

## SCHEDULES

### SCHEDULE 19

#### MISCELLANEOUS CONTROLS

#### PART 1

#### PUBLIC GENERAL LEGISLATION

##### **Town and Country Planning Act 1990**

**9.**—(1) No order, notice or regulation under the Town and Country Planning Act 1990 in relation to the preservation of trees, shall have effect in relation to the authorised project.

(2) Sections 238 and 239 of that Act (consecrated land and burial grounds) shall apply—

- (a) in relation to land, other than a right over land, acquired for the purposes of the authorised project (whether or not by agreement), so as to permit use by the undertaker in accordance with the provisions of this Order; and
- (b) in relation to a right over land so acquired (whether or not by agreement), or the temporary use of land pursuant to articles 35 (*temporary use of land for carrying out the authorised project*) and 36 (*temporary use of land for maintaining authorised project*), so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land.

(3) For the purposes only of Section 106 (1) of that Act the undertaker shall be deemed to be a person interested in the Order Land or any part of it and for the avoidance of doubt Section 106(3)

(a) shall include any transferee under Article 9 of this Order.