

Ref: FCDAG 01/2024

DAG Minutes: 25/01/2024**Location:** Webinar/teleconference**Chair:** Joe Watts**Secretary:** Sarah Lawson**Attendees****DAG Members:**

Neil Douglas (RSPB) **ND**
Graham Garratt (ICF) **GG**
Poppy Sherborne (NFU) **PS**
James Russell (Community Forests) **JR**
Nick Phillips (Woodland Trust) **NP**
Cheryl Lundberg (RFS) **CL**
Tom Ottaway (Soil Association) **TO**
Clive Thomas (Soil Association) **CT**
Brian Fraser (HTA) **BF**

Chris Keeler (Small Woods) **CK**
Adrian Jowitt (Natural England) **AJ**
John Bruce (Confor) **JB**
Luke Hemmings (NPFPG) **LH**
Neville Elstone (ICF) **NE**
Claire Douglas (RPA) **CD**
Madeleine Sweet (NFU) **MS** (observer)

FC/Defra:

Joe Watts (FC) **JW**
Sarah Lawson (FC) **SL**
Stephanie Rhodes (FC) **SRh**
David Robertson (FC) **DR**
Lucy Wyatt (FC) **LW**
Rory Lunny (Defra) **RL**

Ellie Littlejohn (FC) **EL**
Sharon Rose (FC) **SR**
Jack Clough (FC) **JC**
Ian Tubby (FC) **IT**
Evelyn Toalster (FC) **ET**

Apologies:

John Blessington (Local Gov)
Steve Scott (FC)
Jackie Dunne (Confor)
Simon James (Small Woods)

Anna Brown (FC)
Heather Gibbard (FC)
Paul Orsi (Sylva)
Julian Ohlsen (SW AFG)

DAG Minutes

Welcome

JW opened the session and welcomed all.

Whole Farm Trees Plan

CT (Soil Association) presented slides.

DL asked regarding the plans on how to assess agricultural productivity benefits as there are many variables that affect the yield and performance of crops. Secondly, who do you envisage carrying out these Whole Farm plans and what type of funding might be available to support it? Finally it feels like it may be a challenge trying to monetise benefits of trees particularly on small scale.

CT agreed that it is difficult to actually quantify some of the productivity improvements. Although there is some evidence base around livestock and soil health but think it's going to be more about raising awareness of the benefits and then how you might optimize those agro-ecological benefits. Also on the aggregation point, the Soil Association is working with some other partners on how to group different natural capital projects that are whole farm level so Woodland Carbon Code, some of the thinking around agroforestry, hedgerows, peatland and there is work being funded looking at this at whole farm level or farm cluster level to get some of those benefits.

NE commented regarding objectives – firstly owners' objectives and about where they want to get to needs to be upfront. Also human capital and need to look at how much workforce there is on the farm and what skills they have and will need? Good to discuss offline.

CT agreed that it would be good to talk offline and also about potential pilots in NW. Agree about the objectives and first thing we will be doing is talking to farmers about their farming system and what they are trying to achieve. Then using professional forestry knowledge to try and link that to what they have and what they might do in future. In terms of the human capital and how you make it all work, some will fit in with farming calendar and other parts won't and need to look at whether we need new models for how some of it happens at farm cluster level, catchment level, landscape level.

LW commented that it would be good to join in offline conversation as others are doing similar work so it would be good to discuss and share insight to help with the evidence base that is being built up.

CT agreed that collaboration would be useful.

Action: **CT** to pick up with **NE** and **LW** regarding other work that is being carried out and sharing insights.

NP asked what are the hopes for the future if the results are positive and how do you see this being integrated into ELM government advice? Also seeking clarification regarding Defra FC agroforestry plan and is this different or related.

CT commented that whole farm plans that support the farmer would be the ideal whether it's ELMS or the tree bits of ELMS. Currently not in that place and we are on the fence about whether this is a new plan or a set of recommendations and principles about how to integrate planning as this project is still in the development phase. We are developing these 5 pilots to support the process, the planning template and the digital platforms and then we will learn a lot from the 25 pilots next year. Happy to come back to the group and present results and recommendations at that stage.

