

# Felling Licence to fell growing trees



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**11/01/2022**

**Application ref: 019/2040/2021**

**Management Plan Ref: No**

**Felling Licence (Forestry Act 1967)**

**Woodland Name: Brotherhood / Poundfall Woods**

Please find your approved Felling Licence and associated work area map(s) enclosed. If you are a managing agent receiving this Licence on behalf of the owner / tenant, you must forward a copy of the Licence to the owner / tenant for their attention.

Please note the expiry date for completion of the work.

If this Licence contains conditions for restocking, it is the responsibility of the owner / leaseholder / tenant of the land to ensure that the conditions are met by the required date(s) specified in this Licence. The Forestry Commission may visit the site at any time to inspect compliance of this Licence and its conditions.

## Non-compliance with Conditions of the Licence

Failure to comply with the conditions of this Licence may result in an Enforcement Notice being served upon you or any successive owner of the land. Subsequently, failure to comply with an Enforcement Notice may constitute an offence under section 24(4) of the Forestry Act 1967, involving a summary conviction and an unlimited fine.

## Timber Regulations

The Plant Health Regulation (EU) 2016/2031 (PHR) requires the use of Protected Zone plant passports for the movement of all conifers and *Castanea* species (including sweet chestnut) with bark, and standard plant passports for *Juglans*, *Platanus* and *Pterocarya* species (e.g. walnut, plane, wingnut) with or without bark. For these species, a plant passport will be required at each stage of the transport chain where whole or chipped roundwood (including brash) is moved from the harvesting site or site of aggregation, to the processor and the movement of isolated bark whether or not mixed with other materials.

Professional operators must join a register managed by the competent authority, where the professional operator is authorised to issue plant passports. Forest owners will not normally issue passports unless they are responsible for commissioning the movement of timber.

Guidance on how to **Register as a Professional Operator to issue Plant Passports** is available on [GOV.UK](http://GOV.UK).

UK legislation governing timber legality prohibits trade of illegally harvested timber and timber products. It requires those responsible for placing UK grown timber onto the market for the first time, the 'Operator', whether they are an owner, contractor or timber merchant, to maintain documentation to prove that the timber is harvested from a legally authorised resource.

A timber regulations Due Diligence checklist is required when placing the timber authorised by this felling licence on the market for the first time. The parties involved will need to complete, and each retain a copy of, the Due Diligence checklist (along with any other documents that demonstrate the timber has been felled in conjunction with all other relevant legislation e.g. Health and Safety). More information on timber regulation is available on GOV.UK by searching '[Regulations: timber and FLEGT licenses](#)'.

#### For those in receipt of Rural Payments

If you claim rural payments, you must follow a set of rules called Cross Compliance, which include Good Agricultural and Environmental Condition of land (GAEC) rules. These rules may impact what times of the year you can cut down trees on land receiving rural payments. Failure to comply with these rules may result in a reduction of payments made by the Rural Payments Agency.

#### Protected sites - Sites of Special Scientific Interest or Scheduled Monuments

This Licence only gives you permission to fell the trees specified in the Licence. It does not give you the additional consents that you require in order to conduct works (including felling) within Sites of Special Scientific Interest or Scheduled Monuments (protected sites). These consents may be enclosed with this felling licence, but if they are not, you should not fell trees on protected sites without the formal consent from Natural England or Historic England respectively.

#### Planning permission

If, after felling trees authorised to be cut down in this Licence, you seek planning permission for any form of development on the felled area, you should be aware that the granting of planning permission will not override the conditions of this Licence or any subsequent Enforcement Notice issued under section 24 of the Forestry Act 1967.

#### Environmental Information Regulations

Felling Licences are disclosed on request and may be published under the Environmental Information Regulations. Disclosure and publication will take into account the requirements of the Data Protection Act 2018 in respect to any personal information included in the licence.

Yours sincerely

For the Forestry Commission

# Licence to Fell Growing Trees

To: Ms Roseanne Sheridan  
Brotherhood Wood Yard,  
Gate Hill, Dunkirk,  
Faversham,  
ME13 9LN

This Licence gives you permission under section 10 of the Forestry Act 1967 as amended to fell the trees described in Part 1 of this licence and in the areas shown on the appended map(s).

Tree felling under this Licence has been approved by the Forestry Commission as being in accordance with government policy for the sound management of a renewable resource, based on the application made. The Licence issued is intended for use by the person with an interest in the land that enabled them to apply for the licence in the first instance.

