
STATUTORY INSTRUMENTS

2019 No. 1268

The Abergelli Power Gas Fired Generating Station Order 2019

PART 6

OPERATIONS

Felling or lopping of trees and removal of hedgerows

34.—(1) The undertaker may, subject to paragraph (3), fell or lop any tree or shrub within or overhanging land within the Order land 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 development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to persons using the authorised development.

(2) The undertaker may, for the purposes of the authorised development and subject to paragraph (3), remove any hedgerows within the Order land and specified in Schedule 10 (removal of hedgerows).

(3) In carrying out any activity authorised by paragraph (1) or [F1(2)], the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity.

(4) Any dispute as to a person's entitlement to compensation under paragraph (3), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

(5) In this article “hedgerow” has the same meaning as in the Hedgerows Regulations 1997(1).

Textual Amendments

- F1** Word in art. 34(3) substituted (10.1.2020) by [The Abergelli Gas Fired Generating Station \(Correction\) Order 2020 \(S.I. 2020/22\)](#), art. 1(2), [Sch.](#)
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Commencement Information

- II** Art. 34 in force at 10.10.2019, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Abergelli Power Gas Fired Generating Station Order 2019, PART 6.