



Scottish
Forestry
Coilltearachd
na h-Alba

Forestry Engagement and Consultation Processes

Scottish Forestry is the Scottish Government agency responsible for
forestry policy, support and regulation
S e Coilltearachd na h-Alba a' bhuidheann-ghnìomha aig Riaghaltas
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Introduction

As set out in the [Scottish Land Rights and Responsibilities Statement](#) and in [Guidance on engaging communities in decisions relating to land](#), the Scottish Government is committed to the principle that local communities should be involved in the decisions about land that affect them, including those relating to forestry.

The [UK Forestry Standard](#) (UKFS), the technical standard for sustainable forest management (SFM) in the UK, also recognises the importance of public involvement in forestry and contains specific good forestry practice requirements on engagement and consultation.

This document sets out the engagement and consultation processes for forestry plans and proposals in Scotland. The first section is aimed specifically at providing local communities and stakeholders with an overview of the opportunities for engagement and consultation, while the remainder of the document is aimed at all interested parties and sets out the engagement and consultation processes that should be followed for different types of forestry proposals and plans.

Why is engagement and consultation important?

Involving local communities and stakeholders in decisions about forestry creates opportunities not only to improve plans and proposals and thereby increase support for them, but also to support a just transition to net zero, enhance community wellbeing and improve social justice.

Stakeholders and communities can offer valuable local knowledge and insights that can be of great assistance when formulating forest management or woodland creation proposals. Moreover, developing a proactive dialogue can help improve decisions, implement forestry proposals more effectively, and lead to a culture of co-operation and support.

Types of forestry plans and proposals

Land owners or their agents can apply to Scottish Forestry (the Scottish Government agency responsible for forest policy, support and regulations) for [Forestry Grant Scheme](#) support for [woodland creation](#), [Long Term Forest Plans \(LTFP\)¹](#) and [Management Plans²](#). We also make decisions on whether to grant [permission for tree felling](#), approve Forestry and Land Scotland's Land Management Plans (LMP)³ and provide consent to activities covered by forestry [Environmental Impact Assessment](#) (EIA) legislation, including woodland creation, felling woodland to use the land for a different purpose, forest roads, and forest quarries.

¹ LTFPs are 20-year, strategic management plans that provide 10-year approval for felling, thinning and associated restocking.

² Management Plans provide a means to develop and communicate objectives and proposals for woodlands under 100ha in size and can provide 10-year approval for thinning.

³ LMPs set out details of how Forestry and Land Scotland intend to manage areas of the national estate over a period of 10 years.

1. Overview for communities: forestry engagement and consultation

What is local stakeholder and community engagement and consultation?

Local stakeholder and community engagement and consultation is about giving local people and place-based groups the opportunity to express their views and ideas about a forestry plan or proposal, such as a new woodland creation project, so that those views, ideas and concerns can be considered.

When a forestry plan or proposal is being developed, it is the responsibility of the applicant to engage with local stakeholders and communities. This is when communities and local stakeholders have the best opportunity to influence the plan or proposal. After an application is submitted to Scottish Forestry, we usually carry out public consultation (by placing it on our website and inviting comment) before we reach a decision. We do not typically consult communities and the public on applications for woodland creation of two hectares or less, thinning operations, or emergency felling permissions following windblow events.

Who or what is a local stakeholder or community?

In this context, local stakeholders include people or organisations based within the locality of the area covered by the forestry plan or proposal. Local stakeholders may include neighbours (including individual householders) and special interest groups. “Communities” includes both the local geographic community, (represented by community councils and development trusts, amongst other bodies), as well as place-based communities of interest, and user groups.

The application and approval process for forestry plans and proposals

The process for how woodland creation applications, forest plans, felling permissions and other activities covered by forestry EIA legislation are considered, can be broken down into three, or sometimes four, distinct stages:

1. [Proposal preparation](#)
2. [Application assessment](#)
3. [Decision](#)
4. [Decision review and complaints](#)

Stage 1: Proposal preparation

- This stage offers communities and local stakeholders the best opportunity to influence forestry plans and proposals, provide local knowledge and information, suggest improvements or raise concerns for consideration by the applicant (and later in the process Scottish Forestry).
- During this stage, the applicant is responsible for engaging with stakeholders, including communities and local stakeholders.
- For most plans and proposals, during this stage applicants begin to compile a record or log of their journey through the application process, detailing the different topics (including both opportunities and areas of concern) they have considered and any actions they have taken as a result. For

woodland creation and EIA, this is typically referred to as an “issues log” within the forestry sector, for Long Term Forest Plans (LTFPs) it is referred to as scoping.

