

Ref: FCDAG 07/2023

DAG Minutes: 20/07/2023**Location:** Webinar/teleconference**Chair:** Joe Watts**Secretary:** Sarah Lawson**Attendees****DAG Members:**Neil Douglas (RSPB) **ND**Graham Garratt (ICF) **GG**Poppy Sherborne (NFU) **PS**Graham Clark (CLA) **GC**James Russell (Community Forests) **JR**Julian Ohlsen (SW AFG) **JO**Nick Phillips (Woodland Trust) **NP**Jackie Dunne (Confor) **JD**Simon James (Small Woods) **SJ**Paul Orsi (Sylva) **PO**Adrian Jowitt (Natural England) **AJ**David Lewis (RICS) **DL**John Bruce (Confor) **JB**Claire Douglas (RPA) **CD**Clive Thomas (Soil Association) **CT****FC/Defra:**Joe Watts (FC) **JW**Sarah Lawson (FC) **SL**Alec Rhodes (FC) **AR**Ewan Calcott (FC) **EC**Katy Moseley (FC) **KM**Matthew Richardson (FC) **MR**Richard Pannell (FC) **RP**Stephanie Rhodes (FC) **SR**Richard Hofman (FC) **RH**Rory Lunny (Defra) **RL**Sophie Ward (Defra) **SW****Apologies:**

Keith Jones (FC)

Steve Scott (FC)

Heather Gibbard (FC)

Hugh Loxton (Defra)

Anna Brown (FC)

John Blessington (Local Gov)

Cheryl Lundberg (RFS)

Neville Elstone (ICF)

Brian Fraser (HTA)

FCDAG Minutes

Welcome

JW opened the session and welcomed all.

ELM Update

MR and **RP** presented slides.

JD (comment from chat): When is this coming in 2024?

JW need to be a little cautious about SFI Farm Woodland standard. It's pencilled in for 2025 but awaiting confirmation.

JO commented in terms of the ten-year agreement, making amendments and coming out of agreements is an important consideration and asked if processes are in place for this.

RP commented one of the things that has been recognized is how inflexible WD2 is and how much pressure it puts on agents, land managers and our woodland officers. Negotiation time doesn't currently work so looking at having regular intervention points, especially around five-year margin to take into account those who might not be able to do the 10 years, but also having a regular monitoring regime at 1, 5 and 10 years to make sure what is being worked on is suitable and that everyone is happy with it. If anything needs changing we will be altering the process and looking to rollovers (like Natural England) to make the process easier and smoother for applicants.

NP commented that the structure looks great but question regarding payment rates particularly in relation to PAWS restoration. Statistics show that this isn't currently working. Points about payment rates - they reflect kind of sensitive uneconomic restoration rather than forcing owners to go down into what they may feel uncomfortable with just to cover costs. Also payments for income forgone over forestry timescales not agricultural.

RP commented that the payment rates are currently being worked on, there are tentative figures but these haven't been signed off as yet. We have taken into account the problems regarding income forgone and we are trying to make sure that the payment rates do better justice to the costs of the activities. Work is being done with the area teams to make sure that the information we are feeding into our assumptions is the best it can possibly be.

DL queried the logistics of the 10-year option if 5 years through a management plan and asked if it keep going or need to be redone. There are good managing woodland supplements but when looking at payment rates will you distinguish between SSSIs and ancient woodland versus native woodlands. The former have had more favourable treatment due to being seen as higher value and feel there is a good case for this. Also looking at resilience, conscious that we already have tree health grants and interested to see how those might interact. In terms of improving permissive access, good to see but thinking if you have existing rights of way through land it would be good to see grants or support to assist in the upgrading and improving of those as well as looking at creating new permissive rights of way.

