



# UK Forestry Standard – Putting Plans into Practice: considering Protected Sites and Species

Natural England  
ICF Workshops 2017

# Introduction



Our presentation will briefly cover:

- **How FC's Woodland (management) Plan approval process fits with SSSIs and the consenting procedures**
- **How you can get Natural England's SSSI Consent for operations that may included in a Woodland Plan**
- **A summary of our emerging approach to cost-recovery**
- **How you can take into account the presence of species that are specifically protected by law ('Protected Species')**

## Brief reminder – the legal framework for Protected Sites

- The Forestry Commission is required to consult Natural England on felling licence applications affecting SSSIs under section 28I of the 1981 Wildlife & Countryside Act
- Natural England provides its statutory advice to FC to ensure the special interest of the SSSIs is conserved and, as far as practicable, enhanced by the tree felling proposal
- The owners and occupiers of SSSIs are also required (by the 1981 Wildlife and Countryside Act) to give notice to Natural England should they wish to carry out or permit operations that are listed on a SSSI notification – these require Natural England's SSSI Consent.
- This is a much broader list - these may include both felling and non-felling operations that are necessary to fell trees
- It is Government policy objective that at least 50% of SSSIs reach favourable condition, whilst at least 95% are maintained in favourable or recovering condition

- In many cases, on SSSIs, Natural England would wish to influence the wider nature of the felling operation to avoid inadvertent damage e.g.
  - the timing of the tree felling
  - the associated use of plant and vehicles
  - method of timber extraction
  - the selection of access and timber extraction routes
  - locations for the temporary storage of timber
  - the methods for dealing with residual brash
- These wider *non-felling* activities will often be listed in a SSSI notification as operations requiring Natural England Consent that SSSI owner/occupiers must seek consent for.
- SSSI owners and occupiers (land managers) must obtain both a licence from the Forestry Commission to fell trees and a consent from Natural England for other operations associated with the felling of those trees on their SSSI land
- Summarised in the Forestry Commission guidance note (no.27) on getting Natural England Consent for Works in SSSIs:
- [https://www.forestry.gov.uk/pdf/ON027SSSIConsentv3Nov16.pdf/\\$file/ON027SSSIConsentv3Nov16.pdf](https://www.forestry.gov.uk/pdf/ON027SSSIConsentv3Nov16.pdf/$file/ON027SSSIConsentv3Nov16.pdf)

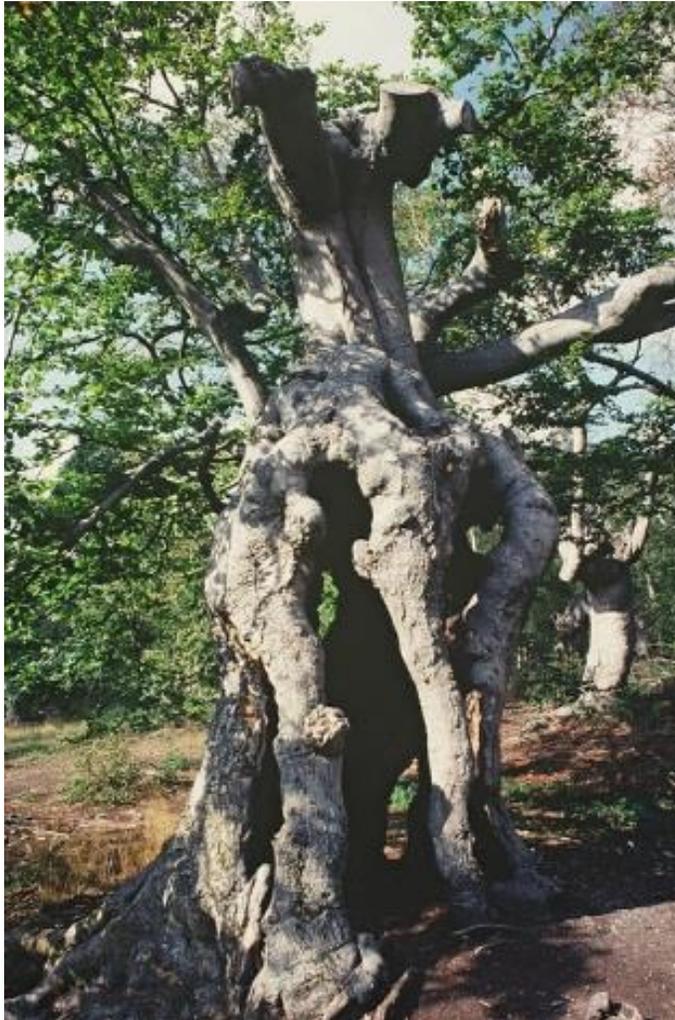
# Working together on Woodland Plans affecting SSSIs

