

Annex A

FORESTRY COMMISSION ENGLAND – REFERENCE COMMITTEE PANEL

The Forestry Commissioners' powers to control tree felling are set out in Part II of the Forestry Act 1967 (as amended). This includes licensing the felling of trees, to which restocking conditions may be attached, and to serve notices requiring a person to restock land where a person has been convicted of illegal felling or where it appears to the Commissioners that an offence has been committed.

The Act provides that anyone aggrieved by the service of a Restocking Notice may in certain circumstances object to the Notice, or the conditions in the Notice, and have their case referred by the appropriate Forestry Minister to a Reference Committee. This Committee makes a report to the Minister who, after considering the report, can direct the Commissioners to withdraw the Notice or notify the objector that it shall have effect subject to modification, as the Minister shall direct.

The role of the Committee is to consider a case afresh in an independent review and provide advice to the Minister on the Restocking Notice and any conditions contained in the Notice. This advice should be limited to areas in which the Committee has competence, for example the silvicultural aspects of the Notice, and not for example the legality of the Notice.

Each committee consists of:

- a Chairman appointed by the Forestry Minister (usually the Chair of the area's Forestry and Woodlands Advisory Committee); and
- two members selected by the Minister from a panel for the formation of the Committees.

A fee of £380.00 per day is payable plus the reimbursement of travelling and certain other expenses. Most committees are concluded with one to one and a half days work.

The terms of office of the Panel Members for Reference Committees would expire in 2026.

For convenience in England, three Reference Panels are appointed to cover the following regions:

- North West England; North East England; and Yorkshire and The Humber.
- West Midlands; East Midlands; and East England.
- South West England; South East England and London.