

Response ID ANON-MZ2Y-MT3C-9

Submitted to **The Future of Forestry in Scotland**

Submitted on **2016-11-07 12:20:30**

Introduction

Are you responding as an individual or an organisation?

Organisation

What is your name or your organisation's name?

Name/orgname:

Crofting Commission

What is your email address?

Email:

john.toal@crofting.scotland.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Please indicate which category best describes your organisation. If you are a representative or umbrella body, please tick the category you represent:

Public sector

If 'other', please state here::

New organisational arrangements in Scotland

1 Our proposals are for a dedicated Forestry Division in the Scottish Government (SG) and an Executive Agency to manage the NFE. Do you agree with this approach?

Yes

Please explain your answer:

Yes, we broadly agree with the rationale for this. It is understood from the discussion in the consultation document that it is considered that this separation offers the best approach. In doing so, it is understood that the policy and regulatory functions will remain separate from the management and development of the National Forest Estate. This current practice is regarded as the best method of currently developing the potential of these important functions. However, it is noted that these are ultimately complementary and that there would appear to be a logic in a more uniform system in the future; particularly with the intent to develop a future land use agency for Scotland from this structure. Therefore, while we would not challenge the current proposal, there would appear to be an obvious logic in having all forestry functions under the control of a single body at some stage in the future. It would seem sensible to work towards this proposition.

2 In bringing the functions of FCS formally into the SG, how best can we ensure that the benefits of greater integration are delivered within the wider SG structure?

In bringing the functions of FCS formally into the SG, how best can we ensure that the benefits of greater integration are delivered within the wider SG structure? :

The most obvious benefit is that the functions are now subject to the Scottish Government's policies and practices. This should help to ensure better integration within the strategic framework for government, particularly in terms of land use and in the delivery of other obligations, such as those pertaining to the environment and climate change.

What additional benefits should we be looking to achieve? :

We should be looking to achieve a more flexible but also a consistent approach to forestry management and development, but also one that is more specific and relevant to land use within Scotland. In this respect, we consider that the variant land use systems and tenure within Scotland will also be recognised within a forestry land use context. In particular, we cite the relevance of the crofting system of land tenure within the Highlands and Islands. We would consider that there will be more opportunity for more imaginative and innovative means for involving forestry developments with other land uses practices in a more integrated and mutually beneficial way.

Additionally, we recognise the opportunity for a forestry/woodland development that can more appropriately and specifically integrate with other policies and deliver, for instance the vision and objectives set out in the recently revised Land Use Strategy. The importance of forestry in an ecosystem approach is recognised and, particularly, in this context greater emphasis should be provided for native woodland creation and management. There are many benefits to be derived from this approach, ranging from biodiversity and the environment to tourism and recreation.

3 How should we ensure that professional skills and knowledge of forestry are maintained within the proposed new forestry structures?

How should we ensure that professional skills and knowledge of forestry are maintained within the proposed new forestry structures?:

It would appear appropriate that skills and knowledge are initially retained and that there is a clear structure provided for the ongoing development of professional skills and knowledge. The consultation document itself assures that dedicated forestry arrangements that are part of the Scottish Government would allow this to happen.

4 What do you think a future land agency for Scotland could and should manage and how might that best be achieved?

What do you think a future land agency for Scotland could and should manage and how might that best be achieved?:

Theoretically, a land agency for Scotland appears to be a sensible proposition. However, the term "land agency" itself as used in the question may cause confusion. The term used in the consultation document is "forestry and land management agency." Such an agency will initially incorporate the remit of the current Forest Enterprise Scotland and be called "Forestry and Land Scotland". Once established it is envisaged that the remit will extend beyond management of the National Forest Estate to that of wider land management. It is understood that such management will be confined to land held in public ownership, and that there will be no subsequent confusion with the likes of recently established Land Commission.

It is understood from this proposal that there would be the possibility that publicly owned crofting estates could be managed by such a body, irrespective of whether they had been purchased previously for forestry purposes. Obviously, the crofting rights of such communities are statutorily established and therefore the management agency would not necessarily constitute a threat to crofting interests. Indeed, it is recognised that a pro-active agency could be beneficial for crofting communities on such estates.

We would also consider it appropriate that consideration could be given to creating other forms of land tenure and use on land in public ownership. This can be viewed in the stated context of providing opportunities to develop greater policy coherence within Scottish Government. The Crofting Reform (Scotland) Act 2007 provides the opportunity to create new crofts, and the possibility of linkage to this policy objective could be more readily realised by an agency with a wider land use and management remit.

Further we would envisage the opportunity for more encouragement to other land holders to participate in forestry development. In particular, we would hope that there will specific practical assistance that will enable appropriate development of forestry on crofting common grazings as enabled by sections 50 and 50A of the Crofters (Scotland) Act 1993 as amended. As previously mentioned, we consider there is a need to promote native woodland and, also, its potential for greater integration with traditional pastoral systems.

In terms of land management, there should be the opportunity for greater involvement in forest management and leasing arrangements. The National Forest Land Scheme is beneficial, but it is not every community that has capacity to raise funding or take on the responsibility of ownership. On that basis there should be greater flexibility to use forestry resources for other purposes, such as the creation of woodland crofts, without necessarily requiring communities to purchase the land. Recognition of a wider role for a forestry and land agency should ensure a more integrated approach to forestry and other land uses, and also wider opportunities that will include a range of woodland holdings and the development of a more inclusive woodland culture.

Effective cross-border arrangements

5 Do you agree with the priorities for cross-border co-operation set out above, i.e. forestry research and science, plant health and common codes such as UK Forestry Standard?

Yes

6 If no to question 5, what alternative priorities would you prefer? Why?

If no to question 5, what alternative priorities would you prefer? Why?:

7 Do you have views on the means by which cross-border arrangements might be delivered effectively to reflect Scottish needs?

Do you have views on the means by which cross-border arrangements might be delivered effectively to reflect Scottish needs? :

Legislation and regulation

8 Should the Scottish Ministers be placed under a duty to promote forestry?

Yes

9 What specifically should be included in such a general duty?

What specifically should be included in such a general duty?:

We consider that the principles contained under section 1 of the Forestry Act 1967 in terms of promoting the interests and development of afforestation and using land to deliver of climate control targets remain pertinent and should be incorporated within a general duty. However, as the future focus will not be simply on afforestation of land, there should be duties to ensure that land is utilised sustainably and productively for the benefit and in the interests of the public.

10 Recognising the need to balance economic, environmental and social benefits of forestry, what are your views of the principles set out in chapter 3?

Recognising the need to balance economic, environmental and social benefits of forestry, what are your views of the principles set out in chapter 3?:

We consider that the principles set out are appropriate and should ensure balance between forestry, environment and biodiversity interests. We note and agree with the proposal to remove the stipulation that all additional outcomes resulting from land use, such as those relating to biodiversity or climate change, must be tree-related. This should allow for greater flexibility and fit more readily with the future intent to incorporate wider land management.

Assessing impact

11 Are there any likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed in chapter 4? Please be as specific as possible.

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12 Do you think that the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.

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13 Are there any likely impacts that the proposals contained in this consultation may have upon the privacy of individuals? Please be as specific as possible.

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14 Are there any likely impacts that the proposals contained in this consultation may have upon the environment? Please be as specific as possible

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Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Please enter comments here.: