



# Forestry Act 1967

## 1967 CHAPTER 10

### PART II

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

##### *Restriction of felling*

#### **11 Terms of compensation on refusal of licence.**

- (1) The compensation to which a person may become entitled under section 10(4)(a) above is for any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber comprised therein in consequence of the refusal of a felling licence for them.
- (2) Compensation under this section shall be recoverable from the [<sup>F1</sup>appropriate forestry authority] on a claim made in the prescribed manner.
- (3) Claims for compensation in the case of any trees may be made from time to time in respect of deterioration taking place after the refusal of a felling licence for those trees, but—
  - (a) no such claim shall be made in respect of deterioration taking place more than ten years before the date of the claim; and
  - (b) if the trees have been felled, no such claim shall be made after the expiration of one year from the date of the felling.
- (4) In calculating compensation,—
  - (a) no account shall be taken of deterioration in the quality of the timber which is attributable to neglect of the trees after the refusal of a felling licence for them; and
  - (b) the value of the trees at any time shall be ascertained on the basis of prices current at the date of the claim.
- (5) If after refusing a felling licence the [<sup>F1</sup>appropriate forestry authority] under section 10(5) above subsequently give notice to the owner of the trees that they are

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*Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 11. (See end of Document for details)*

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prepared to grant a licence, then in calculating compensation payable in consequence of the previous refusal no account shall be taken of deterioration occurring after the giving of the notice.

- (6) Any question of disputed compensation shall be determined in accordance with section 31 of this Act.

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**Textual Amendments**

- F1** Words in s. 11 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), [Sch. 2 para. 55](#) (with Sch. 7)

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**Modifications etc. (not altering text)**

- C1** S. 11(3)-(5) applied (with modifications) (E.) (6.4.2012) by [The Town and Country Planning \(Tree Preservation\)\(England\) Regulations 2012 \(S.I. 2012/605\)](#), regs. 1(1), [24\(5\)](#)

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**Changes to legislation:**

There are currently no known outstanding effects for the Forestry Act 1967, Section 11.