

Changes to tree felling regulations

The Forestry and Land Management (Scotland) Act, the new Felling (Scotland) Regulations and the Forestry (Exemptions) (Scotland) Regulations make some changes to what can be felled without the requirement for a felling permission (used to be called a felling licence) and the process for obtaining a permission for felling. The new regulations have been based on the previous legislation but some changes have been made.

A quick reference guide is available here: <https://forestry.gov.scot/publications/645-tree-felling-in-scotland-getting-permission-flyer/download>.

Five factsheets have been developed which detail some of the main changes brought about by the new legislation. The factsheets cover the following topics: Permission to Fell, Exemptions, Registration, Transition and Unauthorised Felling. You can find them here: <https://www.gov.scot/publications/devolution-of-forestry-factsheets/>

Some of the main things to be aware of are the changes to the exemptions from the requirement to obtain a felling permission. The exemptions factsheet lists all of the exemptions but please note the following changes:

- The clearance of windblow **requires** a felling permission
- The 5m³ per calendar quarter exemption **cannot** be used within small native woodlands (between 0.1 and 0.5ha in size) or Caledonian Pinewoods of any size.
- The diameter threshold for felling small trees without a felling permission has changed to **≤10cm**.
- Felling of nuisance trees **requires** a felling permission.
- The felling of trees posing an immediate danger to people, property or infrastructure are **exempt** from the requirement of a felling permission.

How to apply

The process of applying for a felling permission is very similar to the process for applying for a felling licence, however, the forms have been amended to reflect the changed legislation. The felling permission application form and more details about the application process can be found here: <https://forestry.gov.scot/support-regulations/felling-permissions>

Existing felling licences

Trees can still be felled under existing 'live' felling licences i.e. the felling licence is still within its approval period. More details can be found here: <https://forestry.gov.scot/support-regulations/felling-permissions>

Full devolution of forestry

From the 1st April 2019 Forestry Commission Scotland has become [Scottish Forestry](http://www.scottishforestry.gov.scot) and [Forest Enterprise Scotland](http://www.forestenterprise.scot) has become Forestry and Land Scotland.

If you need more advice on felling permissions or any other topic, the Farm Advisory Service has a range of support and help available

Advice line

For free telephone advice on a wide variety of topics including cross compliance, water framework directive requirements, climate change and other technical issues call us on 0300 323 0161 or email advice@fas.scot. The advice line operates between 9am and 5pm Monday to Friday.

Online

Our website contains articles, videos and much more at www.fas.scot

