

Questions from our consultation

This form sets out the questions we ask in a consultation on restoring and expanding open habitats from woods and forests in England that we launched on 12 March 2009. The consultation ends on 5 June 2009. You can find the consultation at www.forestry.gov.uk/england-openhabitats-consultation or contact Dominic Driver, Forestry Commission for further information (contact details below).

Comments on any aspect of the consultation are welcome, but we are particularly interested in your responses to the questions below. This form is available at www.forestry.gov.uk/england-openhabitats-consultation.

Your name:	Mark Fisher
Your organisation (if any):	Self-willed Land
Date:	29 May 2009

No	Question.
The nature of the change	
1.	Does your aspiration for the scale of the policy fit within our calculated range of 5,600 to 30,000 ha of restoration or expansion of open habitats from woodland or forest over 10 to 15 years? This is 370 to 3,000 ha each year. What level of intervention would you prefer and how is this justified?
<p>Do not set a level for intervention. There is no "correct" rate of restoration by deforestation. The BAP target process has unleashed a free-for-all in deforestation, predominantly based on the aspirations of the conservation industry alone, and not as an expression of local, public interest.</p> <p>The statutory basis of a SSSI is notionally enforceable and effectively robs any chance of local deliberation about landscape cover, whereas contributions to BAP targets are in effect voluntary and have no legitimacy outside of the interests of the conservation industry. Thus for the present, local people may have to put up with the flawed SSSI system, but they don't have to accept deforestation on the basis of BAP targets that they have not been involved in setting and which have dubious contemporary connection with their local landscapes.</p>	
Desired outcomes	
2.	Have we developed a reasonable list of desired outcomes of the policy? Do you wish to suggest any amendments?
<p>Of the desired outcomes, the context of the importance of open habitat species and their resilience is undermined by the lack of an overall spatial approach - there is no habitat network mapping to determine the effectiveness in terms of connectivity of restoring isolated areas of open habitat and then pouring money in to maintain them. It is perhaps an indication of Government frustration at this poor investment of public money that DEFRA it is seeking ideas about options for large-scale and long-term habitat restoration within a modern UK landscape (Alternative solutions for restoring biodiversity and generating opportunities in tourism and recreation: feasibility study, CTE 0902)</p>	

No	Question.
Measuring the success of the policy	
3.	Have we developed a reasonable set of indicators for evaluation? Do you wish to suggest any amendments to this indicator list?
<p>Proposals by the conservation industry for deforestation to restore open habitats take for granted that these habitats will be successfully restored. As many local communities observe, this is often specious. Numerous examples of supposed heathland restoration result in only acid grassland communities. There is no assessment as to the success or otherwise of current "restoration" schemes under the BAP, only headline figures for the areas of supposed restoration.</p> <p>For a policy on restoration of open habitats by deforestation to have any integrity, it must ensure that proposals address this. Moreover, it goes to the heart of the integrity of the UKBAP if achievement of the targets has no evidential base to confirm it.</p>	
Policy proposals	
Elements present in the policy	
We will treat woodland and open habitats as potentially mutually beneficial	
4.	Do you agree that woodland and open habitats are potentially mutually beneficial? Is promotion of this idea helpful in gaining support for open habitat restoration and expansion from woodland?
<p>I rarely see advocacy for woodland interior habitat and the species that depend on it. I often see from the conservation industry negative values associated with scrub, in spite of the fake scrub that the industry routinely creates by its management approach to woodland. With such little natural scrub, and with so little woodland cover in England, especially of native trees in longstanding communities, the pressures on our woodland from the conservation industry to deliver on woodland edge and glade species is intense and leaves unbalanced a view of the ecology and functional processes of scrub and woodland in the landscape.</p> <p>The burgeoning dogma of grazing woodland as a "conservation" measure is another pressure on woodland interior habitat, again a supposition by the conservation industry that has little reported evidence of its supposed benefits. A rebalancing in the attitude of the conservation industry is therefore needed before it would be realistic to allow that woodland and open habitats are mutually beneficial. As is the case in most situations with the conservation industry, woodland is the disposable component. Until there are core areas of landscape where natural processes can be dominant, we will not be able to realise the potential of landscapes shaped by edaphic and biotic factors, and where the relationship between open and wooded landscapes is truly expressed. While there is currently little expression of this, it is the potential of our landscapes in the future, as is recognised in the recent Future Landscapes policy of Natural England (see Policy 3).</p> <p>The experience of local communities with open habitat restoration, especially heathland, is that they lose their trees. I have yet to see anyone attempt to explain this as beneficial for woodland. It is always promoted by the conservation industry as a gain in "biodiversity" at the expense of what is often dismissed as the low "biodiversity" of the woodland. This often "secondary" woodland, used as a dismissive term in itself, is an expression of wild nature in the natural regeneration of unmanaged woodland, and wittingly or not is admired by local people for that very quality. It is evidence of natural processes, rather than the contrived nature of much open habitat that needs constant intervention against natural processes to maintain it.</p> <p>I note that in the evidence document provided in support for the consultation, it says on</p>	

