



Crossrail Act 2008

2008 CHAPTER 18

Trees

18 Power to deal with trees on neighbouring land

- (1) Where any tree overhangs land used for the purposes of Crossrail or otherwise for the purposes of works authorised by this Act, the nominated undertaker may by notice to the occupier of the land on which the tree is growing require the tree to be removed, topped or lopped if it is necessary for that to be done—
 - (a) to enable works authorised by this Act to be maintained, or
 - (b) for reasons of safety in connection with the operation of Crossrail.
- (2) The person to whom a notice under subsection (1) is given may object to the notice by giving the nominated undertaker a counter-notice to that effect before the end of the period of 28 days beginning with the day on which the notice under subsection (1) is given.
- (3) If a counter-notice is given under subsection (2), the notice under subsection (1) shall have no effect unless confirmed by an order of the county court.
- (4) The nominated undertaker may carry out the works required by a notice under subsection (1) if the notice has been in effect for a continuous period of at least 28 days and has not been complied with.
- (5) Where the power conferred by subsection (4) is exercisable, the nominated undertaker may—
 - (a) enter the land on which the tree concerned is growing, for the purpose of exercising the power in relation to it, and
 - (b) take with it such vehicles and equipment as are necessary for that purpose.
- (6) If the nominated undertaker tops or lops a tree in exercise of the power conferred by subsection (4), it shall do so in a husbandlike manner and in such a way as to cause the minimum of damage to the tree.
- (7) On application by a person who—
 - (a) has incurred expenses in complying with a notice under subsection (1), or

Changes to legislation: There are currently no known outstanding effects for the Crossrail Act 2008, Section 18. (See end of Document for details)

(b) has suffered any loss or damage in consequence of the carrying out of works required by such a notice,
the county court shall order the nominated undertaker to pay him such compensation in respect of the loss, damage or expenses as it thinks fit.

Changes to legislation:

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