



Deddf Amaethyddiaeth (Cymru) 2023

2023 dsc 4

RHAN 4

COEDWIGAETH

40 Gorchmynion Cadw Coed

Ar ôl adran newydd 24E o Ddeddf Coedwigaeth 1967 (p. 10) (a fewnosodir gan adran 39), mewnosoder—

“24F Notices under section 24C(3) or 24E(2) that affect tree preservation orders

- (1) The provisions of this section apply if—
 - (a) the Natural Resources Body for Wales proposes to give a notice under section 24C(3) or 24E(2) in respect of any trees to which a tree preservation order relates, and
 - (b) the proposed notice does not meet the emergency criteria.
- (2) The emergency criteria are met if the proposed notice makes no provision other than—
 - (a) provision that the Natural Resources Body for Wales considers is necessary to respond to an imminent and serious risk of harm to—
 - (i) natural beauty, or
 - (ii) flora, fauna, geological or physiographical features, or natural habitats, or
 - (b) provision that suspends a felling licence.
- (3) Before the Natural Resources Body for Wales gives the proposed notice it must give notice in writing of the proposal to the authority by whom the tree preservation order was made.
- (4) If, within the prescribed period, the authority by whom the tree preservation order was made objects to the notice in so far as it affects trees to which the

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tree preservation order relates, and does not withdraw its objection, the Natural Resources Body for Wales must refer the matter to the Welsh Ministers.

- (5) If a matter is referred to the Welsh Ministers under subsection (4), the Welsh Ministers may decide to—
- (a) grant consent to the giving of the notice, or
 - (b) refuse to grant consent (in which case the notice cannot be given).
- (6) Where the Natural Resources Body for Wales has given notice in writing under subsection (3) to an authority in respect of a proposed notice, the proposed notice cannot be given until—
- (a) the period prescribed under subsection (4) has ended without the authority having objected (or, if the authority has objected, that objection has been withdrawn), or
 - (b) if the Natural Resources for Wales has referred the matter to the Welsh Ministers, the Welsh Ministers have given their decision on the matter.
- (7) Before deciding whether to grant or refuse consent under subsection (5), the Welsh Ministers must consult—
- (a) the Natural Resources Body for Wales;
 - (b) the authority by whom the tree preservation order was made;
 - (c) the applicant for the licence if the applicant has such estate or interest in the land as is referred to in section 10(1) or, in any other case, a person who has such estate or interest in the land.”

Gwybodaeth Cychwyn

I1 A. 40 mewn grym ar 18.8.2023 at ddibenion penodedig, gweler **a. 56(1)(a)**

I2 A. 40 mewn grym ar 1.4.2024 i'r graddau nad yw eisoes mewn grym gan O.S. 2023/1092, **erl. 3(a)**

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