<u>Detailed guide: Request a map from the Forestry Commission</u>

Allow two weeks for delivery if you plan to apply before an application window closes.

The Forestry Commission only accepts application maps if they are on an Ordnance Survey MasterMap® base.

We have adopted Ordnance Survey MasterMap® as the required map standard for applications. MasterMap® is the most up-to-date large-scale digital map of Great Britain and is recognised as the mapping standard.

Request a map for your grant or felling application

Download, print and complete the <u>Map Request Form</u> and send it to your <u>the Administrative Hub.</u>

You should provide a copy of another map clearly highlighting the full area that needs to be on the print that shows the National Grid Reference of a point near the centre of the highlighted area.

Alternatively, give the grid references for the 4 corners of the area you need. Make sure that the whole area of the application is included within the 4 points.

We provide all maps at A3 size and orientated landscape or portrait depending on the application area.

Copyright

Please note, these maps must only be used as part of a Forestry Commission application process. If you use the map we give you for any other purpose, you will be in breach of copyright.

<u>Detailed guide: Work with planting</u> <u>material for forestry purposes</u>

Updated: We have published an updated edition of the guidance on "Regulations controlling seed, cuttings and planting stock for forestry in Great Britain",

which is accessible from the text link "FRM and controlled species".

If you collect and market seeds, cones, cuttings or planting stock for use in forest establishment, or collect seed and grow it in order to sell as planting stock to be used in forest establishment, there are rules applying to 46 controlled tree species that you must follow. You must be on the Forestry Commission's Forest Reproductive Material public register of suppliers — it's free to register, find out how to register below.

See the
list of controlled species
(PDF, 913KB, 2 pages)

There's also a voluntary scheme for the certification of non-controlled species of native trees and shrubs to help collect further valuable information — see below.

Read the detailed policy document that includes information on the regulations that cover FRM and controlled species
(PDF, 6.81MB, 40 pages)

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The Forestry Commission is responsible for a system of identification and control of seeds, cuttings and planting stock used for forestry purposes in England, Scotland and Wales so that the people who buy forest material have enough information on the provenance, origin and genetic quality of the material they're buying.

The system covers 'basic material' (see below) used for any forestry purpose, including:

- timber production
- forests and woodlands for tourism, recreational, sporting, educational or amenity purposes
- the conservation and enhancement of the forest and woodland environment

The term 'forestry purposes' excludes:

- landscape planting for transport infrastructure
- urban planting associated with industrial and urban developments
- production of Christmas trees

Basic material and forest reproductive material

The term 'basic material' refers to the sources of FRM. There are 6 sources of basic material:

- seed sources these can range from a single tree to any collection of trees within a region of provenance, or a native seed zone that includes an altitude band above or below 300m
- stands defined areas or groups of trees with identified boundaries
- seed orchards and parents of tree families sources based on known individuals derived from tree breeding programmes (and the FRM produced will be seeds)
- clones and clonal mixtures individuals from breeding programmes, but the FRM will be produced through vegetative propagation

FRM can consist of:

- fruits
- seeds
- cones
- all parts of plants obtained by vegetative propagation, including embryos and plants produced from any of these

You can only market FRM from registered basic material. There are 4 categories of reproductive material according to the basic material you collect it from:

- source-identified FRM comes from general or specific locations within a single region of provenance or native seed zone with an altitude band, but with no specific superior qualities recognised
- selected FRM is collected from stands showing superior characteristics (for example, better form, growth rate and health)
- qualified FRM derives from the selection of superior individual trees that have not undergone any form of testing
- tested FRM derives from the selection of individual trees or stands that have been evaluated for genetic quality or, in comparison to accepted standards, have been shown to be superior

National Register of Approved Basic Material

The Forestry Commission maintains the National Register of Approved Basic Material for Great Britain (The National Register). This is published in accordance with the Forest Reproductive Material (Great Britain) Regulations 2002 and European Union directive 1999/105/EC, which controls the marketing of Forest Reproductive Material in the EU.

Download and search the National Register spreadsheet. (MS Excel Spreadsheet, 469KB)

The link on the right-hand column of the spreadsheet ('NR entry') will then take you to a 2-page .pdf showing stand, location, contact and site information, together with a map.

