

[CONFIRMATION OF ORDER

This Order was confirmed by the Warrington Borough Council without modification on the day of]

OR

This Order was confirmed by the Warrington Borough Council, subject to the modifications indicated by [state how indicated], on the day of

.....
Authorised by the Council to sign in that behalf]

[DECISION NOT TO CONFIRM ORDER

[A decision not to confirm this Order was taken by Warrington Borough Council on the day of]

.....
Authorised by the Council to sign in that behalf]

[VARIATION OF ORDER

[This Order was varied by Warrington Borough Council on the 3rd day of July 2000 under the reference number 14084]

.....
Authorised by the Council to sign in that behalf]

[REVOCAATION OF ORDER

[This Order was revoked by Warrington Borough Council on the day of]
under the reference number

.....
Authorised by the Council to sign in that behalf]

WARRINGTON BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS 1971-74

THE WARRINGTON BOROUGH COUNCIL

(ELM TREE COTTAGE, CHAPEL LANE, BURTONWOOD)

TREE PRESERVATION ORDER, 1985

The WARRINGTON BOROUGH COUNCIL in this Order called "the Authority" in pursuance of the powers conferred in that behalf by section 60 and section 61 of the Town and Country Planning Act 1971 (as amended by section 10(1) of the Town and Country Amenities Act 1974), and subject to the provisions of the Forestry Act 1967, hereby makes the following Order:-

1. In this Order:-

"the Act" means the Town and Country Planning Act, 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; a lessee (including a sub-lessee) or tenant in possession the unexpired portion of whose lease or tenancy is three years or more and a mortgagee in possession: and

"the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the Authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot or wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the Authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the Authority under this Order, the Authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the Authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the Authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the Authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.