- Some of the “issues” or topics that communities and local stakeholders commonly provide knowledge, information and evidence on include:
 - Private water supplies;
 - Impacts on tenants and/or local businesses;
 - Footpaths and access;
 - Risks of anti-social behaviour and fly-tipping;
 - Archaeological features;
 - Local wildlife;
 - Deer management;
 - Proximity to dwelling boundaries; and
 - Timber transport.
- Towards the end of the proposal preparation stage for woodland creation, applicants will sometimes request a screening opinion from Scottish Forestry on whether an [Environmental Impact Assessment](#) (EIA) is required. Otherwise, this will be assessed during the second phase of the process, after submission of the application. Further explanation of the EIA process and opportunities for community engagement is covered [here](#).

Stage 2: Application assessment

- After submission to Scottish Forestry for assessment, most forestry proposals and plans that include tree felling or new planting are consulted on publicly (apart from those projects that have already been publicly consulted on where EIA consent was required – Scottish Forestry will only consult publicly once per application).
- Scottish Forestry does not consult when felling is carried out under a Statutory Plant Health Notice (to contain or slow down disease outbreaks), nor does it routinely consult on applications for thinning or woodland creation of less than 2 hectares. We may however choose to seek advice from stakeholders and statutory consultees on these types of application if we are aware the application has the potential to impact on a community, protected site or species.
- The public consultation is done using three [Public Registers](#), where we publish basic information about each application for four weeks:
 1. [Register of felling permission and Forestry Grant Scheme woodland creation applications](#)
 2. [Register of Environmental Impact Assessments](#).
 3. [Register of felling permission proposals contained with Forest Plan applications](#)
- Further information on a particular application listed on one of the Registers can be obtained by contacting the [local Scottish Forestry Conservancy office](#).

- The applicant is responsible for alerting any stakeholders who were involved in Stage 1 that the application has been placed on a Public Register.
- During the four-week consultation period, anyone, including neighbours, members of the public, and community representatives can provide comments on the application. Ideally, however, information, ideas and concerns will have already been raised and, where appropriate, addressed during the proposal preparation stage.
- In certain circumstances, for example for larger or more sensitive cases, Scottish Forestry may also directly consult with relevant stakeholders.

Stage 3: Decision

- Consultation responses will be considered by Scottish Forestry, together with the applicant and we will provide advice to the applicant on any changes required to address the issues raised.
- We are aware there are a range of views on current UKFS requirements, and the content of national or regional policies and strategies. However, views on specific standards, guidance or policy, rather than its application, are not considered in the scheme decision-making process: These views are considered during the process to update and revise the relevant standard, guidance or policy.
- Nearly all conflicts of view are resolved satisfactorily during the plan or proposal preparation and approval process. For those cases where objections are raised, Scottish Forestry will endeavour to resolve disputes through negotiation between parties.
- If no satisfactory resolution has been possible then Scottish Forestry will decide on one of three options: approval, approval subject to required changes, or rejection of the application.
- This decision will be based on whether the proposal:
 - Has considered all the issues raised in the consultation and made changes where appropriate;
 - Fulfils the requirements of the [UK Forestry Standard](#) (UKFS), the technical standard for sustainable forest management in the UK;
 - Fulfils the requirements of relevant Scotland specific forestry guidance;
 - Meets the criteria of the Forestry Grant Scheme;
 - Is consistent with [Scotland's Forestry Strategy 2019-2029](#); and
 - Is in line with the applicable regional Forestry and Woodland Strategy.

