



# Forestry Act 1967

## 1967 CHAPTER 10

### PART II

#### <sup>F1</sup>... POWER TO CONTROL FELLING OF TREES

##### *Restriction of felling*

#### <sup>F114</sup> **Tree-felling in accordance with approved working plan etc.**

- (1) The following provisions shall apply where application is made to the [<sup>F2</sup>appropriate forestry authority] for a felling licence and relates to the felling of trees in accordance with a plan of operations or other working plan approved by the [<sup>F2</sup>appropriate forestry authority] under a forestry dedication covenant <sup>F3</sup>..., or otherwise approved by them in writing for the purposes of this section.
- (2) The [<sup>F2</sup>appropriate forestry authority] shall not refuse the licence unless the Minister [<sup>F4</sup>as regards the felling of trees in [<sup>F5</sup>England or Wales] certifies <sup>F6</sup>...] that, by reason of an act of God or other emergency which has taken place or arisen since the approval of the plan, the granting of a felling licence in respect of those trees, or in respect of trees of any class which comprises those trees, would be detrimental to the national interest.
- (3) If the [<sup>F2</sup>appropriate forestry authority] refuse the licence, the applicant may by notice given to the [<sup>F2</sup>appropriate forestry authority] in the prescribed manner and within the prescribed time require them to buy the trees or such of them as may be specified in the notice.
- (4) If a notice is served under the foregoing subsection,—
  - (a) no compensation shall be payable under section 11 in respect of any trees to which the notice relates; and
  - (b) the [<sup>F2</sup>appropriate forestry authority] shall be deemed to have contracted with the applicant to buy the trees on the date of the service of the notice at such prices as may in default of agreement be determined in accordance with section 31 of this Act, and shall fell and remove the trees at such time or times as they may determine.

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*Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 14. (See end of Document for details)*

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- (5) Where such a notice is served, and the land on which the trees are growing is subject to a forestry dedication covenant <sup>F7</sup>..., the power of the [<sup>F2</sup>appropriate forestry authority]s under section 10(4)(b) above to make an advance by way of loan shall not be exercisable in respect of the trees, but this subsection shall not prejudice their power to make an advance in respect of any other trees on the land.]

#### Textual Amendments

- F1** Act repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018](#) (asp 8), s. 85(2), [sch. 2](#) (with [ss. 80, 83](#)); [S.S.I. 2019/47](#), reg. 2 (with transitional provisions and savings in [regs. 3-22](#) (as amended (18.3.2021) by [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential, Saving and Transitional Provisions\) Regulations 2021](#) (S.S.I. 2021/44), [regs. 1\(1\), 11\(2\)\(b\)\(3\)\(a\)\)](#)))
- F2** Words in s. 14 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), [Sch. 2 para. 56\(2\)](#) (with [Sch. 7](#))
- F3** Words in s. 14(1) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Provisions and Modifications\) Order 2019](#) (S.I. 2019/734), reg. 1(2), [Sch. para. 15\(a\)](#); [S.S.I. 2019/47](#), reg. 2
- F4** Words in s. 14(2) substituted (1.7.1999) by [S.I. 1999/1747](#), art. 3, [Sch. 12 Pt. II para. 4\(11\)](#)
- F5** Words in s. 14(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), [Sch. 2 para. 56\(3\)](#) (with [Sch. 7](#))
- F6** Words in s. 14(2) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Provisions and Modifications\) Order 2019](#) (S.I. 2019/734), reg. 1(2), [Sch. para. 15\(b\)](#); [S.S.I. 2019/47](#), reg. 2
- F7** Words in s. 14(5) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Provisions and Modifications\) Order 2019](#) (S.I. 2019/734), reg. 1(2), [Sch. para. 15\(c\)](#); [S.S.I. 2019/47](#), reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Forestry Act 1967, Section 14.