

## When we may need to consider revoking a Felling Licence

The Forestry Act 1967 has been amended enabling NRW to consider amending, suspending or revoking a Felling Licence that was approved after (insert date).

We may have to revoke a Felling Licence where we consider that any condition of the licence -

- (a) Has not been complied with, or
- (b) Is not being complied with

Resulting in an imminent and serious risk of harm to

- (1) Natural beauty, or
- (2) Flora, fauna, geological or physiographical features, or natural habitats

Revocation is seen as an extreme outcome and would only be used in *exceptional circumstances* where amendment to conditions/the felling licence or suspension of the felling licence would not address the issue; or cannot be agreed or there are no other options available. When we may look to revoke the Felling Licence:

- The felling licence holder is unable to provide a clear plan for addressing the requirements of the amendment or suspension notice and/or
- Where the Felling Licence holder has not made sufficient or appropriate steps to resolve issues identified by NRW, [or complied with steps set out in a previous notice](#)
- there is a continuing risk of significant harm to the environment e.g. pollution,
- or there are continued breaches of licence conditions,
- where the ability to amend or suspend a felling licence is not sufficient to mitigate the environmental harm that is being caused or likely to be caused by the activity

Ahead of considering revocation we will

- [inform you of any non-compliance with your Felling Licence or risk of significant harm to wildlife or the environment that is observed.](#)
- [Make all efforts to meet with and hold discussions with the Licence Holder \(responsible person\) to address the issue.](#)
- [We will provide you with support, guidance and advice to help you manage the non-compliance to bring you back in line with your felling licence, or manage the significant harm \(or risk of it\) identified.](#)
- [Depending on the urgency of the situation we will consult with our Legal team before serving the notice,](#)
- [Set out our clear reasons why this was the only course of action available to prevent environmental harm](#)
- [We will aim to allow you time to manage the site to comply with the advice and guidance given.](#)

## Serving a notice to revoke your Felling Licence:

If we have to progress from suspending your licence or we may need to revoke your licence we will serve a notice; this will be on the licence holder or responsible person.

The notice may make provision for

- Setting out steps that need to be taken to rectify a breach of conditions
- specify the period (after the notice has become operative) within which those steps must be taken

When issuing a notice to the [licence holder or responsible person](#) depending upon the specific notice and in accordance with the legislative requirements, we will:

- Set out the reason for serving the notice
- Set out the condition which has not been complied with or is not being complied with;
- Where the notice varies or revokes the felling licence, the notice will specify the date upon which the variation or revocation takes effect
- Set out steps that are reasonable and proportionate to remedy the failure to comply with the condition or amend the felling licence to address the unexpected [significant environmental harm or risk of it](#)
- Any activities that the Licence Holder can undertake on the site in order to ensure [site Health and Safety requirements](#) are complied with
- Provide details of how to appeal.

Where a breach of conditions has resulted in the environmental harm, we may include steps required to be taken to address the breach. Non compliance with these steps may constitute an offence.

Where we revoke a licence, removing felling privileges conditions relating to felling work that has already been carried out will remain in place, for example the obligation to restock any felled areas.

As this notice revokes your permission to fell, any felling that is carried out from the date of issue of the notice will be treated as an offence.