Or you can use the search facility to find:

registered stand of approved basic material

• seed orchard, clonal material or parent(s) of family(ies) material

<u>Download the full 651-page National Register (without maps).</u> (PDF, 2.35MB, 653 pages)

The National Register is kept under constant review and will be regularly updated. The version available is current as at 31 January 2018.

Apply to register basic material

You can only apply for registration on the national register of approved basic material if you're the owner or authorised agent, or a person with written authority from the owner.

Download and submit form FRM1A to apply for the registration of a stand or orchard as an approved source of basic material.

The Forestry Commission may want to inspect the basic material and check all relevant information. Applications to register stands in the 'Selected' category and applications to register 'Indigenous' stands will always be inspected to ensure they meet the relevant criteria. If the Forestry Commission accepts your proposed material, you will receive a copy of the register entry, including a unique register identity.

Once you have Forestry Commission approval of basic material, you must keep copies of all documents relating

to the application. You must keep these documents for 5 years from the date of your application or for as long as the basic material is on the national register, whichever is greater.

The Forestry Commission will let you know if your application is rejected and you can make an appeal (see below).

Re-inspection of basic material

Once you've registered, you may need to prepare for a re-inspection of your basic material. The Forestry Commission gives you at least 14 days' notice of a proposed site visit. Re-inspection will concentrate on any material changes to the area and structure and composition of the material that could take it below the threshold for that particular category. Reasons for this might be:

- partial felling
- windblow
- disease
- pest attack
- thinning operations

You must inform the Forestry Commission of any changes to basic material — this is to prevent marketing of reproductive material that doesn't meet the

requirements of the appropriate category. You must also tell the Forestry Commission of any reduction in area of the basic material — or any material change to its composition or stocking — no later than 28 days before a collection of reproductive material. Changes to basic material could mean it's either downgraded to a lower category or removed from the national register. This might trigger an inspection.

Register as a supplier of FRM

Check if you should be registered as a supplier — this will help you comply with the regulations.

Download, complete and submit form FRM6 to apply for registration.

You must provide the following details:

- supplier's name, address and contact details
- nature of the business or trade in which FRM is marketed
- each address where you pursue FRM-related activities

The Forestry Commission will always register an application unless the applicant is likely to breach regulations or does not in fact market FRM. You'll be notified within 14 days of a refusal to register.

If the Forestry Commission is satisfied that a registered supplier has breached the regulations, their name may be removed from the register or conditions may be imposed on the continuing registration.

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See the register of FRM suppliers
(PDF, 49.2KB, 6 pages)
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Inspections

You could be inspected by the Forestry Commission. Inspectors may visit collection sites, seed extraction units, seed testing facilities, nurseries, storage facilities and any other premises involved in FRM production.

Separation, labelling and mixing of FRM will also be inspected to ensure compliance.

It's an offence if you fail to:

 adhere to the procedural requirements — find out more with our guide to basic requirements of a registered supplier (PDF, 34.8KB, 4 pages)

- notify the Forestry Commission within the specified period of changes to basic material
- notify the Forestry Commission within the specified period of the final results of testing basic material given 'conditional approval' in the tested category
- notify the Forestry Commission that an agreed production target for the propagation of clonal material has been reached
- provide documents, access to premises or reasonable facilities for copying

You must:

- register as a supplier to market FRM
- have an official certificate if you import FRM from a third country (non-EU country)
- comply with conditions under which a special licence has been granted

It's also an offence to obstruct an inspector in the course of their duties.

How to collect FRM

Make sure you register as a supplier before you begin to collect FRM.

You must:

- get permission from the owner of the collection site, or their agent, before starting work
- use the <u>Land Information Search</u> to find out if there are any designations or other sensitivities about the site that might need to be taken into account

You must provide the following details at least 14 days before collecting starts:

- your name, address and contact details
- place of collection including a grid reference of collection site
- species to be collected
- basic material reference in the National Register, or for source identified (SI) material
- region of provenance or seed zone download the seed zone map (PDF, 1.54MB, 1 page)

for more information

proposed date and duration of collection

Download and submit <u>form FRM7</u> to notify the Forestry Commission that you intend to collect tree seed.

