



# Forth Crossing Act 2011

## 2011 asp 2

### PART 1

#### WORKS

#### 10 Trees and shrubs

- (1) Ministers may cut down or lop, or cut back the roots of, any tree or shrub near any part of the Forth Crossing works where they consider that such action is reasonably necessary in order to prevent the tree or shrub from—
  - (a) obstructing or otherwise interfering with the carrying out, maintenance or operation of the Forth Crossing works,
  - (b) obstructing or otherwise interfering with any apparatus used in connection with the Forth Crossing works, or
  - (c) constituting a danger to persons carrying out or using the Forth Crossing works.
- (2) Ministers, when taking such action in relation to a tree or shrub, must make reasonable efforts to avoid unnecessary damage to the tree or shrub.
- (3) Neither—
  - (a) a tree preservation order made under section 160(1) of the 1997 Act, nor
  - (b) section 172 of the 1997 Act,has effect in relation to anything Ministers do for the purposes of the Forth Crossing works in relation to a tree, group of trees or woodland.

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#### Commencement Information

- II** [S. 10](#) in force at 18.3.2011 by [S.S.I. 2011/38](#), [art. 2](#), [Sch.](#)

**Status:**

Point in time view as at 18/03/2011.

**Changes to legislation:**

There are currently no known outstanding effects for the Forth Crossing Act 2011, Section 10.