

Status: Point in time view as at 27/05/1997.

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

PROCEEDINGS UNDER TOWN AND COUNTRY PLANNING ACTS IN RELATION TO TREE PRESERVATION ORDERS

- 1 Provisions of section 15 of this Act requiring an application for a felling licence to be dealt with under the Town and Country Planning Acts shall be construed in accordance with this Schedule.
- 2 Where under section 15(2)(a) an application, on being referred to the Minister, falls to be dealt with under the said Acts, the following shall apply:—
- (a) if the tree preservation order applies [^{F1}section 77 of the Town and Country Planning Act 1990] or the corresponding provision of the ^{M1}Town and Country Planning Act 1947 replaced thereby, or (for Scotland) [^{F2}section 46 of the Town and Country Planning (Scotland) Act 1997] the provisions of the order and any provisions of the said Acts relating to the order shall apply as if the application—
- (i) had been one made under the order for the felling of the trees; and
- (ii) had been referred to the Minister in pursuance of the said section as so applied;
- (b) if the order contains no such provisions as aforesaid it shall have effect for the purposes of this paragraph as if [^{F3}the said section 77] or (for Scotland) [^{F2}the said section 46] were incorporated therein subject to such modifications as the Minister may direct.

Textual Amendments

- F1** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123: 1, 2\), s. 4, Sch. 2, para. 14\(3\)\(a\)\(i\)](#)
- F2** Words in Sch. 3 para. 2 substituted (27.5.1997) by virtue of [1997 c. 11, ss. 4, 6\(2\), Sch. 2 para. 13\(3\)\(a\)](#)
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123: 1, 2\), s. 4, Sch. 2, para. 14\(3\)\(a\)\(ii\)](#)

Marginal Citations

- M1** [1947 c. 51\(123:1\)](#)

- 3 Where under section 15(3)(a) of this Act an application, on being referred to an authority who have made a tree preservation order, falls to be dealt with under the Town and Country Planning Acts, the provisions of the order and any provisions of [^{F4}the Town and Country Planning Act 1990] or (for Scotland) [^{F5}the Town and Country Planning (Scotland) Act 1997] relating to the order shall apply as if the application were an application made to the said authority for consent for the felling of the trees to which the application for a felling licence relates.

Status: Point in time view as at 27/05/1997.

*Changes to legislation: There are currently no known outstanding effects
for the Forestry Act 1967, SCHEDULE 3. (See end of Document for details)*

.....

Textual Amendments

- F4** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123: 1, 2\)](#), s. 4, **Sch. 2**, para. 14(3)(6)
- F5** Words in **Sch. 3 para. 3** substituted (27.5.1997) by virtue of [1997 c. 11, ss. 4, 6\(2\)](#), **Sch. 2 para. 13(3)(b)**

- 4 In this Schedule “the Minister”, in relation to England, means the [^{F6}Secretary of State] and not the Minister of Agriculture, Fisheries and Food.

.....

Textual Amendments

- F6** Words substituted by virtue of [S.I. 1970/1681](#) arts. 2(1), 6(3)

Status:

Point in time view as at 27/05/1997.

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act 1967, SCHEDULE 3.