

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation Order) Regulations 1969 (as amended)

To THE DISTRICT VALUER
 BONDGATE HALL
 WAGON WAY ROAD
 ALNWICK

Notice of Confirmation of Tree Preservation Order

NOTICE IS HEREBY GIVEN that the ALNWICK DISTRICT COUNCIL

in pursuance of their powers as Local Planning Authority under the Town and Country Planning Act 1990 have [this day] [on the 24th day of March, 19 92] confirmed [without modification] [as an unopposed order] the Tree Preservation Order made by the said Council on the 18th day of February 19 92.

THE ALNWICK DISTRICT (LONGHOUGHTON HALL, LONGHOUGHTON)

DATED this 24th day of March, 19 92

(Signed)..... *J. O. Ruff*.....

.....CHIEF EXECUTIVE.....
 (The officer appointed for the purpose)

† Insert title of proper officer.

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation Order) Regulations 1969 (as amended)

To FORESTRY COMMISSION
E(E) CONSERVANCY

GREAT EASTERN HOUSE, TENISON ROAD

CAMBRIDGE CB1 2DU

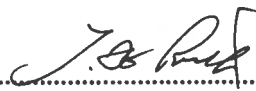
Notice of Confirmation of Tree Preservation Order

NOTICE IS HEREBY GIVEN that the ALNWICK DISTRICT COUNCIL

in pursuance of their powers as Local Planning Authority under the Town and Country Planning Act 1990 have [this day] [on the 24th day of March, 19 92] confirmed [without modification] [as an unopposed order] the Tree Preservation Order made by the said Council on the 18th day of February, 19 92.

THE ALNWICK DISTRICT (LONGHOUGHTON HALL, LONGHOUGHTON)

DATED this 24th day of March, 19 92

(Signed).....

†
CHIEF EXECUTIVE
(The officer appointed for the purpose)

† Insert title of proper officer.

No.50, LONGHOUGHTON HALL.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY

(encircled in black on the map)

No. on Map	Description	Situation
T2	Sycamore	19 metres south of southern elevation of Longhoughton Hall.
T3	Sycamore	27 metres south of southern elevation of Longhoughton Hall.
T4	Sycamore	32 metres south of southern elevation of Longhoughton Hall.
T5	Copper Beech	32 metres south-west of south-western corner of Longhoughton Hall.

GROUPS OF TREES

(within broken line on the map)

No. on map	Description	Situation
G1	6 Lime, 2 Sycamore, And 1 Ash.	Adjacent to southern boundary of no. 1 The Orchard, Longhoughton.

WOODLANDS

(within a continuous black line on the map)

No. on map	Description	Situation
------------	-------------	-----------

NONE

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/2006

That review confirmed that the Order was valid and did not need to be modified.

However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: *D. Readman*

Date: 19 June 2006.

Town and Country Planning Act 1990

Insert title of: **THE ALNWICK DISTRICT (LONGHOUGHTON HALL,
Order LONGHOUGHTON)**

TREE PRESERVATION ORDER, 1992

Insert name of

Local Planning:

ALNWICK DISTRICT COUNCIL

Authority

in this Order called "the authority", in pursuance of the powers conferred in that behalf by s 198-200 [and s 201¹] of the Town and Country Planning Act 1990 [and s 300 of the Town and Country Planning Act 1990²], and subject to the provision of the Forestry Acts 1967 and 1979, hereby make the following Order-

1. In this Order:-

"the Act" means the Town and Country Planning Act 1990;

"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; 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] [Secretary of State for Wales].

2. Subject to the provision 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, 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 indicted in the said First Schedule on the map annexed hereto³ 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 authority⁴ under Article 2 of this Order shall be 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.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless-

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

(a) that the refusal or condition is in the interests of good forestry; or
 (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
 (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied-

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

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.