No	Question.
	page 28 that there is "little evidence that integrates woodland and open habitat management from a biodiversity perspective"
A presumption against removal of 'mature native woodland'	
5.	Do you agree with the principle that there should be a presumption against removal of ancient and 'mature native woodland'?
YES. The dominant representation of open landscape species in contemporary priorities for nature conservation belies the ecological richness of our native woodland, as it also belies the predominantly woodland habitat origins of our extant and extirpated native mammal population.	
6.	What do you think of our proposed outline definition of 'mature native woodland'?
<p>The definition is arbitrary. I note that while the consultation document uses 80 years old as a determinant, the recent evidence report of a survey of potential for open habitat restoration on the FC estate used an even greater age, of a cut-off of 100 years old. Evidence shows that the potential for heath recovery drops markedly with each year of afforestation, and is zero after 40 years. Why the mismatch with the 80 year old cut-off?</p> <p>A benchmark cutoff of 80 years old will result in woodland loss in a hopeless cause. It will take away a discipline on the conservation industry of factoring likely outcomes, and it will inevitably give free reign to an escalation of post-deforestation intervention to initiate habitat restoration, and the high costs associated with that. One key factor should be whether there is a realistic forecast of a high likelihood of natural vegetative restoration without resorting to bringing in seed sources or mechanically transforming the soil (eg. for heathland, many examples of having to resort to bringing in heather brash, and ploughing deforested areas to bring up sandy layers). Since there is such a poor evidence base on this factor, it should be a requirement in proposals - as I have indicated in my answer to Q.3.</p> <p>It should also be considered that while "mature" may be assigned a scalar value, regeneration younger than 80 years will have been part of the landscape scene for many people. For example, the report South East Commons and their Conservation Management looked at the controversy over tree clearance on commons, and says:</p> <p>"Clearance can very quickly and dramatically change the character of a landscape which people cherish. The fact that the wooded landscape has only developed in say the last 20 years is almost irrelevant to most people as they won't necessarily remember what it was like beforehand"</p> <p>I don't see that a sliding scale in tree age has much use as a determinant here. Ancient woodland is still ancient woodland if the trees in it are only 79 years old. It is the circumstances and character of the landscape, the trees in that landscape and the value given to the trees locally that is the important factor in considering deforestation schemes. A woodland of 20-30 years old is 20-30 years nearer to becoming a "mature" woodland. It will be influencing the groundlayer and changing the soil, and it will be contributing to the habitat network linkages that are essential for the natural resilience of our landscapes into the future.</p>	
We will expect practitioners to help local users to participate in development of the initial proposals	
7.	Do you agree that local participation in decision making is helpful? What is your

