



# Forestry Act 1967

## 1967 CHAPTER 10

### PART II

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

#### *<sup>F1</sup> Power of Commissioners to direct felling*

#### **[<sup>F1</sup>18 Felling directions.**

- (1) Subject to the provisions of this Act (and, in particular, to the duty of the [<sup>F2</sup>appropriate forestry authority] to take advice under section 37(3), if it appears to the [<sup>F2</sup>appropriate forestry authority] that it is expedient in the interests of good forestry, or for purposes connected with their duty of promoting the establishment and maintenance <sup>F3</sup> . . . of adequate reserves of growing trees, that any growing trees should be felled—
  - (a) in order to prevent deterioration or further deterioration in the quality of the timber comprised therein; or
  - (b) in order to improve the growth of other trees,they may give directions (in this Act referred to as “felling directions”) to the owner of the trees requiring him to fell them within such period, being not less than two years after the directions have become operative, as may be specified in the directions.
- (2) In considering whether to give felling directions, the [<sup>F2</sup>appropriate forestry authority] shall have regard to the interests of agriculture and the amenity or convenience of any farm or dwelling-house or park usually occupied with a dwelling-house, or of any land held inalienably by the National Trust or the National Trust for Scotland.
- (3) Felling directions given by the [<sup>F2</sup>appropriate forestry authority] shall contain a statement of the grounds upon which they are given.
- (4) A person who is given felling directions by the [<sup>F2</sup>appropriate forestry authority] may comply with the directions notwithstanding any lease, covenant or contract relating to the trees or land affected by the directions.

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*Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 18. (See end of Document for details)*

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- (5) In the case of trees to which a tree preservation order relates, felling directions given by the [<sup>F2</sup>appropriate forestry authority] after the date on which the order comes into force [<sup>F4</sup>shall be sufficient authority for the felling, notwithstanding anything in—
- (a) tree preservation regulations, in the case of trees in England or Wales.
- <sup>F5</sup>(b) .....]]

#### 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.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. 18 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), [Sch. 2 para. 59](#) (with [Sch. 7](#))
- F3** Words in s. 18(1) omitted (1.7.1999) by [S.I. 1999/1747](#), art. 3, [Sch. 12 Pt. II para. 4\(9\)](#)
- F4** Words in s. 18(5) substituted (6.4.2012 for E.) by [Planning Act 2008](#) (c. 29), s. 241(3)(4), [Sch. 8 para. 3](#) (with [s. 226](#)); [S.I. 2012/601](#), art. 2(a)
- F5** S. 18(5)(b) 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. 20](#); [S.I. 2019/47](#), reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Forestry Act 1967, Section 18.