

Forestry

Elaine Murray : To ask the Scottish Executive what gross value added it estimates to be associated with timber in the public forest estate.

Michael Russell: The Scottish timber industry alone provides 13,200 full-time jobs and is worth £460 million by the latest estimate. The National Forest Estate (NFE) currently produces 44% of the timber in Scotland, so a reasonable estimate would be that the NFE contributes around £200 million GVA (gross value added) per year.

Also, nearly 20,000 jobs are attributed to tourism and recreation spending, which is estimated at £209 million. The bulk of recreation and tourism related spend from forests is on the NFE, so if a figure of 75% of this spending is used, the NFE contributes around £150 million GVA. Thus the total GVA generated by the NFE using the above assumptions is £350 million per year.

Elaine Murray : To ask the Scottish Executive whether the biodiversity duty under the Nature Conservation (Scotland) Act 2004 would apply to land in the public forest estate that was leased to private interests.

Michael Russell: Yes.

Elaine Murray: To ask the Scottish Executive whether land in the public forest estate that had been leased to private interests would be eligible for grant payments under the Scotland Rural Development Programme.

Michael Russell: Yes, this land would be eligible for grant payments.

Peter Peacock : To ask the Scottish Executive what powers Forestry Commission Scotland has to sell or otherwise dispose of land that it owns.

Michael Russell: Through the Scottish ministers, Forestry Commissioners have powers under the Forestry Act to dispose of lands they manage on behalf of the ministers.

Peter Peacock : To ask the Scottish Executive whether Forestry Commission Scotland has powers to reinvest the proceeds of sales of land in new land purchases.

Michael Russell: Forestry Commission Scotland is already reinvesting the proceeds of sales of land in new land purchases, under its repositioning programme.

Peter Peacock : To ask the Scottish Executive whether Forestry Commission Scotland has powers to lease land from others.

Michael Russell: Scottish ministers may lease from others land which in their opinion is suitable for afforestation or purposes connected with forestry, and place it at the disposal of Forestry Commissioners, under the Forestry Act 1967.

Peter Peacock : To ask the Scottish Executive whether Forestry Commission Scotland has powers to lease land in its ownership to others.

Michael Russell: Yes. Forestry Commission Scotland leases land for a wide range of activities but not for woodland management purposes, as it currently has no powers to delegate its responsibilities.

Peter Peacock : To ask the Scottish Executive whether the land owned by Forestry Commission Scotland is held and owned on behalf of Scottish ministers.

Michael Russell: Forestry Commission Scotland does not own land – the national forest estate is vested in the name of Scottish ministers, and the commission manages it on their behalf.

Peter Peacock : To ask the Scottish Executive whether Scottish ministers have powers to own land.
Peter Peacock To ask the Scottish Executive whether Scottish ministers have the powers to lease any land that they own.

Michael Russell: Yes, under the Forestry Act.

Peter Peacock : To ask the Scottish Executive what arrangements Forestry Commission Scotland has entered into with community organisations to manage forest land.

Michael Russell: Forestry Commission Scotland has entered into a number of agreements with community groups to encourage greater engagement with their local woods. These range from concordats to management agreements and include activities such as, footpath construction and maintenance and educational events.

Peter Peacock : To ask the Scottish Executive under what powers Forestry Commission Scotland has entered into arrangements with community groups on leasing or otherwise arranging the management of part of the forest estate.

Michael Russell: Forestry Commission Scotland does not currently have the power to delegate its land management function but it has entered into a number of agreements with community groups to encourage greater engagement with their local woods. These range from concordats to management agreements and include activities such as footpath maintenance and educational events.

Peter Peacock : To ask the Scottish Executive whether Scottish ministers have powers to transfer assets owned by the Forestry Commission Scotland to others.

Michael Russell: Under the Forestry Act 1967 (as amended), Scottish ministers may dispose for any purpose of land acquired by them under that Act. Such transactions are also subject to the rules of financial propriety set out in the Scottish Public Finance Manual.

Peter Peacock : To ask the Scottish Executive whether Forestry Commission Scotland has powers to offer grant assistance to voluntary organisations.

Michael Russell: Yes. For example, grants are paid to Community Woodland Association.