No	Question.
	preferred option for how we should apply this element?
	<p>True local participation is essential. It is rarely ever achieved as the conservation industry is unused to having rigor applied to their proposals, becoming beleaguered if opposition is encountered, applying cosmetic consultation processes (often regarded by them as public relations exercises) and in which communities are never presented with a blank sheet of paper. There are many instances where the outcomes of consultation have been ignored by the conservation industry.</p> <p>In addition, the conservation industry hide behind flawed SSSI designations as a justification, and the pressure applied because of the PSA target. In the absence of that convenience, they instead invoke the BAP and accuse local people of ignorance or misunderstanding when it is often a valid difference of opinion. It comes across as an arrogant conservation industry getting only their choices delivered. Lost in all this is that the expenditure of public money is at stake, and increasingly on land that is in public ownership.</p> <p>It is unfortunate that the report on the potential for open habitat restoration on the FC estate (Open habitats and the FC estate in England J W Spencer and R Edward) was not posted until a few weeks ago since I suspect many will already have submitted their consultation response before that came out. The report looked at the social restraints on open habitat restoration (Section 6) and concedes that a strong local response usually influences the emerging Forest Design Plan. If only that was the case for proposals by the conservation industry on other publicly owned land. The authors go on to forecast the "social acceptability" of the bulk of the potential sites identified on the FC estate, and it is no surprise to me that only 4.4% of the potential lowland heath area was considered to be where there would be little or no opposition to open habitat restoration. I have been documenting the public opposition to heathland restoration for the last four years, and this opposition is evidence of the contemporary systematic failure of the inappropriate approaches to nature conservation (see Heathland MADNESS - the juggernaut of nature conservation www.self-willed-land.org.uk/heath_madness.htm).</p> <p>A system exists through the Environmental Impact Assessment (Forestry) Regulations for rigor to be applied to deforestation proposals and within a process that requires the proposers to engage with local communities. I have followed two large area proposals where EIAs were required by the FC - Threestoneburn Forest and Broadwater Warren. I note that smaller deforestation areas have also had a requirement for an EIA, such as Esher Commons where a number of conditions and modifications were made by the FC in giving consent. I also note that even in spite of an EIA process, the conservation industry - in this case represented by the RSPB - erroneously felled an area on Farnham Common, and enforcement was carried out by the FC in requiring reinstatement of woodland, a block of woodland was also removed from the consent, and the RSPB were put under strictures to ensure that the chances of further breaches at Farnham Common were reduced. It will be recognised that the RSPB, while not unique in this transgression, do appear to be a serial offender.</p> <p>The example of Esher Commons begs the question of why more of the smaller scale proposals for open habitat restoration by deforestation have not also had the requirement of an EIA? I would point out in particular, the deforestation proposals for White Moss, near Scaleby in Cumbria. There is considerable local opposition to the proposals, which includes a detailed critique of the justifications based on the flawed SSSI designation, the threats to the red squirrel population, the substantial extent of the work, the short timescale in which it would be carried out, the disruption to the existing flora and fauna, and that the landowner adjacent to White Moss had not been consulted, but had raised concerns about access over his property for contractor's plant. It has to be assumed that the applicant for this deforestation must have filled in a Determination Enquiry Form since the circumstances at White Moss met the criteria that required them to do so. It is thus</p>