Stage 4: Decision review and complaints

- If an application is rejected, the applicant may contact the local [Conservancy office](#) to discuss any concerns they have.
- Following this, if they are still not satisfied, they may request a formal [review](#) of our decision by writing to Scottish Forestry's [Head of Operational Delivery](#).

- There is no 3rd party right to request a formal review of decisions we have made but it is possible for third parties to make a complaint about the way an application has been handled by Scottish Forestry. Complaints about the way specific plans or proposals have been handled by Scottish Forestry should be made to the local [Conservancy office](#).
- Our [Complaints Handling Procedure](#) provides more information on the way in which we deal with complaints.

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Roles and responsibilities during the forestry application approval process

	Applicant	Scottish Forestry	Communities / local stakeholders
<i>Proposal preparation</i>	<p>Engage with local stakeholders and communities.</p> <p>Begin a record or log of application process, detailing considerations and any actions taken.</p>	<p>On request, provide advice to the applicant on appropriate organisations and people to engage with and scale of engagement required.</p>	<p>Use the opportunities presented in this stage of the process to liaise and work with the applicant to help improve the plan/proposal, raise any concerns and highlight opportunities.</p>
<i>Application assessment</i>	<p>If EIA process initiated after application then where EIA consent is required, engage with stakeholders via a scoping meeting to identify significant effects and considerations.</p> <p>Inform stakeholders engaged with during proposal preparation stage that the plan or proposal is being formally consulted on via a Public Register.</p>	<p>Consider whether application meets UKFS and other requirements and assess log of considerations.</p> <p>Consult publicly for four weeks on forestry plans and proposals using one of three Public Registers.</p> <p>Provide maps and information on the plan/proposal to interested parties, as requested.</p>	<p>During this period anyone can comment on a plan/proposal but the best opportunity to express concerns and make suggestions is directly to the applicant during the proposal preparation stage.</p>
<i>Decision making</i>	<p>Respond to Scottish Forestry's advice and direction and amend proposals as necessary.</p> <p>Provide a final proposal to Scottish Forestry and update them on how their suggestions have been incorporated and what changes have been made.</p>	<p>Provide advice to applicant on any changes required to address relevant points raised during consultation.</p> <p>Make a decision on approval and inform applicant of outcome.</p>	<p>Where requested, discuss and explain consultation response with Scottish Forestry.</p>
<i>Decision review and complaints</i>	<p>If application rejected – discuss any concerns with <u>Conservancy office</u> in the first instance. Possible to request formal <u>review</u> by contacting the Scottish Forestry <u>Head of Operations</u>.</p>	<p><u>Review</u> requests to be handled by senior officer, not involved in original decision. Aim to respond in writing within 28 days. Scottish Forestry follows a <u>Complaints Handling procedure</u> when dealing with complaints about how an application has been handled.</p>	<p>Complaints about how a specific plan or proposal has been dealt with by Scottish Forestry can be made directly to the relevant <u>Conservancy office</u>.</p>

2. Forestry engagement and consultation processes

This section provides an overview of the engagement and consultation processes that should be followed for different types of woodland proposal or plan: woodland creation; Environmental Impact Assessment; felling permissions; Long Term Forest Plans and Management Plans; and Forestry and Land Scotland's Land Management Plans.

Section three describes how Scottish Forestry carries out consultation and who with.

Other useful resources on engagement include:

- The Confederation of Forest Industries (CONFOR) stakeholder engagement [guidance note](#) for Forest Managers; and
- The Scottish Land Commission [Good Practice Protocol](#) and [Route Map](#) on engaging communities in decisions relating to land.

Woodland creation

Early engagement in proposal preparation

To help applicants design well-informed woodland creation proposals and avoid any unexpected issues arising during formal consultation, they are required to carry out 'due diligence', including having early discussions about their proposals with neighbours whose properties might be affected, consultees, local communities and Community Councils, Non-Governmental Organisations (NGO's) and other interested parties.

These early discussions also act as a way of notifying neighbours and Community Councils of potential changes to the local environment. We expect applicants to contact neighbours and Community Councils for woodland creation and to record this in their application forms.

Applicants are expected to include all topics considered, their relevance and how they will be addressed within their application. We have created a template log ('Issues Log') for woodland creation applications for this purpose and it can be found in Appendix 3 of our [woodland creation application guidance](#).

