



**RESPONSE BY COED CADW (THE WOODLAND TRUST) TO THE  
CONSULTATION ON THE WELSH GOVERNMENT'S NATURAL  
RESOURCE BODY FOR WALES (ADDITIONAL CONSULTATION)**

October 2012

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***Natural Resource Body for Wales  
(additional consultation)***

**Introduction**

Coed Cadw (The Woodland Trust) welcomes the opportunity to respond to this consultation. The comments that follow are delivered on behalf of Wales' leading woodland conservation charity. We achieve our purposes through a combination of acquiring woodland and sites for planting and through wider advocacy of the importance of protecting ancient woodland and trees, enhancing its biodiversity, expanding woodland cover and increasing public enjoyment. We have over 1,000 sites in our care covering approximately 20,000 hectares (50,000 acres). These include over 100 sites in Wales, with a total area of 1,580 hectares (3,900 acres). We have 300,000 members and supporters across the UK. Coed Cadw has three key aims: i) to enable the creation of more native woods and places rich in trees; ii) to protect native woods, trees and their wildlife for the future and; iii) to inspire everyone to enjoy and value woods and trees. Coed Cadw believes it can be a key delivery body in assisting the Government of Wales with its aspirations for woodland expansion.

Coed Cadw is an active member of Wales Environment Link (WEL) and also intends to sign up to the WEL joint response to this consultation, although there is a significant difference in our view on the transfer of the forestry balancing duty as indicated in our response below to question 3 . Our response, however, goes into a little more detail about how the Assembly could make native woodland its hidden ally in managing and developing Wales' new approach on sustainable land and marine management.



We welcome the modern forward looking vision of approach and concepts of A Living Wales and agree that the opportunity should be taken to form a new integrated Single Environmental Body (SEB) tasked with delivering these ideas. This approach will be very challenging to both of the new body and Government generally. Our ambition is to see integrated approach and environmental sustainability a priority and at the heart of what it does.

**Question 1. Do you agree with our proposal for the duties of the body in respect of conservation and natural beauty? (Yes, Mainly, Not at all).**

**If not, how would you change it?**

Coed Cadw would *mainly* agree with the proposal for the duties of the body in respect of conservation and natural beauty, but subject to the following comments:-

1. We believe that the body must be proactive in enhancing and adapting the landscape of Wales to meet such drivers of change including climate change, nitrogen deposition, resource depletion and land use intensification. Whilst this thinking is enshrined in Living Wales we ask whether the duty as defined will drive a sufficiently proactive approach by the body in leading and managing landscape change? We suggest the inclusion of the word "adaptation" into the phrase "...*further the **adaptation**, conservation and enhancement...*" wherever it occurs.
2. We believe that the new body must vigorously set out its expectations of agricultural land management and hold industry and government to account in meeting demanding environmental standards. The new body's conservation duty cannot be met without comprehensive engagement with farming. We believe there needs to be strong linkage between the work of the new body and the delivery of Glastir and we have previously proposed that the new body has objective or duty to set the standard for



environmentally sustainable farming. Alternatively we seek assurance that the wording of the conservation duty as proposed is sufficiently open to allow the new body to fulfil such a role.

3. We seek clarification as to whether the duty as currently proposed in Box one is sufficient to ensure the delivery of the Welsh Government's policy to create 100,000 ha of new woodland. The outcomes sought by this policy relate substantially to non forestry purposes including climate change adaptation and Water Framework Directive requirements and delivery depends on non forestry actions on farmland. We ask whether the new body can fully deliver this policy if it is framed solely as a forestry duty as proposed under 4.1.3.
4. We generally support comments made by Wales Environment Link at the consultation meeting held with David Clarke on 14<sup>th</sup> September about concerns that the detailed wording in Box 2 a) and b) might unduly reduce or constrain the conservation duty of the new body, however:-
5. We think that the reminder (Box 2 a) of a obligation to work within an "...objective of achieving sustainable development" is important and should be specifically included to ensure that the sustainability test is applied in the furtherance of the body's conservation duty.
6. We note that currently CCW has grant making powers but EA does not. We ask for confirmation that grants making powers will be fully available to the new body for the purpose of meeting all parts of its conservation duty including for example in work to meet Water Framework Directive requirements.
7. We will judge the effectiveness of the new body in meeting its proposed duties by its commitment and successes in delivering the woodland



expansion objective and in achieving the conservation of ancient trees, ancient woodlands and plantations on ancient woodland sites.