No	Question.
	<p>surprising that the FC did not come to the opinion that an EIA was required of this proposal. It does suggest that the Determination Enquiry Form and the accompanying information that is required to be presented with it to the FC, is inadequate in being able to allow an opinion to be reached on whether an EIA is required.</p> <p>As to the options presented, engagement is only one factor, and as the EIA process illustrates, the emphasis should be on the proposer to fully explore the impact and outcome of their proposals, and to do this with the local community. In Measuring the success of the policy (Section 5.2) I note that EIAs are connected to the measure on positive engagement. This connection should also have been made explicit in these options.</p> <p>It should not be the case that just because local opposition may not be strong that rigor should not be required of the proposals. This would imply that deforestation in a hopeless cause is somehow more acceptable if it is out of sight, or that local people have little interest in the location. EIAs should not be triggered just because of the potential for opposition. It is not their function anyway.</p>
	<p>We will promote mechanisms for prioritising woodland removal at a regional level</p>
8.	<p>Do you agree that prioritisation at a regional level is appropriate for this policy?</p>
	<p>Is this prioritising where deforestation shouldn't happen (because of low tree cover) or where it should happen? Is this going to be a policy about deciding on whether deforestation should occur, or at what level it should occur? Unfortunately, it seems to me that this consultation is seeking support for a policy that creates a presumption for deforestation at a particular rate, rather than devising a process for deciding on a case by case basis whether deforestation has any worthwhile achievable outcome.</p> <p>The danger is already here, particularly in the SE, that deforestation becomes an objective centred on benefit for perhaps one or two species (usually migrant birds) to the detriment of other species. It should be noted that heathland restoration in Surrey and Dorset has resulted in harm to reptiles, with for instance on Ash Ranges and Esher Commons, considerable destruction of hibernacula and reptile habitat. Thus there will be those that argue for a regional priority since it coincides with BAP priorities and targets, but what it does not do is look to the whole natural wealth of the landscape. Spatial mapping of connectivity - as I mentioned in Q2 could be indicative, but not used for priority setting for open habitat restoration. It must still be on a case by case basis and with rigor applied.</p>
	<p>We will apply a framework for evaluation to projects</p>
9.	<p>Do you agree with this framework for evaluation? What is your preferred option for how we should apply this element?</p>
	<p>There is insufficient detail provided in this section, and reference to an example for social forestry initiatives does not answer specifics about an evaluation framework in the context of deforestation. How would EIAs sit in this framework? What force could there be in ensuring that all stages of the framework are carried out? "Cause and effect" and "Was it worth it?" should not be optional extras.</p> <p>This a very undeveloped area in the consultation proposals. Considering the extent of other information provided, including in the various evidence documents, it is disappointing since this should be a key element of the policy.</p> <p>Imposition is a loaded word. Assuming that a more developed framework can be</p>

No	Question.
	<p>proposed, then it should be a requirement for deforestation proposals. It should also be evenly applied, whether for FC deforestation projects, or projects initiated by the statutory agencies, NGOs or private sector, and be transparently seen to be evenly applied.</p> <p>The FC needs to carefully consider how it positions itself in this, including in public engagement, so that its ultimate decision making role has integrity. In many contested deforestations, the proposers frequently justify their case by insisting that the FC is in agreement with the proposals. This would indicate to the public that the question of whether the FC will consent to deforestation is a foregone conclusion.</p>
10.	<p>How much and what kind of support do you think we should give to practitioners to help them evaluate their projects using this framework?</p>
	<p>In general, the FC is supportive in the guidance documentation it provides for the processes that it requires. It is likely that the deforestation policy will result in the need for greater engagement and oversight for FC staff, if only with an expected increased incidence of EIAs. Be aware though of the potential for conflicts of interest, and the need for independence of position etc as referred to in my answer to Q9.</p> <p>The extra staff costs of the policy will have to be recognised in the budgeting process for the FC.</p>
<p>To avoid net deforestation in England we will try not to go over a threshold rate of woodland removal due to restoring and expanding open habitats.</p>	
11.	<p>Do you agree with the principle of an England scale threshold rate of woodland removal? What is your preferred mechanism by which such a threshold could be applied to policy?</p>
	<p>A threshold will be seen by some as an allowable target for deforestation, rather than a warning sign or a method of limiting unacceptable change. Thus the wrong emphasis is given by allowing projects on a first come first served or priority basis up to the threshold. And does this mean for any projects, or for those that have satisfied rigorous criteria for engagement and likelihood of outcome? How controlled in terms of timescales will the consents for deforestation be, such that an annual sum of area is calculable in light of a threshold?</p> <p>Deforestation for open habitat restoration steps outside of forest production and use, and where replanting is required. It looks at woodland as a disposable habitat, rather than a harvestable resource that is sustained, or in fact a valuable habitat in its own right. It is a land use change as well as a habitat change. If it is allowed, it must be compensated for by woodland creation. Discounting for the moment compensatory planting, it is not acceptable that deforestation projects be offset against the general woodland creation projects funded by EWGS. There is no comparability.</p> <p>Leaving aside the issues of timber production, there is another aspect of the EWGS that limits its value in this situation. It lacks a strong indicative spatial element related to habitat networks and connectivity that the Welsh scheme has. Thus if this deforestation policy does develop with a criteria for deforestation that relates to a spatial indication of landscape connectivity, then it should be matched with a woodland creation scheme that also has that indicative nature.</p> <p>For these reasons I do not agree with the principle of a threshold.</p>

