

Citizen Participation and Public Petitions Committee
Wednesday 5 February 2025
2nd Meeting, 2025 (Session 6)

PE1812: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

Introduction

Petitioner Audrey Baird and Fiona Baker on behalf of Help Trees Help Us

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to deliver world-leading legislation giving Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection before COP 26 (UN Climate Change Conference of the Parties) in Glasgow in November 2021.

Webpage <https://petitions.parliament.scot/petitions/PE1812>

1. [The Committee last considered this petition at its meeting on 17 April 2024](#). At that meeting, the Committee agreed to write to the Cabinet Secretary for Rural Affairs, Land Reform and Islands, and the Confederation of Forest Industries (Confor).
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from Minister for Climate Action, the Confederation of Forest Industries (Confor), and the Petitioner, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial position on this petition on 13 August 2020](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 3,745 signatures have been received on this petition.
8. Members may wish to note the [Scottish Government published a summary and analysis of responses received to the consultation on Scotland's strategic framework for biodiversity on 12 November 2024](#).

9. [On 27 November 2024, the Scottish Government published the Scottish Biodiversity Delivery Plan 2024-2030](#). This plan states the new Register of Ancient Woodlands is due to be delivered by mid-2027.

Action

10. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
January 2025

Annexe A: Summary of petition

PE1812: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

Petitioner

Audrey Baird and Fiona Baker on behalf of Help Trees Help Us

Date Lodged

5 August 2020

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to deliver world-leading legislation giving Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection before COP 26 (UN Climate Change Conference of the Parties) in Glasgow in November 2021.

Previous action

We have sought guidance from the Planning Department and Access Officer, as well as advice from the Woodland Trust Scotland (WTS), RSPB and MSP Jackie Ballie. WTS contacted Scottish Natural Heritage (SNH) and Scottish Forestry on our behalf.

Background information

According to 2018 report by the United Nations' Intergovernmental Panel on Climate Change, protecting and restoring the world's forests could reduce global emissions by 18 percent by 2030.

Year after year we watch in horror as vast forests in the Amazon, USA, Australia and elsewhere go up in flames. Meanwhile, governments around the world are failing to live up to promises to plant trillions of saplings that will not mature enough to capture meaningful amounts of carbon for decades. It is therefore unacceptable that Scotland's remaining ancient, native and semi-native woodlands and woodland floors have next to no effective legal protection and can be destroyed on a whim.**

According to the Woodland Trust, ancient woodland covers only around 1% of Scotland's land area.

Sir David Attenborough has said: "The future of humanity and indeed all life on Earth depends on us." A local 'lockdown' event has exposed a national tragedy around just how vulnerable Scotland's remaining pockets of ancient woodlands really are. During lockdown a mountain bike trail was constructed, with the landowner's permission, through a small, beautiful, very mature and intensively grazed, ancient woodland that previously had an almost pristine, densely packed native bluebell carpet. Thousands of bluebells (and other native wildflowers) were destroyed, decaying timbers were

sawn up and used to create jumps and berms, and small branches were cut to clear part of the trail. The trail was built during the nesting season, disturbing at least one buzzard pair who had a nest directly above the trail and another nest nearby in the wood. Informal wildlife surveys have revealed the wood also supports other protected raptors including owls and sparrowhawks, plus European protected species such as otters and bats. Woodpeckers, hedgehogs, mice voles and other animals are also resident in the wood. The ecosystem pyramid that supports life in this ancient woodland was being destroyed.

The trail did not conform to guidance around the safe construction of mountain bike trails and, although we understand no official has visited the site, we have been informed the bike trail would not need planning permission as it is of mud and timber construction. Additional threats to this wood are that the old stone boundary wall, probably built to stop livestock straying into the gorge and to manage the woodland as a resource, is now in ruins and cattle and deer intensively graze the woodland floor every year. The existing trees are mature and no saplings are able to survive. Thus, without help, much of this wood (in common with many other ancient and native woods) is unlikely to survive beyond this century. Lastly, a gorge cuts through the wood and on the southern boundary a large estate is being demolished. Windblown polystyrene and other debris has littered the south side of the wood and burn at the bottom of the gorge. We, and others, have complained to SEPA and tried to remove the debris ourselves.