Peter Peacock To ask the Scottish Executive whether the use of funds raised by Forestry Commission Scotland from the sale or lease of land is regulated.

Michael Russell: The use of funds raised by Forestry Commission Scotland from the sale of land is determined by Scottish ministers as part of the Spending Review. If powers under the Climate Change Bill were obtained and used to lease land, then the use of funds would need to relate to climate change.

Peter Peacock : To ask the Scottish Executive whether the use of funds raised by Forestry Commission Scotland from the sale or lease of land has to be agreed by Scottish ministers.

Michael Russell: The funding of Forestry Commission Scotland is approved annually by the Scottish Parliament for the annual Budget Bill. The Bill takes into account any income raised from sale or lease of land and provides the statutory authority for spending of any sums raised.

Peter Peacock : To ask the Scottish Executive whether its policy is that the proceeds of the sale of land or its leasing by Forestry Commission Scotland form part of the forward financial planning of the Scottish Government during each spending review period and impacts on the net contribution of funds from it to Forestry Commission Scotland for defined periods of time.

Michael Russell: Yes. Forward financial plans include any proceeds from sale or lease of land. The funding of Forestry Commission Scotland is then approved annually by the Parliament.

Peter Peacock : To ask the Scottish Executive whether, within its powers, it can bind future Scottish Governments as to the treatment and use of funds raised through the sale or lease of land owned by Forestry Commission Scotland.

Michael Russell: It is for the Scottish Parliament to determine the use of funds available to the Scottish Executive, whether from sale or lease of Forestry Commission Scotland land or any other source.

Peter Peacock : To ask the Scottish Executive whether Scottish ministers are in any way constrained by regulation as to how they apply funds raised by the sale or lease of assets owned by Forestry Commission Scotland.

Michael Russell: There are no specific regulations about use of funds raised by Forestry Commission by sale or lease of assets but the funding of Forestry Commission Scotland is approved annually by the Scottish Parliament and takes into account any income raised from such sales or leases.

Peter Peacock : To ask the Scottish Executive how receipts from the sale or lease of land owned by Forestry Commission Scotland are treated in public accounting terms.

Michael Russell: Receipts from sales or leases of land owned by Scottish ministers and administered by Forestry Commission Scotland are recorded in the Annual Report and Accounts of Forestry Commission Scotland. Income from outright sales are classified as capital DEL income and income from leases are normally classified as DEL revenue income.

Peter Peacock : To ask the Scottish Executive whether income from the lease of land owned by Forestry Commission Scotland is required to be treated as capital.

Michael Russell: Income from the lease of land owned by Scottish ministers and administered by Forestry Commission Scotland are normally treated as DEL revenue income.

Peter Peacock: To ask the Scottish Executive what spending authority or powers will be generated by it through the lease of Forestry Commission Scotland land and whether any such spending authority or powers would be negated by any lease period below a defined minimum period.

Michael Russell: The lease of Forestry Commission Scotland land, regardless of lease period, generates no new spending authority or powers. If, however, powers under the Climate Change Bill were obtained and used to lease land, then the use of funds would need to relate to climate change. The period of any lease might affect the amount of money available, but it would not affect the way in which the money could be used.

Peter Peacock : To ask the Scottish Executive whether the lease of land owned by Forestry Commission Scotland can form an annual revenue stream for it for each year of the lease period, payable in each said year.

Michael Russell: Forestry Commission Scotland leases land for which it receives an annual payment.

Peter Peacock : To ask the Scottish Executive whether the lease of land owned by Forestry Commission Scotland can take the form a single payment at the commencement of the lease to cover the entire lease period.

Michael Russell: Offering management leases and cutting rights is a potential option for releasing capital from the national forest estate which could be used to fund woodland creation projects to help mitigate climate change. The consultation closes on 27 January 2009. All responses will be carefully considered and will be taken into account as part of a wider options review being carried out by Forestry Commission Scotland.

The consultation exercise and options review will help inform Forestry Commission Scotland's deliberations on this issue, if we decide to take forward the leasing option.

Peter Peacock : To ask the Scottish Executive whether it is obliged to apply receipts from the sale or lease of land owned by Forestry Commission Scotland to forestry expenditure.

