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23rd May 2022

NOTICE NO: **RN76/21-22**
FILE REF: **AIF/019/32/20-21**

Dear [REDACTED],

Unlicensed Tree Felling: part of Eastwell Park Estate, Ashford

FORESTRY ACT 1967 - SECTION 17A - RESTOCKING NOTICE **RN76/21-22**

You are receiving this letter and enclosed Restocking Notice because it appears to the Forestry Commission that you have committed an offence under section 17 of the Forestry Act 1967, and because you have sufficient interest (freehold, leasehold, tenant, etc.) to be able to restock the land in question.

A section 17 offence occurs when growing trees are felled without the authority of a felling licence where such a licence was required.

As you may be aware, the Forestry Commission has powers under Section 17A of the Forestry Act 1967 to require trees to be replaced on land (or any such other land as may be agreed), via a Restocking Notice. Pursuant to this, you are now being served with such a Notice.

We normally seek to discuss restocking requirements and detailed prescriptions with owners before we issue a formal Restocking Notice with the aim of reaching agreement. In this regard I understand that agreement has been reached on a planting prescription for the site.

Therefore, in relation to the above mentioned powers, I am now enclosing Restocking Notice ref: RN76/21-22, dated 23rd May 2022, which requires that the restocking specified in the Notice, is carried out by **30th June 2023** and the trees maintained for a period of ten years from the tree planting and/or regeneration having occurred.

If you should need any advice in relation to the work that you are required to carry out to meet the statutory obligations of the Notice, or on subsequent maintenance and/or protection, then please do not hesitate to contact Simon Ginnaw at your local Forestry Commission Office. The contact details are:

The Forestry Commission
South East & London Area Office
Bucks Horn Oak
Farnham
Surrey
GU10 4LS

Tel: 07789 926872

Email: simon.ginnaw@forestrycommission.gov.uk

Your Restocking Notice refers to the United Kingdom Forestry Standard (UKFS). This is a forestry good practice guide produced by the Forestry Commission. The latest edition of this publication can be found online at:

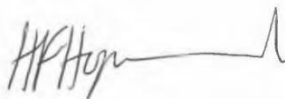
www.gov.uk/government/publications/the-uk-forestry-standard

It would be helpful if you could advise the local Office once you have completed the tree planting, so that arrangements can be made with you for the necessary post planting inspection. Thank you in anticipation of your co-operation in this.

You may appeal against the serving of this Restocking Notice. Details on how to do this can be found on the Notice itself. You should note that case law has established that the Forestry Commission need only demonstrate that growing trees were felled without a licence. As the appellant, it would be for you to produce evidence demonstrating that an exemption to the need for a felling licence applied.

Finally, should you have any questions on any aspect of the Notice itself, or procedures associated with it, then contact me using the email address shown below.

Yours sincerely,



Hannah Hopwood
Regulations Manager
E-mail: hannah.hopwood@forestrycommission.gov.uk

Copy to: Simon Ginnaw, Woodland Officer, Forestry Commission (by e-mail)
Andy Glover, Field Manager, Forestry Commission (by e-mail)