

**Department for Environment, Food and Rural Affairs**

# **Intended Abolition of the Home Grown Timber Advisory Committee**

**April 2014**

Dear Sir/Madam

## Consultation on the abolition of the Home Grown Timber Advisory Committee (HGTAC)

1. I am writing to invite your comments on Government proposals for the abolition of the HGTAC. Further detail on the consultation questions and background on HGTAC is at the end of this document.

2. The HGTAC was the advisory panel/committee appointed by the Forestry Commissioners to advise them on the delivery of their powers and duties. The Committee ceased operations in 2005 and no longer functions because it was decided (by the Commissioners and the final members themselves) that as forestry operates on a devolved basis, it would be more appropriate for advice to be received at national level. The HGTAC's former functions are therefore now discharged through separate arrangements in each Administration but the legislation which established it is still in place.

3. Shortly after the 2010 election, the Government announced that it would review arms-length bodies, in order to reduce the numbers and costs of these bodies and improve accountability. An announcement about the future of Defra's arms-length bodies, including HGTAC, was made in October 2010. The Government announced its intention to abolish this defunct Committee as part of its public body reform programme.

4. The Government proposes to use the powers in the Public Bodies Act 2011(PBA) to make an Order to repeal parts of sections 32, 37, 38 and Schedule 1 of the 1967 Act that relate to HGTAC, which will legally dissolve it. The PBA requires that Ministers consult on their proposals before laying a draft of the Order before Parliament for its approval. All responses will be given due consideration and repeal of the relevant sections of the 1967 Act will be subject to the outcome of this consultation. The consultation period will last for seven weeks (this includes one additional week to take in the Easter break), as this abolition is low-key and since the announcement in 2010, we are not aware of any representations to Government arguing for the body to be retained.

### Responses

5. Responses to this consultation should be sent to the following email address:

Colin.whelan@defra.gsi.gov.uk

Or by letter to:

Colin Whelan  
Forestry Sponsorship Team  
Defra  
Area 1D, Nobel House

17 Smith Square  
London SW1P 3JR

6. Responses should be received by 30 May. A copy of this consultation and the List of Consultees are available on the Defra Website at the following link:

[www.gov.uk/defra](http://www.gov.uk/defra)

## Consultation Criteria

7. This consultation is in line with the Code of Practice on Consultations. This can be found at <http://www.bis.gov.uk/files/file47158.pdf>.

8. If you do not want your response - including your name, contact details and any other personal information - to be publicly available, please say so clearly in writing when you send your response to the consultation. Please note, if your computer automatically includes a confidentiality disclaimer, this will not count as a confidentiality request.

9. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under freedom of information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential.

10. We will summarise all responses and place this summary on our website at:

[www.gov.uk/defra](http://www.gov.uk/defra)

11. This summary will include a list of names of organisations that responded but not people's personal names, addresses or other contact details.

12. If you have any comments or complaints about the consultation process, please address them to:

Defra Consultation Co-ordinator  
Room 629,  
9 Milbank,  
17 Smith Square,  
London SW1P 3JR

or by email to [consultation.coordinator@defra.gsi.gov.uk](mailto:consultation.coordinator@defra.gsi.gov.uk).

Thank you for your help in this matter. If you have any queries on this consultation, please contact me as per the details listed above.

Yours faithfully,

Colin Whelan  
Department for Environment, Food and Rural Affairs

## Background to the Home Grown Timber Advisory Committee (HGTAC)

The HGTAC was established in legislation as a central advisory committee, initially to advise Forestry Commissioners on their duties to promote the interests of forestry and the establishment and maintenance of sufficient reserves of growing trees across Great Britain. As the Commissioners' role was revised, the Committee also advised on the Commissioners' duty to find a balance between the development and management of forestry and the conservation and enhancement of the natural environment, the Commissioners' 'balancing' duty.

A key role of the Committee was to be consulted before the Forestry Commissioners made regulations (Statutory Instruments) under the Forestry Act 1967. This is no longer considered necessary because of the public consultation procedures that are in place should the Commissioners consider that any new regulations are required

## Current Arrangements

Following the cessation of the HGTAC's activities in 2005, then known as the Forestry Commission Advisory Panel, advice has been offered at a national level to the Forestry Commission through working groups of experts. This means that, in the absence of the HGTAC, its previous functions have been taken up by a number of Committees. The key ones are:

Scottish Forestry Forum, supported by five Regional Forestry Forums:

<http://www.forestry.gov.uk/forestry/inf-d-6agllr>

The Regional Advisory Committees, now called:

<http://www.forestry.gov.uk/england-rac>

On 1 December 2013, the working title of the RACs changed to Forestry and Woodlands Advisory Committees (FWAC) to better reflect their role and refreshed remit.

On a Cross Border basis, there is the Expert Group on Timber Trade and Statistics (developed from the HGTAC's previous 'Supply and Demand (of timber) Sub Committee'):

<http://www.forestry.gov.uk/forestry/inf-d-5rabj3>

There is also the Expert Committee on Forest Science.

The HGTAC has therefore ceased to function, with the last meeting occurring in September 2005. The HGTAC members' Terms of Office expired in 2006 and were not renewed because it was decided (by the Commissioners and the final Committee members themselves) that as forestry operates on a devolved basis, it would be more

appropriate for advice to be received at national level instead. Thus, at present, the HGTAC has no appointed members but the Forestry Act (1967) still includes a statutory obligation to maintain the HGTAC. This means that the committee continues to exist in law despite having no practical function at present.

Although the Government announced its intention to abolish this Committee as part of its public body reform programme back in 2010, this process was postponed pending the review of forestry matters by the Independent Panel on Forestry. That body has since reported to Government and the Government has set out a new forestry and woodlands policy for England. In the light of that and in discussion with Scottish and Welsh Government officials, we see no reason to change the original decision.

### **Dissolving the HGTAC in law**

Although the HGTAC no longer exists as an operating body, the legislation which established the HGTAC and its role does not provide for its abolition. Therefore, further legislation is required before the HGTAC can be legally dissolved and subject to the outcome of consultation the Government intends to use the powers in the Public Bodies Act 2011 to achieve this. The PBA is the main legislative vehicle for implementing the outcome of the review. It enables Ministers to make Orders to abolish or make certain changes to the statutory public bodies, listed in the various schedules to the legislation. The Order abolishing HGTAC can only be put to the UK Parliament after consultation. It would be subject to Parliamentary scrutiny and requires the consent of the Scottish Parliament.

### **Consultation questions:**

Question 1: Do you foresee that abolition of the HGTAC would have any impacts (positive or negative) on your interests?

Question 2: If **Yes**, please explain and if possible, quantify the scale of any such impacts.

Question 3: Are you aware of any other reason why this abolition should not proceed?

Department for Environment, Food and Rural Affairs

14 April 2014



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