



Mr Tom Tugendhat MP

**By email:** tom.tugendhat.mp@parliament.uk

**Our ref:** 77FC0022023

2 November 2023

Dear Mr Tugendhat

**Re: TT60294/Hectorage Road woodland, Tonbridge**

Thank you for your letter of 2 October 2023 addressed to the Chief Crown Prosecutor for the South-East, Kate Brown.

I am the Chief Crown Prosecutor for the Crown Prosecution Service (CPS) in Merseyside and Cheshire. Whilst this incident took place in the South-East, the prosecution of all cases investigated by the Forestry Commission and DEFRA are overseen by my area.

The residents of Hectorage Road in Tonbridge contacted you in relation to the felling of trees carried out on behalf of a company known as Coldunell Ltd. I have had sight of the photographs and representations made by the residents, and they have been made available to the Senior Crown Prosecutor who has conduct of the case.

As you are aware DEFRA submitted a file to the CPS on 8 September 2023 asking us to make a charging decision in relation to two companies.

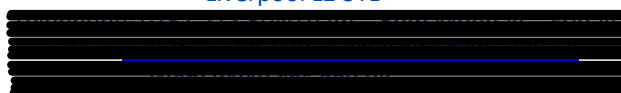
The CPS makes decisions about whether or not to prosecute cases by applying the Code for Crown Prosecutors (the Code). A full copy of the Code is available on the CPS website at the following address: <https://www.cps.gov.uk/publication/code-crown-prosecutors>.

The Senior Crown Prosecutor dealing with this case has reviewed the evidence in accordance with the Code and is satisfied that there is sufficient evidence to provide a realistic prospect of the suspects

## Crown Prosecution Service



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being convicted and that it is in the public interest for them to be prosecuted. DEFRA have been authorised to charge the suspects with felling trees without the authority of a felling licence, contrary to section 17 of the Forestry Act 1967.

As you will appreciate, as this is now a live case, I am unable to comment further on the details of the prosecution.

I trust this explains what has happened to date and your constituents will be pleased to learn that a prosecution has now been brought.

If I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Storer', written in a cursive style.

Jonathan Storer  
Chief Crown Prosecutor  
Mersey-Cheshire