

# FSC National Risk Assessment

For the United Kingdom of Great Britain and Northern Ireland

DEVELOPED ACCORDING TO PROCEDURE FSC-PRO-60-002 V3-0

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## Risk designations in finalized risk assessments for the UK

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	<a href="#">Low risk</a>
1.2	<a href="#">Not applicable in the UK</a>
1.3	<a href="#">Low risk</a>
1.4	<a href="#">Low risk</a>
1.5	<a href="#">Not applicable in the UK</a>
1.6	<a href="#">Low risk</a>
1.7	<a href="#">Low risk</a>
1.8	<a href="#">Low risk</a>
1.9	<a href="#">Low risk</a>
1.10	<a href="#">Low risk</a>
1.11	<a href="#">Low risk</a>
1.12	<a href="#">Low risk</a>
1.13	<a href="#">Not applicable in the UK</a>
1.14	<a href="#">Not applicable in the UK</a>
1.15	<a href="#">Not applicable in the UK</a>
1.16	<a href="#">Low risk</a>
1.17	<a href="#">Low risk</a>
1.18	<a href="#">Not applicable in the UK</a>
1.19	<a href="#">Low risk</a>
1.20	<a href="#">Low risk</a>
1.21	<a href="#">Low risk</a>
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	<a href="#">Low risk</a>
2.2	<a href="#">Low risk</a>
2.3	<a href="#">Low risk</a>
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	<a href="#">Low risk</a>
3.1	<a href="#">Low risk</a>
3.2	<a href="#">Low risk</a>
3.3	<a href="#">Low risk</a>
3.4	<a href="#">Low risk</a>
3.5	<a href="#">Low risk</a>
3.6	<a href="#">Low risk</a>
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	<a href="#">Low risk</a>
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	<a href="#">Low risk</a>

## Background information

This FSC Controlled Wood National Risk Assessment (NRA) was developed according to FSC-PRO-60-002 V3-0 EN *The Development and Approval of FSC National Risk Assessments* and FSC-PRO-60-002a V1-0 EN *FSC National Risk Assessment Framework*. The process timeline was as follows:

Process step	Date
Approval of the NRA proposal by PSU	August 2017
First draft development	August-October 2017
First draft submission to PSU	October 2017
Review by PSU	November-December 2017
Implementation of amendments	January-February 2018
Public consultation on first draft	February-April 2018
Stakeholder feedback analysis	April 2018
Final draft development	May-June 2018
Final draft submission to PSU	July 2018
Review by PSU	July-August 2018
Implementation of amendments	September-November 2018
Approval of the NRA	December 2018

NRA development was carried out by a chamber balanced working group. The members of the group, drawn from the UKWAS Steering Group as the registered FSC standard development group in the UK, are listed in the table below.

Name	Chamber	Qualifications
Ewan McIntosh	Economic	Representing the Confederation of Forest Industries (Confor) on behalf of woodland owners, forestry practitioners and the wood processing industry
Stuart Wilkie	Economic	Representing the Institute of Chartered Foresters (ICF) on behalf of forestry practitioners
Gordon Pfetscher	Environmental	Representing the Woodland Trust as an environmental organisation
Siân Williams (May 2016-April 2018) & Sheila George (April 2018 onwards)	Environmental	Representing the Royal Society for the Protection of Birds (RSPB) as an environmental organisation
Andrew Heald	Social	Representing the Confederation of Forest Industries (Confor) on behalf of forestry workers
Paul Williamson	Social	Representing the British Association for Shooting and Conservation (BASC) as a forest user organisation

To contact members of the NRA-WG, please e-mail [info@fsc-uk.org](mailto:info@fsc-uk.org) in the first instance.

Details of the public consultation process may be found in Annex 3.

**Note 1:** The geographical scope of this risk assessment is the United Kingdom of Great Britain and Northern Ireland, i.e. it covers England, Scotland, Wales and Northern Ireland, but does not cover the Crown Dependencies or British Overseas Territories. For clarity, the scale at which individual elements of this risk assessment apply is specified as UK, or the individual constituent nations.

**Note 2:** Numbers in square brackets are references to sources listed in Annex 1.

## List of experts involved in the risk assessment

Name	CW category	Qualifications
Elaine Dick	1	Technical Communications, Forest Research; provided statistics on the enforcement of environmental impact assessment regulations.
John Griffin	1	Forest Officer, Grants & Regulations Branch, Northern Ireland Forest Service; provided information on Northern Ireland legislation and statistics on the enforcement of felling licence regulations.
Richard Howe	1	International Forestry, Standards and Certification, Forestry Commission; provided statistics on the enforcement of felling licence regulations.
Emma Goldberg	1	Senior Forestry and Woodland Specialist, Natural England; clarified roles and responsibilities regarding enforcement of legislation in relation to protected species and protected sites.
Iwan G. Hughes	1	Permitting Service Manager, Natural Resources Wales; clarified roles and responsibilities regarding enforcement of legislation in relation to protected species and protected sites.
Heidi Edwards	1	Statistician, Health and Safety Executive; provided statistics on the enforcement of health and safety legislation in the forest sector.
Forestry Commission Trade Unions	2	FCTU is a democratic partnership of the trade unions currently recognised in the Forestry Commission (Public and Commercial Services Union (PCS), Unite, Prospect, GMB and First Division Association (FDA)); provided information on collective bargaining and gender wage inequality.
Ian Halfpenney	3	Regional Inspector of Ancient Monuments and Archaeology (North West Wales), Cadw; policy lead for forestry and farming; provided information on the impact of forest management activities on features of the historic environment in Wales.
Luci Ryan	3, 4	Ecological Impact Assessor (Woodland Specialist), Woodland Trust; provided information on threats to ancient woodland.
Andy Leitch	5	Timber Development Policy Advisor, FC Scotland; confirmed policy position on the use of genetically modified trees.

To contact any of these experts, please e-mail [info@fsc-uk.org](mailto:info@fsc-uk.org) in the first instance.

## National Risk Assessment maintenance

The body responsible for the maintenance of this risk assessment is FSC UK. The NRA will be reviewed at least every five years according to the procedure FSC-PRO-60-002 V3-0 EN *The Development and Approval of FSC National Risk Assessments*, taking into account information collected during its period of validity. Any comments or new evidence relevant to the risk assessment should be submitted to FSC UK via [info@fsc-uk.org](mailto:info@fsc-uk.org). Information received will be evaluated to establish the need for updating the NRA when there is no change in risk determination and/or risk mitigation means, or revising the NRA when a change in risk determination and/or risk mitigation means are required or likely.

Much of this risk assessment depends on UK and legislation, not only in the assessment of illegally harvested wood (category 1), but also in terms of the legislation protecting human rights (category 2), protecting important species, habitats and cultural sites (category 3), protecting semi-natural woodland from conversion (category 4), and controlling the use of genetically modified organisms (category 5). As such, any significant changes to UK legislation will have a material effect on this risk assessment. The vote to leave the European Union may lead to such changes in due course, and significant changes may also arise if, for example, the UK Government chooses to implement the recommendations of the Law Commission report on wildlife law. This risk assessment will be reconsidered and if necessary revised in response to any such changes.

## Complaints and disputes regarding the approved National Risk Assessment

Complaints regarding this risk assessment should be submitted to FSC UK via [info@fsc-uk.org](mailto:info@fsc-uk.org).

Information on how FSC UK handles complaints may be found at <http://www.fsc-uk.org/en-uk/contact-fsc-uk/dispute-resolution>. Where a complaint does not relate specifically to this risk assessment, but rather to the controlled wood system in general, controlled wood or other FSC standards or procedures (e.g. FSC-STD-40-005 V3-1 EN *Requirements for Sourcing FSC Controlled Wood*, or FSC-PRO-60-002 V3-0 EN *The Development and Approval of FSC National Risk Assessments*), the use of the risk assessment by an FSC certificate holder, or the auditing of controlled wood requirements by a certification body, the complaint shall be forwarded to the appropriate complaint handling body as per section 2 of FSC-PRO-01-008 V2-0 EN *Processing Complaints in the FSC Certification Scheme*.

A registry of complaints regarding this risk assessment shall be maintained by FSC UK. This registry shall include a record of the receipt of each complaint, actions taken, and the outcome.

No complaints were received regarding the previous version of this risk assessment.

## List of key stakeholders for consultation

The following table lists the stakeholders identified as per clauses 5.2 and 5.3 and Annex A of FSC-PRO-60-006 V3-0 EN *The Development and Approval of FSC National Risk Assessments* who were contacted during the consultation process for this risk assessment. Details of the public consultation process may be found in Annex 3.

Category	Organisation
<b>1. Economic interests</b>	
a) Forest owners and/or managers of large, medium and small forests; high-, medium- and low-intensity managed forests	Royal Forestry Society
	Royal Scottish Forestry Society
	Country Land and Business Association
	Scottish Land and Estates
	Royal Institute of Chartered Surveyors
	National Farmers' Union
	NFU Scotland
	Farmers' Union of Wales
	Ulster Farmers' Union
	Small Woods Association/Coed Lleol
	National Coppice Federation
Continuous Cover Forestry Group	
b) Forest contractors (including loggers)	Forestry Contracting Association
	British Horse Loggers
c) Representatives of forest workers and forest industries	Institute of Chartered Foresters
	Confederation of Forest Industries
	UK Forest Products Association
	Wood Panel Industries Federation
d) Certificate holders	All current UK FM/COC certificate holders
<b>2. Social interests</b>	
a) NGOs involved or with an interest in social aspects of forest management and other related operations	Community Woodlands Association
	Llais y Goedwig
	National Forest Company
b) Forest workers	Forest Industry Safety Accord
	Road Haulage Association
c) International, national and local trade/labour unions	Forestry Commission Trade Unions (General and Municipal, Prospect, Public and Commercial Services Union, and Unite)
d) Representatives of local communities involved or with an interest in forest management, including those relevant for HCVs 5 and 6	Local Government Association
	National Association of Local Councils
	Action with Communities in Rural England
	Northern Ireland Local Government Association
	Scottish Community Councils
	Convention of Scottish Local Authorities
	Welsh Local Government Association
	One Voice Wales
National Park Authorities	
e) Representatives of indigenous peoples and/or traditional peoples (if present and/or holding rights), including those relevant for HCVs 5 and 6	Not applicable in the UK

Category	Organisation
f) Representatives of recreation interests	The Ramblers
	Ramblers Scotland
	Ramblers Cymru
	British Mountaineering Council
	Mountaineering Scotland
	Mountaineering Ireland
	British Association for Shooting and Conservation
	National Trust
	National Trust for Scotland
	Sport and Recreational Alliance
	Campaign to Protect Rural England
	Campaign for the Protection of Rural Wales
	Campaign for National Parks
<b>3. Environmental interests</b>	
a) NGOs involved or with an interest in the environmental aspects of forest management. Consultation should target the following areas of interest and expertise: <ul style="list-style-type: none"> <li>• Biological diversity</li> <li>• Water and soil</li> <li>• Environmental-related High Conservation Values</li> </ul>	Buglife
	Butterfly Conservation
	Friends of the Earth
	Friends of the Earth Northern Ireland
	Friends of the Earth Scotland
	Friends of the Earth Cymru
	Greenpeace UK
	John Muir Trust
	Plantlife
	Royal Society for the Protection of Birds
	Wildlife Trusts
	Woodland Trust
	WWF UK
	Wildlife and Countryside Link
	Northern Ireland Environment Link
	Scottish Environment Link
Wales Environment Link	
Geological Society of London	
b) Local communities and indigenous peoples' representatives (HCVs 5 and 6)	Representative organisations as for 2(d), above
<b>4. FSC-accredited certification bodies active in the country</b>	
	Control Union
	SGS
	Soil Association
<b>5. National and state forest agencies</b>	
	Forestry Commission GB
	Forestry Commission England/Forest Enterprise England
	Forestry Commission Scotland/Forest Enterprise Scotland
	Northern Ireland Forest Service
	Natural Resources Wales
	Welsh Government
<b>6. Experts with expertise in Controlled Wood categories</b>	
	See separate list of experts above



<b>Category</b>	<b>Organisation</b>
<b>7. Research institutions and universities</b>	Forest Research
	Centre for Ecology and Hydrology
	James Hutton Institute
	Bangor University
	Scotland's Rural College (SRUC)
	University of Aberdeen
	University of Cumbria
	University of the Highlands and Islands
	University of Oxford
<b>8. FSC Regional Offices, FSC Network Partners, registered Standard Development Groups and NRA Working Groups in the region</b>	FSC Europe Regional Office
	FSC UK
	UKWAS
	Other SDGs and NRA-WGs developing NRAs in Europe
<b>Any other stakeholder groups relevant for the NRA process under national/regional conditions</b>	
Statutory nature conservation and countryside agencies	Natural England
	Northern Ireland Environment Agency
	Scottish Natural Heritage
	Natural Resources Wales
Statutory environment protection agencies	Environment Agency
	Northern Ireland Environment Agency
	Scottish Environment Protection Agency
	Natural Resources Wales
Statutory historic environment agencies	Historic England
	Historic Environment Division (NI)
	Historic Environment Scotland
	Cadw

## Overview of UK forests

The woodland area as of 31 March 2018 was 3.17 million hectares and represented 13 % of the total land area in the UK: 10 % in England, 8 % in Northern Ireland, 19 % in Scotland, and 15 % in Wales. Of the total UK woodland area, 0.86 million hectares (27 %) is publicly owned or managed by the Forestry Commission (in England and Scotland), the Forest Service (in Northern Ireland), or Natural Resources Wales (in Wales). The remaining 2.31 million hectares (73 %) is private sector woodland [1].

The total certified woodland area in the UK in 2018 was 1.38 million hectares, including all publicly owned or managed woodland. Overall, 43 % of the UK woodland area is certified [1].

Conifers make up approximately half (51 %) of the UK woodland area, although this varies from around one quarter (26 %) in England to around three quarters (74 %) in Scotland. Detailed breakdowns by species are only available for England, Scotland and Wales. The non-native Sitka spruce (*Picea sitchensis* (Bong.) Carrière) makes up around one half (51%) of the conifer area in Great Britain, followed by the native Scots pine (*Pinus sylvestris* L.) (17 %) and non-native larches (*Larix* spp.) (10 %). Sitka spruce is less dominant in England, making up only a quarter (26%) of the conifer area there. The most common broadleaved species by area in Great Britain are birches (*Betula* spp.) (making up 18 % of broadleaf woodland), oaks (*Quercus* spp.) (16 %) and Ash (*Fraxinus excelsior* L.) (12 %). Birches are more dominant in Scotland, making up 43 % of the broadleaf area there [1].

While the UK has no truly natural forest, there are around 650,000 ha of semi-natural woodland, of which approximately 340,000 hectares (around 1.2 % of the UK land area) are identified as ancient semi-natural woodland (ANSW). This is mainly made up of broadleaved species, but also includes native Scots pine forests in Highland Scotland [2].

In addition to national forestry policies and strategies in England, Northern Ireland, Scotland and Wales, the *UK Forestry Standard* (UKFS) [2], provides a framework for the delivery of international agreements on sustainable forest management. As the 'governments' approach to sustainable forestry', UKFS is the reference standard for forestry regulation in the UK.

The UK reports at intervals of around five years on indicators developed by the FAO Global Forest Resources Assessment [3] and Forest Europe. These indicators show the extent and condition of forests and woodlands, together with environmental, social and economic aspects of sustainable forest management.

# Risk assessments

## Controlled wood category 1: Illegally harvested wood

### Overview

This category covers risk assessment of illegality and includes identification of applicable legislation and an assessment of law enforcement. Indicators for legality assessment are divided into six sub-categories of applicable legislation:

- Legal rights to harvest
- Taxes and fees
- Timber harvesting
- Third parties' rights
- Trade and transport
- Due diligence/due care

Indicators are considered not applicable when there are no relevant laws or regulations.

According to Transparency International's 2017 Corruption Perceptions Index ([https://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2017](https://www.transparency.org/news/feature/corruption_perceptions_index_2017)), which measures perceived levels of public sector corruption in countries around the world using a score of 0-100 (where 0 is highly corrupt and 100 is very clean), the UK was ranked equal 8h (alongside Canada, Luxembourg and the Netherlands) out of 180 countries assessed. It scored a corruption index of 82, meaning it has a very low perception of corruption.

The 2017 Worldwide Governance Indicators compiled by the World Bank (<http://info.worldbank.org/governance/wgi/index.aspx#reports>) show that the UK was in the 95.19 percentile rank for regulatory quality among all countries in the world in 2016 (down from 95.26 in 2011), the 91.83 percentile rank for rule of law (down from 92.49), and the 94.23 percentile rank for control of corruption (up from 92.42).

**Note:** All UK legislation is freely available online at <http://www.legislation.gov.uk/>. Readers should be aware that most legislation has been amended by subsequent legislation, and that, while the extensive range of amending legislation has not been listed in this risk assessment, full account has been taken of relevant amendments,

### Experts consulted

	Name	Organization	Area of expertise (indicator(s))
1.	Elaine Dick	Forest Research	1.3, 1.8
2.	John Griffin	Northern Ireland Forest Service	1.3, 1.4
3.	Richard Howe	Forestry Commission	1.3, 1.4, 1.8
4.	Emma Goldberg	Natural England	1.9
5.	Iwan G. Hughes	Natural Resources Wales	1.9
6.	Heidi Edwards	Health and Safety Executive	1.11

## Sources of legal timber in the United Kingdom

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification	
Ancient Semi-natural Woodland (ANSW) – semi-natural woodland that has been in continuous existence since 1600 (1750 in Scotland)	Felling licences	In England, Scotland and Wales, minimum requirements are a description of felling operations, proposed restocking, an assessment of legal restrictions such as Tree Preservation Orders, and a map. A felling licence may be associated with a full management plan if it is issued as part of a grant application.	There are exemptions to felling licence requirements, for example for trees in gardens, for felling less than a certain volume in a calendar quarter, for felling trees under a certain diameter depending on the type of operation, or for felling trees that are dangerous or cause a nuisance. There are also exemptions for other legal permissions, for example planning permission, or legal requirements, for example to comply with a statutory plant health notice.	
Other Semi-natural Woodland (OSNW)		In Northern Ireland, all licence applications must include a Felling Management Plan which requires additional information on the characteristics of the woodland, maintenance and protection operations, and management objectives.	Apart from exemptions for specific situations such as gardens and churchyards, felling licence requirements apply to all woodlands, whether of natural or planted origin and regardless of ownership, except that in Northern Ireland the requirements do not apply to the felling of trees by a government department.	
Plantations on Ancient Woodland Sites (PAWS) – plantations on sites that have been continuously wooded since 1600 (1750 in Scotland)				
Other plantations				

**Note:** Throughout this document, the terms forest and woodland are used interchangeably to refer to all types of wooded land, regardless of origin or intensity of management. Unless specific reference is made to semi-natural woodland, these terms include plantations. ASNW and OSNW are both sub-sets of semi-natural woodland. PAWS and other plantations are both subsets of plantations. ASNW and PAWS are both sub-sets of woodlands on ancient woodland sites.