It therefore appears no effective legislation exists to protect Scotland's ancient and native woodlands, rare habitats, woodland floors, native bluebells and other wild plants, nesting birds or other wildlife when landowner permission is granted for developments such as mountain bike trails.

The desecration of a small, ancient, irreplaceable habitat is unacceptable and we understand many new trails have been created in woodlands and other green spaces across Scotland during lockdown. Knowledge of the Scottish Outdoor Access Code is limited and, in addition to new legislation, there is clearly an urgent need for greater respect and more effective education around protecting our environment.

According to the Native Woodland Survey of Scotland (NWSS) only 4-5% of native and semi-native woodland (including 'ancient') cover remains in Scotland (down from a high of 80% woodland cover 5,000 years ago). The Survey concludes that **'...the current amount and distribution of regeneration [of Scotland's native and semi-native woodlands] is not yet enough to sustain all of our current native woodland resource in the long term'**.

Therefore we urge:

1. this Scottish Government to use the NWSS to inform a process to grant full legal protection for all ancient and semi-native woodlands greater than 0.5 hectares;

2. a new classification of ancient and semi-natural native bluebell woods to be included in future surveys;
3. new, simple and unequivocal regulation on how our ancient and native woodlands must be managed respectfully from now onwards;
4. the Government to provide incentives to landowners to protect these woodlands from inappropriate development, over grazing by livestock, neglect, misuse, pollution, fly-tipping and other damaging activities;
5. the Government and partner organisations to ensure local communities know where their ancient and native woodlands are, why they are priceless and irreplaceable, and why they must be protected; and
6. that woodland floors of ancient, native and semi-natural woodlands are recognised as irreplaceable and finite assets and that they are properly assessed and classified in EIAs and are afforded the classification of 'sensitive'. No mitigation for disturbance or destruction of woodland floors is currently required by any Environmental Impact good practice guidelines or protocols. Developments such as mountain bike tracks and paths with the landowner's permission appear not to require planning consent and as they are not classed as Schedule 1 or Schedule 2 developments The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 do not appear to apply. Again The Environmental Impact Assessment (Agriculture) (Scotland) Regulations 2006 applies only to agricultural development and do not adequately provide for assessment or protection to our native woodland floors. We urge the Scottish Government to address the current shortcomings in existing legislation to ensure Scotland's diminishing, rich, biodiverse woodland floors, formed over hundreds of years, are protected from damage and destruction. Planning permission for any development, including paths and trails, (i.e. altering the status quo) should be required by statute. Where disturbance for emergencies cannot be avoided, appropriate mitigation measures to minimise the impact, including establishing new areas of native planting to compensate the loss, should be required.

The National Planning Framework 4 includes six high level outcomes, including:

- improving the health & wellbeing of people living in Scotland;
- meeting any targets relating to the reduction of emissions of greenhouse gases; and
- securing positive effects for biodiversity.

We strongly argue that giving full legal protection to Scotland's remaining ancient and native woodlands meets all three and we aspire to a future Scotland that respects and protects our precious trees.

EXISTING LEGISLATION THAT IS NO LONGER FIT FOR PURPOSE

(Note: Scotland's ancient and native woodlands are mentioned in raft of guidance and policy documents relating to forestry and environmental management, usually linked with economic development and planning. Nowhere in these documents was an unequivocal message around legislation protecting our ancient and native woodlands to be found.)

- Section 8 of the Wildlife & Countryside Act, section 13(2), which prohibits the sale or advertising for sale of native bluebells. We believe this act no longer protects our native bluebells from current real threats.
- Forestry & Land Management Scotland Act 2018. Landowners can legally fell up to 20 cubic metres of trees (or four mature oak trees) in any small ancient or semi-natural woodland larger than 0.5 hectares each year. This is regardless of whether the trees present a danger to life or property. We believe the felling of up to four mature oak trees each year is too large a burden for a small wood to be sustainable and represents an unacceptable disturbance to the ecosystem.
- The Scottish Forestry Commission's 2009 Control of Woodland Removal 2009 states woodland removal with compensatory planting is most likely to be appropriate where it would contribute significantly to encouraging recreational activities and public enjoyment....There will be a 'strong presumption' against removing certain types of woodland, including ancient and semi-natural woodland. We believe this guidance with no teeth and the focus on recreational activities and public enjoyment is no longer acceptable and ancient woodlands must be valued in their own right for their unique biodiversity and carbon capture.