Market and supply FRM — master certificates

Master certificates set out information relevant to each specific collection of FRM, such as:

- quantity
- species
- provenance
- origin

Each certificate has a unique number to identify that collection — it must refer to a single entry in the national register of basic material — see above.

The master certificate number allows the Forestry Commission to trace the FRM from collection to planting. You must keep master certificates for a minimum period of 5 years.

How to get a master certificate

Complete one or more of the following forms according to your FRM:

- FRM4A seed sources and stands
- FRM4B seed orchards or parents of family
- FRM4C clones and clonal mixtures
- FRM4c Aspen A reproductive material derived from clones/clonal mixtures of Populus tremula L
- FRM4c Aspen B cuttings from recently selected clones, not already covered by a licence to market
- FRM4c Aspen C application for a licence to market a clonal mixture

When to apply

You must apply to the Forestry Commission for a master certificate within 9 months of collection or before marketing FRM, whichever is earlier.

Supplier's document - when you need to provide one

Each time you market seed or plants grown from material covered by a master certificate you must give a supplier's document to the buyer at the time of delivery.

See the FRM supplier's document and example — for multifunctional forestry.

The supplier's document gives the following information:

- all the information required by the master certificate
- quantity of FRM supplied
- name of the supplier
- master certificate number
- additional information as required

You must issue a supplier's document whenever you market material at any stage in the production of planting stock for a single collection, not just when the original collector markets material.

Whenever you market seed, a seed test certificate must also be copied to the recipient. Seed testing is carried out by approved seed testers.

Read the

Forestry Commission seed testing guidelines (PDF, 715KB, 55 pages)

and

further guidance on seed testing
(PDF, 42.6KB, 7 pages)

for more information.

Approved seed testers

These are the nurseries that are currently approved by the Forestry Commission to test seed. Download the list of Forestry Commission approved seed testers (PDF, 9.37KB, 1 page)

Keep your documents

You must retain the following documents, or copies of them:

- notification to the Forestry Commission of the intention to collect FRM and a written record of the owner's consent to collection
- master certificates
- seed testing information
- supplier's labels or documents
- special licences for marketing issued by the Forestry Commission
- information supplied to the Forestry Commission relating to the movement of FRM to another EU member state
- plant passports

It's recommended that you keep master certificates until the FRM to which they relate no longer exists.

The Forestry Commission can require other documents to be kept by giving you notice.

You must make all documents — including books, maps, plans or photographs — available for inspection by the Forestry Commission and copies may be taken. This also applies to documents you hold in digital form.

What you must do to import and export FRM

You can import FRM from countries outside the EU, referred to as third countries, where their certification scheme is recognised in the EU as

equivalent to the EU scheme. Before you do this, you must get approval from the Forestry Commission. You can do this using email (see contact details below), stating that you intend to import from a third country.

In exceptional circumstances of short supply, the EU may authorise the marketing of FRM that does not meet the standards of the directive. This is referred to as derogation.

You must notify the Forestry Commission if you export FRM to another EU member state. See section 3 of Issue 4, July 2014 (PDF, 98.1KB, 3 pages)

for more detail.

Voluntary scheme

The Forestry Commission manages a voluntary scheme for the certification of native trees and shrubs (The Voluntary Scheme) that aren't controlled by the regulations. It was set up in 1999. You have to follow the same procedures to join the scheme as you would for those species controlled under the regulations.

The Voluntary Scheme has increased the number of native species included in the list of controlled species.

The scheme uses the 24 native seed zones (as shown on seed zone map (PDF, 1.54MB, 1 page)

). The native seed zones are a non-statutory sub-division of the statutory regions of provenance (for native species only). The regions of provenance have been split into 24 smaller native seed zones based on information about climate and geological variation. These seed zones are also divided into 2 altitude bands, above and below 300 metres.

Sign up for FRM news

Any FRM registered supplier is added to the email distribution list of the FRM newsletters, unless you choose to opt out.