## **The felling permissions in this Licence expire on: 11 Jan 2027**

Prior to felling, all parties (agents, contractors, stakeholders) who are involved or affected by the felling must be made aware of this licence and provided with a copy of the Licence and map(s) on request. After enacting any part of this licence, if you sell the land you should also tell the new owner about this Licence.

If a Tree Preservation Order (TPO) is placed on these trees after this Licence was applied for or issued, you must contact the Forestry Commission as you will need a new Licence if you wish to fell the protected trees. Without a new felling Licence, you may potentially be committing an offence under the Town and Country Planning Act 1990 in relation to the TPO. The local planning authority is not empowered to grant you permission to fell protected trees if that felling would ordinarily require a felling Licence.

Tree felling operations must be carried out in a manner that reflects good forestry practice, as set out in the current UK Forestry Standard (UKFS). When preparing tree felling operations, appropriate consideration should always be given for possible impacts on habitats and species, these will include but not limited to:

- Ensuring operations are in compliance with the Conservation of Habitats and Species Regulations 2017 relating to European Protected Species (EPS); and
- Ensuring timing of operations (such as in the bird nesting season) are in compliance with the protection of birds under the Wildlife and Countryside Act 1981.

Any felling operations for 'thinning' approved by this Licence must be implemented evenly across the felling site(s) for thinning identified under Part 1 of this licence. The felling operation for thinning will not exceed 30% of the total number of trees or remove more than 30% of the original canopy cover per operation, unless otherwise agreed by the FC and confirmed in this licence. Note: tree felling operations for 'thinning' that occur at a greater intensity than 30% of the number of trees or area of canopy (in all or part of an operational area) may constitute a breach of the Licence.

Where conditions of the Licence state that restocking is by natural regeneration or by using coppice regrowth, ground conditions must be maintained to facilitate and secure natural regeneration, and coppiced stumps must be retained in situ and be adequately protected to allow site native natural regeneration to occur.

### Tree Health

If you have any reason to suspect the presence of tree pests or disease, e.g. *Phytophthora ramorum*, you are obliged to inform the Forestry Commission at the earliest possible opportunity, as per your obligation under article 14 of The Plant Health Regulation (EU) 2016/2031 (PHR).

If larch or other tree species susceptible to *Phytophthora ramorum* included in this licence display symptoms of this disease you must not fell those trees until the FC have had the opportunity to assess their health. If *Phytophthora ramorum* presence is suspected or confirmed, the area will become subject to a Statutory Plant Health Notice (SPHN), the conditions of which will override those contained within this licence.

John Stafford

Date: 11/01/2022

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Signed for and on behalf of the Forestry Commissioners

## Part 1 - Description of the trees to be felled

Property: Brotherhood / Poundfall Woods

Name of wood: Brotherhood / Poundfall Woods

Local Authority: Swale District

Approved Felling  
Details:

Felling site, subcpt or coupe	Type of operation	Marking of trees	Digitised Area ha	Total number of trees	Estimated volume m <sup>3</sup>	Species
W12	Clear Felling	No	0.18	300	300	mixed conifers
W13	Clear Felling	No	0.27	400	400	mixed conifers
W14	Clear Felling	No	0.19	200	300	mixed conifers
W15	Clear Felling	No	0.59	1000	1000	mixed conifers
W16	Clear Felling	None	0.39	400	400	mixed conifers

## Part 2 - Restocking Conditions

Condition A: Restock on felled area.

The following conditions apply to the licenced felling in W12, W13, W14, W15.

1. Before 30th June 2 growing seasons after felling the land on which the felling took place must be:
    - a. prepared for planting
    - b. Planted with 20% sweet chestnut 20% rowan 20% oak (robur/petraea) 20% hazel 20% beech to achieve not less than 1200 stems per hectare evenly distributed over the site
  2. For a period of 10 years from the planting:
    - a. The plants must be protected against damage and be adequately weeded.
    - b. Any failure or losses should be replaced as necessary to provide a stocking of not less than 1200 stems per hectare evenly distributed over the site.
    - c. Any replanting must be maintained in accordance with the rules and practice of good forestry.
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Condition A: Restock on felled area.

The following conditions apply to the licenced felling in W16.

