



20th February 2024.

Subject: Appeal FAC 009/2023, FAC 010/2023 & FAC 011/2023 regarding CN92096.

Dear

I refer to the appeal to the Forestry Appeals Committee (FAC) in relation to the above licence granted by the Minister for Agriculture, Food and Marine (The Minister). The FAC established in accordance with Section 14A(1) of the Agriculture Appeals Act 2001 (as amended) has now completed an examination of the facts and evidence provided by all parties to the appeal.

DECISION.

Having regard to the evidence before it, including the Department of Agriculture, Food, and the Marine (DAFM) record of the decision, the Statements of Fact (SoF) provided by the DAFM, all materials on file, the notice and grounds of appeal and post-appeal submissions and in particular the following considerations, the FAC has decided to set aside and remit the decision of the Minister regarding licence CN92096.

THE LICENCE.

Licence CN92096 is for afforestation of 13.25 Ha. of GPC 3 planting located in the townland of Keel, Co Longford.

The application for the licence was submitted to the DAFM on the 11th of November 2022. A decision approving the licence was issued on the 29th of May 2023 with conditions including the carrying out of the planting and all associated operations in accordance with the Environmental Requirements for Afforestation and the Forestry Standards Manual, compliance with the mitigation measures set out in the Appropriate Assessment Determination (AAD) attached to the licence and to contact the District Inspector 7 days prior to commencement of ground preparation works.

FORESTRY APPEALS COMMITTEE.

A sitting of the FAC was held remotely on the 28th of November 2023 which heard the appeal (FAC 009/2023) against the decision to issue the licence on the 29th of May 2023. The FAC members present were: Mr. John Evans (Deputy Chairperson), Mr. Vincent Upton and Mr. Iain Douglas.
Secretary to the FAC: Ms. Ruth Kinehan.

BACKGROUND.

The proposal consists of afforestation of 13.25 Ha. of GPC 3 (11.1 Ha. Sitka spruce and 10% Diverse conifer mix and 1.95 Ha. additional broadleaves). The soils on the site are described as predominantly Surface Water Gleys/Ground Water Gleys and the average slope across the site is moderate, at 2% and ranges from 0% to 8%. The vegetation on the site is mainly wet grassland Hedgerows/Tree and Scrub.

The site lies in the Upper Shannon Water Framework Directive (WFD) Catchment and the Inny [Shannon]_Sc_080 Sub-catchment. The site is located within the Inny_100 River Sub-Basin. The closest WFD River Waterbody to the site is the Inny_100...470m south of the site which was of moderate status in the period 2016-2021 and is At Risk, forestry is not identified as a pressure on this river waterbody by the EPA. The Fallan_010 river waterbody lies some 862m SW of the site which was also of moderate status in the 2016-2021 period and is also At Risk, clearfelling of forestry has been identified as a pressure on this river waterbody.

The application documents before the FAC included a Site Notice, Inet Pre Approval Submission Report, Biodiversity Map, Photo of Site Notice in Situ, Species map. These documents were made available to the FAC via the DAFM Forest Licence Viewer (FLV).

The licence application was referred to Longford County Council on 16/01/2023 which replied on 17/01/2023 stating that it had no objection to the proposal and enclosing a list of 4 conditions regarding public roads, storm water and existing utilities. The county council requested notification four weeks prior to the commencement of works.

The DAFM file on the FLV consists of a DAFM Ecologist Appropriate Assessment Screening Report & Determination (AASRD) (incl. In-combination Statement) dated 01/03/2023, DAFM Ecologist Appropriate Assessment Report (AAR) dated 01/03/2023, DAFM Ecologist Appropriate Assessment Determination (AAD) dated 02/05/2023, DAFM District Inspector's (DI) Certification dated 23/05/2023 a DAFM Inspector's EIA requirement dated 23/05/2023, Site details & site Plots Reports dated 29/05/2023 and a GPC to FT Transition Notice (undated). All of these documents are to be found on the FLV.

The Inspector's Certification Report recommends approval of the licence subject to conditions, including Compliance Forestry Standards Manual & Environmental Requirements for Afforestation, Compliance with AAD mitigation measures, Contacting the District Inspector 7 days prior to commencement of ground preparation works.

