
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2019 No.

The Forestry (Exemptions) (Scotland) Regulations 2019

Interpretation

2. In these Regulations—

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft but does not include any area of land or water designed, equipped, set apart or commonly used for affording facilities only for the landing and departure of any unmanned aerial vehicle,

“burial ground” has the same meaning as in section 1 of the Burial and Cremation (Scotland) Act 2016⁽¹⁾,

“Caledonian Pinewood” means a woodland specified in schedule 2,

“churchyard” means an enclosed piece of ground in which a church stands,

“electric line” has the same meaning as in Part I of the Electricity Act 1989⁽²⁾,

“electrical plant” has the same meaning as in Part I of the Electricity Act 1989,

“electricity operator” means a holder of a licence under Part I of the Electricity Act 1989,

“public open space” is an area which is designed and maintained for use by the public and includes, but is not limited to—

- (a) a park,
- (b) a public garden,
- (c) an area of grass maintained for sport or recreation, or
- (d) a footway or footpath (within the meaning of section 151(2) of the Roads (Scotland) Act 1984⁽³⁾),

but does not include any stands of trees which have a canopy cover of more than 20% within an area of 0.1ha or greater,

“quarter” means the period of three months beginning with 1 January, 1 April, 1 July or 1 October in any year,

“relevant person” means the owner of the land on which the tree is situated or the occupier of such land who is carrying out the felling with the written permission of the owner,

“Scottish Water” means the body corporate established by section 20(1) of the Water Industry (Scotland) Act 2002⁽⁴⁾,

“statutory undertaker” means a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, power, lighthouse undertaking, or any undertaking for the supply of hydraulic power or of water, or a holder of a licence under section 7A of the Gas Act 1986⁽⁵⁾,

(1) 2016 asp 20.
(2) 1989 c.29.
(3) 1984 c.54.
(4) 2002 asp 3.
(5) 1986 c.44.

“the Act” means the Forestry and Land Management (Scotland) Act 2018,

“the Forestry Commissioners” means the Forestry Commissioners referred to in section 1(1) of the 1967 Act, and

“the 1967 Act” means the Forestry Act 1967⁽⁶⁾.

⁽⁶⁾ 1967 c.10.