

THE NATIONAL FOREST CHANGING LANDSCAPES SCHEME

Guidance Notes



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Introduction

The National Forest Changing Landscapes Scheme is flexible and offers a generous level of funding to any landowner for the creation of new woodlands and associated habitats.

The Changing Landscapes Scheme (CLS) also funds habitat creation and management based on the Higher Level Environmental Stewardship Scheme (HLS) which is run by Natural England (NE), but which, through the CLS, can be paid for outside NE's grant regime. This means that, in addition to new woodland, which must be designed in accordance with Forestry Commission (FC) EWGS guidelines, land entered into the CLS may incorporate other habitats including parkland, wood pasture, meadows and unimproved grassland, orchards, hedgerows and wetlands.

The CLS requires competitive bids from landowners, with the elements of the schemes drawn from a standard and publicised working costs menu. For each item there is a prescribed maximum price which will be paid. A CLS application will be judged according to design and content and upon the overall contribution which it will make to National Forest objectives, (as described in the National Forest Strategy 2004 – 2014 and the Delivery Plan 2009-2014).

Eligibility

Any landowner with land in The National Forest may apply for the CLS and there are only a few restrictions on eligibility. These include: land which has previously been funded by the former National Forest Tender Scheme, the Woodland Grant Scheme (WGS) and England WGS (EWGS); land which is under an existing Environmental Stewardship scheme; land which is required to be planted to satisfy a planning condition or to fulfil a Section 106 obligation. In addition, applicants will need to be registered on the Rural Land Register at the Rural Payments Agency to obtain a Single Business Identifier number. Further information can be found in the CLS Customer & Land Registration guidance leaflet from the link: <http://www.nationalforest.org/woodlandcreation/cls>

Other restrictions include:

- Woodland intended for the production of Christmas trees or specifically woodfuel crops grown as short rotation forestry.
- Land that needs be planted to comply with a Felling Licence condition or Restocking Notice following conviction for an offence under the Felling Regulations of the Forestry Act 1967.

Scheme size

The minimum area of land for a CLS application is 1 hectare and there is no upper limit. All schemes must include at least 50% woodland creation (this can include up to 40% open land within the woodland component). Schemes can include multiple sites but in total must add up to a minimum of 1 hectare. Although it is not a requirement to enter EWGS, all new woodland must be designed in accordance with it. Land which is not planted must be managed in accordance with Environmental Stewardship principles and must contribute to wider National Forest Strategy objectives. Where provision is being made for Biodiversity Action Plan (BAP) habitats and species related works, it is essential that they are appropriate and relevant to the location being considered.

The Process

The CLS is operated by the National Forest Company (NFC). The documents to submit are as follows:

1. A CLS application form (NFCLS1) including appendix 1 available from the NFC and as a download www.nationalforest.org/woodlandcreation/cls
2. A spreadsheet of standard costs, available from the NFC and as a download www.nationalforest.org/woodlandcreation/cls
3. CLS site design maps. These should be in colour, either A2 or A3 in size and include a scale, agent's details and clients name, site location, hazards and constraints, pertinent design and landscape features, access points and routes where applicable, detailed planting arrangements, non-woodland components including nature conservation interests, and a key. Digitally produced maps are preferred.
4. CLS woodland creation map. This will detail the area of woodland creation only and will be used for determining area based income forgone payments where eligible. FC EWGS maps can be used in the production of site plans; see link <http://www.forestry.gov.uk/forestry/infid-6d8hxr>
5. Fire plan. The Local Authority Fire Services have the statutory responsibility for dealing with all uncontrolled fires, and therefore to ensure that adequate measures are taken for the prevention and suppression of fire, it is recommended that a fire plan is also produced for all woodlands. This plan is to include details of exact locations for access and water supplies and owner contact's information.

Applicants should submit their bids on the application form at the time of making the application. Other than minor amendments resulting from consultation and assessment of the scheme, the contract will be offered immediately following approval of a scheme and will be based upon the actual application that was submitted

Schemes should normally be completed by the end of the planting season following approval. Successful applicants will be able to implement their schemes over two planting seasons, should this be necessary by agreement with the NFC. However the earlier that works are completed, the sooner a grant will be paid.