RP in terms of payment rates and differentiating between SSSIs and native woodland the answer is there is no plan to do this at the moment. Within Defra there is thought that too much emphasis is given to SSSIs and trying to make it a bit fairer across the board. In terms of resilience and how it sits with tree health we are looking at the stacking of the tree health and eventually this will be incorporated but not this time. Still running with the tree health pilot. On access, existing public rights of way won't be eligible for the access supplement but where there is already permissive access in place that can be used to improve the access and there will be capital work to support all the various pressures such as replacing boundaries, markers and signposts.

ND asked whether there will be tracking and reporting of the uptake of the different supplements. Also asked if they will involve some baseline ecological monitoring. Also enquired what the mentioned statement of Species Priorities was.

RP advised they are working hard to improve tracking and reporting and there is a project going on from Defra to make it easier for us to get hold of the agreement data so we can create interactive dashboards and will be able to the data more publicly accessible but unable to say anything further on this now. In terms of the baseline ecological monitoring, we are working on the Woodland Condition Assessment that is being worked on alongside Sylva Foundation and this will go out to training providers to help improve ecological skills. This will be within the core WD2 base option and there will be a survey at the beginning and end of the agreement which will give an idea of the ecological goodness of a woodland. The Statement of Priorities is linked to SP9 and if you go to gov.uk and look at the grant finder on SP9 and provides a list of all the threatened species by area and what can be done to support them.

GC asked where tree health and in particular ash dieback fits into this and asked if there is going to be work revise this and make them more fit for purpose.

RP commented that the tree health pilot will be rolled over and included at launch.

CT asked if there could be some clarification around how the supplements and options might better interact with the woodland management plan and the farm woodland standard, understanding that there is a degree of caution around timings, but would be good to understand how that might integrate.

RP commented that integration of supplements could be seen as complex but will make sure that the Area teams have the skills to provide local advice and assist along the way, alongside the improved woodland management plan which will steer the applicants towards the supplements and options that are right for them.

RH commented that the Farm Woodland Standard integration is at very early stage and the final content is still being worked on but from the pilot there has been a great amount of engagement from landowners with their woodland. Hoping to try and build a system that will allow people to be incentivised to do that first assessment and then signpost accordingly. A further update and more detail will be given in due course.

JD commented that she held concerns about the complexity and the feasibility of how a ten-year agreement is going to run with a ten-year management plan. There needs to be a greater amount of flexibility. Natural England are much more flexible with agreements and the use of rollovers and extensions. Also worried about ability to deal with the change that goes on such as storms and disease. Also have concerns over some of the supplements such as browsing supplement that fixates on only two browsers and concerns over boundary maintenance. It doesn't feel like there is enough details to know if it will be feasible. It doesn't feel like the details are being addressed and not looking at the current complexities.

MR advised that in terms of the comments around inflexibility and complexities this will be taken away and will look to provide more detail and look to answer some of those questions to alleviate some of those concerns.

RP commented regarding the complexity and the 10-year approach as it is felt that this is an accurate timeframe to see some of the ecological improvements and to help meet the targets. We are aware of the difficulties in place in terms of the woodland management plans and the discrepancies. There will be a lot of work put into making sure it's as smooth as possible and that there are those rollovers to try and relieve the administrative pressures and we'll be working with the area teams on this. In relation to comments around storm damage, existing problem with WD2 is the lack of intervention points and the lack of discussions and the intent with the overhaul that is making sure that there are opportunities to have those discussions and to highlight if changes are needed. In terms of the species management, acknowledge the comments and the need to increase the offer and work is ongoing there. Also advised they are working on capital

at the moment and boundary maintenance is being looked at with this and how this will be amended.

JW there is further work being done elsewhere on CS on dry-stone walls and dry-stone wall maintenance nothing to announce yet but where there are boundaries to woodlands they will be eligible.

GG commented that it is good to have picked up on the themes and picked those out from WD2 as had always found it difficult when all lumped together. Would agree with JDs comments about complexity and inflexibility and share concern. In terms of management plans, it is a massive task to rewrite them and would be interested to know when the new system for management plans is likely to come in. Also looking at PAWS eligibility and first point of call would be looking at mapped PAWS but not always reliable so what happens in those circumstances? If you can evidently show its PAWS would it allow eligibility?

