

P-06-1208 New laws to protect rare red squirrels from habitat loss which causes population decline, Correspondence – Petitioner to Committee, 12.01.22

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Dear Mr Sergeant

Re: Minister's Response Ref: JJ/11403/21 to Petition P-06-1208 'New laws to protect rare red squirrels from habitat loss which causes population decline'.

May I first take the opportunity to thank you and the members of the Petitions Committee for inviting me to provide a response to the Minister's letter of 1st October 2021 in regard to P-06-1208.

My petition can be partitioned into two elements relating to forest management:

- (1) Replacing 1967 Forestry Act so that tree felling licences can include enforceable 'wildlife conservation' conditions;
- (2) Evolving NRW management of state forests where tree felling licences are not required and instead 10 year plans are put in place.

I note that the Minister's letter pre-dates the Senedd Plenary debate of 8th December and the associated subsequent statements made by the Minister and the contributions of other AMs too.

Outdated tree felling laws

The Senedd plenary debate was a fabulous example of cross party support for a pressing wildlife conservation issue. The Minister was clear in her statement that the current legislative tools are not sufficient to deliver robust wildlife conservation in Wales and although the red squirrel was the petition poster-boy, a legislative change will benefit plants, fungi, invertebrates, birds and other rare mammals such as dormice and bats. Advisory species guidance notes and FSC Woodland Standards are not in themselves enough to protect habitat and it is great to see this weakness now being recognised. The Senedd have made addressing the biodiversity crisis a key commitment and the debate contributors all reflected this in their heart-felt statements.

I was contacted afterwards by many of the petition signatories who were overjoyed with the debate outcomes. Like myself, they are delighted that 1960s tree felling laws face being axed.

Since the debate, I have been invited by Welsh Government officials to take part in a subgroup to look in more detail at the way the future tree-felling legislative powers might be shaped and applied within the Agriculture (Wales) Bill and the texts in the forthcoming White paper - Scotland already has robust powers in place and their approach provides a valuable case-study.

I would like to thank the Welsh Government for this opportunity.

NRW management of state forests

I firmly believe that state forest management should be dynamic and that fixed ten year (+) plans are simply too inflexible to reflect the shifting patterns of wildlife population abundance and distribution. Local biological record centre data are insufficient as a way of assessing abundance as records will reflect geographical accessibility and also human recreational land use intensity – e.g. if few people visit an area then there will not be many wildlife sighting records submitted to the record centre relative to popular locations. The databases are therefore not a systematic survey and are not claimed to be. In 2018, whilst relying solely on local record centre data, NRW issued a licence for tree felling at Bodafon on Anglesey and stated that no red squirrels were present. The site was in fact the home of the highest density of red squirrels on the island and NRW had survey data internally but inter-departmental silo working meant that the forestry licence team were unaware:

<https://www.dailypost.co.uk/news/north-wales-news/tree-felling-programme-halted-amid-14953139>

I suspect that NRW like the idea of using record centres because it is seen as straightforward, a simplicity that buffers procedural working in the face of any staff turnover. However, it can be a weak approach especially in the context that NGO led 'Anglesey red squirrel conservation' has been underway for 25 years and the volunteer group leading activity on the ground has a wealth of local data and knowledge.

An additional point to stress is that NRW will liberally cherry pick elements of 10 year plans to do and which elements to ignore. Of course no stakeholder commenting on a plan at the earlier historical 'draft consultation' stage would be able to predict what would be done and what would not be. The lack of ongoing wildlife population census data doesn't help here because it means population status remains opaque in the face of what was done and what was not. This means the implications of NRW delivery and management choice once again can't be assessed.

The Minister wrote, *'it is important to appreciate that in sustainably managing a working forest to deliver multiple benefits within a wide variety of constraints, a holistic approach balancing competing demands must be taken.'* Although in general this is very true, in the context of red squirrels on Anglesey, NRW have ignored squirrel conservation and sadly refuse to accept any responsibility for their approach let alone to critically review and learn lessons.

If I might evidence:

The agency had spent £0 in a decade on monitoring Anglesey populations and thus did not have any idea of numbers or population distribution, nor of the impact of management on residual populations. In state forests, they have cleared extensive areas of trees to 'expose' geological features, cut wide rides between woodland blocks to fragment the habitat, over thinned forest canopy and failed to address a massive short-fall in the agreed scale of under planting of stands with tree species to provide future seed and food supplies for red squirrel. All of these 'interventions' were decisions conducted blind with respect to red squirrel conservation needs because the agency had no population monitoring assessments: in short it is impossible to integrate red squirrel with other multi-objectives if there are no survey data.

The NRW 'approach' has continued even after the Minister wrote on 1st Oct 2020 and mentioned a contract that has been issued to survey populations in 2022 within Anglesey state forests. The associated monitoring report is not due until spring 2022 and yet inexplicably whilst the ink was still wet on the contract, NRW started a 'consultation' on 'new forest plans' for Pentraeth forest with

comments to be in by early December 2021... Once again, management plans are being created in the absence of red squirrel population data and before commissioned monitoring has been completed. I am sure that committee members will agree that the NRW approach here can hardly be considered as 'holistic'.

Whilst North West NRW takes a *laissez faire* or 'devil may care attitude', in north east Wales, within Clocaenog forest, NRW are the epitome of integrated multi-objective forest management. Here, the agency fully supports volunteers, provides annual funds for red squirrel monitoring, equipment, land access and training opportunities. In 2020, I was contracted by NRW to review Clocaenog red squirrel conservation work at Clocaenog including a red squirrel release programme operating there. NRW brought in an independent facilitator to engage with local people and used feedback to revise working conservation protocols. Coincidentally at the same time, NRW in north west undertook 'public consultation' on Anglesey asking local people how happy open habitats made them feel and whether they wanted areas of Newborough forest clear-felled. No mention in the consultation was made about red squirrel being present in the forest.

The difference between north-east and north-west NRW approach to red squirrel is stark and quite inexplicable. The Minister's letter seeks that, '*good communication can continue so that mutual agreement on woodland management can take place.*' Nobody could disagree with that ethos, although I suspect the Minister is unaware that in 2020, NRW stated in response to direct questions from red squirrel conservationists that there was only a proposed thinning of a small area of Newborough planned for 2020 - it later became apparent that the agency had marketed and sold two large felling operations at Cefni and Pentreath along with the sale of the Newborough standing crop. This type of *fait accompli* is hardly 'mutual agreement'. It was followed by the NRW 'consultation' on further forest removal I mentioned above.

I would like to thank the Minister and Welsh Government for recognising the need to make legislative change and congratulate all those Senedd members who supported better protection of rare forest wildlife. I would also welcome if the petition committee were to consider writing to the Minister seeking ways in which NRW might recalibrate their approach to red squirrel conservation on Anglesey in the light of their exemplar in north east Wales at Clocaenog.

Kind regards

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