## Risk assessment

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
<b>Legal rights to harvest</b>			
1.1 Land tenure and management rights	<p><b>Applicable laws and regulations</b></p> <p><i>Land tenure - England and Wales</i>            Law of Property Act 1925 (Section 193)            Settled Land Act 1925 (Sections 41, 48 and 66)            Land Charges Act 1972            Trusts of Land and Appointment of Trustees Act 1996            Land Registration Act 2002            The Land Registration Rules 2003</p> <p><i>Land tenure - Scotland</i>            The Registration Act 1617 c.16            Public Records (Scotland) Act 1809            Act of Sederunt 10 July 1811            Titles to Land Consolidation (Scotland) Act 1868            Land Registers (Scotland) Act 1868            Judgments Extension Act 1868            Conveyancing (Scotland) Act 1924            Public Registers and Records (Scotland) Act 1948            Land Registration (Scotland) Act 1979            Civil Jurisdiction and Judgments Act 1982            Register of Sasines (Scotland) Act 1987            Scotland Act 1998 (section 38(1))            Public Finance and Accountability (Scotland) Act 2000            Title Conditions (Scotland) Act 2003            Land Reform (Scotland) Act 2003            Agricultural Holdings (Scotland) Act 2003 (Part 3)            Nature Conservation (Scotland) Act 2004 (Section 22)</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• HM Land Registry (<a href="https://www.gov.uk/government/organisations/land-registry">https://www.gov.uk/government/organisations/land-registry</a>)</li> <li>• Land Registration Division of the First Tier Tribunal (<a href="http://landregistrationdivision.decisions.tribunals.gov.uk/Public/Search30May.aspx">http://landregistrationdivision.decisions.tribunals.gov.uk/Public/Search30May.aspx</a>)</li> <li>• Land and Property Services (<a href="https://www.finance-ni.gov.uk/land-property-services-lps">https://www.finance-ni.gov.uk/land-property-services-lps</a>)</li> <li>• Lands Tribunal (<a href="https://www.justice-ni.gov.uk/articles/lands-tribunal">https://www.justice-ni.gov.uk/articles/lands-tribunal</a>)</li> <li>• Registers of Scotland (<a href="https://www.ros.gov.uk/">https://www.ros.gov.uk/</a>)</li> <li>• Lands Tribunal for Scotland (<a href="http://www.lands-tribunal-scotland.org.uk/decisions/land-register-appeals">http://www.lands-tribunal-scotland.org.uk/decisions/land-register-appeals</a>)</li> <li>• Companies House (<a href="https://www.gov.uk/government/organisations/companies-house">https://www.gov.uk/government/organisations/companies-house</a>)</li> <li>• Insolvency Service (<a href="https://www.gov.uk/government/organisations/insolvency-service">https://www.gov.uk/government/organisations/insolvency-service</a>)</li> <li>• Serious Fraud Office (<a href="https://www.sfo.gov.uk/">https://www.sfo.gov.uk/</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b>  <i>Note: Risk may be encountered where land rights have not been issued according to prevailing regulations and where corruption has been involved in the process of issuing land tenure and management rights. The intent of this indicator is to ensure that any land tenure and management rights have been issued according to the legislation.</i></p> <p><i>Overview of Legal Requirements</i>            Legal ownership of land is recorded by various statutory land registries (HM Land Registry in England and Wales, Land and Property Services in Northern Ireland, and Registers of Scotland).</p> <p>Under the Companies Act 2006, limited companies in the UK must be registered with Companies House (the organisation whose officers include the Registrar of Companies for England and Wales, the Registrar of Companies for Northern Ireland, and the Registrar of Companies for Scotland). Companies, partnerships, sole traders etc. must be registered with HM Revenue &amp; Customs for the payment of relevant taxes.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>Crofting Reform (Scotland) Act 2010 Land Registration etc. (Scotland) Act 2012</p> <p><i>Land tenure - Northern Ireland</i> Land Registration Act (Northern Ireland) 1970</p> <p><i>Business Registration - UK</i> Companies Act 2006</p> <p><b>Legal Authority</b> <i>Land tenure - England and Wales</i> HM Land Registry Land Registration Division of the First Tier Tribunal</p> <p><i>Land tenure - Northern Ireland</i> Land and Property Services Lands Tribunal</p> <p><i>Land tenure - Scotland</i> Registers of Scotland Lands Tribunal for Scotland</p> <p><i>Business registration - UK</i> Companies House Insolvency Service Serious Fraud Office HM Revenue &amp; Customs (HMRC)</p> <p><b>Legally required documents or records</b> Documentation proving ownership (title) for privately owned (freehold) land, i.e. property certificate arising from a property title search or</p>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>• World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p>See also indicator 1.4 in relation to felling licensing, and indicators 1.6 and 1.7 in relation to taxes.</p> <p><i>Description of risk</i> Disputes over land registration are resolved through tribunals. Lists of decisions made by the Land Registration Division of the First Tier Tribunal in England and Wales (<a href="http://landregistrationdivision.decisions.tribunals.gov.uk/Public/Search30May.aspx">http://landregistrationdivision.decisions.tribunals.gov.uk/Public/Search30May.aspx</a>), the Lands Tribunal in Northern Ireland (<a href="https://judiciaryni.uk/judicial-decisions/type/lands_decision">https://judiciaryni.uk/judicial-decisions/type/lands_decision</a>), and the Lands Tribunal for Scotland in relation to Land Register appeals (<a href="http://www.lands-tribunal-scotland.org.uk/decisions/land-register-appeals">http://www.lands-tribunal-scotland.org.uk/decisions/land-register-appeals</a>), show that there are very few disputes in any given year, and only a very small proportion relate to forest land. Searches using the keywords 'forest' or 'woodland' reveal no cases in Northern Ireland or Wales and only one in England, which was decided in 2007. As Land Register appeals cannot be searched separately in Scotland, a wider search of tribunal decisions (<a href="http://www.lands-tribunal-scotland.org.uk/decisions/previous-decisions">http://www.lands-tribunal-scotland.org.uk/decisions/previous-decisions</a>) was carried out using the additional search term 'Land Registration'; this revealed three cases which were clearly related to forest land, two of which were decided in 2014 and the third in 2018. Where an appeal is successful, the relevant land register will be updated accordingly. In most cases, the unsuccessful party is</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>proof of leasehold arrangements for leased forest, such as:</p> <ul style="list-style-type: none"> <li>• Integrated Agriculture Control System (IACS) registration</li> <li>• Title deeds</li> <li>• Land registry records</li> <li>• Companies House records</li> </ul>		<p>expected to pay the successful party's legal costs.</p> <p>Complaints about limited companies may be addressed by the Insolvency Service, Companies House or the Serious Fraud Office (<a href="https://www.gov.uk/complain-about-a-limited-company">https://www.gov.uk/complain-about-a-limited-company</a>); see, for example, investigation and enforcement activity by the Insolvency Service (<a href="https://www.gov.uk/government/collections/insolvency-service-investigations-and-enforcement-what-we-do-our-outcomes-and-complaints">https://www.gov.uk/government/collections/insolvency-service-investigations-and-enforcement-what-we-do-our-outcomes-and-complaints</a>), including links to outcomes, which include the disqualification of company directors, the winding up of companies, and, in the most serious cases, prison sentences..</p> <p>For enforcement activity by HM Revenue &amp; Customs, see indicators 1.6 and 1.7.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p>In summary, in keeping with the overall low level of perceived public sector corruption and high quality of regulation in the UK, there is evidence</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>that legislation relating to land tenure and company registration is being enforced by the relevant authorities, with disputes and suspected failures in compliance investigated, and legal sanctions applied.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.2 Concession licenses	The NRA Working Group concludes that this indicator is not applicable, on the basis that forest concessions do not currently exist in the UK and there is no relevant legislation.	N/A	N/A
1.3 Management and harvesting planning	<p><b>Applicable laws and regulations</b> <i>Management planning - England, Scotland and Wales</i> Forestry Act 1967 (Part II)</p> <p><i>Management planning - Northern Ireland</i> Forestry Act (Northern Ireland) 2010 (Part 3) The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><i>Impact assessments - England and Wales</i> The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</p> <p><i>Impact assessments - Northern Ireland</i> Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Unpublished information on EIA consents and enforcement provided by Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales (Elaine Dick, pers. Comm., 10/10/18 and 15/10/18)</li> <li>• Forestry Commission public registers (<a href="http://www.forestry.gov.uk/publicregister">www.forestry.gov.uk/publicregister</a>)</li> <li>• DAERA public registers (<a href="https://www.daera-ni.gov.uk/articles/environmental-impact-assessment-public-register">https://www.daera-ni.gov.uk/articles/environmental-impact-assessment-public-register</a> and <a href="https://www.daera-ni.gov.uk/articles/environmental-impact-assessments">https://www.daera-ni.gov.uk/articles/environmental-impact-assessments</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Cases where required management planning documents are not in place or are not approved by competent authorities should be considered. Low quality of the management plan resulting in illegal activities may be a risk factor for this indicator as well.</i></p> <p><i>Overview of Legal Requirements</i> The Forestry Act (Northern Ireland) 2010 includes an explicit requirement for an applicant for a felling licence to submit a felling management plan. The particulars to be included in proposals for a felling management plan are set out in Schedule 3 of the Forestry (Felling of</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><i>Impact assessments - Scotland</i> The Environmental Impact Assessment (Forestry) (Scotland) Regulations 2017</p> <p><b>Legal Authority</b> <i>England and Scotland</i> Forestry Commission</p> <p><i>Northern Ireland</i> Forest Service</p> <p><i>Wales</i> Natural Resources Wales</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Felling management plan (in Northern Ireland)</li> <li>• Documented environmental impact assessment or 'Appropriate Assessment' where such has been requested by the appropriate forestry authority</li> </ul>	<ul style="list-style-type: none"> <li>• NRW public registers (<a href="https://naturalresources.wales/permits-and-permissions/tree-felling-and-other-regulations/public-register/?lang=en">https://naturalresources.wales/permits-and-permissions/tree-felling-and-other-regulations/public-register/?lang=en</a>)</li> <li>• <i>The UK Forestry Standard</i> [2]</li> </ul>	<p>Trees) Regulations (Northern Ireland) 2013. There is no equivalent explicit legal requirement for management planning in England, Scotland or Wales, although felling licence applications must include proposals for subsequent restocking or other land management.</p> <p>Proposals for new planting, deforestation, and the construction of forest roads and quarries come under the forestry provisions of the EU Environmental Impact Assessment (EIA) Regulations. Although implemented by separate regulations in England and Wales, Northern Ireland, and Scotland, requirements are essentially the same throughout the UK. Forestry proposals that may have significant environmental impacts will require an EIA before approval is granted. If an EIA is required, the applicant must prepare a comprehensive forest management plan, together with an exploration of the potential environmental impacts. The applicant must submit an Environmental Statement to the forestry authority, and this and the EIA will be made available to the public and to the various statutory environmental authorities.</p> <p>The <i>UK Forestry Standard</i> [2], which is the standard used by the forestry authorities when assessing felling licence applications, states that 'The overarching policy for the sustainable management of forests, woodlands and trees at a UK level is a presumption against the conversion of forest land to other land uses – unless there are compelling reasons in the public interest for</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>doing so'. As such, felling licences are usually issued subject to restocking conditions. Where unauthorised felling occurs, the forestry authorities have powers to require restocking. Removal of woodland, for example for open habitat restoration or for development, is likely to require an Environmental Impact Assessment.</p> <p>The forestry authorities make provision for anybody to comment on forestry proposals before a decision is reached. The mechanisms for doing this vary across England, Scotland, Wales and Northern Ireland, and with the significance and extent of the proposal. Consultation is more extensive where an Environmental Impact Assessment is involved.</p> <p>The Public Registers can be found on the Forestry Commission website for England and Scotland (<a href="http://www.forestry.gov.uk/publicregister">www.forestry.gov.uk/publicregister</a>) as follows</p> <ul style="list-style-type: none"> <li>• Grant scheme and felling applications: This Register details grant applications to carry out new planting, or other forestry work, and any felling included in the grant application. If only felling is proposed, details from the felling licence are published. A map displaying the boundary or location of the proposals can also be viewed.</li> <li>• Environmental Impact Assessments</li> </ul> <p>In Northern Ireland, DAERA provides opinions on forestry projects which are summarised in an EIA</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Public Register-(<a href="https://www.daera-ni.gov.uk/articles/environmental-impact-assessment-public-register">https://www.daera-ni.gov.uk/articles/environmental-impact-assessment-public-register</a>).</p> <p>Consultations on afforestation, deforestation and infrastructure are placed on the DAERA website for four weeks (<a href="https://www.daera-ni.gov.uk/articles/environmental-impact-assessments">https://www.daera-ni.gov.uk/articles/environmental-impact-assessments</a>).</p> <p>Natural Resource Wales provides Public Registers as follows (<a href="https://naturalresources.wales/permits-and-permissions/tree-felling-and-other-regulations/public-register/?lang=en">https://naturalresources.wales/permits-and-permissions/tree-felling-and-other-regulations/public-register/?lang=en</a>):</p> <ul style="list-style-type: none"> <li>• Felling licence register: gives a short summary of the applications received for a licence to fell growing trees</li> <li>• Forest resource plans: a core management document used on the Welsh Government's Woodland Estate.</li> <li>• Environmental Impact Assessments</li> </ul> <p><i>Description of risk</i>  Unpublished information has been received from Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales regarding the enforcement of environmental impact assessment regulations (Elaine Dick, pers. comm., 10/10/18 and 15/10/18). FC England, the Northern Ireland Forest Service and Natural Resources Wales provided information for financial years 2013/14 to 2017/18. FC Scotland</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>provided information for calendar years 2013 to 2017.</p> <p>For the five years from 2013/14 to 2017/18, Forestry Commission England received a total of 488 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, an average of around 98 per year. During that period, a total of eight projects were deemed to be relevant projects, fewer than two per year on average; EIA consents were granted for all of these projects. There were no reports of breaches of the Regulations in relation to afforestation, roads or quarries. Breaches in relation to deforestation would be investigated as an unlicensed felling under the Forestry Act 1967 (see indicator 1.4), but in addition in 2013/14 Forestry Commission England issued one Enforcement Notice for the deforestation of an ancient woodland site. The issuing of this Notice was appealed but it was upheld by the Secretary of State for Environment, Food and Rural Affairs following a detailed assessment of the case.</p> <p>These figures and associated figures for indicator 1.4 suggest that there is generally compliance with the Regulations in England, and that breaches are rare and are effectively followed up by the relevant forestry authority.</p> <p>For the five years from 2013/14 to 2017/18, the Northern Ireland Forest Service received a total</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>of 201 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006, an average of around 40 per year. During that period, a total of 17 projects were deemed to be relevant projects, around three per year; no applications for consent were received for these projects. Four enforcement actions were undertaken, all in 2017/18.</p> <p>These figures suggest that there is generally compliance with the Regulations in Northern Ireland, and that breaches are effectively followed up by the relevant forestry authority.</p> <p>For the five years from 2013 to 2017, Forestry Commission Scotland received a total of 1,166 requests for screening opinions under the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, or applications for an opinion whether a project is a relevant project under the previous Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999, an average of around 233 per year. During that period, a total of 20 projects were deemed to be relevant projects, an average of four per year; EIA consents were granted for 15 of these projects. Four suspected failures to comply with the Regulations were reported, two in 2016 and two in 2017; all four were investigated, and enforcement actions were undertaken in two cases.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>These figures suggest that there is generally compliance with the Regulations in Scotland, and that breaches are rare and are effectively followed up by the relevant forestry authority.</p> <p>For the five years from 2013/14 to 2017/18, Natural Resources Wales received a total of 401 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, an average of 80 per year. During that period, a total of 11 projects were deemed to be relevant projects, around two per year on average; EIA consents were granted for two of these projects. There were no reports of suspected failures to comply with the Regulations, and as such no enforcement action.</p> <p>These figures suggest that there is generally compliance with the Regulations in Wales.</p> <p>In summary, there is evidence of high levels of compliance with Environmental Impact Assessment Regulations. Rare cases of suspected failures in compliance are investigated by the relevant authorities, and enforcement action taken when necessary.</p> <p><i>Risk conclusion</i>  Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
1.4 Harvesting permits	<p><b>Applicable laws and regulations</b></p> <p><i>Penalties - UK</i> Regulatory Reform (Forestry) Order 2006 Criminal Justice Act 1982</p> <p><i>Felling licences - England, Scotland and Wales</i> Forestry Act 1967 (part II) The Forestry (Felling of Trees) Regulations 1979 The Forestry (Exceptions from Restriction of Felling) Regulations 1979 The Forestry (Modification of Felling Restrictions) Regulations 1985</p> <p><i>Felling licences - Northern Ireland</i> Forestry Act (Northern Ireland) 2010 (Part 3) The Forestry (Felling of Trees) (Calculation of the Area of Land) Regulations (Northern Ireland) 2013 The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><i>Other controls on felling - England</i> The Town and Country Planning (Tree Preservation) (England) Regulations 2012</p> <p><i>Other controls on felling - England and Wales</i> Wildlife and Countryside Act 1981 Town and Country Planning Act 1990</p> <p><i>Other controls on felling - England, Scotland and Wales</i> The Plant Health (Forestry) Order 2005</p> <p><i>Other controls on felling - Northern Ireland</i></p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Unpublished information on felling licensing and enforcement provided by Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales (Richard Howe, pers. Comm., 28/03/17 and 18/04/17)</li> <li>Joint Nature Conservation Committee protected areas designations directory (<a href="http://jncc.defra.gov.uk/page-1527">http://jncc.defra.gov.uk/page-1527</a>)</li> <li>Land Information Search for England (<a href="https://www.forestry.gov.uk/forestry/inf-6dfkmn">https://www.forestry.gov.uk/forestry/inf-6dfkmn</a>)</li> <li>Land Information Search for Scotland (<a href="https://map.environment.gov.scot/LIS_Agri/Agri.html">https://map.environment.gov.scot/LIS_Agri/Agri.html</a>)</li> <li>Lle geo-portal for Wales (<a href="http://lle.gov.wales/catalogue/item/FellingLicenceApplications/?lang=en">http://lle.gov.wales/catalogue/item/FellingLicenceApplications/?lang=en</a>)</li> <li>House of Commons Hansard (<a href="https://publications.parliament.uk/pa/cm/201415/cmhansrd/cm140910/text/140910w0001.htm">https://publications.parliament.uk/pa/cm/201415/cmhansrd/cm140910/text/140910w0001.htm</a>)</li> <li>Gov.UK website (<a href="https://www.gov.uk/government/publications/forestry-commission-enforcement-policy">https://www.gov.uk/government/publications/forestry-commission-enforcement-policy</a>)</li> <li>Northern Ireland Department of Agriculture, Environment and Rural Affairs (<a href="https://www.daera-ni.gov.uk/publications/dard-enforcement-policy">https://www.daera-ni.gov.uk/publications/dard-enforcement-policy</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to situations where required harvesting is carried out without valid permits or where these are obtained via illegal means such as bribery.</i></p> <p><i>Overview of Legal Requirements</i> The Forestry Act 1967 conveys wide powers to control felling and provide assistance to promote the interests of forestry, the development of afforestation, and the production and supply of timber in Great Britain. The Forestry Act was amended by the Wildlife and Countryside (amendment) Act 1985 and, in Scotland, by the Nature Conservation (Scotland) Act 2004 to take account of wider environmental considerations and to incorporate the concept of ‘a reasonable balance’ between the interests of forestry and the environment. In Northern Ireland, the Forestry Act (Northern Ireland) 2010 conveys wide powers to promote afforestation and sustainable forestry, to protect the environment and to promote recreational use. There are also powers to regulate felling.</p> <p>Under the Forestry Acts, it is illegal to fell trees without prior approval, although there are exceptions for trees below a specified size, dangerous trees, and very small-scale felling operations. Apart from exemptions for specific situations such as gardens and churchyards,</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>The Environment (Northern Ireland) Order 2002  The Plant Health Order (Northern Ireland) 2006  Planning Act (Northern Ireland) 2011  The Planning (Trees) Regulations (Northern Ireland) 2015</p> <p><i>Other controls on felling - Scotland</i>  Nature Conservation (Scotland) Act 2004  Town and Country Planning (Scotland) Act 1997</p> <p><i>Other controls on felling - Wales</i>  The Town and Country Planning (Trees) Regulations 1999</p> <p><b>Legal Authority</b>  <i>UK</i>  Local Planning Authority</p> <p><i>England</i>  Forestry Commission  Natural England</p> <p><i>Northern Ireland</i>  Forest Service  Northern Ireland Department of Agriculture, Environment and Rural Affairs</p> <p><i>Scotland</i>  Forestry Commission  Scottish Natural Heritage</p> <p><i>Wales</i>  Natural Resources Wales</p>	<ul style="list-style-type: none"> <li>Forestry Commission Scotland (<a href="https://scotland.forestry.gov.uk/supporting/grants-and-regulations/felling-licences/penalties">https://scotland.forestry.gov.uk/supporting/grants-and-regulations/felling-licences/penalties</a>)</li> <li>Natural Resources Wales (<a href="https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en">https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en</a>)</li> <li>Forestry Statistics 2018 [1]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p>felling licence requirements apply to all woodlands, whether of natural or planted origin and regardless of ownership. (There is an exception in Northern Ireland, where the requirements do not apply to the felling of trees by a government department, but as noted in the overview of UK forests all publicly owned or managed woodland is FSC certified.) Cases of illegal felling are rare, but suspected cases are investigated, and prosecution may ensue. The fines and sanctions for the illegal felling of trees are laid out in the Forestry Act 1967 (as amended). The Criminal Justice Act 1982 made provision to increase the level of fine when it introduced the standard scale of fines for summary offences. The Forestry Act 1967 was also amended by the Regulatory Reform (Forestry) Order 2006. This amendment now enables the appropriate forestry authority the option of serving a Restocking Notice on a person who appears to the authority to have committed an offence of felling without a licence.</p> <p>The permanent removal of trees may be sanctioned if there are overriding environmental considerations, for example to allow the restoration of important habitats. The removal of trees may also take place to enable development, authorised under the planning regulations, to proceed. As deforestation is involved, an Environmental Impact Assessment is likely to be required.</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Felling licences</li> <li>• Felling management plans (in Northern Ireland)</li> </ul>		<p>A felling licence gives the owner the legal authority to proceed on the basis of the discrete operational area and activity involved. The licence requires the applicant to submit a range of information and to exercise good forestry practice.</p> <p>Felling without a licence may be required by statutory notices served under plant health legislation, principally The Plant Health (Forestry) Order 2005 and The Plant Health Order (Northern Ireland) 2006.</p> <p>Restrictions on felling may be imposed in Sites of Special Scientific Interest (SSSIs) which are notified under the Wildlife and Countryside Act 1981 in England and Wales, or under the Nature Conservation (Scotland) Act 2004 in Scotland, or in Areas of Special Scientific Interest (ASSIs) which are declared under the Environment (Northern Ireland) Order 2002. In all cases these sites are subject to legal protections controlling the operations which can be carried out without the consent of the relevant statutory conservation body.</p> <p>There are also a number of other laws which give local authorities and other statutory bodies the right to control felling of trees, for example the Planning Act (Northern Ireland) 2011 and The Planning (Trees) Regulations (Northern Ireland) 2015.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>The Town and Country Planning acts do not apply to forestry activities themselves, as they are not defined as 'development'. The exception is where development, for example housing, is proposed on a woodland site, in which case the planning procedures apply. Local authorities (in Northern Ireland, local councils) can apply Tree Preservation Orders (TPOs) and designate Conservation Areas to protect trees that are important in the landscape. Owners are notified of these designations. Trees covered by a TPO cannot be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the permission of the local authority. For trees in a Conservation Area, the same actions can only be carried out after giving the local authority six weeks' notice, during which time the authority may choose to make a TPO. Local authorities may apply planning conditions to protect existing trees or plant new ones as part of the development consent. They may also enter into 'planning gain' agreements for additional woodland creation or protection. In areas with landscape designations, forest roads and quarries that do not form part of an approved afforestation scheme may be subject to planning controls. Areas of woodland are material considerations in the planning process and may be protected in local authority area plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Importance for Nature Conservation (SINCs), or</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Sites of Nature Conservation Importance (SNCIs).</p> <p>In Northern Ireland, a felling management plan is an integral part of a felling licence under the Forestry Act (Northern Ireland) 2010.</p> <p>From 17 June 2013, owners of private woodlands of 0.2 hectares or more need a licence to fell trees and are required to re-establish the woodland under an approved felling management plan. Applications are assessed against legal requirements, forestry standards and best practice guidance.</p> <p>All felling in public and private woodlands carried out in England, Scotland and Wales without either a felling licence or other permission is a criminal offence, unless it is covered by a recognised exemption.</p> <ul style="list-style-type: none"> <li>• In England, the Land Information Search (LIS) shows whether a felling licence has been obtained for the area being felled (<a href="http://www.forestry.gov.uk/forestry/inf-6dfkmn">http://www.forestry.gov.uk/forestry/inf-6dfkmn</a>).</li> <li>• LIS for Scotland: <a href="http://map.environment.scotland.gov.uk/andinformationsearch/lis_map.html">http://map.environment.scotland.gov.uk/andinformationsearch/lis_map.html</a></li> <li>• In Wales, information on felling licence applications can be searched via the Lle geo-portal (<a href="http://lle.gov.wales/catalogue/item/FellingLicenceApplications/?lang=en">http://lle.gov.wales/catalogue/item/FellingLicenceApplications/?lang=en</a>)</li> </ul>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p><i>Description of risk</i>  Unpublished information has been received from Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales regarding the enforcement of felling licensing regulations (Richard Howe, pers. comm., 28/03/17 and 18/04/17). FC England and FC Scotland provided information for financial years 2011/12 to 2015/16. The Northern Ireland Forest Service provided information from the introduction of felling licensing requirements in June 2013 to the date of their report, 7 November 2016. Natural Resources Wales provided information for financial years 2010/11 to 2014/15 as well as the remainder of calendar years 2010 and 2015.</p> <p>The woodland area in Northern Ireland is very small (113,000 ha according to <i>Forestry Statistics 2018</i> [1], less than half of which is private sector woodland), so it is unsurprising that the number of felling licences issued was low (averaging 49 per year from 2013/14 to 2015/16) and that the number of reports of suspected illegal fellings was commensurately low (averaging 9 per year in the same period). The Forest Service stated that 'Each report was investigated, and most cases were found to be compliant with legislation, however in some instances we issued notices requiring replanting of the woodland'. This being the case, no prosecutions have been undertaken so far, and the Forest Service estimates that the percentage of total timber volume felled illegally</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>each year is zero (Richard Howe, pers. comm., 28/03/17 and 18/04/17).</p> <p>Looking at broadly comparable figures for England, Scotland and Wales, from 2011/12 to 2014/15 (Richard Howe, pers. comm., 28/03/17 and 18/04/17), the number of felling licence applications in England (2,236 per year on average) was greater than the number of felling licence applications (810 per year on average) and long term forest plan approvals (135 per year on average) in Scotland, and far greater than the number of felling licences issued in Wales (349 per year on average). (A long term forest plan is an alternative route for applying for a felling licence in Scotland, but is not in itself a legal requirement) These licensing rates are positively related to the area of private woodland in each country (according to <i>Forestry Statistics 2018</i> [1], 1,093,000 hectares in England, 975,000 ha in Scotland, and 191,000 ha in Wales); the number of licence applications in England is disproportionately large when compared with Scotland, but this might be the result of differences in average holding size.</p> <p>However, while licensing is positively related to the area of private woodland, the same is not true of enforcement activity (Richard Howe, pers. comm., 28/03/17 and 18/04/17). The number of investigations of suspected illegal felling was greatest in Wales (an average of 95 investigations per year), followed by England (42) and Scotland (34). There were a small number of</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>prosecutions resulting in convictions in Scotland (one per year) and Wales (around one per year) but none in England. While these differences in enforcement activity appear not to be related to the scale of felling licensing in the three countries, they may be related to estimated volumes of illegally felled wood. From 2011/12 to 2013/14 (figures are not available for Wales in 2014/15), the average estimated percentage of wood felled illegally by volume each year was 0.01 % in Scotland, 0.08 % in England and 0.63 % in Wales. So, while the proportion of illegally felled wood potentially entering supply chains may be greater in Wales, the degree of enforcement activity is also greater.</p> <p>It should be noted that low prosecution rates do not necessarily reflect a low level of enforcement activity, but rather a change in regulatory emphasis. Figures for England for the ten year period from 2004/05 to 2013/14 show a sharp decrease in the number of prosecutions, but increases in the number of restocking and enforcement notices issued (<a href="https://publications.parliament.uk/pa/cm201415/cmhansrd/cm140910/text/140910w0001.htm">https://publications.parliament.uk/pa/cm201415/cmhansrd/cm140910/text/140910w0001.htm</a>).</p> <p>Enforcement policies for the four forestry authorities emphasise advice and guidance on compliance in the first instance; if this does not achieve the desired outcome, a range of enforcement options may be considered, proportionate to the nature of the offence and the harm caused, with prosecution the most severe option</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>(<a href="https://www.gov.uk/government/publications/forestry-commission-enforcement-policy">https://www.gov.uk/government/publications/forestry-commission-enforcement-policy</a>, <a href="https://www.daera-ni.gov.uk/publications/dard-enforcement-policy">https://www.daera-ni.gov.uk/publications/dard-enforcement-policy</a>, <a href="https://scotland.forestry.gov.uk/supporting/grants-and-regulations/felling-licences/penalties">https://scotland.forestry.gov.uk/supporting/grants-and-regulations/felling-licences/penalties</a>, and <a href="https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en">https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en</a>).</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p>In summary, there are relevant laws addressing harvesting permits in the form of felling licences. Relative to the number of felling licences issued, reports of suspected illegal felling are relatively rare and result in only very small volumes of illegally felled timber potentially entering supply chains. The forestry authorities investigate suspected illegal fellings where appropriate, and take proportionate enforcement action; generally, this is in the form of restocking or enforcement notices, but the forestry authorities have shown that they are willing to prosecute where appropriate. There is no specific evidence to</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>suggest that bribery plays a role in the issuing of felling licences, and general indices relating to corruption and governance support a conclusion of low risk.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<b>Taxes and fees</b>			
1.5 Payment of royalties and harvesting fees	The NRW Working Group concludes that this indicator is not applicable, on the basis that no payments of royalties or harvesting fees are applicable in the UK and there is no relevant legislation.	N/A	N/A
1.6 Value added taxes and other sales taxes	<p><b>Applicable laws and regulations</b> <i>UK</i> Value Added Tax Act 1994 (only for VAT registered businesses)</p> <p><b>Legal Authority</b> <i>UK</i> HM Revenue &amp; Customs (HMRC)</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• VAT returns</li> <li>• Sales documents and receipts</li> <li>• VAT-registered businesses must keep records of sales and purchases for at least 6 years (or 10 years if the VAT Mini One Stop Shop (MOSS) service is used)</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• HM Revenue &amp; Customs (HMRC) (<a href="https://www.gov.uk/government/organisations/hm-revenue-customs">https://www.gov.uk/government/organisations/hm-revenue-customs</a>)</li> <li>• <i>Global Forest Resources Assessment 2015, Country Report United Kingdom of Great Britain and Northern Ireland</i> [3]</li> <li>• <i>Second estimate of the VAT gap for 2016-17</i> [4]</li> <li>• <i>HMRC Annual Report and Accounts 2016-17</i> [6]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Confor (<a href="http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/">http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to situations where products are sold without legal sales documents or far below market price resulting in illegal avoidance of taxes.</i></p> <p><i>Overview of Legal Requirements</i> Government revenue is collected from the domestic production and trade of forest products and services. Goods include roundwood; sawnwood; biomass; woodbased panels; pulp and paper and non-wood forest products. In 2010, forest revenue was GBP 170,000 the</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> <li>Accountancy records must be kept for all goods bought and sold</li> </ul>	<ul style="list-style-type: none"> <li>Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> <li><i>Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report</i> [5]</li> </ul>	<p>majority of which comes from public forests (timber sales, recreation, etc.) [3].</p> <p>Those registered for VAT must charge VAT on all timber sales. Standard rate VAT is currently chargeable for fuelwood sold to a wholesaler, whereas a lower rate of 5% is chargeable if fuelwood is sold to the general public for domestic use (<a href="http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/">http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/</a>).</p> <p><i>Description of risk</i>  HM Revenue &amp; Customs (HMRC) publishes regular estimates of the 'VAT gap', comparing the amount of VAT HMRC expects to receive in the UK and the VAT HMRC actually receives (<a href="https://www.gov.uk/government/statistics/vat-gap-estimates">https://www.gov.uk/government/statistics/vat-gap-estimates</a>). The second estimate of the VAT gap for 2016-17 was 9.0 % [4]. A recent study for the European Commission, <i>Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report</i> [5], showed that, although it had increased since the previous assessment, the VAT gap in the UK remained below the overall gap for the EU-28 countries in 2016. The <i>HMRC Annual Report and Accounts 2016-17</i> [6] includes information on the tax gap and the complex relationship with compliance yield, gives statistics on enforcement activity for all tax-related offences (including 886 prosecutions), and claims that the UK has one of the lowest tax gaps in the world. There is no evidence to</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>suggest a specific issue of VAT avoidance in the UK forestry sector.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p>In summary, in keeping with the overall low level of perceived public sector corruption and high quality of regulation in the UK, there is evidence that the VAT gap is relatively low and that legislation is being enforced by the relevant authorities, with suspected failures in compliance investigated, and legal sanctions applied.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.7 Income and profit taxes	<p><b>Applicable laws and regulations</b> <i>UK</i> Income Tax Act 2007 Taxation of Chargeable Gains Act 1992 Inheritance Tax Act 1984 Corporation Tax Act 2010</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• HM Revenue &amp; Customs (HMRC)</li> <li>• <i>HMRC Annual Report and Accounts 2016-17</i> [6]</li> <li>• <i>Measuring tax gaps 2018 edition: Tax gap estimates for 2016-17</i> [7]</li> </ul>	<p><b>Risk designation</b> Low risk</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>Finance Act 2015</p> <p><i>Northern Ireland</i> Corporation Tax (Northern Ireland) Act 2015</p> <p><b>Legal Authority</b> <i>UK</i> HM Revenue &amp; Customs (HMRC)</p> <p><b>Legally required documents or records</b> The usual documents of a commercial business such as separate bank account, VAT returns, accounts, etc.</p>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Confor (<a href="http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/">http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/</a>)</li> <li>• Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>• World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p><b>Risk determination</b> <i>Overview of Legal Requirements</i> According to Confor (<a href="http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/">http://www.confor.org.uk/resources/publications/commercial-forestry-taxation/</a>), the principal forms of taxation affecting commercial woodlands in the UK are:</p> <ul style="list-style-type: none"> <li>• Income/Corporation Tax</li> <li>• Capital Gains Tax (CGT)</li> <li>• Inheritance Tax (IHT)</li> <li>• Value Added Tax (VAT; see indicator 1.6)</li> </ul> <p>The key features of each are summarised as follows:</p> <p><u>Income Tax</u></p> <ul style="list-style-type: none"> <li>• No Income or Corporation Tax on the occupation of, or timber income from, commercial woodlands.</li> <li>• Profits from the sales of timber are tax free, rents and other revenue receipts from woodlands are liable to Income Tax.</li> <li>• No relief from Income Tax is given for expenditure incurred in commercial woodlands.</li> </ul> <p><u>Capital Gains Tax (CGT)</u> Special provision is made for commercial woodlands under CGT legislation such as:</p> <ul style="list-style-type: none"> <li>• CGT is not payable on the gain in value attributable to the trees; only the increase in value of the underlying land is assessable.</li> </ul>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<ul style="list-style-type: none"> <li>• Roll-over relief is available when qualifying business assets are replaced, but this relief only applies to the land and capital works.</li> <li>• Non-commercial woodlands are subject to normal CGT rules.</li> </ul> <p><u>Inheritance Tax (IHT)</u></p> <ul style="list-style-type: none"> <li>• Commercial woodlands currently attract 100% business property relief provided the transferor has owned the "relevant business property" for a minimum of two years immediately before the transfer.</li> <li>• Heritage Relief -woodlands may qualify for the conditional exemption from IHT which is available for assets of national heritage quality e.g. land of outstanding scenic, historic or scientific interest.</li> </ul> <p><u>Commercial woodlands</u> There is no definition of commercial woodlands. They are best described as woodlands which are "managed on a commercial basis with a view to the realisation of profits." There should be evident intent to make profits - income or capital - and the usual attributes of a commercial business.</p> <p><u>Diverted Profits Tax (DPT)</u> In addition, the Finance Act 2015 introduced a new Diverted Profits Tax (DPT) charged at a rate of 25 % on profits which are deemed to have been diverted away from a charge to UK tax.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Tax disputes in the UK are usually resolved by negotiation between HMRC and the taxpayer, with the aim of securing the tax that is due under the law. Where HMRC cannot reach an agreement that secures the tax they believe is due, they will litigate the dispute. For disputes related to diverted profits, HMRC's Tax Disputes Resolution Board is supported by the Diverted Profits Board [6].</p> <p><i>Description of risk</i>  HM Revenue &amp; Customs (HMRC) publishes regular estimates of 'tax gaps', comparing the amount of various taxes HMRC expects to receive in the UK and the amount HMRC actually receives (<a href="https://www.gov.uk/government/statistics/measuring-tax-gaps">https://www.gov.uk/government/statistics/measuring-tax-gaps</a>). Estimates of tax gaps for 2016-17 were 4.2 % for income tax, National Insurance Contributions and Capital Gains Tax, and 7.4 % for Corporation Tax [7]. The HMRC <i>Annual Report and Accounts 2016-17</i> [6] includes information on the tax gap and the complex relationship with compliance yield, gives statistics on enforcement activity for all tax-related offences (including 886 prosecutions), and claims that the UK has one of the lowest tax gaps in the world. There is no evidence to suggest a specific issue of tax avoidance in the UK forestry sector.</p> <p>The <i>HMRC Annual Report and Accounts 2016-17</i> [6] also outlines the work of the Diverted Profits Board and a summary of outcomes of tax disputes. That the tax dispute resolution regime</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>is effective is attested to by the successful implementation of the Diverted Profits Tax, with yields from the tax (£281 million in 2016/17) exceeding budget forecasts. This was due in part to successful enforcement activity, with £138 million raised by issuing DPT charging notices.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p>In summary, in keeping with the overall low level of perceived public sector corruption and high quality of regulation in the UK, there is evidence that tax gaps are relatively low and that legislation is being enforced by the relevant authorities, with suspected failures in compliance investigated, and legal sanctions applied.</p> <p><i>Risk conclusion</i>  Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
<b>Timber harvesting activities</b>			
1.8 Timber harvesting regulations	<p><b>Applicable laws and regulations</b></p> <p><i>Harvesting practices - England, Scotland and Wales</i> Forestry Act 1967 (part II) The Forestry (Felling of Trees) Regulations 1979 The Forestry (Exceptions from Restriction of Felling) Regulations 1979 The Forestry (Modification of Felling Restrictions) Regulations 1985</p> <p><i>Harvesting practices - Northern Ireland</i> Forestry Act (Northern Ireland) 2010 (Part 3) The Forestry (Felling of Trees) (Calculation of the Area of Land) Regulations (Northern Ireland) 2013 The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><i>Harvesting infrastructure - England and Wales</i> The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</p> <p><i>Harvesting infrastructure - Northern Ireland</i> Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006</p> <p><i>Harvesting infrastructure - Scotland</i> The Environmental Impact Assessment (Forestry) (Scotland) Regulations 2017</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Unpublished information on felling licensing and enforcement provided by Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales (Richard Howe, pers. Comm., 28/03/17 and 18/04/17)</li> <li>• Unpublished information on EIA consents and enforcement provided by Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales (Elaine Dick, pers. Comm., 10/10/18 and 15/10/18)</li> <li>• <i>The UK Forestry Standard</i> [2]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>• World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Overview of Legal Requirements</i> The Forestry Act 1967 conveys wide powers to control felling in England, Scotland and Wales, while in Northern Ireland, the Forestry Act (Northern Ireland) 2010 also conveys powers to regulate felling. For a fuller explanation of felling licensing, see indicator 1.4. For the purposes of the present indicator, the most important feature of felling licensing is that licences are issued on the basis of compliance with the <i>UK Forestry Standard</i> [2]. UKFS General Forestry Practice Guidelines relevant to this indicator include:</p> <ul style="list-style-type: none"> <li>• 14 Consider alternatives to clearfell systems, such as continuous cover forestry, where suitable sites and species combinations allow, and management objectives are compatible.</li> <li>• 15 Maintain a range of stand structures and silvicultural approaches across the forest as a whole, including veteran trees, open-crowned trees, occasional windthrow, understory layers, open space and areas of natural regeneration.</li> <li>• 16 In forests characterised by a lack of diversity due to extensive areas of even-aged trees, retain stands adjoining felled areas until the restocking of the first coupe has reached a minimum height of 2 m; for planning purposes this is likely to</li> </ul>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b>  <i>England and Scotland</i>  Forestry Commission</p> <p><i>Northern Ireland</i>  Forest Service</p> <p><i>Wales</i>  Natural Resources Wales</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Felling licences</li> <li>• Felling management plan (in Northern Ireland)</li> <li>• Documented environmental impact assessment or 'Appropriate Assessment' where such has been requested by the appropriate forestry authority</li> </ul>		<p>be between 5 and 15 years depending on establishment success and growth rates.</p> <ul style="list-style-type: none"> <li>• 19 In semi-natural woodland, limit felling to 10% of the area in any five-year period unless there are overriding biodiversity or social advantages.</li> <li>• 27 Minimise the adverse visual impacts of forest roads and quarries; blend road alignments with landform, and locate quarries, roads and bridges to respect landscape character, especially in designated landscapes.</li> <li>• 28 Design road surfaces, drainage and harvesting machine access points to avoid erosion and other adverse impacts on soils, watercourses and water quality.</li> <li>• 31 Minimise compaction, rutting and erosion during forest operations by selecting the most appropriate working method for site conditions; monitor operations and modify, postpone or stop procedures if degradation starts to occur.</li> <li>• 32 Maintain adequate brash mats throughout extraction operations</li> <li>• 35 Install culverts or log bridges to avoid crossing and blocking drains; restore the site and drains as extraction progresses.</li> </ul> <p>Proposals for the construction of forest roads and quarries come under the forestry provisions of the EU Environmental Impact Assessment (EIA) Regulations. Although implemented by separate regulations in England and Wales, Northern Ireland, and Scotland, requirements are</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>essentially the same throughout the UK. Forestry proposals that may have significant environmental impacts will require an EIA before approval is granted. If an EIA is required, the applicant must prepare a comprehensive forest management plan, together with an exploration of the potential environmental impacts. The applicant must submit an Environmental Statement to the forestry authority, and this and the EIA will be made available to the public and to the various statutory environmental authorities. For a fuller explanation of EIA regulations as they apply to a wider range of forestry projects, see indicator 1.3.</p> <p><i>Description of risk</i>  Unpublished information has been received from Forestry Commission (FC) England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales regarding the enforcement of felling licensing regulations (Richard Howe, pers. comm., 28/03/17 and 18/04/17). FC England and FC Scotland provided information for financial years 2011/12 to 2015/16. The Northern Ireland Forest Service provided information from the introduction of felling licensing requirements in June 2013 to the date of their report, 7 November 2016. Natural Resources Wales provided information for financial years 2010/11 to 2014/15 as well as the remainder of calendar years 2010 and 2015.</p> <p>In Northern Ireland the number of felling licences issued was low (averaging 49 per year from</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>2013/14 to 2015/16) and that the number of reports of suspected illegal fellings was commensurately low (averaging 9 per year in the same period). The Forest Service stated that 'Each report was investigated, and most cases were found to be compliant with legislation, however in some instances we issued notices requiring replanting of the woodland.' This being the case, no prosecutions have been undertaken so far, and the Forest Service estimates that the percentage of total timber volume felled illegally each year is zero.</p> <p>Looking at broadly comparable figures for England, Scotland and Wales, from 2011/12 to 2014/15, the number of felling licence applications in England (2,236 per year on average) was greater than the number of felling licence applications (810 per year on average) and long term forest plan approvals (135 per year on average) in Scotland, and far greater than the number of felling licences issued in Wales (349 per year on average).</p> <p>The number of investigations of suspected illegal felling was greatest in Wales (an average of 95 investigations per year), followed by England (42) and Scotland (34). There were a small number of prosecutions resulting in convictions in Scotland (one per year) and Wales (around one per year) but none in England. While these differences in enforcement activity appear not to be related to the scale of felling licensing in the three countries, they may be related to estimated</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>volumes of illegally felled wood. From 2011/12 to 2013/14 (figures are not available for Wales in 2014/15), the average estimated percentage of wood felled illegally by volume each year was 0.01 % in Scotland, 0.08 % in England and 0.63 % in Wales. So, while the proportion of illegally felled wood potentially entering supply chains may be greater in Wales, the degree of enforcement activity is also greater.</p> <p>Unpublished information has been received from Forestry Commission England, the Northern Ireland Forest Service, Forestry Commission Scotland and Natural Resources Wales regarding the enforcement of environmental impact assessment regulations (Elaine Dick, pers. comm., 10/10/18 and 15/10/18). FC England, the Northern Ireland Forest Service and Natural Resources Wales provided information for financial years 2013/14 to 2017/18. FC Scotland provided information for calendar years 2013 to 2017.</p> <p>For the five years from 2013/14 to 2017/18, Forestry Commission England received a total of 488 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, an average of around 98 per year. During that period, a total of eight projects were deemed to be relevant projects, fewer than two per year on average; EIA consents were granted for all of these projects.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>There were no reports of breaches of the Regulations in relation to roads or quarries.</p> <p>For the five years from 2013/14 to 2017/18, the Northern Ireland Forest Service received a total of 201 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006, an average of around 40 per year. During that period, a total of 17 projects were deemed to be relevant projects, around three per year; no applications for consent were received for these projects. Four enforcement actions were undertaken, all in 2017/18.</p> <p>For the five years from 2013 to 2017, Forestry Commission Scotland received a total of 1,166 requests for screening opinions under the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, or applications for an opinion whether a project is a relevant project under the previous Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999, an average of around 233 per year. During that period, a total of 20 projects were deemed to be relevant projects, an average of four per year; EIA consents were granted for 15 of these projects. Four suspected failures to comply with the Regulations were reported, two in 2016 and two in 2017; all four were investigated, and enforcement actions were undertaken in two cases.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>For the five years from 2013/14 to 2017/18, Natural Resources Wales received a total of 401 applications for an opinion whether a project is a relevant project under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, an average of 80 per year. During that period, a total of 11 projects were deemed to be relevant projects, around two per year on average; EIA consents were granted for two of these projects. There were no reports of suspected failures to comply with the Regulations, and as such no enforcement action.</p> <p>In summary, there are relevant laws addressing harvesting techniques, silviculture and infrastructure via the requirement for felling licence applicants to conform to the <i>UK Forestry Standard</i>, and there are further Environmental Impact Assessment requirements in relation to infrastructure. There is evidence of high levels of compliance with both felling licensing and EIA regulations. Rare cases of suspected failures in compliance are investigated by the relevant authorities, and enforcement action taken when necessary.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>corruption and a high ranking for regulatory quality in the UK.</p> <p><i>Risk conclusion</i>            Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.9 Protected sites and species	<p><b>Applicable laws and regulations</b></p> <p><i>UK</i>            Convention on Wetlands (the Ramsar Convention) (entered into force in the UK in 1976)            Convention on Biological Diversity (ratified by the UK in 1994)            Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)            Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (the Birds Directive)</p> <p><i>England, Scotland and Wales</i>            The Ancient Monuments and Archaeological Areas Act 1979            Protection of Badgers Act 1992</p> <p><i>England and Wales</i>            National Parks and Access to the Countryside Act 1949            Wildlife and Countryside Act 1981            The Hedgerows Regulations 1997</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>The Joint Nature Conservation Committee (JNCC) (<a href="http://jncc.defra.gov.uk/page-23">http://jncc.defra.gov.uk/page-23</a>, <a href="http://jncc.defra.gov.uk/page-1399">http://jncc.defra.gov.uk/page-1399</a>, <a href="http://jncc.defra.gov.uk/page-1388">http://jncc.defra.gov.uk/page-1388</a>, and <a href="http://jncc.defra.gov.uk/page-3426">http://jncc.defra.gov.uk/page-3426</a>)</li> <li>Natural England (<a href="https://designatedsites.naturalengland.org.uk/SearchEngland.aspx">https://designatedsites.naturalengland.org.uk/SearchEngland.aspx</a>)</li> <li>Northern Ireland Department of Agriculture, Environment and Rural Affairs (<a href="https://www.daera-ni.gov.uk/protected-areas/type/assi">https://www.daera-ni.gov.uk/protected-areas/type/assi</a>)</li> <li>Scottish Natural Heritage (SNH) (<a href="https://sitelink.nature.scot/home">https://sitelink.nature.scot/home</a> and <a href="http://www.environment.scotland.gov.uk/get-interactive/data/protected-nature-sites/">http://www.environment.scotland.gov.uk/get-interactive/data/protected-nature-sites/</a>)</li> <li>Natural Resources Wales (<a href="http://naturalresources.wales/conservati-on-biodiversity-and-wildlife/find-protected-areas-of-land-and-seas/sites-of-special-scientific-interest-sssis/?lang=en">http://naturalresources.wales/conservati-on-biodiversity-and-wildlife/find-protected-areas-of-land-and-seas/sites-of-special-scientific-interest-sssis/?lang=en</a>)</li> </ul>	<p><b>Risk designation</b>            Low risk</p> <p><b>Risk determination</b>  <i>Note: Risk relates to illegal harvesting within protected sites, as well as illegal harvest of protected species. Note that protected areas may include protected cultural sites, including sites with historical monuments.</i></p> <p><i>Overview of Legal Requirements</i>            The UK has a responsibility to ensure the conservation and enhancement of habitats and species in both a national and international context. One approach to achieving this is the establishment of a system of protected sites. The Joint Nature Conservation Committee (JNCC) is the statutory adviser to Government on UK and international nature conservation. The most important international obligations are set out in the Ramsar Convention, the Convention on Biological Diversity, the Habitats Directive and the Birds Directive.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>Natural Environment and Rural Communities Act 2006 (the NERC act)            Countryside and Rights of Way Act 2000 (CRoW) (Chapter II)            The Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations)            Town and Country Planning (Environmental Impact Assessment) (England &amp; Wales) Regulations 1999</p> <p><i>Northern Ireland</i>            Nature Conservation and Amenity Lands (Northern Ireland) Order 1985            Environment (Northern Ireland) Order 2002, Part IV            Wildlife (Northern Ireland) Order 1985 as amended under the Wildlife and Natural Environment (NI) Act 2011            Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (Habitats Directive)            Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995</p> <p><i>Scotland</i>            Wildlife and Natural Environment (Scotland) Act 2011            Environmental Regulation (Enforcement Measures) (Scotland) Order 2015            Regulatory Reform (Scotland) Act 2014            Nature Conservation (Scotland) Act 2004            Environmental Liability (Scotland) Regulations 2009            Land Reform (Scotland) Act 2003</p>	<ul style="list-style-type: none"> <li>• Gov.UK website (<a href="https://www.gov.uk/check-your-business-protected-area">https://www.gov.uk/check-your-business-protected-area</a>)</li> <li>• Partnership for Action Against Wildlife Crime UK (PAW UK) (<a href="https://www.gov.uk/government/groups/partnership-for-action-against-wildlife-crime">https://www.gov.uk/government/groups/partnership-for-action-against-wildlife-crime</a>)</li> <li>• Partnership for Action Against Wildlife Crime Northern Ireland (PAW NI) (<a href="https://www.wildlifecrimeni.org/">https://www.wildlifecrimeni.org/</a>)</li> <li>• Partnership for Action Against Wildlife Crime Scotland (PAW Scotland) (<a href="https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/">https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/</a> and <a href="https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/Resources/Reports/WildlifeCrimeDefinition">https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/Resources/Reports/WildlifeCrimeDefinition</a>)</li> <li>• Wales Biodiversity Partnership (<a href="https://www.biodiversitywales.org.uk/Legislation-Guidance">https://www.biodiversitywales.org.uk/Legislation-Guidance</a>)</li> <li>• <i>Wildlife Crime in Scotland 2015 Annual Report</i> [8]</li> <li>• <i>National Wildlife Crime Unit (NWCU) Tactical Assessment May 2016</i> [9]</li> <li>• <i>National Wildlife Crime Unit (NWCU) Tactical Assessment November 2016</i> [10]</li> <li>• <i>Scottish Natural Heritage Annual Report and Accounts 2016/17</i> [12]</li> </ul> <p><b>Non-Government sources</b></p>	<p>Sites of Special Scientific Interest (SSSIs) (England, Scotland and Wales) and Areas of Special Scientific Interest (ASSIs) (Northern Ireland) are designated under the Wildlife and Countryside Act 1981, the Environment Order (Northern Ireland) 2002, and the Nature Conservation (Scotland) Act 2004. These sites provide statutory protection for Natura 2000 sites classified under the European Birds and Habitats Directives and for sites designated under the Ramsar Convention; see information on Special Areas of Conservation, Special Protection Areas and Ramsar sites below. Together they help to deliver the UK's contribution to the Convention on Biological Diversity. As of October 2018, there were 4,127 SSSIs designated in England (<a href="https://designatedsites.naturalengland.org.uk/SearchEngland.aspx">https://designatedsites.naturalengland.org.uk/SearchEngland.aspx</a>), 1,423 in Scotland (<a href="https://sitelink.nature.scot/home">https://sitelink.nature.scot/home</a>), and more than a thousand in Wales (<a href="https://naturalresources.wales/guidance-and-advice/environmental-topics/wildlife-and-biodiversity/find-protected-areas-of-land-and-seas/sites-of-special-scientific-interest-sssis/?lang=en">https://naturalresources.wales/guidance-and-advice/environmental-topics/wildlife-and-biodiversity/find-protected-areas-of-land-and-seas/sites-of-special-scientific-interest-sssis/?lang=en</a>), and 394 ASSIs in Northern Ireland (<a href="https://www.daera-ni.gov.uk/protected-areas/type/assi">https://www.daera-ni.gov.uk/protected-areas/type/assi</a>). It is an offence to intentionally or recklessly damage an ASSI or SSSI, or to carry out certain operations without the consent of the relevant statutory authorities.</p> <p>Special Areas of Conservation (SACs) and Sites of Community Importance (SCIs) are designated under the Habitats Directive. As of September</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b></p> <p><i>UK</i> Joint Nature Conservation Committee (JNCC) National Wildlife Crime Unit (NWCU)</p> <p><i>England</i> Forestry Commission Natural England Environment Agency Historic England</p> <p><i>Northern Ireland</i> Forest Service Northern Ireland Department of Agriculture, Environment and Rural Affairs Historic Environment Division, Department for Communities, Northern Ireland</p> <p><i>Scotland</i> Forestry Commission Scottish Natural Heritage (SNH) Scottish Environmental Protection Agency (SEPA) Historic Environment Scotland</p> <p><i>Wales</i> Natural Resources Wales Cadw</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Management plans for statutory conservation areas and monitoring of implementation of those plans</li> <li>• Condition statements from statutory bodies</li> </ul>	<ul style="list-style-type: none"> <li>• Convention on Biodiversity Diversity (CBD) (<a href="https://www.cbd.int/countries/?country=g">https://www.cbd.int/countries/?country=g</a> b)</li> <li>• Ramsar (<a href="http://www.ramsar.org/wetland/united-kingdom">http://www.ramsar.org/wetland/united-kingdom</a>)</li> <li>• The Royal Society for the Protection of Birds (RSPB) (<a href="http://www.rspb.org.uk">http://www.rspb.org.uk</a>)</li> <li>• <i>Pressures affecting conservation status of designated natural features in Scotland: Impacts, policy context and recommendations</i> [11]</li> </ul>	<p>2018, 658 sites have been designated as SACs, SCIs or candidate SACs in the UK (<a href="http://jncc.defra.gov.uk/page-23">http://jncc.defra.gov.uk/page-23</a>).</p> <p>Special Protection Areas (SPAs) are designated under the Birds Directive. As of September 2018, 275 sites in the UK have been designated as classified SPAs (<a href="http://jncc.defra.gov.uk/page-1399">http://jncc.defra.gov.uk/page-1399</a>).</p> <p>Ramsar sites are wetlands of international importance designated under the Ramsar Convention. As of May 2018, 149 Ramsar sites have been designated in the UK (<a href="http://jncc.defra.gov.uk/page-1388">http://jncc.defra.gov.uk/page-1388</a>).</p> <p>Of course, not all of these designated sites will be wooded or potentially subject to illegal harvesting of timber.</p> <p>Protection of individual species is regulated primarily through the Wildlife and Countryside Act 1981 and the Wildlife (Northern Ireland) Order 1985 (<a href="http://jncc.defra.gov.uk/page-3426">http://jncc.defra.gov.uk/page-3426</a>). The plant species listed in the schedules to this legislation do not include any timber trees.</p> <p>The Ancient Monuments and Archaeological Areas Act 1979 in Great Britain and the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995, provide the legal basis for protecting historic environment heritage in the UK. Consent is required from the relevant historic environment authority for any work on a</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Scheduled Monument site that has the potential to damage the monument. Causing unauthorised damage can lead to criminal prosecution.</p> <p><i>Description of risk</i>  Designated nature sites and areas of countryside can be identified through the Gov.UK website (<a href="https://www.gov.uk/check-your-business-protected-area">https://www.gov.uk/check-your-business-protected-area</a>) so it can be ascertained whether forestry operations are being carried out in a designated site.</p> <p>The <i>Wildlife Crime in Scotland 2015 Annual Report</i> [8] includes data from the five years from 2010/11 to 2014/15. In that period, wildlife crime recorded by Police Scotland included five crimes involving protected sites (two in 2010/11 and one in every subsequent year except 2012/13, Table 1, p. 7). In the same period there was one prosecution, in 2011/12 (Table 5, p. 12). This prosecution, for failure to comply with sub-section 13(1) or 16(1), 14(5)(b) or 17(3)(b) of the Nature Conservation (Scotland) Act 2004 (Appendix 4, Table A, pp. 61-65), was successful and resulted in a fine of £740 (Table 7, p. 13; Appendix 4, Table B, pp. 66-69).</p> <p>The <i>National Wildlife Crime Unit (NWCU) Tactical Assessment May 2016</i> [9] covers the period 1 October 2013 to 31 March 2016. The data presented apply primarily to England and Wales (with some figures for Scotland quoted separately). Crimes involving protected sites are not included among UK wildlife crime priorities,</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>although a review of UK wildlife crime conservation priorities by the Wildlife Crime Conservation Advisory Group (WCCAG) has suggested that 'Protected Habitats (affected by heavy plant contractual works)' are also 'worthy of further attention' (p. 7). The 1,946 intelligence submissions related to non-priority wildlife crime during the period of the assessment included 22 (1.1 %) in relation to 'Habitat Disturbance/Destruction' (p. 44).</p> <p>The <i>National Wildlife Crime Unit (NWCU) Tactical Assessment November 2016</i> [10] covers the period 1 April to 30 September 2016. Again, the data presented apply primarily to England and Wales (with some figures for Scotland quoted separately). Crimes involving protected sites are not included among UK wildlife crime priorities, nor are they identified as emerging issues within 'Non-Priority Emerging Patterns and Trends' (pp. 28-29).</p> <p>The Partnership for Action Against Wildlife Crime UK (PAW UK) brings together statutory authorities and a wide range of environmental non-governmental organisations, including the Born Free Foundation and WWF UK, to raise awareness of wildlife legislation and the impacts of wildlife crime, to help and advise on wildlife crime and regulatory issues, and to make sure wildlife crime is tackled effectively (<a href="https://www.gov.uk/government/groups/partnership-for-action-against-wildlife-crime">https://www.gov.uk/government/groups/partnership-for-action-against-wildlife-crime</a>). There are similar groups for Northern Ireland (PAW NI,</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p><a href="https://www.wildlifecrimeni.org/">https://www.wildlifecrimeni.org/</a>) and Scotland (PAW Scotland, <a href="https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/">https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/</a>), and a wildlife crime enforcement working group in Wales (<a href="https://www.biodiversitywales.org.uk/Legislation-Guidance">https://www.biodiversitywales.org.uk/Legislation-Guidance</a>). While these partnerships do consider legislation protecting habitats – for example, PAW Scotland defines wildlife crime as ‘any unlawful act or omission, which affects any wild creature, plant or habitat, in Scotland’ (<a href="https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/Resources/Reports/WildlifeCrimeDefinition">https://www.gov.scot/Topics/Environment/Wildlife-Habitats/paw-scotland/Resources/Reports/WildlifeCrimeDefinition</a>) – a search of their websites reveals no reports of offences related to protected habitats.</p> <p>Site Condition Monitoring is Scottish Natural Heritage’s programme for monitoring the condition of nature conservation features of special interest on designated sites in Scotland. The purpose of Site Condition Monitoring is to determine the condition of the designated natural feature within a site. This is to establish whether the natural feature is likely to maintain itself in the medium to longer term under the current management regime and wider environmental or other influences. Specific site results can be found at <a href="http://www.environment.scotland.gov.uk/get-interactive/data/protected-nature-sites/">http://www.environment.scotland.gov.uk/get-interactive/data/protected-nature-sites/</a>. Forestry operations are not among the highest pressures listed on nature conservation and risks are limited.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>The RSPB [11] has summarised possible and actual enforcement action to secure positive land management in Scotland (p. 27). At the time of the report (presumably 2016) there were only nine Nature Conservation Orders (NCOs) in force in Scotland, with no new NCOs made since 2006/07. Also, at the time of the report there were no active Land Management Orders (LMOs) in Scotland, and no court had made a Restoration Order (RO). The report concludes that 'Used effectively, these enforcement powers should enable SNH to secure the positive land management required to improve feature condition. However, as is evident from the number of active Orders, these powers are under-utilised. As a result, around a fifth of designated features remain in unfavourable condition in Scotland. SNH, Scottish Ministers and Courts must use the powers at their disposal to stop activities which negatively impact designated features and to secure restoration and conservation of habitats upon which those features depend.'</p> <p>Balancing this, the most recent SNH annual report [12], while confirming that no new NCOs were made during 2016/17, stated that 'It remains our view that these orders should be used only as a matter of last resort when there is a direct threat to the natural features of an SSSI and/or a European site'.</p> <p>In summary, there are no protected UK timber tree species, and crime related to protected sites</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>is considered a low priority by law enforcement agencies. Partnerships with NGOs have not identified any specific issues in relation to protected sites. While the RSPB has raised concerns in relation to the low level of use of some legal powers in Scotland, Scottish Natural Heritage has indicated that these are seen as a last resort as part of its wider enforcement policy.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p> <p><i>Note: The NRA Working Group observes that there are some deficiencies in the reporting of wildlife crime in relation to protected sites and in the application of enforcement powers where forestry operations are identified as a pressure. While not currently sufficient to challenge a low risk designation, evidence in relation to these issues will be monitored and if necessary the risk designation will be reviewed. See also indicators 3.1 and 3.3.</i></p>
1.10 Environmental requirements	<p><b>Applicable laws and regulations</b> <i>Note: This is a wide-ranging indicator, to which a great deal of UK legislation is potentially relevant. The list given here is not exhaustive and addresses only the most important issues in the UK context, such as water and chemicals.</i></p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Environment Agency (EA) (<a href="https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/environment-agency-enforcement-and-sanctions-policy">https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/environment-agency-enforcement-and-sanctions-policy</a>) and</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to systematic and/or large-scale non-compliance with legally required environmental protection measures that are</i></p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><i>UK</i>            Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy (the Water Framework Directive)            Environmental Liability Directive (2004/35/EC)            Part III of the Food and Environment Protection Act (FEPA) 1985            Environmental Protection Act 1990            The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002            The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015            Regulatory Enforcement and Sanctions Act 2008</p> <p><i>England, Scotland and Wales</i>            The Control of Pesticides Regulations 1986            The Plant Protection Products (Basic Conditions) Regulations 1997            The Dangerous Substances (Notification and Marking of Sites) Regulations 1990            The Electricity at Work Regulations 1989            Environment Act 1995            The Health and Safety (First-Aid) Regulations 1981            The Health and Safety (Safety Signs and Signals) Regulations 1996            The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972            The Personal Protective Equipment at Work Regulations 1992</p>	<p><a href="https://environment.data.gov.uk/public-register/view/search-enforcement-action">https://environment.data.gov.uk/public-register/view/search-enforcement-action</a>)</p> <ul style="list-style-type: none"> <li>Natural England (<a href="https://www.gov.uk/guidance/wildlife-licences">https://www.gov.uk/guidance/wildlife-licences</a> and <a href="https://www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england">https://www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england</a>)</li> <li>Northern Ireland Environment Agency (NIEA) (<a href="https://www.daera-ni.gov.uk/publications/environment-marine-and-fisheries-group-enforcement-policy">https://www.daera-ni.gov.uk/publications/environment-marine-and-fisheries-group-enforcement-policy</a> and <a href="https://www.daera-ni.gov.uk/articles/pollution-response-northern-ireland">https://www.daera-ni.gov.uk/articles/pollution-response-northern-ireland</a>)</li> <li>Scottish Environmental Protection Agency (SEPA) (<a href="https://www.sepa.org.uk/regulations/enforcement/">https://www.sepa.org.uk/regulations/enforcement/</a> and <a href="https://www.sepa.org.uk/about-us/our-performance/">https://www.sepa.org.uk/about-us/our-performance/</a>)</li> <li>Natural Resources Wales (NRW) (<a href="https://naturalresources.wales/guidance-and-advice/business-sectors/forestry/woodlands-and-the-environment/woodland-species/woodland-european-protected-species/?lang=en">https://naturalresources.wales/guidance-and-advice/business-sectors/forestry/woodlands-and-the-environment/woodland-species/woodland-european-protected-species/?lang=en</a>, <a href="https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/bird-licensing/?lang=en">https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/bird-licensing/?lang=en</a>, <a href="https://naturalresources.wales/about-us/what-we-do/how-we-regulate-">https://naturalresources.wales/about-us/what-we-do/how-we-regulate-</a></li> </ul>	<p><i>evident to an extent that threatens the forest resources or other environmental values.</i></p> <p><i>Overview of Legal Requirements</i>            The Environmental Liability Directive (2004/35/EC) establishes a common framework for liability with a view to preventing and remedying damage affecting the land, including damage to animals, plants, natural habitats and water resources. The main objectives include the application of the ‘polluter pays’ principle. It requires those responsible for the most significant cases of environmental damage to take immediate action to prevent the damage occurring and to put right damage where it does occur. Environmental liability applies alongside any prosecution for criminal offences.</p> <p>The Control of Pesticides Regulations 1986 (and the Control of Pesticides Regulations (Northern Ireland) 1987) provide details of pesticides subject to control and prescribe approvals required for supply, storage and use, including aerial application. Users are required to take all reasonable precautions to protect the health of humans, animals and plants, safeguard the environment and, in particular, avoid the pollution of water.</p> <p>Waste management regulations in the UK apply to sewage sludge and other waste materials (such as waste soil, bark, wood or other plant material) that may be applied to forest or other</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>The Producer Responsibility Obligations (Packaging Waste) Regulations 2007 Poisons Act 1972 The Poisons List Order 1971 and subsequent orders The Poisons Rules 1982 The Special Waste Regulations 1996 The Control of Substances Hazardous to Health Regulations 2002 The Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003 The Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004 Wildlife and Countryside Act 1981</p> <p><i>England and Wales</i> The Environmental Permitting (England and Wales) Regulations 2007 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 Town and Country Planning Act 1990 The Waste (England and Wales) Regulations 2011 The Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009 The Conservation of Habitats and Species Regulations 2017</p> <p><i>England</i> Environmental Damage (Prevention and Remediation) (England) Regulations 2015</p>	<p><a href="#">you/regulatory-responsibilities/?lang=en</a>, and <a href="https://naturalresources.wales/about-us/strategies-and-plans/annual-report/?lang=en">https://naturalresources.wales/about-us/strategies-and-plans/annual-report/?lang=en</a>)</p> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Michael Coxall and Elizabeth Hardacre (October 2015) Environmental law and practice in the UK (England and Wales) (<a href="http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037">http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037</a>)</li> </ul>	<p>soils and any operations involving the above must be registered with the regulatory authority.</p> <p>The storage of pesticides is strictly controlled at UK level by the legislation contained in Part III of the Food and Environment Protection Act (FEPA) 1985. In addition, the Control of Pesticides Regulations 1986 require that the storage of pesticides is subject to all reasonable precautions being taken to protect people, animals, plants and the environment.</p> <p>The forest industry must be able to demonstrate to regulators such as the Health and Safety Executive (in England, Scotland and Wales) and the Health and Safety Executive for Northern Ireland that it complies with current legislation. It also conforms to the requirements of the British Agrochemical Standards Inspection Scheme (BASIS), an independent registration, standards and certification scheme which establishes and assesses standards in the pesticide industry relating to storage, transport and competence of staff.</p> <p>In England, Wales and Northern Ireland it is an offence to cause or knowingly permit the entry of poisonous, noxious or polluting material into any controlled waters.</p> <p>In Scotland, it is an offence to carry out, or to cause or permit others to carry out, any controlled activity unless that controlled activity is authorised and carried out in accordance with</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><i>Northern Ireland</i></p> <p>The Environment (Northern Ireland) Order 2002</p> <p>The Waste Regulations (Northern Ireland) 2011</p> <p>The Water Environment (Water Framework directive) Regulations (Northern Ireland) 2017</p> <p>The Water (Northern Ireland) Order 1999</p> <p>The Control of Pesticides Regulations (Northern Ireland) 1987</p> <p>Plant Protection Products (Basic Conditions) Regulations (Northern Ireland) 1997</p> <p>The Dangerous Substances (Notification and Marking of Sites) Regulations (Northern Ireland) 1992</p> <p>The Electricity At Work Regulations (Northern Ireland) 1991</p> <p>The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982</p> <p>Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996</p> <p>The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations (Northern Ireland) 1975</p> <p>Personal Protective Equipment at Work Regulations (Northern Ireland) 1993</p> <p>The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007</p> <p>Poisons (Northern Ireland) Order 1976</p> <p>The Poisons List Confirmation Order (Northern Ireland) 1983 and subsequent orders</p> <p>The Special Waste Regulations (Northern Ireland) 1998</p> <p>Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003</p>		<p>that authorisation. Authorisation is given under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 subject to General Binding Rules for specific activities, such as operating any vehicle, plant or equipment for certain purposes, the storage and application of fertiliser, the construction and maintenance of water-bound roads and tracks, and the discharge of water run-off via a surface water drainage system to the water environment.</p> <p>In England and Wales, it is an offence to fail to meet the requirements of a Water Protection Zone, as specified under the Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009. There is also a requirement to abide by any Work notices issued to polluters to restore water quality and prevent damage to, or restore, the physical condition of water if the riverbed or banks are damaged.</p> <p>Legislation in UK sets out the acceptable emissions that apply to forestry tractor engines.</p> <p>Planning for new pesticide stores must be carried out in consultation with the following authorities:</p> <ul style="list-style-type: none"> <li>• Environment Agency (EA) in England, the Scottish Environmental Protection Agency (SEPA) and Scottish Water in Scotland, or Natural Resources Wales in Wales.</li> <li>• Local fire authority.</li> <li>• Local authority planning and building control department.</li> </ul>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>The Waste Management Licensing Regulations (Northern Ireland) 2003</p> <p><i>Scotland</i>  Town and Country Planning (Scotland) Act 1997  Water Environment and Water Services (Scotland) Act 2003  The Water Environment (Controlled Activities) (Scotland) Regulations 2011  The Water Environment (Diffuse Pollution) (Scotland) Regulations 2008  The Waste (Scotland) Regulations 2012  The Waste Management Licensing (Scotland) Regulations 2011</p> <p><b>Legal Authority</b>  <i>UK</i>  Vehicle Certification Agency (VCA)  Local Authorities</p> <p><i>England, Scotland and Wales</i>  Health and Safety Executive (HSE)</p> <p><i>England</i>  DEFRA  Environment Agency (EA)  Natural England</p> <p><i>Northern Ireland</i>  Health and Safety Executive for Northern Ireland  Northern Ireland Environment Agency (NIEA)</p>		<ul style="list-style-type: none"> <li>Local authority environmental health department.</li> <li>Police crime prevention officer.</li> </ul> <p><u>European Protected Species (EPS)</u>  In England and Wales, an EPS mitigation licence may be required from Natural England or Natural Resources Wales under the Conservation of Habitats and Species Regulations 2010 if felling operations could adversely affect any EPS (<a href="https://www.gov.uk/guidance/wildlife-licences">https://www.gov.uk/guidance/wildlife-licences</a> and <a href="https://naturalresources.wales/guidance-and-advice/business-sectors/forestry/woodlands-and-the-environment/woodland-species/woodland-european-protected-species/?lang=en">https://naturalresources.wales/guidance-and-advice/business-sectors/forestry/woodlands-and-the-environment/woodland-species/woodland-european-protected-species/?lang=en</a>). The majority of felling operations will however be able to proceed without a mitigation licence even in the presence of EPS, providing that good practice guidance is followed. Species include all 17 Bat Species, Dormouse, Great Crested Newt, Otter, Sand Lizard and Smooth Snake.</p> <p><u>Schedule 1 birds</u>  The Wildlife and Countryside Act 1981 protects all wild birds, their nests and their eggs. Schedule 1 species have extra protection from disturbance at their nests, which is usually avoided by imposing buffer zones. The statutory nature conservation authorities may issue licences which allow work to take place within the law; see, for example, <a href="https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-">https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-</a></p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><i>Scotland</i>            Scottish Environmental Protection Agency (SEPA)            Scottish Natural Heritage (SNH)</p> <p><i>Wales</i>            Natural Resources Wales (NRW)</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Control of Substances Hazardous to Health (COSHH) assessments</li> <li>• FEPA records</li> <li>• EPS or other wildlife licences</li> </ul>		<p><a href="https://www.gov.uk/government/publications/protected-species-licensing/bird-licensing/?lang=en">protected-species-licensing/bird-licensing/?lang=en</a>.</p> <p><i>Description of risk</i>            The Environment Agency (EA) (as the principal regulator for England) takes its enforcement powers very seriously. However, it does not have the necessary resources to enforce in every case and has therefore adopted an enforcement and prosecution policy to assist it in deciding which cases to pursue  <a href="https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/environment-agency-enforcement-and-sanctions-policy">https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/environment-agency-enforcement-and-sanctions-policy</a>). Enforcement is generally discretionary, but in some cases enforcement is compulsory. The EA tends to prioritize the more serious breaches and recurring breaches  <a href="http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037">http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037</a>). The Regulatory Enforcement and Sanctions Act 2008 provides for a number of forms of civil sanction to be used by certain regulators, instead of immediate reliance on criminal prosecution. These penalties include:</p> <ul style="list-style-type: none"> <li>• Fixed or variable monetary penalties.</li> <li>• Compliance notices.</li> <li>• Restoration notices.</li> <li>• Stop notices.</li> <li>• Enforcement undertakings.</li> </ul> <p>A public register of enforcement undertakings shows that the EA has been active in issuing enforcement notices and cautions and in</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>pursuing prosecutions in England (<a href="https://environment.data.gov.uk/public-register/view/search-enforcement-action">https://environment.data.gov.uk/public-register/view/search-enforcement-action</a>).</p> <p>Natural England has produced more detailed guidance on environmental enforcement, which is similar throughout the UK. This guidance is focused on how enforcement action is undertaken, including offences and sanctions, and also summarises enforcement activity in annual reports (<a href="https://www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england">https://www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england</a>).</p> <p>Like the Environment Agency in England, the Northern Ireland Environment Agency (NIEA) also has an enforcement policy (<a href="https://www.daera-ni.gov.uk/publications/environment-marine-and-fisheries-group-enforcement-policy">https://www.daera-ni.gov.uk/publications/environment-marine-and-fisheries-group-enforcement-policy</a>). Reports on water pollution show that the NIEA undertakes inspections and undertakes enforcement actions including warning letters and prosecutions (<a href="https://www.daera-ni.gov.uk/articles/pollution-response-northern-ireland">https://www.daera-ni.gov.uk/articles/pollution-response-northern-ireland</a>).</p> <p>Potential enforcement measures by the Scottish Environmental Protection Agency (SEPA) include fixed and variable monetary penalties (<a href="https://www.sepa.org.uk/regulations/enforcement/">https://www.sepa.org.uk/regulations/enforcement/</a>), and annual reports on enforcement show that prosecutions are also successfully pursued</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>(<a href="https://www.sepa.org.uk/about-us/our-performance/">https://www.sepa.org.uk/about-us/our-performance/</a>).</p> <p>Natural Resources Wales (NRW) took on regulatory responsibility for Wales from the Environment Agency on 1 April 2013 and has since adopted its own guidance on enforcement and sanctions in line with that adopted by the EA (<a href="https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en">https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/regulatory-responsibilities/?lang=en</a>). NRW annual reports include examples of enforcement of environmental regulations (<a href="https://naturalresources.wales/about-us/strategies-and-plans/annual-report/?lang=en">https://naturalresources.wales/about-us/strategies-and-plans/annual-report/?lang=en</a>).</p> <p>NGOs (such as Greenpeace and Friends of the Earth) are very active, particularly in influencing environmental law and policy (<a href="http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037">http://uk.practicallaw.com/6-503-1654?source=relatedcontent#a460037</a>). NGOs and local pressure groups often attempt to challenge the decisions of public authorities (by judicial review) and to divert the proposals of large companies that they consider to be harmful to the environment. NGOs also have powers to:</p> <ul style="list-style-type: none"> <li>• Bring a derivative action against a company's directors to ensure that the environment is fully considered.</li> <li>• Request action under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (ED Regulations).</li> </ul>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>In summary, environmental regulators in the UK have adopted proportionate and risk-based enforcement policies, focussing on advice, support and prevention in the first instance and resorting to measures such as enforcement notices and prosecutions as the severity of non-compliances increases. Annual reports from these regulators show that the full range of enforcement measures is being applied.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.11 Health and safety	<p><b>Applicable laws and regulations</b> <i>Note: There is a great deal of UK legislation related to health and safety. The list given here is not exhaustive, and addresses only the most relevant legislation; for a full list, refer to the Health and Safety Executive website (<a href="http://www.hse.gov.uk/legislation/index.htm">http://www.hse.gov.uk/legislation/index.htm</a>).</i></p> <p><i>UK</i> Part III of the Food and Environment Protection Act (FEPA) 1985</p> <p><i>England, Scotland and Wales</i> Health and Safety at Work etc. Act 1974 The Provision and Use of Work Equipment Regulations 1998 The Personal Protective Equipment Regulations 2002</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>The Health &amp; Safety Executive (HSE) (<a href="http://www.hse.gov.uk/treework/">http://www.hse.gov.uk/treework/</a>)</li> <li>The Health and Safety Executive for Northern Ireland (<a href="https://www.hseni.gov.uk/publications/hse-annual-reports">https://www.hseni.gov.uk/publications/hse-annual-reports</a>)</li> <li>Forestry Statistics 2018 [1]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Forest Industry Safety Accord (FISA) (<a href="https://www.ukfisa.com/">https://www.ukfisa.com/</a> and <a href="https://www.ukfisa.com/about-fisa/about-fisa1.html">https://www.ukfisa.com/about-fisa/about-fisa1.html</a>)</li> <li>National Tree Safety Group (<a href="http://www.forestry.gov.uk/forestry/infod-7t6bpp">http://www.forestry.gov.uk/forestry/infod-7t6bpp</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to situations/areas where health and safety regulations are consistently violated to such a degree that puts the health and safety of forest workers at significant risk throughout forest operations.</i></p> <p><i>Overview of Legal Requirements</i> The Health and Safety Executive (HSE) have a webpage (<a href="http://www.hse.gov.uk/treework/">http://www.hse.gov.uk/treework/</a>) which gives guidance on legal obligations and information on forestry related accidents and how to avoid them. In general, summarising the requirements of the applicable laws and regulations, employers must:</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>The Control of Substances Hazardous to Health Regulations 2002  The Control of Pesticides Regulations 1986  The Plant Protection Products (Basic Conditions) Regulations 1997  The Dangerous Substances (Notification and Marking of Sites) Regulations 1990  The Electricity at Work Regulations 1989  Environment Act 1995  The Health and Safety (First-Aid) Regulations 1981  The Health and Safety (Safety Signs and Signals) Regulations 1996  The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972  Poisons Act 1972  The Poisons List Order 1971 and subsequent orders  The Poisons Rules 1982  The Special Waste Regulations 1996</p> <p><i>Northern Ireland</i>  Health and Safety at Work (Northern Ireland) Order 1978  Provision and Use of Work Equipment Regulations (Northern Ireland) 1999  Personal Protective Equipment at Work Regulations (Northern Ireland) 1993  Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003  The Control of Pesticides Regulations (Northern Ireland) 1987  Plant Protection Products (Basic Conditions) Regulations (Northern Ireland) 1997</p>	<ul style="list-style-type: none"> <li>• Confor (<a href="http://www.confor.org.uk/Upload/Documents/27_hsbriefs0306.doc">http://www.confor.org.uk/Upload/Documents/27_hsbriefs0306.doc</a>)</li> <li>• Arboricultural Association (<a href="https://www.trees.org.uk/Help-Advice/Public/Help-for-arborists">https://www.trees.org.uk/Help-Advice/Public/Help-for-arborists</a>)</li> <li>• <i>Common sense risk management of trees: Guidance on trees and public safety in the UK for owners, managers and advisers</i> [13]</li> </ul>	<ul style="list-style-type: none"> <li>• Make the workplace safe and eliminate or control risks to health;</li> <li>• Ensure plant and machinery are safe and that safe systems of work are set and followed;</li> <li>• Ensure articles and substances are moved, stored and used safely;</li> <li>• Provide adequate welfare facilities;</li> <li>• Give workers the information, instruction, training and supervision necessary for their health and safety;</li> <li>• Consult workers on health and safety matters.</li> </ul> <p>A business should create risk assessments and a Health &amp; Safety manual. For each of the tasks a business carries out, e.g. manual cutting, extraction, the risks associated with them should be stated and methods of working that have been put in place to reduce these risks.</p> <p>The storage of pesticides is strictly controlled by the legislation contained in Part III of the Food and Environment Protection Act (FEPA) 1985. In addition, the Control of Pesticides (Amendment) Regulations (COPR) 1997 require that the storage of pesticides is subject to all reasonable precautions being taken to protect people, animals, plants and the environment.</p> <p>The principal legal authorities for these legal requirements are the Health and Safety Executive (HSE, in England, Scotland and</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>The Dangerous Substances (Notification and Marking of Sites) Regulations (Northern Ireland) 1992</p> <p>The Electricity At Work Regulations (Northern Ireland) 1991</p> <p>The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982</p> <p>Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996</p> <p>The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations (Northern Ireland) 1975</p> <p>Poisons (Northern Ireland) Order 1976</p> <p>The Poisons List Confirmation Order (Northern Ireland) 1983 and subsequent orders</p> <p>The Special Waste Regulations (Northern Ireland) 1998</p> <p><b>Legal Authority</b></p> <p><i>UK</i></p> <p>Local Authorities</p> <p><i>England, Scotland and Wales</i></p> <p>Health and Safety Executive (HSE)</p> <p><i>England</i></p> <p>DEFRA</p> <p><i>Northern Ireland</i></p> <p>Health and Safety Executive for Northern Ireland (HSENI)</p> <p>Northern Ireland Environment Agency</p>		<p>Wales), and the Health and Safety Executive for Northern Ireland (HSENI).</p> <p><i>Description of risk</i></p> <p>Research [13] undertaken by the Centre for Decision Analysis and Risk Management (DARM) on behalf of the NTSG (National Tree Safety Group) demonstrated that the overall risk to the public from falling trees is extremely low, representing about a one in 10 million chance of an individual being killed by a falling tree (or part of a tree) in any given year.</p> <p>The forest industry must be able to demonstrate to regulators such as the Health and Safety Executive (HSE) that it complies with current legislation. Statistics from HSE for England, Scotland and Wales show that the vast majority of fatal and major injuries in tree work are associated with chainsaw operations, being struck by a tree/tree branch or a fall. Between 1 April 2000 and 31 March 2013, a total of 60 people in the UK have been killed as a result of tree work activities and many more have been injured or have suffered ill health. According to <i>Forestry Statistics 2018</i>, accident rates in forestry and wood products have generally declined over the longer term but are still higher than the averages in agriculture and manufacturing respectively [1].</p> <p>According to the figures provided by HSE (Heidi Edwards, pers. comm., 10/11/16), in the five-year period from 2011/12 to 2015/16, 34 prohibition</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Risk assessments</li> <li>• Control of Substances Hazardous to Health (COSHH) assessments</li> <li>• Certificates of competence (individual workers)</li> </ul>		<p>notices were issued by HSE in the forestry sector, along with 50 improvement notices, giving an average of 6.8 prohibition notices and 10 improvement notices per year. In the same period, legal proceedings were instituted for eight cases in the forestry sector, giving an average of 1.6 cases per year; of these, seven cases resulted in a conviction for at least one offence, giving an overall conviction rate of 87.5 %.</p> <p>The annual reports of the Health and Safety Executive for Northern Ireland (HSENI) (<a href="https://www.hseni.gov.uk/publications/hseni-annual-reports">https://www.hseni.gov.uk/publications/hseni-annual-reports</a>) include records of fatalities and enforcement undertakings. While recent reports explicitly include forestry in the agriculture and food category, there are no recorded forestry fatalities between 2013/14 and 2016/17. There are, however, ample records of inspections, investigations, enforcement notices and, in extreme cases, prosecutions.</p> <p>Recognising that the forest industry remains one of the most dangerous sectors in which to work in the UK, key players came together in 2012 to develop a Forest Industry Safety Accord (FISA), ‘which sets out the commitment that each organisation, and the sector at large, can make to raise the standard of health and safety in their place of work’ (<a href="https://www.ukfisa.com/about-fisa/about-fisa1.html">https://www.ukfisa.com/about-fisa/about-fisa1.html</a>).</p> <p>The forest industry also conforms to the requirements of the British Agrochemical</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Standards Inspection Scheme (BASIS), an independent registration, standards and certification scheme which establishes and assesses standards in the pesticide industry relating to storage, transport and competence of staff.</p> <p>In summary, while there are clearly issues with health and safety in forestry, FISA has been voluntarily created to address these, and HSE and HSENI do investigate incidents and enforce health and safety legislation.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.12 Legal employment	<p><b>Applicable laws and regulations</b> <i>Note: This is a wide-ranging indicator, to which a great deal of UK legislation is potentially relevant. The list given here is not exhaustive and addresses only the most important issues in the UK context, such as equality and living wages.</i></p> <p><i>UK</i> National Minimum Wage Regulations 2015 Gangmasters (Licensing) Act 2004</p> <p><i>England, Scotland and Wales</i> Employment Act 2008 (and previous) Employment Act (Northern Ireland) 2016 (and previous)</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Gov.UK website (<a href="https://www.gov.uk/child-employment">https://www.gov.uk/child-employment</a>)</li> <li>Gangmasters &amp; Labour Abuse Authority (<a href="http://www.gla.gov.uk/">http://www.gla.gov.uk/</a> and <a href="http://www.gla.gov.uk/i-am-a/i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/">http://www.gla.gov.uk/i-am-a/i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/</a>)</li> <li>Forestry Statistics 2018 [1]</li> <li>Challenging Assumptions, Changing Perceptions [14]</li> <li>2017 UK Annual Report on Modern Slavery [15]</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to situations/areas where systematic or large-scale non-compliance with labour and/or employment laws. The objective is to identify where serious violations of the legal rights of workers take place, such as forced, underage or illegal labour.</i></p> <p><i>Overview of Legal Requirements Businesses and sub-contractors</i> A total of 4,060 forestry businesses, 540 sawmilling businesses, 120 wood-based panel</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>Equality Act 2010 Employers' Liability (Compulsory Insurance) Act 1969 Gangmasters Licensing (Exclusions) Regulations 2013 Health and Safety at Work Act 1974 The Management of Health and Safety at Work Regulations 1999 The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013</p> <p><i>England and Wales</i> Occupiers' Liability Acts 1957 and 1984</p> <p><i>Northern Ireland</i> Employment Act (Northern Ireland) 2016 (and previous) Equal Pay Act (Northern Ireland) 1970 Sex Discrimination (Northern Ireland) Order 1976 Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014 Health and Safety at Work (Northern Ireland) Order 1978 Management of Health and Safety at Work Regulations (Northern Ireland) 2000 Occupiers' Liability Act (Northern Ireland) 1957 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997</p> <p><i>Scotland</i> Occupiers' Liability (Scotland) Act 1960</p>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• International Labour Organization (ILO) (<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651</a>)</li> <li>• Forestry Contracting Association (<a href="http://www.forestrycontracting.co.uk/">http://www.forestrycontracting.co.uk/</a>)</li> <li>• Global Slavery Index (<a href="https://www.globallslaveryindex.org/">https://www.globallslaveryindex.org/</a>, <a href="https://www.globallslaveryindex.org/2018/data/country-data/united-kingdom/">https://www.globallslaveryindex.org/2018/data/country-data/united-kingdom/</a> and <a href="https://www.globallslaveryindex.org/2018/findings/country-studies/united-kingdom/">https://www.globallslaveryindex.org/2018/findings/country-studies/united-kingdom/</a>)</li> </ul>	<p>businesses and 240 pulp &amp; paper businesses were registered for VAT and/or PAYE purposes in the UK in 2017. There has been an overall increase in forestry businesses over the last ten years, whilst sawmilling, panels, and pulp and paper businesses have declined [1].</p> <p>The majority of the forestry contractors in the UK are self-employed, and those that they contract to carry out work are usually self-employed sub-contractors rather than employees. It is the contractor who determines the level of wages and working conditions for their employees therefore. While this has implications for the scope for contractors and sub-contractors to organise and bargain collectively, legal protections in terms of discrimination, child labour and forced labour described below would still apply.</p> <p><u>Equality legislation</u> The Equality Act 2010 protects people with disabilities and other defined 'protected characteristics' from being discriminated against in the provision of all facilities, goods and services. The act describes a wide range of illegal discrimination and makes a requirement for reasonable adjustments for disabled people to allow them access to facilities, goods and services.</p> <p>The Equality Act 2010 provides a legal framework to protect the rights of individuals with protected characteristics, advance equality of</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><i>Legislation implementing the ILO Core Labour Conventions</i>  <i>Note: The list given here is not exhaustive, and addresses only the principal legislation; for a full list, refer to the ILO website (<a href="http://www.ilo.org/dyn/natlex/natlex4.countrySubjects?p_lang=en&amp;p_country=GBR">http://www.ilo.org/dyn/natlex/natlex4.countrySubjects?p_lang=en&amp;p_country=GBR</a>).</i></p> <p><i>Implementing 29 Forced Labour Convention, 1930 and 105 Abolition of Forced Labour Convention, 1957:</i>            Modern Slavery Act 2015            Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015            Human Trafficking and Exploitation (Scotland) Act 2015</p> <p><i>Implementing 87 Freedom of Association and Protection of the Right to Organise Conventions, 1948 and 98 Right to Organise and Collective Bargaining Convention, 1949:</i>            Trade Union Act 2016            Employment Relations Act 2004</p> <p><i>Implementing 100 Equal Remuneration Convention, 1951 and 111 Discrimination (Occupation and Employment) Convention, 1958:</i>            Equality Act 2010            Equal Pay Act (Northern Ireland) 1970            Sex Discrimination (Northern Ireland) Order 1976</p> <p><i>Implementing 138 Minimum Age Convention, 1973 and 182 Worst Forms of Child Labour Convention, 1999:</i>            Children and Young Persons Act 1933</p>		<p>opportunity and tackle inequality and discrimination. The Act provides Britain with a discrimination law that protects individuals from unfair treatment and promotes a fair and more equal society.</p> <p><u>Engagement with ILO</u>            The UK has a permanent seat in the ILO governing body and, since the ILO's formation in 1919, has ratified 87 ILO conventions and 2 protocols including the eight core conventions covering human rights in the work place (<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651</a>)</p> <p><u>Child labour legislation</u>            The UK has specific child employment laws which restrict how much children can work and what kinds of work they may do. It is compulsory for children under 16 years of age to attend school. Children under the age of 16 are only permitted to undertake light work (<a href="https://www.gov.uk/child-employment">https://www.gov.uk/child-employment</a>).</p> <p><u>Forced labour legislation</u>            Forced labour is addressed primarily through the Modern Slavery Act 2015 and the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.</p> <p>The Gangmasters &amp; Labour Abuse Authority (<a href="http://www.gla.gov.uk/">http://www.gla.gov.uk/</a>) exists to protect vulnerable and exploited workers. The gangmasters licensing scheme regulates</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b>  <i>UK</i>            Department for Work and Pensions            Gangmasters &amp; Labour Abuse Authority            HM Revenue &amp; Customs (HMRC)</p> <p><i>England, Scotland and Wales</i>            Health and Safety Executive (HSE)</p> <p><i>Northern Ireland</i>            Health and Safety Executive for Northern Ireland</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Insurance documents</li> <li>• Contracts</li> <li>• Certificates of competence (individual workers)</li> </ul>		<p>businesses who provide workers to the fresh produce supply chain and horticulture industry. Suppliers of workers to the forestry sector are excluded from the requirements of the Gangmasters (Licensing) Act 2004 under the Gangmasters Licensing (Exclusions) Regulations 2013 and the Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014 (see <a href="http://www.gla.gov.uk/i-am-a/i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/">http://www.gla.gov.uk/i-am-a/i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/</a>).</p> <p>The exclusion of forestry from the scope of the Act was a recommendation of the Forestry Regulation Task Force in its final report <i>Challenging Assumptions, Changing Perceptions</i> [44]. Although the remit of the Task Force was limited to England, much of the evidence it presented was relevant to the whole of the UK. The Task Force noted the very low number of prosecutions by (at that time, 2011) the Gangmasters Licensing Authority of forestry operators for trading without a licence (at that time only two in Scotland) and the absence of prosecutions of forestry operators for activities as a result of exploitation or abuse of workers, concluding that 'The lack of prosecutions for exploitation of workers indicates that forestry is low risk for abuse or exploitation of vulnerable workers'. The Task Force also presented evidence from Lantra which suggested that the forestry sector should be considered low risk because of its relatively skilled workforce.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p><i>Description of risk</i></p> <p>In keeping with the focus of this indicator on serious violations of the legal rights of workers, this description concentrates on forced labour/modern slavery and child labour. Overall, the UK is considered low risk for violations of the rights specified in ILO Fundamental Principles and Rights at work (see indicator 2.2).</p> <p>While recognising that forced labour does occur in the UK, the Global Slavery Index 2018 shows that the prevalence of modern slavery is relatively low (the UK ranking 132 out of 167 countries, <a href="https://www.globallslaveryindex.org/2018/data/country-data/united-kingdom/">https://www.globallslaveryindex.org/2018/data/country-data/united-kingdom/</a>) and that the government has been relatively active in tackling the problem (the UK ranking third in the world after the Netherlands and United States, <a href="https://www.globallslaveryindex.org/2018/findings/country-studies/united-kingdom/">https://www.globallslaveryindex.org/2018/findings/country-studies/united-kingdom/</a>). The main legal tools are modern slavery and human trafficking legislation, and official statistics summarise mechanisms for identifying potential victims and for enforcing these laws, including prosecution [15]. The exemptions for forestry under the Gangmasters Licensing (Exclusions) Regulations 2013 and the Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014 demonstrate that the sector is considered low risk in this regulatory context.</p> <p>No specific evidence has been found relating to child labour in the forest sector. Official statistics do show that a proportion of the potential victims</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>of forced labour reported to and investigated by the regulatory authorities are children [15], but there is no evidence to challenge the general conclusions that modern slavery and human trafficking legislation is enforced, and that the forest sector is low risk.</p> <p>In summary, employment law in the UK is wide ranging, and includes legislation implementing the ILO Core Labour Conventions. Although it is recognised that labour abuses do occur, there is no evidence of systematic or large-scale non-compliance with employment laws, and the forest sector in particular is seen as low risk.</p> <p><i>Risk conclusion</i>  Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<b>Third parties' rights</b>			
1.13 Customary rights	The NRA Working Group concludes that this indicator is not applicable, on the basis that relevant rights are covered by statute and common law in the UK, rather than customary law, and there is no relevant legislation.	N/A	N/A
1.14 Free prior and informed consent	The NRA Working Group concludes that this indicator is not applicable, on the basis that the concept of free, prior and informed consent does not feature in UK law, and there is no relevant legislation. This is in part related to the absence of customary rights (see indicator 1.13) and indigenous peoples (see indicators 1.15 and 2.3).	N/A	N/A

