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The Climate Action Regional Offices are an initiative of the Government of Ireland funded by the Department of the Environment, Climate and Communications and managed through Local Authorities.

Guidance for Local Authorities on the 'Forest Creation on Public Lands' Scheme

A Frequently Asked Questions Guide for Local Authorities in site selection, procurement, health & safety and forest management in relation to the Department of Agriculture, Food and Marine's Forest Creation on Public Lands Scheme.

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An Roinn Comhshaoil,
Aeráide agus Cumarsáide
Department of the Environment,
Climate and Communications



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
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Rialtas Áitiúil Éireann
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The Atlantic Seaboard South CARO is one of four regional offices established as a national shared service by the Local Authority Sector. The service is a response to Action 8 of the 2018 National Adaptation Framework (NAF) and it is guided, supported and funded by the Department of Environment, Climate and Communications.

The CAROS are hosted and staffed by the lead authorities of Cork County Council, Dublin City Council, Kildare County Council and Mayo County Council. The Offices are mandated to coordinate engagement across the sector and with other Government Sectors to build on Climate Action experience and expertise and to assist Local Authorities to meet targets set for them by Statute and by Central Government.

The Atlantic Seaboard South Region covers the functional areas of Clare County Council, Cork County Council, Cork City Council, Kerry County Council and Limerick City & County Council. Guidance and advice prepared by each CARO is made available to all Local Authorities.

*Photo opposite: Acorns.
Department of Agriculture, Food and the Marine (DAFM).*



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Photo opposite: Native Woodland Canopy Charleville, Co. Offaly (DAFM)



List of Abbreviations

DAFM	Department of Agriculture, Food and the Marine
CARO	Climate Action Regional Office
FCPL	Forest Creation on Public Land Scheme
RFQ	Request for Quotation
AA	Appropriate Assessment
EIA	Environmental Impact Assessment
NIS	Natura Impact Statement
PSDP	Project Supervisor Design Process
PSCS	Project Supervisor Construction Stage
UG	Under Ground
OH	Over Head
KV	KiloVolt
HSA	Health and Safety Authority
LA	Local Authority

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1. Introduction

1.1 What is the Forest Creation on Public Lands Scheme?

The Forest Creation on Public Lands Scheme has been developed by the Department of Agriculture, Food and the Marine (DAFM) to encourage Public Bodies to establish new native forests on suitable bare lands and is described as Forest Type 3 (FT3) in the Forestry Programme ([Afforestation Scheme 2023-2027](#)). The Scheme is grant funded by DAFM on sites of >0.1 ha. The Scheme is focused primarily on developing new areas of native forest, but it also includes optional funding for recreational amenity provisions such as trails, seating, signage, and playgrounds.

Similar schemes are already available to private landowners such as the Native Forests Scheme (FT1) and to community groups in partnership with private/public bodies in the form of the NeighbourWoods Scheme (FT4). However, the FT3 Scheme is solely for Public Bodies. The scheme aims to conserve nature by developing permanent, non-commercial forests on public lands while also delivering many environmental and amenity benefits.

DAFM have released a Scheme document including Terms and Conditions for Public Bodies which can be accessed [here](#). The Scheme document details all relevant information about the scheme and a step-by-step guide in relation to the application process.

The aim of this FAQ document is to assist Local Authorities in answering the questions not otherwise covered in the DAFM Scheme document from choosing a site, procuring a forester, planning queries, health & safety, and the overall management of the established forest.

This document consists of a list of the most frequently asked questions (FAQ) in relation to the creation of a native forest under this Scheme along with two Request for Quotation templates (RFQ) which may support Local Authorities in the procurement of a Registered Forester. This document also includes two flowcharts to assist Local Authorities on the likely health and safety requirements that may apply.

1.2 What are the benefits to the Local Authority?

The benefits to a Local Authority who embark on this initiative are many and include:

Climate Action- The establishment of a native forest will assist Local Authorities in delivering on targets set out in the United Nations Sustainable Development Goals, in the Climate Action Plan 2019 (8,000 ha of planting/annum) and actions set out in the Local Authority Climate Action Charter. Furthermore, the establishment of forests will also assist in delivering on biodiversity/green infrastructure actions outlined in Local Authority Climate Adaptation Strategies which were adopted by all Local Authorities in 2019 and Local Authority Climate Action Plans which were adopted in 2024.

Forests are also great mechanisms for carbon capture and can act as permanent carbon sinks. With ever increasing targets being set for carbon emissions reduction, the establishment of a forest is one method in which Local Authorities can record the carbon captured against their own carbon footprint. It should be noted that the State maintains its primacy on reporting rights in relation to carbon captured by forests established under this Scheme as part of its international reporting obligations.

Biodiversity Enhancement - Ireland's native and semi-natural forests are highly biodiverse. They support a very wide range of flora and faunal species including fungi, lichens, mosses, plants, birds, invertebrates, amphibians and mammals. However, historic clearance of native woodlands by people means that the national resource of native woodland is now extremely limited (estimated cover of 1-2% of landmass). Extending native forest cover, in particular committing land to native forest cover permanently, will have positive benefits for biodiversity by providing additional space for native forest habitats to develop and opportunities for associated flora and faunal species to expand their range.

Water & Air Quality Enhancement - The establishment of native forests can provide protection and enhancement of water bodies and their associated aquatic ecosystems by reducing sediment movement and runoff into watercourses, intercepting nutrient runoff into watercourses, bank stabilisation, food input into the aquatic ecosystem, shading & cooling, regulation of flood waters and riparian restoration. Furthermore, trees can remove pollutants from the atmosphere thereby enhancing air quality in an area.

