



Countryside Act 1968

1968 CHAPTER 41

Trees and woodlands

23 Provisions of facilities by Forestry Commissioners.

- (1) The Forestry Commissioners constituted under the Forestry Acts 1919 to 1945 (in this section referred to as “the Commissioners”) shall have the powers conferred on them by this section.
- (2) The Commissioners may, on any land placed at their disposal by the Minister of Agriculture, Fisheries and Food or the Secretary of State for Wales, provide, or arrange for or assist in the provision of, tourist, recreational or sporting facilities and any equipment, facilities or works ancillary thereto, including without prejudice to that generality—
 - (a) accommodation for visitors,
 - (b) camping sites and caravan sites,
 - (c) places for meals and refreshments,
 - (d) picnic places, places for enjoying views, parking places, routes for nature study and footpaths,
 - (e) information and display centres,
 - (f) shops in connection with any of the aforesaid facilities,
 - (g) public conveniences,

and the Commissioners shall have power to make such charges as they think fit in connection with any of those facilities.

In this subsection “provide” includes manage, maintain and improve.

- (3) The power of the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales under section 39 of the Forestry Act 1967 to acquire land shall include power to acquire land in proximity to land placed by him at the disposal of the Commissioners where it appears to him that the land which it is proposed to acquire is reasonably required by the Commissioners for the provision of such facilities as are mentioned in subsection (2) above.

F1

Status: Point in time view as at 16/03/2000.

Changes to legislation: There are currently no known outstanding effects for the Countryside Act 1968, Cross Heading: Trees and woodlands. (See end of Document for details)

- (4) The Commissioners' powers to make byelaws under section 46 of the Forestry Act 1967 shall include power to make byelaws for regulating the reasonable use by the public of the facilities described in subsection (2) above, and in relation to any such matter as is described in section 41(3) of this Act.
- (5) The Countryside [^{F2}Agency][^{F3} and the Countryside Council for Wales shall each] have power to act as agent for the Commissioners in the exercise of their powers under subsection (2) above.
- [^{F4}(6) All expenses incurred, and all sums received, by the Commissioners in the exercise of their powers under this section shall be defrayed, or as the case may be treated, in accordance with section 41 of the Forestry Act 1967.]

Textual Amendments

- F1** Words repealed by [Forestry Act 1981 \(c. 39, SIF 54\)](#), [Sch.](#)
- F2** Words in [s. 23\(5\)](#) substituted (20.2.1999) by [S.I. 1999/416, art. 3](#), [Sch. 1 para. 4\(5\)](#)
- F3** Words in [s. 23\(5\)](#) expressed to be inserted (1. 4. 1991) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), [s. 130](#), [Sch. 8 para. 2\(8\)](#); [S.I. 1991/685, art. 3](#).
- F4** [S. 23\(6\)](#) substituted (16.3.2000) by [S.I. 2000/746, arts. 1, 2](#), [Sch. para. 6](#)

Modifications etc. (not altering text)

- C1** [S. 23\(2\)](#) restricted by [New Forest Act 1970 \(c. 21, SIF 29:8\)](#), [s. 1\(2\)](#)

24 Amendments of Forestry Act 1967.

- (1) Without prejudice to the provisions of section 11 of this Act, the said Commissioners may, on any land placed at their disposal by the Minister (as defined in the Forestry Act 1967), plant, care for and manage trees in the interests of amenity, and in section 3(1) of the Forestry Act 1967 (management of forestry land) the reference to the Commissioners' functions under that Act shall include a reference to their functions under this subsection.
- (2) The said Minister may acquire, whether by purchase, feu, lease, exchange or excambion, land which in his opinion ought to be used for planting trees in the interests of amenity, or partly for that purpose and partly for afforestation, together with any other land which must necessarily be acquired therewith, and may place any land acquired by him under this subsection at the disposal of the Commissioners.
- (3)^{F5}
- (4) The definition of "public open space" in section 9(6) of the ^{M1}Forestry Act 1967 shall not include a country park provided under section 7 of this Act, or a park or pleasure ground in the Lee Valley Regional Park which in the opinion of the Minister serves the purpose set out in section 6(1) of this Act when the considerations in paragraphs (a) and (b) of that subsection are taken into account.
- (5) This section shall be construed as one with the Forestry Act 1967, and that Act shall have effect as if subsections (2) . . . ^{F6} above formed part of section 39 of that Act.

Textual Amendments

- F5** [S. 24\(3\)](#) repealed by [Forestry Act 1981 \(c. 39, SIF 54\)](#), [Sch.](#)

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F6 Words repealed by Forestry Act 1981 (c. 39, SIF 54), **Sch.**

Marginal Citations

M1 1967 c. 10(54).

^{F7}**25,**
26.

Textual Amendments

F7 Ss. 25, 26 repealed by Town and Country Planning Act 1971 (c. 78, SIF 123:1), **Sch. 25** and Town and Country Planning (Scotland) Act 1972 (c. 52, SIF 123:2), **Sch. 23**

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