The AASRD identified seven Natura 2000 sites within 15 km of the proposed afforestation, Mount Jessop Bog SAC (Site Code 0002202), Glen Lough SPA (Site Code 0004045), Brown Bog SAC (Site Code 0002346), Lough Ree SAC (Site Code 0000440), Lough Ree SPA (Site Code 0004064), Ballykenny-Fisherstown Bog SPA (Site Code 0004101), Lough Forbes Complex SAC (Site Code 0001818). Three sites were the subject of Appropriate Assessment Stage 2 (the AAR), Lough Ree SAC, Lough Ree SPA and Lough Forbes Complex SAC. The AAD prepared on behalf of the Minister determined that, subject to certain mitigation measures being implemented "no reasonable scientific doubt remains as to the absence of any adverse effect on the integrity of any European site".

The licence was stated to have been desk and field assessed.

The file records that there were eleven third-party submissions on the licence.

THE APPEALS.

There are three third-party appeals against the decision to approve this licence application. The grounds of appeal are summarised as follows:

009/2023 That the land not suitable for afforestation because of the soil type and poor drainage, that the landscape is protected and that there are listed Views & Prospects in the Longford County Development Plan along the road, that the public roads are not suitable, that an Environmental Impact Assessment Report is required and that the proposed afforestation will

impact on farming by overshadowing of land (grass) and the attraction of vermin causing TB in the cattle.

010/2023 That the afforestation will create a risk of forest fire, that there has been no with the local community, that the public roads are not suitable, that there will be increased noise from traffic and machinery, that there will be increased illegal dumping and that there will be an adverse impact on the residential amenity of the appellant's dwelling and that of his son.

011/2023 That the land not suitable for afforestation because of the soil type and poor drainage, that the landscape is protected and that there are listed Views & Prospects in the Longford County Development Plan along the road, that the public roads are not suitable That the afforestation will create a risk of forest fire that there will be increased anti-social behaviour, that there will adverse impact on the residential amenity of the appellant's dwelling (sense of enclosure SAD (Seasonal Affective Disorder), loss of sunlight), that there will be an adverse effect on water quality and a vulnerable aquifer, that the site is hydrologically connected to an SAC, that there hare protected species of birds in the locality, that there will be an increase in natural predators in the area and that there is already too much forestry in the area. The appellant submitted a report from a Health & Safety Consultant in support of the grounds of appeal relating to the risk of forest fire, traffic management, noise & dust control, damage to watercourses and illegal dumping.

CONSIDERATION BY THE FAC.

At its sitting on the 28th of November 2023, the FAC had before it the full DAFM record of the decision as made available on the FLV, the notice, the grounds of appeal, the Statement of Fact (SoF) provided by the DAFM and all materials on file. The FAC having reviewed all the documentation and submissions, including those of all Appellants, considered that there was sufficient information to enable it to assess and determine the appeal without recourse to an oral hearing. In the interests of ensuring a fair and timely determination of the appeals, the FAC considered it appropriate to consider appeals FAC 009/2023, FAC 010/2023 & 011/2023 together, considering each ground of appeal individually.

DAFM STATEMENT OF FACT.

The SoF provided by the DAFM for the appeals which is dated the 16th of October 2023 confirms the administrative details of the licence application and indicates that the licence application was desk assessed only. The SoF states that the DAFM was satisfied that all criteria in its standards and procedures were adhered to in making the decision on the licence application.

There is also a statement on each appeal from the District Forestry Inspector (DI) dated the 29th of June 2023 submitting that the AA process was carried out using the procedures of November 2019, that the standard operating procedures were applied, and containing response to a number of the grounds of appeal and a statement from the DAFM ecologist responding to the ecological grounds of each appeal.

GROUND OF APPEAL.

The FAC considered the grounds of appeal of all Appellants together under the headings, Environmental Impact Assessment and Appropriate Assessment, the Longford County Development Plan, Residential Amenity, and Impact on farming.

Environmental Impact Assessment (EIA).

Requirement for EIA.