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
1.15 Indigenous peoples rights	The NRA Working Group concludes that this indicator is not applicable, on the basis that it is widely accepted that there are no indigenous people in the UK. Lord Triesman, Parliamentary Under-Secretary of State, Foreign and Commonwealth Office made a statement to this effect the House of Lords in 2007 regarding ILO Convention 169.	<b>Government sources</b> <ul style="list-style-type: none"> <li>House of Lords Hansard (<a href="http://www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm">http://www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm</a>)</li> </ul>	N/A
<b>Trade and transport</b>			
1.16 Classification of species, quantities, qualities	<b>Applicable laws and regulations</b> <i>UK</i> Regulation (EU) No 995/2010 of the European Parliament and of the Council Regulation of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance (EU Timber Regulation, EUTR) The Timber and Timber Products (Placing on the Market) Regulations 2013  <b>Legal Authority</b> <i>UK</i> Office for Product Safety and Standards  <b>Legally required documents or records</b> <ul style="list-style-type: none"> <li>Records as required by the EUTR (see indicator 1.21)</li> </ul>	<b>Government sources</b> <ul style="list-style-type: none"> <li>Office for Product Safety and Standards (<a href="https://www.gov.uk/government/organisations/office-for-product-safety-and-standards">https://www.gov.uk/government/organisations/office-for-product-safety-and-standards</a> and <a href="https://www.gov.uk/guidance/eu-timber-regulation-guidance-for-business-and-industry">https://www.gov.uk/guidance/eu-timber-regulation-guidance-for-business-and-industry</a>)</li> <li>EU(<a href="http://ec.europa.eu/environment/forests/timber_regulation.htm">http://ec.europa.eu/environment/forests/timber_regulation.htm</a>)</li> </ul> <b>Non-Government sources</b> <ul style="list-style-type: none"> <li>Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> <li><i>Info-brief: EUTR enforcement in the UK</i> [16]</li> <li><i>Overview of Competent Authority EU Timber Regulation checks, March-May 2017</i> [17]</li> </ul>	<b>Risk designation</b> Low risk  <b>Risk determination</b> <i>Note: Risk relates to material traded under illegal false statements of species, quantities or qualities. This could cover cases where this type of false classification is done to avoid payment of royalties or taxes or where trade bans on product types or species are implemented locally, nationally or internationally. This is mainly an issue in countries with high levels of corruption (CPI&lt;50).</i>  <i>Overview of Legal Requirements</i> The EU Timber Regulation (EUTR), which includes requirements for providing access to information on species and quantities, is implemented in the UK by the Timber and Timber Products (Placing on the Market) Regulations 2013, which provide powers of enforcement for the competent authority as well as establishing penalties.