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:

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and s 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority (now a water sewerage undertaker pursuant to s 4 of the Water Act 1989 an "undertaker") since 31st March 1974, by any other authority (whose functions are now exercised by an undertaker) who at any time prior to 1st April 1974 exercised the functions in respect of which the byelaw was made, by a drainage board, or by the Greater London Council in the exercise of its functions in relation to maintenance, improvement or construction of watercourses or of drainage works, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of an undertaker or the drainage board under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modifications) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

(a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under s 198-200 of the Act, or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and

(b) any injurious affection to any land of the owner which would result from the felling of trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office of the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of section 205 of the Act.

13. [(1) The provisions of section 201 of the Act shall apply to this Order and the Order shall take effect on the 18th Day of February 1992]⁵

[(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be planted as mentioned therein, as from the time when that tree is planted.]⁶

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed sum⁷ for twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding Level 4 on the standard scale⁸ on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree is removed, uprooted or destroyed in contravention of an Order or, except in the case of a tree to which the Order applies as part of a woodland, is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 198(6) of the Act relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc, should be given to the authority to enable the latter to decide whether or not to dispense with the requirement. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the authority and the owner of the land, and (in either case) in such places as may be designated by the authority.

* The word "NONE" must be entered where necessary

NONE

No. on Map	Description	Situation
		(within a continuous black line on the map)
WOODLANDS*		
G1	1 ASH 5 LIME 3 SYCAMORE	Along southern boundary of O.S. Field 3900.

No. on Map	Description	Situation
		(within a broken black line on the map)
GROUPS OF TREES*		

NONE

No. on Map	Description	Situation
		(within a dotted black line on the map)
TREES SPECIFIED BY REFERENCES TO AN AREA*		
T5	COPPER BEECH	4.6m north of drive at west of site.
T4	SYCAMORE	3.9m north of boundary between 1 The Orchard & Loughoughton Hall
T3	SYCAMORE	11.1m west of the said wall
T2	SYCAMORE	9.6m west of the said wall
T1	BEECH	9.6m west of the said wall
		Measured west of stone wall at the eastern boundary of Loughoughton Hall
No. on Map	Description	Situation

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*
(encircled in black on the map)

Failed
was
2502/112

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

(3) the cutting down of any tree on land which is subject to a forestry dedication covenant where

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(4) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under a grant scheme under section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant.

(5) the cutting down, uprooting, topping or lopping of a tree

(a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;

(b) by or at the request of
(i) a statutory undertaker or holder of a licence under section 6(1) of the Electricity Act 1989 where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) a licence holder within the meaning of Part I of the Electricity Act 1989, where such

(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority has neither:

(a) given notice to the applicant of their decision on the application: nor

(b) given notice to him that the application has been referred to the Secretary of State in accordance with direction given under section 77:

within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(4) The time prescribed for the service of such a notice must be:

(a) 28 days from the date of notification of the decision, certificate or direction, as the case may be; or

(b) in the case of an appeal under sub-section (2), 28 days from the end of the said period of two months or as the case may be, the extended period mentioned in that sub-section.

(5) For the purposes of the application of section 79(1) in relation to an appeal under sub-section (2), it shall be assumed that the authority decided to refuse the application in question.

79. Determination of appeals

-(1) On an appeal under section 78 from a decision, certificate or direction of the authority, the Secretary of State may

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not, or may cancel any certificate or cancel or vary any direction)

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78, the Secretary of State shall, if either the appellant or the authority so wish, give to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(5) The decision of the Secretary of State on any appeal under this section shall be final.

97. Power to revoke or modify the consent under the Order

-(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order the authority may by Order revoke or modify the consent to such an extent as they consider expedient.

(3) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

(4) The revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98. Procedure for s 97 orders : opposed cases

-(1) Except as provided in sections 99 and 201 of the Act an Order under section 97 shall not take effect unless it is confirmed by the Secretary of State;

(2) Where an authority submits an Order to the Secretary of State for his confirmation they shall serve notice on:

- (a) the owner of the land affected;
- (b) the occupier of the land affected; and
- (c) any other person who in their opinion will be affected by the Order.