Michael Russell: It is for the Scottish Parliament to decide whether funding for specific purposes should be ring-fenced over prolonged period of years.

Peter Peacock : To ask the Scottish Executive by how much it plans to increase expenditure on climate change, as envisaged in the consultation on the future of the national forest estate.

Peter Peacock : To ask the Scottish Executive over how many years it plans to spend the potential assets derived from the lease of Forestry Commission land as envisaged in the consultation on the future of the national forest estate.

Michael Russell: This will be determined after the consultation exercise and options review.

Peter Peacock : To ask the Scottish Executive whether the entering of joint ventures envisaged in the document *Climate Change and the National Forest Estate - Consultation on forestry provisions in the Scottish Climate Change Bill* could include leasing arrangements with third parties.

Michael Russell: It is possible that a joint venture arrangement could also include leasing arrangements with third parties.

Peter Peacock : To ask the Scottish Executive what rights currently held by Forestry Commission Scotland it envisages will transfer to any lease holders under the plans postulated in the document *Climate Change and the National Forest Estate - Consultation on forestry provisions in the Scottish Climate Change Bill*.

Michael Russell: The responses to the consultation exercise and the options review will help inform Forestry Commission Scotland's deliberations on this issue.

Peter Peacock : To ask the Scottish Executive whether, under the powers included in the document *Climate Change and the National Forest Estate - Consultation on forestry provisions in the Scottish Climate Change Bill*, it is envisaged that Scottish ministers of the current or any future administration would be constrained over the proportion of the national forest estate they proposed to lease or the proposed lease period.

Michael Russell: The responses to the consultation exercise, including any views on the proportion of the estate that might be leased and on the proposed lease period, will help inform Forestry Commission Scotland's deliberations on this issue.

Peter Peacock : To ask the Scottish Executive whether it proposes to use the UK Woodland Assurance Standard or the UK Forestry Standard in any leasing arrangements for the national forest estate.

Michael Russell: Offering management leases and cutting rights is a potential option for releasing capital from the national forest estate which could be used to fund woodland creation projects to help mitigate climate change. The consultation closes on 27 January 2009. All responses will be carefully considered and will be taken into account as part of a wider options review being carried out by Forestry Commission Scotland.

The consultation paper suggests the need to observe the UK Forestry Standard as an example of a means of safeguarding public benefits. The UK Woodland Assurance Standard is also a possibility.

Peter Peacock : To ask the Scottish Executive whether Scottish ministers balance commercial interests with silvicultural, recreational and environmental interests in determining its policies on Forestry Commission Scotland.

Michael Russell: Yes. This can be seen clearly in the Scottish Forestry Strategy.

Peter Peacock : To ask the Scottish Executive whether it considers that private firms investing in forestry in Scotland are bound to put the interests of their shareholders first.

Michael Russell: This is a matter for individual companies, acting in accordance with their constitution and the law (including any relevant forestry regulations). If they are in receipt of grant-aid, they must abide by the grant scheme requirements.

Peter Peacock : To ask the Scottish Executive what public benefits it considers are delivered by Forestry Commission Scotland.

Michael Russell: Forestry Commission Scotland delivers a very wide range of public benefits in the social, environmental, and economic areas, both through its management of the national forest estate, and through its regulatory, grant-aid, and advisory function for private woodlands.

Peter Peacock : To ask the Scottish Executive how it quantifies the public benefits delivered by Forestry Commission Scotland.

Michael Russell: Forestry Commission Scotland's Corporate Plan 2008-11 sets out the key actions being taken against each of the themes in the Scottish Forestry Strategy. In addition, the commission has a range of evaluation studies in place (e.g. Forestry and People) to measure progress.

Peter Peacock : To ask the Scottish Executive whether it has powers to direct Forestry Commission Scotland.

Michael Russell: Yes.

Peter Peacock : To ask the Scottish Executive whether it has powers to direct private forestry owners or interests in Scotland.

Michael Russell: Through Forestry Commission Scotland's regulatory, grant-aid and advisory functions, Scottish ministers can influence the nature of private sector forestry.

Peter Peacock : To ask the Scottish Executive whether it considers that it is able to anticipate all environmental and other events that may have implications for the management of Scotland's forests for periods of up to 75 years.

