



Channel Tunnel Rail Link Act 1996

1996 CHAPTER 61

PART I

THE CHANNEL TUNNEL RAIL LINK

Trees

28 Disapplication of controls.

- (1) The following, namely—
- (a) an order under section 198(1) of the ^{M1}Town and Country Planning Act 1990 (tree preservation orders), and
 - (b) section 211(1) of that Act (which prohibits the doing in a conservation area of any act which might be prohibited by a tree preservation order),
- shall not apply to any tree works which are authorised for the purposes of this section.
- (2) Tree works are authorised for the purposes of this section if—
- (a) they are carried out in compliance with a notice under subsection (1) of section 27 above or in exercise of the power conferred by subsection (3) of that section,
 - (b) they are carried out in relation to a tree growing on land within the relevant limits and for the purposes of or in connection with the construction of the works authorised by this Part of this Act, or
 - (c) they are carried out in relation to a tree growing on land used for the purpose of the nominated undertaker's undertaking under this Part of this Act and in circumstances where it is necessary for them to be carried out—
 - (i) to enable the works authorised by this Part of this Act to be maintained, or
 - (ii) for reasons of safety in connection with the operation of any railway comprised in those works.

Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Section 28. (See end of Document for details)

- (3) In subsection (2)(b) above, the reference to land within the relevant limits is to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.
- (4) In this section, references to tree works are to works consisting of the removal, topping or lopping of a tree.

Modifications etc. (not altering text)

- C1** [S. 28](#) applied (with modifications) (19.2.1999) by [S.I. 1999/537](#), art. 13(1), **Sch. 3 paras. 1-8**
[S. 28](#) applied (with modifications) (22.3.2001) by [S.I. 2001/1451](#), art. 15(1), **Sch. 3 para. 1(a)**

Marginal Citations

- M1** [1990 c. 8.](#)

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