

Storm Arwen Update

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Forestry Update– Felling Permission and Windblown Trees

Overnight on the 26th of November 2021, Storm Arwen struck the UK with exceptionally strong winds triggering a rare Met Office Red Warning for wind. This was one of the most powerful and damaging winter storms seen in the last decade resulting in three fatalities where people were hit by falling trees, and we have seen significant damage and disruption with over 1 million homes experiencing loss of power, and over 100,000 homes in the North of Scotland experiencing loss of power for several days.

Power has now been restored to most customers, but many landowners are now facing the challenging task of picking up the pieces after the devastation caused by these once in a generation storm force winds. We have seen huge numbers of trees toppled by windblow, and whilst the scale of this damage is still being assessed by Scottish Forestry and the wider forestry industry, early reports indicate that there has been significant damage in Grampian, Scottish Borders, Dumfries & Galloway, and Perth & Argyll.

Early reports suggest in excess of one million cubic metres of timber may have been blown down in Scotland alone– in region of 20% of the annual harvest.

For anyone facing the clearance of windblown trees, there should be two primary considerations to address prior to any action; Safety, and Felling Permission.

Safety:

Felling trees and working with chainsaws is inherently dangerous, but at no time more so than working on storm-damaged trees and forests. Windblown trees are especially hazardous, as they may be under significant compression/tension forces with stored kinetic energy, may contain suspended debris such as large limbs and crowns that are not visible from the ground, or may be supporting/tangled up in other trees (hung-up). There is also the potential that power lines, phone cables, water and gas mains may also have been affected by falling trees/lifting root plates, and as such, health and safety should be absolutely paramount when approaching windblown trees. The removal of windblown trees should only ever be undertaken by trained, qualified and experienced professionals who have the right tools and insurance for the task in hand.



For areas that have been windblown that are awaiting assessment and clearance, erect signage and barrier tape to exclude access until storm-damaged trees and areas can be made safe.



Scottish Government
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The European Agricultural Fund
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Forestry Update– Felling Permission and Windblown Trees

Felling Permission:

Under the Forestry and Land Management (Scotland) Act 2018, it is an offence to fell trees without first getting felling permission from Scottish Forestry. **The clearance of windblown trees requires a Felling Permission** (previously known as a Felling Licence), unless you qualify for an exemption;

- Trees pose an immediate danger to people, property, or infrastructure
- Windblown trees that are blocking roads

Full list of exemptions found in links below;

[Scottish Forestry– Felling Permission for Windblow](#)

[Forestry \(Exemptions\) \(Scotland\) Regulations 2019](#)

If you are claiming exemption from felling permission (trees posing an immediate danger), the burden of proof to demonstrate this exemption lies with the person claiming it. We strongly advise that you take multiple photographs of any situation where you are claiming exemption and record decisions made in your risk assessment and method statement for the task, and retain these records for at least 3 years.

If you require a felling permission, there is guidance for applicants available on Scottish Forestry's website here:

[Scottish Forestry– Felling Permission](#)

Alternatively, speak to your local Scottish Forestry Woodland Officer or Forestry Agent.

Felling trees (or clearing windblown trees) without valid exemption or Felling Permission can result in prosecution, a criminal record and a fine of up to £5,000 per tree felled.

Failure to secure proper permissions prior to felling can result in prosecution/ criminal records/fines for not only the landowner, but anyone else involved too.

No person should approach trees in contact with power lines, or fell trees with the potential to hit powerlines, even if these lines are perceived to be “dead” or lying on the ground. Cables can be re-energised at any point or can even remain live whilst lying on the ground, so should only be tackled by authorised utilities staff. If you see a dangerous fault on the power line network such as branches or trees tangled in overhead lines, keep a safe distance and call 105.



Key messages:

- Safety should always be your number one priority. If in doubt, seek professional assistance.
- Felling Permission is required for **all trees*** in Scotland **including windblow**, with substantial penalties for illegal felling. *Limited exemptions apply.
- If claiming an exemption, collect plenty of photographic evidence and retain this for at least 3 years.
- Do not approach damaged power lines or trees/branches in contact with overhead lines– call 105 and keep a safe distance.