

Confor briefing on Forestry and Land Management (Scotland) Bill, stage 2 amendments

Confor: promoting forestry and wood (www.confor.org.uk) is a not-for-profit membership organisation for sustainable forestry and wood-using businesses. Confor represents the whole forestry and wood supply chain and focuses on strategic issues vital to the success and sustainable future of the sector. The organisation has engaged in detailed discussions with the Scottish Government and Rural Economy and Connectivity Committee since the introduction of the bill.

Confor was pleased that the Scottish Parliament approved this Bill unanimously at stage 1. Confor agrees with the requirement for this legislation and for a comprehensive Scottish forestry strategy. Forestry has significant economic, social and environmental benefits across Scotland and we welcome the recognition it is being given by the Scottish Parliament along with cross party support.

The attached brief outlines Confor's position on each of the amendments laid at stage two and asks for your support in accepting or rejecting each of the amendments. The brief is ordered according to the marshalled list of amendments.

There are some crucial amendments highlighted below that are of particular interest to Confor and we are therefore bringing these to your attention here:

Strengthening Scotland's commitment to reforestation

A key concern for Confor is that the Forestry and Land Management (Scotland) Bill should contain a clear and unambiguous commitment to expand the area of land in Scotland used for forestry and timber production.

The 1967 Act (which will be repealed) and its predecessors opened with the 'general duty of promoting the interests of forestry, the development of afforestation and the production and supply of timber and other forest products'.

Given the widespread recognition of the need to expand Scotland's forest resource, as a renewable resource of timber, as a carbon sink, and to enhance our natural capital, it is a retrograde step to remove this duty from ministers at this time.

The Rural Economy and Connectivity Committee Stage 1 Report said 'the most appropriate place for setting out planting targets and a commitment to appropriate levels of reforestation is in the Forestry Strategy'.

We understand that the aim of amendments 116 and 117 in the name of Richard Lyle MSP will be to include a requirement that consideration of planting targets and future wood supply is included in the Forestry Strategy. They also ensure that the Scottish Government remains committed to the reforestation of Scotland in line with previous legislation.

We therefore ask you to support amendments 116 and 117.

Clarification of 'forested land'

Confor also strongly welcomes amendments 18-22, 24-26, 27-31, 32-35, 38, 41, 111, 112, 115 in the name of Fergus Ewing MSP. These amendments have the effect of distinguishing public 'forested land' (with trees on) from land managed for sustainable development. Confor requested this clarification in the bill and therefore welcomes its inclusion.

We therefore ask you to support these amendments.

Chief Forester

Confor welcomes the proposal in amendment 102 to create a post of Chief Forester, but considers that the detail of this post and of the structure of the Forestry & Land Scotland and Forestry Division would be better set out in a statement alongside the bill.

We therefore ask you to support amendment 102 (1) and reject amendments 102 (2), 103, 104 and 105.

Increasing the percentage of native woodland on forest land.

Amendment 8 in the name of John Finnie MSP is intended to increase the percentage of forest land that is native woodland.

Increasing the percentage of native woodland would mean that there would be a reduction in the percentage of other woodland, including the productive woodland that supports 26,000 jobs and contributes £1bn to Scotland's economy.

At present, all woodland, including productive woodland, includes a proportion of native woodland.

Increasing the percentage (rather than the total) of native woodland would mean reducing the area of productive woodland and the benefits it provides to Scotland's economy, society and the environment.

'Forest land' is not a term defined in the bill so it is therefore not clear if the amendment refers to public or private land or both.

While Confor is supportive of measures aimed at increasing the total amount of native woodland in Scotland this cannot be at the expense of other important woodland, and their vital role for Scotland.

We therefore ask you to reject amendment 8.

Proposal for Scottish 'Sustainable forest management code of practice'

These amendments will require that Scottish Ministers draw up a ‘Sustainable forest management code of practice’ that they will then have a duty to promote.

The amendment as worded could result in the UK Forestry Standard (UKFS) being undermined in Scotland by a different standard.

UKFS is regarded as a world-leading standard in sustainable forestry management. It provides a set of guidelines and guidance for practical sustainable management covering everything from species choice, soil cultivation to landscape design.

The Committee’s Stage 1 report recognised the UKFS as the ‘current framework for the delivery of sustainable forest management in the UK’.

An important part of its strength is that its content and review process is accepted by forest managers, governments and wider stakeholders across the UK. The majority of forestry and wood-processing businesses operating across borders are based in Scotland. Losing a UK-wide standard would add significant cost and administration for public and private sector.

The development of a separate Scottish Code of Practice with additional bureaucracy, would significantly heighten the risk of driving forestry investment and business activity away from Scotland to England and Wales.

We therefore ask you to reject amendments 118 and 119.

Confor’s approach when commenting on other amendments is:

- A focus on forestry, not ‘other business’;
- Levelling, rather than skewing, the playing field between forestry and other land uses – planting trees should not result in penalties; and
- Avoiding tying up both public and private sectors in processes and procedures instead of getting on with planting trees.

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