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>• <i>Overview of Competent Authority EU Timber Regulation checks, June-November 2017</i> [18]</li> </ul>	<p><i>Description of risk</i> Evidence collected by ClientEarth [16] and UNEP-WCMC [17 and 18] shows that the UK competent authority (previously the National Measurement and Regulation Office (NMRO) and Regulatory Delivery, now the Office for Product Safety and Standards) carries out checks of operators and can and does take a variety of enforcement action, including taking operators to court. The UNEP-WCMC data [17 and 18] show that, as in several other European countries, checks have focussed on importers rather than domestic operators, with checks planned on the basis of risk criteria. The June-November 2017 data [18] also show that the UK competent authority checked an operator in response to a concern raised by an organisation.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p>In summary, in keeping with the overall low level of perceived public-sector corruption and high quality of regulation in the UK, there is evidence that EUTR requirements, including requirements for providing access to information on species</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>and quantities, are being enforced by the competent authority, with inspections occurring and offenders being prosecuted.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.17 Trade and transport	<p><b>Applicable laws and regulations</b> <i>England, Scotland and Wales</i> Plant Health Act 1967 The Plant Health (Forestry) (<i>Phytophthora ramorum</i>) (Great Britain) Order 2004 The Plant Health (Forestry) Order 2005</p> <p><i>England and Scotland</i> The Plant Health (Fees) (Forestry) Regulations 2015</p> <p><i>Northern Ireland</i> Plant Health Act (Northern Ireland) 1967 The Plant Health (Wood and Bark) Order (Northern Ireland) 2006</p> <p><i>Scotland</i> The Plant Health (Forestry) (<i>Phytophthora ramorum</i> Management Zone) (Scotland) Order 2014</p> <p><i>Wales</i> The Plant Health (Fees) (Forestry) Regulations 2006</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Gov.UK website (<a href="https://www.gov.uk/guidance/find-a-specific-tree-pest-or-disease#licencesystem">https://www.gov.uk/guidance/find-a-specific-tree-pest-or-disease#licencesystem</a>)</li> <li>Forestry Commission Scotland (<a href="https://scotland.forestry.gov.uk/supporting/forest-industries/tree-health/phytophthora-ramorum/management-zone-restrictions">https://scotland.forestry.gov.uk/supporting/forest-industries/tree-health/phytophthora-ramorum/management-zone-restrictions</a>)</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: Risk relates to the issuing of documents permitting the removal of timber from the harvesting site (e.g., legally required removal passes, waybills, timber tags, etc.).</i></p> <p><i>Overview of Legal Requirements</i> There are no general requirements for transport permits, but permits are required under some plant health legislation. For plant passport requirements, see indicator 1.19. Key regulations relate to plant health and <i>Phytophthora ramorum</i> affected wood. The Plant Health Order (Forestry) (2005) is the principal instrument in Great Britain implementing the plant health requirements in the European Community in respect of forestry material, as set out in Council Directive 2000/29/EC. The Order includes prohibiting the keeping, storage, sale or release of tree pests, sets out conditions for sending relevant material to other Member</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b></p> <p><i>England</i> Forestry Commission</p> <p><i>Northern Ireland</i> Forest Service</p> <p><i>Scotland</i> Forestry Commission</p> <p><i>Wales</i> Natural Resources Wales</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Movement licence</li> </ul>		<p>States, the rules for registration of importers, forestry traders and producers, the rules for the issue of plant passports to accompany certain relevant material circulated in trade, the powers of inspectors to enter premises (other than private dwellings) and to undertake examinations etc., or order remedial action to be taken. There are prescribed offences and penalties for failing to comply with the Order. The equivalent legislation in Northern Ireland implementing Council Directive 2000/29/EC is the Plant Health (Wood and Bark) Order (Northern Ireland) 2006.</p> <p>In England, Scotland and Wales, any movement of <i>Phytophthora ramorum</i> affected wood from a forest site (or subsequent movement of the affected material from a mill or processing site) requires a movement licence. <i>Phytophthora</i>-affected wood may only be moved to a facility that holds a valid processing licence (<a href="https://www.gov.uk/guidance/find-a-specific-tree-pest-or-disease#licencesystem">https://www.gov.uk/guidance/find-a-specific-tree-pest-or-disease#licencesystem</a>).</p> <p>In Scotland, there is no requirement for recording the movement of <i>Phytophthora</i>-affected larch wood within the <i>Phytophthora ramorum</i> Management Zone. A record must be kept, in the form of a movement licence, of any movement of <i>Phytophthora</i>-affected larch wood from forest sites inside the management zone to an approved facility outside the zone (<a href="https://scotland.forestry.gov.uk/supporting/forest-industries/tree-health/phytophthora-ramorum/management-zone-restrictions">https://scotland.forestry.gov.uk/supporting/forest-industries/tree-health/phytophthora-ramorum/management-zone-restrictions</a>).</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p><i>Description of risk</i>            No published statistics are available on compliance with or enforcement of movement licence requirements, and there is no evidence of concerns from government or non-government sources. Movement licensing has not been highlighted as a serious enforcement issue by the relevant regulatory authorities, and as such is deemed to be low risk for the purposes of this risk assessment.</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this controlled wood category, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p> <p><i>Risk conclusion</i>            Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.18 Offshore trading and transfer pricing	The NRA Working Group concludes that this indicator is not applicable, on the basis that UK legislation (Taxation (International and Other Provisions) Act 2010) regulates but does not prohibit transfer pricing and offshore trading [19]. (The FSC National Risk Assessment Framework	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li><i>International Transfer Pricing 2015/16</i> [19]</li> </ul>	N/A

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>specifies that 'It should be noted that only transfer pricing and offshore trading, as far as it is legally prohibited in the country, can be included here'.) However, Diverted Profits Tax (introduced in the Finance Act 2015 [19]) acts as a disincentive to offshore trading and transfer pricing (see indicator 1.7).</p>		
1.19 Custom regulations	<p><b>Applicable laws and regulations</b>  <i>England, Scotland and Wales</i>            Plant Health Act 1967            The Plant Health (Export Certification) (Forestry) (Great Britain) Order 2004            The Plant Health (Forestry) Order 2005</p> <p><i>England and Scotland</i>            The Plant Health (Fees) (Forestry) Regulations 2015</p> <p><i>Northern Ireland</i>            Plant Health Act (Northern Ireland) 1967            The Plant Health (Wood and Bark) Order (Northern Ireland) 2006</p> <p><i>Wales</i>            The Plant Health (Fees) (Forestry) Regulations 2006</p> <p><b>Legal Authority</b>            Phytosanitary certificates are issued by the Forestry Commission for wood, wood products, bark, wooden packaging, and used forestry machinery.            International Standard for Phytosanitary Measures</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Gov.UK website (<a href="https://www.gov.uk/guidance/export-and-import-licences-for-controlled-goods-and-trading-with-certain-countries">https://www.gov.uk/guidance/export-and-import-licences-for-controlled-goods-and-trading-with-certain-countries</a>)</li> <li>Forestry Commission (<a href="http://www.forestry.gov.uk/planthealth">http://www.forestry.gov.uk/planthealth</a>, <a href="http://www.forestry.gov.uk/forestry/INFD-9P2M34">http://www.forestry.gov.uk/forestry/INFD-9P2M34</a> and <a href="http://www.forestry.gov.uk/forestry/INFD-9P2LYZ">http://www.forestry.gov.uk/forestry/INFD-9P2LYZ</a>)</li> <li>Department of Agriculture, Environment and Rural Affairs (<a href="https://www.daera-ni.gov.uk/articles/import-and-export-wood-and-bark">https://www.daera-ni.gov.uk/articles/import-and-export-wood-and-bark</a>)</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>International Plant Protection Convention (<a href="https://www.ippc.int/en/countries/united-kingdom/">https://www.ippc.int/en/countries/united-kingdom/</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b>  <i>Note: This indicator addresses custom legislation covering areas such as export/import licenses and product classification (codes, quantities, qualities and species).</i></p> <p><i>Overview of Legal Requirements</i>            There are no general requirements for export licences for wood, but there are specific plant health requirements (<a href="https://www.gov.uk/guidance/export-and-import-licences-for-controlled-goods-and-trading-with-certain-countries">https://www.gov.uk/guidance/export-and-import-licences-for-controlled-goods-and-trading-with-certain-countries</a>). For product classification requirements, see indicator 1.16.</p> <p>If wood material or products are not classed as regulated there are no restrictions to their movement.</p> <p><b>Export (EU)</b>            Generally, there is free movement of forestry materials between EU member states. However, there are some exceptions. Controlled material (<a href="http://www.forestry.gov.uk/forestry/INFD-">http://www.forestry.gov.uk/forestry/INFD-</a></p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p>Regulatory Delivery</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Export (EU): Controlled material must be accompanied by a plant passport unless exempt.</li> <li>• Export (non-EU): Controlled products must usually be accompanied by a Plant Health (Phytosanitary) Certificate declaring the goods to be free of harmful organisms.</li> <li>• EU Timber Regulation (EUTR) states that a record must be kept of the supplier, the product's timber species, where it comes from, and the amount bought. The risk assessment on the product, based on the collected evidence must also be recorded. FLEGT and CITES licenses are considered to comply with the EUTR.</li> </ul>		<p><a href="#">9P2M34</a>) must be accompanied by a plant passport unless exempt. Movement of host material without control is permitted between EU member states not listed as being part of a protected zone. Exceptions are:</p> <ul style="list-style-type: none"> <li>• Specific regulations for kiln drying and sourcing from disease free locations for all conifers (Coniferae), plane (<i>Platanus</i>) and sweet chestnut (<i>Castanea</i>).</li> <li>• Also, for exporting ash (<i>Fraxinus</i>) to Ireland.</li> </ul> <p>The requirements for importing and exporting wood and bark for Northern Ireland, including the wood packing for any other goods that are transported inside or outside the EU, are specified on the DAERA website (<a href="https://www.daera-ni.gov.uk/articles/import-and-export-wood-and-bark">https://www.daera-ni.gov.uk/articles/import-and-export-wood-and-bark</a>).</p> <p><u>Export (non-EU)</u> Controlled products must usually be accompanied by a Plant Health (Phytosanitary) Certificate declaring the goods to be free of harmful organisms (<a href="http://www.forestry.gov.uk/forestry/INFD-9P2LYZ">http://www.forestry.gov.uk/forestry/INFD-9P2LYZ</a>).</p> <p><i>Description of risk</i> No published statistics are available on compliance with or enforcement of plant passport or phytosanitary certificate requirements, and there is no evidence of concerns from government or non-government sources.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>Significantly, the International Plant Protection Convention reports no instances of non-compliance with international phytosanitary requirements (<a href="https://www.ippc.int/en/countries/united-kingdom/">https://www.ippc.int/en/countries/united-kingdom/</a>). Plant passporting and phytosanitary certification have not been highlighted as serious enforcement issues by the relevant regulatory authorities, and as such are deemed to be low risk for the purposes of this risk assessment.</p> <p><i>Risk conclusion</i> Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.20 CITES	<p><b>Applicable laws and regulations</b> <i>UK</i> Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein The Control of Trade in Endangered Species Regulations 2018 The Control of Trade in Endangered Species (Fees) Regulations 2009</p> <p><b>Legal Authority</b> <i>UK</i> Animal and Plant Health Agency's Centre for International Trade National Wildlife Crime Unit</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Animal and Plant Health Agency (<a href="https://www.gov.uk/guidance/cites-imports-and-exports">https://www.gov.uk/guidance/cites-imports-and-exports</a>)</li> <li><i>Wildlife Crime in Scotland 2015 Annual Report</i> [8]</li> <li><i>National Wildlife Crime Unit (NWCU) Tactical Assessment May 2016</i> [9]</li> <li><i>National Wildlife Crime Unit (NWCU) Tactical Assessment November 2016</i> [10]</li> <li><i>Exotic Forest Trees in Great Britain</i> [20]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>CITES (<a href="https://cites.org/sites/default/files/reports/13-14UnitedKingdom.pdf">https://cites.org/sites/default/files/reports/13-14UnitedKingdom.pdf</a>)</li> </ul>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Note: The indicator relates to legislation existing for the area under assessment (and not e.g., the area from which CITES species are imported).</i></p> <p><i>Overview of Legal Requirements</i> The principal regulations implementing Council Regulation (EC) No 338/97, applicable throughout the UK, are the Control of Trade in Endangered Species Regulations 2018. These regulations provide for a number of offences in relation to the purchase, use and sale of specimens of certain species, as well offences in relation to import and export permits. The</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• CITES permit</li> </ul>		<p>regulations grant powers of entry and seizure to police and provide for penalties for offences including fines and imprisonment. Under these regulations, the import, export and use for commercial gain of certain species requires a CITES permit  <a href="https://www.gov.uk/guidance/cites-imports-and-exports">https://www.gov.uk/guidance/cites-imports-and-exports</a>).</p> <p><i>Description of risk</i>  There are almost no tree species grown for timber in the UK which require a CITES certificate. A very rare exception is Monkey Puzzle (<i>Araucaria araucana</i>), with a few very small plantations established in the nineteenth and early twentieth century [20].</p> <p>The biennial UK CITES report covering the period 1 January 2013 to 31 December 2014 (<a href="https://cites.org/sites/default/files/reports/13-14UnitedKingdom.pdf">https://cites.org/sites/default/files/reports/13-14UnitedKingdom.pdf</a>) provides information on compliance and enforcement measures (section C, pp. 5-7), including a list of prosecutions during the period of the report (Annex 2). These prosecutions involved native bird species and various exotic species or parts thereof, but no plant species or plant products. A list of significant seizures made by the UK Border Force during the reporting period (Annex 3) includes two seizures of Red Sandalwood.</p> <p>According to Scottish Government [8], 10 CITES-related offences were recorded in Scotland in 2014-15, down from 20 in 2013-14 (Table 16, p.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>26); 'These 10 offences all related to a single incident, involving the keeping and commercial display of a number of endangered species in Fife' (p. 30).</p> <p>According to the <i>National Wildlife Crime Unit (NWCU) Tactical Assessment May 2016</i> [9], covering England and Wales for the period 1 October 2013 to 31 March 2016, CITES timber accounted for 13 (1.2 %) of 1,111 CITES intelligence submissions (p. 18).</p> <p>The <i>National Wildlife Crime Unit (NWCU) Tactical Assessment November 2016</i> [10], covering the period 1 April to 30 September 2016 (primarily for England and Wales, but also including reports from Northern Ireland and Scotland and organisations such as UK Border Force), also includes figures on intelligence received in relation to CITES issues (pp. 13-16). CITES timber is considered a priority issue and accounted for four of 180 intelligence submissions for priority issues (p. 13). No details are given of these reports beyond the sources for the timber related intelligence submissions, with one from the Metropolitan Police, two from APHA (Animal &amp; Plant Health Agency), and one from Interpol (p. 13). Reports relating to CITES make up 16.9 % of all intelligence submitted to the NWCU, while reports relating to CITES timber make up only 0.3 % (Appendix B, p. 31 in [10]).</p> <p>In summary, the probability of CITES timber originating in the UK is small, but CITES timber is</p>



Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>a priority issue for the National Wildlife Crime Unit and there is evidence that reports of breaches of regulations are investigated.</p> <p><i>Risk conclusion</i>            Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<b>Diligence/due care procedures</b>			
<p>1.21            Legislation requiring due diligence/due care procedures</p>	<p><b>Applicable laws and regulations</b>  <i>UK</i>            Regulation (EU) No 995/2010 of the European Parliament and of the Council Regulation of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance (EU Timber Regulation, EUTR)            The Timber and Timber Products (Placing on the Market) Regulations 2013            Criminal Justice Act 1982</p> <p><b>Legal Authority</b>  <i>UK</i>            Office for Product Safety and Standards</p> <p><b>Legally required documents or records</b>            EUTR Requirements:</p> <ul style="list-style-type: none"> <li>Operators are any (natural or legal) person first placing timber on the EU market. They must maintain records of any traders that they supply timber to. Operators must provide the following information:</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Office for Product Safety and Standards (<a href="https://www.gov.uk/government/organisations/office-for-product-safety-and-standards">https://www.gov.uk/government/organisations/office-for-product-safety-and-standards</a> and <a href="https://www.gov.uk/guidance/eu-timber-regulation-guidance-for-business-and-industry">https://www.gov.uk/guidance/eu-timber-regulation-guidance-for-business-and-industry</a>)</li> <li>EU (<a href="http://ec.europa.eu/environment/forests/timber_regulation.htm">http://ec.europa.eu/environment/forests/timber_regulation.htm</a> and <a href="http://ec.europa.eu/environment/forests/pdf/EUTR_implementation_scoreboard_22_02_17.pdf">http://ec.europa.eu/environment/forests/pdf/EUTR_implementation_scoreboard_22_02_17.pdf</a>)</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Transparency International (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>)</li> <li>World Bank (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>)</li> </ul>	<p><b>Risk designation</b>            Low risk</p> <p><b>Risk determination</b>  <i>Note: This indicator relates to legislation requiring due diligence/due care procedures, including, e.g., due diligence/due care systems, declaration obligations, and/or the keeping of trade related documents, etc.</i></p> <p><i>Overview of Legal Requirements</i>            The EU Timber Regulation (EUTR), which requires operators who place timber and timber products on the internal market for the first time to maintain a due diligence system, is implemented in the UK by the Timber and Timber Products (Placing on the Market) Regulations 2013, which provide powers of enforcement for the competent authority as well as establishing penalties.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> <li>○ description of the type of product and species of the wood used (trade and common name and, where applicable, the full scientific name)</li> <li>○ country of harvest, and where applicable; sub-national region where timber was harvested and concession of harvest</li> <li>○ quantity (expressed in volume, weight or number of units)</li> <li>○ name and address of the supplier to the operator</li> <li>○ name and address of the trader to whom the timber or timber products have been supplied</li> <li>○ documents or any information indicating compliance of those timber and timber products with the applicable legislation</li> <li>● Traders are any (natural or legal) person who sells or buys timber products that have already been placed on the EU market. They must maintain records of: who supplied it to them whom they have supplied the timber or timber products to. This information shall be kept for at least five years and be provided for checks if requested.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>Info-brief: EUTR enforcement in the UK</i> [16]</li> <li>● <i>Overview of Competent Authority EU Timber Regulation checks, March-May 2017</i> [17]</li> <li>● <i>Overview of Competent Authority EU Timber Regulation checks, June-November 2017</i> [18]</li> </ul>	<p><i>Description of risk</i>  Evidence collected by ClientEarth [16] and UNEP-WCMC [17 and 18] shows that the UK competent authority (previously the National Measurement and Regulation Office (NMRO) and Regulatory Delivery, now the Office for Product Safety and Standards) carries out checks of operators and can and does take a variety of enforcement action, including taking operators to court. The UNEP-WCMC data [17 and 18] show that, as in several other European countries, checks have focussed on importers rather than domestic operators, with checks planned on the basis of risk criteria. The June-November 2017 data [18] also show that the UK competent authority checked an operator in response to a concern raised by an organisation. The EU's EUTR implementation scoreboard for 2017 showed that the UK had fulfilled its obligations in terms of establishing a competent authority, imposing penalties and carrying out checks (<a href="http://ec.europa.eu/environment/forests/pdf/EUTR_implementation_scoreboard_22_02_17.pdf">http://ec.europa.eu/environment/forests/pdf/EUTR_implementation_scoreboard_22_02_17.pdf</a>).</p> <p>See also the Corruption Perceptions Index (<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>) and Worldwide Governance Indicators (<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a>) scores quoted in the context section for this Category 3, which show a very low level of perceived public sector corruption and a high ranking for regulatory quality in the UK.</p>

Indicator	Applicable laws and regulations, legal authority, and legally required documents or records	Sources of Information	Risk designation and determination
			<p>In summary, in keeping with the overall low level of perceived public sector corruption and high quality of regulation in the UK, there is evidence that EUTR requirements, including requirements for due diligence, are being enforced by the competent authority, with inspections occurring and offenders being prosecuted.</p> <p><i>Risk conclusion</i>  Low risk threshold (1) is met: (1) Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

**Recommended control measures**

N/A

## Controlled wood category 2: Wood harvested in violation of traditional and human rights

### Overview

This category covers risk assessment of violation of traditional and human rights due to management activities (harvesting, processing and trading).

There is no violent armed conflict in the UK (Indicator 2.1), nor are there any indigenous or traditional peoples (Indicator 2.3); these issues are addressed briefly at the UK level.

The UK has ratified all of the ILO Core Labour Conventions (see [http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:102651](http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651)), and the risks of violations of labour rights (Indicator 2.2) are considered primarily at the UK level, although there are differences in implementing legislation in individual countries which are noted in the detailed analysis.

The risk assessment is summarized briefly below, with the extensive evidence collected and considered documented in the separate detailed analysis. The risk conclusions in the detailed analysis are based on the evidence which is most pertinent to the forest sector. In addition, where issues are measured by indices calculated in the same way for many countries, objective comparisons are made with other countries with approved FSC risk assessments.

### Experts consulted

	Name	Organization	Area of expertise (indicator(s))
1.		Forestry Commission Trade Unions (FCTU)	2.2

## Risk assessment

Indicator	Sources of Information	Functional scale	Risk designation and determination
2.1 The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.	See "Detailed analysis", below.	UK	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> Low risk thresholds (1), (2), (3), (4) and (5) are met: (1) The area under assessment is not a source of conflict timber; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge a 'low risk' designation.</p>
2.2 Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See "Detailed analysis", below.	UK	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> Low risk thresholds (10) and (12) are met: (10) Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, AND the risk assessment for the relevant indicators of Category 1 confirms enforcement of applicable legislation ('low risk'); AND (12) Other available evidence do not challenge a 'low risk' designation.</p>
2.3 The rights of Indigenous and Traditional Peoples are upheld.	See "Detailed analysis", below.	UK	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> Low risk thresholds (16) and (21) are met: (16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment; AND (21) Other available evidence do not challenge a 'low risk' designation.</p>

## Recommended control measures

N/A

## Detailed analysis

Context (the following are indications that help to contextualize the information from other sources)			
Sources of information	Evidence	Scale of risk assessment	Risk indication <sup>1</sup>
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for over 200 countries, for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence/Terrorism; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/#home">http://info.worldbank.org/governance/wgi/#home</a>	<a href="http://info.worldbank.org/governance/wgi/#home">http://info.worldbank.org/governance/wgi/#home</a> In 2017, the United Kingdom percentile ranks were 93.10 for Voice and Accountability, 56.67 for Political Stability and Absence of Violence/Terrorism, 90.87 for Government Effectiveness, 94.23 for Regulatory Quality, 92.79 for Rule of Law, and 94.71 for Control of Corruption, scored from 0 to 100 with higher values corresponding to better outcomes.	UK	
World Bank Harmonized List of Fragile Situations: <a href="http://www.worldbank.org/en/topic/fragilityconflictviolence/brief/harmonized-list-of-fragile-situations">http://www.worldbank.org/en/topic/fragilityconflictviolence/brief/harmonized-list-of-fragile-situations</a>	<a href="http://pubdocs.worldbank.org/en/892921532529834051/FCSList-FY19-Final.pdf">http://pubdocs.worldbank.org/en/892921532529834051/FCSList-FY19-Final.pdf</a> The United Kingdom does not feature in this list.	UK	
Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index.	<a href="https://cpj.org/reports/2017/10/impunity-index-getting-away-with-murder-killed-justice.php">https://cpj.org/reports/2017/10/impunity-index-getting-away-with-murder-killed-justice.php</a> The United Kingdom does not feature in this list.	UK	
Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring. The ten indicators are around: Fragility Index, Authority, Legitimacy, Capacity, Governance, Economic, Security and Crime, Human Development, Demography, Environment: <a href="https://carleton.ca/cifp/failed-fragile-states/">https://carleton.ca/cifp/failed-fragile-states/</a>	<a href="https://carleton.ca/cifp/failed-fragile-states/country-ranking-table/">https://carleton.ca/cifp/failed-fragile-states/country-ranking-table/</a> In preliminary figures for 2012, the United Kingdom scores between 1.79 and 4.07 for the ten indicators. According to the index methodology, a low score – in the range of 1 to 3.5 – indicates that a country is performing well relative to others, or that a country's structural conditions present little cause for concern. Values in the moderate 3.5 to 6.5 range indicate performance approaching the global mean.	UK	
Human Rights Watch: <a href="http://www.hrw.org">http://www.hrw.org</a>	<a href="https://www.hrw.org/world-report/2018">https://www.hrw.org/world-report/2018</a> <i>World Report 2018</i> <i>Section on the United Kingdom (pages 230-231)</i> "More than six months after the government formally triggered the start of Brexit, significant concerns remained about the status of rights and protection for all UK residents derived from EU law after the UK leaves the EU. A draft law to move EU law into domestic law after Brexit raised serious concerns about granting broad	UK	

<sup>1</sup> A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

	<p>powers to the executive to amend laws undermining rights without parliamentary scrutiny, and excluding rights currently protected under the EU Charter of Fundamental Rights.</p> <p>“In June, a fire destroyed an apartment block in London, of which significant parts were social housing, raising troubling questions about the state’s fulfilment of its duty to ensure safe and adequate housing. Seventy-one people died, and hundreds were left homeless. The government established a public inquiry into the immediate circumstances surrounding the fire.</p> <p>“Despite allegations of serious abuse in immigration detention centers, the UK persisted in not imposing a maximum time limit for immigration detention and continued to detain asylum-seeking and migrant children.</p> <p>“By June, the UK had resettled 8,535 Syrians, part of a commitment to resettle 20,000 by 2020. Separately, in April the government reversed a much-criticized decision in February to curtail a program to bring unaccompanied asylum-seeking children in Europe without family ties to the UK.</p> <p>“No new anti-terrorism laws were proposed in response to attacks in London, Manchester, and Northern Ireland that resulted in 36 deaths and more than 250 injuries. Three attacks inspired by or claimed by ISIS caused most of these casualties. The government linked its efforts to press internet companies to remove content deemed extremist to the ISIS-related attacks.</p> <p>“A case at ECtHR on the privacy implications of the UK’s mass interception of communications data remained pending at time of writing.</p> <p>“The Iraq Historic Allegations Team, a body set up to investigate alleged abuses of civilians in Iraq by UK armed forces between 2003 and July 2009, was shut down by the government in June 2017. A preliminary examination by the Office of the Prosecutor of the International Criminal Court into alleged war crimes committed by UK personnel in Iraq remained open.</p> <p>“Although access to abortion remained restricted in Northern Ireland, in June, the UK health minister announced that women and girls from the region who travel to access abortion services in England each year would no longer have to pay to do so.”</p>		
<p>Transparency International Corruption Perceptions Index:  <a href="https://www.transparency.org/research/cpi/overview">https://www.transparency.org/research/cpi/overview</a></p>	<p><a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2017">https://www.transparency.org/news/feature/corruption_perceptions_index_2017</a>  The United Kingdom scores 82 points on the Corruption Perceptions Index 2017 on a scale from 0 (highly corrupt) to 100 (very clean). The United Kingdom ranks equal 8th (alongside Canada, Luxembourg and the Netherlands) out of 180 with rank no. 1 being the most clean country.</p>	<p>UK</p>	
<p>Amnesty International Annual Report: The state of the world’s human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights</p>	<p><a href="https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF">https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF</a>  <a href="https://www.amnesty.org/en/latest/research/2018/02/annual-report-201718">https://www.amnesty.org/en/latest/research/2018/02/annual-report-201718</a>  Chapter on the United Kingdom (pages 381-384)  “LEGAL, CONSTITUTIONAL OR INSTITUTIONAL DEVELOPMENTS  “In March, the Prime Minister triggered Article 50 of the Treaty on the European Union, officially starting the withdrawal by the UK from the EU (Brexit). In July, the EU</p>	<p>UK</p>	

	<p>(Withdrawal) Bill received its first reading in the House of Commons. The Bill threatened to significantly reduce existing human rights protections. It excluded both the EU Charter of Fundamental Rights (in its entirety) and the right of action for violations of EU General Principles from domestic law after the UK's withdrawal. It also handed sweeping powers to ministers to alter legislation without appropriate parliamentary scrutiny, placing current rights and equality laws at risk.</p> <p>"JUSTICE SYSTEM</p> <p>"In January, the government committed itself to completing the post-implementation review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, by April 2018. Legal aid in civil cases had dropped drastically since the Act was introduced. In October, an internal post-legislative review memorandum was published and plans for completion of the review proper were announced for mid-2018.</p> <p>"In July, Lady Hale was appointed the first woman president of the Supreme Court. There was only one other woman Justice at the Court, and just 28% of all court judges were women. Representation of ethnic minorities among judges also remained a concern; only 7% declared to be a member of an ethnic minority."</p>		
<p>Freedom House:  <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a></p>	<p><a href="https://freedomhouse.org/report/freedom-world/freedom-world-2018">https://freedomhouse.org/report/freedom-world/freedom-world-2018</a>  The status of the United Kingdom on the <b>Freedom in the World</b> index 2018 is 'free'.</p> <p><a href="https://freedomhouse.org/report/freedom-net/freedom-net-2017">https://freedomhouse.org/report/freedom-net/freedom-net-2017</a>  The status of the United Kingdom on the <b>Freedom on the Net</b> index 2017 is 'free'.</p> <p><a href="https://freedomhouse.org/report/freedom-press/freedom-press-2017">https://freedomhouse.org/report/freedom-press/freedom-press-2017</a>  The status of the United Kingdom on the <b>Freedom of the Press</b> index 2017 is 'free'.</p>	UK	
<p>Reporters without Borders: Press Freedom Index:  <a href="https://rsf.org/ranking">https://rsf.org/ranking</a></p>	<p><a href="https://rsf.org/ranking">https://rsf.org/ranking</a>  2018 World Press Freedom Index</p> <p>In 2018, The United Kingdom <b>ranked 40 out of 180 countries</b> on the World Press Freedom Index, with rank no. 1 being the most free country.</p>	UK	
<p>Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 178 nations based on their levels of stability and capacity:  <a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a></p>	<p><a href="http://fundforpeace.org/fsi/country-data/">http://fundforpeace.org/fsi/country-data/</a>  Fragile States Index 2018</p> <p>The United Kingdom is <b>ranked 159 out of 178 countries</b> on the Fragile States Index 2018, with rank no. 1 being the most fragile state.</p>	UK	
<p>The Global Peace Index. Published by the Institute for Economics &amp; Peace, This index is the world's leading measure of national peacefulness. It ranks 163 nations according to their absence of violence. It's made up of 23 indicators, ranging from a nation's level of military expenditure to its relations with neighbouring countries and the level of respect for human rights.  <a href="http://economicsandpeace.org/research/iep-indices-data/global-peace-index">http://economicsandpeace.org/research/iep-indices-data/global-peace-index</a></p>	<p><a href="http://visionofhumanity.org/indexes/global-peace-index/">http://visionofhumanity.org/indexes/global-peace-index/</a>  2018 Global Peace Index</p> <p>The state of peace in the United Kingdom is labelled 'High' with the UK ranked 57 out of 163 countries, with rank no. 1 being the most peaceful country.</p>	UK	



<b>Conclusion on country context:</b> The United Kingdom scores well on most indicators reviewed in this context section and is considered a stable country with a high state of peace and overall freedom.	UK	
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Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.			
General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
Compendium of United Nations Security Council Sanctions Lists: <a href="http://www.un.org">www.un.org</a>	<a href="https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list">https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list</a> There is <b>no UN Security Council ban</b> on timber exports from the United Kingdom.  The United Kingdom is <b>not covered by any other international ban on timber export</b> .  There are <b>no individuals or entities involved in the forest sector in the United Kingdom that are facing UN sanctions</b> .	UK	Low risk
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a>  Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or other forest resources (Type 2)	<b>No information found on conflict timber in the United Kingdom.</b>	UK	Low risk
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a>	<a href="http://www.globalwitness.org/campaigns/environment/forests">www.globalwitness.org/campaigns/environment/forests</a> <b>No information found on conflict timber in the United Kingdom.</b>	UK	Low risk
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	<a href="https://www.hrw.org/world-report/2018">https://www.hrw.org/world-report/2018</a> <b>No information found on conflict timber in the United Kingdom in the World Report 2018.</b>	UK	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) <a href="http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf">http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf</a> Now: PROFOR <a href="http://www.profor.info/node/1998">http://www.profor.info/node/1998</a>	<b>No information found on conflict timber in the United Kingdom.</b>	UK	Low risk
Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights <a href="http://www.amnesty.org">http://www.amnesty.org</a>	<a href="https://www.amnesty.org/en/latest/research/2018/02/annual-report-201718/">https://www.amnesty.org/en/latest/research/2018/02/annual-report-201718/</a> <b>No information found in the Amnesty International Report 2017/18 on conflict timber in the United Kingdom.</b>	UK	Low risk
World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2014), for six dimensions of governance: Voice	<a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a> In 2017, the United Kingdom percentile rank was 56.67 for <b>Political Stability and Absence of Violence/Terrorism</b> , scored from 0 to 100 with higher values corresponding to better outcomes. <b>No evidence found that this rank has a relationship with conflict timber.</b>	UK	Low risk

and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption: <a href="http://info.worldbank.org/governance/wqi/#home">http://info.worldbank.org/governance/wqi/#home</a>			
Greenpeace: <a href="http://www.greenpeace.org">www.greenpeace.org</a>	No information found on conflict timber in the United Kingdom.	UK	Low risk
CIFOR: <a href="http://www.cifor.org/">http://www.cifor.org/</a> <a href="http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm">http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm</a>	No information found on conflict timber in the United Kingdom.	UK	Low risk
<b>Conclusion on indicator 2.1:</b> No information was found on the UK as a source of conflict timber and the forest sector is not associated with any violent armed conflict.  <b>The following low risk thresholds apply:</b> (1) The area under assessment is not a source of conflict timber; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge 'low risk' designation.		UK	Low risk

Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.			
General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
Status of ratification of fundamental ILO conventions: <a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::">http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::</a> ILO Core Conventions Database: <a href="https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0">https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0</a>	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651</a> The UK has ratified all the 8 Fundamental ILO Conventions. The status on the ILO website for all 8 Conventions is 'in force'.	UK	Low risk
C29 Forced Labour Convention, 1930 C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3140381:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3140381:NO</a> <i>Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)</i> <i>Forced Labour Convention, 1930 (No. 29) - United Kingdom</i> "Articles 1(1), 2(1) and 25 of the Convention. <b>Trafficking in persons. 1. Law enforcement measures.</b> The Committee notes the TUC's statement that the Government has had difficulty in establishing meaningful coordination between the different agencies engaged in anti-trafficking efforts. Referring to a report by the Anti-Trafficking Monitoring Group, the TUC indicates that the criminal justice system fails to systematically prosecute traffickers, and that there has been a disproportionately low number of convictions compared to the number of identified trafficking victims. However, the TUC also indicates that there have been some localized good practices and examples of excellent individual work by the police and other criminal justice actors. It urges the Government to establish an independent anti-trafficking commissioner.	UK	Low risk on trafficking in persons (on the basis that the UK Government continues to take positive action to address concerns raised)

	<p>The Committee notes the information in the Government's report concerning measures it has taken to combat trafficking in persons, including developing a list of priority source countries to help law enforcement agencies focus their efforts, establishing a trafficking focal point within each police force, implementing awareness-raising measures and training for employment agency inspectors, supplying e-learning to police officers on trafficking, developing a policy on prosecuting trafficking cases, and providing grant funding to front-line agencies. The Government has adopted a strategy on human trafficking, to be implemented by a number of agencies focusing on prevention, improving identification and care for victims, more effective action at the border and better coordination of law enforcement efforts. The Government also indicates that it has taken measures to implement the EU Directive on human trafficking, including through the adoption of legislation in 2012 to widen extra-territorial jurisdiction of trafficking offences committed by nationals. The Committee further notes the Government's indication that, in England and Wales, six persons were convicted of trafficking in persons in 2011, and 13 persons in 2012. In 2011, two individuals were successfully prosecuted for trafficking for the purpose of sexual exploitation in Scotland, while there were two convictions in Northern Ireland in 2012. The Committee requests the Government to continue to take measures to combat trafficking in persons and to strengthen its efforts to ensure that all perpetrators of this offence are subject to thorough investigations and robust prosecutions, and that sufficiently effective and dissuasive penalties are applied in practice. It requests the Government to continue to provide information on the application of the national legislation in practice, including the number of investigations, prosecutions and convictions, and the specific penalties applied."</p>		
	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255355:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255355:NO</a>  <i>Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)</i>  <i>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - United Kingdom</i>  "Article 3 of the Convention. <b>Return of workers to their posts following lawful industrial action.</b> In its previous comments, the Committee recalled that workers who stage a lawful strike should be able to return to their posts after the end of the industrial action, and requested the Government to review the legislation, in full consultation with workers' and employers' organizations concerned, with a view to strengthening the protection available to workers who stage official and lawfully organized industrial action. With reference to its observation, the Committee notes the additional concerns raised by the Trade Union Congress (TUC) in this regard in relation to the recent proposals to permit striker replacements, which it fears could enable employers to indefinitely prolong disputes and undercut striking workers. The Committee once again requests the Government to review this matter with the social partners concerned in light of the recent proposals, with a view to strengthening the</p>	UK	Specified risk for the right to organise

	<p>protection available to workers, and to provide information on the steps taken in this regard.”</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255351:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255351:NO</a></p> <p><i>Observation (CEACR) - adopted 2015, published 105th ILC session (2016)</i>  <i>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - United Kingdom</i></p> <p>“Article 3 of the Convention. <b>Right of workers’ organizations to organize their activities and formulate their programmes.</b> The Committee recalls its previous comments in which it requested the Government to carry out a review with the social partners of the issues raised by various workers’ organizations in the country relating to the exercise and regulations of industrial action. The Committee observes that while an independent review was undertaken to look at the limited questions of alleged use of extreme tactics in industrial disputes and the effectiveness of the existing legal framework for preventing inappropriate or intimidatory actions in such disputes, the review was not charged to examine the various matters that had been raised by the workers’ organizations in the country over recent years. The Carr Report resulting from the above limited review was published in October 2014 and served as a basis for certain proposed reforms set out in the Trade Union Bill presented in Parliament on 15 July 2015.</p> <p>“The Committee observes that the TUC raises a number of concerns in relation to <b>the new government proposals, which it considers would infringe on the right of workers’ organizations to carry out their activities without interference. The TUC refers in particular to new proposed ballot requirements for industrial action and additional procedural burdens, restrictions on picketing and increased supervisory powers, procedural requirements for the use of social media, the use of agency workers to replace strikers, restrictions on union political freedoms and greater overall control of trade unions through enhanced powers of the certification authority.</b></p> <p>“The Committee notes that, following the introduction of these proposals, the Government carried out a broad-based consultation related to controversial proposals for further requirements related to picketing. <b>The Committee welcomes the Government’s decision not to pursue certain of those proposals, including the proposals related to two weeks advance social media notification and annual reporting on industrial action.</b> The November 2015 government response to the consultation on tackling intimidation of non-striking workers thus proposes to modify the Bill to clarify the limited extent of the scope of the picketing provision (section 9) and focus rather on strengthening the Code of Practice on Picketing to set out the rights and responsibilities of the parties clearly and to work with the police, the Advisory, Conciliation and Arbitration Service (ACAS) and other stakeholders to ensure that guidance fully reflects the practical steps necessary to ensure that picketing remains peaceful.</p>	UK	Specified risk for the right to organise (on the basis that there are concerns not addressed by the UK Government)
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“As regards the ballot requirements raised by the TUC, the Committee observes that two sets of additional requirements related to strike ballots are being proposed. Section 2 of the Bill introduces a new requirement of a 50 per cent participation quorum to be reached in strike ballots. In this regard, the Committee recalls in its 2012 General Survey on the fundamental Conventions, paragraph 147 that, while it has always stated that a quorum should be fixed at a reasonable level, it has consistently considered that a quorum of 50 per cent is indeed within such limits of reasonableness. The second requirement referred to by the TUC concerns the heightened conditions in important public services of support by 40 per cent of all workers (section 3 of the Bill), which effectively means a requirement of 80 per cent support where only the 50 per cent participation quorum has been met. The Committee notes that the following categories have been identified as important public services: health services, education of those aged under 17, fire services, transport services, decommissioning of nuclear installations and management of radioactive waste and spent fuel, and border security. While the Committee generally considers that a requirement of the support of 40 per cent of all workers to carry out a strike would constitute an obstacle to the right of workers’ organizations to carry out their activities without interference, it further observes that a number of the services set out in section 3 fall within the Committee’s understanding of essential services in the strict sense of the term or of public servants exercising authority in the name of the State, in which restrictions on industrial action are permissible. The Committee does however express **concern** that this restriction would also touch upon the entire primary and secondary education sector, as well as all transport services, and considers that such a restriction is likely to severely impede the right of these workers and their organizations to organize their activities in furtherance and defence of their occupational interests without interference. The Committee recalls in this regard that recourse might be had to negotiated minimum services for these sectors, as appropriate. *The Committee requests the Government to review this matter with the social partners concerned with a view to modifying the Bill so as to ensure that the heightened requirement of support of 40 per cent of all workers does not apply to education and transport services.*

“The Committee further notes the TUC concerns that these changes come within a cumulated context of heavy procedural requirements for balloting, including the fact that balloting must be by postal voting only and that secret workplace voting, and electronic voting are not allowed. The Committee further observes that Unison had raised similar concerns and that in one case referred to it, the employer challenged the confidentiality of postal voting. *The Committee invites the Government to review the ballot method with the social partners concerned with a view to its possible modernization while bearing in mind the rights and interests of all parties concerned.*

“The Committee further observes the concerns raised by the TUC in relation to the proposal to revoke the regulation in the Conduct of Employment Agencies and Employment Businesses Regulations 2003 which prohibited the provision of agency

	<p>workers to replace strikers. <i>The Committee requests the Government to review this proposal with the social partners concerned bearing in mind its general consideration that the use of striker replacements should be limited to industrial action in essential services.</i></p> <p><i>“Finally, the Committee requests the Government to provide its comments on the other matters raised by the TUC, and in particular as regards: (i) the proposal to abolish dues check-off across all public sector organizations; (ii) the proposal for an opting-in clause (as opposed to an opting-out), with a limited time validity, for union member contributions to political funds accompanied by detailed reporting obligations; (iii) the remaining provisions on picketing; and (iv) the proposal to increase powers of the certification authority.”</i></p>		
	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186111:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186111:NO</a></p> <p>Observation (CEACR) - adopted 2014, published 104th ILC session (2015)  <i>Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - United Kingdom</i></p> <p>“Article 1 of the Convention. <b>Protection against anti-union discrimination.</b> In its previous comments, noting the Government’s indication that it had become aware of <b>blacklisting within the construction sector</b>, the Committee had requested the Government to inform it of the development of regulations in relation to blacklisting of individuals on the basis of their trade union membership or activities. <b>The Committee notes with satisfaction the coming into force of the Employment Relations Act 1999 (Blacklists) Regulations 2010 that prohibit the compilation, use, sale or supply of blacklists containing details of trade union members or persons taking part in trade union activities</b>, the purpose of which is to discriminate against workers on grounds of trade union membership and activities. The Government further indicates in its report that regulations to prohibit blacklisting of trade unionists in Northern Ireland were approved by the Northern Ireland Assembly on 10 June 2014; and that it has referred allegations of continued blacklisting made by the Scottish Affairs Committee in July 2013 and April 2014 to the Information Commissioner’s Office.</p> <p><i>“The Committee notes that the Trades Union Congress has raised a number of points in relation to the effectiveness of the regulations in a communication annexed to the Government’s report and invites the Government to respond to these concerns and to provide information on any complaint filed and ensuing decisions taken by the public authorities. The Committee welcomes the steps taken by the Government to refer the allegations of continued blacklisting in Scotland to the Information Commissioner’s Office. The Committee requests the Government to provide information on developments in this regard and to submit elements relating to the effectiveness of the blacklisting prevention mechanism in the entire territory.”</i></p>	UK	Low risk for the right to organise (on the basis that the UK Government has brought in legislation to address blacklisting and that, while there are allegations of continued blacklisting, these are being investigated through the appropriate channels)
	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251193:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251193:NO</a></p>	UK	Specified risk on gender