JW commented mustn't just see this through ELM. Feel it would be good to let the project run its course and learn from it but looking ahead where is the niche? – is it in that sort of assessment and early opportunity scoping that then leads onto other more detailed plans?

RL (from chat): Thinking about objectives when it comes to short and long-term products from the tree component:

1. Fruit/Nut tree production
2. High quality hardwood production,

Looking at high quality hardwood the key commercial areas that a potential agroforestry person could consider

- to pick plants that are from an improved tree breeding programme with the best genetic quality (growth, form disease resistance etc.)

CL (response provided after meeting) comments have been noted.

Clarity on Consultation timings/comms

EL (Head of Regulatory Reform – Forestry Commission) presented slides.

ND asking whether we can share beyond the group and can we share some of the more detailed stuff that we have seen in previous meetings. Also asked if there a formal time limit in terms of preapplication advice following the publication of the Trees and

Woodland definition just wanted to confirm if this is the same as when it was seen in November or have there been changes?

JW commented regarding sharing that now that we have a date for when it will be public please wait for that date and not send on anything that you have previously seen as there may be changes.

EL confirmed that nothing is to be shared externally until the comms have actually been released. The expectations of applicants are already on gov.uk. It is also important messaging internally because we have some area teams going above and beyond with some applications and doing more than they should with the best of intentions but this produces inconsistency across the country. Externally, the message is not going to be hugely different.

Confirmed the definition of trees and woodland has been published and is on gov.uk. There were a couple of minor tweaks just before launch but nothing hugely significant. We will be attending the meeting in March and can pick up any thoughts following the publication then.

In terms of the preapplication advice there is nothing that sets that out. We say to applicants 28 days and they may want to give a bit of extra time if no response is received but would say after a reasonable time to submit the proposal. We would want to see evidence that they had tried and then it would be up to the woodland officer whether to pursue or whether internal expertise is sufficient.

JR wanted to check that the changes to WCPG aren't designed to only serve EWCO so that anyone going through the planning grant can then move into any of the grant schemes or even private finance, knowing that the process gets them to the EIA consent process, so irrespective of what they then choose to do the process still holds that principle of consult only once.

EL confirmed that this is correct and it is about the applicant doing the due diligence that is demonstrating UKFS compliance and this applies regardless of what funding stream is chosen.

NP asked if there is an assessment of how much capacity FC needs to deliver the legal targets. If it was done, it would be useful information and would be great if it could be shared with the group.

SRh advised if we had them, we wouldn't share specific numbers and with so many variables they may be meaningless but as a general message understand that it would be helpful.

Legacy Grants Closure Project

SR (Compliance Manager – Forestry Commission) presented slides.

GG asked for clarification as there are people that are still being paid that it sounds like they will be paid off in one sum and then you have others that have run beyond their payment window but are still subject to obligations – are you looking to release those people from obligations as well.

SR confirmed that this is the case that we are looking at early payment to those people that still have payments due but also closing any obligations that people may have.

GG raised a point that this may lessen the authority of obligations on new schemes that people may feel will be let off at some point in the future, although acknowledge that in some circumstances it could be really helpful.

LH commented that it would probably be received positively, allowing freedom to enter into other schemes. Only consideration might be depending on the size of the area and therefore the amount of the payments, but if there was going to be a large lump of income in one particular year there may need to be some consideration around tax implications.

JR echoed comments made by **GG** and **LH** in that it is positive and receiving the payment in a lump sum is likely to be attractive to applicants that they can take that money and use it rather than it devaluing over time. People who have done what they have been encouraged to do in grant schemes shouldn't then be disadvantaged when we revise the schemes and they would be excluded from because of those historic actions.

PS raised that need to ensure that the eligibility within ELMS allows those exiting older schemes to enter into the ELM options. Also asked what support will be given to those in that interim position if they are going to be having a pay out or losing those obligations.

ND queried in terms of the ending of obligations what does it mean in terms of some of the other schemes and what message does it portray?

