



New Forest Act 1970

1970 CHAPTER 21

1 Provision of facilities by Forestry Commissioners in New Forest.

- (1) This section applies to any land forming part of the open waste lands of the Forest, and any land for the time being enclosed by virtue of section 18 of the ^{M1}New Forest Act 1949, as amended by section 6 of the ^{M2}New Forest Act 1964.
- (2) The powers of the Forestry Commissioners (hereinafter referred to as “the Commissioners”) under subsection (2) of section 23 of the ^{M3}Countryside Act 1968 shall not be exercised in relation to land to which this section applies except with the agreement of the verderers.
- (3)
 - (a) The Commissioners may with the agreement of the verderers enclose land forming part of the open waste lands of the Forest which is used for any purpose mentioned in the said subsection (2) insofar as its enclosure is necessary to preserve the land for use for that purpose, to preserve buildings, equipment or works erected, provided or constructed under the provisions of that subsection or to protect vehicles parked on any parking place provided thereunder.
 - (b) Land enclosed by virtue of this subsection shall be held free from all rights of the commoners, and anything authorised to be done under this section may be done notwithstanding that it interferes with such rights.
- (4) As soon as may be after the end of each year in which the powers of subsection (3) of this section have been exercised, the Commissioners shall ascertain the area of land in the Forest subject to rights of the commoners which have been abrogated or diminished in consequence of the exercise of such powers during that year, and shall pay to the verderers such compensation in respect of the interference with the said rights of the commoners as the Commissioners may after consultation with the verderers determine.

Marginal Citations

M1 1949 c. 69.

M2 1964 c. 83.

Changes to legislation: There are currently no known outstanding effects
for the New Forest Act 1970, Section 1. (See end of Document for details)

M3 1968 c. 41.

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There are currently no known outstanding effects for the New Forest Act 1970, Section 1.