One of the grounds of appeal claimed that an "Environmental Impact Study" was required. The FAC has taken this to mean an Environmental Impact Assessment Report (EIAR). The EU EIA Directive sets out in Annex I, a list of projects for which EIA is mandatory. Annex II contains a list of projects for which member states must determine, through thresholds or on a case-by-case basis (or both), whether or not EIA is required. Neither afforestation nor deforestation is referred to in Annex I. Annex II contains a class of project specified as "initial afforestation and deforestation for the purpose of conversion to another type of land use" (Class 1 (d) of Annex II). The Irish Regulations in relation to forestry licence applications, require the compliance with the EIA process for applications relating to afforestation involving an area of more than 50 Hectares, and any afforestation below the specified parameters where the Minister considers such development would be likely to have significant effects on the environment. The FAC noted that the proposed afforestation of 3.25 Ha. is below the 50 Ha threshold and that the Inspector's EIA requirement dated 23/05/2023 determined that EIA for the proposed afforestation was not required.

Soils & Drainage

These grounds of appeal submitted that the site does not conform to the Environmental Requirements for Afforestation as the soils on the site are poorly drained could not be adequately drained and is therefore unsuitable for planting and that there is shell marl on the site. The FAC noted that the site was inspected by the DAFM ecologist, and that the DI refers to tests having been carried out for the presence of shell marl. The FAC further noted the ecologist's response to the appeals dated 14/08/2023 and that he was satisfied that the site is suitable for planting in accordance with the DAFM publication "Land types for Afforestation" of 2017. The FAC also noted that the appellant has adduced no evidence that shell marl is present on the site. The lands are comprised of improved agricultural land in pasture.

The FAC noted that mound drains are proposed on the site and that additional silt traps are to be provided, as indicated on the biomap and that these are in accordance with the comply with the Forestry Standards Manual & Environmental Requirements for Afforestation.

The FAC is not satisfied that the DAFM has erred regarding these grounds of appeal.

Water Quality, Water Framework Directive (WFD), Vulnerable Aquifer

These grounds of appeal contend that the proposal may lead to impacts on water quality of streams adjoining and in the vicinity of the site by excessive shadings of watercourse, changing how water flows within the catchment, acidification, soil erosion and discharges of silt. The

Water Quality.

The FAC noted that the site was inspected by the DAFM ecologist and the DI the ecologist's response to the appeals. The FAC also noted that the licence conditions require the adherence to Forestry Standards Manual & Environmental Requirements for Afforestation both documents contain measures to protect water quality, in addition the licence requires adherence to the detailed mitigation measures set out in the DAFM AAD of 02/05/2023 for water setbacks, silt and nutrient controls, retention of hedgerows and field boundaries, the preparation, storage and use of potentially hazardous material, the prohibition of the use of fertiliser, the application of Herbicide and the control of invasive species.

Water Framework Directive (WFD)

The FAC noted that the aquatic zone on the western site boundary is hydrologically connected to the WFD River Waterbodies Inny_100 and Fallan_010, both of which were of moderate status in the 2016-2021 period and are At Risk. The afforestation operations would not involve any direct exploitation of either river waterbody, but poorly sited and managed forestry operations have been identified as a potential source of water pollution by the EPA, including through sedimentation, eutrophication and acidification. The FAC noted in particular the mitigation measure requiring that mound drains, and collector drains must not connect to the existing aquatic zone or relevant watercourse.

Vulnerable Aquifer

The grounds of appeal refer to the risk of the proposal to the underlying aquifer. The FAC noted that publicly available information from the EPA indicates that the site is underlain by an aquifer of high to extreme vulnerability. The FAC noted that that no fertiliser is to be applied on the site and that the use of herbicide for vegetation control would be by manual application and that there are mitigation measures for the preparation, storage and use of potentially hazardous material, the prohibition of the use of fertiliser, and the application of Herbicide.

The FAC noted that the grounds do not articulate how the river waterbody or water quality might be impacted in this case or how the proposed mitigation measures will fail to be effective in protecting water quality or causing it to deteriorate. The FAC also noted that the mitigation measures set out in the AAD, and the licence conditions are specifically for the protection of aquatic-based species and habitat and water quality in the adjoining watercourses. The lands are not located in an area of potential acid sensitivity and lie on mineral soils. The FAC considers that there is no evidence before it that any waterbody may be affected, for the purposes of the WFD therefore the FAC is not satisfied that the DAFM has erred regarding these grounds of appeal.

Appropriate Assessment.