In an increasingly complex world where people are confused and overwhelmed with information, our priceless remaining ancient, native and semi-native woodland cover must now have full legal protection that is simple to understand, clearly communicated and unequivocal. It is not acceptable that it is legal to continue to exploit, vandalise and disrespect our remaining outstanding natural assets and pass on a further degraded Scotland and home to future generations.

Annexe B: Extract from Official Report of last consideration of PE1812 on 17 April 2024

The Convener: PE1812 seeks to protect Scotland’s remaining ancient, native and semi-native woodlands and woodland floors. This is a long-standing petition with which the committee has been engaged for quite some time. It was lodged by Audrey Baird and Fiona Baker, on behalf of Help Trees Help Us, and calls on the Scottish Government to deliver world-leading legislation to give Scotland’s remaining fragments of ancient, native and semi-native woodlands, and woodland floors full legal protection before the United Nations climate change conference of the parties—COP26—in Glasgow, in November 2021. Members will therefore understand that it is a petition of some standing.

The petition’s ask demonstrates how long it has been in progress, and we have heard from many different parties, including ministers, along the way. That includes a fresh response from the Cabinet Secretary for Rural Affairs, Land Reform and Islands, which indicates that while

“Scottish Government officials are progressing plans”

for a new register of ancient woodlands, it

“will be a significant and long-term undertaking.”

That follows our site visit. I am not sure which members of the committee were on that—perhaps it is only David Torrance and I who survive from our walking tour of the ancient woodlands. It is certainly a long-standing petition.

The cabinet secretary’s response also indicates that,

“The Scottish Government, Scottish Forestry and NatureScot are in agreement that protections in place for ancient woodlands against tree felling are adequate”,

with protections having been “further strengthened” by policies that are included in the fourth national planning framework.

In preparation for the introduction of the natural environment bill, which we expect will be forthcoming during the current session of Parliament, the Scottish Government ran a consultation on aspects of the Scottish biodiversity strategy and proposed natural environment bill between 7 September and 14 December last year.

We have also received three submissions from the petitioners, who continue to share research on the impact of invasive non-native species on Scotland’s ancient and native woodlands, as committee members saw on site and through illustration. The petitioners have also expressed concern at the lack of urgency to develop an ancient woodlands register, and about international investors buying land for carbon offsetting and then planting non-native conifer. They also call for the creation of an environmental court to address concerns about the lack of enforcement of protections, including those that national planning framework 4 provides.

The petitioner's most recent submission draws our attention to the impacts of further tree felling in the local area, despite tree protection orders being in place, and encourages us to invite further evidence from the Confederation of Forest Industries on the action that the industry is taking to protect ancient woodland and remove invasive species. Members might remember that a representative from Confor attended a round table that we held two years ago, in March 2022.

Before I ask members for suggestions, I am pleased to say that we have been joined by Jackie Baillie MSP, who, I think, has been pursuing the petition longer than some of the members of the committee, because she has been with us when we have heard about the petition at its various stages. Jackie Baillie, is there anything that you would like to say to the committee?

Jackie Baillie (Dumbarton) (Lab): Absolutely, and thank you for your forbearance in allowing me to come back repeatedly. I also thank the petitioners, Audrey Baird and Fiona Baker, for their determination to see the petition through.

As you rightly said, convener, it has been four years since the petition was lodged. In that time, very little action has been taken by the Scottish Government to prevent the further destruction of our natural historic environment. As we deliberate the petition, the Government drags its feet and time runs out to stop vast monoculture plantations destroying our biodiversity, environment and heritage. One of the suggestions that was made when the petition was last discussed was that the committee could consider holding a debate in the chamber on the petition, because ancient woodland touches every part of Scotland.

In August 2023, the Cabinet Secretary for Rural Affairs, Land Reform and Islands said in a submission to the committee that Scottish Government officials are progressing plans for a new register of ancient woodlands but that it is not possible to provide a timescale for completion. That is disappointing, and it reflects a distinct lack of urgency in so many of the Scottish Government's actions in this regard.

It is interesting that the cabinet secretary's submission points to a native woodland survey that was last done in 2014. That survey identified that 5 per cent of native woodlands were non-native species, yet another survey carried out much more recently, the Caledonian pinewood recovery project,

“showed that non-native trees were found on just under 30% of plots per site”.