1. Before 30th June 2 growing seasons after felling the land on which the felling took place must be:
    - a. prepared for planting
    - b. Planted with 25% sweet chestnut 25% rowan 25% oak (robur/petraea) 25% birch (downy/silver) to achieve not less than 1200 stems per hectare evenly distributed over the site
  2. For a period of 10 years from the planting:
    - a. The plants must be protected against damage and be adequately weeded.
    - b. Any failure or losses should be replaced as necessary to provide a stocking of not less than 1200 stems per hectare evenly distributed over the site.
    - c. Any replanting must be maintained in accordance with the rules and practice of good forestry.
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## Part 3 - Supplementary points

All felling and extraction sites will be surveyed prior to work starting. The survey will locate features that must be avoided so that they are preserved and are not disturbed during felling and extraction of the trees such as: archaeological features, badger setts, bird nests, and sites being used by European protected species.

Clear Fell:

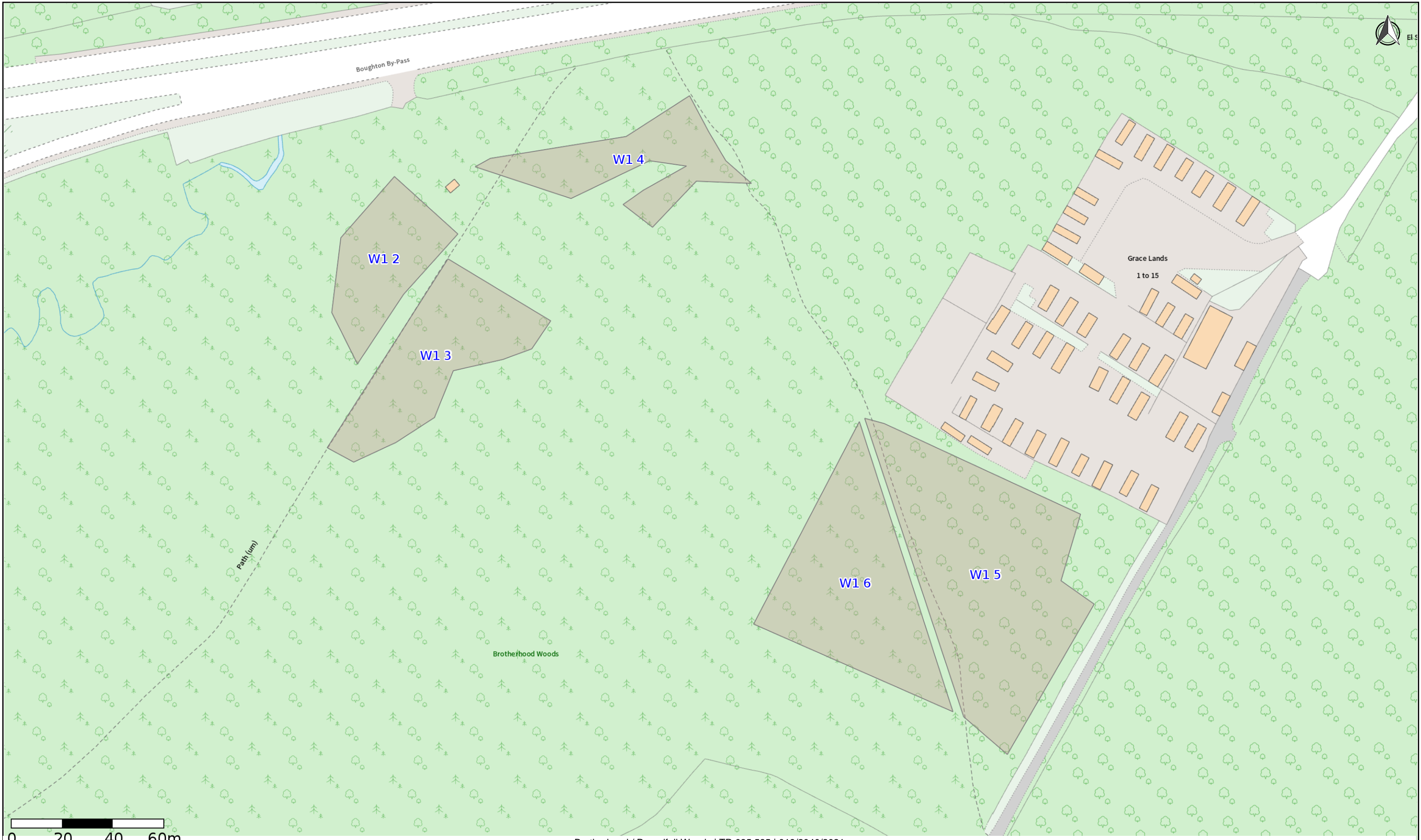
Timber extraction routes and stacking areas will be pre-selected to minimise damage to the environment.