(3) The notice shall specify that within a period of twenty-eight days from the service of the notice any person on who it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) If within the period of twenty-eight days such a person so requires, before the Secretary of State confirms the Order, he shall give such an opportunity both to him and the authority.

(6) The Secretary of State may confirm any such Order submitted to him either without modification or subject to such modification as he considers expedient.

99. Procedure for s 97 : unopposed cases (1) this section applies where:

- (a) the authority have made an order under section 97; and
- (b) the owner and the occupier of the land and all persons who in the authority's opinion will be affected by the order have notified the authority in writing that they do not object to it.

(2) Where this section applies, instead of submitting the order to the Secretary of State for confirmation the authority shall advertise the fact that the order has been made, and the advertisement must specify:

- (a) the period within which persons affected by the order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose; and
- (b) the period at the expiration of which, if no such notice is given to the Secretary of State, the order may take effect by virtue of this section without being confirmed by the Secretary of State.

- (3) The authority shall also serve notice to the same effect on the persons mentioned in sub-section (1)(b).

- (4) The period referred to in sub-section (2)(a) must not be less than 28 days from the date the advertisement first appears.

- (5) The period referred to in sub-section (2)(b) must not be less than 14 days from the expiration of the period referred into sub-section (2)(a).

- (6) The authority shall send a copy of any advertisement published under sub-section (2) to the Secretary of State not more than three days after the publication.

(7) If:

- (a) no person claiming to be affected by the order has given notice to the Secretary of State under sub-section (2)(a) within the period referred to in that sub-section, and
- (b) the Secretary of State had not directed within that period that the order be submitted to him for confirmation,

the Order shall take effect at the expiry of the period referred to in sub-section (2)(b), without being confirmed by the Secretary of State as required by section 98(1).

(8) This section does not apply to an Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under this Part or Part VII.

Given under the common Seal of the **ALNWICK DISTRICT COUNCIL**

the 18th Day of February 1992

R. Elliott

..... Chairman

J. S. Kirk

..... Duly Appointed Officer



3064

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/06

That review confirmed that the Order was valid and did not need to be modified.

However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: *D. Readman*

Date: 19 June 2006.

Date:

11 June 2008

Subject:

Preservation

up to date position, has been produced and appended to the file. Order was that made and a plan and review schedule, showing the

to be modified

been on bid has been reviewed and the Order was valid and did not need

review undertaken during 2007/08

This Free Preservation Order was reviewed as part of an overall

REVIEW OF FREE PRESERVATION ORDERS



- 1) Include only where Order contains a direction under section 201 of the Act
- 2) Include only where order relates to Crown land.
- 3) Map to be to a scale of not less than 25 inches to one mile (1:2500), except in the case of large woodlands when the scale shall be 6 inches to one mile (1:1000 or 1: 105600.
- 4) If it is proposed to fell any of the trees included in this Order and the felling requires a licence under the Forestry Act 1967, an application should be made in the first place to the Forestry Commission.
- 5) This provision is not to be included unless it appears to the authority that the order should take effect immediately.
- 6) This provision may be included in relation to trees to be planted pursuant to a condition imposed under section 197 of the Act.
- 7) £2000 but subject to alteration by Order.
- 8) £1000 but subject to alteration by Order.

10. The Commission is of the opinion that the
11. Commission is of the opinion that the
12. The Commission is of the opinion that the
13. The Commission is of the opinion that the
14. The Commission is of the opinion that the
15. The Commission is of the opinion that the
16. The Commission is of the opinion that the
17. The Commission is of the opinion that the
18. The Commission is of the opinion that the
19. The Commission is of the opinion that the
20. The Commission is of the opinion that the

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation Order) Regulations 1969 (as amended)

To THE DISTRICT VALUER
 BONDGATE HALL
 WAGON WAY ROAD
 ALNWICK

Notice of Confirmation of Tree Preservation Order

NOTICE IS HEREBY GIVEN that the ALNWICK DISTRICT COUNCIL

in pursuance of their powers as Local Planning Authority under the Town and Country Planning Act 1990 have [this day] [on the 24th day of March, 19 92] confirmed [without modification] [as an unopposed order] the Tree Preservation Order made by the said Council on the 18th day of February 19 92.

