



## 2010 CHAPTER 10

### PART 3

#### FELLING OF TREES

##### *Restriction of felling*

##### **Deferred decision on an application for felling licence**

**19.—**(1) Where a person applies for a felling licence and the Department does not within 3 months after receiving the application, or within such further time as may be agreed with the applicant, give notice to the applicant of its decision on the application, the provisions of this Part apply in relation to the application as if it had been refused.

(2) Subsections (3) and (4) apply if on an application for a felling licence it appears to the Department that the applicant is not entitled to an estate in the land which would enable the applicant to comply with the conditions of the licence (if granted).

(3) The Department may give notice in writing to that effect to the applicant and postpone consideration of the application until the person entitled to such an estate is joined as a party to the application.

(4) Where a notice under subsection (3) is given, subsection (1) applies as if, instead of referring to a period of 3 months after the Department receives the application, it referred to a period of 3 months after the date on which the person entitled to such an estate in the land as is mentioned in the notice is joined as a party to the application.