

Appeals about EIAs and Felling Licences in Scotland

Type of service	Circumstances when you might appeal	Explanation	When and how to make an appeal
Please note that you cannot normally submit a complaint about these appeals until that process has been completed			
Environmental Impact Assessment [Applicant]	About the consent decision we make About the conditions we put on our consent decision	You can an appeal under the Regulations in the following circumstances. <ul style="list-style-type: none"> • We have refused consent for the project • We have granted consent, but you don't agree with the conditions we have applied. • We have stipulated that work must start and finish within a period that is less than the maximum time allowed. 	You must appeal within 28 days from the date that we make our consent decision. You must make your appeal to the Forestry Minister for Scotland . The "Forestry Minister" is defined as the Minister for Rural Economy and Connectivity appointed by the Scottish Government. Email: scottish.ministers@scotland.gsi.gov.uk Telephone: 0131 348 6891
Environmental Impact Assessment [Member of public]	As a member of the public (someone who has not made the application) you feel that the FCS Consent decision has adversely affected you	Any member of the public, aggrieved by the grant of consent, can make an appeal about an FCS EIA Consent Decision. All consent decisions are published on the FC EIA Register for a period of 28 days from which the consent is given.	You must appeal within six weeks from the date FCS granted EIA Consent. You must make your appeal to the Court of Session http://www.scotcourts.gov.uk/the-courts/court-of-session/about-the-court-of-session
Environmental Impact Assessment [Enforcement]	You have been served with an Enforcement Notice under the EIA Regulations	These are issued in cases where the Forestry Commission has discovered that work has been carried out that required our consent OR the conditions that we stipulated when we gave consent have been breached.	You must appeal within 28 days of receipt of the Enforcement Notice. The Forestry Minister may allow a longer period to make your appeal. You must make your appeal to the Forestry Minister for Scotland . The "Forestry Minister" is defined as the Minister for Rural Economy and Connectivity appointed by the Scottish Government. Email: scottish.ministers@scotland.gsi.gov.uk Telephone: 0131 348 6891

<p>Felling Licences [Applicant]</p>	<p>We have refused to grant you a felling licence</p> <p>You wish to appeal about the conditions we have put on your felling licence</p>	<p>Appeals about Felling Licence refusals and/or unacceptable conditions can only be made if:</p> <p>A previous application to fell the same trees is more than three years old.</p>	<p>You must make your appeal to the Forestry Minister for Scotland. The "Forestry Minister" is defined as the Minister for Rural Economy and Connectivity appointed by the Scottish Government.</p> <p>If the Minister receives an appeal, under:</p> <p>Forestry Act Section 16 - refusal of licence or about the conditions imposed Section 17b - Restocking Notice Section 25 - Enforcement Notice</p> <p>The Minister may refer it to a Reference Committee. The Reference Committee will investigate the circumstances and make recommendations to the Minister. Once the Minister gets the Reference Committee's report he may confirm, reverse or modify any of our decisions.</p> <p>Email: scottish.ministers@scotland.gsi.gov.uk Telephone: 0131 348 6891</p>
<p>Felling Licences [landowner]</p>	<p>You have been served with a restocking Notice</p>	<p>These are issued in cases where a person is convicted under section 17 of the Forestry Act 1967 of having felled trees without a Felling Licence where one was required</p> <p>The restocking Notice can require you to do the following:</p> <ul style="list-style-type: none"> • Restock the land agreed by the Forestry Commission with trees. • Maintain those trees for a period of up to ten years 	
<p>Felling Licences [landowner]</p>	<p>You have been served with an Enforcement Notice</p>	<p>Enforcement Notices are issued for non-compliance with a:</p> <ul style="list-style-type: none"> • Conditional Felling Licence • Restocking Notice issued following conviction for illegal felling <p>The notice is sent to the person who must comply with it. The Enforcement Notice can only be served on whoever is the owner of the land at the time the notice is served.</p>	