

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2006 No. 270**

**The Town and Country Planning (Application of Subordinate Legislation to the Crown) (Scotland) Order 2006**

**The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 1975**

4.—(1) The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 1975<sup>(1)</sup> apply to the Crown with the following modifications.

(2) In regulation 11 (trees in conservation areas) after (iv) insert—

“(v) the cutting down, uprooting, topping or lopping of a tree by, or on behalf of, the Forestry Commissioners on land placed at their disposal in pursuance of the Forestry Act 1967<sup>(2)</sup> or otherwise under their management or supervision.”.

(3) In the Schedule (form of tree preservation orders), in paragraph 7, after “Part III” insert “or section 242A<sup>(3)</sup>”.

(4) In the Second Schedule—

(a) in paragraph (4), after sub-paragraph (c) insert—

“(d) where immediately required for the purpose of carrying out development authorised by consent granted on an application made under section 242A of the Act or deemed to have been granted for any of the purposes of that section.”;

(b) after paragraph (4) insert—

“(5) The cutting down, topping, lopping, uprooting of a tree where—

(a) the work is required to enable the implementation of an order made or confirmed by the Scottish Ministers under paragraph 7 or paragraph 13 in Schedule 1 to the Roads (Scotland) Act 1984<sup>(4)</sup> (procedures for making or confirming certain orders and schemes);

(b) the work is urgently necessary for national security purposes.”.

---

(1) S.I. 1975/1204, as amended by S.I. 1984/329 and 1981/1385.

(2) 1967 c. 10. Relevant amendments were made by S.I. 1999/1747.

(3) Section 242A was inserted into the Town and Country Planning (Scotland) Act 1997 (c. 8) by section 92(1) of the Planning and Compulsory Purchase Act 2004 (c. 5).

(4) 1984 c. 54.