8. We seek confirmation that the proposed duties will be interpreted to specifically include these outcomes and that the body accepts a specific role and remit to promote the conservation of ancient, veteran and heritage trees by providing advice and support for their owners, including grant aid where necessary. Coed Cadw is currently running a petition calling on the Welsh Assembly and the Welsh Government to ensure that this duty falls within the remit of the new body, and this has so far attracted the support of over 4,600 people. The Woodlands for Wales Strategy includes a commitment to “promote the value of ancient woodlands *and veteran trees* [our italics], and support owners in managing them appropriately, so that they are safeguarded for the future.” Coed Cadw believes this commitment to promote the conservation of ancient trees is vital, but in reality has yet to be delivered. For the avoidance of doubt, we suggest that this commitment be incorporated as a power, or a duty, of the new single body. Coed Cadw believes that the ancient, veteran and heritage trees of Wales are a vital and irreplaceable part of our environment and heritage.
9. There is a need to recognise the opportunities for soft engineering solutions to issues, for instance of water management, which also provide nature conservation and landscape benefits. We would cite the example of Pontbren farmers, where an increase in tree cover and the creation of ponds has improved water quality in the catchment and reduced the risk of local flooding, while also increasing the sustainability of the farming businesses, improved biodiversity and restored landscape features.
10. We wish to seek assurance that these duties will cover the promotion of trees and woodland in urban areas. Particularly in the light of climate change, there are compelling reasons for planting more trees in urban areas in Wales. Urban trees can help to reduce the urban heat island effect in summer by cooling the air by transpiration, they reduce air pollution, provide shelter from



the harmful effects of the sun, help reduce surface water run-off (flooding) by interception and storage, provide valuable habitats for wildlife and of course they are very efficient at storing carbon, thus minimising the loss of greenhouse gases to the atmosphere, and also they create a more attractive environment for us humans. It has been estimated that doubling the tree cover in the West Midlands of England would reduce mortality as a result of poor air quality from particulates by 140 people per year<sup>[1]</sup>. Another study in Manchester indicate that a 10% decrease in green cover in high density residential areas and town centres could lead to 7°C increase in surface temperatures<sup>2</sup>. If the NRBW is to improve the Welsh environment, then arguably it should start in our towns and cities, where most Welsh people live, especially as recent statistics reveal that 65% of the Welsh population live in urban areas. There is evidence that Local Authorities in Wales have a strong interest in maintaining and increasing urban tree canopy cover, by planting new trees. The Strategy for Council Trees 2008-2013 produced by Wrexham County Borough Council is just one example of this. A lack of funding is a huge barrier to achieving new urban tree planting, however, some limited support for this from the NRBW could allow the Body achieve its and the Welsh Government's objectives very effectively. The Woodlands for Wales Strategy included some excellent aspirations with regard to urban trees (section 2.6 of it to be precise), but the Forestry Commission Wales was never really able to fulfil this promise. Will the NRBW have the same problems, or will it be empowered act proactively on this issue?

**Question 2. Do you agree with the proposals in respect of public access and recreation duties? (Yes, Mainly, Not at all). If not, how would you change it?**

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<sup>[1]</sup> Stewart, H., Owen S., Donovan R., MacKenzie R., and Hewitt N. (2002). *Trees and Sustainable Urban Air Quality*. Centre for Ecology and Hydrology, Lancaster University.

<sup>2</sup> S.E Gill, J.F Handley, A.R.Ennos and S.Pauleit. *Adapting Cities for Climate Change: The Role Of The Green Infrastructure*.



Coed Cadw would *mainly* agree with these proposals, subject to the following comments.

1. The new Body should make sure the considerable recreational value of the thousands of accessible woodlands throughout Wales receives comparable high profile promotion in an integrated and complementary way to Wales other major recreational assets – the coastal footpath and open access land.

We would like Box 3 point 1 to include specific reference to woodland. Woodland is not open space, and neither is it necessarily countryside.

*“The NRBW may take such steps as it considers appropriate to promote and facilitate public access to, and enjoyment of, the countryside, **woodland** and open spaces in Wales.”*

This is an important and economically valuable objective. Woodland access opportunities need to be fully realised as part of an integrated strategy which is not happening at the moment. In particular, the value of woodland access at a local and community level is not being supported. The targeting of Glastir woodland management grants favours woods which provide for tourist recreational use and there is a danger that woods that principally provide local community access will not be supported.