Michael Russell: It is almost inevitable that there will be environmental, social and economic changes over the next few decades which may impact on Scotland's forests. We have a range of monitoring and forecasting mechanisms in place to help the forestry sector adapt where necessary.

Peter Peacock : To ask the Scottish Executive whether it can require private contractors to employ forestry staff transferred to them under transfer of undertakings (protection of employment) (TUPE) regulations for any specified periods into the future beyond those that TUPE may guarantee.

Michael Russell: Staff transferred to a private contractor under TUPE have protection for an unspecified period as there is no time scale within the regulations beyond which the protections provided under TUPE no longer apply.

Peter Peacock: To ask the Scottish Executive whether it can require private forestry interests to employ harvesting staff directly for forest management purposes where such private forest interests do not currently employ such staff.

Michael Russell: No.

Peter Peacock : To ask the Scottish Executive what assessment it has made of the cost implications for the remaining Forestry Commission estate of the lease and transfer of felling rights to private interests and whether it will publish any such assessment.

Peter Peacock : To ask the Scottish Executive what assessment it has made of the impact of any reduction of Forestry Commission Scotland harvesting fleets on the viability of the mechanical engineering service and its potential earnings and contribution to the internal business financing of the commission.

Peter Peacock : To ask the Scottish Executive what assessment it has made of the impact on the costs of Forestry Commission Scotland of the leasing of up to 25% of the existing commercial national forest estate.

Michael Russell: Offering management leases and cutting rights is a potential option for releasing capital from the national forest estate which could be used to fund woodland creation projects to help mitigate climate change. The consultation closes on 27 January 2009. All responses will be carefully considered and will be taken into account as part of a wider options review being carried out by Forestry Commission Scotland.

The consultation exercise and options review will help inform Forestry Commission Scotland's deliberations on this issue.

Peter Peacock : To ask the Scottish Executive what assessment it has made of the impact of leasing a proportion of the national forest estate on the training of apprentices in forestry and whether it will publish any such assessment.

Michael Russell: Offering management leases and cutting rights is a potential option for releasing capital from the national forest estate which could be used to fund woodland creation projects to help mitigate climate change. The consultation closes on 27 January 2009. All responses, including any responses relating to the training of apprentices in forestry, will be carefully considered and will be taken into account as part of a wider options review being carried out by Forestry Commission Scotland. The options review will be published after we have had the opportunity to consider it.

Peter Peacock : To ask the Scottish Executive whether there is any cross subsidy within Forestry Commission Scotland from commercial income to delivering environmental benefits.

Michael Russell: Forestry Commission Scotland's net budget is approved annually by the Scottish Parliament. Amongst other activities this budget includes commercial income and expenditure on environmental operations.

Peter Peacock : To ask the Scottish Executive whether any assessment has been made of the impact on any cross subsidy within Forestry Commission Scotland from its commercial income to delivering greater environmental benefits if 25% of the commercial national forest estate were to be leased to private interests and whether it will publish any such assessment.

Michael Russell: The consultation exercise and options review will help determine Forestry Commission Scotland's deliberations on this issue.

Peter Peacock : To ask the Scottish Executive what assessment it has made of the impact of leasing parts of the national forest estate on the restoration of native woodlands and whether it will publish any such assessment.

Peter Peacock : To ask the Scottish Executive what assessment has been made of the implications of leasing significant parts of the national forest estate on the community right to buy under the Land Reform (Scotland) Act 2003 and whether it will publish any such assessment.

Michael Russell: Offering management leases and cutting rights is a potential option for releasing capital from the national forest estate which could be used to fund woodland creation projects to help mitigate climate change. The consultation closes on 27 January 2009. All responses will be carefully considered and will be taken into account as part of a wider options review being carried out by Forestry Commission Scotland.

The consultation exercise and options review will help determine Forestry Commission Scotland's deliberations on this issue. The options review will be published after we have had the opportunity to consider it.

Peter Peacock : To ask the Scottish Executive what discussions it has had with US company the Timberland Fund and when.

Michael Russell: The term "Timberland Fund" is a generic term used to describe investment funds specialising in forests, but the Scottish Government is not aware of a US company called Timberland Fund.