

Forestry England Board

Terms of Reference

Version 8

Document History			
Version	Update	Date - Forestry England Board recommendation	Date FC approval
Version 1	Original Document		13.12.18
Version 2	Addition of health & safety responsibilities, and option to appoint non-executives.	14.05.2019	17.07.19
Version 3	Addition of decision-making responsibilities for joint ventures (incl. Forest Holidays and Camping in the Forest).	09.03.2020	2.07.20
Version 4	Annual review added.	4.06.2020	2.07.20
Version 5	Approved by BoC	2.07.2020	2.07.20
Version 6	2021 Annual review by Forestry England Board	22.09.21	9.12.21
Version 7	2022 Annual review by Forestry England board	20.07.22	8.12.22
Version 8	2023 Annual review by Forestry England board	06.12.23	15.04.24
Version 8	2024 Annual review by Forestry England Board - confirmed with no amendments	03.12.24	



Forestry England Board

Terms of Reference

This Board is appointed by the Forestry Commissioners to enable them, as ‘the appropriate forestry authority’ in England to discharge their duties and exercise their powers set out in the Forestry Act 1967 and other relevant legislation, including the Countryside Act 1968¹.

The Board will set strategy for Forestry England, provide leadership through setting the standards for how Forestry England does its work and the culture it promotes, and supporting the Forestry England executive through constructive challenge and guidance ensuring the highest levels of corporate governance are maintained.

Annex A describes the functions that the Board of Commissioners have delegated to the Forestry England Board.

The main duties of the **Forestry England Board** are to:

- discharge functions delegated to them by the Board of Forestry Commissioners, to achieve a reasonable balance between social, environmental and economic outcomes.
- set the strategic direction for the activities of Forestry England, including their part in the delivery of the objectives of the Forestry Commission, Defra and the Government’s forest policies;
- determine, agree and promote the values of Forestry England;
- ensure excellence in sustainable forest and land management, including ensuring that UKWAS Certification is maintained;
- ensure sound financial management of Forestry England; ensure commercial objectives are met, approve the allocation of finance in line with its functions and priorities;
- determine recommendations for Forest Holiday’s new sites options to lease;
- agree and recommend for Defra and HM Treasury approval entry into any joint venture arrangement;

¹ The key relevant powers and duties of the Forestry Commissioners have been summarised in these Terms of Reference, the full text of the various Acts should be referred to for full details of the Commissioners powers and duties.

- monitor and steer the performance of Forestry England, ensuring clear, consistent, comparable performance information is used to drive improvements;
- determine Forestry England's risk profile, ensure controls and mitigations are implemented, ensure a safe, healthy and inclusive working and recreational environment, ensure value for money and compliance with statutory or administrative requirements of a Public Corporation and Executive Agency;
- ensure Forestry England has the expertise to deliver current and future needs through management and succession planning;
- ensure that effective relationships are maintained with stakeholders, customers, suppliers, employees and other government departments and that reputation is upheld;
- communicate the work of Forestry England to staff, volunteers, the public, partners and the media; and,
- approve the Business Plan and Annual Report and Accounts and other key corporate documents relating to Forestry England.
- Support the Forestry England Chief Executive in the discharge of their duties as Accounting Officer for Forestry England.

The Forestry England Board is chaired by a non-executive Forestry Commissioner. The other members are the Chief Executive of Forestry England [Accounting Officer], the Chief Operating Officer for Forestry England, the Chief Finance Officer, the Forestry Commission Chief Executive Officer and up to four other non-executive Commissioners appointed for their specific relevant expertise. Additional non-executives may be appointed by the Forestry Commission, as appropriate, to add strength to the Board.

The Forestry England Board will share information as appropriate with the Forest Services Board, the Forest Research Board and the Forestry Commission Executive Board, ensuring collaboration and cooperative working to matters that require decision, resolution or co-ordinated action across the Forestry Commission.

The Forestry England Board will have the ability to escalate issues as appropriate to the Board of Commissioners.

The Forestry England Board may act by three of their number, notwithstanding a vacancy in their number, consisting of a mix of non-executive and executive members. If the Chair is not one of the members present, then the meeting chair will come from one of the non-executive members present.

The Board will usually meet every two months but may elect to meet more or less frequently (but no less than once every quarter) in a blended mix of face to face and virtual meetings, with no fewer than two face to face meetings each year.

These terms of reference will be reviewed annually by the Forestry England Board.

Sub-Committees

Forestry England Audit and Risk Assurance Committee

Annex A

Scheme of Delegation

FUNCTIONS DELEGATED BY THE BOARD OF COMMISSIONERS

FUNCTION (listed by legal basis for activity ²)	FORESTRY ENGLAND BOARD (FEB)	FOREST SERVICES BOARD (FSB)	FOREST RESEARCH BOARD (FRB)
Forestry Act 1967 (as amended): Note: The Forestry Commissioners are the 'appropriate forestry authority' in England.			
To manage the land placed at the disposal of the Forestry Commissioners by the Minister (Secretary of State, Defra) for the functions of the Forestry Commissioners, including promoting the interests of forestry, the development of afforestation and the production and supply of timber whilst endeavouring to achieve balancing duty set out in part 3A of the Act.	X		
Promoting the interests of forestry, the development of afforestation and the production and supply of timber and other forest products.		X	
Promoting the establishment and maintenance in England of adequate reserves of growing trees	X	X	
To implement the powers to control tree felling as set out in Part II of the Act		X	
Undertake the collection, preparation, publication and distribution of statistics relating to forestry;			X
Promote and develop instruction and training in forestry	X	X	X
Carry out experiments and research either directly or with others for the purpose of promoting forestry and publish the results			X

² The key relevant powers and duties of the Forestry Commissioners have been summarised in this list of key functions, the full text of the various Acts should be referred to for full details of the Commissioners powers and duties.

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of research aid the disseminate the information on forestry;			
Exploit any intellectual property or intangible assets arising from the carrying out of any activity.	X	X	X
The establishment and maintenance of regional advisory committees		X	
Countryside Act 1968 (as amended)			
To provide, or arrange for or assist in the provision of, tourist, recreational or sporting facilities on the land placed at the disposal of the Forestry Commissioners	X		
Plant Varieties and Seeds Act 1964:			
The establishment and maintenance of an official seed testing station for silvicultural propagating and planting material and charging powers in respect of seed testing activity.	X		
Plant Health Act 1967:			
The competent authority for the protection of forest trees and timber from attack by pests and diseases, and the power to make orders		X	
Forest Reproductive Material (Great Britain) Regulations 2002:			
The selection, development and marketing of seeds for use as forest reproductive materials, including establishing labelling, marking and record keeping requirements; in particular, they establish a regime for registration of basic reproductive materials and for their regions of provenance. The Regulations implement an EU Directive on the marketing of forest reproductive material and on external quality standards for forest reproductive material marketed within the EU.	X [Application]	X [Regulations]	
Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999 and The Environmental			

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Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 2017:			
The appropriate forestry body undertake the role set out in regulations, primarily to decide if a project is a “relevant project” and if so grant or refuse consent having followed due process.		X	
Countryside and Rights of Way Act 2000:			
The “relevant authority” for all woodland in England dedicated under the Act for public access		X	