The grounds of appeal contend that as there is a hydrological connection to SACs within 15 km of the site an Appropriate Assessment (AA) is required. The FAC noted that the DAFM did carry out an AA in accordance with the requirements of the Habitats Directive. The proposal was screened, the AASRD which identified 7 Natura 2000 sites within 15 km of the site, 3 of which the site is co hydrologically connected (Lough Ree SAC, Lough Ree SPA, Lough Forbes Complex SAC). These 3 natura 2000 sites were subject Appropriate Assessment Stage 2 (the AAR) in which mitigation measures were identified so that it was concluded that, in view of best scientific knowledge and based on objective information, that the proposed afforestation, by itself or in-combination with other plans and projects, would have no adverse effect on the integrity of any European Site(s), in view of its corresponding conservation objectives. The Minister then made a determination (AAD) that, based on objective information, that no reasonable scientific doubt remains as to the absence of any adverse effect on the integrity of any European site.

A further ground of appeal contend that the landowner has failed to establish that the spotted Kestrel, Snipe, Duck and the Hen Harrier among others are not to be impacted in the long term by the loss of this feeding/nesting ground. The FAC noted that the site was inspected for the presence of the bird species mentioned and the response of the DFAM ecologist to this ground of appeal. In the absence of evidence adduced by the appellant as to the presence of the bird species mentioned and an inspection having been carried out by a qualified ecologist noting that none of the species were present on the site the FAC is not satisfied that the DAFM has erred regarding these grounds of appeal.

Longford County Development Plan 2021-2027

This ground of appeal contends that the proposal is contrary to the Longford County Development Plan 2021-2027 with reference to the impact on the landscape, the impact on listed views & prospects. The character of the area within which the site lies is classified "Open Agricultural" where landscape sensitivity is low-medium, exception is made for Upland Areas with designated scenic views where landscape sensitivity is high. The site is located on local road L1109 which is shown on the Protected Views Map in the development plan as I.S.13 with Intermittent Views. A kilometre north of the site is Protected View F.S.17 located on local road L5209 which has Full Views. The development plan policy is to "protect these views from development which would interfere unduly with the character and visual amenity of the landscape." and with regard to forestry the council "will seek to ensure that: a) Landscapes of scenic value are not unduly eroded". The FAC noted that the licence application was referred to Longford County Council which expressed that it had no objection to the proposal subject to a number of conditions, none of which related to the impact on the landscape or scenic views. The FAC is not satisfied that the DAFM has erred regarding these grounds of appeal.

Residential Amenity.

The grounds of appeal contend that the afforestation will impact on the residential amenity of the appellants by loss of sunlight (causing Seasonal Affective Disorder in the case of appeal FAC 011/2023), increased traffic and noise, risk of forest fires and anti-social behaviour & illegal dumping.

Loss of sunlight

This ground of appeal contends that the proximity of the afforestation to the appellants properties will result in reduced sunlight to the appellants dwellings and would impact on the appellants health and wellbeing. The FAC noted that the site was inspected in the field and the Environmental Requirements for Afforestation and the Forestry Standards Manual 2015 (compliance with which is a requirement of the licence) specifies a minimum unplanted setback of forestry from a dwelling of 60m (or 30m with the approval of the owner of the dwelling). The FAC noted that in addition to the 60m dwelling setback, a 10m setback and the planting of 4-5 rows of broadleaved trees is specified on the biomap submitted with the application. The FAC is not satisfied that the DAFM has erred regarding this ground of appeal.

Increased traffic and noise

The FAC notes that this licence application is for afforestation only and that the operational details for the licence indicate that planting will be carried out by mounding and angle notch planting, operations normally carried out without the need for heavy machinery. Given the limited area to be planted, the planting is likely to be of short duration (4 to 6 weeks) and involve the use of excavators for cultivation and a post-driver for fencing, and that there would then be no necessity for heavy machinery on site until approximately year 15 in which case the volume of traffic and noise generated by the proposed afforestation will be limited and similarly of short duration. The FAC noted that the Site Details Report confirms that the applicant has stated that the site has adequate access to manage the site and that DAFM inspected the site.

Public Roads & Traffic.

The FAC notes that this licence application is for afforestation only and that the operational details for the licence indicate that planting will be carried out by mounding and angle notch planting, operations normally carried out without the need for heavy machinery. Given the limited area to be planted, the planting is likely to be of short duration (4 to 6 weeks) and involve the use of excavators for cultivation and a post-driver for fencing, and that there would then be no necessity for heavy machinery on site until approximately year 15 in which case the volume of traffic and noise

generated by the proposed afforestation will be limited and similarly of short duration. The FAC noted that the Site Details Report confirms that the applicant has stated that the site has adequate access to manage the site and that DAFM inspected the site.

