
SCOTTISH GOVERNMENT FORESTRY CONSULTATION – COUNCIL RESPONSE

Report by Corporate Transformation and Services Director

SCOTTISH BORDERS COUNCIL

10 November 2016

1 PURPOSE AND SUMMARY

- 1.1 This report proposes a Scottish Borders Council response to the Scottish Government’s consultation paper “The Future of Forestry in Scotland”.**
- 1.2 The Scottish Government has invited responses to a consultation on the governance of Forestry in Scotland. The focus of the consultation paper is on the continuing devolution of the UK Forestry Commission’s responsibilities to Scottish Government Ministers.
- 1.3 The Scottish Government proposes a two-tier governance solution, reflecting the current separation of policy and regulatory functions (at Commission level) from the management of the forestry estate (currently Forest Enterprise Scotland). The proposed Council response is set out in Appendix 1.

2 RECOMMENDATIONS

- 2.1 I recommend that the Council agrees the response to the Scottish Government’s consultation on ‘The Future of Forestry in Scotland’ as set out in Appendix 1.**

3 BACKGROUND

- 3.1 The Scottish National Forest Estate covers 640,000 hectares, equivalent to 8.2% of Scotland's land area. In the Scottish Borders the National Forest Estate is around 26,000 hectares, with private forestry covering about 66,000 hectares. The total forestry area of 92,000 hectares equates to about 19% of the land area (5% National Forest Estate, 14% private sector). Extrapolating from national statistics forestry related activity in the Scottish Borders equates to a GVA of around £57m.
- 3.2 Forestry in the UK is broadly devolved, with policy set by Scottish Ministers. However, management of the National Forest Estate (NFE) has remained with the UK Forestry Commissioners. Since August 2015 a Forestry Governance Project Board has been working across the UK to consider future legislation, financial arrangements and cross-border functions.
- 3.3 The Scottish Government's intention is to complete the devolution of forestry, and the current consultation will inform the preparation of a Bill to be considered by the Scottish Parliament, and secondary legislation in the UK and Scottish Parliaments. The new arrangements in Scotland are likely to include (1) the establishment of a Forestry Division of the Scottish Government's Environment and Forestry Directorate (as the strategic body and policy maker), and (2) a new forestry and land management agency, 'Forestry and Land Scotland' to manage the national forest estate and to develop a wider land management remit in the future.
- 3.4 Consultation papers are at <https://beta.gov.scot/publications/future-forestry-scotland-consultation/> Responses to the consultation have been requested by Wednesday 9 November 2016. The Scottish Government has agreed that the Council can submit a late response in order to allow this Council meeting to consider and agree the response.
- 3.5 The consultation covers three broad areas: (1) the new organisational and governance proposals; (2) the development of effective cross-border arrangements within the new structures; and (3) the regulatory and legislative framework.

4 RESPONSE TO CONSULTATION

- 4.1 The proposed response to consultation, set out in Appendix 1, has been prepared by officers from the Economic Development and Natural Heritage teams. Input and advice has also been gleaned from the Community Planning Partnership's 'A Working Countryside' rural stakeholder group.
- 4.2 The proposed response is broadly in favour of the consultation's organisational and governance proposals. However, the suggested response stresses the importance of the new agency having a remit to support economic development and wider social and environmental outcomes from the national forest estate, as well as the basic forest and timber production focus proposed.

- 4.3 The response favours strong cross-border links to support a range of UK wide functions, including research, tree health, forestry standards and technical issues.
- 4.4 The response recommends that while the Forestry Directorate should continue to promote forestry, this should be as part of a wider commitment to sustainable land use. In particular, the development and maintenance of outdoor recreational and commercial facilities on forestry land is an essential use of the national forest estate, creating economic, environmental and social benefits for local communities. The consultation did not give emphasis to this issue, but officers consider that it is an equally important role alongside that of timber production. Recent experience has shown that the agencies in charge of the national forest estate need to have more focus on local economic and community impacts, not less.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

It is important that the Council takes the opportunity to respond to national consultations that may affect it or the community it serves directly or indirectly, as proposed in this report regarding forestry.

5.3 Equalities

It is anticipated that there are no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals in this report.

5.4 Acting Sustainably

There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

5.5 Carbon Management

There are no significant effects on carbon emissions arising from the proposals contained in this report.

5.6 Rural Proofing

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

6 CONSULTATION

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the report.

Approved by

**Rob Dickson
Corporate Transformation
and Services Director**

Signature

Author(s)

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|---------------|--|
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Background Papers: None
Previous Minute Reference: None

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