That is a substantial increase in less than a decade and it should have us extremely worried.

Apparently, the project is doing wonderful things. It is going to remove non-native species from X number of hectares, but what does that mean in real terms? What percentage is that of the problem that needs to be tackled, and has it survived the recent round of budget cuts? There is a lot to be concerned about there, and there is also a lot to be concerned about in the lack of regulatory powers. I am astonished at the complacency in the cabinet secretary's response, because, frankly, the protections are not adequate.

I will make three small points as I draw to a close. First, in 2022, the committee did some work to test the effectiveness of tree preservation orders. The petitioner's latest submission asserts that TPOs do not actually protect trees. Trees with TPOs are being felled, then developments are taking place in those localities. We have examples to illustrate that. There is nothing at all in the biodiversity strategy, which is the forerunner to the proposed natural environment bill, to deal with strengthening TPOs.

Secondly, I bring to the committee's attention a Royal Society of Edinburgh inquiry. Members of the RSE are currently lecturing on behalf of the Royal Scottish Geographical Society to educate the public about all the points that the petitioners have raised in their petition. The forestry mantra of having the right tree in the right place is not what is happening across the country.

Finally, there is the disenfranchisement of communities. Petitioners have often mentioned that communities are absent from dialogue about what to do with trees in their local area and changes in the forestry industry. The example I would cite is in my constituency. At Torr farm wood in Rhu, there was an incident of illegal felling, after which the landowner and Scottish Forestry responded to an event organised by the community council, which I attended. Scottish Forestry promised that it would introduce a revised management plan for that ancient woodland and that it would consult the community council. What we have now, more than a year later, if not two years later, is a fait accompli simply handed to the community council.

I remind members that trees with TPOs were illegally felled. Action is required quickly, because time is running out. Scottish Government action is terribly slow, so we need to urge it on because, at the moment, our ancient woodlands are disappearing because non-native species are taking over, and that is happening at pace. We need action now before the situation becomes any worse.

The Convener: Thank you for that passionate exposition in support of the petition. I wonder whether it is too corny of me to say that we have had two COPs and that, if we have a third, that will be more than I have in my constituency.

Colleagues, can we have suggestions about how we might proceed?

David Torrance: I wonder whether the committee would consider writing to the Cabinet Secretary for Rural Affairs, Land Reform and Islands to ask when the Scottish Government will publish its analysis of its consultation "Tackling the nature emergency: Consultation on Scotland's Strategic Framework for Biodiversity". We should also seek an update on the Government's plans to introduce a natural environment bill.

Will the committee also consider writing to the Confederation of Forest Industries to highlight the petitioners' latest submission and to seek information on the action that the forestry industry is taking to remove invasive non-native species and ensure the protection of ancient woodlands?

As somebody who always likes to grant Jackie Baillie's wishes, I also wonder whether the committee would add the petition to the shortlist of topics on which the

committee might wish to seek parliamentary debate, and we can consider that further when the committee next meets to consider its work programme.

The Convener: I wonder whether we might be slightly stronger with the Cabinet Secretary for Rural Affairs, Land Reform and Islands. I would like to express some disappointment on behalf of the committee at the suggestion that the work on a register can be done only as a significant and long-term undertaking. That seems to me not to demonstrate the urgency that has been evidenced in everything that we have heard and to be very non-specific. It seems incredibly open ended and, from my reading, clearly means that the matter would not be progressed during the current session of Parliament. That is not entirely acceptable.

Fergus Ewing: I should probably declare an interest, in that I am the convener of the cross-party group on the wood panel industry, which tends to consider the interests of the 25,000 people who are employed in sawmills and the panel products sector and related sectors and who are a key part of the economy. They rely on the continued supply over decades of species such as Sitka spruce, which are essential for what they do and without which they would not be in Scotland.

I have just been checking the long history of the petition, and I could not see any contribution from anyone on—I do not want to say “the other side”, because it is not a case of sides; everybody wants to see a combination of productive and native species, and everybody values both. There must be a balance. However, we have not heard from the commercial side or from the panel products or sawmill sectors. Confor should be given a chance to be heard. Before we consider whether it is appropriate to have a debate, I would prefer to hear what Confor has to say. It has the right to be heard that belongs to everybody.