No	Question.
12.	<p>Do you consider that the proposed threshold is about right, too high or too low?</p> <p>See my answer to Q. 11</p>
	<p>Key variables</p> <p>What is the balance between achieving biodiversity objectives and the need to reduce green house gas emissions?</p>
13.	<p>Is there a way, in the short term, we can better estimate the contribution to biodiversity objectives from different levels of restoration or expansion of open habitats?</p> <p>"Biodiversity" has been reduced by the UKBAP process into an exercise in counting. It has little relationship to ecological functioning and the natural processes of landscapes when the success of so many of the counts for open landscape species is related to the prowess of the conservation industry in their dogmatic approaches to management and intervention. What are the implications of this bean counting in terms of natural processes? Five butterfly species instead of four, or the presence or absence of the red squirrel? What is more important?</p> <p>As I noted in my answer to Q3, there is insufficient evidence on the outcomes from deforestation for a range of type of open habitat restoration. Vast sums of public money are being poured into these and other BAP-driven schemes with uncertain benefits. This policy on deforestation should break that unholy alliance, and should positively promote the benefits that can be delivered from existing woodland. It is worth highlighting a few sentences from Section 10 of Spencer and Edward:</p> <p>"A comprehensive study undertaken by Forest research into the biodiversity of plantation stands in Britain clearly established that such stands make a significant contribution to biodiversity conservation.....Considerable invertebrate and fungal diversity can be found (including 29 red data book species of fungi) comparable to native woodland ecosystems"</p> <p>I would also note that the LUPG report New Wildwoods in Britain: The potential for developing new landscape-scale native woodlands, emphasises that the conversion of plantations to native woodlands is potentially an important element in creating New Wildwoods. While Keepers of Time makes PAWS a priority for this conversion, it is important to recognise the strategic significance of other plantations being converted to native woodland for their contribution to landscape connectivity. An example of this is Hardknott Forest and its strategic connection into the band of ancient woodlands that line the Duddon Valley in the Lake District.</p> <p>Exigencies of other policy timescales may appear to require a short term view, but of all agencies, the FC should be taking the longer view.</p>
14.	<p>Do you agree that management practices to minimise carbon emissions during restoration or expansion of open habitats should be adopted? Do you agree with the outline practices presented? How could we best ensure that such practices are adopted?</p>
	<p>Isn't good practice required during all felling operations? This is another area of biting contention with local people opposed to deforestation, the heavy handed and unsympathetic approach taken by ill-skilled contractors employed by the conservation industry, and the extensive damage they do to existing wildlife.</p>

No	Question.
15.	Do you agree that it is appropriate to include impact on long-term average carbon store <i>and</i> loss of potential to substitute timber for higher carbon materials and fuel in the calculations on carbon balance?
	I cannot comment on carbon balance since I view this deforestation policy in terms of its effect on ecological systems. Connectivity through habitat networks should be our response to maintaining the intrinsic value of wild nature in our landscapes, irrespective of whether climate change is a significant threat or not, amongst the range of anthropogenic threats that our landscapes face. I do however note that calculations on carbon balance must be a part of any environmental impact assessment on a proposal for deforestation.
16.	Where do you think the appropriate balance lies between achieving biodiversity objectives and the need to reduce carbon emissions? What processes might help to make this judgement?
	See my answer to Q15.
	Should we be managing open habitats to keep them in 'favourable condition' or should we adopt a more dynamic approach to land management?
17.	Outside SSSIs, do you agree that a more dynamic attitude to land management could deliver equivalent or greater gains for open habitats and species than one where success for all sites is based on assessments of condition as applied to SSSIs?
	<p>YES. The concept of a more flexible and dynamic approach to land management other than whole area deforestation is very much worth developing further by the FC.</p> <p>Firstly, because given the choice, local people prefer greater variety in structure in the landscape. Ironically, this is supported in the Natural England Suitable Accessible Natural Green Space (SANGS) guidelines and checklist June 2008, a document that outlines an approach to providing alternative public spaces to relieve recreational pressure on the heathlands of the Thames Basin SPA. It says:</p> <p>"SANGS do not have to contain heathland or heathy vegetation to provide an effective alternative to the SPA.</p> <p>Surveys clearly show that woodland or a semi-wooded landscape is a key feature that people appreciate in the sites they visit, particularly those who use the SPA. This is considered to be more attractive than open landscapes or parkland with scattered trees.</p> <p>A semi-natural looking landscape with plenty of variation was regarded as most desirable by visitors and some paths through quite enclosed woodland scored highly. There is clearly a balance to be struck between what is regarded as an exciting landscape and a safe one and so some element of choice between the two would be highly desirable. The semi-wooded and undulating nature of most of the SPA sites gives them an air of relative wildness, even when there are significant numbers of visitors on site. SANGS should aim to reproduce this quality."</p> <p>The original source for this evidence could be this unpublished reference in the NE guidelines document:</p> <p>LILEY, D., MALLORD, J., & LOBLEY, M. (2006) The "Quality" of Green Space: features that attract people to open spaces in the Thames Basin Heaths area. English Nature Research Report.</p> <p>Secondly, NE commissioned a "condition" survey of known lowland heathland remnants</p>

