

**Title:** Regulatory Decision: The need for a Felling Licence to manage trees within windblown or wind snapped areas

**Valid until:** 1 June 2025

The recent storm Darragh caused unprecedented windblow and wind snap of trees across the woodlands and forests of Wales.

We recognise that the consequences of the storm will need to be managed in a timely fashion to remove obstructions, restore rights of way and ensure the ongoing safe management operations of woodlands in Wales.

This Regulatory Decision is valid until 1st June 2025 by which time it will be reviewed.

You should check back at that time to ensure the Regulatory Decision is still valid.

NRW can withdraw or amend this Regulatory Decision before the review date if we consider it necessary. This includes where the activities that this Regulatory Decision relates to have not changed.

## Regulatory Decision

NRW will not take enforcement action against you for failure to obtain a felling licence for woodland management activities needed as a direct result of the impacts of storm Darragh, where those activities are carried out in line with the conditions of this Regulatory Decision.

Any Larch included within proposed felling associated with this Regulatory Decision shall be considered infected with *Phytophthora ramorum* and a Statutory Plant Health Notice allowing for the movement of Larch to an authorised processor shall be required from Natural Resources Wales. This will be sent along with the confirmation e-mail detailed in the Conditions.

This Regulatory Decision applies to felling operations that are necessary to remove windblown or wind snapped trees resulting from the impact of storm Darragh and any growing trees as far as the nearest windfirm edge relevant to that impact.

This includes:-

- Felling trees specifically to enable access for the removal or management of windblown or wind snapped trees in line with good forestry practice as set out in the UK Forestry Standard ([UKFS](#)).
- The removal of any trees within the impacted area where necessary, this includes any isolated trees still standing in the affected windblown area in line with good

forestry practice as set out in the UK Forestry Standard.

This excludes:-

- Any trees or land which is subject to ongoing enforcement action from NRW or any trees or land whereby the owner is subject to ongoing enforcement action from NRW.
- Any area where a felling licence application under the Forestry Act 1967 has previously been refused.
- Trees which are subject to a tree preservation order or within a conservation area as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Sites which are identified as Ancient Semi-Natural Woodlands (ASNW) or Restored Ancient Woodland Site (RAWS) on the ancient woodland inventory.
- Any woodland activities where consent under the EIA Forestry Regulations is required.
- Sites which have the following designations:
  - SAC
  - SPA

### **Conditions you must comply with**

- If the trees/ land in question are within 400m of a SAC or a SPA, then you should seek NRW's input on whether this RD still applies
- You must notify the NRW Forestry Permitting Team (Fellinglicence@naturalresourceswales.gov.uk) that you intend to undertake woodland management activities under this Regulatory Decision. The notification must include details of:
  - ✓ Map of Felling Coupe , identifying areas of windblow and the perimeter of windfirm edge. Also include any tree felling areas required to gain access/harvesting infrastructure.
  - ✓ Confirmation of area in hectares of felling coupe
  - ✓ Map of proposed areas for restocking demonstrating compliance with UKFS
  - ✓ Landowners contact details
- All activities are to be carried out in line with the requirements of UKFS
- All felled and cleared areas are to be re-stocked in line with UKFS
- You must ensure that all oil & fuel are stored and used in a way that prevents the risks of leakage and pollution.
- You must ensure that all forest operations are pre-planned and continuously managed to:
  - ✓ minimise damage to the soil structure and soil function
  - ✓ avoid runoff into watercourses
  - ✓ conserve on site flora, fauna, geological or physiographical features and natural habitats

- You must ensure all manufactured waste such as grease cartridges, planting bags etc., are appropriately stored during the operations and appropriately disposed of.
- In the event that operational activities give rise to an incident or accident that significantly affects or may significantly affect the environment, you must immediately:
  - (i) inform Natural Resources Wales using the hotline number 0300 065 3000
  - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
  - (iii) take the measures necessary to prevent further incidents or accidents.
- You must have completed tree felling operations within 2 years of the date NRW's acknowledgement of receipt of your notification of your intention to utilise this Regulatory Decision.
- You must complete all restocking operations within 4 years of the date of NRW's acknowledgement of receipt of your notification of your intention to utilise this Regulatory Decision.
- You must re-stock by direct planting in line with the following stocking density
  - ✓ 1600 trees per Ha for native broadleaves and
  - ✓ 2500 trees per Ha for conifers.
 with even distribution of trees across the site.
- The restocking site and trees must be managed and maintained in line with UKFS good forestry practice and protected from livestock and grazing animals for a minimum of 10 years from the date that they are planted. Dead trees must be replaced so as to maintain the required stocking density.
- You must await confirmation from the Forestry Permitting team of receipt of the information prior to starting the planned activities.
- This Regulatory Decision does not remove the need to obtain a European Protected Species licence if one is required for the woodland management activities pursuant to The Conservation of Habitats and Species Regulations 2017
- This Regulatory Decision does not remove the need to obtain consent pursuant to section 28 of the Wildlife and Countryside Act 1981 for any works undertaken within a Site of Special Scientific Interest (SSSI). You must seek consent/assent from NRW for any operations likely to damage the special interest features of any Site of Special Scientific Interest (SSSI)

## **Enforcement**

This Regulatory Decision does not change your legal requirement to have a Felling Licence.

However, NRW will not normally take enforcement action if you do not comply with the need for a Felling Licence if you meet the requirements in this Regulatory Decision.

In addition your activity must not cause (or be likely to cause) pollution of the environment or harm to human health, and must not:

- cause a risk to water, air, soil, plants or animals
- cause a nuisance through noise or odours
- adversely affect the countryside or places of special interest

## **Contact**

[Forest Regulation and Tree Health Team](#)  
[Natural Resources Wales / General enquiries](#)