Adequacy of the public road.

The FAC noted that the licence was referred to Longford County Council and that in its response the county council required conditions to protect the public road network and while the conditions were not included in the licence, however, there are statutory provisions under the Roads Act to ensure roads are maintained in a fit condition. The FAC considers that the request for the Area Engineer to be notified prior to the commencement of the works should have been included as a condition on the licence to facilitate the statutory functions of the local authority. The FAC considers this to be a serious error in the making of the decision.

Risk of forest fire

In considering the ground of appeal that there is potential for forest fires associated with the proposed planting, the FAC noted the requirements set out in the Environmental Requirements for Afforestation 2017 and the Forestry Standards Manual 2015 stating that planting shall not take place within 60m of any dwelling or 30m with the written consent of the owner and that Condition 5 of the licence mandates compliance with the Environmental Requirements for Afforestation and Forestry Standards Manual amongst others and that the 60m dwelling set setback along the public road L is further enhanced by the 10m road set back and the planting of five rows of broadleaved trees behind the setback. The FAC also noted that the site was inspected on the ground and that the DAFM found that the site itself is currently in agricultural pasture and that the existing adjoining forestry is not contiguous to any extensive area of unenclosed land and is itself adjoining mainly agricultural land. It is acknowledged that forest fires by and large spread from adjoining lands into forest lands, therefore given the absence of significant areas of extensively managed lands containing flammable vegetation such as purple moor grass, furze and heather contiguous to the existing forestry and the fact that the current vegetation type and land management in the area is not conducive to the initiation or spread of fire, and the unplanted setbacks and conditions of the licence, the FAC did not consider that the proposal as specified would represent a significant risk of fire in the locality and was not satisfied that an error was made on this matter.

Anti-social behaviour & illegal dumping.

The grounds of appeal contend that the proposed afforestation will exacerbate existing the occurrence of anti-social behaviour and illegal dumping of waste. The FAC did not consider these to be grounds relating to the DAFM's decision to grant afforestation licence CN92096 as the DAFM has no control over these matters. The role of the FAC is to consider whether the DAFM made a serious or significant error, or a series of errors in making the decision under appeal, and whether that decision was made in compliance with fair procedures. Having reviewed the information before it, including the information on the FLV, the grounds of appeal, and the DAFM's statement in response to the appeal, the FAC could find no significant error or series of errors in the DAFM's decision to issue CN92096 in relation to the issues raised in the grounds of appeal nor that the decision was made without complying with fair procedures.

Public Consultation.

In considering the ground of appeal that there was no consultation with the local community, the FAC noted the provisions of Article 10 of the Forestry Regulations 2017 – *Public Consultation* which requires the Minister to publish a notice of an application for afforestation and that one of the requirements of the Public Notice is to inform the public that any person may make a submission or observation to the Minister within 30 days from the date of the notice or whatever longer timeframe appears on the notice. DFAM SoF indicates that the application was advertised by the Minister on

07/12/2022 and that eleven submissions were received between 22/11/2022 and 30/11/2022 within the 30-day period specified. The FAC also noted the requirement of Article 11 of the Forestry Regulations 2017 - *Site Notice in respect of afforestation and forest road works* which requires an applicant to erect a notice at the entrance from the public road to the land to be afforested. The FAC noted a copy of the site notice and a photograph of the site notice in situ forms part of the application documentation and that location of the site notice is shown on the biomaps submitted with the application. The FAC therefore considered that the DAFM had not erred in its processing of the application as it relates to this ground of appeal.

Existing woodland in the area.

