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Question 1 - What is the current status of *P. ramorum*?

P. ramorum remains listed as a Quarantine Pest with associated import and movement requirements.

Question 2 - Has the Management Zone (MZ) changed?

No. In terms of encouraging larch removal the MZ is considered as a sub-division of the Risk Reduction Zone rather than a separate entity. The option to issue Statutory Plant Health Notices (SPHNs) within the MZ remains but this is likely only where the science or symptoms show a change in behaviour of the pathogen e.g. sporulation or damage to other host species. The MZ legislation has not changed, so how it is applied has not changed.

Question 3 - Why was a review necessary in 2020?

The review of existing legislation and regulatory control was initiated to consider if existing powers and options remained appropriate in arresting the spread of infection and to consider the efficacy of policy and management actions in relation to the control of *P. ramorum*.

The review covered not only the MZ but all of the geographic management zones across Scotland.

Question 4 - Is all the larch not already infected anyway?

Over 90% of Scotland's larch resource – not including the MZ - was observed to be unaffected by *P. ramorum* in 2020, with the vast majority of the larch area affected still confined to the south and west of Scotland.

Question 5 - If it is impossible to eradicate, why bother with any action at all?

It is a legal requirement to control the spread. Land owners have a legal obligation and Scottish ministers are required to enforce.

Eradication is possible in the PAZ and early detection and felling in all zones remains emphatically the scientific view and advice. Research does not disprove if there is more than one sporulation towards the end of the year, so for the objective of eradication it is critical to get newly infected trees felled. A focussed determination in the PAZ will require cross sector commitment.

Question 6 - Can we not move to use using the UKFS for compliance rather than using SPHNs?

The use of SPHNs is embedded within the UK regulatory approach and therefore ensures a consistency not just across UK but also within the SG organisations i.e. SF and the [Horticulture and Management Unit](#) within SASA, and the UK Plant Health Risk Group. SPHNs have much more legal power than a corrective action under UKFS and any change such as this would be at odds with how the rest of the GB countries regulate. The SPHN approach also allows specific grant aiding to support elements of the disease control and restocking of the affected forest area.

Question 7 – What are the key points of the P. ramorum action plan?

The original Management Zone exists as it did prior to 2020, but is essentially a sub-section of the Risk Reduction Zone (RRZ). Together with a second zone called the Priority Action Zone (PAZ), these two zones cover the entire country. Details of the zones and associated management actions are described in the Phytophthora ramorum on larch Action Plan.

Question 8 – How does this updated plan differ from the pre-2020 version?

Greater emphasis has now been given to achieving longer term disease control in the PAZ which contains approximately 2/3 of Scotland's larch resource. The revised plan allows for a more strategic approach to SPHNs in the RRZ, with a greater emphasis on the longer term removal of larch throughout the RRZ and MZ.

Question 9 - What were the drivers for choosing the border line between the RRZ and the PAZ? Will this be reviewed from time to time?

The PAZ demarcates the area we predict that new infection can be eradicated based on the science we have on the pace of spread.

The RRZ acknowledges where eradication is accepted as being unlikely, and containment becomes the principle objective. SF will lead a regular review of the Action Plan which will include consideration of the appropriateness of the zone margins at that time.

Question 10 - Land owners may see the move to prioritisation within the PAZ as ‘taking the foot off the gas’ within the RRZ and the MZ. How can this perception be mitigated?

Consistent communications will include the clear explanation that this is about SF working in partnership with landowners to make best use of resources to reduce the spread of disease, not about diluting UKFS and/or legal responsibilities. Land owners will still be required to comply with strict requirements and SPHNs can still be issued within all three zones if required.

Question 11 - It is perceived that the current SPHN process is slow and impacts on the speed of reaction. Is this being improved?

SPHNs are initiated ASAP after detection, and the process within the PAZ has been improved. SPHNs can be issued ‘on suspicion’ and this will be encouraged within the PAZ.

Question 12 - At what scale will SPHNs be applied in the RRZ?