No	Question.
	<p>that exist outside of statutory designation, ostensibly as baseline information on the potential for reaching BAP targets for this open landscape (NERR002). Its conclusion that none of the locations would pass CSM for lowland heath was ascribed to the huge variety of heathland types within the sample. The authors indicated that the criteria in CSM were not suited to monitor such a range of heathland type, and would need reviewing:</p> <p>"It may be useful for any review of the condition assessment methodology to consider a hierarchy of attributes, condition targets which perhaps only apply in certain types of heathland, additional attributes, or perhaps even more than one type of condition category. Finally it might be sensible to reduce the total number of attributes, since there are relatively high numbers of heathland targets (17; comprising 25 sub-targets) in dry heaths, compared to some other priority habitats (only eight in lowland meadow) and most sites failed those considered to be basic (eg dwarf shrub structure or cover)"</p> <p>I take this to be an indication of the futility anyway of a monolithic approach. It has been argued by myself and others that many conservation projects are still being carried out independently of landscape considerations, such as all the trees and scrub being removed from heathland or grassland, with no attempt to create a variety of natural vegetation. It should also be noted that "favourable condition" of prescribed landscapes tells us nothing about the integrity and variety of natural processes supported by the landscape.</p>
18.	<p>If so, how might such an approach be developed? Is there scope for modifying the conservation objectives on some SSSIs to incorporate a similar approach? If not, do you consider that the endpoint for all restoration proposals should be judged against favourable condition as defined for SSSI habitats?</p>
	<p>The examples given in Section 6.2.2 showing outcomes from restoration to "favourable condition" compared to restoration to a mosaic, plus the concept of a 30:30:30 landscape, are an excellent illustration of this point. Surely it is not beyond the wit of the conservation industry to devise strategies to achieve the latter. It will of course mean employing a higher standard of contractor, and it does mean that there will be less abrupt changes in the landscape compared to the savage "turning back of the clock" of the current deforestation projects. It is also in some way consistent with a habitat networks approach of connectivity through the landscape.</p> <p>On the latter, Scotland has been extensively mapped for the potential networks, and use is made of that as an indicative approach to funding. Wales has also had its habitat networks mapped, and uses that data as indicative for funding but also in decision making on designations and on development control.</p> <p>England is behind in carrying out this habitat network mapping. A few examples exist: a case study in the SW, an indicative study for the North Yorks NP and Howardian Hills AONB, there may be some network mapping in the NW where it is coupled with catchment sensitive areas, and there is the odd internal NE document. I would urge the FC to consider this mapping as a priority for many of the forthcoming objectives in this and many other landscape policies.</p> <p>Note though that regional spatial strategies are picking up on this habitat networking, such as the RSS for Yorkshire and Humberside:</p> <p>"POLICY ENV7: Agricultural land</p> <p>B Development or use of agricultural land in appropriate locations will be encouraged for the following:</p> <p>5. Wildlife habitat creation schemes, especially links between habitats</p> <p>POLICY ENV8: Biodiversity</p>

