

Alun Ffred Jones AM  
Chair, Environment and Sustainability Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

04 July 2014

Dear Mr Jones

### **Natural Resources Wales evidence on 5 June 2014 as part of the Public Forestry Estate in Wales inquiry**

I am writing to you following the Committee's evidence sessions on 5 June to provide further information in relation to points raised by other witnesses where there was not an opportunity for us to reply during our evidence.

#### **1. Replanting and new planting – Para's 23-31**

There seemed to be some confusion about the amount, standards and specifications for new woodland creation and replanting programmes in recent years.

- Total new planting in Wales in the timeframe referred to by Mr Adkins is stated as '200ha of new planting over the last five years'. The first release of the 2014 edition of 'Forestry Facts and Figures' show that the new area planted between March 31<sup>st</sup> 2013-14 was 900 hectares with 100ha of conifer and 800ha of broadleaf. Total new planting over the five year period 2009-2014 totals 3300 ha.
- Restocking across all woodlands during the period March 31<sup>st</sup> 2013-14 comprised 64% conifer and 36% broadleaf species.
- Where felling approval is given subject to restocking the UK Forestry Standard (UKFS) requires that forest composition be no more than 75% of a single species and that a minimum of 10% open space, 10% of other species or open ground and 5% native broadleaves trees or shrubs be incorporated. These are the minimum thresholds to be achieved at a forest management plan level. .
- Where an owner voluntarily enters into the UK Woodland Assurance Scheme the Standard requires particular thresholds to be met by site type, woodland size and location and is either complementary to the UKFS or exceeds its requirements.
- Where replanting is RDP grant aided then any contract under Glastir Woodland Management will require that any support for replanting meets the objectives and specifications set by Welsh Government as part of that scheme.

- Regarding figures relating to the replanting programme on the Welsh Government Woodland Estate (WGWE) and the timeframe of terms of the inquiry we refer you to section 3.5.1 and 3.5.2 in our written evidence.

## 2. Broadleaf conifer mix - Para 30

Mr Harvey mentioned the loss of productive woodlands and that existing conifer planting has fallen by about 17000ha. Table 1 shows that over the period referred to by Mr Harvey there has been a downward trend in coniferous woodland area but not of the magnitude cited. Please note that this period includes an updated National Forest Inventory including improvements in mapping and recording and an associated increase of land recorded as woodland of around 21000ha.

**Table 1 - Changes in the broadleaf conifer mix 2004 – 2014** (from Forestry Facts and Figures June 2014)

2004			2014		
<b>WGWE</b>			<b>WGWE</b>		
Broadleaves	11,000ha	10%	Broadleaves	19,000ha	16%
Conifer	98,000ha	90%	Conifer	98,000ha	84%
<b>All woodland in Wales</b>			<b>All woodland in Wales</b>		
Broadleaves	123,000ha	43%	Broadleaves	156,000ha	50%
Conifer	162,000ha	57%	Conifer	150,000ha	50%

## 3. Performance to Welsh Government *Phytophthora ramorum* Disease Management Strategy – Para’s 39-53; 110-116; 254-274; 348-355

*Para’s 39-53 and 116*

There are several references to slow or non-compliance with Statutory Plant Health Notices (SPHNs) issued for the WGWE. It is further inferred that this resulted in the spread and severity of the disease. We strongly refute these statements and for an explanation of *Phytophthora ramorum* disease management in Wales we refer you to section 5 of our written evidence for a summary of the management of the disease from 2010. Further **Table 2** shows the number of SPHNs issued by NRW on the WGWE and private sector woodlands in 2013-14.

**Table 2 - Statutory Plant Health Notices (SPHNs) issued 2013-14**

	No. Issued	Area Issued	Area Completed	Area not Completed	Area Rescinded
WGWE	205	2 985ha	462ha (16%)	660ha (22%)	1 863ha (62%)
Private	56	727ha	44ha (6%)	483ha (66%)	200ha (28%)
Total	261	3 712ha	506ha (14%)	1 143ha (31%)	2 063ha (55%)

All areas in hectares (ha)

The 'Area Rescinded' column shows the area initially served with SPHNs but which subsequently fell within the Core Disease Zone (CDZ) under the revised Welsh Government *Phytophthora ramorum* Disease Management Strategy in December 2013. The initial SPHNs are now replaced with movement SPHNs (SPHN[m]s), which do not require time-bounded clearfelling allowing focus on the leading edge of the infection.

#### *Para's 254-274*

Mr Bronwin states that "... it had to create this core disease area...." This is an incorrect assertion, repeated during evidence, in that the *Phytophthora ramorum* Disease Management Strategy is a Welsh Government, rather than Natural Resources Wales, strategy. Owners and managers of woodland including Natural Resources Wales were involved in Welsh Government's preparation of this Strategy and forest owners and managers, including Natural Resources Wales, are now responding to it. The assertion in para's 254, 256 and 268 that the Welsh Government *Phytophthora ramorum* Disease Management Strategy Core Disease Zone was declared as a matter of expediency in the management of the disease incidence on the WGWE is incorrect and we understand that it was most certainly based on an appropriate response to the best available evidence and advice.