THE ALNWICK DISTRICT (LONGHOUGHTON HALL, LONGHOUGHTON)

DATED this 24th day of March, 19 92

(Signed)..... *J. O. Ruff*.....

.....CHIEF EXECUTIVE.....
 (The officer appointed for the purpose)

† Insert title of proper officer.

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation Order) Regulations 1969 (as amended)

To FORESTRY COMMISSION
E(E) CONSERVANCY

GREAT EASTERN HOUSE, TENISON ROAD

CAMBRIDGE CB1 2DU

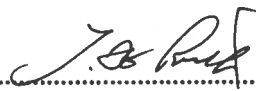
Notice of Confirmation of Tree Preservation Order

NOTICE IS HEREBY GIVEN that the **ALNWICK DISTRICT COUNCIL**

in pursuance of their powers as Local Planning Authority under the Town and Country Planning Act 1990 have [this day] [on the **24th** day of **March**, 19 **92**] confirmed [without modification] [as an unopposed order] the Tree Preservation Order made by the said Council on the **18th** day of **February**, 19**92**.

THE ALNWICK DISTRICT (LONGHOUGHTON HALL, LONGHOUGHTON)

DATED this **24th** day of **March**, 19 **92**

(Signed).....
.....**CHIEF EXECUTIVE**.....†
(The officer appointed for the purpose)

† Insert title of proper officer.

No.50, LONGHOUGHTON HALL.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY

(encircled in black on the map)

No. on Map	Description	Situation
T2	Sycamore	19 metres south of southern elevation of Longhoughton Hall.
T3	Sycamore	27 metres south of southern elevation of Longhoughton Hall.
T4	Sycamore	32 metres south of southern elevation of Longhoughton Hall.
T5	Copper Beech	32 metres south-west of south-western corner of Longhoughton Hall.

GROUPS OF TREES

(within broken line on the map)

No. on map	Description	Situation
G1	6 Lime, 2 Sycamore, And 1 Ash.	Adjacent to southern boundary of no. 1 The Orchard, Longhoughton.

WOODLANDS

(within a continuous black line on the map)

No. on map	Description	Situation
------------	-------------	-----------

NONE

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/2006

That review confirmed that the Order was valid and did not need to be modified.

However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: *D. Readman*

Date: 19 June 2006.

Town and Country Planning Act 1990

Insert title of: **THE ALNWICK DISTRICT (LONGHOUGHTON HALL,
Order LONGHOUGHTON)**

TREE PRESERVATION ORDER, 1992

Insert name of

Local Planning:

ALNWICK DISTRICT COUNCIL

Authority

in this Order called "the authority", in pursuance of the powers conferred in that behalf by s 198-200 [and s 201¹] of the Town and Country Planning Act 1990 [and s 300 of the Town and Country Planning Act 1990²], and subject to the provision of the Forestry Acts 1967 and 1979, hereby make the following Order-

1. In this Order:-

"the Act" means the Town and Country Planning Act 1990;

"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; 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] [Secretary of State for Wales].

2. Subject to the provision 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, 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 indicted in the said First Schedule on the map annexed hereto³ 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 authority⁴ under Article 2 of this Order shall be 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.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless-

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

(a) that the refusal or condition is in the interests of good forestry; or
 (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
 (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied-

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

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.

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:

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and s 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority (now a water sewerage undertaker pursuant to s 4 of the Water Act 1989 an "undertaker") since 31st March 1974, by any other authority (whose functions are now exercised by an undertaker) who at any time prior to 1st April 1974 exercised the functions in respect of which the byelaw was made, by a drainage board, or by the Greater London Council in the exercise of its functions in relation to maintenance, improvement or construction of watercourses or of drainage works, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of an undertaker or the drainage board under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modifications) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

(a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under s 198-200 of the Act, or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and

(b) any injurious affection to any land of the owner which would result from the felling of trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office of the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of section 205 of the Act.