SR commented that the cost is just under £5 million in terms of what is left to pay out and to confirm that there will be benefits to the Forestry Commission as well as the agreement holders. We would be able to move capacity that the admin and field staff have to focus on the new grants and improving customer service.

SR noted comments about the obligation period and the impact to credibility with cutting these short on our legacy grants. The message we need to give is that we are enabling customers rather than dismissing the legalities that they signed up to. There has been a shift in terms of what we're asking landowners to do and the opportunities that we are offering them and this will free them from the old style grants.

Currently looking at support for agreement holders and what information they will need. Looking at what extra resource the Forestry Commission should provide them and whether there is or could be a pack for woodland owners to assist in terms of available options. Will be looking to talk with our marketing team and picking up with our technical teams and looking at what extra support they may need.

JW emphasised this is an idea that is being considered and not to be discussed more widely. Any further comments/thoughts to Sharon.rose@forestrycommission.gov.uk

Guidance on the historic environment in forestry in England

DR (Historic Environment Adviser – Forestry Commission) presented slides.

DL commented that the guidance is helpful and think it would be useful once it gets published to offer some training for land managers and foresters in this space for woodland creation and existing woodland projects.

DR confirmed that training on the guidance is in their minds and will be looking at options for running national events online and regional events.

NE advised that they have a huge learning management system online and they could easily host something around training to assist so happy to pick up offline.

Action: **DR** or Jessica Turner to pick up with **NE** regarding training.

GG queried with ETAP running out in 2024 what are the plans to succeed it.

DR confirmed that the historic environment team will look to continue working on guidance and our practice notes will continue beyond ETAP.

SRh commented that although ETAP runs out as an action plan, the longer-term trajectory has been set by the statutory target and doesn't go anywhere. There is a recommendation that there is a successor to ETAP and although we don't know the details of what comes next we have public commitments both from the existing government and shadow team that they want to continue in the direction of travel so think we can be confident on the trajectory.

LH (from chat): I can see that a lot of work has gone into this and I am sure it will be comprehensive. My only request would be that if the FC wants to get meaningful input from this group, we need more time to review and make comments. I would love to take this back to the Forestry Professionals Group, but we will not have time to generate a sufficient response. The advisory group appears to be fairly light on industry practitioners, and the NEFPG are keen to be involved in the development of future guidance.

DR advised the deadline for FC DAG thoughts and comments on the draft historic environment guidance has been extended to close of business on Wednesday 14 February.

AOB

NE queried why the ELM announcement session was pulled. Seems strange that there was a big announcement and thought Defra would have wanted to listen and engage.

JW confirmed that they were unable to find people to attend this meeting and we have noted questions that were raised at meeting earlier in the month. We would be looking to get them to the next DAG meeting on 7th March.

SRh confirmed not alone in seeking clarity on what this means and when. Agree that waiting until March for that clarity is a bit late and so will have chat with Defra colleagues to see if a bespoke meeting could be fitted in earlier but of course that will only be of value if clarity is available earlier.

JW commented regarding timing that it is not just the woodland elements in isolation and it has got to be within the whole combined offer, it needs to be integrated with the wider offer.

Action: JW and **SRh** to discuss with Defra colleagues regarding possibility of bespoke meeting.

LH raised issue with EWCO and the fact that additional contributions are only available at the final claim of EWCO agreements. This is leading to issues, particularly on larger schemes where we are delivering over a couple of years and we are needing to break large applications into smaller areas so we are able to claim additional contributions as we go along to help with cashflow. This has two effects - increasing workloads for us and you in terms of submitting more applications but also it is affecting the design of the scheme essentially by changing the species proportions as we break up larger schemes into smaller component chunks. Would be good to look at this further and get an understanding.

JW advised points noted and would be one to add to the future requests log and would look to bring the EWCO team to a future meeting. Also commented to the group that any requests for future items would be logged and then we will come back to advise when we will bring them to the group.

CT queried the pattern of meetings and frequency of face-to-face.

JW and **SL** confirmed that we are aiming to meet twice a year face-to-face and the next one will be 18th April and then again in October. The next online meeting is 7th March.

Meeting ended 12:02