

Confor's position on the stage 2 marshalled list of amendments on the Forestry and Land Management (Scotland) Bill				
A#	In the name of:	Amendment relates to	We ask you to:	Explanation and evidence
14	Rhoda Grant	Adding a new section about the purpose of the Act	REJECT	We support the principle of adding a headline purpose to the act, but not the statement as worded.
118 & 119	Gail Ross	Defining a 'duty to promote' in terms of a 'Sustainable forest management code of practice' to be drawn up.	REJECT	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 with broad support from governments, forest managers and NGO's. Losing a UK-wide standard would add significant cost and administration.
120	Rhoda Grant	Relating the economic benefits of forestry particularly to 'communities dependent on forestry'	REJECT	This unnecessarily restricts the definition of economic benefits of forestry, which are national as well as local: we all use timber products every day.
1-3	Mike Rumbles	Disposals of land should be included in the forestry strategy and relate to their duties under the Act	ACCEPT	Scottish Ministers' powers to dispose of land in the national forest estate are too broad in the act as introduced.
7	Peter Chapman	The forestry strategy must include planting targets	ACCEPT	Planting targets play an essential role in maintaining momentum in afforestation.
8	John Finnie	Increase the percentage of forest land that is native woodland	REJECT	At present, all new woodland includes a proportion of native woodland, so all woodland creation projects increases the total of native woodland. Increasing the percentage would mean reducing the area of productive woodland and the benefits it provides. 'Forest land' is not a term defined in the bill so it is not clear if the amendment refers to public or private land or both.
116-117	Richard Lyle	The forestry strategy must include objectives, priorities and policies on afforestation and the production of timber	ACCEPT	Scotland has one of the lowest levels of forest cover in Europe, and the UK is the second biggest net importer of timber in the world, after China. Increasing our forest cover and production of timber must be priorities in the forestry strategy for many decades to come.
9	Peter Chapman	Revise the forestry strategy within 10 years and	ACCEPT	This would ensure the strategy remains current.
15	Rhoda Grant	Revise the forestry strategy every 5 years	REJECT	Forestry is a long-term business. Revising the strategy creates a great deal of work for the public sector and bodies such as Confor, and creates uncertainty for investors and the industry. A specific example of this is the existing 5-year cycles of CAP funding, which has caused great difficulty for the industry which relies on being able to plan ahead.
121, 122	Fulton Macgregor & Claudia Beamish	More specific instructions on whom to consult on the forestry strategy	REJECT	These provisions may not be futureproof.
4, 123, 124, 125, 126	Claudia Beamish & Rhoda Grant	Forestry strategy must have regard to existing policies on biodiversity, deer management, climate change, and cultural and national heritage	REJECT	While we would hope the forestry strategy would align with these other policies, it should also align with policies on economy, jobs, housing etc which are not proposed and therefore creates an unbalanced bill. Inserting lists in this way reduces the transparency and lifespan of the bill.
127-128	Rhoda Grant	The forestry strategy should include the repopulation of rural Scotland and the interests of crofters and farmers	REJECT	While these might be identified as part of sustainable forest management and an integrated land use strategy, it is too specific to include in the bill and takes the focus of the forestry strategy away from forestry.

16-17	Rhoda Grant	Instructions for parliamentary consideration of the forestry strategy	REJECT	This would create burdensome procedures and requirements makes it less likely the strategy will be updated at all.
18-22, 24-26, 27-31, 32-35, 38, 41, 111, 112, 115	Fergus Ewing	Distinguish public 'forested land' (with trees on) from land managed for sustainable development	ACCEPT	Confor welcomes this clarification, which we requested.
10	Peter Chapman	Annual report on forestry strategy progress	ACCEPT	This would improve accountability. Much of the information eg. afforestation is already produced through Forestry Statistics.
130	John Finnie	Report on forestry strategy progress every 3 years	REJECT	We support the proposal of annual reports above.
129	Claudia Beamish	List of whom to involve in discharging this act	REJECT	Inserting lists reduces the transparency and lifespan of the bill.
131	Jamie Greene	UK-wide co-ordination on plant health issues	ACCEPT	Co-operation on this matter at UK level is vital to our plant health.
11	John Finnie	forest owners to face penalties if they do not take measures to control deer	REJECT	Making landowners liable to new penalties for choosing to plant trees will tend to discourage afforestation, and discourages integrated land use by increasing disparity in regulation. It is in the interests of forest owners to control deer, so measures to tackle deer numbers should be co-operative rather than punitive.
36	Fergus Ewing	instead of 'description of forestry land' produce a 'map' of forested land and sustainable development land.	ACCEPT	This is clearer.
36A	Andy Wightman	the map should also include privately owned forest land with information on ownership	REJECT	Legislation on land ownership should apply to all types of land equally, and should be dealt with under different legislation. The decision to plant trees should not be influenced by consideration of what information will have to be publicised which would not be required if the land was left without trees.
37, 46-53, 55-96, 99-101, 106, 109, 113-14	Fergus Ewing	Corrections and clarifications	ACCEPT	
39, 42, 6	Peter Chapman	Omit references to acquiring land for sustainable development	NO VIEW	
40	Fergus Ewing	Compulsory purchase could include purchasing a right to use land, as well as purchasing the land itself	ACCEPT	This would mean, for example, access over 'ransom strips' could be gained without having to purchase the land itself.
12	John Finnie	Funds received through the disposal of land must be used for the purposes of the act	ACCEPT	This is in line with a recommendation of the REC Committee which Confor supported.
12A	Jamie Greene	Funds received should only be used to acquire land for forestry	REJECT	This is too restrictive.
132	Jamie Greene	Community body' should have the same definition as in other legislation	ACCEPT	However, this would be superseded by Richard Lyle's amendment below which we also accept.

23, 43, 44, 45, 110	Richard Lyle	Remove the sections on communities	ACCEPT	This is covered in other legislation elsewhere. Removing it improves the focus of this bill.
133, 134, 135	Peter Chapman	Exempting pruning and thinning from the offence of unlawful felling	REJECT	These will be covered in regulations under section 24. However, if government can provide clarity on what the exemptions in section 24 will be, this will provide reassurance to landowners and forest managers.
78a, 81a, 84a-87a, 89a, 97a, 100a	Peter Chapman	Amend Fergus Ewing amendment about complying with conditions on notices to specify 'reasonable' conditions	REJECT	This would weaken the government's ability to reinstate trees which have been illegally felled.
13	Peter Chapman	Change 'ministers MAY' publish statistics, conduct research etc to 'ministers MUST'	ACCEPT	Research, statistics, data, education and training are essential to the successful delivery of forestry in Scotland. Note that much of this work should be co-ordinated at a UK level.
102 (1)	Rhoda Grant	Create a post of Chief Forester	ACCEPT	Confor welcomes this amendment.
102 (2), 103-105, 107, 108	Rhoda Grant	More details on Chief Forester, Area Foresters, National Advisory Group and Local Partnership Working Groups	REJECT	Arrangements for the structure of the new Forestry Division and Forestry & Land Scotland would be better set out in a statement alongside the bill, as recommended by the REC committee.
136	Claudia Beamish	Procedure to be followed in structuring and restructuring forestry within government	REJECT	Confor agrees with the principle that parliament should be informed about the restructuring of forestry within the Scottish Government, but does not consider it necessary to include it in legislation.