Successful CLS applicants will be required to enter into a 10 year contract. It is anticipated that most expenditure will be incurred in years 1-10. The first payment will be made in year 1 on satisfactory completion of woodland and habitat works in accordance with the contract. The NFC prefers a single claim for all the woodland creation work agreed for each Claim Year. This will comprise 80% of the total year 1 to 10 costs (where schemes are implemented over two years, payments will be made pro-rata, based on the amount of work which has been completed).

The remaining 20% will be paid in year 6, subject to annual inspections to ensure that maintenance and contractual requirements have been met. Incomplete work may not be claimed for until the agreement is amended to reflect the situation.

In 2012 the CLS will open for Round 5 applications on 4th January and close at 12pm on April 13th 2012.

Eligible works

The CLS is based upon a menu of standard costs for which grant aid is available, together with a specified maximum cost for each item (either on a one-off or annual basis). These cover all aspects of woodland and habitat creation and subsequent management. They have been based on the schedules used by FC for EWGS and Natural England for Environmental Stewardship but adjusted to reflect the particular requirements of The National Forest. The FC, using a stakeholder group, undertakes an annual review of costs.

Not all schemes need to include all elements: the CLS is based on “Pick and Mix” according to landowner preference, location and land type. The NFC will assess applications carefully to ensure that no double counting or funding of ineligible works occurs.

THE CLS menu of standard costs is available from the National Forest Company and as a download from www.nationalforest.org/woodlandcreation/cls. CLS claim forms for works completed in Years 1 and 5 are also available from the web link; by using the NFCLS2 form.

Whereas the NFC requires professional input for scheme preparation, (see below) it does not specify who carries out the work nor does it require invoices. Payment is made on satisfactory completion of the works.

Grant Levels

The level of grant will be different in each case. This depends upon the area of land involved, the features which are included and of course, the amount which is bid for. The NFC will place priority on the quality of the schemes submitted but in a competitive situation, the bid price against the gains provided will also be a factor.

Payments for additional works beyond the initial 10 year contract period may be made in the future for those applicants who opt for longer contract periods at such time. The details of how this could be implemented will be reviewed in due course. Initial plans are to offer 5 year extensions up to a maximum contract length of 30 years.

Income Forgone Payments

Land currently in agricultural production may also be eligible for income forgone payments paid to compensate a landowner for loss of income due to the change in land use. Eligibility requirements and the level of income forgone payments are determined by:

- A CLS application being approved
- The land to be planted being in agricultural use for the three years prior to application.
- At the time of applying, the applicant running an agricultural business that includes the land to be planted.
- The current land use
- Whether the applicant is designated as a farmer or non-farmer

For the purposes of income forgone payments, there are three types of land:

Arable Land – This includes cereal crops and other multi annual crops

Other Improved Land – This includes improved grassland and other cropped land areas where over one third of the sward comprises either singly or in mixture, ryegrass, cocksfoot, timothy or white clover.

Unimproved Land – This is agricultural land that does not meet either of the definitions above e.g. unimproved grassland.

For the purposes of income forgone payments, there are two types of farmer:

Farmer – Defined as a person who derives at least 25% of their gross income from farming, taking account of all the land they farm in England.

Non Farmer – Defined as a person who does not meet the above definition and are limited to a maximum income forgone rate of 150 euros per hectare per year.

A landowner in receipt of Single Payment Scheme (SPS) can continue to claim SPS after it has been planted and the income forgone rates payable for both SPS claimants and non SPS claimants are detailed below.

Income Forgone Payments - Compensation rate/ha/year		
Land category	Non SPS Claimant Rates	SPS Claimant Rates
Arable land	£300	£300
Other Improved land	£260	£200
Unimproved land	£60	£60

Where relevant, the first income forgone payment will be made before the end of the financial year in year 1 of the contract and will continue annually thereafter for the agreed period. The claim for income forgone must be renewed every five years and the NFC will remind applicants in time to make subsequent FWP claims. Late submission of claims may result in the loss of those payments where the due date has passed before the claim is received. If CLS is not paid for any reason then income forgone payments cannot commence.

Income Forgone Payments are paid annually for 10-15 years depending on the percentage quantity of broadleaf component. Compartments comprising more than 50% broadleaves by area will receive 15 annual payments. Compartments comprising 50% or less broadleaves by area will receive 10 annual payments.

