
STATUTORY INSTRUMENTS

2014 No. 1873

The Rampion Offshore Wind Farm Order 2014

Felling or lopping of trees and removal of hedgerows

37.—(1) Subject to requirement 11 (provision of landscaping), requirement 28 (ecological and landscape management plan), requirement 29 (ecological and landscape management plan for the South Downs National Park), requirement 37 (European protected species onshore) and requirement 38 (European protected species within the South Downs National Park), the undertaker may fell or lop any tree or shrub within the Order limits, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, maintenance or operation of the authorised project or any apparatus used in connection with the authorised project.

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

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, shall be determined under Part 1 of the 1961 Act.

(4) The undertaker may, for the purposes of the authorised project—

(a) subject to requirement 11 (provision of landscaping) and paragraph (2) above, remove any hedgerows within the Order limits that may be required for the purposes of carrying out the authorised project; and

(b) remove the important hedgerows as are within the Order limits and specified in Schedule 10 (important hedgerows).

(5) In this article “hedgerow” and “important hedgerow” have the same meaning as in the Hedgerows Regulations 1997.