Amenity & Aesthetic Value - The establishment of a native forest can promote health and wellbeing of local communities through the provision of attractive outdoor recreational spaces in addition to providing opportunities for learning. Local Authorities can subsidise communities to be more inclusive and resilient by offering a space that is beneficial for physical and mental health for all generations.

Available Funding – Grant funding of up to €10,544/hectare is provided to Local Authorities under this scheme which comprises of €6,744/hectare for planting and establishment and an additional €3,800/hectare (up to a maximum of €45,600 per application) if optional Element 1 (trails, seats, signage) is included. Funding of up to €10,000 per application is also available if the forest includes optional Element 2 (playground equipment.). Grant funding of €1,103 per hectare per year for 15 years is also provided for forest maintenance. Additional funding is available for [fencing of the forest area](#).

The Scheme provides an additional grant of €500/hectare for the development of forestry on former landfill sites/brownfield sites if sites are considered suitable for planting, and under specific conditions as outlined in the DAFM Scheme document. Applicants are advised to liaise with the Environmental Protection Agency if considering planting on landfill/historic landfill sites.

It is also important to note that the larger the site area, the more likely it is that the scheme will cover the majority or all of the costs involved in site preparation, planting and early maintenance.

Adverse Possession- The creation of a native woodlands on lands not required for other purposes will reduce the likelihood that the lands could fall into adverse possession in the future.

1.3 Who undertakes the application to DAFM?

One important item to note at the start of this process is that all applications under this scheme must be prepared with input by a Registered Forester, who will be familiar with the processes involved and the various silvicultural and environmental requirements that apply, and who will be able to oversee the site preparation, planting and establishment of the forest as well as maintenance up to payment of the 2nd Planting Grant. The Registered Forester will apply, on behalf of the Local Authority, to DAFM for both consent and the grant funding.

DAFM holds a list of [Registered Foresters](#) and a Directory of [Professional Ecologists](#) available to work on forestry projects.

Details on how to procure the Registered Forester and Ecologist is given in Section 5 along with template procurement documents.

The application to DAFM under this scheme covers both (a) the application for a licence for afforestation with native forest, and (b) the application for funding under this scheme.

The Local Authority can also seek further independent advice from their local [Teagasc](#) Forest Development Officer in relation to the site selection and forestry processes.

Photo: Native Woodland at Dunmanway, Co. Cork. (DAFM).



2. Choosing the Site

2.1 How do I establish what lands my Local Authority owns?

One of the first steps is to establish what lands your Local Authority owns and which ones might be suitable. Local Authorities have many different asset management systems which will vary from Local Authority to Local Authority. It is advisable that you contact your property section for a register of lands in your Local Authorities' ownership. Your IT/GIS section or Corporate Section may also have a database where all such lands are mapped.

In the case where there are queries over the ownership of a particular site, it is advisable to contact your legal section or legal team or equivalent. A search on Land Direct www.landdirect.ie (Land Registry & Registry of Deeds) will also give information as to the ownership, title and any burdens that exist on the lands.

The original purpose for the acquisition of the land should also be investigated and whether or not your Local Authority has future plans for the site. This may rule out a site which may have been otherwise considered suitable.

2.2 What Planning, Environment, Ecology and Heritage Considerations are required in the site selection?

Once you have identified potential sites in Local Authority control, you will need to establish whether they are suitable for the creation of new forest areas. Issues which should be considered when identifying suitable sites include compatibility with:

- **local planning policy and zoning objectives**
- **landscape sensitivities**
- **ecological and environmental sensitivities**
- **protection of built and cultural heritage features**
- **impacts/opinions of local people/communities; and**
- **road safety**

You should use your own mapping systems and/or check with your Planning Section and where available, ecological and heritage staff to assist with this process. Where ecological/heritage expertise is not available internally, you may want to consider engaging external consultants to advise on the suitability of identified sites. It is advised to avoid planting on habitats which already have high biodiversity value. This may include wetlands, riparian zones, intact peatland habitats (heath and bog) and unimproved grassland habitats in coastal and other areas. It may also include habitats within European sites and within Natural Heritage Areas and proposed Natural Heritage Areas. Your in-house ecological/heritage team and/or appointed ecologist will be able to provide further support in this regard.

3. Ecology/Environment/Planning

3.1 Is Planning Consent /Part 8 required for the Forests and other ancillary works?

While the DAFM approval under the scheme includes the required licence to afforest, planning permission may be needed in relation to the provision of ancillary infrastructure such as roads, trails, playgrounds, entrances, etc.

A Local Authority development is exempted from requiring planning permission within its own administrative boundary in some circumstances. Part 8 of the Planning and Development Regulations 2001, as amended, sets out procedures for consenting Local Authority developments of certain types and for developments costing over €126,000. Developments which trigger a requirement for Appropriate Assessment (AA), or Environmental Impact Assessment (EIA) must be referred to An Bord Pleanála which is the Competent Authority for completing AA and EIA in respect of Local Authority development.

It is advisable to check with your own Planning Department to ascertain planning requirements for planting and trails/ playgrounds in addition to any access roads, entrances, etc. associated with your project.