This ground of appeal contends that there is already excessive afforestation in the area. The FAC noted that the DAFM in their considerations on the “Cumulative effect and extent of project” recorded answers to questions in the Assessment to Determine EIA Requirement relating to, existing afforestation of 3 years or less and any proposed afforestation within a 500m radius exceeding 50 Ha., the approximate % forest cover in the underlying waterbody (or waterbodies) and within 5km, both currently and five years previous. The DAFM concluded that based on the extent of the forest cover that the cumulative effect of this proposal was not likely to have a significant impact. The FAC however noted that while the Minister recorded a separate characterisation of plans and projects in the area carried out as part of the AA process (the In-combination Report - Appendix A of the AAD of 02/08/2023), but that this is not explicitly cross-referenced in the EIA Determination. The EIA Determination itself only refers to forestry projects and references a ‘Last Spatial Run Date’ of the 23rd of May 2023. While the FAC would consider it reasonable that the record as a whole should be considered and that the reasons for considering that the proposal is not likely to have a significant effect on the environment might be found in separate documents, based on the foregoing it is not apparent if adequate consideration was given to cumulative effects (including non-forestry projects) when making the determination for EIA requirement. The FAC considers this to be an error in the processing of the application.¹

Impact on farming.

The grounds of appeal contend that the proposed afforestation will impact on farming and livestock due to an increase in vermin, predators and risk of disease transmission (including Bovine TB) to domestic livestock. The control of bovine TB is a national issue under the remit of the Eradication of Animal Disease (ERAD) Division within DAFM and the DAFM have policies and procedures in place that address the issue of possible TB transmission to cattle which would apply in this case. The FAC noted the responses to these grounds of appeal given by the DI and DAFM ecologist and that one species mentioned in the grounds of appeal (the Pine Marten) is protected in Ireland under the Wildlife Act 1976. The FAC acknowledges that the granting of an afforestation licence does not exempt the holder from meeting any legal requirements set out in any other statute. The FAC therefore considered that the DAFM had not erred in its processing of the application as it relates to this ground of appeal.

In reviewing the documentation on file the FAC noted that the DAFM recorded answers to the questions “Does this application, together with existing afforestation of 3 years or less within a 500 metre radius, constitute an area greater than 50 ha?”, “What was the approximate % of forest cover in the underlining waterbody (or waterbodies) 5 years ago?”, “What is the approximate % of forest cover currently in the underlining waterbody (or waterbodies)?” under the section “Cumulative effect and extent of project” in the Assessment to Determine EIA Requirement. The DAFM concluded that based on the extent of the forest cover that the cumulative effect of this proposal was not likely to have a significant impact. The FAC however noted that while the Minister recorded a separate characterisation of plans and projects in the area carried out as part of the AA process (in the In-combination Report - Appendix A of the AAD of 02/08/2023), that this is not explicitly cross-

referenced in the EIA Determination. The EIA Determination itself only refers to forestry projects and references a 'Last Spatial Run Date' of the 23rd of May 2023. While the FAC would consider it reasonable that the record as a whole should be considered and that the reasons for considering that the proposal is not likely to have a significant effect on the environment might be found in separate documents, based on the foregoing it is not apparent if adequate consideration was given to cumulative effects (including non-forestry projects) when making the determination for EIA requirement. The FAC considers this to be an error in the processing of the application.

In reviewing the documentation on file, the FAC noted that the *Assessment to Determine EIA Requirement* refers to and relies on Guidelines in relation to Water Quality, Biodiversity, Archaeology and Landscape however these Guidelines have not been attached as a condition of the licence. Furthermore, in the Environmental Requirements for Afforestation 2016, adherence with which is a condition, it is stated that it replaces the existing Guidelines. The FAC further noted that the Environmental Requirements for Afforestation 2016 is no longer available on the DAFM website and that a computer search on the DAFM website for the term "Environmental Requirements for Afforestation" on 01/02/2024 shows a document titled "*Environmental Requirements for Afforestation Working Document v.31Aug23*". It is not clear whether this document supersedes the 2016 edition or whether this document has formal status within the DAFM licencing process as it is titled "*Working Document v.31Aug23*". The FAC considers that this creates unnecessary confusion and a lack of clarity in the processing of the decision and constitutes a serious error in the making of the decision.

Conclusion

In considering the appeal, the FAC had regard to the record of the decision, the submitted grounds of appeal, submissions made (including post appeal documentation), and the SOF submitted by the DAFM. In accordance with Article 14B of the Agricultural Appeals Act 2001 (as amended) the FAC is satisfied that a series of significant or serious errors was made in the making of the decision in relation to licence. The FAC is thus setting aside and remitting the decision of the Minister in relation to licence to carry out a new Assessment to Determine the Requirement for EIA before a new decision is made and to ensure that licence conditions are clearly stated so as to be enforceable.

Yours sincerely,

Iain Douglas,
On Behalf of the Forestry Appeals Committee

