

15th May 2017

Circular 08-2017

To all Registered Foresters and Forestry Companies

Re:

- 1. Licence Applications for Afforestation Grant and Premium Scheme and Forest Road Works**
- 2. Tree Felling Licences**
- 3. Forestry Appeals Committee**

I would like to advise you of changes to the processes for applying for licences for the above Schemes and of the introduction of the Forestry Appeals Committee, following commencement of the Forestry Act, 2014, on 24th May 2017.

1. Licences for Afforestation Grant and Premium Scheme and Forest Road Works

The requirement for a Site Notice to be erected on sites proposed for afforestation or the construction of a forest road has been introduced. A copy of the Site Notices to be used may be found with this Circular and may also be downloaded from the [Department's website](#), shortly. All applications for licences for Afforestation Grant and Premium Schemes and Forest Road Works submitted for approval from 24th May 2017, must have a Site Notice appropriately positioned on the site.

The Site Notice must be maintained in position for a period of not less than five weeks from date of receipt of the licence application by the Department. If the Notice is removed or becomes illegible it must be replaced within that period.

The contract number (CN) must be included on the Site Notice. Where a licence application is submitted via iNet, the contract number will be obtained during the application process. Where the forester intends submitting a paper application they must send an email to forestryonline@agriculture.gov.ie, with the scheme type, name and FO number of the applicant, townland and county of site. A CN will be generated and sent to the forester.

Licence Applications for Afforestation Grant and Premium Schemes and Forest Road Works must;

- Clearly indicate the location of the Site Notice on the bio-diversity map;
- Include photographs of the Site Notice in situ, and;

- Include a copy of the Site Notice.

2. Tree Felling Licences

A single licence process has now been introduced for tree felling. The licence allows for a felling period of up to 10 years, which may be extended for further periods up to an additional five years. Where a licence for the felling of trees is granted on or after 24th May 2017, the licensee shall erect a Site Notice, seven days prior to the commencement of and remain in place for the duration of harvesting operations. A copy of the Site Notice to be used may be found with this Circular and may also be downloaded from the [Department's website](#), shortly.

There is now an extended list of exempted trees to allow felling without a tree felling licence for trees outside of the forest in certain circumstances. A list of common scenarios where trees may be felled without a tree felling licence is attached to this Circular and will be on the [Department's website](#), shortly.

3. Forestry Appeals Committee

The Forestry Appeals Committee (FAC) has been established on a statutory basis to deal with appeals against licence applications, that is, approvals for afforestation and forest road works; aerial fertilisation and tree felling. For afforestation, forest road works and aerial fertilisation, appeals relate to Form 1 licence applications only. Provision has also been made for third party appeals. The FAC will be part of the independent Agriculture Appeals Office.

A 28-day time limit for the receipt of appeals, from the date of decision, will apply to applicants, in the event of a negative decision or in relation to any licence conditions; and third parties appealing a decision to grant a licence or any licence conditions. In order to allow for third party appeals, no forestry operation, including felling may commence within this 28-day limit.

General

Licence applications for Afforestation Grant and Premium Schemes, Forest Road Works and Aerial Fertilisation and Tree Felling Licences will be published on the [Department's website](#). A period of 30 days is allowed for public consultation during which a submission or observation in relation to the licence application may be made in writing (by post or email) to Forest Service, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Wexford; email

forestryappeng@agriculture.gov.ie. The Department may grant a licence with or without conditions, or may refuse to grant a licence.

Applications may be inspected at the offices of the Forest Service, at the above address, between 9.00am and 4.00pm Monday to Friday (excluding Public Holidays) or may be purchased for a reasonable fee, by making a request in writing to the postal address or email above.

Appeals to the FAC must be made in writing to Forestry Appeals Committee, Kilminchy Court, Portlaoise, Co. Laois. The appeal must include the facts and contentions upon which the appellant intends to rely together with any documentary evidence submitted in support of the appeal.

Ann Cunningham
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Forest Service