3.2 Is there a requirement for an Appropriate Assessment (AA) Screening?

The DAFM undertakes screening for appropriate assessment, to establish whether there is a likelihood of the project, alone or in combination with other plans and projects, having a significant effect on a European Site, i.e. a 'Special Area of Conservation' (SAC) or 'Special Protection Area' (SPA). Where the likelihood of a significant effect is identified, or where uncertainty exists, DAFM proceeds to undertake appropriate assessment, and will only give approval if it can be established that the project, in combination with other plans and projects, will not have an adverse effect on the integrity of any European Site. Note that AA screening has a light trigger (i.e. the precautionary principle applies), and most projects submitted under the scheme are likely to be screened in for Appropriate Assessment. If Appropriate Assessment is required, DAFM may require the submission of a Natura Impact Statement (NIS) or may opt to produce an AA Report internally. [S.I.293 of 2021](#) and [Circular 10 2021](#), describe the implications on the DAFM licencing process consultation period if AA is required.

Local Authorities applying under the scheme can also opt to provide a Pre-Screening Report compiled with input by an ecologist, and the conclusion of that report will be considered by DAFM in its screening of the project.

For details on the DAFM's AA procedures, see [Circulars](#) to the Trade covering the topic. A list of European Sites can be accessed on the National Parks & Wildlife Service [website](#).

3.3 Is there a requirement for an Environmental Impact Assessment (EIA) Screening?

Under forestry legislation, an EIA is required for all afforestation projects 50 ha or greater. Projects less than 50 ha in area undergo a sub-threshold screening for EIA. In cases

where an EIA is required, applicants can request the DAFM to provide scoping regarding issues of particular concern which the EIA Report should address.

3.4 What other ecology surveys/ environmental studies are required/advised?

DAFM maintains a Directory of Professional Ecologists available to work on forestry-related projects, see list of [Professional Ecologists](#).

You may also want to consider carrying out a pre-works ecological survey to establish a baseline if you intend to monitor the development of the forest and measure the ecological benefits of the scheme over time.

Depending on the location of the site, there may be a requirement to carry out other studies such as archaeological impact assessments, invasive species assessments, etc. This will be on a site-by-site basis and you are advised to contact DAFM and your Planning Section if this arises.

3.5 What setbacks (from boundaries, dwellings, other buildings, watercourses, roads, infrastructure (e.g., telecoms, turbines, weather stations) are required?

Some of the main setback requirements are outlined in Table 1 below. However, you are advised to consult DAFM's [Environmental Requirements for Afforestation](#) and [Forestry Standards Manual](#) for the full setback list and requirements in respect of various environmental and infrastructural features, and specifics regarding the design and treatment of each type. If you have concerns about setbacks not included in the documents listed above, it is advisable to contact DAFM for advice in advance of an application (please refer to circular [1/2022](#) regarding pre-application discussion).

Photo: Brimstone butterfly, Darrow Wood, Co. Laois (DAFM).



Table 1. Setback Requirements

Feature type	Detailed feature	Special condition	Minimum Setback Width	Setback for peat soils & sites within catchment area of high status objective waterbodies.
Water Features		Slope Moderate (0-15%)	10 metres	20 metres
		Slope Steep (15-30%)	15 metres	25 metres
		Slope Very steep (>30%)	20 metres	25 metres
	Relevant Watercourse	-	5 metres	
	Hotspot	-	6 metres	
	Drinking water abstraction	-	20 metres	
Retained Habitat	Hedgerows	-	5 metres	
	Veteran Trees	-	varies	
	Landscape	-	varies	
Archaeological Features	Designated sites and monuments	-	20 metres	
	Designated buildings and structures	-	30 metres	
	Non-designated built heritage structures	-	10 metres	

Definitions of the different types of water features listed above, i.e. aquatic zones, relevant watercourses, hotspots and drinking water abstraction points, can be found in the [DAFM Circular 12/2017](#). Also, refer to the [Environmental Requirements for Afforestation](#) and the [Forestry Standards Manual](#) for details regarding the treatment of the various setbacks described above.

Feature type	Detailed feature	Special condition	Minimum Setback Width
Public Roads		Conifer	20 metres
		Broadleaves	10 metres
Utilized Building	Dwelling houses	-	60 metres
		with consent in writing	30 metres
		Only applicable to WCPL Scheme: In urban areas, where a public consultation process with local residents has been undertaken.	30 metres
	Roofed farm building	-	10 metres
Utility Features	Gas line	Gas line installed prior to planting	15 metres
		Gas line installed after planting	30 metres
	ESB corridors	Low voltage (230/400V)	none (clearance from branches & treetops only)
		10 kV and 38 kV	20 metres
		110 kV	61 metres
		220 kV	68 metres
		400 kV	75 metres
	Water mains corridors	-	15 metres
	Wind Turbines	-	30 metres
Others	Ride lines	-	6 metres
	Railway	-	20 metres
	Rights of Way	-	5 metres
	Weather Station		Contact Met Eireann for setback requirement



Various other requirements apply in relation to afforestation, including an assessment of the site's suitability for growing trees. More information on such requirements is available [here](#). Your Registered Forester will be familiar with these and other standards and requirements and can advise accordingly.

4. Health & Safety

4.1 What Health & Safety requirements apply to the creation of native forests?

As with all projects, the local Authority will be responsible for ensuring that the appropriate Health & Safety requirements are met during all stages of the forest creation. This includes the provision of Health & Safety documentation and the appropriate safety appointments in addition to adherence to the individual Local Authority Safety Management System where available.

