
STATUTORY INSTRUMENTS

2020 No. 847

The Immingham Open Cycle Gas Turbine Order 2020

PART 6

OPERATION

Felling or lopping of trees

32.—(1) The undertaker may 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) In carrying out any activity authorised by paragraph (1), 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.

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined [^{F1}under Part 1 of the 1961 Act].

Textual Amendments

- F1** Words in art. 32(3) substituted (17.5.2021) by [The Immingham Open Cycle Gas Turbine \(Correction\) Order 2021 \(S.I. 2021/581\)](#), art. 1, [Sch.](#)
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Commencement Information

- I1** Art. 32 in force at 1.9.2020, see art. 1

Changes to legislation:

There are currently no known outstanding effects for the The Immingham Open Cycle Gas Turbine Order 2020, Section 32.