
STATUTORY INSTRUMENTS

2016 No. 844

The Hornsea Two Offshore Wind Farm Order 2016

PART 6

Operations

Felling or lopping of trees and removal of hedgerows

30.—(1) The undertaker may fell or lop any tree or shrub within or overhanging land 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 must not cause unnecessary damage to any tree or shrub and must 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, must be determined under Part 1 of the 1961 Act.

(4) The undertaker may remove any hedgerows within the Order limits that may be required for the purposes of the carrying out of the authorised development.

(5) Regulation 6 of the Hedgerows Regulations 1997⁽¹⁾ is modified so as to read for the purposes of this Order only as if there were inserted after paragraph (1)(j)—

“(k) for carrying out development that has been authorised by a development consent pursuant to the Planning Act 2008.”.

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