Two flowcharts accompany this guidance document and are located in Appendix C. These set out the Health & Safety requirements for (a) planting only (referred to as Forest Type 3 in the DAFM Scheme) with the optional addition of seats and signage (included under Element 1 in the DAFM Scheme), and (b) planting with construction which includes planting (FT3) with the addition of construction (e.g. trails under Element 1 of the DAFM Scheme and/or forest playground equipment under Element 2 of the DAFM Scheme). These flowcharts are intended to guide Local Authorities in relation to what health & safety requirements are likely to apply in each circumstance (planting only or planting with construction). It is advisable, however, that the Local Authority consult with their own Health and Safety Team/Advisor in advance of any project under this Scheme.

4.2 How should the Safety, Health and Welfare at Work (Construction) Regulations 2013 be managed in relation to works carried out under the Forest Creation on Public Lands Scheme?

For most projects undertaken under this scheme, it is envisaged that the only instances of construction work that will be undertaken will be the construction of forest roads/trails under Element 1 and the construction of playground/recreation facilities under Element 2. However, it is possible that some projects will involve some other elements of construction work e.g. demolition of an existing structure on the proposed site prior to planting or the installation of precast culverts for drainage on a proposed site.

The management of Health and Safety must be approached differently on projects that will involve construction work to those that do not involve construction work, the difference being that the Safety, Health and Welfare at Work (Construction) Regulations 2013 must be applied to projects that will involve construction work.

In order to establish whether the Safety, Health and Welfare at Work (Construction) Regulations 2013 apply to the work to be undertaken, the scope of the work should firstly be determined and then the flow charts in Appendix C of this document should be consulted. Separate flowcharts have been developed, one for projects that will involve planting only and one for projects that will involve planting with construction.

Initially both flowcharts should be consulted until the relevant scope of work has been identified from the top row of one of the flow charts. Once the flowchart containing the relevant scope of works has been identified, the flowchart should be used to determine:

- **which Request for Quotation (RFQ) for engagement of a Registered Forester should be issued,**
- **which legislation and guidance apply,**
- **what roles and appointments are required,**
- **what the requirements in relation to competency assessment are, and,**
- **if the Construction Regulations are relevant to the proposed works, at what stage they should be applied.**

For the reasons outlined above, the RFQ documentation for the Forest Creation on Public Lands Scheme has been developed as two separate documents, “The RFQ for Planting Only” and “The RFQ for Planting with Construction” as described below:

RFQ for Planting Only: This document should be used to procure Registered Forester services for forests on which there will be no construction work undertaken.

RFQ for Planting with Construction: This document should be used to procure Registered Forester services for forests which will involve or are expected to involve construction work.

4.3 Access to the proposed site will require preparation of a new site entrance including demolition of an existing wall. Do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

Yes, this project involves the demolition of a structure (the wall) and hence the RFQ for Planting with Construction should be referenced. Refer to the Planting with Construction Flowchart in Appendix C.

4.4 The site will require the installation of precast culverts or pipework or both for drainage. Do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

Yes, the installation of precast culverts or pipework is determined as construction work and hence RFQ for Planting with Construction should be referenced. Refer to the Planting with Construction Flowchart in Appendix C.

4.5 There is an existing structure on the proposed site which will have to be demolished prior to forest establishment. Does this requirement mean that the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

Yes, demolition of any structure on site means that the Safety Health and Welfare at Work (Construction) Regulations 2013 apply. The RFQ for Planting with Construction should be referenced. Refer to the Planting with Construction Flowchart in Appendix C.

4.6 If shrub and bushes are present on site, and these need to be removed using an excavator prior to planting, does this constitute construction work and should the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

No, as long as there are no other construction activities envisaged, the removal of shrub and bushes from a site (even with an excavator) will fall under the remit of forestry work (Note that this work is prohibited between March 1st and August 31st as per the Wildlife Act 1976). Refer to the Planting Only Flowchart in Appendix C.

4.7 The scope of work under the proposed contract involves one or all of the below activities. Do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

- The construction of car parking facilities.
- The construction of amenities including a playground.
- The construction of a forest road or forest trails/walkways and associated signage.
- The construction of any structure, including a culvert.
- The diversion of overhead or underground services.

Yes, sites for which any of the above are included in the proposed scope involve construction work. The RFQ for Planting with Construction should be referenced. Refer to the Planting with Construction Flowchart in Appendix C.

4.8 The proposed site contains one or all of the below site constraints. Do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

- A waterbody.
- Overhead electricity or utility lines.
- Underground utilities.

Refer to Table 4.1 below.

Site Constraint	Do the Construction Regulations apply?	Other relevant implications
Water Features	Planting in the vicinity of a water body does not constitute construction work. Note that DAFM have pre-determined set-back distances for planting adjacent to a waterbody (aquatic buffer zones) so there should be no requirement to plant near a water body	If this is a Planting with Construction project and construction work is being undertaken on a site where a waterbody is present, then working near water should be listed as a particular risk* by the PSDP in the Preliminary Safety and Health Plan. Refer to the relevant Flowchart to determine the requirements in relation to appointments and duties imposed.
Overhead (OH) electricity or utility lines	Planting in the vicinity of OH electricity or utility lines does not constitute construction work. Note that diversion of such services is considered construction work and will determine that the RFQ for Planting with Construction should be issued.	If this is a Planting with Construction project, construction work should be undertaken in accordance with the Code of Practice for Avoiding Danger from Overhead Electricity Lines. If construction work is being carried out, a particular risk* is present if poles are being moved or if the line is 1kV or higher. Refer to the relevant Flowchart to determine the requirements in relation to appointments and duties imposed.
Underground (UG) utilities	Undertaking planting in the vicinity of underground utilities does not constitute construction work. Note the DAFM have pre-determined set-back distances for planting from listed site features including underground features (refer to the Forestry Standards Manual). Note that diversion of such services is considered construction work and will determine that the RFQ for Planting with Construction should be issued.	If this is a Planting with Construction project and construction work should be undertaken in accordance with the Code of Practice for Avoiding Danger from Underground Services. During construction design, if UG services such as the following are present; a gas main; a high-pressure water main; electric cables in excess of 1kV, these should be listed as particular risks* by the PSDP in the Preliminary Safety and Health Plan.

