sustainable forest management (SFM)
- Duty to prepare, publish and have regard to a Scottish Forestry Strategy (SFS)

**TREE HEALTH & SILVICULTURAL MATERIAL TESTING FUNCTIONS**

- Transferred to Scottish Ministers from Forestry Commissioners

**LAND MANAGEMENT FUNCTIONS**

- Duty to manage forestry land in a way that promotes SFM and use it for economic, environmental and social purposes; duty to publish description of forestry land (i.e. land managed for purpose of SFM)
- Flexibility to manage forestry land for wider purpose of furthering the achievement of sustainable development (provided regard is made to the SFS in doing so)
- Wider land management role: duty to manage specified land for purposes of furthering the achievement of sustainable development
- Power to enter into arrangements with other persons to manage land on their behalf or to provide a land management advice service
- Power to dispose of land and acquire land by agreement and by compulsory purchase
- Power to delegate the exercise of land management functions to community bodies

**FELLING**

- New statutory framework for regulation of felling and restocking – applies to state and non-state sectors
- Unless exempt or carried out under direction or notice from Scottish Ministers, felling of trees must be carried out in accordance with permission from Scottish Ministers
- Powers to determine applications (with or without conditions); issue felling and restocking directions
- Powers to support compliance with the felling regime, including powers of entry and a step in power
- Provision for appeals and compensation
- Powers to make further provision about regulatory regime via secondary legislation

**GENERAL POWERS**

- Power to conduct research and enquiries, collect and publish data and statistics, and provide education and training
- Power to form companies
- Power to provide financial assistance
- Power to charge

Policy aims of the Bill:

**IMPROVED ACCOUNTABILITY, TRANSPARENCY AND POLICY ALIGNMENT**

- Forestry fully accountable to Scottish Ministers and Scottish Parliament
- Simpler and more transparent governance arrangements
- Parity between state and non-state sector in terms of regulation
- Alignment of forestry policy with other relevant areas, aiding delivery of wider economic, social and environmental outcomes
- All plant health responsibilities to sit with Scottish Ministers

**MODERNISATION**

- New legislative framework to support, regulate and develop forestry
- Forestry Act 1957 repealed
- Duty to promote sustainable forest management (SFM)
- Flexible, enabling and reflects 21st century delivery landscape; simplification of offences regime and more transparent appeals process
- Regulatory system supported by secondary legislation

**MORE EFFECTIVE USE OF SCOTLAND'S PUBLICLY OWNED LAND**

- Management of National Forest Estate by Scottish Ministers, for multiple purposes (not just forestry)
- Commitment to SFM where land is used for forestry
- Ability to delegate land management functions to community bodies
- Ability for Scottish Ministers to enter into arrangements to manage other people's land (including public bodies), fulfilling commitment to establish a Land Agency for Scotland

All duties are placed on Scottish Ministers and powers held in their name.