	<p><i>Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)</i>  <i>Equal Remuneration Convention, 1951 (No. 100) - United Kingdom</i></p> <p><b>“Repetition</b></p> <p><b>Articles 1 and 2 of the Convention. Gender pay gap.</b> The Committee notes that according to the Office of National Statistics, the hourly earnings (median full time gross hourly earnings) excluding overtime of employees were by April 2013, £13.60 for men and £12.24 for women, and that <b>the pay gap between male and female full-time employees was 10 per cent. It has risen by 0.5 percentage points from the previous year.</b> The Government indicates that overtime is not included in the calculation because it can skew the results given that men work relatively more overtime than women and that women are more likely to work part time. In addition, full-time jobs tend to be higher paid than part-time jobs. The Committee notes from the “Think, Act, Report” second year report that 87 per cent of men and 57.1 per cent of women work full time and 13 per cent of men and 42.9 per cent of women work part time, where full-time workers earn £13.03 per hour and part-time workers £8.01 per hour, reflecting an earnings gap of 39.53 per cent. <b>The largest gender pay gap in 2013 concerned the health professionals (25.7 per cent), the business, finance and related associate professionals (20.4 per cent) and the sales, marketing and related associate professionals (16.6 per cent).</b> The Committee notes the information provided by the Government concerning the measures adopted or envisaged to tackle the overall gender pay gap, including plans to extend the right to request flexible working hours and establish a flexible parental leave system in 2015. The Government also refers to the recommendations of the Women’s Business Council, following which the Government adopted the Women and the Economy Action Plan in November 2013. The Government also launched, in October 2012, the Equality Advisory and Support Service aimed at individuals who need expert advice and support on discrimination issues, including sex discrimination. <b>The Government also refers to pay audits as an instrument to address the gender pay gap.”</b> (..)</p> <p><b>“Private sector.</b> The Committee notes that instead of adopting a mandatory approach through section 78 of the Equality Act 2010 (which provides the enactment of regulations to require employers to publish information relating to the pay of employees for the purpose of showing differences in the pay of male and female employees), the Government has opted for a voluntary mechanism to enhance pay transparency: the “Think, Act, Report” a voluntary, business-led initiative which encourages voluntary gender equality reporting to private sector organizations, particularly those with 150 or more employees. The Committee notes that some enterprises have already signed up to this initiative which covers more than 2 million employees. The Committee asks the Government to provide information on the measures taken and activities carried out in the framework of the “Think, Act, Report” and their concrete impact on tackling the gender pay gap in the private sector. Please also provide information on the specific measures adopted to enhance transparency</p>	<p>wage discrimination (on the basis that, despite legislation and voluntary initiatives, there is a clear gender wage gap, although the NRA-WG notes that forestry is not listed among the sectors with the largest wage gaps)</p>
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	<p>in the payment of salaries as well as on any other measures adopted in the private sector to identify and correct pay gaps.</p> <p>“Article 3. <b>Pay audits.</b> The Committee notes the Enterprise and Regulatory Reform Act 2013 (ERRA), section 98 of which inserts a new section 139A into the Equality Act 2010 giving employment tribunals the power to order that an employer undertake an equal pay audit in any case where the tribunal finds that there has been an equal pay breach. Section 139A also provides that further provisions can be made by regulations concerning the content of an audit, the powers and duties of a tribunal for deciding whether its order has been complied with as well as any circumstances in which an audit may be required to be published or may be disclosed to any person. The Committee notes the enactment of the Equality Act 2010 (Equal Pay Audits) Regulations 2014 on 1 October 2014. The Committee asks the Government to provide information on the impact of section 139A of the Equality Act 2010 on the number of equal pay audits carried out, the incidence of these pay audits in gender pay adjustments and any obstacles encountered.”</p>		
	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251189:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251189:NO</a></p> <p><i>Observation (CEACR) - adopted 2015, published 105th ILC session (2016)</i>  <i>Equal Remuneration Convention, 1951 (No. 100) - United Kingdom</i></p> <p><b>“Repetition</b>  <b>Enforcement.</b> The Committee notes the adoption in July 2013 of the Employment Tribunals and Employment Appeal Tribunal Fees Order 2013 which introduces a requirement to pay a fee to issue proceedings in the employment tribunals. The Committee notes from statistics compiled by the Ministry of Justice that since the introduction of these fees, the number of discrimination claims has dropped considerably, in particular, those related to equal pay issues. The Committee notes that comparing the period from October to December 2013 (the first quarter after fees were introduced) with the period October–December 2012, 83 per cent fewer equal pay claims were accepted by the employment tribunals. The Committee notes that the decreasing trend has continued. The Committee understands that the introduction of fees has been challenged before the judicial authorities. The Committee considers that the establishment of high fees to file claims on discrimination may constitute an obstacle to the enjoyment of the rights embedded in the Convention, particularly as this affects mainly those most disadvantaged and vulnerable to discrimination. The Committee asks the Government to take the necessary measures to ensure that all workers are able, in practice, to effectively assert their rights before the courts. In this regard, the Committee asks the Government, based on the existing statistics concerning the steep reduction of complaints concerning discrimination filed before the employment tribunals, to review the existing fees established by the Employment Tribunals and Employment Appeal Tribunal Fees Order 2013 and to continue to provide statistical information on the evolution of the filing of equal pay claims. Please</p>	UK	Specified risk on discrimination , in particular gender wage discrimination



	<p><i>provide information on the judicial decision concerning the claim filed before the judicial authorities concerning the employment tribunal fees.”</i></p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3191611:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3191611:NO</a></p> <p><i>Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - United Kingdom</i></p> <p>“Article 1(1)(a) of the Convention. <b>Protection against discrimination based on social origin and political opinion.</b> The Committee notes the Enterprise and Regulatory Reform Act 2013 (ERRA) section 97 which amends section 9(5) of the Equality Act 2010. Pursuant to the amendments the Minister must by order provide for caste to be an aspect of race. The Committee notes the Government’s indication that preparatory independent research on a possible definition of caste has been concluded and will be submitted to full consultation. The Government further indicates that there is no intention to provide explicit legal protection for political opinion and that depending on the specific facts of the case, domestic courts may determine that a person’s political belief can amount to a philosophical belief protected under the Equality Act 2010. Moreover, following the amendment to section 108 of the Employment Rights Act 1996, claimants will be able to bring a claim to the Employment Tribunal irrespective of how long they have been working for their employer. The Committee recalls that when legal provisions are adopted to give effect to the principle of the Convention, they should include at least all the grounds of discrimination set out in Article 1(1)(a) of the Convention. <i>The Committee requests the Government to provide information on any development concerning the inclusion of caste-based discrimination as an aspect of race in section 9 of the Equality Act 2010. The Committee also requests the Government to indicate the steps taken to ensure that emerging forms of discrimination that may lead to discrimination based on political opinion are being adequately monitored. Please provide information regarding how protection against discrimination in employment and occupation based on social origin and political opinion is ensured in practice.</i></p> <p>“<b>Discrimination on the basis of religion.</b> <b>The Committee has been referring to barriers to employment faced by Muslims including discrimination, lack of suitable training and educational underachievement.</b> The Government indicates that following the 2013 European Court of Human Rights judgments in four combined cases (Eweida and Chaplin v. the United Kingdom and Ladele and McFarlane v. the United Kingdom) about religious rights in the workplace, <b>the Equality and Human Rights Commission (EHRC) published new guidance to help employers develop policies and practices that protect religion and beliefs in the workplace.</b> The Government also refers to the programme on “Equal Rights, Equal Respect” in schools which includes activities to combat prejudice and negative stereotypes. <i>The Committee requests the Government to continue to provide information on the measures taken or envisaged to address discrimination and stereotyped attitudes concerning religion, in particular</i></p>	UK	Low risk on discrimination (on the basis that the UK Government continues to take positive action to address concerns raised)
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	<p><i>with respect to the impact of these measures on the access to employment and education by Muslims. Please provide statistical information in this respect as well as information on any complaints filed by Muslims concerning cases of discrimination in employment on the basis of religion and the remedies provided and sanctions imposed.</i></p> <p><b>“Equality of opportunity and treatment irrespective of race, colour or national extraction. Ethnic minorities.</b> The Committee notes that the Government provides detailed statistical information on ethnic minority employment rates showing an increase in the employment rate of the Pakistani/Bangladeshi population from 35 per cent in 1993 to 50 per cent in 2012, and a decrease in their unemployment rates from 32 per cent in 1993 to 17 per cent in 2012. The Government indicates that the number of senior civil servants with an ethnic minority background has doubled since 2003. The Committee notes that the Government provides extensive information including progress reports, on the measures taken to promote equality of opportunity and treatment of ethnic minority groups. The Committee notes in particular the measures adopted by the Ethnic Minority Employment Stakeholder Group (EMESG) and the Department of Work and Pensions (DWP) concerning recruitment, in-work poverty and improvement of workplace practices and the programme “Equal Rights, Equal Respect” which also addresses stereotypes regarding ethnic minorities. The Committee notes from the progress report on the “Equality Strategy Building a Fairer Britain” report that ethnic minorities face greater difficulty to access financial institutions and that measures have been adopted in this respect. The Progress Report by the Ministerial Working Group on Tackling Inequalities Experienced by Gypsies and Travellers (2012) also refers to measures envisaged to tackle specific problems of Roma and Travellers, including access to skills support and financial inclusion. The Committee further notes that Glasgow Works, in partnership with the Scottish Government, launched an Ethnic Minority Toolkit “Working with Ethnic Minority Clients” in 2011 which highlights issues that affect the employability of people from ethnic minority communities. <i>The Committee requests the Government to continue to provide concrete information on the measures taken to promote equality of opportunity and treatment of ethnic minority groups and combat stereotypes. Please indicate the impact, including statistics, of these measures on the employment of workers from ethnic minorities, in particular Pakistani and Bangladeshi workers, as well as Roma and Travellers, both men and women in the public and private sectors.</i>”</p>		
	<p><b>No reports filed on C138 (Minimum age) and C182 (Worst forms of child labour).</b></p>	UK	Low risk on child labour
<p>ILO Declaration on Fundamental Principles and Rights at Work. Country reports. <a href="http://www.ilo.org/declaration/lang--en/index.htm">http://www.ilo.org/declaration/lang--en/index.htm</a></p>	<p><a href="http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_203525/lang--en/index.htm">http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_203525/lang--en/index.htm</a> <b>Discrimination: The sex and race workplace double whammy</b></p>	UK	Specified risk for discrimination of ethnic

	<p><i>Ethnic minority women face double discrimination in the workplace because of their race and their gender. Many fail at the application stage simply because of their names.</i></p> <p>“GENEVA (ILO News) – When university graduate Jordan Berkeley, 22, began applying for a job, she was surprised to have no responses. Born in the United Kingdom of Caribbean parentage, she never dreamed that her name might be a problem. But a careers adviser suggested that she begin using her more English-sounding middle name – Elizabeth – in her applications. “I was surprised by what she said but I put my middle name on the CV as well. I started to get back responses, not necessarily job offers but it went from nothing to getting interviews. It was quite an eye-opener. I spoke to friends and family and it’s a common occurrence. I’ve also read reports of Muslim women taking off their hijabs to get a job,” Berkeley told ILO News.”</p>		minority women
	<p>No relevant evidence found in relation to other rights at work in the United Kingdom.</p>	UK	Low risk on child labour, forced labour, and for the freedom of association
ILO Child Labour Country Dashboard: <a href="http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm">http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm</a>	<p>No relevant evidence found in relation to child labour in the United Kingdom.</p>	UK	Low risk on child labour
Global March Against Child Labour: <a href="http://www.globalmarch.org/">http://www.globalmarch.org/</a>	<p>No relevant evidence found in relation to child labour in the United Kingdom.</p>	UK	Low risk on child labour
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: <a href="http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</a>	<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CR C%2fC%2fGBR%2fCO%2f5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CR C%2fC%2fGBR%2fCO%2f5&amp;Lang=en</a>  <i>Committee on the Rights of the Child  Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland*</i>; 12 July 2016</p> <p>“III. <b>Main areas of concern and recommendations</b>  <b>“A. General measures of implementation (arts. 4, 42 and 44 (6))</b>  <b>”Legislation</b>  “7. The Committee recommends that the State party:  “(a) Expedite bringing in line with the Convention its domestic legislation, at the national and devolved levels and in the overseas territories and the Crown dependencies, in order to ensure that the principles and provisions of the Convention are directly applicable and justiciable under domestic law;  “(b) Expedite the enactment of a bill of rights for Northern Ireland, agreed under the Good Friday Agreement.  <b>”Comprehensive policy and strategy</b>  “8. The Committee recommends that the State party:  “(a) <i>Revise the United Kingdom-wide strategy entitled Working Together,</i></p>	UK	Specified risk on child labour (on the basis that there are concerns in relation to children’s rights and the business sector)

	<p>Achieving More (2009) to cover all areas of the Convention and ensure its full implementation;</p> <p>“(b) Adopt comprehensive action plans for the implementation of the abovementioned strategy in England and Northern Ireland;</p> <p>“(c) In Scotland, ensure the full implementation of the action plan entitled <i>Do the Right Thing</i> (2009) and the National Action Plan for Human Rights (2013-2017);</p> <p>“(d) In Wales, ensure the full implementation of the Programme for Children and Young People (2015).</p> <p>“9. In doing so, the Committee recommends that the State party allocate sufficient human, technical and financial resources, set up clear timelines and a monitoring and evaluation framework for the implementation of the strategy and the action plans and pay special attention to children belonging to the most vulnerable groups.”</p> <p>“Children’s rights and the business sector</p> <p>“19. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of business on children’s rights, the Committee recommends that the State party:</p> <p>“(a) Integrate an explicit focus on children’s rights, including the requirement for businesses to undertake child-rights due diligence, in the revised version of its first National Action Plan on Business and Human Rights;</p> <p>“(b) Establish and implement regulations to ensure that the business sector, including in the context of public procurement, complies with the rights of the child.”</p>		
<p>Committee on the Elimination of Discrimination against Women:  <a href="http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx">http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</a></p>	<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEAW%2fC%2fGBR%2fCO%2f7&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEAW%2fC%2fGBR%2fCO%2f7&amp;Lang=en</a></p> <p><i>Committee on the Elimination of Discrimination against Women</i>  <i>Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland*</i>; 30 July 2013</p> <p><b>“C. Principal areas of concern and recommendations</b></p> <p><b>“Parliaments</b></p> <p>“9. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of government and invites the State party to encourage its parliaments, in line with their procedures and where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting process under the Convention.”</p> <p>“Constitutional framework and implementation of the Convention</p> <p>“16. While noting the State party’s efforts to harmonize anti-discrimination laws under a single piece of legislation on equality (the Equality Act of 2010), the Committee is concerned that the Act replaces the Gender Equality Duty with a single public sector equality duty (the Equality Duty) that covers all prohibited grounds of discrimination, and that the specific duty requirements of the Equality Duty have no explicit gender component in England (unlike in Scotland and Wales) and do not adequately protect</p>	<p>England</p>	<p>Specified risk on discrimination of women (legislation not in order)</p>

	<p>women against multiple discrimination. The Committee is also concerned that some provisions of the Equality Act have not entered into force, such as those relating to the new public sector duty on socioeconomic inequalities (sects. 1-3), the recognition of “combined discrimination” (sect. 14) and the publication of information on pay disaggregated by gender (sect. 78).”</p> <p>“18. The Committee is concerned that the Equality Act of 2010 does not, on the whole, extend to Northern Ireland and, as a result, women in Northern Ireland do not have the same equality protections as their counterparts in England. The Committee is particularly concerned that the legislative framework in Northern Ireland does not provide for protection from multiple discrimination and that there is no prohibition against pay secrecy clauses.”</p> <p><b>“Employment and economic empowerment</b></p> <p>“46. The Committee recalls its previous concluding observations (ibid., paras. 286 and 287) and appreciates the State party’s efforts to provide flexible working arrangements for women and men and to introduce shared parental leave, envisaging new legislation in that regard in 2015. The Committee is concerned at reports of persistent discrimination against pregnant women in employment and their access to justice. Furthermore, the Committee is concerned at existing occupational segregation and the persisting gender pay gap, in addition to the high unemployment rates of women with disabilities. The Committee notes, however, that the State party launched a voluntary, rather than compulsory, gender equality analysis and reporting initiative and that it intends to introduce legislation requiring tribunals to order a pay audit in the event that an employer loses an equal pay claim.</p> <p>“47. The Committee recommends that the State party:</p> <p>“(a) Step up its efforts to promote the use of flexible working arrangements and introduce shared parental leave to encourage men to participate equally in childcare responsibilities;</p> <p>“(b) Continue to take proactive and specific measures to eliminate occupational segregation and to narrow the gender pay gap;</p> <p>“(c) Create greater opportunities for women with disabilities to gain access to employment;</p> <p>“(d) Assess the effectiveness of the voluntary reporting initiative under the Think, Act, Report framework, so as to ensure transparency of salaries in enterprises;</p> <p>“(e) Ensure access by women to justice in employment-related cases, including those pertaining to discrimination on the grounds of pregnancy and motherhood.”</p>	Northern Ireland	Specified risk on discrimination of women
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	<p><a href="https://www.hrw.org/world-report/2018">https://www.hrw.org/world-report/2018</a></p> <p>World Report 2018</p> <p>Section on the United Kingdom (pages 230-231)</p> <p>This report did not mention concerns regarding labour rights.</p>	UK	Specified risk on discrimination of pregnant women and on gender wage discrimination
Child Labour Index 2014 produced by Maplecroft:	The UK scores ‘low/medium risk’ on the Child Labour Index.	UK	Low risk on labour rights
			Low risk on child labour

<a href="http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/">http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/</a>			
The ITUC Global Rights Index ranks 139 countries against 97 internationally recognised indicators to assess where workers' rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. There are 5 ratings with 1 being the best rating and 5 being the worst rating a country could get. <a href="https://www.ituc-csi.org/ituc-global-rights-index-2018">https://www.ituc-csi.org/ituc-global-rights-index-2018</a>	<b>The UK is classified for 2018 in category 3: "Regular violation of rights".</b>  "Category 3: Regular violation of rights Governments and/or companies are regularly interfering in collective labour rights or are failing to fully guarantee important aspects of these rights. There are deficiencies in laws and/or certain practices which make frequent violations possible."	UK	Specified risk for freedom of association, collective bargaining and strike
Gender wage gap (in OECD countries): <a href="http://www.oecd.org/gender/data/gender-wage-gap.htm">http://www.oecd.org/gender/data/gender-wage-gap.htm</a>	<b>The gender wage gap in the UK in 2016 (latest year) was 16.84%. The OECD average was 13.89%.</b> (Full-time employees. The gender wage gap is unadjusted and defined as the difference between male and female wages divided by the male median wages.)	UK	Specified risk on gender wage discrimination
World Economic Forum Global Gender Gap Report 2017: <a href="https://www.weforum.org/reports/the-global-gender-gap-report-2017">https://www.weforum.org/reports/the-global-gender-gap-report-2017</a>	<a href="http://reports.weforum.org/global-gender-gap-report-2017/dataexplorer/#economy=GBR">http://reports.weforum.org/global-gender-gap-report-2017/dataexplorer/#economy=GBR</a> The UK <b>ranked 15 out of 144 countries</b> for the overall Global Gender Gap Index with a score of 0.770 (where 1 = parity and 0 = imparity).  The UK <b>ranked 53 out of 144 countries for the more specific sub-index on economic participation and opportunity.</b> Within that index, the most specific and relevant indicator is on wage equality for similar work. Here, the UK ranked 53 out of 144 countries with a score of 0.671.	UK	Specified risk on gender wage discrimination
ILO Global Wage Report: <a href="https://www.ilo.org/global/research/global-reports/global-wage-report/lang--en/index.htm">https://www.ilo.org/global/research/global-reports/global-wage-report/lang--en/index.htm</a>	<a href="https://www.ilo.org/global/research/global-reports/global-wage-report/2014/lang--en/index.htm">https://www.ilo.org/global/research/global-reports/global-wage-report/2014/lang--en/index.htm</a> <i>Global Wage Report 2014/15</i> <b>The actual gender wage gap minus the explained gender wage gap</b> (taking into account i.e. education, experience, economic activity, location, work intensity and occupation) <b>for the UK is about 17.5%</b> (29% minus 11.5%). <b>This percentage represents the unexplained gender wage gap</b> which may capture discriminatory practices. <b>The average unexplained gender wage gap for Europe is 20%.</b> (Figure 37, p. 49)  This report is used in preference to the <i>Global Wage Report 2016/17</i> as the detailed data are more readily accessible.	UK	Specified risk on gender wage discrimination
<b>Additional general sources</b>	<b>Additional specific sources</b>		
European Commission: <a href="https://ec.europa.eu/commission/index_en">https://ec.europa.eu/commission/index_en</a>	<a href="https://ec.europa.eu/eurostat/statistics-explained/index.php/Gender_pay_gap_statistics">https://ec.europa.eu/eurostat/statistics-explained/index.php/Gender_pay_gap_statistics</a>	UK	Specified risk on gender

	In 2016, the unadjusted gender pay gap in the United Kingdom was 21.0%. The EU average was 16.2%. The unadjusted gender pay gap is the difference between average gross hourly earnings of male and female employees as a percentage of male gross earnings.		wage discrimination
Office for National Statistics: <a href="https://visual.ons.gov.uk/">https://visual.ons.gov.uk/</a>	<p><a href="https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/understandingthegenderpaygapintheuk/2018-01-17">https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/understandingthegenderpaygapintheuk/2018-01-17</a></p> <p><i>Understanding the gender pay gap in the UK</i></p> <p>“Between 2011 and 2017, men’s pay has grown by 10.4% from £13.12 to £14.48 per hour whilst women’s pay has grown by 12.0% from £11.75 to £13.16 per hour. In 2017, men on average were paid £1.32 more per hour than women, which, as a proportion of men’s pay, is a pay gap of 9.1%.</p> <p>“The pay gap has fallen from 10.5% in 2011 to 9.1% in 2017, but remains positive in value – meaning that on average men are paid more than women.”</p> <p>The gender pay gap is calculated as the difference between median gross hourly earnings for men and women as a proportion of median gross hourly earnings for men. The analysis focuses on hourly earnings excluding overtime to control for the difference in the hours worked between men and women and the fact that men tend to work more overtime.</p>	UK	Specified risk on gender wage discrimination
PwC (PricewaterhouseCoopers) Women in Work Index: <a href="https://www.pwc.co.uk/services/economics-policy/insights/women-in-work-index.html">https://www.pwc.co.uk/services/economics-policy/insights/women-in-work-index.html</a>	<p><a href="https://www.pwc.co.uk/economic-services/WIWI/women-in-work-index-2018.pdf">https://www.pwc.co.uk/economic-services/WIWI/women-in-work-index-2018.pdf</a></p> <p><i>PwC, March 2018</i></p> <p><i>PwC Women in Work Index: Closing the gender pay gap</i></p> <p>“Disparities in the average pay for men and women exist in all sectors across the UK economy, highlighting that widespread efforts are required across the labour market to tackle this issue. Most sectors have made gains in closing the pay gap in the past year. For example, financial services and agriculture and forestry have seen significant improvements in the pay gap. However, the pay gap has increased in some sectors, such as accommodation and food services, administrative and support services, mining and education sectors.”</p> <p>Figure 4.1 shows that the gender pay gap in agriculture, forestry and fishing in the UK dropped substantially between 2016 and 2017 to less than 15 %, below the 2017 UK average of 16 %.</p>	UK	Low risk on gender wage discrimination in the forest sector
Gangmasters and Labour Abuse Authority: <a href="http://gla.gov.uk/">http://gla.gov.uk/</a>	<p><a href="http://www.gla.gov.uk/i-am-a-i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/">http://www.gla.gov.uk/i-am-a-i-supply-workers/do-i-need-a-glaa-licence/which-activities-need-a-licence/forestry/</a></p> <p><b>Forestry</b></p> <p>“Following the new exclusions regulations which came into force on 1 October 2013, there have been changes to how forestry is licensed in England, Scotland and Wales.</p> <p><b>What has changed?</b></p> <p>“The Gangmasters Licensing (Exclusions) Regulations 2013 (the “2013 Regulations”) now excludes from licensing a person or business that uses a worker to provide a</p>	UK	Low risk on forced labour in the forest sector

service to do forestry work. The GLAA also does not require licence applications from anybody who supplies a worker to do forestry work.

“Forestry work means:

- All work directly related to the planting, establishing, maintaining or harvesting woodland or forests,
- Primary processing of timber within woodland, for example cutting wood into lengths, planks or firewood,
- Any kind of arboriculture work carried out on woodlands, and
- Fencing on woodlands or forests

“The new exclusions follow the GLA’s pilot exercise in the forestry industry to test a lighter touch to regulation (see GLA Brief 14 for more information). GLA Brief 23 explained Defra proposed to exclude forestry from licensing.

“The 2013 Regulations apply to work done in England, Scotland and Wales. Separate regulations will be introduced for Northern Ireland. Please note that GLA licensing requirements for forestry still apply to work done in Northern Ireland until the necessary legislation is introduced.”

The exclusion for forestry work was extended to Northern Ireland by the Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014.

The GLA Briefs mentioned above are no longer available via the Gangmasters and Labour Abuse Authority website, but part of the rationale for the exclusion of forestry work from licensing requirements may be found below:

<https://www.gov.uk/government/publications/report-by-the-forestry-regulation-task-force-2013-update>

*Report by the Forest Regulation Task Force One Year Update June 2013*

**“Gangmasters Licensing Act – Gangmasters Licensing Authority**

“While recognising that the Gangmasters Licensing Authority (GLA) has an important role, the Task Force concluded that the lack of prosecutions for exploitation of forestry workers demonstrates that the forestry sector is a low risk and should be removed from scope of the Gangmasters Licensing Act 2004. The government’s Red Tape Challenge process has suggested that the GLA could improve its operations by focussing attention on high risk activities, whilst reducing burdens on those that are compliant.

“In response the government committed to:

- Look at what more the GLA needs to do to tackle non-compliant operators and any legal changes needed to support this.
- Support the GLA’s Forestry Pilot which is applying a light touch approach to regulating the forestry sector and establishing “earned recognition”.

**“Progress to date:**



	<p>“On 26 April 2013 Defra began consulting on legislative changes to the GLA operations. These include removing low risk sectors and activities from the scope of licensing and the scope to use civil sanctions as an alternative to criminal prosecution. This consultation includes a proposal that removes forestry-only activities from the scope of licensing. The consultation closes on 21 June 2013.</p> <p>“GLA Brief 23 (Forestry update) was issued on 7 December 2012. This brief confirms that the GLA’s forestry pilot will continue whilst Defra consults on whether Forestry should be excluded from the licensing requirement. Until that decision the GLA will not charge application or renewal fees. However, it remains a legal requirement to hold a licence during this transitional period. The GLA will “auto renew” all current licence holders when they reach their normal licence expiry date.</p> <p>“The GLA issued a survey in February 2012 to clarify whether particular groups of labour providers should have been categorised as “forestry only”. Only those respondents that were consequently re-categorised are covered by the Forestry pilot procedures. These additional changes do not apply to any other individual or company that operates in forestry but may operate, or intends to operate, in any other licensable activity.”</p>		
Joseph Rowntree Foundation: <a href="https://www.jrf.org.uk/">https://www.jrf.org.uk/</a>	<p><a href="https://www.jrf.org.uk/report/forced-labour-uk">https://www.jrf.org.uk/report/forced-labour-uk</a></p> <p><b>“How widespread is forced labour in the UK?”</b></p> <p>Forced labour in the UK is a significant, though hidden, and probably growing problem (by 2013). The study reviewed data on forced labour, human trafficking and workplace exploitation, and found that the UK has to do more to tackle forced labour. Available evidence suggests the number of people in the UK experiencing forced labour may run into thousands. Many are entitled to work here, being EU migrants and UK citizens.</p> <p>Likely elements within forced labour include low-skill manual and low-paid work; temporary agency work; specific industrial sectors; and certain non-UK migrant workers.”</p>	UK	Specified risk on forced labour
Confor report <i>Gender &amp; Diversity in Forestry in Scotland</i> <a href="http://www.confor.org.uk/media/246063/confor-genderanddiversityinforestryinScotlandFeb2016.pdf">http://www.confor.org.uk/media/246063/confor-genderanddiversityinforestryinScotlandFeb2016.pdf</a>	<p>This report is qualitative rather than quantitative, and explicitly recognises a need for ‘data on men and women applying, being recruited, leaving, and being promoted, in forestry companies, ideally going back some years to enable trends to be established, to prioritise action’ in its recommendations. As such, it does not provide any hard evidence of levels of gender inequality in forestry.</p> <p>The qualitative contents of the report are based on interviews with a small sample of five women and five men. The overall impression is of a sector which is still largely dominated by men, but with the <b>representation of women slowly increasing</b>. The public sector seems to be better in this respect than the private sector. <b>The forestry sector is generally seen as meritocratic</b>, but there are still a number of cultural barriers to greater involvement by women; the recommendations of the report</p>	Scotland	Low risk on discrimination of women

	suggest means of overcoming some of these barriers, but also highlight the need to consider diversity more broadly.		
<p><b>Conclusion on Indicator 2.2:</b></p> <ul style="list-style-type: none"> <li>- The UK has ratified all eight of the ILO Core Conventions. These conventions have been implemented in domestic legislation and this legislation is enforced (see indicator 1.12). While the Committee on the Elimination of Discrimination against Women has identified inconsistencies in domestic equality legislation as applied to England, Northern Ireland, Scotland and Wales which may therefore not fully implement the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ILO have not raised any similar concerns and there is no evidence to suggest that the relevant legislation falls short of the requirements of the ILO Core Conventions.</li> <li>- There is evidence that the rights like freedom of association and collective bargaining are regularly violated in the UK. However, concerns expressed to ILO by the TUC relate to the Trade Union Bill (now the Trade Union Act 2016). The impact of this legislation in the forest sector is limited to the state forest services, as the only organisations with significant union membership. (Other large organisations have other mechanisms for collective bargaining.) Forestry Commission Trade Unions (FCTU) (pers. comm.) have indicated that they have good relationships with managers and no concerns about their ability to bargain collectively (pers. comm., 04/04/17). In addition, some of the more contentious provisions of the Trade Union Act do not apply to the forest sector (Section 3, Ballots: 40% support requirement in important public services). As such, there is no evidence of violation of the right to organize and freedom of association in the forest sector. Indeed, the forest sector has been exempted from gangmasters licensing requirements because it is seen as low risk.</li> <li>- There is no evidence confirming significant child labour in the UK. No evidence was found of cases of child labour in the forest sector.</li> <li>- There is evidence confirming significant forced labour in the UK and although there is evidence of forced labour in the agriculture sector, there is no evidence of forced labour in the forest sector.</li> <li>- There is evidence that there is gender wage discrimination in the United Kingdom although different sources report different numbers and the data are not very clear about the role of discrimination as a factor in the actual pay gap. At the NRA Working Group's request, a benchmarking exercise was carried out to compare wage equality indices and risk designations for a number of countries with approved FSC National Risk Assessments or Centralised National Risk Assessments (including Austria, Belgium, Brazil, Finland, India, Ireland, Japan, Latvia, Lithuania, Slovakia, South Africa and Sweden). The UK scores better than average for the World Economic Forum index on wage equality for similar work and worse than average for the OECD gender wage gap, but, in terms of benchmarking against other FSC risk assessments, in both cases scores better than other countries which have been given a low risk designation for this indicator. The unexplained gender wage gap in the ILO Global Wage Report is lower than the European average, and, again in terms of benchmarking, is lower than for other countries with a low risk designation. Office for National Statistics figures show that the wage gap continues to narrow, albeit slowly. There is no evidence of specific issues within the forest sector; Forestry Commission Trade Unions (pers. comm., 04/04/17) report that differences in pay are related more to length of service than gender because of the freeze on progression within pay bands, for example, while the PwC Women in Work Index 2018 report shows particular progress in reducing the gender pay gap in agriculture, forestry and fishing. On this basis, and for consistency with FSC risk assessments for other countries, it is concluded that there is no evidence of significant gender wage discrimination in the forest sector. (While they do not affect the current risk assessment, new mandatory reporting requirements for organisations with 250 or more employees in England, Scotland and Wales (<a href="https://www.gov.uk/guidance/gender-pay-gap-reporting-overview">https://www.gov.uk/guidance/gender-pay-gap-reporting-overview</a>) will make it easier to assess pay gap issues in future.)</li> <li>- There is a small amount of evidence for other discrimination in the labour market in the UK, for example in relation to pregnancy or ethnicity, but also evidence of positive action by the UK Government to address other forms of discrimination, for example in relation to religion. No evidence was found for discrimination in the forest sector specifically.</li> </ul> <p><b>The following low risk thresholds apply:</b>  (10) Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work (<i>which are recognized as: freedom of association and the effective recognition of the right to collective bargaining; the elimination of forced or compulsory labour; the elimination of discrimination</i></p>		UK	Low risk

*in respect of employment and occupation; and the abolition of child labour*), AND the risk assessment for the relevant indicators of Category 1 confirms enforcement of applicable legislation ('low risk'); AND  
 (12) Other available evidence do not challenge a 'low risk' designation.

Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.			
General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
ILO Core Conventions Database: <a href="https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0">https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0</a> - ILO Convention 169	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102651</a> The UK did not ratify Convention 169. Therefore, this source does not provide information on its implementation by the UK.	UK	Low risk
Survival International: <a href="http://www.survivalinternational.org/">http://www.survivalinternational.org/</a> Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a> Amnesty International: <a href="http://amnesty.org">http://amnesty.org</a>	No sources mention IP/TP presence in the UK, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP/TP presence or a discussion or debate about such a presence.	UK	Low risk
The Indigenous World: <a href="http://www.iwgia.org/regions">http://www.iwgia.org/regions</a>			
United Nations Special Rapporteur on the rights of indigenous peoples: <a href="http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx">http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx</a>			
United Nations Human Rights Council Universal Periodic Review: <a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</a>			
UN Human Rights Committee: <a href="http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx">http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx</a> UN Committee on the Elimination of All Forms of Racial Discrimination: <a href="http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</a>			
Intercontinental Cry: <a href="http://intercontinentalcry.org/">http://intercontinentalcry.org/</a>			
Society for Threatened Peoples: <a href="http://www.gfbv.de/index.php?change_lang=english">http://www.gfbv.de/index.php?change_lang=english</a> European Court of Human Rights: <a href="https://www.echr.coe.int/Pages/home.aspx?p=home">https://www.echr.coe.int/Pages/home.aspx?p=home</a>			
Additional general sources for 2.3	Additional specific sources	Scale of risk assessment	Risk indication
Lords Hansard: <a href="http://www.parliament.uk">www.parliament.uk</a>	<a href="https://publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm">https://publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm</a> Lords Hansard text for 19 June 2007 records the response of the Parliamentary Under-Secretary of State, Foreign and Commonwealth Office (Lord Triesman) to a question concerning ILO Convention 169, in which Lord Triesman quotes the	UK	Low risk

	conclusion of a Government White Paper that there are 'no indigenous, tribal or semi-tribal people' in the UK.		
<p><b>Conclusion on Indicator 2.3:</b> There are no indigenous peoples and no traditional peoples in the UK.</p> <p><b>The following low risk thresholds apply:</b> (16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment; AND (21) Other available evidence do not challenge 'low risk' designation.</p>		UK	Low risk

## Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

### Overview

This category covers assessments of the presence and threats to the following high conservation values, or HCVs:

- HCV 1 – Species diversity. Concentrations of biological diversity including endemic species, and rare, threatened or endangered species that are significant at global, regional or national levels.
- HCV 2 – Landscape-level ecosystems and mosaics. Intact forest landscapes and large landscape-level ecosystems and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.
- HCV 3 – Ecosystems and habitats. Rare, threatened, or endangered ecosystems, habitats or refugia.
- HCV 4 – Critical ecosystem services. Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.
- HCV 5 – Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (e.g., for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.
- HCV 6 – Cultural values. Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.

'Threat' in the context of this category refers to common forest management activities that cause or may cause loss or degradation of HCVs in the area under assessment. Threats not originating from forest management activities are outside the scope of this assessment.

The assessments of HCV occurrence and threats for this controlled wood category draw heavily on the UK *National HCV Framework* [21]. The *Framework* is a tool for the identification, management and monitoring of HCVs in forests which is relevant both to this National Risk Assessment and to the National Forest Stewardship Standard for the UK. Briefly, the six HCV categories are interpreted in the UK context as follows:

- HCV 1 – Species diversity. Sites designated as biological Sites of Special Scientific Interest (SSSIs, in England, Scotland and Wales) and Areas of Special Scientific Interest (ASSIs, in Northern Ireland) are taken as proxies for this HCV.
- HCV 2 – Landscape-level ecosystems and mosaics. Intact forest landscapes and other large landscape-level ecosystems and mosaics are not considered to be present in the UK's highly modified landscape.
- HCV 3 – Ecosystems and habitats. SSSIs, ASSIs, and priority habitats identified by statutory nature conservation bodies are taken as proxies for this HCV. In addition, all ancient woodland sites (sites which have been under continuous woodland cover since before AD 1600 in England, Wales and Northern Ireland or since before AD 1750 in Scotland) are considered to be of high conservation value.
- HCV 4 – Critical ecosystem services. In the UK context, ecosystem services in critical situations are likely to be limited to areas and features of critical importance for watershed management or erosion control. These may include forests upstream of public water supplies (where regulation of water quality and quantity is critical) or

areas liable to flooding (where regulation of water quantity is critical), or forests on steep slopes above settlements or infrastructure where management of slope stability is critical to avoid risks to human safety or serious economic impacts.

- HCV 5 – Community needs. There are no recognised indigenous peoples in the UK. There are very few circumstances under which local communities are dependent on forests for their basic necessities, with the notable exception of private water supplies (public water supplies are considered under HCV 4).
- HCV 6 – Cultural values. Sites or landscapes designated as Scheduled Monuments, Listed Buildings, Conservation Areas, Areas of Outstanding Natural Beauty (in England, Northern Ireland and Wales), National Scenic Areas (in Scotland), National Parks (currently only in England, Scotland and Wales) or World Heritage Sites, including Cultural Landscapes, are all potentially important proxies for this HCV.

Some of the information on HCV occurrence and threat assessment for individual indicators in this category is taken directly from the UK *National HCV Framework* [21]. For further details, particularly in relation to best available information for identifying HCVs, refer to the *Framework*.

While some high conservation values are more likely to be found in semi-natural woodland (such as HCV 1 and HCV 3), others may be found in all types of woodland, including plantations (such as HCV 4, 5 and 6). While there are specific legal protections applicable in certain situations, such as semi-natural woodlands designated for their biological interest, basic legal protections in the form of felling licensing and the requirements of the *UK Forestry Standard* [2] apply in all woodlands.