*Particular risks are those risks listed under Schedule 1 of the 2013 Construction Regulations. Additional information is provided in Question 4.14 below.



4.9 Deer fencing is required for the proposed site. Does this requirement mean that the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

No, deer fencing alone does not invoke the duties imposed by the Construction Regulations, this work falls under the remit of the Registered Forestry Company. The RFQ for Planting only should be referenced. Refer to the Planting only Flowchart in Appendix C.

4.10 The scope of the works included under Element 1 of the scheme allows for the installation of signage or noticeboards. Does the installation of these constitute construction work and do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

The installation of seating & signage alone, without the installation of trails is not considered construction work and can be applied for under Element 1 referencing the RFQ for Planting Only.

The installation of the combination of all 3 facilities listed under Element 1 (Trails, Seating & Signage) is considered construction work and can be applied for under Element 1 referencing the RFQ for Planting with Construction.

Refer to the respective Flowcharts in Appendix C.

For further information on forestry signage and notice boards, refer to the DAFM publication, [“Forest Recreation in Ireland; A Guide for Forest Owners and Managers”](#).

4.11 On a project that is described as Planting with Construction, at what stage of the project do the Safety Health and Welfare at Work (Construction) Regulations 2013 apply?

Under the application for the Forest Creation on Public Lands Scheme, construction work could be scheduled to commence at the start of the project, e.g. site development including the demolition of a structure, in which case the Construction Regulations apply from Form 1 stage.

If construction work is scheduled to commence in relation to works described under Elements 1 and 2 (forest roads/trails and/or forest playgrounds), then the application for same should be made by submitting Form 1d. In this scenario, the Construction Regulations apply when the design commences for the forest trails and signage or the forest playground.

During the establishment of the forest canopy, there will be a period after the site has been planted and before the applications for commencement of the installation of recreational facilities have been made (before Form 1d has been submitted), where no construction work will be taking place on the site. During this time the Registered Forestry Company can terminate the PSDP and PSCS appointments as they deem necessary. If the appointments are terminated for a period during the contract, when the roles of PSDP and PSCS are re-appointed at Form 1d stage, the competency should be assessed again at this point. Refer to the Planting with Construction Flowchart in Appendix C.

*Photo opposite: Killarney National Park, Co. Kerry.
shutterstock.com*

4.12 Does the requirement to assess the Health & Safety competency of prospective successful tenderers come under the remit of the local Authority?

Yes, the competency of successful tenderers must be assessed in all cases, irrespective of which RFQ is referenced. Separate competency assessment requirements are set out in the RFQ for Planting only and the RFQ for Planting with construction. Each Local Authority is welcome to insert their own specific competency assessment into the RFQ if they so wish, this will not cause any issues as long as the Local Authority can establish that the appointed tenderer is competent to undertake the work in a safe manner.

4.13 On projects where construction work is envisaged, are PSDP and PSCS appointments always required?

On projects where construction work is involved, project supervisor appointments are required when any one of the scenarios listed below is present.

- *If the work is expected to last longer than 30 working days*
- *If the work is expected to last longer than 500 person days*
- *If the work will involve a “particular risk”*
- *If it is expected that there will be more than one contractor involved*

If none of the 4 listed above scenarios are present, there is no requirement to appoint a PSDP or a PSCS.

4.14 What is a “Particular Risk” as referred to in Health and Safety Legislation?

Particular risks are those risks listed under Schedule 1 of the Safety, Health and Welfare at Work (Construction) Regulations 2013. They are presented as a non-exhaustive list of work involving particular risks to the safety, health and welfare of persons at work.

Particular risks under Schedule 1 are listed as follows:

1. *Work which puts persons at work at risk of –*
 - a. *falling from a height,*
 - b. *burial under earthfalls, or*
 - c. *engulfment in swampland,*

where the risk is particularly aggravated by the nature of the work or processes used or by the environment at the place of work or construction site.
2. *Work which puts persons at work at risk from chemical or biological substances constituting a particular danger to the safety and health of such persons or involving a statutory requirement for health monitoring.*
3. *Work with ionising radiation requiring the designation of controlled or supervised areas as defined in Directive 96/29/Euratom4.*
4. *Work near high voltage power lines.*
5. *Work exposing persons at work to the risk of drowning.*

6. *Work on wells, underground earthworks and tunnels.*

7. *Work carried out by divers at work having a system of air supply.*

8. *Work carried out in a caisson with a compressed-air atmosphere.*

9. *Work involving the use of explosives.*

10. *Work involving the assembly or dismantling of heavy prefabricated components.*

Additional guidance on Particular Risks is provided in the HSA’s “[Guidelines on the Procurement, Design and Management Requirements of the Safety health and Welfare at Work \(Construction\) Regulations 2013 \(Updated\)](#)”.

