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STATUTORY INSTRUMENTS

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**2024 No. 230**

The Medworth Energy from Waste Combined  
Heat and Power Facility Order 2024

PART 4

SUPPLEMENTARY POWERS

**Felling or lopping of trees**

**21.**—(1) Subject to paragraph (2), the undertaker may fell or lop any tree or shrub within or overhanging 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;
- (b) from constituting a danger to persons using the authorised development; or
- (c) from obstructing or interfering with the passage of construction vehicles to the extent necessary for the purposes of construction of 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 under Part 1 (determination of questions of disputed compensation) of the 1961 Act.