



2010 CHAPTER 10

PART 3

FELLING OF TREES

Supplementary

Application of this Part to Crown land

29.—(1) In this section “Crown land” means—

- (a) land an interest in which belongs to Her Majesty in right of the Crown; and
- (b) land an interest in which belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

(2) Subject to subsection (3), this Part applies in relation to Crown land and trees growing on such land to the extent only of any estate therein which is for the time being held otherwise than on behalf of the Crown.

(3) Except with the consent of the appropriate authority—

- (a) no conditions shall be imposed on the grant of a felling licence in respect of trees on Crown land;
- (b) no restocking notice shall be given in respect of Crown land.

(4) In this section “the appropriate authority” in relation to any land means—

- (a) in the case of land belonging to Her Majesty in right of the Crown, the Crown Estate Commissioners or other government department having the management of the land in question;
- (b) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, that department;

and if any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to DFP, whose decision shall be final.