4.15 On projects where construction work is envisaged and PSDP and PSCS appointments are required, do the appointed PSDP and PSCS have to develop respective Preliminary and Construction Stage Safety and Health Plans?

On projects where construction work is involved, and PSDP and PSCS appointments are being made, the requirement to develop Preliminary and Construction Stage Safety and Health Plans only exists when any one of the scenarios listed below is present:

- *If the work is expected to last longer than 30 working days*
- *If the work is expected to last longer than 500 person days*
- *If they work involves a “particular risk” as referred to above*

If none of the 3 listed above scenarios are present, there is no requirement for the appointed PSDP or PSCS to develop or issue Preliminary or Construction Stage Safety and Health Plans.

4.16 On projects where construction work will be undertaken, do the HSA need to be notified about the commencement of the project and if so, when, and by whom?

On projects where construction work is will be undertaken, the requirement to notify the HSA relates only to project duration, the HSA must be notified if:

- *The work is expected to last longer than 30 working days*
- *The work is expected to last longer than 500 person days*

At the commencement of the construction design process, the onus will be on the Local Authority to notify the HSA by issuing the AF1 Form.

At the commencement of the construction stage, the onus will be on the appointed Contractor to notify the HSA by issuing the AF2 Form.

5. Procurement

5.1 What procurement process should I follow for the project?

Local Authorities, like all Public Bodies, are subject to strict public procurement rules and the purchase of all goods and services must follow a competitive process. The value and type of forest contract will determine whether the procurement procedure needs to meet either local, national or EU rules.



It is important to note that in addition to national & EU procurement rules, each Local Authority will have its own individual Procurement Policy. The procurement of the services of a Registered Forester and Ecologist to undertake works under this Scheme must have regard to both the national & EU thresholds and your Local Authority Procurement Policy.

It is advisable that you liaise with your Local Authority Procurement Department to ensure the appropriate procurement route, contracts and forms are being used for the works proposed.

To assist with the process of procuring the services of a Registered Forester and Ecologist, two Request for Quotation (RFQ) templates have been prepared for Local Authorities alongside this guidance document. These templates can be tailored to the needs of the individual Local Authority and the chosen project depending on project type, cost and in line with the Local Authority's own procurement policy.

Two RFQ templates have been prepared to account for:

- Planting only
- Planting with Construction (playground/trail/amenity for example)

6. Application Process

6.1 Where can I find out about the Application Process?

DAFM have produced a comprehensive guidance document for Public Bodies in relation to this scheme. It covers all relevant Scheme Terms and Conditions, information and requirements in relation to the application and establishment process. The document can be accessed [here](#).

6.2 Can the LA apply for more than 1 site within the same application?

Yes, a number of sites can be included in the same application, once all of the sites are under the same ownership and are within a circle measuring 6 km in diameter.

However, it should be noted that ecological / environmental issues arising in relation to one site within a bundle may prompt the requirement for an ecological survey, a Natura Impact Statement (NIS) or an Environmental Impact Assessment (EIA) Report, and this will delay the progressing of the remaining sites in the 'bundle'.

Your Registered Forester will provide guidance on the bundling of such sites. It is also advisable to check with DAFM prior to making an application.

6.3 What is the typical turnover timeframe of the application process?

The DAFM Afforestation Scheme Document outlines the application process for technical and financial approval. All applications will be made by a Registered Forester on behalf of the Local Authority. Timelines depend on the nature of the application and the approval process would currently take at least 6 months (including a 30-day consultation period) with an additional 28-day stay on the commencement of operations after approval is issued, to allow for appeals. The AA process may result in an additional 30 day consultation phase (See details provided in [Circular 10/2021](#) for further details).

6.4 Can recreational grants (Elements 1 & 2) be applied for after establishment of the forest or does it have to coincide with the forest grant application?

The grant application for the amenity/recreational elements (Elements 1 & 2) must be made when submitting the initial Form 1 application. However, the installation of an amenity such as playground or trail does not need to be undertaken until the end of the planting and establishment and at this stage all the details are finalised with DAFM. This is to allow sufficient time for the forest to establish without interference. Also, there is no obligation on a Local Authority to follow through with a playground or trail etc. if circumstances change and the amenity is no longer required for example.

Full details of the amenity provision including grant allocation and the application process is available [here](#).

6.5 Must a Local Authority give public access to the site?

Section 1.3 of the DAFM Scheme Document (rules specific to FT3 Forest Creation on Public Lands) stipulates that there can be no barrier to general public access except where barriers are necessary to protect the health and safety of the public. The level of public access will therefore be a matter for each Local Authority to decide and will vary from site to site.

If public access is to be restricted, the Local Authority must notify the DAFM in writing of the reason for the restriction and must specify the requested duration of the restriction.

In addition, restricting public access within the first 4 years would be preferable to give the site its optimum chance to establish and to allow the maintenance programme to successfully progress.

7. Planting Establishment & Aftercare

7.1 Is the same forester required to manage the entire project?

It is preferable that the same Registered Forester manages the entire project from beginning to end. In the case where it is necessary to change the Registered Forester during the process, this must be agreed in advance with DAFM.

7.2 Is a Maintenance Plan Required?

Once planting has been established it is advisable to agree a Maintenance Programme with the Registered Forester for the 4 years of establishment and up until the final grant is received from DAFM. It is also advisable that the Local Authority appoint a dedicated person/team to manage the project during the establishment stage and thereafter to manage the forest into the future. This is of particular importance once the Registered Forester has completed the works associated with the grant(s) available under the scheme, and the Local Authority resumes responsibility for its future management.