The other point that I would make—and I do not say this every day—is that I have some sympathy with the Scottish Government in this instance. I do not expect the Government to come along and repair my gas boiler or a broken roof on my house, and most of the ancient woodlands do not belong to the Government but to private landowners. Therefore, from a legal point of view at any rate, the obligation is not on the Scottish Government. Yes, there is a societal interest, as Ms Baillie has rightly highlighted. However, we do not want taxpayers to pay for things that owners should be doing as part of the silvicultural handling of their property.

I thought that I should mention that, just for the sake of balance. I am not against a debate or, in any way, against the eloquent arguments that have been made, but we need to hear from both sides.

The Convener: I am happy for us to write to that organisation again in the first instance, but we are talking about a register of ancient woodlands and not responsibility for the maintenance of woodlands. It is in relation to the register that I think—

Fergus Ewing: But we seem to have strayed into an argument of them against us, and of ancient woodlands versus introduced or commercial species. That is a difficult and sensitive argument that needs to be handled with sensitivity. My point is that we need to hear from both sides—that is all.

The Convener: I certainly think that, in our committee visit, those conflicts were not evident. There was physical evidence of the invasive nature of the issue and the lack of urgency in relation to producing the register of ancient woodland, which obviously exists, because otherwise we would not have a register that is capable of being updated.

Are members content to proceed with those suggested actions?

Members *indicated agreement.*

Annexe C: Written submissions

Minister for Climate Action written submission, 31 May 2024

PE1812/III: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

Thank you for your letter of 23 April 2024 about the Committee's consideration of the petition detailed above and the request for further information. I have set out below the Scottish Government's responses to the questions in your letter.

1. When does the Scottish Government expect to publish analysis of the consultation on Tackling the Nature Emergency: Scotland's Strategic Framework for Biodiversity?

We received over 600 responses to our recent consultation on Scotland's Biodiversity Framework. We are carefully considering all these responses and will publish our analysis and formal response once that consideration is complete.

2. Provide an update on plans to introduce the Natural Environment Bill during the current parliamentary session.

The Scottish Government remains firmly committed to taking action to address biodiversity loss and protect and restore the Natural Environment. As the Cabinet Secretary for Net Zero and Energy set out when she gave evidence to the Net Zero, Energy and Transport Committee on 28 May, updates on the Scottish Government's future legislative programme, including any plans for a Natural Environment Bill, will be set out in due course. In the meantime, we are continuing to take a wide range of actions to deliver nature restoration, for example through our £65 million Nature Restoration Fund, which has already committed nearly £40 million since 2021.

I hope and trust that the information outlined above will provide the Committee with the information it needs.

Yours sincerely,

Gillian Martin

Confederation of Forest Industries (Confor) written submission, 10 July 2024

PE1812/JJJ: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

Confor recognises that the protection of local woodlands is an important matter for local communities, and we encourage all those involved with the forestry sector in Scotland to consider the importance of environmental standards fully when carrying out their functions. These standards are well documented and are available for the Committee to consider if you have not already done so.

On the specific issues of mapping and protecting ancient woodland we would encourage you to contact Woodland Trust Scotland (WTS) for their views. WTS has specialised knowledge and focus on woodland conservation.

I note the petitioners have referenced The Royal Society of Edinburgh's 2024 Inquiry into public financial support for tree planting in their March submission. Along with many others active in the field of forest policy, Confor has serious concerns about the veracity of the RSE's conclusions and has written to the Scottish Government highlighting these. [We have drawn together information from a variety of sources debunking many of the claims made by RSE on the Confor website](#), and I would draw your attention to these.

Confor remains committed to sustainable forestry management and recognises the vital importance of preserving Scotland's woodland heritage. Confor supports efforts to find balanced solutions that respect environmental considerations as part of responsible forest management.

If the Committee requires any further information in relation to this petition, please do not hesitate to contact us.

Petitioner written submission, 13 August 2024

PE1812/KKK: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

[Scottish Environmental Link has just released a comprehensive strategy to tackle Invasive Non Native Species \(INNS\) in Scotland](#). The first case study (p19) states:

“Sitka, and other non-native conifer species grown commercially, are increasingly seeding invasively onto neighbouring habitats, including important peatlands, ancient woodlands and community-managed woodlands, posing significant risks to ecosystems and carbon sequestration, and can lead to biodiversity loss in all habitats ...