The default (and backstop) position is to clear all larch within 250m of the symptomatic trees over an agreed timescale – standard SPHN.

However, where there is more than one occurrence of infection and where these are in reasonably close proximity and with similar characteristics, the use of an individual SPHN to cover a group of infection sites (a ‘Cluster SPHN’) is now permitted to be issued by Woodland Officers (WOs).

Forest plan holders, particularly in the RRZ, are strongly encouraged to discuss a proactive larch management plan with their local SF Conservancy, to set annual targets for felling of larch within their management area. Approval will be managed as part of the forest plan approval process or as an amendment to the existing forest plan. If *P. ramorum* infection is identified, the intention will be to align SPHN deadlines to planned larch felling deadlines under the management plan wherever possible. This approach will rely on managers taking a proactive approach to planning and reward them by allowing a less “piecemeal” approach to the felling of the larch in their management area, whilst still ensuring that there is a regulated timeline on removal of infected larch.

Question 13 - What if the 250m SPHN buffer zone includes isolated uninfected larch trees at the edges and these are difficult to access for felling – since they are uninfected can these be left?

Isolated asymptomatic larch trees that are not contiguous with symptomatic trees within the 250m SPHN buffer zone must also be felled ‘as the rule’. Land owners should have early discussions with WO’s where there are specific and - with evidence - insurmountable difficulties perceived in felling any trees within the buffer zone by the due date.

Question 14 - Legal approval for forest plans only covers two felling phases (so only covering a ten year period). If the intention within the RRZ (and MZ) is to remove all larch over time how do we tackle that?

Land managers are asked to review and amend existing management plans to bring forward larch removal from within the RRZ (including the MZ) with the aim of progressively reducing the amount of larch in this zone. Similar considerations apply in the climatically suitable areas of the PAZ where larch is particularly vulnerable or would be particularly difficult to access in the short timescales of a SPHN.

Question 15 - Won't prematurely felling larch under SPHN compromise existing adjacency tolerances?

If a SPHN is served on a forest under an extant forest plan then '*de facto*' the plan likely requires to be amended at that point already and consideration given to felling and restocking plans. This will not change.

Question 16 - There is no legal basis on which land owners can be forced to fell uninfected larch out with the SPHN buffer zone. Is this something that is desired and if so how can this be effected?

Part 4 of the Felling (Scotland) Regulations 2019 permits Scottish Ministers to instruct tree felling under certain conditions outlined in section 34(2) of The Forestry and Land Management (Scotland) Act 2018 (1) using a 'Felling Direction'. Under SPHN it is reasonable to expect land owners and managers to have agreed a plan of action that will be enacted, and so the ability to enforce under the above legislation is very much seen as the exception rather than the rule.

Question 17 - What are the incentives for private sector land owners to comply?

Under UKFS "land managers should be aware of the risks posed by pests and diseases, be vigilant in checking the condition of their forests and take responsible measures to combat threats to tree health" as a default. Under the Forestry Grant Scheme, sites which have a SPHN served on them that specifically requires the site to be cleared within a defined timescale to prevent the spread of *P. ramorum* are eligible for support for the work to remove affected trees and carry out subsequent replanting.

Question 18 - Can Eco-plugs be used instead of tree felling?

The chemical killing of trees remains an option in certain circumstances but is counteracted by the continued sporulation following treatment and the time trees take to die standing, and would have to be agreed in advance with Conservancy staff. The felling of larch trees remains the default and most effective course of action.

Question 19 - Where do we stand when there is a European Protected Species (EPS) that could be impacted by the felling of infected larch trees?

SPHN legislation does not 'trump' EPS legislation nor vice versa. Early engagement with all relevant regulatory bodies must take place to achieve positive outcomes.

Question 20 - Do land owners need to wait for a felling grant to be approved before they can start to fell following an SPHN?

As things stand land owners can only claim for work that is undertaken once they have an approved contract in place. Work completed before the contract is approved will not be eligible for support. Where works can begin quickly, conservancies can promptly respond to grant applications for SPHNs.