No	Question.
	<p>D Retain and incorporate biodiversity in development and encourage networks of green infrastructure and ecological corridors in line with the Region's habitat enhancement areas.</p> <p>Policy should recognise biodiversity networks and seek to strengthen their integrity by expanding patches of high quality habitat, and enhancing links between them. Opportunities for strategic habitat restoration should be sought"</p> <p>As it is also picked up in the Y&H Regional Biodiversity Strategy under Theme C: Improving functional habitat networks and enhancing the wider environment</p> <p>The evidence document provided a compilation of information from Common Standards Monitoring that reveals the frightening extent of control over landscape cover in open habitats that the system of SSSIs exerts (see Table 6 in the summary of policy evidence). It starts at a low of 5% of scattered trees for most meadow, grassland and lowland bog habitats; rises to 10% for fens, lowland (wet) and upland heath, and upland bog; and only reaches 15% for dry lowland heath.</p> <p>I have described elsewhere the implications of this process of maintaining land in a prescribed stasis as a "McDonaldising" of our countryside. I have also noted many times before that there would be a public outcry if these standards were rigidly applied since many locations notified for open habitats had existing tree covers far exceeding these limits eg. Ashdown Forest, Swineholes Wood, Harting Down, Blackamoor, Bickerton Hill, White Moss, Esher Commons etc. etc. The trees were there before the designation, but no one foresaw that as an issue when the notification was made solely for an open landscape feature in the unit. This is an aspect of the SSSI system that is highly flawed. The majority of SSSIs units were designated before CSM was adopted, and thus CSM immediately put at jeopardy the woodland element that was included in a unit. Where there may have been sympathetic management before CSM that maintained a variety of landscape cover, the six-yearly monitoring condition against rigid standards, coupled with the PSA target for 2010, has caused considerable damage to landscapes and provoked resentment in many local people. It is a dogma too far.</p> <p>While the consultation document appears to accept the limits in CSM as an unchallengeable reality for SSSIs, I would question this since even with the pressures for "favourable" condition, it is the reality of many locations that their management never sets out to deforest to the extent that achieves the upper limit on scattered trees. eg. Ashdown Forest, Swineholes Wood, Harting Down, Bickerton Hill etc. The level of clearance though is still sufficient to cause much resentment in local people.</p> <p>This level of deviation and breach would suggest that the SSSI system is fatally devalued, irrespective of any arguments that climate change will likely expose its futility. There is definitely a role for the FC in advocacy for the scope for modifying the conservation objectives on some SSSIs to incorporate this local variation as a legitimate approach. I would go further and urge the FC to play a full role in the opportunity that has opened up in reassessing designations. This opportunity arises as the NE Board were presented recently with a paper entitled Towards a Future Designations Strategy - NEB PU16 04. Here is a large quotation, but necessary to show the tenor of the paper:</p> <p>"3.2 There has always been debate about how effective these designations are as a conservation tool. Whilst some of this debate is promoted by opponents of the principles of nature conservation, there are genuine issues that also need to be addressed. How far do landscape designations freeze particular landscapes at a specific point in their development and work against the dynamic evolution of those landscapes? How far have SSSIs protected the genuinely most vulnerable and special parts of the natural environment? Can nature conservation and recreation be reconciled within the NNR series as provided for in the NERC Act?</p>

