



FOREST RESTORATION POLICY IN SCOTLAND

POLICY COHERENCE ACROSS FOREST-RELATED POLICY AREAS AND POLITICAL LEVELS



SUPERB
Upscaling Forest Restoration



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Author(s)

Simon Fleckenstein and Metodi Sotirov

Affiliations

University of Freiburg, Chair of Forest and
Environmental Policy

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EXECUTIVE SUMMARY

Forest policy in Europe operates within a complex, multi-sectoral and multi-level policy framework. To effectively implement and scale up forest restoration efforts—such as those outlined in the EU Nature Restoration Law (EU-NRL)—achieving a certain level of coherence across forest-related policy areas (e.g., nature conservation, climate, agriculture, and rural development) and political levels (EU and national/subnational) is essential.

As part of the EU Horizon 2020 SUPERB project, Task 5.1 of Work Package 5 offers valuable insights into the issue of forest restoration policy coherence. Specifically, it examines coherence at the national level across forest-related policy areas (horizontal coherence) and across national and EU levels (vertical coherence). The analysis of horizontal coherence is based on a survey of national forest policy experts in the relevant countries, while the vertical coherence analysis involves a detailed review of EU forest restoration policies and regulations, as well as national forest regulatory frameworks.

This report provides a brief overview of the key findings for **Scotland**.



HORIZONTAL FOREST RESTORATION POLICY COHERENCE IN SCOTLAND

In Scotland, various sectoral laws govern forest (biodiversity) restoration practices in the country. These laws include both hard and soft legislation. For instance, the Forestry and Land Management Act 2018 is an important law that regulates felling and restocking practices and specifies the functions of the Scottish Ministers in relation to forestry. While the Act does not include provisions on reforestation or bans/restrictions on clear-cutting, it does regulate tree felling. A felling license is generally required unless the felling falls under exceptions listed in the Act or subsequent amendments. The Commissioners may grant a felling license with or without conditions, or they may refuse to grant such a license. Typically, the license is granted unconditionally, except in cases where it is deemed necessary to impose conditions in the interest of ecological aspects of sustainable forestry, such as water protection and biodiversity conservation, or district amenities.

Another key forest policy in Scotland is the Forestry Strategy 2019-2029, which provides a long-term framework for the expansion and sustainable management of Scotland's forests and woodland. The strategy aims to increase the forest and woodland area, acknowledging broader land use objectives and contributing to the country's ambitious target of increasing the current forest cover from 19% to 25% by 2050. This expansion is expected to be achieved by supporting the creation of various types and scales of forests and woodlands, while ensuring an integrated approach to land use policy that maximizes synergies and minimizes conflicts between different land uses. The Climate Change Plan 2018-2032, which aims to contribute to net-zero ambitions by 2045, provides substantial funding to increase new planting and support the restoration of 250,000 ha of degraded peatland by 2030.

Regarding nature restoration, the Scottish biodiversity strategy to 2045, titled "Tackling the Nature Emergency," sets out an ambition for Scotland to be nature positive by 2030 and to have restored and regenerated biodiversity across the country by 2045. The strategy includes actions to accelerate restoration and regeneration, as well as the recovery and protection of vulnerable and important species. A Strategic Delivery Framework guides these actions and provides detailed delivery plans, including those related to reforestation and afforestation of forested and other lands. Additionally, legally binding nature conservation legislation includes the Wildlife & Countryside Act 1981, which implements the European Council Directive 79/409/EEC on the conservation of wild birds and regulates the control of invasive



species, and the Wildlife and Natural Environment Act 2011, which introduces changes to wildlife management.

Expert surveys have identified various political synergies and trade-offs. For example, the promotion of riparian planting and continuous-cover forestry, as outlined in Scotland's Forestry Strategy 2019-2029, can have positive effects on flood mitigation in vulnerable catchments and contribute to greater habitat diversity, aligning with the objectives of the Wildlife & Countryside Act 1981 and the Biodiversity Strategy to 2045. Furthermore, the expansion of woodlands in mountainous areas and urban settings is expected to enhance the resilience of the strategic transport network by improving slope stability and positively impacting the mental health of citizens. However, there is a critical trade-off concerning competition for land between afforestation and agricultural use. Afforestation on higher-grade agricultural land is generally discouraged due to considerations of food security, while upland areas are often deemed more suitable for non-native conifer afforestation, with a focus on timber production.