RP advised that with the 10 years the woodland management plan is picked up as a major flag and there is a project to look into rollovers and how we can easily make it transferable onto a new woodland management plan. There are plans to overhaul the woodland management plan because we recognize that it is very onerous to fill in and trying to get it on to a smarter platform that will make it easier to complete, amend and track, which should be beneficial for everyone.

JW commented that to pick up on the point of when and just to manage expectations, it is not going to be until well into the new year and there is no firm date at this stage.

RP commented regarding the mapping discrepancies and where something isn't mapped as PAWS then can be raised in discussions with the woodland officer and they will be able to override that and make sure you can bring it into your agreement.

JD commented that the scoring in the old scheme has been horrendous.

RP agreed that scoring is not fit for purpose and work is ongoing on that. Can't announce anything currently but we are aware that scoring doesn't work for woodland management at the moment and it is a real pressure point.

Consultation Reform

EC presented slides.

GG made a comment regarding the consultation under the new arrangements and regarding the point that there would be a decision by the Forestry Commission whether to consult with third parties depending on whether there was a fit with what their policies were and flagged that although woodland officers are well briefed on UKFS and forestry policy not sure they are particularly well briefed on what third parties want to see.

EC responded that this is something that they are conscious of and has previously been addressed through training. There is more work to be done on understanding the statutory plans of others. Some Woodland Officers are more in tune with those arrangements than others. There is a role for the Forestry Commission to get involved in discussing those statutory plans when reviews occur and in due course becoming more of an influencer. However, note that it is important to give the right training and ensure that Woodland Officers know whether they've got the right information to make a decision of whether they need to go out for more and this is a critical part of the revised process. Also would like to reiterate that the proposer has a duty within that space as well which will be emphasized in the new FC policy that they have to provide us with a complete application that is well evidenced to demonstrate that those stakeholders are already on board. This will create a bit more work at the start but will get through the decision making process quicker.

JO commented that he hopes that it will have the intended outcome which is to push these lower risk sites further forward to stop people becoming disengaged with the whole process. Asked if there is a Presumption to Plant could this be extended to a presumption to get paid grant EWCO after you've planted? Other thought is that this suggests an emphasis back on WCPG process but there is going to be more to do and suggest that rates need to be revised and other plea to get it online to make it easier. Also it is great to have timescales for other bodies to respond to the Forestry Commission but need timescales for the Forestry Commission to respond to applicants as if we are trying to move things forward need to make sure that everybody is engaged.

EC agreed that there has to be a more synchronous relationship between the planning grant stages, the establishment stages and getting paid for the work that has been applied for and is something that is being worked on. In terms of the Forestry Commission having a charter for delivery – we used to for grant schemes and it's right to challenge and something that needs to be looked at. If we are going to demonstrate to the Secretary of State that we are improving delivery times for woodland creation and using that as a vehicle to promote more people to get interested in woodland creation, having a publicly accessible charter of times would be valuable.

ND asked for clarity regarding the ministerial direction. Also asked whether this new approach is going to be attached to the WCPG and what would that mean for projects which might be coming through under other funding mechanisms and not necessarily through grant funding.

EC advised that the ministerial direction is being revoked, the consultation statements that followed that are being withdrawn and the Forestry Commission will then take forward the new policy. The Secretary of State will not have a role in the policy statement. It will be purely the Forestry Commission and what it will do over and above our minimum requirement to behave as a public body. In terms of the planning grant we are looking at some synergies where we have some obvious wins coming in through the planning process. Why put them through stage 2 planning grant when we can put them straight into EWCO? There is also the intent to introduce the consult once at earliest possible opportunity for those going through the consultation route, where it is decided there is a need to consult outside of our statutory duties with Natural England then we will look to put that at the end of stage 2 of the planning grant and that will then inform any subsequent EIA regulatory decision afterwards.