If you're not currently on the distribution list but would like to be included, you can send your request to: frm@forestry.gsi.gov.uk

Read past FRM newsletters

Issue 5, December 2015 (PDF, 406KB, 4 pages)

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Issue 4, July 2014
(PDF, 98.1KB, 3 pages)

Issue 3, October 2013
(PDF, 60.5KB, 4 pages)

Issue 2, June 2012
(PDF, 492KB, 5 pages)

Issue 1, December 2008
(PDF, 310KB, 4 pages)
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Appeal a Forestry Commission decision

You have the right to appeal against any Forestry Commission decisions, including:

- refusal to approve basic material
- withdrawal or amendment of approval of basic material
- time or production limits placed on the propagation of clones or clonal mixtures
- refusal to issue a master certificate
- refusal to register a supplier, or removal of a supplier's name from the register of suppliers
- refusal to grant a special licence
- refusal to approve seed testing practices as internationally acceptable techniques
- refusal to accept certain methodologies used in the application for approval of Basic Material in the Qualified and Tested categories

Contact the Forestry Commission for details on how to appeal as soon as you receive notification of the decision. You must send your appeal in writing. Procedures related to the Forestry Commission's decision must be suspended when you raise an appeal until you know the final outcome of the appeal.

Contact the Forestry Commission

For the national register of basic material and all matters related to basic material, register of suppliers, imports and exports, and queries on the FRM regulations, contact:

Forest Reproductive Material Manager

Forestry Commission

Silvan House

231 Corstorphine Road

Edinburgh

EH12 7AT

Phone: 0300 067 5041 Fax: 0131 314 6148

Email: frm@forestry.gsi.gov.uk

For seed collection notifications and queries, master certificates queries and applications and general FRM enquiries contact:

FRM Admin support

Forestry Commission

Silvan House

231 Corstorphine Road

Edinburgh

EH12 7AT

Phone: 0300 067 5129 Fax: 0131 314 6148

Email: frm@forestry.gsi.gov.uk

Corporate report: Business Impact Target - Non-Qualifying Regulatory Provisions summary list

Under the Small Business, Enterprise and Employment Act 2015, the Forestry Commission, as a regulator, is required to publish a summary of Non-Qualifying Regulatory Provisions each year.

<u>Detailed guide: Planning applications</u> <u>affecting trees and woodland</u>

Updated: The statement from the National Planning Policy Framework on development resulting in the loss or deterioration of irreplaceable habitats has been updated. The updated statement is under the 'Ancient woodland and the planning system' sub-heading.

Areas of woodland may be material considerations in planning decisions. Trees and woodlands are key components of <u>green infrastructure</u> and can help create resilient, sustainable places to live in. Management and creation of woodlands can also be promoted through the planning system.

When considering felling trees related to development, consents for tree felling may be required under different regimes, even if a planning application is not needed. These regimes include <u>felling licences</u> and <u>Environmental Impact Assessments</u>.

The Forestry Commission is a statutory consultee for:

- nationally significant infrastructure projects that could affect forests and woodlands
- conditions on the after-use of minerals sites for forestry

The Forestry Commission is also a non-statutory consultee on development affecting or within 500m of ancient woodland.

Ancient woodland and the planning system

Ancient woodland is an irreplaceable habitat. The National Planning Policy Framework states that:

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists

Advice on how to handle planning applications affecting ancient woodlands is set out in the <u>Standing Advice on Ancient Woodlands and Veteran Trees</u>. You can also read the

Ancient Woodland and Veteran Trees: Assessment Guide to potential impacts in relation to planning decisions

(PDF, 112KB, 7 pages)

for further support in assessing these applications.

Felling trees on development sites

You need a <u>felling licence</u> from the Forestry Commission to fell trees, unless an exemption applies. Full planning permissions, where standing trees would impede the approved development, do not need to directly specify the trees to be felled in their application. However, where there's a desire to remove standing trees, and those trees are not, for example, within the approved footprint of a structure to be constructed, then those trees would need to be explicitly referenced in the planning application and permission in order to allow for their legal felling. Don't assume that all trees included within the 'red line' of an application are implicitly allowed to be felled.

Outline planning permission doesn't provide an exemption to the regulations that control tree felling in the Forestry Act 1967. This is because, until the reserve matters have been addressed and discharged by your local planning authority, your development may not proceed. Consequently there's no immediate requirement for the tree felling under the planning consent.