For income forgone payments, the obligation to retain the trees and cease agricultural activity on the land starts from the date of first payment of CLS and extends for 20 years (in case of areas receiving 10 annual payments) or 30 years (in the case of areas receiving 15 annual payments).

If it is discovered within the contractual period that the woodland has not been established or maintained as agreed or that the intended use of the land and the woodland has been changed without prior agreement, then the NFC may reclaim all the relevant grants paid and cease to pay further grants on the areas concerned. Where this action would remove any eligibility for other grants, these will also be reclaimed.

Funding for scheme preparation

Applicants are required to seek professional help to design, implement and manage their schemes. The NFC will pay a fixed rate sum for scheme design and submission. This grant, which relates to the size of the scheme, is paid direct to the forestry consultant/designer by the NFC. The NFC has a list of consultants and contractors who have carried out work satisfactorily in the past in the Forest.

The NFC Board reserves the right to reject any schemes at the submission stage, should they be deemed substandard or inconsistent with the National Forest strategy. Where a lack of quality is pertinent, such schemes will have displayed a poor concept, failed the assessment process through the Forestry Commission, or provided inadequate content in the application form with poorly presented maps and costings. In these circumstances no design costs will be re-reimbursed. Multiple applications from the same agent/landowner for any holding or piece of land in the same year are ineligible, even if the scheme has a number of sites.

In circumstances where otherwise good quality schemes have been submitted but prove to be damaging to existing nature conservation, archaeological or heritage sites, or deny public access without reasonable justification as set out in the CLS scoring assessment, schemes will be reimbursed for design costs but only after all attempts to overcome problems have run their course.

The design payment rates provided, based on scheme size, are maximum amounts and a breakdown of rates and time will be required on agent's and advisor's invoices. It is expected that typical schemes will come in at under the maximum rates. CLS claim forms for agent's fees are also available from the web link www.nationalforest.org/woodlandcreation/cls by using the NFCLS3 form. The maximum rates payable per scheme are:

1-5 Hectares £1500
5-10 Hectares £2000
> 10 Hectares £2500

Signage

Detailed guidance regarding the content and style of signs and leaflets are available from the NFC and from the website www.nationalforest.org/woodlandcreation/cls.

Public Access

By virtue of the eligible works and costs associated with the provision and management of access, schemes with access will receive more funding. Unless there are justified reasons not to have public access, the scheme may be rejected. However, access provided through the CLS cannot be charged for.

Public access may take a number of forms: footpaths, horse-riding routes and cycle paths. Routes may be mown or surfaced. Access may be formal with dedicated routes (PROW, CROW dedicated areas) or more commonly it can be informal such as permissive access. Landowners may provide permissive access to all or part of their land and may restrict at specific times of the year, for example to protect ground nesting birds or for land management reasons. Access by arrangement for community use, educational visits and specialist use is permissible. Dedication of land under the Countryside and Rights of Way Act 2000 (CROW) is not required under the CLS.

Circumstances where access is not provided, but does not adversely affect the assessment of schemes may include:

- Nature conservation and habitat creation
- reasonable privacy and security considerations
- public safety (e.g. next to roads, railways, waterways and hazardous industrial operations)
- the impracticability of reaching the woodland, due to its isolation, including location factors where there is no potential for connections to existing footpaths, bridleways and roadsides.

NFC & FC Access to CLS Sites

The National Forest Company, Forestry Commission and their authorised agents' staff maintain the right to visit and inspect CLS sites at any time, subject to reasonable notice. The applicant shall not reasonably restrict access to the CLS site without good cause. National Forest Company and Forestry Commission will undertake to visit all CLS sites to assess their individual merit. Visits to CLS sites will also take place following the completion of each year's works and at years prior to the payment of the final instalment of grant aid.