Public consultation on application

The majority of woodland creation applications received by Scottish Forestry are grant aided and administered under the FGS. As part of the grant approval process applications for woodland creation proposals exceeding two hectares (ha) are placed on a [Public Register](#) for comment, unless they have gone through the EIA process outlined below.

We will only consult on woodland creation cases once we are satisfied that they are at a stage where all of the relevant issues identified during the 'due diligence' process have been appropriately addressed. Where relevant issues have been identified in the issues log during the due diligence process, we may consult the relevant parties to ensure that these have been adequately and appropriately addressed. The applicant should also alert any stakeholders (including neighbours, community councils and other local interest groups) they engaged with during the proposal preparation/due diligence stage that the application has been placed on a [Public Register for comment](#).

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Further information on the woodland creation application process can be found in our [application guidance](#).

Environmental Impact Assessment

Towards the end of the proposal preparation stage for woodland creation, applicants can choose to request a screening opinion from us on whether an [Environmental Impact Assessment](#) (EIA) is required. Otherwise, this will be assessed after submission of the application.

Early engagement in proposal preparation

If we give a screening opinion that a forestry project requires consent under the Forestry EIA Regulations then scoping is required to establish the significant issues that the EIA report needs to cover. This scoping must involve engaging with interested parties: We recommend applicants arrange a scoping meeting and invite all of the necessary organisations and individuals that may have an interest in the EIA forestry project. A scoping meeting provides statutory consultees⁴, neighbours, community councils, NGO's and any other interested parties an opportunity to contribute information or express their views on the proposal.

Public consultation on application

As part of the application for EIA consent, the applicant must submit an EIA Report to show how their proposals take account of the potential impact on the environment.

Once the EIA Report is prepared and deemed competent by us, we will undertake a consultation. A notice will be published on a [Public Register](#), in the Edinburgh Gazette, and in a local newspaper. The consultation is open for comments for 30 days. We will make the EIA Report available on our [website](#) and will keep a copy for inspection at the local Conservancy office. During this time we will also give details of the application to the relevant statutory consultees and may seek advice from experts or views from relevant stakeholders.

We will consider all responses received and any supplementary information we have requested which is directly relevant to reaching our decision. If the responses result in significant changes to the EIA forestry project we will undertake a second consultation on the application, making the changes, or any additional information provided, available to consultees and the public.

At the end of the consultation period, after taking account of the information made available by the applicant and consultation responses, Scottish Forestry, as the competent authority, will determine whether or not consent is granted. Scottish Forestry will then: notify the applicant and those who responded to the consultation of the decision; publish the decision in the Edinburgh Gazette, any local papers that published the initial notice, and on Scottish Forestry's website; and make a copy of the decision notice available at the local Conservancy office.

Further information on the EIA process can be found in our [EIA for Forestry Projects application guidance](#).

⁴ Statutory consultees for EIA are: Historic Environment Scotland (HES), Scottish Environmental Protection Agency (SEPA), NatureScot, Local Planning Authorities and National Park Authorities.

Felling permissions

A Felling Permission is often required where the felling of trees is being undertaken: It provides legal authority to fell the trees covered by the permission.

Permission for tree felling is obtained by submitting a Felling Permission application and is normally granted on condition that the land is replanted with trees. Other conditions relating to the mitigation of impacts on communities and individuals or on the environment, biodiversity or species may also be applied.

Early engagement in proposal preparation

It is the responsibility of the applicant to discuss their proposal with anyone that might be affected by the felling permission, such as neighbours or local communities. As a minimum, applicants are expected to notify neighbours when preparing their applications and again, prior to any works being carried out. It is also the responsibility of the landowner to liaise with the roads department of the Local Authority to identify any issues with regards to timber transport.

Public consultation on application

All Felling Permission applications for the clearfell or selective felling of trees are placed on a [Public Register](#) for four weeks. In exceptional circumstances we may approve applications without consultation where it is expedient to undertake work, such as after a [catastrophic windblow event](#). We do not routinely consult on applications for thinning using a Public Register, however we may choose to consult directly on them with relevant bodies and interested parties.