13. [(1) The provisions of section 201 of the Act shall apply to this Order and the Order shall take effect on the 18th Day of February 1992]⁵

[(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be planted as mentioned therein, as from the time when that tree is planted.]⁶

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed sum⁷ for twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding Level 4 on the standard scale⁸ on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree is removed, uprooted or destroyed in contravention of an Order or, except in the case of a tree to which the Order applies as part of a woodland, is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 198(6) of the Act relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc, should be given to the authority to enable the latter to decide whether or not to dispense with the requirement. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the authority and the owner of the land, and (in either case) in such places as may be designated by the authority.

* The word "NONE" must be entered where necessary

NONE

No. on Map	Description	Situation
		(within a continuous black line on the map)
	WOODLANDS*	
G1	1 ASH 5 LIME 3 SYCAMORE	Along southern boundary of O.S. Field 3900.

No. on Map	Description	Situation
		(within a broken black line on the map)
	GROUPS OF TREES*	

NONE

No. on Map	Description	Situation
		(within a dotted black line on the map)
	TREES SPECIFIED BY REFERENCES TO AN AREA*	
T5	COPPER BEECH	4.6m north of drive at west of site.
T4	SYCAMORE	3.9m north of boundary between 1 The Orchard & Loughoughton Hall
T3	SYCAMORE	11.1m west of the said wall
T2	SYCAMORE	9.6m west of the said wall
T1	BEECH	9.6m west of the said wall
		Measured west of stone wall at the eastern boundary of Loughoughton Hall
No. on Map	Description	Situation

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*
(encircled in black on the map)

*Failed
was
2502/112*

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

(3) the cutting down of any tree on land which is subject to a forestry dedication covenant where

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(4) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under a grant scheme under section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant.

(5) the cutting down, uprooting, topping or lopping of a tree

(a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;

(b) by or at the request of
(i) a statutory undertaker or holder of a licence under section 6(1) of the Electricity Act 1989 where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) a licence holder within the meaning of Part I of the Electricity Act 1989, where such

(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority has neither:

(a) given notice to the applicant of their decision on the application: nor

(b) given notice to him that the application has been referred to the Secretary of State in accordance with direction given under section 77:

within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(4) The time prescribed for the service of such a notice must be:

(a) 28 days from the date of notification of the decision, certificate or direction, as the case may be; or

(b) in the case of an appeal under sub-section (2), 28 days from the end of the said period of two months or as the case may be, the extended period mentioned in that sub-section.

(5) For the purposes of the application of section 79(1) in relation to an appeal under sub-section (2), it shall be assumed that the authority decided to refuse the application in question.

79. Determination of appeals

-(1) On an appeal under section 78 from a decision, certificate or direction of the authority, the Secretary of State may

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not, or may cancel any certificate or cancel or vary any direction)

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78, the Secretary of State shall, if either the appellant or the authority so wish, give to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(5) The decision of the Secretary of State on any appeal under this section shall be final.

97. Power to revoke or modify the consent under the Order

(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order the authority may by Order revoke or modify the consent to such an extent as they consider expedient.

(3) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

(4) The revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98. Procedure for s 97 orders : opposed cases

(1) Except as provided in sections 99 and 201 of the Act an Order under section 97 shall not take effect unless it is confirmed by the Secretary of State;

(2) Where an authority submits an Order to the Secretary of State for his confirmation they shall serve notice on:

- (a) the owner of the land affected;
- (b) the occupier of the land affected; and
- (c) any other person who in their opinion will be affected by the Order.

(3) The notice shall specify that within a period of twenty-eight days from the service of the notice any person on who it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) If within the period of twenty-eight days such a person so requires, before the Secretary of State confirms the Order, he shall give such an opportunity both to him and the authority.

(6) The Secretary of State may confirm any such Order submitted to him either without modification or subject to such modification as he considers expedient.