2. We note that the duty refers to promotion and facilitation but not the assessment of needs or provision. We suggest this purpose is added to ensure appropriate focus and prioritisation and a properly strategic approach including, for example, in integrating access provision the Government’s substantial forest estate with that land in other ownership.



**Question 3. Do you agree with these proposals for the high level forestry duties? (Yes, Mainly, Not at all). If not, how would you change them?**

Coed Cadw would *mainly* agree with these proposals, subject to the following points.

1. We would like to see the precise wording proposed and the proposed text for modifications to the Forestry Act referred to on page 15 of the consultation document.
2. We support the inclusion of the FC balancing duty in the 2<sup>nd</sup> order and the transfer of this existing duty to the new body. We support the principle that the forestry duty should acknowledge an important role in economic timber production but in a financially, socially and environmentally sustainable way. The total economic value of forestry in Wales arises from both the production of timber (market benefits) and the public goods (non-market benefits), including recreation and tourism, biodiversity and ecosystem services.
3. We also strongly support the inclusion of the statement on page 15 to specifically include '*a duty to promote woodland cover in Wales*'. We don't agree with concerns expressed by others in Wales Environment Link on this point. We gave our reasoning for this in our response to the first consultation and this is reproduced in Appendix A.
4. As noted in our response to question 1 above we seek reassurance that this new duty is not confined to afforestation for traditional forestry purposes or using traditional forestry techniques. For example, some valuable approaches to tree planting on farms are not currently considered to be woodland, creating unnecessary bureaucratic barriers to the provision of support and risking these activities not being counted towards the Government's woodland creation target. Specifically what are currently regarded as 'trees outside woods' i.e. shelter belts, hedgerow trees and small groups of trees,



are key elements of developing resilience and climate adaptation, particularly in urban areas and the farmed landscape.

5. We look forward to receiving more detail on how the new body will interpret its duties in the delivery of the management of the Welsh Government's forest estate. In particular we:-
  - a. We support the continuation of a core of FCW staff in leading roles in implementing the strategy but anticipate that closer engagement with water management and biodiversity specialists and more generalist land managers will help ensure more joined up policy delivery.
  - b. Retention of the WG forest estate under independent forest certification under UKWAS is vital, with corrective actions comprehensively addressed, including those relating to PAWS restoration. This management approach provides an excellent case study for the achievement of integrated land management ideals enshrined in Living Wales. Areas which need attention to ensure the management of the estate is sustainable and meets certification requirements include:
    - Addressing the decline in condition of PAWS sites in Government ownership. This requirement applies to about 10% (need to check figure) of the total estate and is consistent with managing these sites under productive continuous cover forestry as the Woodland Trust is demonstrating at Wentwood Forest.
    - Addressing the detrimental impact of current clear felling practice on achievement of Water Framework Directive outcomes. Refer to the map evidence attached which identifies catchments in Wales judged to be failing to meet WFD standards due to forestry operations (i.e. clearfelling).





- Providing exemplary demonstration of the application of WG Woodland Strategy in moving towards mixed species continuous cover forestry
  
- c. Protect the forest resource from destruction by pests, diseases and climate change. A major strategy to do this is the move to more diverse continuous cover forestry, which should be continued despite objections from the major commercial timber users.
  
- d. We also support the recommendation from the National Assembly’s Environment and Sustainability Committee in its report of May this year that “The commercial acumen that exists within the Forestry Commission Wales is not lost and is mainstreamed into the work of a new body. This commercial expertise should be built upon to improve the commercial focus in all other appropriate areas of the new body’s business.”

**Question 4. Do you agree with the general proposals for cross-border arrangements? [Yes, Mainly, No] If not what would you change?**

This is difficult to comment on if we don’t know which of the services provided by FC as they are now will be a long term arrangement or for the transitional period.

We think that UK Forest Research bodes huge benefits for the Welsh Government and should therefore take advantage of this UK-wide research. It is sensible therefore to suggest that the new Single Body takes part and is an active part of the Forest Research Programme. Coed Cadw needs reassuring that SEB will not disconnect from GB arrangements.



**Question 5. Do you agree with the proposals for the statutory consultee role?  
[Yes, Mainly, No] If not what would you change?**

In the *main*, yes.