Assessment

In addition to meeting the national requirements for woodland creation and habitat creation, set by FC and NE, the NFC will assess CLS applications according to criteria relating to The National Forest Strategy 2004-14 and Delivery Plan 2009-2014. These include;

- new woodland creation and enhancement of the landscape by the incorporation of open ground and other habitats,
- landscape impact, based on location and/or the scale of new woodland involved,
- the creation and management of wildlife habitats (especially related to the National Forest Biodiversity Action Plan),
- creating opportunities to link existing habitats,
- the provision of access for the public, including walkers, cyclists and horse riders,
- the provision of specialist access, for recreation, education and conservation use,
- the protection or enhancement of existing conservation, heritage and archaeological features,
- the provision of opportunities for community involvement,
- the provision of site signage, way markers and interpretation,
- good silviculture practice and innovation,
- the contribution to the development of the woodland economy.
- consideration of and contribution to climate change issues.

Landscape and design, nature conservation, public access and the scale and quality of design are weighted more strongly in scoring and assessment criteria.

Risk factors will also be considered relating to the need for planning or any other statutory permissions, a reliance on unconfirmed match funding, a requirement for landlord or co-owner agreement, past experience of woodland creation and certainty of securing land ownership by the contract date.

The NFC will operate a scoring system for these criteria, which will be set alongside the bid price to provide a value for money score, which will guide decisions on which schemes are successful, taking into account the competitive process. The NFC Board will ultimately decide the winning schemes and there may be instances where lower scoring schemes are selected, taking account of factors such as the overall funding available, location and the track record of the applicant. Details of the scoring system will be published by the NFC and made available in hard copy form and as a download from the website.

Appeals

Appeals against unsuccessful bids are not possible. A decision could only be successfully contested under judicial review if it was shown that the National Forest Company and the Forestry Commission did not observe the rules of the CLS when reaching a decision on an application. Unsuccessful applicants will be encouraged to amend their applications and resubmit in a subsequent application, the NFC undertakes to provide feedback on the judging process to all unsuccessful applicants.

Commercial operations

The CLS cannot directly fund commercial operations, but it is possible for applicants to use the woodland and other habitats created through the scheme as a platform for diversification as part of a wider farm or business plan. There are considerable opportunities to obtain support for rural business development under the new Rural Development Plan (RDP), administered by East Midlands Development Agency and Advantage West Midlands for diversification, renewable energy, adding value to agricultural, horticultural and forestry products, co-operation to develop new product, improving the economic value of existing woodlands and water resource management. Whilst double funding will not be permissible, where they wish to do so, applicants are encouraged to use the scheme as part of a wider approach to diversification and business development.

Where the CLS is used to support habitat creation, grazing, mowing and hay cutting may be used as part of the approved management regime, but this should not be on the basis of a continuing commercial agricultural operation on the land in question.

Further Information

Applicants should pay particular attention to the following chapters within the Forest Strategy: Chapter 1, Introduction; Chapter 2, Forestry, and; Appendix 3, Landscape Character, Indicative Planting Areas and Planting Design Guidelines (pages 108-116). Applicants are also encouraged to read The National Forest Delivery Plan 2009-2014 available from http://www.nationalforest.org/about_us/consultation with specific reference to Annex 1, actions; F3, F6, F23, L7, B14 & C13 relating to Forestry, Landscape, Biodiversity and Community involvement.

Schemes that could include particular interests/features should also refer to other relevant chapters in the Strategy. For example schemes with landscape and design implications to Chapter 3, schemes with significant nature conservation opportunities should refer to Chapter 4, schemes with recreation and access features to Chapter 5, schemes with historic environment features to Chapter 6 and schemes with community involvement to Chapter 7. Nature conservation schemes should also specifically refer to the NFC's Biodiversity Action Plan (2nd Edition, 2004). For further details of the Biodiversity Action Plan contact the National Forest Company.

Specific maps of interest include: Map 3 (Indicative Forestry Strategy that shows the Preferred and Sensitive Areas of the Forest, page 11); Map 4 (indicative Planting Areas, page 14) and; Map 5 (Landscape Character Areas and Landscape Types, page 26).

A bespoke publication that can help landowners consider the options for new farm woodland, "Create a Farm Woodland" is available in hard copy from the NFC or from the NFC's website. This publication, referred to as a "toolkit", was based upon experiences of landowners within The National Forest. The toolkit provides, in a concise and practical style, information that can be used by all landowners who are considering creating new woods on farmland.