Question 21 – Did the changes brought in following the review in 2020 require changes to legislation?

No changes to legislation were required.

Question 22 - What is the basis for the advice and guidance used in developing policies in relation to managing *P. ramorum*?

The national and global scientific evidence base relating to *P. ramorum* continues to develop. Partners in the review team, Forest Research advised the group throughout based on best available evidence at the time of the review. Subsequent guidance and advice may therefore also require updates as and when any new research or advice becomes available.

Question 23 - Is there anything that the general public need to do?

Everyone is encouraged to report signs of tree infections via [Tree Alert](#).

Everyone has a part to play in keeping our forests healthy. Pests and diseases can move from one site to another in mud and dirt collected on boots, tyres and equipment.

The most important thing people can do is '[keep it clean](#)', making sure that they clean shoes, bikes and kit before and after visiting any forest.

Question 24 – Are grants still available in the way they were in the previous action plan?

Yes, the same grant scheme is still available. See link here: [Tree Health \(ruralpayments.org\)](#). Applications must be made in good time and in advance. Conservancies remain able to process applications as they are received to ensure this does not hold up disease control operations.

Question 25 – Within the PAZ there is the option for either a 100m or a 250m buffer zone. Who decides – the land owner or Scottish Forestry?

The land owner makes this decision. If a land owner requests a 100m buffer zone, indicating that they intend to fell larch in the buffer zone before the end of the following August, they will be expected to do this. Extending remains an option at Scottish Forestry's discretion but if a 250m buffer zone is more achievable at the time of serving the initial SPHN then that is what should be agreed through discussion.

Question 26 – Can an SPHN within the PAZ be served with two completion dates, one for a 100m buffer and one for a 250m buffer?

Usually no. In most cases an SPHN will have a single completion date. Site specific reasons may require areas within an SPHN to apply different treatments or timescales which will be considered and factored into the SPHN and mapped where necessary. Extensions to compliance dates remain an option at Scottish Forestry's discretion.

Question 27 – Does larch outside of SPHNs still require a felling permission?

Yes. This has not changed.

Question 28 - Can healthy larch be felled and processed for use in higher risk industries – like using bark woodchip for horticultural purposes?

Larch material affected by *P. ramorum* should be processed in line with the SPHN requirements by approved processors to minimise the risk of further spreading infection to a range of potential host plant species. There are areas of Scotland where infection is not present and larch can be felled and treated as healthy.

Question 29 - I already have felling permission in place for an area of trees under a forest management plan. Do I need to have the larch element inspected before I can fell them?

It is a UKFS requirement for forest owners to inspect tree species for notifiable pests and diseases, and any suspected restricted pests or pathogens should be reported to Scottish Forestry.

Question 30 - Can I still plant larch in Scotland, and will I be able to get grant aid for larch planting?

Where owners want to plant with larch in low risk areas, this may be eligible for grant support. The owner must accept responsibility to repay any grants or replant any areas in the event of failure of the larch due to *P. ramorum*. Larch will not be grant-aided as a species in the RRZ.

Question 31 - What is the reference within UKFS that a non-compliance with a SPHN means that the land owner could be at risk of action against them and possible loss/reclaim of grant monies?

Legal requirement 8: "Statutory orders made under the Plant Health Acts to prevent the introduction and spread of forest pests and diseases must be complied with; suspected pests and diseases must be reported to the forestry authority if they are notifiable, access must be given to Plant Health Inspectors and their instructions must be followed."

"The forestry authorities [in this case Scottish Forestry] also provide incentives to encourage the creation of new woodlands and the management of existing woodlands. The payment of grants is conditional on meeting UKFS Requirements".

Question 32 – Does the Tolerance table in the Phytophthora ramorum Action Plan apply within the existing Management Zone?

Yes. The Management Zone is an inherent part of the RRZ and thus the Tolerance table applies to both, and equally across all land holdings.