
STATUTORY INSTRUMENTS

2002 No. 226

The Forestry (Felling of Trees) (England and Wales) (Amendment) Regulations 2002

Amendment of the principal regulations

2.—(1) In their application to England and Wales, the Forestry (Felling of Trees) Regulations 1979⁽¹⁾ (“the principal regulations”) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3(1) the following definition shall be inserted in the appropriate alphabetical order:—

““electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

- (a) by means of a telecommunication system (within the meaning of the Telecommunications Act 1984)⁽²⁾; or
- (b) by other means but while in an electronic form.”.

(3) After regulation 3(1) there shall be inserted the following paragraph—

“(1A) In these Regulations references to an application or a map being “authenticated” are references to there being incorporated into or otherwise logically associated with it something in electronic form for the purpose of establishing whether it comes from a particular person or other source and, if applicable—

- (a) whether it is accurately timed and dated; and
- (b) whether it is intended to have legal effect.”.

(4) For regulation 4 of the principal regulations there shall be substituted the following regulation—

“Application for felling licence

4. An application for a felling licence made to the Commissioners under section 10(1) of the Act shall—

- (a) be in writing or in the form of an electronic communication;
- (b) be signed, or authenticated, and dated;
- (c) include the particulars specified in Schedule 2 to these Regulations; and
- (d) be accompanied by an Ordnance Survey map signed, or authenticated, and dated by the applicant showing the area to which the application relates on a scale not smaller than one to ten thousand and with the National Grid reference of the north west corner of the area marked on the map.”.

(5) For Schedule 2 to the principal regulations there shall be substituted the following Schedule—

(1) S.I.1979/791, amended by S.I. 1987/632.
(2) 1984 c. 12.

“SCHEDULE 2

Regulation 4

Particulars to be included in an application for a licence

The following particulars shall be included in an application for a licence—

- (a) the full name and address of the applicant;
- (b) the applicant’s estate or interest in the land on which the trees in respect of which a felling licence is sought are growing;
- (c) the full name and address of any person whose consent is needed to fell the trees and whether such consent has been given;
- (d) the type of felling proposed;
- (e) the trees (including the species) which the applicant proposes to fell;
- (f) the proposed date of commencement and estimated date of completion of felling;
- (g) any proposal for restocking the felled areas and/or any other areas;
- (h) whether any tree preservation order (made or having effect as if made under section 198 of the Town and Country Planning Act 1990(3)) affects the trees in question; and
- (i) whether any tree is in a conservation area (designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990(4)).”

(3) 1990 c. 8.
(4) 1990 c. 9.