



Forestry Act 1967

1967 CHAPTER 10

PART II

^{F1} ... POWER TO CONTROL FELLING OF TREES

Enforcement of licence conditions and felling directions

24 Notice to require compliance with conditions or directions.

- (1) The provisions of this section shall apply if—
- (a) any works required to be carried out in accordance with conditions of a felling licence are not so carried out; or
 - (b) any felling directions given by the [^{F1}appropriate forestry authority] are not complied with.
- (2) The [^{F1}appropriate forestry authority] may give to the person responsible a notice requiring such steps as may be specified therein to be taken within such time (not being less than the prescribed period after the notice has become operative) as may be so specified for remedying the default; and for purposes of this subsection, “the person responsible” is—
- (a) in the case of non-compliance with conditions of a felling licence, [^{F2}the person specified in subsection (2A)]; and
 - (b) in the case of non-compliance with felling directions, the owner of the trees.

[^{F3}(2A) The person referred to in subsection (2)(a) is—

- (a) where the licence relates to land in [^{F4}England or Wales]—
 - (i) the applicant for the licence, if on the date the notice is served he has such estate or interest in the land as is referred to in section 10(1) of this Act; or
 - (ii) in any other case, the owner of the land.

^{F5}(b)]

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 24. (See end of Document for details)

- (3) If after the expiration of the time specified in the notice any steps required by the notice have not been taken, the [^{F1}appropriate forestry authority] may, subject to the following section, enter on the land and take those steps.
- (4) Without prejudice to the powers of the [^{F1}appropriate forestry authority] under the foregoing subsection, a person who without reasonable excuse fails to take any steps required by a notice given to him under this section shall be guilty of an offence and be liable on summary conviction to a fine not exceeding [^{F6}level 5 on the standard scale]; and proceedings in respect of such an offence may be instituted within six months of the first discovery of the offence by the person taking the proceedings, provided that no proceedings shall be instituted more than two years after the date of the offence.
- (5) A person who is required by a notice under this section to carry out works or take any steps may carry out those works or take the steps notwithstanding any lease, covenant or contract relating to the trees or land affected by the notice.
- [^{F7}(6) A notice under this section given by the Commissioners is a local land charge; and for the purposes of the Local Land Charges Act 1975 the Commissioners are the originating authority as respects the charge.]

Textual Amendments

- F1** Words in s. 24 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 64\(2\)](#) (with Sch. 7)
- F2** Words in s. 24(2)(a) substituted (16.3.2006) by [Regulatory Reform \(Forestry\) Order 2006 \(S.I. 2006/780\), arts. 1\(1\), 5\(2\)](#)
- F3** S. 24(2A) inserted (16.3.2006) by [Regulatory Reform \(Forestry\) Order 2006 \(S.I. 2006/780\), arts. 1\(1\), 5\(3\)](#)
- F4** Words in s. 24 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 64\(3\)](#) (with Sch. 7)
- F5** S. 24(2A)(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. 25; S.S.I. 2019/47, reg. 2](#)
- F6** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 39, 46, Sch. 3](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), Sch. 7D](#) and expressed to be substituted (S.) (1.4.1996) by [1995 c. 40, ss. 3, 7\(2\), Sch. 1 para. 10, Sch. 2 Pt.III](#)
- F7** S. 24(6) inserted (1.1.2023) by [Environment Act 2021 \(c. 30\), s. 147\(3\), Sch. 16 para. 4](#) (with s. 144); [S.I. 2022/1266, reg. 2\(d\)](#) (with [reg. 3\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act 1967, Section 24.