SR commented regarding the query about presumption to plant, presumption to pay, this points to what is going to be permitted through the regulatory landscape and that is currently EIA regime and assessment of compliance with UKFS and that's where presumption to plant comes in and what is then above and beyond what is legally permitted that will attract public funding and these are current discussions. Also, I want us to set out anticipated turnaround times for approval in different scenarios because if we don't set ambitions how will we know how we are doing.

JD commented that we are reliant on UKFS and how do we get people that don't use it regularly to understand the elements that we want to come through, so it is important to think how this is deployed to other people. Also want to consider the future of timber as there is a lot of planting going on but is there much thought going into resilience and our future generations.

JW agreed that the resilience and robustness of the woodlands is a key point.

EC on point about how to make UKFS palatable and recognizable to all is a challenge. The problem is that the audience is so wide and diverse that it doesn't get out to everyone so it is important as a group, as a sector to play our role in promoting the UKFS and what it can do.

EWCO and WCPG Updates

AR presented slides.

ND asked about mapping for low risk assessments and if that's something that is already one of the lowest layers on the land information search or is that a new layer?

AR advised that there is already the low sensitivity mapping and we are looking to evolve this further to have an even lower sensitivity area to help spot opportunities for presumption to plant.

EC confirmed that following conversations with Natural England there is still more to be done with the data in terms of sensitivity mapping. The next change in terms of the sensitivity mapping is going to come from the historic environment community dataset, along with some updated priority habitat inventory map data. To reiterate the point that the sensitivity mapping is only as good as the data. Need to make sure that the unknowns are identified and without that we won't see the efficiencies that we want to see.

AJ agreed that there will be an onus on applicants to make declaration that they have done the necessary checks. There is further needed on the data; there has been some initial analysis on the low risk and although it's good, there is more to be done and with more datasets coming online we need to ensure that this data is as good as possible. A point for consideration is with applicants making a declaration that they have done the checks, which is great for having a mechanism to fast-track low risk cases, we need some sort of sanction if those checks haven't been completed. We are keen that we use the sources we can to reduce the risk and ensure the onus is on the applicant regarding the checks.

JO commented that would agree with approach regarding agent authority being proposed. Not sure why in the past there hasn't been access to approve agents through Rural Payments for felling licence and EWCO applications. There have been problems with the agent authority form process and seems complicated to landowners. Understand that still require agent authority forms for people that haven't registered their land through RPA.

JD also agrees with it and also finds the current situation confusing with having to flip between one and the other. Queried why an agent authority form is required for the felling licence.

AR advised that this is to do with the content and what the declarations and permissions cover in Rural Payments and they are not specific enough to provide that sort of authority. Believe it has been explored in the past and is perhaps something that can resumed but it is not an easy fix within their IT system.

GG commented that it makes sense to have the whole suite of authorities centralized in one place.

JO raised the point that there needs to be caution as RPA only ever communicate with one email address. Need to be careful if felling licence and agent authority that Forestry Commission doesn't get caught up in communication through RPA – there needs to be a dual communication process.

GG advised that he had similar issue, but requested with Natural England that communicated directly over sphere of interest and this was adhered to, so could work the same with RPA level or the level below.

JD commented that it is positive that the claims process is being reviewed as currently it is very complex and it needs to be more streamlined. Also advised that it is frustrating that currently it is very difficult to contact Forestry Commission staff to liaise with them regarding grants process and appreciate that this is being looked at.

GG commented that in terms of feedback, personal experience with interacting with the Woodland Officers is positive. They seem to be focused on solving problems and want to help.

AR commented that he was grateful for feedback and welcomed any thoughts in terms of ways to improve points in the process.

AOB

JW advised the group that the next meeting is the face-to-face meeting in Birmingham which is currently booked for 12th October. There is a possibility this date may have to be moved but we will advise if this is the case.

Meeting ended 12:32