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- The preparation of a FC-approved Plan is funded by the Countryside Stewardship Scheme and is required to access further CSS funding for woodlands
- The Vision and Objectives of a Plan may be accompanied by a single 10 year Felling Licence for any thinning, felling and restocking that is forecast over that period
- Where SSSIs are involved, local NE staff should be involved in the early discussions and drafting of any Plans prior to their formal approval by FC.
- NE will consider whether the strategic objectives of the Plan are also consistent with the SSSI's conservation objectives



# Getting SSSI consent for Woodland Plan operations



- Natural England will formally advise FC on Woodland Plans and their felling/re-stocking proposals affecting SSSIs
- The woodland manager must also seek Natural England's SSSI consent for any specific *non-felling* operations to take place within the SSSI
- Natural England will make its SSSI consent decision as and when the precise detail about the operations becomes available - this may be when the Woodland Plan is approved or at a later date
- A Felling Licence shouldn't be exercised on a SSSI until SSSI Consent for associated non-felling operations has been acquired

# How can I get SSSI Consent from Natural England for Woodland Plan operations?

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## Three steps:

- If no SSSI Consent was given at Plan Approval stage, agree the specific details (the 'what, where, when and how') about the non-felling operations within the SSSI with a NE adviser
- Complete the 'Supplementary Notice of SSSI Operations' form available on FC website <https://www.forestry.gov.uk/website/forestry.nsf/byunique/inf-d-6kxfq5> and submit it to Natural England
- Await NE's Consent decision and advise contractors of any terms and conditions they must work to; check compliance during works



# Using Natural England's chargeable discretionary advice service for consents



- Natural England is now able to recover its costs when providing pre-application advice that is either (a) complex or time-consuming cases or (b) where a rapid decision is requested (a 'fast-track' case)
- We do not charge in approx. 90% of cases covering advice on routine management of SSSIs
- However, all the advice that we offer would be uncharged where ...
  - 1.The activity is primarily driven by nature conservation management.
  - 2.For survey, monitoring or research work that will benefit the site's evidence resource.
  - 3.Where activities are required by an agri-environment agreement, or result from advice under Catchment Sensitive Farming.

Advice on Woodland Plans closely linked to SSSI improvements will be exempt from charging.

# Considering 'European' Protected Species

- Follow best practice when planning and undertaking woodland management operations which may impact on an European Protected Species
- You may wish to seek specialist advice and commission specialist survey work



- The Safeguarding European Protected Species webpage includes good-practice guidance and information for woodland managers on when an EPS licence may be required

<https://www.forestry.gov.uk/england-protectedspecies>

- Natural England offers a chargeable 'pre-submission screening service' so you can get its advice on proposals which might affect Protected Species  
<https://www.gov.uk/guidance/pre-submission-screening-service-advice-on-planning-proposals-affecting-protected-species>

# Considering additional Protected Species

- Protected species also include badgers, hazel or common dormouse, water voles, otters, all wild birds and certain amphibians, reptiles, plants invertebrates, freshwater fish
- We recommend you read Natural England's Standing Advice about relevant species when planning woodland management
- There is also separate Standing Advice concerning development affecting ancient woodland and veteran trees
- You can read our Standing Advice at <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>
- <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>



# Summary

- **Natural England will welcome early engagement with woodland owners and forestry consultants over the management of SSSIs**
- **Local NE and FC staff will work closely together with you on both Woodland Plans and Felling Licences affecting SSSIs to expedite the formal regulatory process**
- **Apply for SSSI consent for Woodland Plan operations by discussing work with your NE Adviser and completing a Supplementary Notice form...ensure you have consent before work commences on the SSSI**
- **Consider the possible presence of Protected Species in your woods and consider published Natural England and Forestry Commission guidance**



A photograph of two children standing in a forest, hugging a large tree trunk. The child on the left is wearing a yellow and blue jacket, a purple headband, a blue skirt, and red boots. The child on the right is wearing a light green long-sleeved shirt, green pants, and blue boots. The tree trunk is thick and textured, and the background shows a forest with fallen logs and autumn foliage.

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**Thank you for your attention**

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