



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY

Non-qualifying Regulatory Provisions
(NQRP) summary reporting

Regulator: Forestry Commission

Business Impact Target Reporting Period Covered: 17th December 2020 – 16th December 2021

Excluded Category*	Summary of measure(s), including any impact data where available**
<p>Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)</p>	<p><u>Decision support framework for peatland protection and the establishment of new woodland (Interim)</u> This (interim) guidance has been jointly developed by the Forestry Commission, Forest Research and Natural England to provide a decision framework for landowners on where to establish trees and where to restore peat. Woodland expansion and better peatland protection and restoration are two of the most important large-scale changes in land use needed to restore nature, sequester and store carbon, and can provide many other environmental benefits. This guidance impacts those proposing woodland establishment on sites with peaty soils. The decision support framework should be used to ensure that woodland establishment will not adversely affect the peatland. This measure is expected to have a greater impact in the next reporting period as the interim guidance is expected to be replaced by new England guidance on Trees and Peat.</p> <p><u>The Official Controls and Phytosanitary Conditions (Amendment) Regulations 2021</u> Amends the current Phytosanitary Controls Regulation (Commission Implementing Regulation 2019/2072, introducing stricter measures against <i>Xylella fastidiosa</i> (“Xylella”), based on the latest updates within the Pest Risk Analysis. Xylella is a bacterium which causes disease in a wide range of woody commercially grown plants such as grapevine, citrus, olive and several species of broadleaf trees widely grown in the Great Britain, as well as many shrubs and herbaceous plants. This new legislation came into force immediately before 4 March 2021 and applies nationwide.</p>
<p>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement</p>	<p><u>LULUCF Regulation (EU) 2018/841 “On the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013”</u> Revoked from UK law under the Climate and Energy (Revocation) (EU Exit) Regulations 2021, SI 2021/519.</p>
<p>Measures certified as concerning EU Withdrawal Bill operability measures</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Pro-competition</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	exclusion.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	<p><u>Statutory Plant Health Notices</u> SPHNs requiring the person served to fell of infected trees, are issued by the Forestry Commission to prevent the spread of pests and diseases The Forestry Commission issued 166 SPHNs under the Plant Health Act 1967 during this reporting period. Of which, 3 were for <i>Cryphonectria parasitica</i>, 11 for <i>Ips typographus</i> and 152 for <i>Phytophthora ramorum</i>.</p>
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Casework	<p><u>Restocking Notices</u> The Forestry Commission issued 49 Restocking Notices during the period in relation to alleged illegal felling (felling without the authority of a felling licence, where one is required). Restocking Notices compel the individual served to replant felled land with trees.</p> <p><u>Enforcement Notices</u> The Forestry Commission issued 49 Enforcement Notices during the period in relation to alleged illegal felling (felling without the authority of a felling licence, where one is required), non-compliance with felling licence restocking conditions or breaches of forestry Environmental Impact Assessment Regulations. Enforcement Notices compel an individual to comply with Restocking Notice or Felling Licence conditions.</p>
Education, communications and promotion	<p><u>Applicants' Focus Group</u> The Forestry Commission chairs the AFG on a quarterly basis to discuss grant and regulatory changes with members of the sector.</p> <p><u>Forestry and Woodlands Advisory Committees (FWACs)</u> FWACs advise the Forestry Commission on implementing forestry and related policies. This includes providing expertise to the National Delivery Teams and sitting on</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	Reference Committees in an appeal process.
Activity related to policy development	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

* For detailed guidance on the exclusion categories, please see <https://www.gov.uk/government/publications/better-regulation-framework>

** Complete the summary box as 'Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.' where this is appropriate.