No	Question.
	<p>3.10 We would then need to determine so far as we can how far the current suite of designations meets any new needs identified. It is highly likely, for example, that we would conclude that current designations are capable of adaptation but they are far from providing a connected network.</p> <p>3.12 If these remedies were judged insufficient, we might need to contemplate the creation of a whole new class of designations either in addition to the current series or as a substitute for all or some part of it. Again, this would demand legislation and the cooperation of others.</p> <p>3.13 Finally, we need to be able to answer the question of what such new designations might look like. At the very least if new designations are required it is highly likely that we would expect them to be integrated (that is, designated for landscape, nature conservation and recreation) and resilient to climate change"</p>
<p>What level of woodland removal due to restoring or expanding open habitats could avoid a significant negative impact on the timber industry?</p>	
19.	<p>Can you provide any information on the likely links between any reduction in timber production and economic activity in the timber sector?</p>
<p>Not qualified to comment</p>	
<p>Different approaches to applying policy</p>	
20.	<p>Which of the three approaches by which we make decisions about woodland removal is your preferred option? Can you see any alternative types of approach based either on a combination of these approaches or on new ideas?</p>
<p>None of the approaches seem to fit with the situation where there is a more flexible and dynamic approach to land management other than complete deforestation. It seems again to seek to establish an acceptable rate of deforestation rather than a policy that determines on a case by case basis whether deforestation is acceptable, and whether the success of the proposal is dependent on a commitment to that flexible approach. The latter should be part of the requirement for consent.</p>	
<p>The role of compensatory planting</p>	
21.	<p>What is the appropriate role of compensatory planting in this policy?</p>
<p>It may be the case that even with the rigor that must be applied to deforestation proposals, both on the basis of likelihood of outcome and on quality of engagement, that the success of consent gives rise to a rate of deforestation that exceeds woodland creation, perhaps even with a 30:30:30 approach. Net deforestation must not be allowed under a regulatory system.</p> <p>Rather than face the situation of juggling balls in the air, as is the drift of Section 6.1.6, the policy should incorporate compensatory planting as a requirement so that the deforestation in the proposal is neutral i.e. there is no potential for a net loss. The difficulty with this requirement is that there will be an expectation that the EWGS will fund this, which will defeat the object of it as being an incentive for a true increase in woodland cover in England. This conundrum goes to the heart of the woodland strategy for England, and its inability to set a clear aspiration and strategy for expansion, unlike Scotland, and then allocate funds to achieve it (which Scotland is having difficulty with). It seems Government will end up footing the bill all the way for deforestation (EWGS, HLS</p>	

No	Question.
<p>etc.) thus it seems only right that there is an effort to get adequate funding for true woodland expansion.</p> <p>As to where this compensatory planting should take place, I should note that one of the participants at the "stakeholder" meeting of last September asked the question during the plenary that if open habitats are created in England, does it count if trees are planted in Scotland? And you wonder why the ordinary public is disdainful of the conservation industry. As I have noted throughout this response, landscapes and their component attributes should be viewed on the basis of connectivity through habitat networks. The compensatory planting should be seen in the context of the effect on that location of the deforestation.</p>	
<p>Factors to consider when deciding which policy is likely to work best</p>	
22.	<p>Have we developed a reasonable set of questions for informing the decision on which policy is best? Do you wish to suggest any changes to the list of questions?</p>
<p>I have made recommendations in the various answers that are in addition to those of the consultation document. These relate to a greater use of EIAs and their concomitant levering up of quality engagement and which includes a rigorous assesment of the likely outcome of deforestation in relation to the stated aims as well as the impact of the proposals, a requirement for compensatory planting, a spatial approach to landscape connectivity in which proposals for both deforestation and compensatory planting can be assessed, and an assessment of how the integrity of the decision making process can be assured when the FC is an advisor to applicants, an "applicant" itself as well as the decision maker.</p>	
<p>Implications for delivery mechanisms</p>	
23.	<p>Have we missed any major implications for delivery mechanisms? Would any be particularly welcome or unwelcome to you?</p>
<p>See my answer to Q23.</p> <p>I have been aware throughout the consultation document of a twin agenda for the policy, and which I have commented on i.e. the setting of an "acceptable" rate of deforestation as well as deciding criteria for consent for deforestation and how the policy operates. The former is unwelcome, the latter is what the policy should be about i.e. "when is it appropriate to remove woodland to provide open habitat, and when is it appropriate to retain woodland ?"</p>	
<p>Other comments</p>	
<p>We welcome your input on any other aspect of this consultation.</p>	

Please include the "information about you" form with your response.¹

Please send your completed forms to:

[Dominic Driver](#)

¹ See www.forestry.gov.uk/england-openhabitats-consultation for a copy.

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By 17.00hrs, Friday 5 June 2009.