Following completion of the felling operations, sufficient stem and branch wood resulting from the cutting is to be disposed of to allow full restocking. Suitable methods of site clearance are; burning on not more than 4 sites per hectare, chipping where the chips are removed off site, or any other method that will not destroy the biodiversity of the area being regenerated. Where adjacent coupes are to be cut in consecutive years, the restocking has to have reached 2m in height before the adjacent coupe is felled.

A selection of dead wood will be retained on site (both standing and lying).



# Operations Map

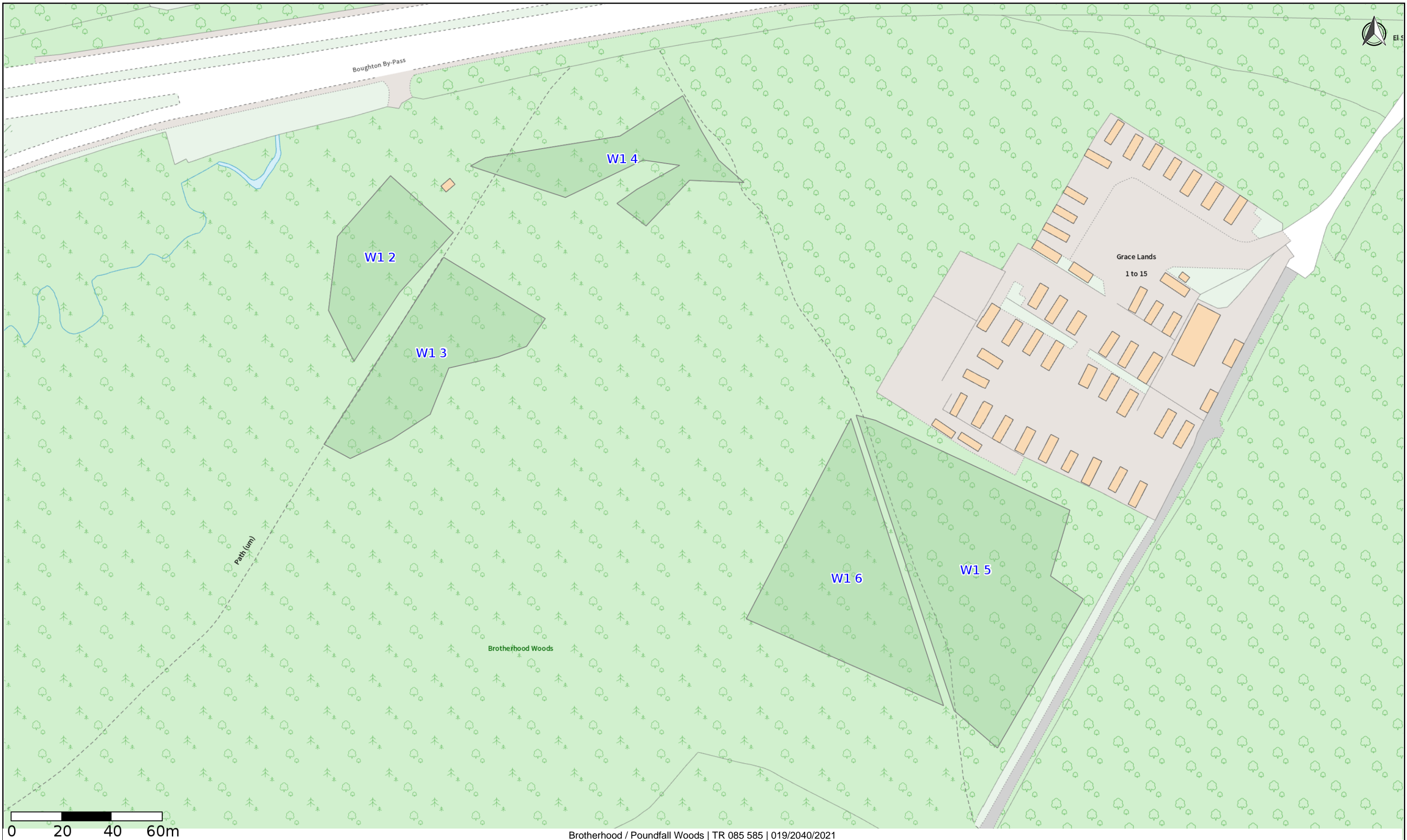


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# Restocking Map



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