It is imperative however for the new Body to talk about their proposals before they become decisions. It's about making sure there is adequate consultation with the appropriate stakeholders.

**Question 6. Do you agree with the proposals to provide internal separation of decision-making, improve transparency and ensure Welsh Ministers have the opportunity to call in significant issues? [Yes, Mainly, No]  
If not what would you change?**

Yes we *agree* with these proposals.

In relation to the public forest estate we believe that an internal separation between regulation and operations is essential. There needs to be more transparency and better communication of forest level decision making than is currently the case, including showing that forest level decisions are consistent with the Welsh Government's own policy commitments.

**Question 7. Do you agree with the proposals for permitting? [Yes, Mainly, No] If not what would you change?**

No comment

**Question 8. Do you agree with these proposals for charging? [Yes, Mainly, No] If not what would you change?**



No comment

**Question 9. Do you agree with the proposals for public registers? [Yes, Mainly, No] If not what would you change?**

Coed cadw *agrees* with the proposals in the main

We support the proposal under section 6.2 to require the body to publish a list, on its website, of all legal permits, of any type, it has issued in respect of its own operations. We would like to see further information published in readily accessible registers on how it manages the public forestry estate, for example by making forest design plans available on the internet to give appropriate stakeholders the opportunity to engage and consult.

More fundamentally the new body must have a duty to communicate willingly and effectively with stakeholders and the public. Public registers are just one mechanism but do not provide an adequate communications strategy.

**Question 10. Do you agree that the new body should be a listed body under the Regulation of Investigatory Powers Act 2000? [Yes, Mainly, No]**

No comment

**Question 11. Do you agree that the new body should have powers to use civil sanctions? [Yes, Mainly, No]**

No comment

**Question 12. Do you agree with the proposals for appeal arrangements? [Yes, Mainly, No]**

**If not what would you change?**

**Yes**, we agree.

**Question 13. Do you agree with the proposals for cross border monitoring?**

**[Yes, Mainly, No]**

**If not what would you change?**

No comment

**Question 14. Do you agree with the proposals for statutory planning and reporting? [Yes, Mainly, No]**

**If not what would you change?**

No comment

**Question 15. Do you agree with the proposals for Civil Contingencies and COMAH? [Yes, Mainly, No]**

**If not what would you change?**

No comment

**Question 16. Do you agree with the proposals for UK wide arrangements?**

**[Yes, Mainly, No]**

**If not what would you change?**

No comment

**Question 17. Do you agree with the proposals for transitional arrangements?**

**[Yes, Mainly, No]**

**If not what would you change?**



No comment

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[www.woodlandtrust.org.uk/saveourtrees](http://www.woodlandtrust.org.uk/saveourtrees)

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## Appendix A

The new Body should ensure that the management of the Welsh Government forestry estate is fully in line with the WG woodland strategy and more recent WG policy priorities such as the woodland expansion target. We look forward to seeing a vision statement for the Welsh Government forestry estate that embodies this. The new Body should provide clear vision and direction for the nature and location of the new woodland created to meet the WG 100,000 ha target and should not confine its role to managing a regulatory process.

A well wooded landscape should be an important part of the body's vision for landscape improvement in Wales, and is an excellent example of the practical application of Living Wales. The SEB needs to take responsibility for facilitating the delivery of the target to create 100,000 ha of new woodland by 2050 in an appropriate manner. This targeted woodland expansion should be one of the visionary outcomes that gives an early focus and purpose to a new SEB. We also believe that the benefits of urban trees should be fully appreciated within the new SEB. Currently this is outside the FCW remit, and although is in the Wales Woodland Strategy there is no one to lead on this. The new body should naturally take on this role. There should be a commitment and an integrated strategy across agriculture, rural business support, forestry and conservation.

Coed Cadw believes that one of the key purposes for SEB must be to support a vigorous and actively expanding woodland sector in Wales; one that continues to deliver very significant economic benefits and has a crucial role in providing an attractive environment, protecting wildlife, securing water supplies, providing places to visit and involving communities and continues to deliver very significant economic benefits through commercial forestry. The woodland sector needs to both encompass and distinguish between urban trees, native woodland, and productive forestry. We believe that SEB could help in the wider



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championing of the role of trees and woodland to deliver Welsh Government  
Policy objectives across many different policy areas.



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**Map – Catchments in Wales judged to be failing to meet WFD standards due to forestry operations (i.e. clearfelling)**