7.3 What insurance is required for the site post-establishment?

Local Authorities are insured by Irish Public Bodies (IPB) who provide public, employers, property, and motor insurance to the local government sector. It is advisable to contact your insurance section to ensure the correct cover is in place for the intended use of the site (forestry only, public access, playground amenity, etc.) and for other possibilities that may arise (storm damage or fire for example).

7.4 Can a Local Authority dispose of the site once its planted?

The aim of the scheme is to create a permanent native forest which will be managed in a non-commercial manner. If a Local Authority decides to sell or dispose of the site after or during establishment then a liability will incur and DAFM will seek to recoup grant funding issued for the scheme. It is also important to note that the Forestry Act 2014 provides that a valid tree felling licence must be in place before a tree or trees are felled. To fell a tree or trees without a valid tree felling licence is an offence, which may result in prosecution. Certain exemptions from obtaining a tree felling licence are provided in the Act. It is the responsibility of a landowner to ensure that a tree felling licence is not required before felling takes place.

See DAFM publication [Felling & Reforestation Policy](#) for details on tree felling licences.

Native Woodland at Ballyvary, Co. Mayo. (DAFM).



Appendix A

Links to Relevant Reference Material

Forestry

- [Forest Creation on Public Lands Scheme](#)
- [Forestry Regulations 2017](#)
- [Land Types for Afforestation](#)
- [Environmental Requirements for Afforestation](#)
- [Forestry Standards and Procedures Manual 2023](#)
- [Native Woodland Scheme Framework](#)
- [Forest Recreation in Ireland – A Guide for Forest Owners and Managers](#)
- [Felling and Reforestation Policy, DAFM 2017.](#)

Ecology

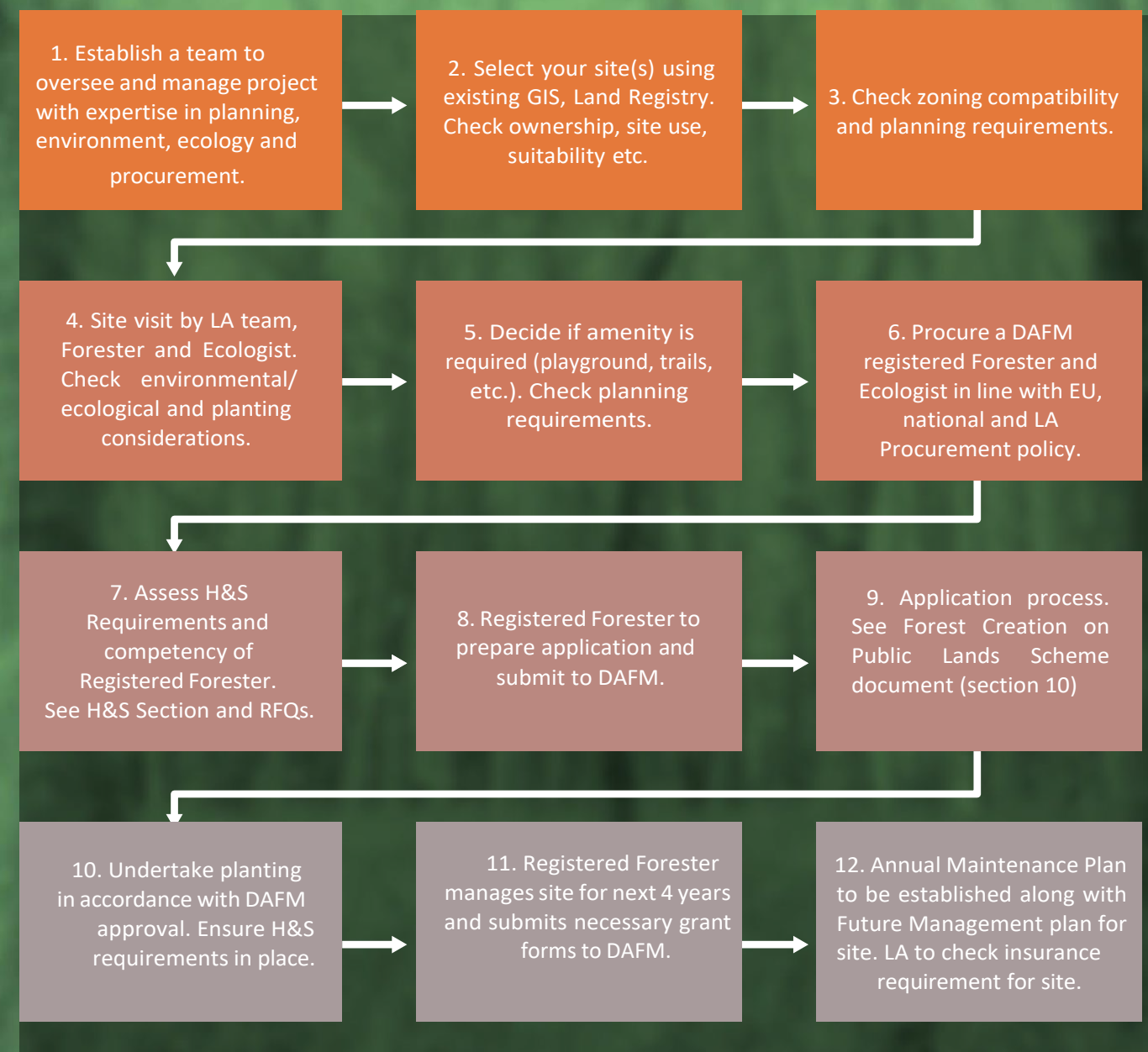
- [Guide to Habitats in Ireland \(Fossitt\)](#)
- [Environment & Habitats Mapping Circular 13/2020](#)
- [Irish Semi-natural Grassland Survey](#)
- [Public Participation in Forestry Projects that require Appropriate Assessment- DAFM Circular 10/2021](#)