Further information on the Felling Permission process can be found on our [webpage](#).

Situations when replanting may not be required are provided in the Scottish Government Policy on the [Control of Woodland Removal](#).

Long Term Forest Plans and Land Management Plans

A Long Term Forest Plan (LTFP) is a 20-year, strategic management plan that provides 10-year approval for felling, thinning and associated restocking. The majority of Forestry Grants Scheme management options (with the exception of Woods In and Around Towns (WIAT) and Woodland Grazing) require an approved LTFP or Management Plan (see below) to be in place before a grant can be awarded.

Instead of LTFPs, Scotland's National Forests and Land have Land Management Plans (LMPs) which cover a 10-year period and set out plans for new planting as well as felling.

Early engagement in proposal preparation

Once initial preparation has been carried out for a LTFP or LMP and management objectives have been identified, scoping work is usually required by the applicant. Scoping is an informative process that helps identify the key factors that should be included within the LTFP and avoid any unexpected issues arising during the later formal consultation phase.

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Applicants are encouraged to first prepare an assessment of the impact of the forestry plan on the local community and local interests and the steps to mitigate these impacts. It is then the applicants responsibility to carry out scoping work with stakeholders. Scottish Forestry will agree with the applicant which stakeholders should be involved, the type of scoping that should take place depending on the sensitivities identified (e.g. by letter or email, by formal meeting, or by public meeting), and the appropriate scoping documents that should be shared with stakeholders. Interested parties should be given at least four weeks to provide their comments and a short scoping report / issues log should then be produced, setting out all the issues raised through the scoping process and how they will be addressed in the Forest Plan.

Public consultation on application

When a LTFP or LMP has been written and we are content that it meets the requirements of the UKFS will we consult with consultees and stakeholders to ensure that the relevant issues raised have been adequately and appropriately addressed and we will place details on a [Public Register](#) for comment for a period of four weeks. Applicants should notify any stakeholders involved during the scoping stage that the plan has been placed on the Public Register.

Further information on the LTFP process can be found in our [applicant's guidance](#).

Details of LMPs that FLS are currently engaging on can be found on their [website](#).

Plan amendments

Any adjustment to proposals beyond limits agreed within a LTFP or LMP may require a formal amendment. Depending on the significance of the amendment Scottish Forestry may formally consult and place details of the amendment on a [Public Register](#) for comment.

Management Plans

A Management Plan provides a means to develop and communicate objectives and proposals for woodlands under 100ha in size and can provide 10-year approval for thinning. The majority of Forestry Grants Scheme management options (with the exception of Woods In and Around Towns (WIAT) and Woodland Grazing) require an approved Management Plan or LTFP to be in place before a grant can be awarded.

Early engagement in proposal preparation

Applicants are advised to contact any neighbours, organisations, statutory bodies, or other members of the public who may be affected by the operations detailed in the plan. If there is no evidence of stakeholder engagement then we may request that this is carried out. Applicants are advised to discuss stakeholder engagement requirements with the local Conservancy office.

Public consultation on an application

Where we deem it necessary due to site sensitivities, we may carry out formal consultation.

3. Scottish Forestry consultation procedures

This section sets out who we consult with and how.

Public consultation using our Public Registers

We currently maintain three Public Registers on our website:

1. [Register of Legacy Grant Schemes and Forest Plans](#)

This Register contains details of new and amended LMP's and LTFP's. This Register also contains amendments to legacy grant scheme contracts. Details are placed on this Register for four weeks.

2. [Register of Felling Permissions and Forestry Grant Scheme Woodland Creation Applications](#)

This Register contains details of Felling Permission applications and Forestry Grant Scheme (FGS) applications for Woodland Creation and Agroforestry. This Register also contains amendments to FGS Woodland Creation and Agroforestry contracts. Details are placed on this Register for four weeks.

