

---

STATUTORY INSTRUMENTS

---

**2009 No. 1300**

**The Nottingham Express Transit System Order 2009**

**PART 4**

**OPERATION OF THE AUTHORISED TRAMWAY**

**Power to lop trees overhanging authorised tramway**

**51.**—(1) The promoter may fell or lop any tree or shrub near any part of the authorised tramway, 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 authorised tramway or any apparatus used for the purposes of the authorised tramway; or
- (b) from constituting a danger to passengers or other persons using the authorised tramway.

(2) In exercising the powers in paragraph (1), the promoter 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), or as to the amount of the compensation, shall be determined under Part 1 of the 1961 Act.

---

**Commencement Information**

**II** Art. 51 in force at 9.6.2009, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Section 51.