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STATUTORY INSTRUMENTS

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**2020 No. 547**

**The Cleve Hill Solar Park Order 2020**

**PART 7**

**MISCELLANEOUS AND GENERAL**

**Trees subject to tree preservation orders**

**33.**—(1) The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order or cut back its roots, if it reasonably believes it to be necessary to do so in order to prevent the tree from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development.

(2) In carrying out any activity authorised by paragraph (1)—

(a) the undertaker must do no unnecessary damage to any tree and must pay compensation to any person for any loss or damage arising from such activity; and

(b) the duty contained in section 206(1) (replacement of trees) of the 1990 Act does not apply.

(3) The authority given by paragraph (1) constitutes a deemed consent under the relevant tree preservation order.

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

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**Commencement Information**

**II** Art. 33 in force at 19.6.2020, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Cleve Hill Solar Park Order 2020, Section 33.