#### Experts consulted

	Name	Organization	Area of expertise (category/sub-category)
1.	Luci Ryan	Woodland Trust	HCV 3
2.	Ian Halfpenney	Cadw	HCV 6

## Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
<p>3.0 Data available are sufficient for:</p> <p>a) Determination of HCV presence for each HCV, AND</p> <p>b) The assessment of the threats to HCVs from forest management activities.</p>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li><i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> </ul>	<p><b>Occurrence</b></p> <p>The <i>National HCV Framework</i> [21] explains how the six HCVs are interpreted in the UK context, details important proxies (see indicators 3.1 and 3.3), and provides relevant sources of data, including publicly available mapping data from statutory authorities. These sources of data are sufficient to confirm the presence of HCVs 1, 3, 4, 5 and 6 in the UK, and to confirm the absence of HCV 2 (indicator 3.2). For full details of sources of information, see the <i>Framework</i>.</p> <p><b>Threat assessment</b></p> <p>There is some consistent UK level reporting, for example UK Biodiversity Indicators (see indicators 3.1 and 3.3) and condition reports for World Heritage Sites (indicator 3.6). Other reporting is less consistent between England, Northern Ireland, Scotland and Wales. However, because these sources consistently show that forest management poses a relatively small threat to HCVs and highlight no areas of concerns in terms of specific HCVs or countries, they have been judged to be sufficient. Sources are described in indicators 3.1 to 3.6 and listed in Annex 1.</p>	<p>Geographical scale:</p> <ul style="list-style-type: none"> <li>- UK</li> </ul>	<p><b>Risk designation</b></p> <p>Low risk</p> <p><b>Risk determination</b></p> <p>Data are available to confirm the presence of HCVs 1, 3, 4, 5 and 6 in the UK, and to confirm the absence of HCV 2. While there are some inconsistencies in the availability in data between England, Northern Ireland, Scotland and Wales, available data do consistently show that forest management poses a relatively small threat to HCVs.</p> <p><i>Risk conclusion</i></p> <p>Low risk thresholds (1) and (2) are met: (1) Data available are sufficient for determining HCV presence within the area under assessment; AND (2) Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p>
<p>3.1 HCV 1</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>The Joint Nature Conservation Committee (JNCC) (<a href="http://jncc.defra.gov.uk/page-4229">http://jncc.defra.gov.uk/page-4229</a>) and</li> </ul>	<p><b>Occurrence</b></p> <p><i>Interpretation in the UK context (sub-section contents quoted from [21])</i></p> <p>The UK is fortunate to have an extensive network of biological Sites of Special Scientific Interest (SSSIs, in England, Scotland and Wales) and Areas of Special Scientific Interest (ASSIs, in Northern Ireland). (There are also geological SSSIs and</p>	<p>Geographical scale:</p> <ul style="list-style-type: none"> <li>- Nation</li> <li>• England</li> <li>• Northern Ireland</li> <li>• Scotland</li> <li>• Wales</li> </ul>	<p><b>Risk designation</b></p> <p>Low risk</p> <p><b>Risk determination</b></p> <p>HCV 1 is present in the UK; Biological Sites of Special Scientific Interest (SSSIs) in</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<p><a href="http://jncc.defra.gov.uk/page-6131">http://jncc.defra.gov.uk/page-6131</a>)</p> <ul style="list-style-type: none"> <li>Natural England (<a href="https://designatedsites.naturalengland.org.uk/ResearchEngland.aspx">https://designatedsites.naturalengland.org.uk/ResearchEngland.aspx</a>)</li> <li>Scottish Natural Heritage (<a href="https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/">https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/</a>)</li> <li><i>The UK Forestry Standard</i> [2]</li> <li><i>Guidelines for the Selection of Biological SSSIs</i> [22]</li> <li><i>Fifth National Report to the United Nations Convention on Biological Diversity: United Kingdom</i> [23]</li> <li><i>UK Biodiversity Indicators 2018</i> [24]</li> <li><i>From Evidence to Opportunity: A Second Assessment of the State of Northern Ireland's Environment</i> [25]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li><i>Pressures affecting conservation status of designated natural features in Scotland:</i></li> </ul>	<p>ASSIs, which are not relevant in the context of HCV 1.) A similar rationale underlies both SSSIs and ASSIs, and a similar approach is taken to their selection. The following text is taken from <i>Guidelines for the Selection of Biological SSSIs</i> [22]:</p> <p>‘The SSSIs of Great Britain are the fundamental units of our network of protected areas for nature conservation in terrestrial and coastal... environments. The most important areas for habitat and species conservation, at both national and international levels, lie within them, and all are considered to be of national importance for nature conservation. They make the major contribution towards the establishment of an ecologically coherent national network of protected areas and are where the interest is most highly concentrated or of the highest quality. Each SSSI represents a significant component of the biodiversity resource of Great Britain, and its protection is an important part of Great Britain’s biodiversity conservation activity.</p> <p>...  ‘They provide statutory protection under UK law for the network of terrestrial and freshwater Natura 2000 sites classified under the European Birds and Habitats Directives, and for sites designated under the Ramsar Convention. They help to deliver and underpin the UK’s contribution to the Convention on Biological Diversity (especially the 20 Aichi targets) as expressed through the Global Strategy for Plant Conservation, the EU Biodiversity Strategy, UK post-2010 Biodiversity Framework, and the biodiversity strategies of the four countries of the UK.’</p> <p>Most importantly in the context of HCV 1, ‘The purpose of biological SSSIs is to safeguard the diversity and geographic range of habitats and species throughout Great Britain, within which the viable populations of all our threatened native species will be represented’. As such, SSSIs and ASSIs</p>	<p>Functional scale:</p> <ul style="list-style-type: none"> <li>Statutory designations <ul style="list-style-type: none"> <li>SSSIs and ASSIs</li> <li>Other protected areas</li> </ul> </li> <li>Scale of forest management activity <ul style="list-style-type: none"> <li>Not requiring a felling licence</li> <li>Requiring a felling licence</li> </ul> </li> </ul>	<p>England, Scotland and Wales, and Areas of Special Scientific Interest (ASSIs) in Northern Ireland are taken as proxies.</p> <p>There is evidence of threats to the condition of these sites, but not that forest management activities are a significant threat.</p> <p>There are legal protections for SSSIs and ASSIs. There is a high level of compliance with legislation relating to protected sites and species (indicator 1.9) and with legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations (indicators 1.3, 1.4 and 1.8). Forest management activities on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 1.</p> <p>Evidence in relation to SSSI and ASSI condition shows that forest management activities threaten the condition of only a small proportion of sites; in the UK’s heavily modified environment, it is more often</p>



Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<p><i>Impacts, policy context and recommendations</i> [11]</p> <ul style="list-style-type: none"> <li>• <i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> <li>• <i>State of Nature 2016</i> [26]</li> </ul>	<p>encompass those sites which are significant to the conservation of threatened species at national, regional (EU) and (in the case of Ramsar sites) global levels. Species rarity is also a factor in the designation of SSSIs and ASSIs.</p> <p>In the UK context, therefore, particularly since the selection of SSSIs and ASSIs by statutory nature conservation bodies involves a review of site, species and context information which is well beyond the capacity of most woodland owners/managers, these designated sites are taken as a proxy for HCV 1.</p> <p>Note that this interpretation refers primarily to SSSIs and ASSIs because, as noted above, most other areas with statutory nature conservation designations, such as National Nature Reserves, Special Areas of Conservation, Special Protection Areas or Ramsar sites, are also SSSIs or ASSIs. However, even where such a site is not also designated as a SSSI or ASSI, it should still be treated as a proxy for HCV 1 in recognition of its global, regional or national significance.</p> <p><i>Geographic areas where HCV 1 is likely to be present</i> [21] Biological Sites of Special Scientific Interest and Areas of Special Scientific Interest may be found throughout the UK. [As may other areas with statutory nature conservation designations.]</p> <p><b>Threat assessment</b> <i>Overview (sub-section contents quoted from [21])</i> There are many potential threats to the species within designated sites, including overgrazing, invasive species and unsympathetic timber harvesting. As part of the designation process, operations which might potentially damage the special interest of a site or area will have been identified, and</p>		<p>the case that lack of management threatens the biodiversity value of these sites, and forest management can help to address specific issues such as invasive species and overgrazing.</p> <p>In summary, HCV 1 is present, and there is potential for forest management activities to threaten the high conservation value, but there is effective protection through legal controls. In the particular context of the UK, a lack of forest management in HCV 1 areas is often more damaging to biodiversity values.</p> <p><i>Risk conclusion</i> For HCV 1 areas (Biological SSSIs, ASSIs and other areas with statutory nature conservation designations) in circumstances where forest management activities require a felling licence, low risk threshold (7) is met: (7) HCV 1 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>permission must be sought from the relevant statutory nature conservation body before carrying out such an operation.</p> <p>Threats to the existence of designated sites themselves usually take the form of major infrastructure projects or other built developments.</p> <p><i>General</i> The UK is a signatory to the Convention on Biological Diversity (CBD). UK Biodiversity Indicators (<a href="http://jncc.defra.gov.uk/page-4229">http://jncc.defra.gov.uk/page-4229</a>) have been mapped to the Aichi targets (<a href="http://jncc.defra.gov.uk/page-6131">http://jncc.defra.gov.uk/page-6131</a>). These indicators are now used in reporting to the CBD, and are categorised according to the five CBD Strategic Goals.</p> <p>The <i>Fifth National Report to the United Nations Convention on Biological Diversity: United Kingdom</i> [23] reports progress towards the strategic goals rather than the individual Aichi targets. Progress is summarised as:</p> <ul style="list-style-type: none"> <li>• Goal A (Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society): progress in most areas</li> <li>• Goal B (Reduce the direct pressures on biodiversity and promote sustainable use): substantial progress</li> <li>• Goal C (To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity): progress in most areas</li> <li>• Goal D (Enhance the benefits to all from biodiversity and ecosystems): progress in most areas</li> <li>• Goal E (Enhance implementation through planning, knowledge management and capacity building): substantial progress</li> </ul> <p>More recent, detailed information on progress may be found in the report <i>UK Biodiversity Indicators 2018</i> [24], which paints a</p>		<p>For HCV 1 areas (Biological SSSIs, ASSIs and other areas with statutory nature conservation designations) in circumstances where forest management activities do not require a felling licence, low risk threshold (6) is met: (6) There is low/negligible threat to HCV 1 caused by management activities in the area under assessment.</p> <p>For the rest of the UK, low risk threshold (5) is met: (5) There no HCV 1 identified in the area under assessment and its occurrence is unlikely.</p> <p><i>Note: The NRA Working Group observes that there are some deficiencies in the reporting of wildlife crime in relation to protected sites and in the application of enforcement powers where forestry operations are identified as a pressure. While not currently sufficient to challenge a low risk designation, evidence in relation to these issues will be monitored and if necessary the risk designation will be</i></p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>mixed picture for species of regional or national importance. The most relevant indicators to HCV 1, i.e. threats to significant concentrations of biological diversity caused by forest management activities, are sub-indicators of indicators C1 (Protected areas), C3 (Status of European habitats and species), and C4 (Status of UK priority species). Also relevant is sub-indicator B6c (Terrestrial invasive species).</p> <p>The status of UK species of European importance (indicator C3b) improved 2007-2013. The relative abundance of UK priority species (indicator C4a) has declined over both the long (1970-2015) and short term (2010-2015). The distribution of UK priority species (indicator C4b) has been stable over both the long (1970-2016) and short term (2011-2016), and showed an improvement in the latest year (2016). Taking SSSIs and ASSIs as proxies for concentrations of biological diversity, the condition of Areas/Sites of Special Scientific Interest (indicator C1c) shows improvement between 2005 and 2018, but little or no overall change between 2013 and 2018. These indicators are all of direct or indirect relevance to Aichi targets 5 (Habitat loss halved or reduced) and 12 (Extinction prevented) [24].</p> <p>The pressure from terrestrial invasive species (indicator B6c) has shown a deteriorating trend between 1960 and 2017. This indicator is of direct relevance to Aichi target 9 (Invasive alien species prevented and controlled) [24].</p> <p>SSSIs are notified and protected under the Wildlife and Countryside Act 1981 in England and Wales, and under the Nature Conservation (Scotland) Act 2004 in Scotland. ASSIs are declared and protected under the Environment Order (Northern Ireland) 2002. In all cases these sites are subject to legal protections which mean that some operations may only be carried out with the consent of the relevant statutory conservation body. For information on legislation and</p>		<p><i>reviewed. See also indicators 1.9 and 3.3.</i></p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>enforcement activity in relation to protected sites, see indicator 1.9.</p> <p>All forestry operations requiring a felling licence (i.e. excluding the felling of very small trees, or the felling of very small volumes in a given calendar quarter, or the felling of trees in orchards, gardens or churchyards, or the felling of trees under other legislation, such as planning regulations; see the Forestry Act 1967 and the Forestry Act (Northern Ireland) 2010) and all operations in receipt of grants must follow the requirements and guidelines of the <i>UK Forestry Standard</i> [2], including those concerning biodiversity (UKFS section 6.1). These include protections for legally protected sites. Felling licence requirements apply in SSSIs, ASSIs and other areas with statutory nature conservation designations.</p> <p>The NRA Working Group concludes that forest management operations on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 1.</p> <p>Despite these legal protections, damage to SSSIs and ASSIs can and does still occur. However, information on SSSI condition and threats from England and Scotland suggests that forest management accounts for only a small proportion of that damage (see below). Biodiversity indicators for Northern Ireland [25] show that the area of ASSIs has increased (p. 132) and that ASSI condition has improved slightly (p. 134); forest management is not identified as one of the key factors causing losses of biodiversity (p. 141). And, far from identifying forest management as a threat, an overview of factors affecting population trends in terrestrial and freshwater species in the UK in the <i>State of Nature 2016</i> report [26] finds that decreasing forest management has a negative effect.</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>Detailed information on SSSI condition is available from Natural England at <a href="https://designatedsites.naturalengland.org.uk/SearchEngland.aspx">https://designatedsites.naturalengland.org.uk/SearchEngland.aspx</a>. In October 2018, of over 1.09 million hectares of SSSIs in England, 94 % were in favourable or unfavourable-recovering condition; the remainder were unfavourable-no change (3.5 %), unfavourable-declining (2.3 %), partially destroyed (0.03 %), destroyed (0.02 %) or not recorded (0.36 %). Forestry and woodland management was explicitly identified as the reason for adverse condition for 2,906.89 ha, or only 0.26 % of the total SSSI area in England.</p> <p>The RSPB report <i>Pressures affecting conservation status of designated natural features in Scotland: Impacts, policy context and recommendations</i> [11] considers equivalent data for all designated sites in Scotland (including Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites in addition to SSSIs). This report notes the historical impacts of reforestation in Scotland on open habitats and lists some of the potential impacts of current forestry practices (p. 18): 'Drainage, harvesting activities, forest tracks and heavy machinery associated with forestry operations can all have an impact on designated features. Forestry can also be a potential source of invasive species.' Some features can be affected disproportionately. For example, 58 % of all Golden Plover (<i>Pluvialis apricaria</i>) notifications have forestry listed as a pressure, and 21 % are both in unfavourable condition and have forestry operations listed as a pressure. This is a species suffering significant long term declines so additional impacts of forestry pressures can be significant (Sheila George, pers. comm., 17/05/18, based on information from <a href="https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/">https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/</a>). However, the report still shows forestry operations affecting only 171 designated</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>features, or 3 % of the total number, only 21 % of which were in unfavourable condition [11].</p> <p>Detailed information on SSSI condition provided by Scottish Natural Heritage is available at <a href="https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/">https://www.environment.gov.scot/data/data-analysis/protected-nature-sites/</a>. In October 2018, of 3,710 SSSI features in Scotland, 81 % were in favourable or recovering condition; the remainder were unfavourable (18 %), not assessed (1 %) or to be denotified (0.16 %). Forestry operations were identified as pressures affecting 117 features, or 3.2 % of the total. However, 68 of these features were in 'favourable maintained' or 'favourable recovered' condition and a further six were in 'unfavourable recovering' condition, suggesting that the pressure from forestry operations was not sufficient to have a negative effect on condition. Forestry operations were identified as pressures affecting only 41 features in 'favourable declining', 'unfavourable no change', 'unfavourable declining' or 'partially destroyed' condition, 3.6 % of those features or only 1.1 % of the total number of SSSI features in Scotland. For comparison, invasive species and overgrazing were the most significant pressures, affecting 817 and 575 features respectively, or 22 % and 15 % of the total. Forest management may help to relieve both of these pressures, by controlling invasive species and excluding or controlling herbivores. Lack of management affected 107 of the total number of features (2.9 %), fewer than forestry operations, but 59 of the features in 'favourable declining', 'unfavourable no change', 'unfavourable declining' or 'partially destroyed' condition (5.2 % of those features or 1.6 % of the total), more than forestry operations; in other words, neglect apparently contributes to the unfavourable condition of more SSSI features than does forest management. This is consistent with the UK level findings in the <i>State of Nature 2016</i> report [26] noted above.</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
3.2 HCV 2	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Intact Forest Landscapes (<a href="http://www.intactforests.org/world.map.html">http://www.intactforests.org/world.map.html</a>)</li> <li>National High Conservation Value Framework for the United Kingdom [21]</li> </ul>	<p><b>Occurrence</b>  <i>Interpretation in the UK context (sub-section contents quoted from [21])</i>  The UK has no intact forest landscapes, as defined and mapped by the IFL Mapping Team (<a href="http://www.intactforests.org/world.map.html">http://www.intactforests.org/world.map.html</a>).</p> <p>Other large landscape-level ecosystems and mosaics are not present in the UK's highly modified landscape, with the possible exception of extensive areas of native pinewoods and associated open habitats in the Scottish Highlands. However, these areas have been significantly modified by human activity, and it is questionable whether they contain 'viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance'. On balance, the landscape-level ecosystems covered by HCV 2 are not currently considered to be present in the UK. Importantly, the most significant pinewood areas, such as Abernethy and Glen Affric, are effectively protected under HCV 1 thanks to statutory designations.</p>	<p>Geographical scale:  - UK</p>	<p><b>Risk designation</b>  Low risk</p> <p><b>Risk determination</b>  HCV 2 is not present in the UK.</p> <p><i>Risk conclusion</i>  Low risk threshold (9) is met:  (9) There is no HCV 2 identified and its occurrence is unlikely in the area under assessment.</p>
3.3 HCV 3	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>The Joint Nature Conservation Committee (JNCC) (<a href="http://jncc.defra.gov.uk/page-5705">http://jncc.defra.gov.uk/page-5705</a> and <a href="http://jncc.defra.gov.uk/page-6392">http://jncc.defra.gov.uk/page-6392</a>)</li> <li>The UK Forestry Standard [2]</li> <li>Guidelines for the Selection of Biological SSSIs [22]</li> <li>UK Biodiversity Indicators 2018 [24]</li> </ul>	<p><b>Occurrence</b>  <i>Interpretation in the UK context (sub-section contents quoted from [21])</i>  Many Sites and Areas of Special Scientific Interest are relevant to HCV 3, with rarity at both national and European levels an important factor in determining which habitats to protect [22]:</p> <p>'A critical part of the selection process is to evaluate and understand the relative rarity of habitats in the landscape, regardless of quality. Habitats that are rarer are given higher priority, simply because options and opportunities for conserving them are more limited and if all such habitats are lost, so too are the species and processes associated with them. Hence, the rarity of a habitat has an important effect on an assessment and can make selection against uniform</p>	<p>Geographical scale:  - Nation</p> <ul style="list-style-type: none"> <li>England</li> <li>Northern Ireland</li> <li>Scotland</li> <li>Wales</li> </ul> <p>Functional scale:  - Statutory and non-statutory designations</p> <ul style="list-style-type: none"> <li>SSSIs and ASSIs</li> <li>Ancient woodland sites</li> </ul>	<p><b>Risk designation</b>  Low risk</p> <p><b>Risk determination</b>  HCV 3 is present in the UK, in the form of Sites of Special Scientific Interest (SSSIs) in England, Scotland and Wales, Areas of Special Scientific Interest (ASSIs) in Northern Ireland, ancient woodland sites (both ancient semi-natural woodland, ASNW, and plantations on ancient woodland sites, PAWS)</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<ul style="list-style-type: none"> <li>• <i>From Evidence to Opportunity: A Second Assessment of the State of Northern Ireland's Environment</i> [25]</li> <li>• <i>Scotland's Native Woodlands: Results from the Native Woodland Survey of Scotland</i> [27]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• <i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> <li>• <i>State of Nature 2016</i> [26]</li> </ul>	<p>minimum standards inappropriate. There is therefore a differential standard according to geographical variations in the extent of the habitat. The Habitats Directive (92/43/EEC) Annex I identifies a number of threatened habitats at a European scale, the conservation of which requires site designation. The continuing loss and increasing scarcity of near- and semi-natural habitats over much of lowland Britain has led to the view that, for some habitats, all remaining examples above a certain quality should be protected. The scarcer the habitat, the stronger is the case that the qualifying standards should be more flexible.'</p> <p>As such, as with HCV 1, SSSIs and ASSIs are important proxies for HCV 3.</p> <p>In addition to formally designated sites, given the scarcity of semi-natural woodland in the UK, all ancient woodland sites are considered to be of high conservation value. Ancient woodland sites are sites which have been under continuous woodland cover since before AD 1600 in England, Wales and Northern Ireland or since before AD 1750 in Scotland. These sites are considered to be of value, regardless of whether they currently carry semi-natural woodland (ancient semi-natural woodland, ASNW) or plantations of native or non-native species (plantations on ancient woodland sites, PAWS), because of the remnant features which may be present, such as woodland specialist flora, veteran trees or deadwood.</p> <p>Furthermore, priority habitats are identified by the statutory nature conservation bodies in England, Northern Ireland, Scotland and Wales as part of the UK response to the Convention on Biological Diversity. Priority habitats are those considered to be the most threatened at the country level (<a href="http://jncc.defra.gov.uk/page-5705">http://jncc.defra.gov.uk/page-5705</a>), and as such are also important proxies for HCV 3.</p>	<ul style="list-style-type: none"> <li>• Priority habitats</li> </ul> <p>- Scale of forest management activity</p> <ul style="list-style-type: none"> <li>• Not requiring a felling licence</li> <li>• Requiring a felling licence</li> </ul>	<p>throughout the UK, and priority habitats throughout the UK.</p> <p>There is evidence of threats to the condition of all of these, but not that forest management activities are a significant threat.</p> <p>There are legal protections for SSSIs and ASSIs, and there are protections for ancient woodland sites and priority habitats via the requirement for felling licence applicants to conform to the <i>UK Forestry Standard</i>. There is a high level of compliance with legislation relating to protected sites and species (indicator 1.9) and with legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations (indicators 1.3, 1.4 and 1.8). Forest management activities on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 3.</p> <p>Evidence in relation to SSSI and ASSI condition shows that forest management activities</p>



Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p><i>Geographic areas where HCV 3 is likely to be present (sub-section contents quoted from [21])</i> Potentially important habitats may be found throughout UK. [These are as previously described, SSSIs/ASSIs, ancient woodland sites and priority habitats.]</p> <p><b>Threat assessment</b> <i>Overview (sub-section contents quoted from [21])</i> There are many potential threats to the habitats within designated sites. As part of the designation process, operations which might potentially damage the special interest of a site or area will have been identified, and permission must be sought from the relevant statutory nature conservation body before carrying out such an operation.</p> <p>Threats to the existence of designated sites and ancient woodland sites themselves usually take the form of major infrastructure projects or other built developments. Remnant features in ASNW and PAWS may be threatened by a lack of management, for example the shading of ground flora by unthinned plantations, or by unsympathetic management, for example the disruption of characteristic soil profiles by cultivation or herbicide application.</p> <p>All habitats are potentially threatened by wider issues such as changes in drainage or invasive species.</p> <p><i>General</i> SSSIs are notified and protected under the Wildlife and Countryside Act 1981 in England and Wales, and under the Nature Conservation (Scotland) Act 2004 in Scotland. ASSIs are declared and protected under the Environment Order (Northern Ireland) 2002. In all cases these sites are subject to legal protections which mean that some operations may only be carried out with the consent of the relevant statutory</p>		<p>threaten the condition of only a small proportion of sites; in the UK's heavily modified environment, it is more often the case that lack of management threatens the biodiversity value of these sites.</p> <p>Evidence in relation to ancient woodland sites shows that forest management activities threaten only a very small proportion of sites.</p> <p>Evidence in relation to priority habitats, similar to that for SSSIs and ASSIs, shows that forest management activities are less of a threat than lack of management.</p> <p>In summary, HCV 3 is present, and there is potential for forest management activities to threaten the high conservation value, but there is effective protection through legal controls. In the particular context of the UK, a lack of forest management in HCV 3 areas is often more damaging to biodiversity values.</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>conservation body. For information on legislation and enforcement activity in relation to protected sites, see indicator 1.9.</p> <p>All forestry operations requiring a felling licence (i.e. excluding the felling of very small trees, or the felling of very small volumes in a given calendar quarter, or the felling of trees in orchards, gardens or churchyards, or the felling of trees under other legislation, such as planning regulations; see the Forestry Act 1967 and the Forestry Act (Northern Ireland) 2010) and all operations in receipt of grants must follow the requirements and guidelines of the <i>UK Forestry Standard</i> [2], including those concerning biodiversity (UKFS section 6.1). These include protections for legally protected sites, priority habitats and semi-natural woodland. Felling licence requirements apply in all of the HCV 3 areas described below.</p> <p>The NRA Working Group concludes that forest management operations on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 3.</p> <p><i>SSSIs and ASSIs</i> The <i>UK Forestry Standard</i> [2] explicitly reiterates legal requirements in relation to protected sites: 'Appropriate protection and conservation must be afforded where sites, habitats and species are subject to the legal provisions of EU Directives and UK and country legislation' (p. 41).</p> <p>Despite these legal protections, damage to SSSIs and ASSIs can and does still occur. However, information on SSSI condition and threats from England and Scotland suggests that forest management accounts for only a very small proportion of that damage (see indicator 3.1). Biodiversity indicators for Northern Ireland [25] show that the area of ASSIs has increased (p. 132) and that ASSI condition has improved</p>		<p><i>Risk conclusion</i> For HCV 3 areas (SSSIs/ASSIs, ancient woodland sites and priority habitats) in circumstances where forest management activities require a felling licence, low risk threshold (15) is met: (15) HCV 3 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>For HCV 3 areas (SSSIs/ASSIs, ancient woodland sites and priority habitats) in circumstances where forest management activities do not require a felling licence, low risk threshold (14) is met: (14) There is low/negligible threat to HCV 3 caused by management activities in the area under assessment.</p> <p>For the rest of the UK, low risk threshold (13) is met: (13) There is no HCV 3 identified, and its occurrence is unlikely in the area under assessment.</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>slightly (p. 134); forest management is not identified as one of the key factors causing losses of biodiversity (p. 141). And, far from identifying forest management as a threat, the UK level summary in the <i>State of Nature 2016</i> report [26] finds that decreasing forest management has a negative effect on the quality of woodland habitats. On the basis that detailed information from England and Scotland is consistent with UK level information in <i>State of Nature 2016</i>, and therefore likely to be representative, the NRA Working Group concludes that forest management activities, as regulated by felling licensing and associated UKFS requirements, do not pose a significant threat to SSSIs and ASSIs in the UK.</p> <p><i>Ancient woodland sites</i> The <i>UK Forestry Standard</i> [2] requires protection of semi-natural woodlands, particularly ancient semi-natural woodlands: 'Manage native woodlands to ensure their biodiversity is maintained or enhanced; base management proposals on protecting or extending semi-natural features characteristic of that woodland type and pay particular attention to ancient semi-natural woodlands' (p. 45). It also requires protection of features of conservation value in plantations on ancient woodland sites: 'On plantations on ancient woodland sites, ensure that features of ancient woodland remnants are protected and consider progressive restoration to native woodland' (p. 54).</p> <p>The Woodland Trust has provided information on ancient woodland sites under threat in England, Northern Ireland, Scotland and Wales (Luci Ryan, pers. comm., 17/10/17). The area of ancient woodland in Northern Ireland is extremely small (see indicator 4.1), and only two cases of woods under threat are identified. The most common threats in England are site allocations (188 of 506 sites, or 37 %), housing (112 sites, or 22 %) and railways (108 sites, or 21 %). The most common</p>		<p><i>Note: The NRA Working Group observes that there are some deficiencies in the reporting of wildlife crime in relation to protected sites and in the application of enforcement powers where forestry operations are identified as a pressure. While not currently sufficient to challenge a low risk designation, evidence in relation to these issues will be monitored and if necessary the risk designation will be reviewed. See also indicators 1.9 and 3.1.</i></p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>threat in Scotland is electricity, gas, water or telecommunications infrastructure (103 of 148 sites, or 70 %). The most common threat in Wales is site allocations (79 of 126 sites, or 63 %). (Site allocations are areas identified for development in local authority plans.) Of a total of 780 sites under threat, only one (0.1 %), in England, is threatened by forestry. These recent figures, while clearly showing the serious threat from development, demonstrate that forest management is not a significant threat to ancient woodland.</p> <p>For ancient woodland sites, the Native Woodland Survey of Scotland [27] provides the most detailed analysis based on hard data. Over the period 1970-2012, the survey shows changes in the composition of some ancient woodlands, but also significant losses to other land uses (see Category 4). On the basis of area change figures (Table 8 in [27]), the survey report suggests that policies intended to prevent the deliberate removal of ancient woodland for development and agriculture have been relatively successful, with area changes of less than 1 % in both cases, but in contrast notes that 'almost 90% of the possible total loss of ancient woodland over the last 40 years has been to unenclosed open land, mainly in the uplands'. It is suggested that 'The most likely causes are some combination of herbivore pressures and poor regeneration capacity of older trees'. There is also evidence to suggest that more intensively managed woodlands are less likely to have been lost in this way, for example through the active exclusion or control of herbivores. So while there have been losses of ancient woodland in Scotland since the 1970s, these are related to other land uses rather than forest management, and in fact forest management is likely to have had a positive effect in preserving these sites. See also Category 4 in relation to more recent trends.</p> <p>Woodland management in Scotland has resulted in some changes from native to non-native species (Table 6 in [27]), but</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>also in far greater changes from non-native to native species composition (Table 7 in [27]). This again suggests a relatively benign or indeed positive effect of forest management compared with the negative effect of other land uses which result in losses of ancient woodland in Scotland. Changes from native to non-native species composition (10 % of the 1970 area of ancient semi-natural woodland, or 5.5 % of the total area of ancient woodland in 1970) are far smaller than losses of woodland (25 % of the 1970 ancient semi-natural woodland area and 9 % of the 1970 plantations on ancient woodland sites area, or 19 % of the total area of ancient woodland in 1970).</p> <p><i>Priority habitats</i> The <i>UK Forestry Standard</i> [2] requires that: 'Particular consideration should be given to conserving, enhancing or restoring priority habitats and species identified in the statutory lists of priority species and habitats for England, Scotland, Wales and Northern Ireland, through the delivery of country biodiversity strategies and local level plans' (p. 42).</p> <p>The report <i>UK Biodiversity Indicators 2018</i> [24] states that the percentage of UK habitats of European importance in favourable or improving conservation status (indicator C3a) decreased between 2007 and 2013.</p> <p>The information underlying indicator C3a is taken from UK reporting on implementation of the EU Habitats Directive, with the most recent reports produced in 2013 (<a href="http://jncc.defra.gov.uk/page-6392">http://jncc.defra.gov.uk/page-6392</a>). Reports are available for all ten forest priority habitats, two present only in England (Sub-Atlantic and medio-European oak or oak-hornbeam forests of the <i>Carpinion betuli</i>; and Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains), three present in England and Wales (Atlantic acidophilous beech forests with <i>Ilex</i> and</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion roboretum</i> or <i>Illici-Fagenion</i>); <i>Asperulo-Fagetum</i> beech forests; and <i>Taxus baccata</i> woods of the British Isles), one present only in Scotland (Caledonian forest), and the remaining four present in all parts of the UK (<i>Tilio-Acerion</i> forests of slopes, scree and ravines; Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; Bog woodland; and Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)). The UK level reports summarise threats to these habitats, which include forest and plantation management, while individual reports for England, Northern Ireland, Scotland and Wales provide more detail on the basis of threat assessments. These individual reports show that, while forest management is identified as a threat for all of the forest habitats apart from <i>Taxus baccata</i> woods of the British Isles, the threat is most often described as a <u>lack</u> of appropriate management, with improved guidance and grant support for appropriate management seen as mitigating such threats. In some cases, the effects described are historical (e.g. species changes or drainage), and recent efforts to restore damaged habitats are noted in the reports. Overall, current management is described as a threat in only a minority of cases.</p> <p>Additional reporting on biodiversity indicators for Northern Ireland [25] states that while most priority habitats 'showed a decline or were stable (or showed no clear trend) between 2000 and 2012... woodland priority habitats have increased' (p. 139). Forest management is not identified as one of the key factors causing biodiversity losses (p. 141).</p>		
3.4 HCV 4	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Forestry Commission Scotland (<a href="http://scotland.forestry.gov.uk/a82">http://scotland.forestry.gov.uk/a82</a> and</li> </ul>	<p><b>Occurrence</b></p> <p><i>Interpretation in the UK context (sub-section contents quoted from [21])</i></p> <p>In the UK context, ecosystem services in critical situations are likely to be limited to areas and features of critical importance</p>	Geographical scale: - UK	<b>Risk designation</b> Low risk

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<p><a href="http://scotland.forestry.gov.uk/news-releases/1168-slope-stabilisation-works-to-be-made-more-permanent">http://scotland.forestry.gov.uk/news-releases/1168-slope-stabilisation-works-to-be-made-more-permanent</a>)</p> <ul style="list-style-type: none"> <li>• <i>The UK Forestry Standard</i> [2]</li> <li>• <i>Woodland for Water: Woodland measures for meeting Water Framework Directive objectives</i> [29]</li> <li>• <i>An evaluation of the impact of cypermethrin use in forestry on Welsh streams</i> [31]</li> <li>• <i>The impact of forests and forest management on slope stability: Can CCF management improve slope stability?</i> [33]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• <i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> <li>• <i>Woodland actions for biodiversity and their role in water management</i> [28]</li> </ul>	<p>for watershed management or erosion control. These may include forests upstream of public water supplies (where regulation of water quality and quantity is critical) or areas liable to flooding (where regulation of water quantity is critical), or forests on steep slopes above settlements or infrastructure where management of slope stability is critical to avoid risks to human safety or serious economic impacts.</p> <p>HCV 4 refers explicitly to 'critical situations'. An ecosystem service is considered to be critical where a disruption of that service is likely to cause, or poses a threat of, severe negative impacts on the welfare, health or survival of local communities, on the environment, on HCVs, or on the functioning of significant infrastructure (roads, dams, buildings etc.). In the UK context, statutory environment protection bodies or national geological surveys (British Geological Survey or Geological Survey of Northern Ireland) will be best placed to determine what constitutes a critical situation.</p> <p><i>Geographic areas where HCV 4 is likely to be present (sub-section contents quoted from [21])</i></p> <p>Critically important water catchments may potentially occur anywhere but are most likely to be found in the uplands of UK.</p> <p>Critically important sites for erosion control are most likely to occur in the uplands due to topography, but forests may have similar protective functions in very different locations, for example stabilising sand dunes.</p> <p><b>Threat assessment</b></p> <p><i>Overview (section contents quoted from [21])</i></p> <p>Threats to water catchments or vulnerable soils or slopes may include sudden changes in forest cover, point or diffuse pollution, and any forest operations causing soil disturbance,</p>	<p>Functional scale: - Scale of forest management activity</p> <ul style="list-style-type: none"> <li>• Not requiring a felling licence</li> <li>• Requiring a felling licence</li> </ul>	<p><b>Risk determination</b></p> <p>HCV 4 is present in the UK, primarily, but not exclusively, in the uplands.</p> <p>Forest management activities on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 4.</p> <p>Although forest management activities above the thresholds for felling licensing may potentially threaten HCV 4, legal and best practice controls are in place which effectively guard against these threats. There is a high level of compliance with legal environmental requirements (indicator 1.10) and with legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations (indicators 1.3, 1.4 and 1.8).</p> <p><i>Risk conclusion</i></p> <p>For HCV 4 areas in circumstances where forest management activities require a felling licence, low risk threshold (21) is met: (21)</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<ul style="list-style-type: none"> <li>• <i>The Role of Productive Woodlands in Water Management</i> [30]</li> <li>• <i>The UK National Ecosystem Assessment Technical Report</i> [32]</li> </ul>	<p>such as ground preparation or the construction of tracks or roads.</p> <p><i>General</i> All forestry operations requiring a felling licence (i.e. excluding the felling of very small trees, or the felling of very small volumes in a given calendar quarter, or the felling of trees in orchards, gardens or churchyards, or the felling of trees under other legislation, such as planning regulations; see the Forestry Act 1967 and the Forestry Act (Northern Ireland) 2010) and all operations in receipt of grants must follow the requirements and guidelines of the <i>UK Forestry Standard</i> [2], including those concerning soil (UKFS section 6.6) and water (UKFS section 6.7). These provide comprehensive protection against contamination, compaction, disturbance and erosion of soil, and against sediment delivery, nutrient enrichment and contamination of water with pesticides, fuel oils and other chemicals. In addition, they include measures to maintain water yield and low flows, and to moderate peak flows and flooding.</p> <p>The NRA Working Group concludes that forest management operations on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 4.</p> <p><i>Public water supplies</i> Issues of water quality (primarily pollution and sedimentation) are considered in this sub-section; issue of water quantity are considered under areas liable to flooding, below.</p> <p>A number of sources recognise the potential negative impacts of forest management on water quality, but also the mitigating effects of regulatory controls [28, 29, 30]. For example, the report <i>Woodland for Water: Woodland measures for meeting Water Framework Directive objectives</i> [29], commissioned by</p>		<p>HCV 4 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>For HCV 4 areas in circumstances where forest management activities do not require a felling licence, and for the rest of the UK, low risk threshold (20) is met: (20) There is low/negligible threat to HCV 4 caused by management activities in the area under assessment.</p>



Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>the Environment Agency and Forestry Commission England but also supported by Natural England, the Scottish Environmental Protection Agency, Scottish Natural Heritage and the Countryside Council for Wales, states that: 'Woodland can pose a risk of diffuse water pollution, especially when involving more intensive management practices on sensitive soils... Most pollution incidents resulting from forestry are associated with harvesting operations, usually linked to poor practice in timber extraction. Ground damage due to machinery can lead to soil erosion and increased sediment delivery to watercourses. Clear felling also presents a risk of both phosphate and nitrate contamination of watercourses... These pollution risks are addressed by good practice measures under the Forests &amp; Water Guidelines.' There is a high level of compliance with legal environmental requirements; see indicator 1.10.</p> <p>More specific evidence comes from the study <i>An evaluation of the impact of cypermethrin use in forestry on Welsh streams</i> [31], which considered the threat of pollution from pesticide use in forests. The study found that forestry use of cypermethrin (a synthetic pyrethroid insecticide used to control pine weevils <i>Hylobius abietis</i>) posed a relatively small risk of contaminating streams, and that there was no evidence that it was a widespread source of contamination of surface waters in Wales. Some refinements of best practice were recommended, which have already been incorporated into UKFS. This best practice is intended to ensure compliance with the regulatory controls set out in indicator 1.10.</p> <p>The case study on Kielder Forest in the <i>UK National Ecosystem Assessment Technical Report</i> [32] shows that even a large, intensively managed plantation can have modest positive effects on regulating water quality in a reservoir catchment.</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>A search of water quality incidents recorded by the Drinking Water Inspectorate (in England and Wales) (<a href="http://www.dwi.gov.uk/press-media/incidents-and-prosecutions/index.htm">http://www.dwi.gov.uk/press-media/incidents-and-prosecutions/index.htm</a>), the Drinking Water Inspectorate for Northern Ireland (<a href="https://www.daera-ni.gov.uk/publications/drinking-water-quality-northern-ireland">https://www.daera-ni.gov.uk/publications/drinking-water-quality-northern-ireland</a>), and the Drinking Water Quality Regulator for Scotland (<a href="http://dwqr.scot/regulator-activity/water-quality-incidents/">http://dwqr.scot/regulator-activity/water-quality-incidents/</a>) has not revealed any public health issues attributable to forest management activities.</p> <p><i>Areas liable to flooding</i> Woodland is generally seen as contributing positively to flood management in the UK, although there are potential negative impacts associated particularly with clearfelling.</p> <p>The Woodland Trust report <i>Woodland actions for biodiversity and their role in water management</i> [28] provides a useful summary of UK and other temperate zone research on the effects of forest management on water quantity. While recognising that felling increases peak flows for several years until new trees become established, even when best practices are followed, the report does note that UK studies on the effects of upland conifer forests on flood frequency, intensity and risk 'found no significant effect at the headwater or large catchment scale'.</p> <p>The case study on Kielder Forest in the <i>UK National Ecosystem Assessment Technical Report</i> [32] shows that even a large, intensively managed plantation can have modest positive effects on regulating water quantity.</p> <p>No other evidence has been found which suggests that forest management in the UK has a negative effect on flood risk; on the contrary, an expansion of woodland area is often</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>advocated on the basis of reduced flood flows relative to other land uses [30].</p> <p><i>Erosion control</i>  Stokes [33] reviewed evidence which showed that forest cover increases slope stability, but also noted the potential detrimental impacts of road building and harvesting operations. The review concluded that clearfelling has the most detrimental effect on slope stability and that selection and shelterwood systems offer more protection. This is reflected in the <i>UK Forestry Standard</i> [2] soil guidelines (UKFS section 6.6), which steer forest managers towards alternatives to clearfelling on 'steep slopes where there is a risk of slope failure or serious erosion' (p. 156). There are also general forestry practice guidelines regarding the design of forest roads (UKFS section 5). There is a high level of compliance with legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations; see indicators 1.3, 1.4 and 1.8.</p> <p>There have been a small number of high profile cases where forest management has been implicated in landslides affecting settlements or infrastructure. For example, the A82 project (<a href="http://scotland.forestry.gov.uk/a82">http://scotland.forestry.gov.uk/a82</a>) was initiated to avoid negative impacts of wind-throw on slope stability and infrastructure (the A82 trunk road along the Great Glen in Scotland), but harvesting works have themselves resulted in issues along the way (<a href="http://scotland.forestry.gov.uk/news-releases/1168-slope-stabilisation-works-to-be-made-more-permanent">http://scotland.forestry.gov.uk/news-releases/1168-slope-stabilisation-works-to-be-made-more-permanent</a>); it must be recognised, however, that these are unusual operations undertaken in exceptional circumstances. These isolated incidents notwithstanding, the NRA Working Group concludes that there is no evidence to suggest that normal forest practices, as guided by the <i>UK Forestry Standard</i></p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		[2], pose a general threat in terms of erosion and slope stability.		
3.5 HCV 5	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li><i>The UK Forestry Standard</i> [2]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li><i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> </ul>	<p><b>Occurrence</b>  <i>Interpretation in the UK context (sub-section contents quoted from [21])</i>  There are no recognised indigenous peoples in the UK [see indicator 2.3]. There are very few circumstances under which local communities are dependent on forests for their basic necessities, with the notable exception of private water supplies; in rural areas, some dwellings or farms may rely on water supplies located within forests, in the form of boreholes or wells, or water abstracted directly from water courses.</p> <p><i>Geographic areas where HCV 5 is likely to be present (sub-section contents quoted from [21])</i>  Private water supplies may be present anywhere where there are dwellings, farms or business premises in or adjacent to forests, particularly, but not exclusively, in more remote rural locations without mains water.</p> <p><b>Threat assessment</b>  <i>Overview (sub-section contents quoted from [21])</i>  The most obvious threats to water supplies are direct damage to pipes, tanks or inlets by machinery, infrastructure developments, windthrow or felled trees, and the pollution or siltation of water by nearby or upstream operations.</p> <p><i>General</i>  All forestry operations requiring a felling licence (i.e. excluding the felling of very small trees, or the felling of very small volumes in a given calendar quarter, or the felling of trees in orchards, gardens or churchyards, or the felling of trees under other legislation, such as planning regulations; see the Forestry Act 1967 and the Forestry Act (Northern Ireland) 2010) and all operations in receipt of grants must follow the</p>	<p>Geographical scale:  - UK</p> <p>Functional scale:  - Scale of forest management activity</p> <ul style="list-style-type: none"> <li>Not requiring a felling licence</li> <li>Requiring a felling licence</li> </ul>	<p><b>Risk designation</b>  Low risk</p> <p><b>Risk determination</b>  HCV 5 is present in the UK but, taking into account the absence of customary rights (see indicator 1.13) and indigenous peoples (see indicator 2.3), the only sites and resources fundamental for satisfying the basic necessities of local communities are considered to be private water supplies.</p> <p>Forest management activities on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 5.</p> <p>Although forest management activities above the thresholds for felling licensing may potentially threaten HCV 5, legal and best practice controls are in place which effectively guard against these threats. There is a high level of compliance with legal environmental requirements (indicator 1.10) and with</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>requirements and guidelines of the <i>UK Forestry Standard</i> [2], including those concerning water (UKFS section 6.7). These include protections for private water supplies; UKFS affords public and private water supplies the greatest protection of any watercourses or waterbodies, with a minimum recommended buffer width of 50 m around abstraction points (p. 170) in addition to other protections.</p> <p>The NRA Working Group concludes that forest management operations on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 5.</p> <p>Although there are isolated, anecdotal cases of damage, online searches have revealed no reports or news stories relating to private water supplies in UK forests. As such, the NRA Working Group concludes that there is no evidence to suggest that normal forest management practices present a general threat to private water supplies.</p> <p>In summary, private water supplies are found in or close to UK forests, but measures to protect them are included in the standard which governs felling licensing, and the absence of any reports or news stories relating to damage to private water supplies in UK forests is taken to demonstrate that the regulatory controls in place are effective in protecting them.</p>		<p>legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations (indicators 1.3, 1.4 and 1.8).</p> <p><i>Risk conclusion</i>  For HCV 5 areas (where private water supplies are present in or near to forests) in circumstances where forest management activities which require a felling licence, low risk threshold (25) is met: (25) HCV 5 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>For HCV 5 areas (where private water supplies are present in or near to forests) in circumstances where forest management activities which do not require a felling licence, and for the rest of the UK, low risk threshold (24) is met: (24) There is low/negligible threat to HCV 5 caused by management activities in the area under assessment.</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
3.6 HCV 6	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>UNESCO (<a href="http://whc.unesco.org/en/statesparties/gb">http://whc.unesco.org/en/statesparties/gb</a>)</li> <li>Historic England (<a href="https://historicengland.org.uk/images-books/publications/har-2015-registers/">https://historicengland.org.uk/images-books/publications/har-2015-registers/</a>)</li> <li><i>The UK Forestry Standard</i> [2]</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Campaign for National Parks (<a href="https://www.cnp.org.uk/">https://www.cnp.org.uk/</a> and <a href="https://www.cnp.org.uk/better-protected">https://www.cnp.org.uk/better-protected</a>)</li> <li>Campaign to Protect Rural England (<a href="http://www.cpre.org.uk/">http://www.cpre.org.uk/</a> and <a href="http://www.cpre.org.uk/resources/countryside/landscapes/item/3453-national-parks-anobs-and-locally-valued-landscapes-under-threat-around-the-country">http://www.cpre.org.uk/resources/countryside/landscapes/item/3453-national-parks-anobs-and-locally-valued-landscapes-under-threat-around-the-country</a>)</li> <li>Campaign for the Protection of Rural Wales (<a href="https://cprw.org.uk/">https://cprw.org.uk/</a> and</li> </ul>	<p><b>Occurrence</b></p> <p><i>Interpretation in the UK context (sub-section contents quoted from [21])</i></p> <p>Sites or landscapes of global or national importance are designated as Scheduled Monuments, Listed Buildings, Conservation Areas, Areas of Outstanding Natural Beauty (in England, Northern Ireland and Wales), National Scenic Areas (in Scotland), National Parks (currently only in England, Scotland and Wales) or World Heritage Sites, including Cultural Landscapes. While these designations vary in their significance in a forest setting, they are all potentially important proxies for HCV 6.</p> <p>There are also a number of non-statutory registers of sites or landscapes of national significance, such as Landscapes of Historic Interest, Parks and Gardens of Special Historic Interest and Historic Battlefields in Wales. While lacking the degree of legal protection afforded to statutory designations, these sites and features should also be considered in any assessment of HCV 6.</p> <p>Tree Preservation Orders (TPOs) may be made by local planning authorities to protect specific trees, groups of trees or woodlands in the interests of amenity (Scottish legislation also makes explicit provision for protecting trees and woodlands on the basis of their cultural or historical value). On their own, TPOs may not indicate features of national significance or of critical importance to local communities, but they should at least be considered in any assessment of HCV 6. Regardless of their HCV status, TPOs do, of course, confer a degree of legal protection on the trees or woodlands they cover. The Woodland Trust is campaigning for a register of nationally important trees, which may or may not be protected by TPOs; should this campaign be successful, the register may be an important proxy for HCV 6 [in future].</p>	<p>Geographical scale:</p> <ul style="list-style-type: none"> <li>- Nation <ul style="list-style-type: none"> <li>• England</li> <li>• Northern Ireland</li> <li>• Scotland</li> <li>• Wales</li> </ul> </li> </ul> <p>Functional scale:</p> <ul style="list-style-type: none"> <li>- Scale of forest management activity <ul style="list-style-type: none"> <li>• Not requiring a felling licence</li> <li>• Requiring a felling licence</li> </ul> </li> <li>- Statutory designations <ul style="list-style-type: none"> <li>• World Heritage Sites</li> <li>• Scheduled Monuments</li> <li>• National Parks</li> <li>• Areas of Outstanding Natural Beauty/National Scenic Areas</li> <li>• Tree Preservation Orders</li> </ul> </li> </ul>	<p><b>Risk designation</b></p> <p>Low risk</p> <p><b>Risk determination</b></p> <p>HCV 6 is present in the UK.</p> <p>Forest management activities on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 6.</p> <p>Although forest management activities above the thresholds for felling licensing may potentially threaten HCV 6, legal and best practice controls are in place which effectively guard against these threats. There is a high level of compliance with legislation relating to protected sites (indicator 1.9) and with legislation relating to management and harvesting planning, harvesting permits, and timber harvesting regulations (indicators 1.3, 1.4 and 1.8).</p> <p><i>Risk conclusion</i></p> <p>For HCV 6 areas (including Scheduled Monuments, National Parks, etc.) in circumstances where forest</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
	<p><a href="https://cprw.org.uk/our-work/landscape-and-countryside">https://cprw.org.uk/our-work/landscape-and-countryside</a>)</p> <ul style="list-style-type: none"> <li>• Woodland Trust (<a href="http://www.woodlandtrust.org.uk/">http://www.woodlandtrust.org.uk/</a>)</li> <li>• <i>National High Conservation Value Framework for the United Kingdom</i> [21]</li> </ul>	<p>As noted under HCV 5, there are no recognised indigenous peoples in the UK. Most features of critical cultural importance for local communities are likely to be covered by the various statutory and non-statutory designations. However, there may be some features of particular local significance, such as sites or trees associated with figures from history or folklore, which can only be identified through engagement with communities.</p> <p><i>Geographic areas where HCV 6 is likely to be present (sub-section contents quoted from [21])</i></p> <p>Globally or nationally significant or locally critically important sites, resources, habitats or landscapes may be found throughout UK.</p> <p><b>Threat assessment</b></p> <p><i>Overview (sub-section contents quoted from [21])</i></p> <p>Threats to HCV 6 depend very much on the nature of the feature. Trees of cultural or historic significance may be threatened by felling or unsympathetic management of surrounding stands which might increase windthrow risk or fail to address crowding, for example. Other common threats include inconsiderate agricultural/land management (browsing/poaching), vandalism and arson. Features on the ground are most likely to be affected by heavy machinery, through deliberate excavation for infrastructure, cultivation or drainage, or incidentally through compaction, erosion or vibration. Changes in hydrology, through drainage or tree planting, can affect the preservation of buried artefacts.</p> <p><i>General</i></p> <p>All forestry operations requiring a felling licence (i.e. excluding the felling of very small trees, or the felling of very small volumes in a given calendar quarter, or the felling of trees in orchards, gardens or churchyards, or the felling of trees under other legislation, such as planning regulations; see the</p>		<p>management activities which require a felling licence, low risk threshold (29) is met: (29) HCV 6 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>For HCV 6 areas (including Scheduled Monuments, National Parks, etc.) in circumstances where forest management activities which do not require a felling licence and the rest of the UK, low risk threshold (28) is met: (28) There is low/negligible threat to HCV 6 caused by management activities in the area under assessment</p>

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>Forestry Act 1967 and the Forestry Act (Northern Ireland) 2010) and all operations in receipt of grants must follow the requirements and guidelines of the <i>UK Forestry Standard</i> [2], including those concerning the historic environment (UKFS section 6.3) and landscape (UKFS section 6.4). These include protections for Scheduled Monuments, Listed Buildings, historic landscape character, other historic features and landscape designations.</p> <p>The NRA Working Group concludes that forest management operations on such a small scale as to be below the thresholds for felling licensing do not present a significant risk to HCV 6.</p> <p><i>World Heritage Sites</i> Detailed condition reports for UNESCO World Heritage Sites, including factors having current negative impacts, are freely available online (<a href="http://whc.unesco.org/en/statesparties/gb">http://whc.unesco.org/en/statesparties/gb</a>). Of 24 cultural sites, two natural sites and one mixed site in the UK (i.e. excluding sites in Gibraltar, Bermuda, Gough and Inaccessible Islands, and Henderson Island), only six cultural sites have 'Forestry/wood production' listed as a factor affecting the property. (Many of the cultural sites are in urban areas, of course.) Forestry is recorded as having a positive current impact at Blenheim Palace, New Lanark, and Royal Botanic Gardens, Kew. It is recorded as having both positive and negative current impacts at the Frontiers of the Roman Empire and at Studley Royal Park, and negative current impacts at Stonehenge, Avebury and Associated Sites. The NRA Working Group notes that in all cases where there are current negative impacts, these are characterised as minor and either localised or restricted in spatial scale. Overall, there are more positive than negative impacts, and negative impacts appear to be limited.</p>		



Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p><i>Scheduled Monuments</i> The <i>UK Forestry Standard</i> [2] explicitly reiterates legal requirements to protect Scheduled Monuments: 'Scheduled Monuments must not be damaged, and consent must be obtained from the relevant historic environment authority for any works that have the potential to damage the monument' (p. 83).</p> <p>Historic England maintains a Heritage at Risk Register (<a href="https://historicengland.org.uk/images-books/publications/her-2015-registers/">https://historicengland.org.uk/images-books/publications/her-2015-registers/</a>). For England as a whole, 2,701 of the total number of 19,850 Scheduled Monuments are on the Register. Forestry is identified as the 'principal vulnerability' for only 31 of these Scheduled Monuments, 0.2 % of the total number or 1.1 % of those at risk. By comparison, unrestricted plant, scrub and tree growth is the greatest risk to 27 % of entries on the Register: 'Unmanaged woodland, tree, scrub and bracken growth remains one of the most widespread causes of long-term damage to both urban and rural archaeological sites - even if the effects are not as visible or as immediately destructive as other processes. In most cases simple, low cost but regular maintenance is the key. The delivery of this will always be reliant upon the help and goodwill of landowners.'</p> <p>Thus, the NRA Working group notes that lack of management can be seen to be far more damaging than forest management at the national level.</p> <p>Cadw has indicated that it does not see the forest sector as a serious threat to the historic environment in Wales (Ian Halfpenney, pers. comm., 24/11/16).</p> <p>Enquiries made with the Historic Environment Division in Northern Ireland and Historic Environment Scotland have not revealed any concerns in relation to forest management, and</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p>no other evidence has been found of forest management threats to Scheduled Monuments.</p> <p><i>National Parks and Areas of Outstanding Natural Beauty/National Scenic Areas</i> The <i>UK Forestry Standard</i> [2] requires that, 'In designated areas, for example national parks, particular account should be taken of landscape and other sensitivities in the design of forests and forest infrastructure' (p. 25).</p> <p>Searches of the Campaign for National Parks website (<a href="https://www.cnp.org.uk/">https://www.cnp.org.uk/</a>) reveal no issues relating to forest management; the website focusses on protecting National Parks from the impacts of fracking, pylons and roads (<a href="https://www.cnp.org.uk/better-protected">https://www.cnp.org.uk/better-protected</a>).</p> <p>In a 2013 collection of case studies, the Campaign to Protect Rural England deals almost exclusively with built development threats to National Parks, Areas of Outstanding Natural Beauty and locally valued landscapes (<a href="http://www.cpre.org.uk/resources/countryside/landscapes/item/3453-national-parks-anobs-and-locally-valued-landscapes-under-threat-around-the-country">http://www.cpre.org.uk/resources/countryside/landscapes/item/3453-national-parks-anobs-and-locally-valued-landscapes-under-threat-around-the-country</a>).</p> <p>Searches of the Campaign for the Protection of Rural Wales website (<a href="https://cprw.org.uk/">https://cprw.org.uk/</a>) reveal no issues relating to forest management; the website lists the risks to National Parks as 'open cast mining, reservoirs and holiday villages' (<a href="https://cprw.org.uk/our-work/landscape-and-countryside">https://cprw.org.uk/our-work/landscape-and-countryside</a>) and does not specify risks from forest management activities to Areas of Outstanding Natural Beauty.</p> <p>No evidence has been found of forest management threats to Areas of Outstanding Natural Beauty in Northern Ireland or National Scenic Areas in Scotland.</p>		

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical / Functional scale	Risk designation and determination
		<p><i>Tree Preservation Orders</i></p> <p>The <i>UK Forestry Standard</i> [2] explicitly reiterates legal requirements to take account of Tree Preservation Orders: 'Before felling and pruning trees, a check must be made to ensure there are no Tree Preservation Orders or Conservation Area designations. Permission must be obtained from the relevant authority to fell or prune trees subject to Tree Preservation Orders or notification made where Conservation Areas have been applied.' (p. 23).</p> <p>No evidence has been found of forest management threats to trees protected by Tree Preservation Orders in searches of news stories on the Campaign to Protect Rural England website (<a href="http://www.cpre.org.uk/">http://www.cpre.org.uk/</a>), the Campaign for the Protection of Rural Wales website (<a href="https://cprw.org.uk/">https://cprw.org.uk/</a>), the Woodland Trust website (<a href="http://www.woodlandtrust.org.uk/">http://www.woodlandtrust.org.uk/</a>), or in wider online searches. The only examples found of violations of Tree Preservation Orders related to trees pruned or felled in urban settings, including private gardens.</p>		

**Recommended control measures**

N/A

## Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

### Overview

This category covers risk assessment of conversion of natural forests to plantations or non-forest use. It does not cover conversion of plantations to non-forest uses.

FSC defines natural forest as 'A forest area with many of the principal characteristics and key elements of native ecosystems, such as complexity, structure and biological diversity, including soil characteristics, flora and fauna, in which all or almost all the trees are native species, not classified as plantations'. The definition does not preclude areas in which harvesting takes place and includes 'Well-developed secondary or colonizing forest of native species which has regenerated in non-forest areas'.

It is generally accepted that there is no truly natural woodland in Britain [34]. Both the *UK Forestry Standard* [2] and the *UK Woodland Assurance Standard* [35] refer to semi-natural woodlands, although their definitions vary slightly: UKWAS defines them as 'woodlands which are comprised mainly of locally native trees and shrubs and have some structural characteristics of natural woodland'. Both standards also refer to ancient semi-natural woodland, or ASNW, which is semi-natural woodland on ancient woodland sites, i.e. on sites which have been continuously wooded since before AD 1600 in England, Wales and Northern Ireland, and before AD 1750 in Scotland. Although many semi-natural woodland areas may fit the FSC definition of natural forest, ASNW may be more likely to have some features such as 'soil characteristics, flora and fauna'. In this controlled wood category, ASNW is taken as equivalent to natural forest, both because of the greater conservation importance generally attached to ancient woodland in the UK [36] and for consistency with the Global Forest Resources Assessment 2015, in which there is assumed to be no primary forest in the UK and ASNW is taken as a proxy for other naturally regenerated forest [3].

**Note:** As ASNW is a sub-set of semi-natural woodland (comprising those areas of semi-natural woodland on ancient woodland sites), any references to semi-natural woodland in the policies, regulations or best practice quoted in this category will apply to ASNW. Similarly, semi-natural woodland is a sub-set of native woodland (comprising those woodlands with more natural features than plantations of native species), and so any references to native woodland will also apply to ASNW.

## Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination																		
<p>4.1 Conversion of natural forests to plantations or non-forest use in the area under assessment is less than 0.02% or 5000 hectares average net annual loss for the past 5 years (whichever is less), OR Conversion is illegal at the national or regional level on public and private land</p> <p>Note: The following changes are not considered applicable conversion according to the indicator: (legal) road</p>	<p><b>Applicable laws and regulations</b> <i>England, Scotland and Wales</i></p> <ul style="list-style-type: none"> <li>Forestry Act 1967</li> <li>The Forestry (Felling of Trees) Regulations 1979</li> <li>The Forestry (Exceptions from Restriction of Felling) Regulations 1979</li> </ul> <p><i>England</i></p> <ul style="list-style-type: none"> <li>Planning Act 2008</li> </ul> <p><i>England and Wales</i></p> <ul style="list-style-type: none"> <li>The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</li> </ul> <p><i>Scotland</i></p> <ul style="list-style-type: none"> <li>The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017</li> <li>Planning etc. (Scotland) Act 2006</li> </ul> <p><i>Wales</i></p> <ul style="list-style-type: none"> <li>Planning (Wales) Act 2015</li> </ul> <p><i>Northern Ireland</i></p> <ul style="list-style-type: none"> <li>Forestry Act (Northern Ireland) 2010</li> <li>Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</li> <li>The Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006</li> <li>Planning Act (Northern Ireland) 2011</li> </ul> <p><b>Government sources</b></p>	<p>UK (England, Northern Ireland, Scotland, Wales)</p>	<p><b>Risk designation</b> Low risk</p> <p><b>Risk determination</b> <i>Extent of natural forest and rates of conversion – UK</i> The most recent, consistent figures on ancient semi-natural woodland (ASNW) may be taken from the Global Forest Resources Assessment (FRA) country reports for the UK for 2010 and 2015 [37, 3]. These figures may be summarised as follows:</p> <table border="1" data-bbox="1131 502 2132 699"> <thead> <tr> <th></th> <th>FRA 2010</th> <th>FRA 2015</th> </tr> </thead> <tbody> <tr> <td>England</td> <td>206,000 ha</td> <td>213,000 ha</td> </tr> <tr> <td>Northern Ireland</td> <td>0 ha</td> <td>0 ha</td> </tr> <tr> <td>Scotland</td> <td>89,000 ha</td> <td>89,000 ha</td> </tr> <tr> <td>Wales</td> <td>31,000 ha</td> <td>42,000 ha</td> </tr> <tr> <td>UK</td> <td>326,000 ha</td> <td>344,000 ha</td> </tr> </tbody> </table> <p><b>Note:</b> Although these official figures, rounded to the nearest thousand hectares, show no ancient semi-natural woodland in Northern Ireland, there are in fact small areas; see the Woodland Trust figures quoted below [38].</p> <p>These figures show a positive trend in the area of ASNW, although it should be noted that at least some of the increase in area in Wales is due to a change in mapping methodology, with the minimum size threshold for mapping woodlands changing from 2 hectares to 0.5 ha (<a href="https://naturalresources.wales/guidance-and-advice/environmental-topics/woodland-management/woodlands-and-the-environment/ancient-woodland-inventory/?lang=en">https://naturalresources.wales/guidance-and-advice/environmental-topics/woodland-management/woodlands-and-the-environment/ancient-woodland-inventory/?lang=en</a>).</p> <p>Woodland Trust data on threats to ancient woodlands in England, Northern Ireland, Scotland and Wales (Luci Ryan, pers. comm., 17/10/17) show that threats from forestry (and therefore the risk of conversion to plantations) are a very small minority (one out of 782 open cases in 2017). This is likely to be due to the felling and restocking controls described below (see also the high levels of compliance with related legislation in indicator 1.4). The majority of threats come from built development and infrastructure, governed by the planning regulations and policies</p>		FRA 2010	FRA 2015	England	206,000 ha	213,000 ha	Northern Ireland	0 ha	0 ha	Scotland	89,000 ha	89,000 ha	Wales	31,000 ha	42,000 ha	UK	326,000 ha	344,000 ha
	FRA 2010	FRA 2015																			
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UK	326,000 ha	344,000 ha																			

<p>construction, logging landings and infrastructure development to support forestry operations.</p>	<p><i>Extent of natural forest and rates of conversion – UK</i></p> <ul style="list-style-type: none"> <li>Natural Resources Wales (<a href="https://naturalresources.wales/guidance-and-advice/environmental-topics/woodland-management/woodlands-and-the-environment/ancient-woodland-inventory/?lang=en">https://naturalresources.wales/guidance-and-advice/environmental-topics/woodland-management/woodlands-and-the-environment/ancient-woodland-inventory/?lang=en</a>)</li> <li><i>Global Forest Resources Assessment 2010, Country Report United Kingdom of Great Britain and Northern Ireland</i> [37]</li> <li><i>Global Forest Resources Assessment 2015, Country Report United Kingdom of Great Britain and Northern Ireland</i> [3]</li> </ul> <p><i>Extent of natural forest and rates of conversion – Scotland</i></p> <ul style="list-style-type: none"> <li><i>Scotland’s Native Woodlands: Results from the Native Woodland Survey of Scotland</i> [27]</li> <li><i>Protected Forest Areas in the UK</i> [36]</li> </ul> <p><i>Regulatory controls on conversion – England, Scotland and Wales</i></p> <ul style="list-style-type: none"> <li><i>The UK Forestry Standard</i> [2]</li> <li><i>The Policy for Broadleaved Woodlands</i> [39]</li> <li><i>The Management of Semi-natural Woodlands</i> [40]</li> <li><i>Forestry Statistics 2018</i> [1]</li> </ul> <p><i>Regulatory controls on conversion – England</i></p> <ul style="list-style-type: none"> <li><i>National Planning Policy Framework</i> [41]</li> </ul> <p><i>Regulatory controls on conversion – Scotland</i></p> <ul style="list-style-type: none"> <li><i>Scottish Planning Policy</i> [44]</li> <li><i>The Scottish Government’s Policy on Control of Woodland Removal</i> [45]</li> </ul>	<p>described below. On the basis of the FRA figures [3, 37], which show stable or increasing areas of ASNW, these threats do not appear to be sufficient to cause conversion which exceeds the thresholds for this indicator.</p> <p>While these figures are the most recent and relevant to the five year timescale of this indicator, older data for Northern Ireland and Scotland are presented below. The figures for Northern Ireland are the most recent to capture the very small areas of ASNW there, while data for both Northern Ireland and Scotland shed light on historical losses and causes of losses which, when compared with recent trends and the nature of current threats identified by the Woodland Trust, suggest that current regulatory controls have had a marked positive effect.</p> <p><i>Extent of natural forest and rates of conversion – Northern Ireland</i> Areas of ancient semi-natural woodland in Northern Ireland are very small [38]. Through a combination of archive research and field survey between 2002 and 2006, the Woodland Trust has identified 1,176 ha of semi-natural woodland as ‘possibly’ ancient, 289 ha as ‘probably’ ancient, and 72 ha as ancient.</p> <p>The Trust has estimated the total loss of ancient and long-established woodland between the 1960s and 2007 as 13 %, largely to agriculture, but no information is available on more recent trends, including the five year period covered by this indicator. It could be argued that rates of conversion are likely to have slowed in recent years following the introduction of the regulatory controls for Northern Ireland described below.</p> <p><i>Extent of natural forest and rates of conversion – Scotland</i> FRA 2015 repeats the Scottish Ancient Woodland Inventory (SAWI) figure of 89,000 ha used in FRA 2010. However, the Native Woodland Survey of Scotland (NWSS) [27], completed in 2012, gives a far lower figure of 80,000 ha of native or nearly-native woodland on ancient woodland sites (Table 5 in [27]). Note that this is a net change in area, taking into account both losses of ASNW and restoration of plantations on ancient woodland sites. Even allowing for changes as a result of mapping errors and other deficiencies in data sets (pp. 26 and 27 in [27]), this is a significant reduction in the area of ASNW.</p> <p>However, this is not to suggest that this reduction in area occurred between 2010 and 2012. The figures in FRA 2010 are dated 2001 but are actually taken from</p>
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<p><i>Regulatory controls on conversion – Wales</i></p> <ul style="list-style-type: none"> <li>• <i>Planning Policy Wales</i> [46]</li> </ul> <p><i>Regulatory controls on conversion – Northern Ireland</i></p> <ul style="list-style-type: none"> <li>• <i>Strategic Planning Policy Statement for Northern Ireland</i> [47]</li> </ul> <p><i>Government policy position – England</i></p> <ul style="list-style-type: none"> <li>• <i>Keepers of Time: A Statement of Policy for England’s Ancient &amp; Native Woodlands</i> [48]</li> </ul> <p><b>Non-Government sources</b></p> <p><i>Extent of natural forest and rates of conversion – Northern Ireland</i></p> <ul style="list-style-type: none"> <li>• <i>Back on the Map: An inventory of ancient and long-established woodland for Northern Ireland</i> [38]</li> </ul> <p><i>Regulatory controls on conversion – England</i></p> <ul style="list-style-type: none"> <li>• Woodland Trust (<a href="http://www.woodlandtrust.org.uk/get-involved/campaign-with-us/our-campaigns/hs2-rail-link/">http://www.woodlandtrust.org.uk/get-involved/campaign-with-us/our-campaigns/hs2-rail-link/</a>)</li> <li>• <i>London-West Midlands Environmental Statement: Non-technical summary</i> [42]</li> <li>• <i>High Speed Rail (West Midlands - Crewe) Environmental Statement: Non-technical summary</i> [43]</li> </ul>	<p>publications dated 1992 [36]. Indeed, the SAWI figure goes back even further; NWSS [27] uses the SAWI figure of 89,000 ha of ASNW to estimate rates of loss and uses a median time of 1970 for the fieldwork which generated the SAWI (p. 28 in [27]).</p> <p>As in Northern Ireland, although there is clear evidence of conversion over a long timescale, in this case from 1970 to 2012, there is no information on more recent trends, including the five-year period covered by this indicator. Given the timescale, it could be argued that many losses might predate developments such as the 1985 Broadleaves Policy or the 1994 publication of Practice Guides on the management of semi-natural woodland (see below), and that rates of loss might therefore be far lower in more recent years.</p> <p>Conversion of ASNW in Scotland over this period has been to non-native species (10 % of the 1970 area) or to non-forest use (25 %) (Table 6 in [27]). The NWSS report states that ‘almost 90% of the possible total loss of ancient woodland over the last 40 years has been to unenclosed open land, mainly in the uplands’, and speculates that the most likely causes are ‘some combination of herbivore pressures and poor regeneration capacity of older trees’ (p. 28 in [27]).</p> <p>In comparison, current assessments by the Woodland Trust of threats to ancient woodlands in Scotland (Luci Ryan, pers. comm., 17/10/17) show that agriculture is a very small issue (affecting one of 148 threatened sites) relative to infrastructure for electricity, gas, water or telecommunications (threatening 103 sites), developments which are subject to regulatory control (see below).</p> <p><i>Regulatory controls on conversion – England, Scotland and Wales</i></p> <p>Forest management in Britain is regulated primarily through felling licences issued under the Forestry Act 1967 and subordinate legislation, and conditions applied thereto. In the vast majority of cases, a licence is issued on the condition that felled areas are restocked in compliance with the <i>UK Forestry Standard</i> [2]. (Felling licences for thinning are usually unconditional, and unconditional licences may be issued under other circumstances, e.g. for open habitat restoration [1], but this is unlikely to be the case for ASNW given the requirements of UKFS.) There is a high level of compliance with felling licensing regulations (see indicator 1.4).</p>
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		<p>With the exception of native pinewoods in Scotland, most ASNW in Britain is composed of broadleaved species. Since the Forestry Commission published <i>The Policy for Broadleaved Woodlands</i> in 1985, there has been ‘a greater insistence on restocking broadleaved woodland with broadleaved species’ [39]. There is not a complete ban on changes in species (UKFS Forests and Biodiversity Guideline 7 states ‘In ancient semi-natural woodlands, avoid introducing non-native species unless they would maintain or enhance the ecological function of the woodland’), but there are measures to preserve native species composition (Forests and Biodiversity Guideline 11 states ‘When managing or creating native woodland, encourage a representative range of the native species associated with the woodland type’, while Forests and Biodiversity, Guideline 14 states ‘Encourage natural regeneration of native tree and shrub species to promote natural selection and climate change adaptation, and conserve distinctive genetic patterns – especially in and around semi-natural woodlands’) [2].</p> <p>In 1994, a series of Practice Guides was published which described appropriate management for all types of semi-natural woodland, including pinewoods (e.g. [40]). These Practice Guides generally favour alternative silvicultural systems to clearfelling, and state that natural regeneration is preferred. UKFS imposes specific restrictions, such as General Forestry Practice Guideline 19: ‘In semi-natural woodland, limit felling to 10% of the area in any five-year period unless there are overriding biodiversity or social advantages.’ [2]</p> <p>In some cases, changes in land use from forest to non-forest use are controlled by the Environmental Impact Assessment (Forestry) Regulations (see indicator 1.3). Removal of woodland to facilitate development is covered by planning regulations (see below).</p> <p><i>Regulatory controls on conversion – England</i></p> <p>The <i>National Planning Policy Framework</i> for England [41] 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’. At the time of writing, the most high profile development leading to losses of ASNW in England is the HS2 high speed rail link between London and the Midlands (<a href="http://www.woodlandtrust.org.uk/get-involved/campaign-with-us/our-campaigns/hs2-rail-link/">http://www.woodlandtrust.org.uk/get-involved/campaign-with-us/our-campaigns/hs2-rail-link/</a>). Phase 1 is expected to result in losses of 32 ha of ancient woodland between 2017 and 2026 [42], and phase 2a is expected to result in losses</p>
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		<p>of 10.5 ha of ancient woodland between 2020 and 2027 [43]. This amounts to a total of 42.5 ha over a ten-year period, or 4.25 ha per year, 0.002 % of the FRA2015 area of ASNW, and means that even this large-scale infrastructure development will result in losses well below the specified risk threshold.</p> <p><i>Regulatory controls on conversion – Scotland</i>  <i>Scottish Planning Policy</i> [44] states that the planning system should ‘protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value’. <i>The Scottish Government’s Policy on Control of Woodland Removal</i> [45] includes a ‘strong presumption’ against the removal of ancient semi-natural woodland.</p> <p><i>Regulatory controls on conversion – Wales</i>  <i>Planning Policy Wales</i> [46] states that ‘Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage’.</p> <p>In conclusion, GB legislation provides a number of protections against conversion, but there are limited circumstances under which legal conversion is possible.</p> <p><i>Regulatory controls on conversion – Northern Ireland</i>  Forest management in Northern Ireland is regulated primarily through felling licences issued under the (Northern Ireland) 2010 and subordinate legislation. A licence is granted subject to the conditions in a felling management plan which, according to Schedule 3 of the Forestry (Felling of Trees) Regulations (Northern Ireland) 2013, must identify areas of ‘ancient or long-established woodland’ and ‘semi-natural and native woodland’. Felling management plan proposals must meet the requirements of the <i>UK Forestry Standard</i> [2] and associated guidelines. Semi-natural woodland is therefore subject to the same protections as described above for Great Britain. There is a high level of compliance with felling licensing regulations (see indicator 1.4).</p> <p>Also, as in Great Britain, some changes in land use from forest to non-forest use are controlled by the Environmental Impact Assessment (Forestry) Regulations (see indicator 1.3), whereas removal of woodland to facilitate development is covered by planning regulations (see below).</p>
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		<p>The <i>Strategic Planning Policy Statement for Northern Ireland</i> [47] states that planning permission 'should only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known... ancient and long-established woodland'. Development 'which is likely to result in an unacceptable adverse impact on, or damage to,' such woodland 'may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.'</p> <p>In conclusion, as in Great Britain, Northern Ireland legislation provides a number of protections against conversion, but there are limited circumstances under which legal conversion is possible.</p> <p><i>Government policy position – England</i>  In England, the Government has set out a vision in which 'Ancient woodlands, veteran trees and other native woodlands are adequately protected, sustainably managed in a wider landscape context, and are providing a wide range of social, environmental and economic benefits to society' [48]. To achieve this vision, the Government has set a policy that 'The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland', with a specific strategic objective to 'Take steps to avoid losses of ancient woodland and of ancient and veteran trees'.</p> <p><i>Summary</i>  Recent data show a net increase in areas of ancient semi-natural woodland in England and Wales. Data covering longer periods show net losses in Northern Ireland (between the 1960s and 2007) and Scotland (between 1970 and 2012). It is difficult to draw conclusions on current trends on the basis of these longer-term data, but there is every reason to suppose that rates of loss have slowed thanks to improved protections in felling licensing (see also the high level of compliance with related legislation in indicator 1.4), environmental impact assessment (see also the high level of compliance with related legislation in indicator 1.3), and planning regulations. Whereas past losses have largely been to agriculture in Northern Ireland or to unenclosed open land in Scotland, recent figures on threats to ancient woodlands in the UK show that the most common threats are now from built development, where planning regulations provide some protection. The NRA Working Group recognises that conversion to plantations is controlled by felling</p>
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		<p>licensing and the UKFS requirements relating to species, natural regeneration and silviculture, and that conversion to other non-forest use is controlled by planning regulations. Legislation does not provide complete protection against conversion but appears to be sufficient to keep conversion below the specified risk threshold, as evidenced by the net gains in ASNW in England and Wales in recent years.</p> <p><i>Risk conclusion</i>  Low risk thresholds (1), (2) and (3) are met: (1) Thresholds provided in the indicator are not exceeded; AND/OR (2) Applicable legislation for the area under assessment covers laws that prevent conversion (to the outcome required by the indicator), AND the risk assessment for relevant indicators of Category 1 confirms that the law is enforced ('low risk'); AND (3) Other available evidence do not challenge a 'low risk' designation.</p>
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**Recommended control measures**

N/A

## Controlled wood category 5: Wood from forests in which genetically modified trees are planted

### Overview

This category covers risk assessment of sourcing material from areas where tree species of Genetically Modified Organisms (GMOs) are present.

FSC defines a GMO as ‘An organism in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination’. For further information, see FSC-POL-30-602 (2000) EN *FSC Interpretation on GMOs*.

While there is a long history of tree breeding in the UK, and improved stock may be produced by vegetative propagation (<https://www.forestresearch.gov.uk/research/tree-improvement/tree-improvement-50-years-of-tree-breeding-in-britain/>), there is currently no use of genetically modified trees as per the FSC definition.

The summary of legislative and policy positions below was reviewed by Forestry Commission Scotland staff and deemed to be consistent with the current position (Andy Leitch, pers. comm., 12/09/16).

### Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1 There is no commercial use of genetically modified trees.	<p><b>Applicable laws and regulations</b></p> <p><i>UK</i></p> <ul style="list-style-type: none"> <li>Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC - Commission Declaration</li> <li>Directive (EU) 2015/412 of the European Parliament and of the Council of 11 March 2015 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory</li> </ul> <p><i>England, Scotland and Wales</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Contained Use) Regulations 2014</li> </ul>	UK	<p><b>Risk designation</b></p> <p>Low risk</p> <p><b>Risk determination</b></p> <p><i>Legal controls on genetically modified organisms – England, Scotland and Wales</i></p> <p>The Genetically Modified Organisms (Contained Use) Regulations 2014 require the competent authority to maintain a public register of information about all notifications concerning contained use. Contained use means that physical, chemical or biological barriers are used to limit organisms’ contact with, and to provide a high level of protection for, humans and the environment. These Regulations apply primarily to genetically modified micro-organisms; they apply also to larger organisms, but only in relation to risks to human health.</p> <p>In England and Wales, the Health and Safety Executive (HSE) and the Secretary of State for the Department for Environment, Food and Rural Affairs (DEFRA) acting jointly form the competent authority. The functions are delegated to HSE and DEFRA officials. Officials from Welsh Government are included in any matters relating to Wales.</p>

<p><i>England</i></p> <ul style="list-style-type: none"> <li>Genetically Modified Organisms (Deliberate Release) Regulations 2002</li> </ul> <p><i>Northern Ireland</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015</li> <li>The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003</li> </ul> <p><i>Scotland</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002</li> </ul> <p><i>Wales</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002</li> </ul> <p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Forest Research (<a href="https://www.forestresearch.gov.uk/research/tree-improvement/">https://www.forestresearch.gov.uk/research/tree-improvement/</a>)</li> <li>Health and Safety Executive (<a href="http://www.hse.gov.uk/biosafety/gmo/whos-responsible.htm">http://www.hse.gov.uk/biosafety/gmo/whos-responsible.htm</a>)</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>GeneWatch UK (<a href="http://www.genewatch.org/sub-569314">http://www.genewatch.org/sub-569314</a>)</li> <li><i>GM Science Update</i> [49]</li> <li><i>A future with broadleaved trees</i> [50]</li> </ul>		<p>In Scotland, the competent authority comprises Scottish Ministers and HSE acting jointly and similarly these functions are delegated to HSE and Scottish Government officials.</p> <p><i>Legal controls on genetically modified organisms – England</i> The deliberate release into the environment and the marketing of genetically modified organisms is controlled by the Genetically Modified Organisms (Deliberate Release) Regulations 2002. These Regulations impose a requirement to obtain consent for these activities and to comply with the conditions imposed on the consent. Consents are granted by the Secretary of State for Environment, Food and Rural Affairs.</p> <p><i>Legal controls on genetically modified organisms – Northern Ireland</i> In Northern Ireland, the Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015 apply. Contained use means that physical, chemical or biological barriers are used to limit organisms' contact with, and to provide a high level of protection for, humans and the environment. These Regulations apply primarily to genetically modified micro-organisms; they apply also to larger organisms, but only in relation to risks to human health. The competent authority is the Health and Safety Executive for Northern Ireland (HSENI) and the Department of the Environment, acting jointly. HSENI officials are provided with technical support from HSE, under an Agency Agreement.</p> <p>The deliberate release into the environment and the marketing of genetically modified organisms is controlled by the Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003. These Regulations impose a requirement to obtain consent for these activities and to comply with the conditions imposed on the consent. Consents are granted by the Department of the Environment.</p> <p><i>Legal controls on genetically modified organisms – Scotland</i> The deliberate release into the environment and the marketing of genetically modified organisms is controlled by the Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002. These Regulations impose a requirement to obtain consent for these activities and to comply with the conditions imposed on the consent. Consents are granted by the Scottish Ministers.</p>
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		<p><i>Legal controls on genetically modified organisms – Wales</i>  The deliberate release into the environment and the marketing of genetically modified organisms is controlled by the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002. These Regulations impose a requirement to obtain consent for these activities and to comply with the conditions imposed on the consent. Consents are granted by the National Assembly for Wales.</p> <p><i>Bans on the use of genetically modified organisms – England</i>  England has not opted out of existing EU approvals for genetically modified organisms. As such, there is no outright ban on their commercial use.</p> <p><i>Bans on the use of genetically modified organisms – Northern Ireland, Scotland and Wales</i>  All three countries have taken advantage of Directive (EU) 2015/412 to opt out of existing EU approvals for genetically modified organisms. As such, there is a de facto ban on the commercial use of genetically modified organisms. See context question 2, below, for further details.</p> <p><i>Commercial use of genetically modified trees – UK</i>  There is no commercial use of genetically modified trees in the UK [49] (<a href="http://www.genewatch.org/sub-569314">http://www.genewatch.org/sub-569314</a>).</p> <p>The Future Trees Trust, Earth Trust and Forest Research have stated in 2013 that 'None of the current tree improvement work undertaken in Britain or Ireland involves genetic modification' [50]. The Forest Research website (<a href="https://www.forestresearch.gov.uk/research/tree-improvement/">https://www.forestresearch.gov.uk/research/tree-improvement/</a>) further states for the UK that 'The development of genetically modified (GM) trees is not an objective of the Forestry Commission'.</p> <p><i>Risk conclusion</i>  Low risk thresholds (2) and (3) are met: (2) There is no commercial use of GMO (tree) species in the area under assessment, AND (3) Other available evidence does not challenge a 'low risk' designation.</p>
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	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
1	Is there any legislation covering GMO (trees)?	<p>EU legislation (Directive 2001/18/EC on the deliberate release into the environment of GMOs) permits the 'deliberate release' and 'placing on the market' of GMOs when consent has been granted (subject to a risk assessment).</p> <p>However, further EU legislation (Directive (EU) 2015/412 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory) allows Member States to opt out of EU approvals for GMOs, in effect banning the use of those organisms.</p> <p>The Genetically Modified Organisms (Contained Use) Regulations 2014 apply to England, Scotland and Wales. The Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015 apply to Northern Ireland. The key requirement of the GMO (CU) Regulations is to assess the risks of all contained uses and to ensure the sure that any necessary controls are put in place.</p>	<p><b>Applicable laws and regulations</b></p> <p><i>UK</i></p> <ul style="list-style-type: none"> <li>• Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC - Commission Declaration</li> <li>• Directive (EU) 2015/412 of the European Parliament and of the Council of 11 March 2015 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory</li> </ul> <p><i>England, Scotland and Wales</i></p> <ul style="list-style-type: none"> <li>• The Genetically Modified Organisms (Contained Use) Regulations 2014</li> </ul> <p><i>England</i></p> <ul style="list-style-type: none"> <li>• Genetically Modified Organisms (Deliberate Release) Regulations 2002</li> </ul> <p><i>Northern Ireland</i></p> <ul style="list-style-type: none"> <li>• The Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015</li> <li>• The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003</li> </ul> <p><i>Scotland</i></p> <ul style="list-style-type: none"> <li>• The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002</li> </ul> <p><i>Wales</i></p> <ul style="list-style-type: none"> <li>• The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002</li> </ul>

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
			<b>Government sources</b> <ul style="list-style-type: none"> <li>Science and Advice for Scottish Agriculture (SASA) (<a href="http://www.sasa.gov.uk/wildlife-environment/gm-services/gm-regulatory-framework">http://www.sasa.gov.uk/wildlife-environment/gm-services/gm-regulatory-framework</a>)</li> </ul>
2	Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	<p><b>England</b> England has not opted out of existing EU approvals for GMOs. As such, there is no outright ban on the commercial use of GMOs.</p> <p><b>Northern Ireland, Scotland and Wales</b> All three countries have taken advantage of Directive (EU) 2015/412 to opt out of existing EU approvals for GMOs As such, there is a de facto ban on the commercial use of GMOs.</p> <p>The Scottish Government ‘is opposed to the cultivation of GM crops’</p> <p>The Welsh Government takes ‘the most restrictive stance possible to Genetically Modified (GM) crops that is consistent with European and UK law... Wales is a founder member of GM Free Network of Regions, which was established by 10 European regions in 2003... The Network is also trying to introduce GMO-free areas in Europe that are recognised by European law.’</p>	<b>Government sources</b> <ul style="list-style-type: none"> <li>European Commission (<a href="http://ec.europa.eu/food/plant/gmo/authorisation/cultivation/geographical_scope_en.htm">http://ec.europa.eu/food/plant/gmo/authorisation/cultivation/geographical_scope_en.htm</a>)</li> <li>Scottish Government (<a href="http://www.gov.scot/Topics/farmingrural/Agriculture/Environment/15159">http://www.gov.scot/Topics/farmingrural/Agriculture/Environment/15159</a>)</li> <li>Welsh Government (<a href="http://gov.wales/topics/environmentcountryside/farmingandcountryside/plantsseedsbiotechnology/geneticallymodifiedorganisms/?lang=en">http://gov.wales/topics/environmentcountryside/farmingandcountryside/plantsseedsbiotechnology/geneticallymodifiedorganisms/?lang=en</a>)</li> </ul>
3	Is there evidence of unauthorized use of GM trees?	<p>No.</p> <p>Web searches and searches of resources listed by GeneWatch UK have revealed no evidence of unauthorised use of GM trees.</p>	<b>Non-Government sources</b> <ul style="list-style-type: none"> <li>GeneWatch UK (<a href="http://www.genewatch.org/sub-569314">http://www.genewatch.org/sub-569314</a>)</li> </ul>
4	Is there any commercial use of GM trees in the country or region?	<p>No.</p>	<b>Non-Government sources</b> <ul style="list-style-type: none"> <li>GeneWatch UK (<a href="http://www.genewatch.org/sub-569314">http://www.genewatch.org/sub-569314</a>)</li> <li>GM Science Update [49]</li> </ul>



	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
5	Are there any trials of GM trees in the country or region?	<p>No.</p> <p>Recent sources show no field trials of GM trees in the UK. Information from the World Rainforest Movement on older trials shows the resistance with which they have been met, with a poplar trial destroyed by protesters in 1999.</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>European Commission (<a href="http://gmoinfo.jrc.ec.europa.eu/gmp_browse.aspx">http://gmoinfo.jrc.ec.europa.eu/gmp_browse.aspx</a>)</li> <li>Department for Environment, Food and Rural Affairs (DEFRA) (<a href="https://www.gov.uk/government/collections/genetically-modified-organisms-applications-and-consents">https://www.gov.uk/government/collections/genetically-modified-organisms-applications-and-consents</a>)</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>GeneWatch UK (<a href="http://www.genewatch.org/sub-569314">http://www.genewatch.org/sub-569314</a>)</li> <li>World Rainforest Movement (<a href="https://wrm.org.uy/es/otra-informacion-relevante/united-kingdom-wrm-information-sheet-on-ge-tree-research/">https://wrm.org.uy/es/otra-informacion-relevante/united-kingdom-wrm-information-sheet-on-ge-tree-research/</a>)</li> <li><i>GM Science Update</i> [49]</li> </ul>
6	Are licences required for commercial use of GM trees?	<p>Yes.</p> <p>Consents are required under the Genetically Modified Organisms (Deliberate Release) Regulations 2002 in England, the Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003 in Northern Ireland, the Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002 in Scotland, and the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002 in Wales.</p>	<p><b>Applicable laws and regulations</b></p> <p><i>England</i></p> <ul style="list-style-type: none"> <li>Genetically Modified Organisms (Deliberate Release) Regulations 2002</li> </ul> <p><i>Northern Ireland</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003</li> </ul> <p><i>Scotland</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002</li> </ul> <p><i>Wales</i></p> <ul style="list-style-type: none"> <li>The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002</li> </ul>
7	Are there any licences issued for GM trees relevant for the area	<p>No.</p> <p>There is no evidence of licences being issued for commercial use of GM trees. The Advisory Committee on Releases to the Environment (ACRE) provides statutory advice to the UK Government and Devolved</p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Advisory Committee on Releases to the Environment (ACRE) (<a href="https://www.gov.uk/government/organisations/advisory-committee-on-releases-to-the-environment">https://www.gov.uk/government/organisations/advisory-committee-on-releases-to-the-environment</a>)</li> </ul>

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
	under assessment? (If so, in what regions, for what species and to which entities?)	Administrations of Scotland, Wales and Northern Ireland. Checks of ACRE annual reports for the last five years (2013-2017) show applications only for food and horticultural crops.	
8	What GM 'species' are used?	Not applicable.	Not applicable.
9	Can it be clearly determined in which FMUs the GM trees are used?	Not applicable.	Not applicable.

**Recommended control measures**

N/A

## Annex 1 List of information sources

**Note:** See also legislation available at <http://www.legislation.gov.uk/>, and other online sources quoted in the risk assessment.

No.	Source of information	Relevant indicator(s) or CW category
1	Forestry Commission (2018). <a href="#">Forestry Statistics 2018</a> . Forestry Commission, Edinburgh.	1.4, 1.11, 1.12, 4.1
2	Forestry Commission (2017). <a href="#">The UK Forestry Standard</a> . Forestry Commission, Edinburgh.	1.3, 3.1, 3.3, 3.4, 3.5, 3.6, 4, 4.1
3	Forestry Commission (2014). <a href="#">Global Forest Resources Assessment 2015, Country Report United Kingdom of Great Britain and Northern Ireland</a> . FAO, Rome.	1.6, 4, 4.1
4	HMRC (2018). <a href="#">Second estimate of the VAT gap for 2016-17</a> . HM Revenue & Customs.	1.6
5	CASE (2018). <a href="#">Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report</a> . Center for Social and Economic Research, Warsaw.	1.6
6	HMRC (2017). <a href="#">Annual Report and Accounts 2016-17</a> . HM Revenue & Customs.	1.6, 1.7
7	HMRC (2018). <a href="#">Measuring tax gaps 2018 edition: Tax gap estimates for 2016-17</a> . HM Revenue & Customs.	1.7
8	Scottish Government (2016). <a href="#">Wildlife Crime in Scotland 2015 Annual Report</a> . Scottish Government, Edinburgh.	1.9, 1.20
9	NWCU (2017a). <a href="#">National Wildlife Crime Unit (NWCU) Tactical Assessment May 2016</a> . Public version. National Wildlife Crime Unit.	1.9, 1.20
10	NWCU (2017b). <a href="#">National Wildlife Crime Unit (NWCU) Tactical Assessment November 2016</a> . Public version. National Wildlife Crime Unit.	1.9, 1.20
11	RSPB (undated). <a href="#">Pressures affecting conservation status of designated natural features in Scotland: Impacts, policy context and recommendations</a> . Royal Society for the Protection of Birds.	1.9, 3.1
12	SNH (2017). <a href="#">Scottish Natural Heritage Annual Report and Accounts 2016/17</a> . Scottish Natural Heritage.	1.9
13	The National tree Safety Group (2011). <a href="#">Common sense risk management of trees: Guidance on trees and public safety in the UK for owners, managers and advisers</a> . Forestry Commission, Edinburgh.	1.11
14	Forestry Regulation Task Force (2011). <a href="#">Challenging Assumptions, Changing Perceptions</a> . Report by the Forestry Regulation Task Force.	1.12
15	HM Government (2017). <a href="#">2017 UK Annual Report on Modern Slavery</a> . HM Government.	1.12
16	ClientEarth (2016). <a href="#">Info-brief: EUTR enforcement in the UK</a> . ClientEarth, London.	1.16, 1.21
17	UNEP-WCMC (2017). <a href="#">Overview of Competent Authority EU Timber Regulation checks, March-May 2017: Statistics of checks performed by EU Member States and EEA countries to enforce the implementation of the EU Timber Regulation</a> . UNEP-WCMC, Cambridge.	1.16, 1.21
18	UNEP-WCMC (2018). <a href="#">Overview of Competent Authority EU Timber Regulation checks, June-November 2017: Statistics of checks performed by EU Member States and EEA countries to enforce the implementation of the EU Timber Regulation</a> . UNEP-WCMC, Cambridge.	1.16, 1.21
19	PwC (2015). <a href="#">International Transfer Pricing 2015/16</a> . PwC.	1.18

No.	Source of information	Relevant indicator(s) or CW category
20	Macdonald, J., Wood, R.F., Edwards, M.V., and Aldhous, J.R. (Eds.) (1957). <a href="#">Exotic Forest Trees in Great Britain</a> . Forestry Commission Bulletin 30. HMSO, London.	1.20
21	FSC UK (2018). <a href="#">National High Conservation Value Framework for the United Kingdom</a> . V1-0, June 2018.	3, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6
22	Bainbridge, I., Brown, A., Burnett, N., Corbett, P., Cork, C., Ferris, R., Howe, M., Maddock, A., Mountford, E. and Pritchard, S. (Eds.) (2013). <a href="#">Guidelines for the Selection of Biological SSSIs. Part 1: Rationale, Operational Approach and Criteria for Site Selection</a> . Joint Nature Conservation Committee, Peterborough.	3.1, 3.3
23	JNCC (2014). <a href="#">Fifth National Report to the United Nations Convention on Biological Diversity: United Kingdom</a> . Joint Nature Conservation Committee, Peterborough.	3.1
24	DEFRA (2018). <a href="#">UK Biodiversity Indicators 2018</a> . Department for Environment, Food and Rural Affairs, London.	3.1, 3.3
25	Corker, P., and Barry, C. (Eds.) (2013). <a href="#">From Evidence to Opportunity: A Second Assessment of the State of Northern Ireland's Environment</a> . Northern Ireland Environment Agency.	3.1, 3.3
26	Hayhow, D.B., Burns, F., Eaton, M.A., Al Fulaij, N., August, T.A., Babey, L., Bacon, L., Bingham, C., Boswell, J., Boughey, K.L., Brereton, T., Brookman, E., Brooks, D.R., Bullock, D.J., Burke, O., Collis, M., Corbet, L., Cornish, N., De Massimi, S., Densham, J., Dunn, E., Elliott, S., Gent, T., Godber, J., Hamilton, S., Havery, S., Hawkins, S., Henney, J., Holmes, K., Hutchinson, N., Isaac, N.J.B., Johns, D., Macadam, C.R., Mathews, F., Nicolet, P., Noble, D.G., Outhwaite, C.L., Powney, G.D., Richardson, P., Roy, D.B., Sims, D., Smart, S., Stevenson, K., Stroud, R.A., Walker, K.J., Webb, J.R., Webb, T.J., Wynde, R., and Gregory, R.D. (2016). <a href="#">State of Nature 2016</a> . The State of Nature partnership.	3.1, 3.3
27	Patterson, G., Nelson, D., Robertson, P., and Tullis, J. (2014). <a href="#">Scotland's Native Woodlands: Results from the Native Woodland Survey of Scotland</a> . Forestry Commission Scotland, Edinburgh.	3.3, 4.1
28	Woodland Trust (2008). <a href="#">Woodland actions for biodiversity and their role in water management</a> . Woodland Trust, Grantham.	3.4
29	Nisbet, T., Silgram, M., Shah, N., Morrow, K., and Broadmeadow, S. (2011). <a href="#">Woodland for Water: Woodland measures for meeting Water Framework Directive objectives</a> . Environment Agency, Bristol.	3.4
30	Confor and Forest Research (2014). <a href="#">The Role of Productive Woodlands in Water Management</a> . Confor, Edinburgh.	3.4
31	Environment Agency (2010). <a href="#">An evaluation of the impact of cypermethrin use in forestry on Welsh streams</a> . Environment Agency Wales, Cardiff.	3.4
32	UK National Ecosystem Assessment (2011). <a href="#">The UK National Ecosystem Assessment Technical Report</a> . UNEP-WCMC, Cambridge.	3.4
33	Stokes, V. (2010). <a href="#">The impact of forests and forest management on slope stability: Can CCF management improve slope stability?</a> Forest Research.	3.4
34	Peterken, G.F. (1996). <a href="#">Natural Woodland: Ecology and Conservation in Northern Temperate Regions</a> . Cambridge University Press, Cambridge.	4
35	UKWAS (2018). <a href="#">United Kingdom Woodland Assurance Standard</a> . Fourth edition (version 4.0). UKWAS, Edinburgh.	4
36	Pryor, S.N., and Peterken, G.F. (2001). <a href="#">Protected Forest Areas in the UK</a> . Oxford Forestry Institute, Oxford.	4, 4.1

No.	Source of information	Relevant indicator(s) or CW category
37	Forestry Commission (2010). <a href="#">Global Forest Resources Assessment 2010, Country Report United Kingdom of Great Britain and Northern Ireland</a> . FAO, Rome.	4.1
38	Woodland Trust (2007). <i>Back on the Map: An inventory of ancient and long-established woodland for Northern Ireland</i> . Preliminary Report. Woodland Trust, Bangor.	4.1
39	Forestry Commission (1985). <i>The Policy for Broadleaved Woodlands</i> . Forestry Commission, Edinburgh.	4.1
40	Forestry Commission (1994). <a href="#">The Management of Semi-natural Woodlands. 1. Lowland Acid Beech and Oak Woods</a> . Forestry Commission Practice Guide. Forestry Commission, Edinburgh.	4.1
41	Department for Communities and Local Government (2018). <a href="#">National Planning Policy Framework</a> . Ministry of Housing, Communities and Local Government, London.	4.1
42	HS2 (2013). <a href="#">London-West Midlands Environmental Statement: Non-technical summary</a> . High Speed Two (HS2) Limited, Birmingham.	4.1
43	HS2 (2017). <a href="#">High Speed Rail (West Midlands - Crewe) Environmental Statement: Non-technical summary</a> . High Speed Two (HS2) Limited, Birmingham.	4.1
44	Scottish Government (2014). <a href="#">Scottish Planning Policy</a> . Scottish Government, Edinburgh.	4.1
45	Forestry Commission Scotland (2009). <a href="#">The Scottish Government's Policy on Control of Woodland Removal</a> . Forestry Commission Scotland, Edinburgh.	4.1
46	Welsh Government (2016). <a href="#">Planning Policy Wales</a> . Edition 9. Welsh Government, Cardiff.	4.1
47	Department of the Environment (2015). <a href="#">Strategic Planning Policy Statement for Northern Ireland</a> . Department of the Environment.	4.1
48	DEFRA and Forestry Commission England (2005). <a href="#">Keepers of Time: A Statement of Policy for England's Ancient &amp; Native Woodlands</a> . Department for Environment, Food and Rural Affairs, Bristol.	4.1
49	Baulcombe, D., Dunwell, J., Jones, J., Pickett, J., and Puigdomenech, P. (2014). <a href="#">GM Science Update: A report to the Council for Science and Technology</a> .	5.1
50	Future Trees Trust, Earth Trust and Forest Research (2013). <a href="#">A future with broadleaved trees: A strategy for the Improvement of broadleaved trees in Britain and Ireland 2013-2025</a> .	5.1

## Annex 2 Identification of applicable legislation

**Note:** All UK legislation is freely available online at <http://www.legislation.gov.uk/>. Readers should be aware that most legislation has been amended by subsequent legislation; amended versions of primary legislation are usually available but amended versions of secondary legislation are not.

Indicator	Applicable laws and regulations
1.1 Land tenure and management rights	<p><b>Land tenure - England and Wales</b>            Law of Property Act 1925 (Section 193)            Settled Land Act 1925 (Sections 41, 48 and 66)            Land Charges Act 1972            Trusts of Land and Appointment of Trustees Act 1996            Land Registration Act 2002            The Land Registration Rules 2003</p> <p><b>Land tenure - Scotland</b>            The Registration Act 1617 c.16            Public Records (Scotland) Act 1809            Act of Sederunt 10 July 1811            Titles to Land Consolidation (Scotland) Act 1868            Land Registers (Scotland) Act 1868            Judgments Extension Act 1868            Conveyancing (Scotland) Act 1924            Public Registers and Records (Scotland) Act 1948            Land Registration (Scotland) Act 1979            Civil Jurisdiction and Judgments Act 1982            Register of Sasines (Scotland) Act 1987            Scotland Act 1998 (section 38(1))            Public Finance and Accountability (Scotland) Act 2000            Title Conditions (Scotland) Act 2003            Land Reform (Scotland) Act 2003            Agricultural Holdings (Scotland) Act 2003 (Part 3)            Nature Conservation (Scotland) Act 2004 (Section 22)            Crofting Reform (Scotland) Act 2010            Land Registration etc. (Scotland) Act 2012</p> <p><b>Land tenure - Northern Ireland</b>            Land Registration Act (Northern Ireland) 1970</p>

Indicator	Applicable laws and regulations
	<p><b>Business Registration - UK</b> Companies Act 2006</p>
1.2 Concession licenses	Not applicable. Forest concessions do not currently exist in the UK and there is no relevant legislation.
1.3 Management and harvesting planning	<p><b>Management planning - England, Scotland and Wales</b> Forestry Act 1967 (Part II)</p> <p><b>Management planning - Northern Ireland</b> Forestry Act (Northern Ireland) 2010 (Part 3) The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><b>Impact assessments - England and Wales</b> The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</p> <p><b>Impact assessments - Northern Ireland</b> Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006</p> <p><b>Impact assessments - Scotland</b> The Environmental Impact Assessment (Forestry) (Scotland) Regulations 2017</p>
1.4 Harvesting permits	<p><b>Penalties - UK</b> Regulatory Reform (Forestry) Order 2006 Criminal Justice Act 1982</p> <p><b>Felling licences - England, Scotland and Wales</b> Forestry Act 1967 (part II) The Forestry (Felling of Trees) Regulations 1979 The Forestry (Exceptions from Restriction of Felling) Regulations 1979 The Forestry (Modification of Felling Restrictions) Regulations 1985</p> <p><b>Felling licences - Northern Ireland</b> Forestry Act (Northern Ireland) 2010 (Part 3) The Forestry (Felling of Trees) (Calculation of the Area of Land) Regulations (Northern Ireland) 2013 The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><b>Other controls on felling - England</b> The Town and Country Planning (Tree Preservation) (England) Regulations 2012</p>

Indicator	Applicable laws and regulations
	<p><b>Other controls on felling - England and Wales</b> Wildlife and Countryside Act 1981 Town and Country Planning Act 1990</p> <p><b>Other controls on felling - England, Scotland and Wales</b> The Plant Health (Forestry) Order 2005</p> <p><b>Other controls on felling - Northern Ireland</b> The Environment (Northern Ireland) Order 2002 The Plant Health Order (Northern Ireland) 2006 Planning Act (Northern Ireland) 2011 The Planning (Trees) Regulations (Northern Ireland) 2015</p> <p><b>Other controls on felling - Scotland</b> Nature Conservation (Scotland) Act 2004 Town and Country Planning (Scotland) Act 1997</p> <p><b>Other controls on felling - Wales</b> The Town and Country Planning (Trees) Regulations 1999</p>
1.5 Payment of royalties and harvesting fees	Not applicable. No payments of royalties or harvesting fees are applicable in the UK.
1.6 Value added taxes and other sales taxes	<p><b>UK</b> Value Added Tax Act 1994 (only for VAT registered businesses)</p>
1.7 Income and profit taxes	<p><b>UK</b> Income Tax Act 2007 Taxation of Chargeable Gains Act 1992 Inheritance Tax Act 1984 Corporation Tax Act 2010 Finance Act 2015</p> <p><b>Northern Ireland</b> Corporation Tax (Northern Ireland) Act 2015</p>
1.8 Timber harvesting regulations	<p><b>Harvesting practices - England, Scotland and Wales</b> Forestry Act 1967 (part II) The Forestry (Felling of Trees) Regulations 1979 The Forestry (Exceptions from Restriction of Felling) Regulations 1979</p>



Indicator	Applicable laws and regulations
	<p>The Forestry (Modification of Felling Restrictions) Regulations 1985</p> <p><b>Harvesting practices - Northern Ireland</b>  Forestry Act (Northern Ireland) 2010 (Part 3)  The Forestry (Felling of Trees) (Calculation of the Area of Land) Regulations (Northern Ireland) 2013  The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013</p> <p><b>Harvesting infrastructure - England and Wales</b>  The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</p> <p><b>Harvesting infrastructure - Northern Ireland</b>  Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006</p> <p><b>Harvesting infrastructure - Scotland</b>  The Environmental Impact Assessment (Forestry) (Scotland) Regulations 2017</p>
1.9 Protected sites and species	<p><b>UK</b>  Convention on Wetlands (the Ramsar Convention) (entered into force in the UK in 1976)  Convention on Biological Diversity (ratified by the UK in 1994)  Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)  Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (the Birds Directive)</p> <p><b>England, Scotland and Wales</b>  The Ancient Monuments and Archaeological Areas Act 1979  Protection of Badgers Act 1992</p> <p><b>England and Wales</b>  National Parks and Access to the Countryside Act 1949  Wildlife and Countryside Act 1981  The Hedgerows Regulations 1997  Natural Environment and Rural Communities Act 2006 (the NERC act)  Countryside and Rights of Way Act 2000 (CRoW) (Chapter II)  The Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations)  Town and Country Planning (Environmental Impact Assessment) (England &amp; Wales) Regulations 1999</p> <p><b>Northern Ireland</b>  Nature Conservation and Amenity Lands (Northern Ireland) Order 1985</p>

Indicator	Applicable laws and regulations
	<p>Environment (Northern Ireland) Order 2002, Part IV  Wildlife (Northern Ireland) Order 1985 as amended under the Wildlife and Natural Environment (NI) Act 2011  Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (Habitats Directive)  Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995</p> <p><b>Scotland</b>  Wildlife and Natural Environment (Scotland) Act 2011  Environmental Regulation (Enforcement Measures) (Scotland) Order 2015  Regulatory Reform (Scotland) Act 2014  Nature Conservation (Scotland) Act 2004  Environmental Liability (Scotland) Regulations 2009  Land Reform (Scotland) Act 2003</p>
1.10 Environmental requirements	<p><i>Note: This is a wide-ranging indicator, to which a great deal of UK legislation is potentially relevant. The list given here is not exhaustive and addresses only the most important issues in the UK context, such as water and chemicals.</i></p> <p><b>UK</b>  Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy (the Water Framework Directive)  Environmental Liability Directive (2004/35/EC)  Part III of the Food and Environment Protection Act (FEPA) 1985  Environmental Protection Act 1990  The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002  The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015  Regulatory Enforcement and Sanctions Act 2008</p> <p><b>England, Scotland and Wales</b>  The Control of Pesticides Regulations 1986  The Plant Protection Products (Basic Conditions) Regulations 1997  The Dangerous Substances (Notification and Marking of Sites) Regulations 1990  The Electricity at Work Regulations 1989  Environment Act 1995  The Health and Safety (First-Aid) Regulations 1981  The Health and Safety (Safety Signs and Signals) Regulations 1996  The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972  The Personal Protective Equipment at Work Regulations 1992</p>

Indicator	Applicable laws and regulations
	<p>The Producer Responsibility Obligations (Packaging Waste) Regulations 2007  Poisons Act 1972  The Poisons List Order 1971 and subsequent orders  The Poisons Rules 1982  The Special Waste Regulations 1996  The Control of Substances Hazardous to Health Regulations 2002  The Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003  The Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004  Wildlife and Countryside Act 1981</p> <p><b>England and Wales</b>  The Environmental Permitting (England and Wales) Regulations 2007  The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017  Town and Country Planning Act 1990  The Waste (England and Wales) Regulations 2011  The Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009  The Conservation of Habitats and Species Regulations 2017</p> <p><b>England</b>  Environmental Damage (Prevention and Remediation) (England) Regulations 2015</p> <p><b>Northern Ireland</b>  The Environment (Northern Ireland) Order 2002  The Waste Regulations (Northern Ireland) 2011  The Water Environment (Water Framework directive) Regulations (Northern Ireland) 2017  The Water (Northern Ireland) Order 1999  The Control of Pesticides Regulations (Northern Ireland) 1987  Plant Protection Products (Basic Conditions) Regulations (Northern Ireland) 1997  The Dangerous Substances (Notification and Marking of Sites) Regulations (Northern Ireland) 1992  The Electricity At Work Regulations (Northern Ireland) 1991  The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982  Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996  The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations (Northern Ireland) 1975  Personal Protective Equipment at Work Regulations (Northern Ireland) 1993  The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007  Poisons (Northern Ireland) Order 1976</p>

Indicator	Applicable laws and regulations
	<p>The Poisons List Confirmation Order (Northern Ireland) 1983 and subsequent orders  The Special Waste Regulations (Northern Ireland) 1998  Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003  The Waste Management Licensing Regulations (Northern Ireland) 2003</p> <p><b>Scotland</b>  Town and Country Planning (Scotland) Act 1997  Water Environment and Water Services (Scotland) Act 2003  The Water Environment (Controlled Activities) (Scotland) Regulations 2011  The Water Environment (Diffuse Pollution) (Scotland) Regulations 2008  The Waste (Scotland) Regulations 2012  The Waste Management Licensing (Scotland) Regulations 2011</p>
1.11 Health and safety	<p><i>Note: There is a great deal of UK legislation related to health and safety. The list given here is not exhaustive, and addresses only the most relevant legislation; for a full list, refer to the Health and Safety Executive website (<a href="http://www.hse.gov.uk/legislation/index.htm">http://www.hse.gov.uk/legislation/index.htm</a>).</i></p> <p><b>UK</b>  Part III of the Food and Environment Protection Act (FEPA) 1985</p> <p><b>England, Scotland and Wales</b>  Health and Safety at Work etc. Act 1974  The Provision and Use of Work Equipment Regulations 1998  The Personal Protective Equipment Regulations 2002  The Control of Substances Hazardous to Health Regulations 2002  The Control of Pesticides Regulations 1986  The Plant Protection Products (Basic Conditions) Regulations 1997  The Dangerous Substances (Notification and Marking of Sites) Regulations 1990  The Electricity at Work Regulations 1989  Environment Act 1995  The Health and Safety (First-Aid) Regulations 1981  The Health and Safety (Safety Signs and Signals) Regulations 1996  The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972  Poisons Act 1972  The Poisons List Order 1971 and subsequent orders  The Poisons Rules 1982  The Special Waste Regulations 1996</p>

Indicator	Applicable laws and regulations
	<p><b>Northern Ireland</b>  Health and Safety at Work (Northern Ireland) Order 1978  Provision and Use of Work Equipment Regulations (Northern Ireland) 1999  Personal Protective Equipment at Work Regulations (Northern Ireland) 1993  Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003  The Control of Pesticides Regulations (Northern Ireland) 1987  Plant Protection Products (Basic Conditions) Regulations (Northern Ireland) 1997  The Dangerous Substances (Notification and Marking of Sites) Regulations (Northern Ireland) 1992  The Electricity At Work Regulations (Northern Ireland) 1991  The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982  Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996  The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations (Northern Ireland) 1975  Poisons (Northern Ireland) Order 1976  The Poisons List Confirmation Order (Northern Ireland) 1983 and subsequent orders  The Special Waste Regulations (Northern Ireland) 1998</p>
1.12 Legal employment	<p><i>Note: This is a wide-ranging indicator, to which a great deal of UK legislation is potentially relevant. The list given here is not exhaustive and addresses only the most important issues in the UK context, such as equality and living wages.</i></p> <p><b>UK</b>  National Minimum Wage Regulations 2015  Gangmasters (Licensing) Act 2004</p> <p><b>England, Scotland and Wales</b>  Employment Act 2008 (and previous)  Employment Act (Northern Ireland) 2016 (and previous)  Employers' Liability (Compulsory Insurance) Act 1969  Gangmasters Licensing (Exclusions) Regulations 2013  Health and Safety at Work Act 1974  The Management of Health and Safety at Work Regulations 1999  The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013</p> <p><b>England and Wales</b>  Occupiers' Liability Acts 1957 and 1984</p> <p><b>Northern Ireland</b>  Employment Act (Northern Ireland) 2016 (and previous)</p>

Indicator	Applicable laws and regulations
	<p>Equal Pay Act (Northern Ireland) 1970  Sex Discrimination (Northern Ireland) Order 1976  Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972  Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014  Health and Safety at Work (Northern Ireland) Order 1978  Management of Health and Safety at Work Regulations (Northern Ireland) 2000  Occupiers' Liability Act (Northern Ireland) 1957  Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997</p> <p><b>Scotland</b>  Occupiers' Liability (Scotland) Act 1960</p> <p><b>Legislation implementing the ILO Core Labour Conventions</b>  <i>Note: The list given here is not exhaustive, and addresses only the principal legislation; for a full list, refer to the ILO website (<a href="http://www.ilo.org/dyn/natlex/natlex4.countrySubjects?p_lang=en&amp;p_country=GBR">http://www.ilo.org/dyn/natlex/natlex4.countrySubjects?p_lang=en&amp;p_country=GBR</a>).</i></p> <p><i>Implementing 29 Forced Labour Convention, 1930 and 105 Abolition of Forced Labour Convention, 1957:</i>  Modern Slavery Act 2015  Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015  Human Trafficking and Exploitation (Scotland) Act 2015</p> <p><i>Implementing 87 Freedom of Association and Protection of the Right to Organise Conventions, 1948 and 98 Right to Organise and Collective Bargaining Convention, 1949:</i>  Trade Union Act 2016  Employment Relations Act 2004</p> <p><i>Implementing 100 Equal Remuneration Convention, 1951 and 111 Discrimination (Occupation and Employment) Convention, 1958:</i>  Equality Act 2010  Equal Pay Act (Northern Ireland) 1970  Sex Discrimination (Northern Ireland) Order 1976</p> <p><i>Implementing 138 Minimum Age Convention, 1973 and 182 Worst Forms of Child Labour Convention, 1999:</i>  Children and Young Persons Act 1933</p>
1.13 Customary rights	Not applicable. Relevant rights are covered by statute and common law, rather than customary law.
1.14 Free prior and informed consent	Not applicable. The concept of free, prior and informed consent does not feature in UK law, and there is no relevant legislation.

Indicator	Applicable laws and regulations
1.15 Indigenous peoples rights	Not applicable. It is widely accepted that there are no indigenous people in the UK. Lord Triesman, Parliamentary Under-Secretary of State, Foreign and Commonwealth Office made a statement to this effect the House of Lords in 2007 regarding ILO Convention 169 ( <a href="http://www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm">http://www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70619w0001.htm</a> ).
1.16 Classification of species, quantities, qualities	<b>UK</b> Regulation (EU) No 995/2010 of the European Parliament and of the Council Regulation of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance (EU Timber Regulation, EUTR) The Timber and Timber Products (Placing on the Market) Regulations 2013
1.17 Trade and transport	<p><b>England, Scotland and Wales</b> Plant Health Act 1967 The Plant Health (Forestry) (<i>Phytophthora ramorum</i>) (Great Britain) Order 2004 The Plant Health (Forestry) Order 2005</p> <p><b>England and Scotland</b> The Plant Health (Fees) (Forestry) Regulations 2015</p> <p><b>Northern Ireland</b> Plant Health Act (Northern Ireland) 1967 The Plant Health (Wood and Bark) Order (Northern Ireland) 2006</p> <p><b>Scotland</b> The Plant Health (Forestry) (<i>Phytophthora ramorum</i> Management Zone) (Scotland) Order 2014</p> <p><b>Wales</b> The Plant Health (Fees) (Forestry) Regulations 2006</p>
1.18 Offshore trading and transfer pricing	Not applicable. UK legislation regulates but does not prohibit transfer pricing and offshore trading.
1.19 Custom regulations	<p><b>England, Scotland and Wales</b> Plant Health Act 1967 The Plant Health (Export Certification) (Forestry) (Great Britain) Order 2004 The Plant Health (Forestry) Order 2005</p> <p><b>England and Scotland</b> The Plant Health (Fees) (Forestry) Regulations 2015</p> <p><b>Northern Ireland</b> Plant Health Act (Northern Ireland) 1967</p>

Indicator	Applicable laws and regulations
	<p>The Plant Health (Wood and Bark) Order (Northern Ireland) 2006</p> <p><b>Wales</b> The Plant Health (Fees) (Forestry) Regulations 2006</p>
1.20 CITES	<p><b>UK</b> Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein The Control of Trade in Endangered Species Regulations 2018 The Control of Trade in Endangered Species (Fees) Regulations 2009</p>
1.21 Legislation requiring due diligence/due care procedures	<p><b>UK</b> Regulation (EU) No 995/2010 of the European Parliament and of the Council Regulation of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance (EU Timber Regulation, EUTR) The Timber and Timber Products (Placing on the Market) Regulations 2013 Criminal Justice Act 1982</p>
2.2 Labor rights are upheld including rights as specified in ILO Fundamental Principles and Rights at Work.	See indicator 1.12.
2.3 The rights of indigenous and traditional peoples are upheld.	Not applicable; see indicator 1.15.
<p>4.1 Conversion of natural forests to plantations or non-forest use in the area under assessment is less than 0.02% or 5000 hectares average net annual loss for the past 5 years (whichever is less), OR Conversion is illegal at the national or regional level on public and private land.</p>	<p><b>England, Scotland and Wales</b> Forestry Act 1967 The Forestry (Felling of Trees) Regulations 1979 The Forestry (Exceptions from Restriction of Felling) Regulations 1979</p> <p><b>England</b> Planning Act 2008</p> <p><b>England and Wales</b> The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999</p> <p><b>Scotland</b> The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017 Planning etc. (Scotland) Act 2006</p>



Indicator	Applicable laws and regulations
	<p><b>Wales</b> Planning (Wales) Act 2015</p> <p><b>Northern Ireland</b> Forestry Act (Northern Ireland) 2010 Forestry (Felling of Trees) Regulations (Northern Ireland) 2013 The Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006 Planning Act (Northern Ireland) 2011</p>
5.1 There is no commercial use of genetically modified trees.	<p><b>UK</b> Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC - Commission Declaration Directive (EU) 2015/412 of the European Parliament and of the Council of 11 March 2015 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory</p> <p><b>England, Scotland and Wales</b> The Genetically Modified Organisms (Contained Use) Regulations 2014</p> <p><b>England</b> Genetically Modified Organisms (Deliberate Release) Regulations 2002</p> <p><b>Northern Ireland</b> The Genetically Modified Organisms (Contained Use) (Northern Ireland) Regulations 2015 The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003</p> <p><b>Scotland</b> The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002</p> <p><b>Wales</b> The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002</p>

## Annex 3 Details of public consultation process

### Consultation process

Stakeholders were identified as per the 'List of key stakeholders for consultation' on page 7.

Two weeks prior to the start of the public consultation, an e-mail was sent to all identified stakeholders to provide background information on FSC and the controlled wood system, and to alert them to the forthcoming consultation. The opportunity was taken to check whether the most appropriate individual was being contacted for each organisation, and in a small number of cases the contact list was updated.

The public consultation ran for 60 days from 19 February to 20 April 2018. On the first day of the consultation another e-mail was sent to stakeholders, and a news story was posted on the [FSC UK website](#). The e-mail and news story were written to fulfil the requirements of FSC-PRO-60-002 V3-0 EN clause 5.5. PDF copies were provided of the draft NRA and of the draft *National High Conservation Value Framework* for the UK.

Before and during the consultation, the NRA process Coordinator, FSC UK Forest Standards Manager Dr. Owen Davies, made informal contact with a number of stakeholder organisations to raise awareness. During the consultation, regular posts on Twitter were used to prompt responses for each controlled wood category, and a story was included in the March/April 2018 edition of the FSC UK [Forest Matters e-magazine](#), which is sent to all certificate holders and other subscribers.

### Responses

Only one response was received, from the Continuous Cover Forestry Group, a membership organisation which promotes the transformation of even-aged plantations to structurally, visually and biologically diverse woodlands. This response supported the conclusions of the draft NRA.

### Conclusions

This very low response rate was disappointing, but not a great surprise, as the main organisations with an interest in the controlled wood system in the UK were already represented in the NRA Working Group. It may also reflect the fact that controlled wood is not a particularly controversial issue in this country. Given that there was an existing NRA for the UK, which was also subject to public consultation, and that the consultation draft reached the same conclusions, it may simply be that stakeholders had no strong concerns about the current low risk designations being continued.