3. [Register of Environmental Impact Assessments](#)

This Register is required under EIA regulations and shows information about decisions that we make during the EIA process. The Register shows details of individual cases at three possible stages:

- **Opinion:** This is the first stage, following our screening opinion when we have decided whether the applicant must apply for consent. Information about this stage will be displayed for four weeks. If consent is required and the applicant seeks consent, then details of two further stages will be shown:
- **Scoping:** A scoping meeting is held to help decide the issues that must be covered in the EIA Report. Information about this stage will remain on the Register for five weeks.
- **Determination:** This is the final decision stage. We decide whether to give consent for the project after receiving the EIA Report. Information about this stage will be displayed for six weeks.

For further information on forestry projects that require EIA consent see our [EIA Reports for forestry projects webpage](#).

The relevant [Conservancy office](#) can be contacted for further information on any case on a Public Register.

When applications appear on our Public Registers anyone may provide us with comments or additional information relevant to the proposal. If you submit comments about an application, we will take these into account as part of the approval process and discuss them with the applicant. The Woodland Officer managing the case will be able to advise you on how we have taken your comments into account.

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It is vital that responses are received within the consultation periods stated above, as late responses may not be considered.

Information on how Scottish Forestry handles personal information can be found on the bottom of our webpage <https://forestry.gov.scot/support-regulations/complaints-appeals-and-your-data>.

Who we consult directly

Under the [Forestry EIA Regulations](#), where consent is needed, we are required to consult specific public bodies with regard to identified impacts that relate to their responsibilities. These bodies are as follows: Historic Environment Scotland (HES), NatureScot, the Scottish Environment Protection Agency (SEPA), as well as local planning and national park planning authorities. We also consult these bodies directly where it is relevant for woodland creation and felling permission applications.

In order to prioritise, simplify, and accelerate our engagement with HES, NatureScot and SEPA on forestry developments, we have a [Joint Working Agreement](#) with them, which sets out when these consultees will be formally consulted.

We may also choose to directly consult other government departments, NGO's, neighbours, community councils, or local interest groups. Examples of this would be the Local Planning Authority Archaeology Service for woodland creation that may have a potential impact on the historic environment; RSPB where birds have been identified as a sensitivity; a community council where footpaths and access may be impacted; or RPID where agricultural land is involved.

How we resolve complex cases

Nearly all conflicts of view are resolved satisfactorily during the consultation process. If we receive comments or other information about an application we will discuss these with the applicant, and where appropriate ask them to amend their proposal to take these into consideration. In most cases where this happens, reasonable changes can be made and a satisfactory solution reached. Conversely, we may decide that in light of the information we have received, or in a situation where the applicant refuses to amend the proposal, the application could be rejected.

For those cases where objections are raised and/or substantive comment and advice is offered by a consultee or Scottish Forestry then Scottish Forestry will endeavour to resolve disputes through negotiation between parties. If no satisfactory local resolution has been possible then Scottish Forestry will decide on approval, approval subject to required changes or rejection of the application. Where, despite rigorous effort, resolution proves impossible because of issues of national importance, the case will be referred to senior managers.

Requesting a review of a decision, appeals and complaints

The [review process](#) is used when an applicant, or their agent is not content with Scottish Forestry's decision relating to their application. In the first instance, applicants are asked to contact their local Conservator directly or via their [Conservancy office](#) to discuss their concerns.

Following this, if they are still not satisfied with the decision, they may request a formal review by contacting Scottish Forestry's [Head of Operations](#), within the timescale provided in the decision letter.

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The review request will be considered by a senior officer who was not involved in the original decision. Scottish Forestry aims to respond in writing within 28 days. The response will confirm, amend or alter the original decision.

There is no third party right to appeal or request a formal review of the decisions we make. However, it is possible for both applicants and third parties to complain about the way an application has been handled by Scottish Forestry. Complaints about the way specific plans or proposals have been handled by Scottish Forestry should be made to the local [Conservancy office](#).

In the case of EIA consent, only applicants may appeal our decision to the Scottish Ministers, however any person who feels aggrieved by the granting of EIA consent can make an application to the [Court of Session](#) if they feel that their interests are prejudiced. This must be done within six weeks of consent being granted.

Further information can be found here:

- [Decision review process](#);
- [Complaints handling procedure](#);
- [General information on complaints, appeals \(including EIA\) and compensation relating to forestry grants and regulations](#).