Health & Safety

- [Code of Practice for Managing Safety and Health in Forestry Operations](#)
- [Safety, Health and Welfare at Work \(Construction\) Regulations 2013](#)
- [Guidelines on the Procurement, Design and Management Requirements of the Safety health and Welfare at Work \(Construction\) Regulations 2013 \(Updated\)](#)

Appendix B

Procedure Flowchart for Local Authorities



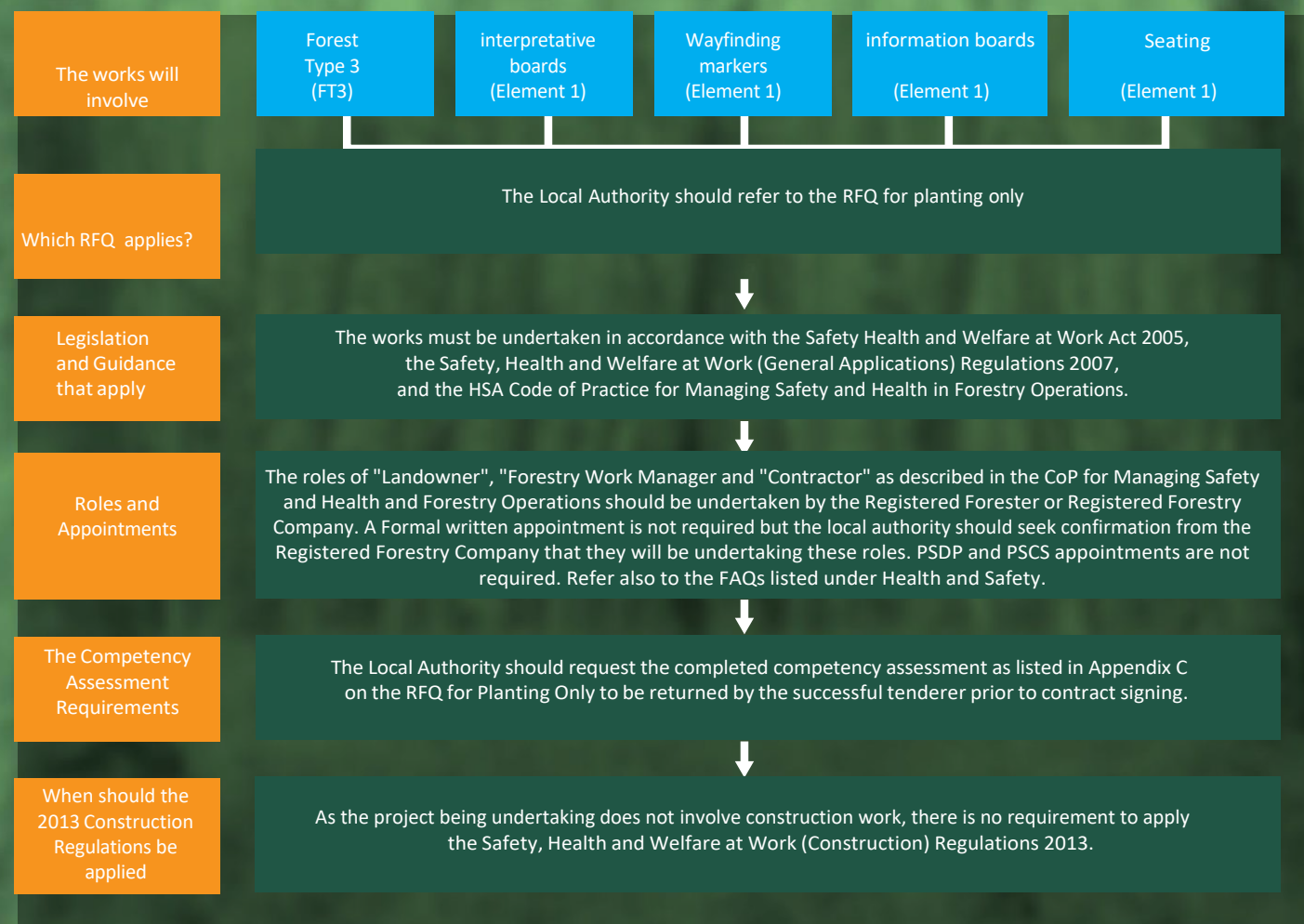
Appendix C

H&S Flowcharts

(1) Planting Only & (2) Planting with Construction

1. Flowchart associated with Planting Only Projects

Projects excluding the development of amenities and other elements of construction work to be carried out under the Forest Creation on Public Lands Scheme.



2. Flowchart associated with Planting with Construction Projects

Projects including the development of amenities or other elements of construction work to be carried out under the Forest Creation on Public Lands Scheme.





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The Climate Action Regional Offices are an initiative of the Government of Ireland funded by the Department of the Environment, Climate and Communications and managed through Local Authorities.



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