The Forestry Commission will only issue a felling licence if your proposals for tree felling are consistent with good forestry practice as outlined in the <u>UK Forestry Standard</u>. Typically a licence will require restocking (replanting).

Tree Preservation Orders

Other legal controls on tree felling are mainly covered by <u>tree preservation</u> <u>orders</u> and the <u>Hedgerow Regulations</u>. Both areas of regulation are administered by local planning authorities.

Without planning permission or a felling licence, felling trees may be an offence. That's why it's important to ensure that trees that you wish to remove for development are within the area included for full planning permission. An offence under the Forestry Act (as amended) may lead to a Notice being issued that requires the land to be restocked with trees, and for those trees to be maintained for 10 years. Such a Notice can be issued with or without a prosecution for the offence.

The developer is responsible for ensuring that any necessary permissions, consents and permits are in place when required. If tree felling related to development is carried out without the necessary planning permission or felling permission, this may lead to enforcement action.

Environmental Impact Assessment

The Forestry Commission is the competent authority under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999. Local authorities are the competent authority under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The relationship between the 2 sets of regulations can be complex, so you may

need to seek further advice from the Forestry Commission regarding trees and woodlands.

As part of the planning process, the local authority will provide a screening opinion as to whether or not an Environmental Impact Assessment (EIA) is needed under the Town and Country Planning Regulations. If an EIA is not considered under these regulations, you may need consent from us if your proposal includes:

- afforestation
- deforestation (the removal of trees and woodlands)
- forest roads
- forestry quarries

Find out more about Environmental Impact Assessments.

Further information

The <u>UK Forestry Standard(UKFS)</u> sets out the UK government's approach to sustainable forest management.

The

UK Forestry Standard for planners
(PDF, 166KB, 4 pages)

highlights how those engaged in planning in England can use the UKFS to help inform planning decisions that involve woodlands and forests. This note is intended for planners in England only, although the UKFS covers the whole of the UK.

The UKFS for planners can help by:

- summarising the legislation that affects trees and woodlands
- clarifying the roles of the Forestry Commission and local planning authorities when dealing with woodland cases
- setting an appropriate standard for when woodland management or creation are to be covered by planning conditions or Section 106 agreements

You can also find information about land designations or features that may impact on your proposed development by using:

- the Land Information Search (LIS)
- MAGIC

Public registers

The register of Grant scheme and Felling applications details grant applications to carry out new planting, and applications for tree felling proposals (except for thinning only), and allows users 28 days to comment on proposals. The register of Environment Impact Assessments details decisions that the Forestry Commission makes about whether proposals will have a significant effect on the environment. Details of the case and our decision

at the initial assessment (opinion) are shown. Where our consent to carry out the work is required, details of 2 further stages are displayed.

Access the Forestry Commission public registers and find out about how the Forestry Commission consults on applications.

When to contact the Forestry Commission

Contact your nearest <u>Forestry Commission area office</u> for individual advice that's not covered on this page.

For national applications or consultations, contact our national office.

<u>Detailed guide: Cross-compliance for woodland owners and managers</u>

For clarification by the Forestry Commission on cross-compliance and how it affects you as a woodland owner or manager, read Cross-compliance requirements for forests/woodland: operations note 38. This gives you information on:

- cross-compliance in the Common Agricultural Policy (CAP) programme 2014 to 2020 for woodland (forest)
- the two separate sets of standards specific requirements relating to European Regulations, known as 'Statutory Management Requirements' (SMRs) and standards for 'Good Agricultural and Environmental Condition' (GAEC) of land
- when and how you need to comply with cross-compliance rules
- which woodland schemes and payments are affected
- breaches and sanctions
- exemptions and derogations

Read broader guidance for farmers and landowners on how you must <u>follow</u> <u>cross-compliance rules</u> from 1 January 2018 if you claim for the <u>Basic Payment Scheme (BPS)</u>, a Countryside Stewardship scheme or the English Woodland Grant Scheme (EWGS).

Find out more about about <u>Countryside Stewardship and woodland support.</u>