The burden of managing the invasive spread of Sitka and other non-native commercial species is therefore falling onto the public purse and environmental organisations, threatening significant strain on limited current and future conservation budgets. Forthcoming legislative agendas are an opportunity to ensure that commercial forestry plays a responsible role in managing the impact of Sitka spreading from its operations onto neighbouring land through the application of the “Polluter Pays” principle (as in the Articles of the EU Invasive Species Regulation, as transposed into Scots law). The industry that profits from planting and harvesting these conifers should either remove invasive seeding conifers or bear the costs of remedial action on invasive seeding, and be required to ensure better buffering of plantations near sensitive sites.”

According to [a recent report from the Scottish Environment Protection Agency \(SEPA\) focussing on the logging industry's practices in Argyll & Bute](#), in 2022-23, 47% of commercial plantations inspected were not compliant with the UK Forestry Standard and Scotland's Forestry Strategy. The report states:

‘...it is of concern that findings from Argyll show poor compliance despite the abundance of improved information, improved communication, and shared learning.’

According to the Environmental Rights Centre for Scotland (ERCS), of the 305 applications since 2019 (when Scottish Forestry was established) for new commercial plantations impacting designated (SSSI, SAC etc) nature sites (including native woodland), only one has required an Environmental Impact Assessment (EIA). ERCS has escalated concerns to [Environment Standards Scotland \(ESS\)](#), [which has opened a consultation on INNS in Scotland](#).

[Our own community council's latest stage 2 complaint to Scottish Forestry](#) regarding unlicensed clear felling in long established (native) woodland in 2021, [previously noted in our submission of 31 August 2021](#), [has been partially upheld after Scottish Forestry did not honour their commitment to consult with the community on the landowner's plans for further felling](#) in a revised version of their woodland management plan.

Confor's submission to the Petitions Committee is typical of the logging industry's approach to Scotland and Scotland's communities. Just a few minutes invested in research on the Scottish Parliament's website and Confor would have discovered the Petitions Committee has already engaged with the Woodland Trust Scotland on multiple occasions over the last four years. The irony of Confor targeting a report prepared by the Royal Society of Edinburgh – a charity comprised of 1,800 or so of Scotland's highest achieving business leaders, policy advisers and academics charged with a vision of 'Growing, exploring and sharing knowledge for a thriving Scotland.' – is not lost on us. We hope the Committee will extend an opportunity to the RSE to contribute a submission, based on their research, focussed on constructive solutions to stem and reverse the logging industry's pernicious effects on Scotland, especially our ancient and native woodland.

Petitioner written submission, 22 January 2025

PE1812/LLL: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors

According to the [Scottish Biodiversity Delivery Plan 2024-2030](#), we can look forward to 2027 when we will celebrate the launch of Scotland's new National Register of Ancient Woodland. This will replace the existing Ancient Woodland Inventory, which appears to have done very little to foster regard or action to protect these remaining fragments of Scotland's historic natural identity. The new Register will be very welcome, as will the proposed associated woodland condition reports and any potential opportunities for owners, local people, communities and funders to be actively engaged in the process to identify, assess, restore and protect ancient woodland and, if we are lucky, mature native woodland.

An ancient wood's inclusion in the new Register will not, however, as we understand it, automatically bestow additional legal protection. The condition and survival of Scotland's vital ancient woods, and their awesome living tree legends within, will continue to be mainly at the mercy of their short-term, ever changing (in the grand scale of the lifetime of an oak tree for example) owners and the degree to which

those owners are, or are not, motivated to manage invasive non-native species, over-grazing, disease, exploitation, increasing isolation, other pollution and so on. How will the new Register succeed in motivating owners where the old Inventory so clearly failed?

We believe the creation of a National Register truly represents a once in a lifetime opportunity for our Government to take a 360-degree approach to safeguarding Scotland's painfully diminished, vulnerable and rapidly vanishing ancient and mature native woods, as well as important and cherished street and community trees. To stand a chance of making a genuine positive contribution, the Register must not exist in a vacuum. It must surely start a process to resolve the failings the Petitions Committee has identified regarding local authorities and their duty to administer and uphold Tree Preservation Orders, bolster Scottish Forestry to act for the benefit of all of us by using their full regulatory powers in partnership with Scotland's Procurator Fiscal Service to create a genuine deterrent to unlicensed felling and end the irresponsible and polluting practices of industries like commercial forestry.