In Scotland, the creation of new forests is increasingly recognized for its key role in mitigating the effects of climate change, such as carbon sequestration, flood peak reduction, slope stability, soil conservation, and biodiversity resilience. It has significant public support. However, labour shortage has become a critical bottleneck to achieving ambitious restoration and afforestation targets in recent years, exacerbated by factors such as Brexit and changes in immigration laws.

Table 1: Key forest restoration policies and legislation in Scotland.

| Name | Year of adoption | URL |
|---|------------------|---|
| Forestry and Land Management (Scotland) Act 2018 | 2018 | https://www.legislation.gov.uk/asp/2018/8/contents/enacted |
| Scotland's Forestry Strategy 2019 to 2029 | 2019 | https://www.gov.scot/publications/scotlands-forestry-strategy-20192029/ |
| Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 | 2019 | https://www.legislation.gov.uk/ssi/2019/421/made |
| UK Forestry Standard (UKFS), including guidelines for –Forests and Biodiversity, Forests and Climate Change, Forests and Historic Environment, Forests and Landscape, Forests and People, Forests and Soil, Forests and Water | 2023 | https://www.gov.uk/government/publications/the-uk-forestry-standard |
| FC Bulletin 124, an Ecological Site Classification for Forestry in Great Britain | 2001 | http://www.forestdss.org.uk/geoforestdss/ESCBulletin124.pdf |
| The Scottish Government's Policy on Woodland Removal 2009 | | https://forestry.gov.scot/publications/285-the-scottish-government-s-policy-on-control-of-woodland-removal |

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|--|------|---|
| Wildlife and Natural Environment (Scotland) Act 2011 | 2011 | https://www.legislation.gov.uk/asp/2011/6/contents/enacted |
| Biodiversity strategy to 2045: tackling the nature emergency | 2022 | https://www.gov.scot/publications/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland/ |
| Achieving Diversity in Scotland's Forest Landscapes | 2012 | https://forestry.gov.scot/publications/38-achieving-diversity-in-scotland-s-forest-landscapes |
| The Wildlife & Countryside Act | 1981 | https://www.legislation.gov.uk/ukpga/1981/69 |

VERTICAL FOREST RESTORATION POLICY COHERENCE

The provisions of the Scottish Forest Law related to forest protection and forest set-asides are both implicit and explicit in several aspects. In Section 11, it is stated that the Ministers must manage forest land by promoting the "conservation and enhancement of the environment," which can be interpreted as an implicit commitment to protecting areas for biodiversity. Similarly, in Section 15, the management of non-forested land is required to promote sustainable development, which may include the conservation of ecosystems and protected species, indirectly implying the possibility of establishing protected areas. Lastly, Section 33, which regulates the felling of trees subject to preservation orders, has an explicit focus on the conservation of specific areas of ecological importance.

Article 34 of the Scottish Forestry Law establishes provisions implicitly address the management of deadwood. Felling directions apply when tree felling is necessary to prevent the deterioration of timber quality, improve the growth of other trees, or reduce harm caused by the presence of trees. Although it does not explicitly mention the management of non-living biomass (such as deadwood), the provision to prevent deterioration or improve the growth of other trees may imply the removal of dead or decaying trees, which may affect deadwood deadwood stocks by determining what material should remain or be removed from the forest for these purposes.

In Section 36 of the Scottish Forest Law, the provision on reforestation indirectly relate to uneven-aged and mixed-species forest management. The section emphasizes the duty of Scottish Ministers to promote sustainable forest management when issuing restocking directions, which could involve the replanting of forests with diverse species and varied age structures. Although it does not explicitly refer to the establishment of mixed and uneven-aged forests, the focus on sustainable management may imply practices such as natural regeneration and promoting species diversity may be encouraged to enhance forest resilience and biodiversity.

KEY FINDINGS

Scotland has numerous policies and regulations that address key forest restoration indicators and practices. While these considerations are crucial in related policy areas, competition for land could pose a barrier to future forest restoration efforts—particularly in regions where the opportunity costs of food production far exceed those of forest restoration.

RECOMMENDATIONS

For the successful implementation and scaling of forest restoration, it is essential to leverage synergies across forest-related policy areas while addressing key trade-offs. This can be achieved by better aligning economic interests with nature conservation goals and strengthening law enforcement.