Summary

In summary, the National Forest's Changing Landscape Scheme is a unique and well funded measure which has been designed to encourage landowners of all kinds to continue the creation of The National Forest. As far as landowners are concerned, it retains many of the attractive features of earlier schemes, namely;

- landowners retain ownership and control of land,
- the CLS can form part of wider, whole farm business plan and diversification proposal with regular income payments,
- the woodlands and habitats created through the CLS can support wildlife, tourism, recreation and woodland economy businesses. Commercial operations cannot be funded by the NFCLS, but they can sit alongside land entered into the NFCLS,
- landowners can deal directly with the National Forest Company and can expect the NFC to operate the CLS in a transparent and practical way, recognising landowner needs and, where appropriate, the farming calendar.

In addition, the Changing Landscape Scheme can improve the carbon balance of the land holding and contribute to its long term value, for this generation and the next.

The National Forest Company
September 27th 2011

For information about the Changing Landscapes Scheme and other woodland creation opportunities, ring 01283 551211 and ask to speak to Matt Brocklehurst.

The Changing Landscape Scheme Application Process 2012/13

Opens January 2012 CLS Round 5

COMMISSION OF A PRIVATE AGENT / ADVISOR



LIAISON WITH LANDOWNER / NFC OVER SCHEME



CREATION OF SITE DESIGN MAP(S) / FIRE PLAN / WORK PLAN / TIMINGS & BUDGET COSTS



COMPLETE NFC CLS APPLICATION FORM & TABLE OF COSTS



Applications by April 13 2012 for the July Board

SUBMIT APPLICATION FORMS & MAPS (Site plan & woodland creation) AND ANY SUPPORTING DOCUMENTATION TO NFC PRIOR TO DEADLINE



NFC CARRY OUT CONSULTATION



NFC BOARD TO EVALUATE SCHEMES AND NFC TO NOTIFY RESULTS



CONTRACTS PRODUCED AND SIGNED FOR THE WINNING BIDS



IMPLEMENTATION OF WORKS



PAYMENT FOR WORKS COMPLETED

March 2013

Appendix 1 Supporting Notes for Completing the Woodland Creation Table (appended to CLS Application Form - NFCLS1)

Column Work Group

1 Use a letter to identify each work group. A Work Group is simply a convenient way of showing that all the detailed work elements (specification, rates, timing and claims etc) are all the same and can be applied to one or more sub-compartments. If parts of your woodland proposals are different in some way (eg different land use category, grant type, species mix, planting season and claim year) these should be separated out into different sub-compartments and entered under a different work group.

Column Current Land Use

2 Please insert the relevant code to tell us what the land is currently used for. All the sub-compartments in the Work Group must be the same.

Agricultural	Arable Land Land previously eligible for the Arable Area Payments Scheme (AAPS)	AL
	Other Cropped Land Cropped land which was previously ineligible for the Arable Area Payments Scheme	CL
	Improved Grassland	IG
	Unimproved Land Farmed land that does not qualify as arable land, or other cropped land, or improved grassland	UL
Non-agricultural	Industrial or Mineral Land previously used for industry or mineral extraction	IM
	Other Non-Agricultural Use (eg horse grazing, public parks, school grounds)	ON

Column Sub compartments in the Work Group

3 List all the sub-compartments that are in this Work Group. The total area of all sub compartments must have been entered in the table on page 2 of the CLS application form NFCLS1 (in the woodland creation categories) and they must be clearly shown on the application map(s).

Column Area of Work Group

4 Enter the total area of all sub-compartments included in their Work Group. The NFC will measure the areas from the maps but applicants should enter their estimate here.

Column Woodland to be Created

5 Enter the woodland category for this Work Group.

Woodland Categories

The following sets out the woodland categories with the characteristics and criteria that all planting must fall within. The prescription for each afforested area or defined part of the area (compartment or sub-compartment) must fully fit within a particular category in order for it to benefit from the spacing, shrub and open ground allowances designated for that category. The default categories are Standard or Small Standard.