#### *Para's 348 to 355*

Antoinette Sandbach AM said that '... scientific advice was that having a core disease area ... would inevitably result in a far greater spread into the private sector.' This is inaccurate. It is important to understand that the disease has spread rapidly and being new to larch the dynamics of disease are not fully understood. Modellers at Cambridge University have shown that the most effective way of targeting resources is to concentrate action at the leading edges of the disease. The climatic susceptibility map (presented at annex 4 in our written evidence) show that the western seaboard of the UK is particularly susceptible, and this is mirrored in the confirmed locations in Wales, England, Scotland and Northern Ireland. The spread has been particularly rapid in Scotland, where some 7000-8000 hectares of larch are infected.

#### **4. Regulation of forestry - Para's 110-116; 164; 254-276; 274-293**

##### *Para 164*

Mr Bishop makes reference to '... eco-management and a catchment area ...' thresholds for clearfelling. We wish to point out that this is a requirement of the UK Forestry Standard and the implementation of the Forests and Water Guidelines 2011 where there are best practice requirements for managing forests in acid sensitive catchments (we reference this in our written evidence at section 4.3.3). The implementation of these requirements is not as a result of the creation of Natural Resources Wales. Confor, along with other stakeholders, were involved in the recent development of the Practice Guide 'Managing forests in acid sensitive catchments' (awaiting publication).

##### *Para's 110-116 and 254-276*

There are several references to a lack of even-handedness in our regulation relating to the implementation of the Welsh Government *Phytophthora ramorum* Disease Management

Strategy and, more broadly, as the body responsible for regulating forestry and as manager of the WGWE. We wish to make it clear that there is no discrimination in the level of regulation employed to achieve delivery to that Strategy nor in the broader regulation of forestry matters. There has been no change in our enforcement policy nor procedures that substantiates any of the points made by witnesses. Any inference that crown exemption from felling licences is a material factor in our performance against SPHNs or any other matter connected to the management of the WGWE is both mis-leading and inaccurate.

The Natural Resources Body for Wales Establishment Order 2012 states that we are not a Crown Body and we do not have Crown immunity. The WGWE, however, is classed as Crown land as legal title to the land remains with a Crown Body, namely the Welsh Government. S33 of the Forestry Act 1967 provides that the statutory requirement to obtain a felling licence does not apply to Crown land. The exemption to the general requirement for a felling licence therefore attaches to the land upon which the timber is growing rather than the party putting forward the proposal i.e. if the land is classed as Crown land, it is exempt. If we were looking to fell trees on land owned by us (i.e. land that is not part of the WGWE) the exemption would not apply and we would be required to obtain a felling licence.

We wish to reassure the Committee that we manage the WGWE to the same principles and standards as any other woodland owner and operate to a full suite of well established policy, procedures and protocols in including appropriate levels of management, supervision, monitoring and review.

#### *Para's 114, 274-293*

We refute the statements that we do not apply the same rules to ourselves (para 114 and 282), give ourselves an 'unfair market advantage' (para 286) through self-regulation, the unequal regulation of 'competitors' (para's 274 and 282) and the statement at para 288 where Mr Edwards states that we are '...not necessarily doing it to deliberately corrupt the market ..' but that '.. it is a fact'. There is no evidence to substantiate these points.

#### **5. UK forestry expertise – Para's 157-158**

Mr Whitfield said that interaction with the Forestry Commission has reduced following the creation of Natural Resources Wales. We wish to assure the Committee that this is not the case and, beyond our Shared Services and Co-operation Agreement with Forestry Commission and Forest Research, staff have regular interaction with, and actively contribute to, UK expertise on forestry matters. Indeed soon after vesting we hosted a meeting of Forestry Commission Scotland's Management Board and through a well-received field visit to exchange ideas on country approaches to Integrated Natural Resource Management.

#### **6. Accountability and advocacy for forestry – Para's 276-277**

Mr Bronwin stated that there is a lack of forestry expertise within Natural Resources Wales at Board level and Mr Edwards said there is a lack of accountability for forestry. The appointment of the Board of Non-Executive Directors was made according to the basis set out in The Natural Resources Body for Wales Establishment Order 2012 and individuals do not represent any sector or personal interest.

### **7. Increase of woodland cover by 100000 hectares - Para 332**

Mr Owen makes reference to the WGs climate change and forestry policy aspiration to take woodland cover in Wales from 14% to 20%. This would be a 6% increase and not 4% as stated – and it is 6% of land that would be converted from a predominantly agricultural land use.

### **8. Reference to ‘significant institutional changes’ – Para’s 416-417**

We refer you to correspondence sent on the matter on 16<sup>th</sup> June. We do not in any way infer that the UKFPA has failed to effectively represent the interests of its members in Wales.

### **9. References to grants for woodland management and creation – para’s 24, 179, 185**

There are several references to grants for woodland management and creation being delivered by Natural Resources Wales and to our policies. We would like to take the opportunity to emphasise that Glastir Woodland Element (woodland creation and management grants) is administered by Welsh Government to deliver against Welsh Government policy.

I hope that this provides you with the further information that you were seeking. If you need any clarification on any of these issues, please do not hesitate to contact me.

Yours sincerely

**Ceri Davies**  
**Executive Director for Knowledge, Strategy and Planning**