
STATUTORY INSTRUMENTS

1995 No. 2501

The Low Moor Tramway Light Railway Order 1995

Power to lop trees overhanging railway

11.—(1) The Trust may fell or lop any tree or shrub near any part of the Railway, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub—

- (a) from obstructing or interfering with the construction, maintenance or operation of the Railway or any apparatus used for the purposes of the Railway, or
- (b) from constituting a danger to passengers or other persons using the Railway.

(2) In exercising the powers in paragraph (1) above, the Trust shall do no unnecessary damage to any tree or shrub and shall pay compensation to any person for any loss or damage arising from the exercise of those powers.

(3) Any dispute as to a person's entitlement to compensation under paragraph (2) above, or as to the amount of the compensation, shall be determined under Part I of the Land Compensation Act 1961⁽¹⁾.

⁽¹⁾ 1961 c. 33.