Woodland Category	Characteristics	Stems/ net ha required at estab't	Spacing	Grant-aided open ground (% of grant-aided area)	Grant-aided shrub element (% of grant- aided area)
Standard	Wood size is 3.0 ha or more and not one of the other types	2250	Max 2.5m	Up to 20% where fully justified	Max 10%
Small Standard	Wood size up to 2.99 ha and not one of the other types	1100	Max 3.0m	Normally 10%. Up to 20% where fully justified	Max 15%
Native*	Native species only and an agreed and appropriate native woodland type for the site and location. Planting as per FC Bulletin 112 'Creating New Native Woodland'	1600 (or as required to create habitats for BAP priority species)	Max 15m	Up to 40% where fully justified	Max 25%
Community	Designed for public access and is agreed as an appropriate woodland type for the location	As agreed with NFC. Between 1100 and 2250	Max 3.0 m	Up to 40% where fully justified	Max 25%
Special Broadleaf	Appropriate single species broadleaved trees grown at wide spacing	As agreed Minimum 100	Max 10m	Normally 10%. Up to 20% where fully justified	0% Shrubs may be planted as additional plants but will not be eligible for grant

* If Native woodland is to be created, also enter the National Vegetation Classification type that best represents the type of native woodland proposed. The NVC type proposed will need to match the drainage of the site, the pH of the soil, the climate and the species range and mix.

Column 6 Farm Woodland Payments
 6 Tick if all the land in this work group is eligible for these payments.

Column 7 Species Mix
 7 Enter the species to be used for his Work Group and the estimated percentages of the total Work Group area for each. Use separate lines for:

- Each tree species that will comprise 20% or more of the woodland. Other species can be grouped together using the Species group codes for this purpose. Where Species Group codes are used, list the species included in this mix in Column 10 of the table
- Woody Shrubs (WSH)
- Open ground (OG) which is to be part of the woodland creation area.

Species Group - Species code for entry into Column 7					
Species	Code	Species	Code	Species	Code
Native Mixed Broadleaves	NBL	Native Mixed Broadleaves	MB	Other broadleaves not in the main list	XB
		Mixed Conifers	MC	Other conifers not in the main list	XC

Other Elements		
Species	Code	Description
Woody Shrubs	WSH	Native woody shrubs and minor trees appropriate to the site, ie. hawthorn, blackthorn, holly, dogwood, alder, buckthorn, purging buckthorn, spindle, guelder-rose, wild privet, elder.
Open Ground	OG	Managed open space (note the limits on OG for each woodland category).

Broadleaf Species					
Species	Code	Species	Code	Species	Code
Alder	AR	Elm	EM	Red Oak	ROK
Common Alder	CAR	Hazel	HAZ	Poplar	PO
Grey Alder	GAR	Hornbeam	HBM	Rowan	ROW
Ash	AH	Lime	LI	Sweet Chestnut	SC
Aspen	ASP	Small-leaved Lime	SLI	Sycamore	SY
Birch	BI	Field Maple	FM	Willow	WL
Downy Birch	PBI	Norway Maple	NOM	Goat Willow	GWL
Silver Birch	SBI	Pedunculate Oak	POK	Cricket Bat Willow	CBW
Wild Cherry	WCH	Sessile Oak	SOK		

Conifer Species					
Species	Code	Species	Code	Species	Code
Western Red Cedar	RC	European Larch	EL	Scots Pine	SP
Lawson Cypress	LC	Hybrid Larch	HL	Norway Spruce	NS
Douglas Fir	DF	Japanese Larch	JL	Sitka Spruce	SS
Grand Fir	GF	Corsican Pine	CP	Western Hemlock	WH
Noble Fir	NF	Lodgepole Pine	LP	Yew	YEW

Column 8 Percentage to be established by natural regeneration
 If it is intended to encourage and include naturally seeded trees as some part of the established woodland, estimate the proportion of the Work Group area to be established in this way. This information ensures that any later inspection can take these additional trees into account.

Column 9 Planting Season
 Specify the planting season in which you will carry out the work.

Column 10 Additional Details
 Use this column to note any changes to the Standard Proposals used and to make clear any particular details that help describe the work accurately. Such details might include:

- List of species included in Species Group codes (eg. MB or WSH)
- A description of how the species will be distributed across the site
- The proposed ground preparation for natural or direct seeding of trees
- Details of public access provisions (eg. path maintenance, access points, signage etc)

Applicants may also set out their own work specifications in this column rather than nominate standard specifications but these must include sufficient information to accurately describe the work details.

General details on woodland description and additional information can also be entered.