<u>Detailed guide: Tree felling licence:</u> when you need to apply

Who can apply for a licence

Anyone can apply for a felling licence, but it must be issued in the name of the owner or lessee of the property. Lessees must ensure that their lease entitles them to fell trees. Where an owner or lessee uses an agent, the agent must demonstrate that they are authorised represent the applicant — use the <u>agent authority form</u>.

In some circumstances, a licence can be issued to someone who is not the owner or lessee but who has sufficient legal interest in the land. This means that they must be able to demonstrate that they can fell the trees without the need to get permission from anyone else.

We'll accept applications from and issue licences to a business or organisation. Such applications must include details of a named individual who has authority to sign the application and is able to sign any restocking conditions. This person will be an employee of the business or organisation, or an agent with sufficient authority.

Felling trees without a licence, where one would have been required, is an offence.

Exemptions

Not every tree felling project requires a felling licence. Exemptions can be based on:

- location
- the type of tree work
- the volume and diameter of the tree
- other permissions already in place
- legal and statutory undertakings

Find out more about felling licences, exemptions and how to apply in our guide

<u>Tree felling – getting permission</u> (PDF, 1.69MB, 8 pages)

You can also contact your nearest <u>Forestry Commission area office</u> before felling to check whether a licence is required.

Environmental map browsers

The Forestry Commission's <u>Land Information Search (LIS)</u> is a map-based tool that allows you to search for information about land designations or features that might already apply to your land or affect your woodland management and tree felling proposals. It also shows details of other approved felling licenses in your area.

Natural England's <u>MAGIC map browser</u> contains a greater range of environmental data and can provide further information on designations and issues that might affect your woodland or woodland management proposals.

How to apply for a tree felling licence

You need to complete this tree felling licence application form.

Send a completed application form to the nearest <u>Forestry Commission</u> administration office.

You must send 2 signed and dated copies of a map showing the boundary of the tree felling proposals with your application.

If you're using an agent, you must also send an Agent Authority Form with your application. The agent will then be able to sign your felling licence application, restocking conditions (where they apply) or an application for a felling licence without restocking in order to change land use (deforestation). This only needs to be done once for each client represented.

If you're applying to fell trees on a site of special scientific interest (SSSI) then you should also complete a <u>Supplementary notice of operations</u> within a site of special scientific interest. This document will provide more detail on how you propose to manage the tree felling and protect the SSI, and will allow us to issue Natural England's consent for the work at the same time as the felling licence.

How to appeal our decision

If an approved felling licence has replanting conditions applied to it and you are not happy with them, you should initially <u>contact your local woodland</u> officer and discuss the issue.

However, if you're still unhappy with the conditions applied to your felling licence, you can appeal to the appropriate Forestry Minister. You must do this in accordance with the details on your felling licence. If you do not follow these then your appeal will not be accepted.

The Minister will usually get the advice of a reference committee (independent of the Forestry Commission and selected to consider the case), before giving a decision on whether the conditions should remain or be amended.

You may also appeal against refusal of a felling licence to the Minister, but only if you have been refused a licence twice for the same area and work proposals. There must be at least 3 years between our first and subsequent refusal.

Management plans and felling licences

Felling licences can be issued following the review and agreement in principle of a detailed woodland management plan that meets the standards and requirements set out in the <u>UK Forestry Standard</u>.

Restocking conditions on a licence

Restocking conditions will normally be included on felling licences where tree felling will result in creating openings within a woodland. Conditions are applied to ensure:

- restocking or regeneration of the felled area with replacement trees
- replacement trees are maintained for a period not less than 10 years

Felling licence applicants are required to provide restocking proposals as part of their application, and these will be discussed with the Forestry Commission when processing the application. The applicant will then be sent a copy of the final proposed restocking conditions. They must raise any concerns over the proposed conditions within 14 days in order to agree an alternative before the licence is issued.

The government has a general policy against felling woodland without restocking. Licences to thin woodlands are granted unconditionally, without the need to restock.

Using an approved felling licence

Once a felling licence is approved by the Forestry Commission it cannot be changed.

If you need to change your felling proposals then you will need to make a new application. If you have already felled the trees within the licence, you must complete the associated restocking conditions. These also cannot be changed.

Selling land with a felling licence

A felling licence is transferable to a new land owner as long as there is no change to the felling or restocking set out in the felling licence.

Any restocking conditions that apply to the land after a felling licence has been enacted remain in force after the land is sold. Those who sell land with a felling licence must advise the Forestry Commission and the purchaser accordingly.