99. Procedure for s 97 : unopposed cases (1) this section applies where:

- (a) the authority have made an order under section 97; and
- (b) the owner and the occupier of the land and all persons who in the authority's opinion will be affected by the order have notified the authority in writing that they do not object to it.

(2) Where this section applies, instead of submitting the order to the Secretary of State for confirmation the authority shall advertise the fact that the order has been made, and the advertisement must specify:

- (a) the period within which persons affected by the order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose; and
- (b) the period at the expiration of which, if no such notice is given to the Secretary of State, the order may take effect by virtue of this section without being confirmed by the Secretary of State.

(3) The authority shall also serve notice to the same effect on the persons mentioned in sub-section (1)(b).

(4) The period referred to in sub-section (2)(a) must not be less than 28 days from the date the advertisement first appears.

(5) The period referred to in sub-section (2)(b) must not be less than 14 days from the expiration of the period referred into sub-section (2)(a).

(6) The authority shall send a copy of any advertisement published under sub-section (2) to the Secretary of State not more than three days after the publication.

(7) If:

- (a) no person claiming to be affected by the order has given notice to the Secretary of State under sub-section (2)(a) within the period referred to in that sub-section, and
- (b) the Secretary of State had not directed within that period that the order be submitted to him for confirmation,

the Order shall take effect at the expiry of the period referred to in sub-section (2)(b), without being confirmed by the Secretary of State as required by section 98(1).

(8) This section does not apply to an Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under this Part or Part VII.

Given under the common Seal of the **ALNWICK DISTRICT COUNCIL**

the 18th Day of February 1992

R. Elliott

..... Chairman

J. S. Kirk

..... Duly Appointed Officer



3064

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/06

That review confirmed that the Order was valid and did not need to be modified.

However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: *D. Readman*

Date: 19 June 2006.

Date:

11 June 2008

Subject:

Preservation

up to date position, has been produced and appended to the file. Order was that there was a plan and review schedule, allowing the

to be modified

been on bid has been reviewed and did not need

review undertaken during 2007/08

This has been reviewed as part of an overall

REVIEW OF TREE PRESERVATION ORDERS

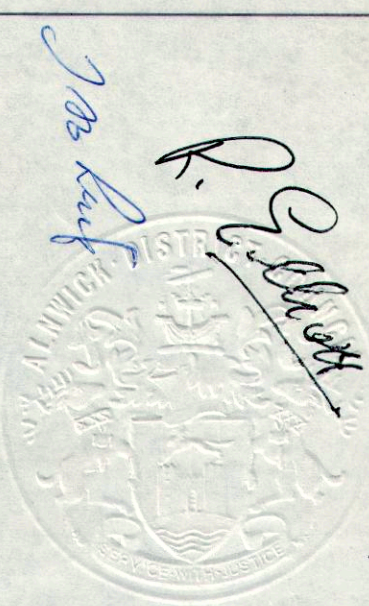


- 1) Include only where Order contains a direction under section 201 of the Act
- 2) Include only where order relates to Crown land.
- 3) Map to be to a scale of not less than 25 inches to one mile (1:2500), except in the case of large woodlands when the scale shall be 6 inches to one mile (1:1000 or 1: 105600.
- 4) If it is proposed to fell any of the trees included in this Order and the felling requires a licence under the Forestry Act 1967, an application should be made in the first place to the Forestry Commission.
- 5) This provision is not to be included unless it appears to the authority that the order should take effect immediately.
- 6) This provision may be included in relation to trees to be planted pursuant to a condition imposed under section 197 of the Act.
- 7) £2000 but subject to alteration by Order.
- 8) £1000 but subject to alteration by Order.

10. The Commission is of the opinion that the
11. Commission is of the opinion that the
12. The Commission is of the opinion that the
13. The Commission is of the opinion that the
14. The Commission is of the opinion that the
15. The Commission is of the opinion that the
16. The Commission is of the opinion that the
17. The Commission is of the opinion that the
18. The Commission is of the opinion that the
19. The Commission is of the opinion that the
20. The Commission is of the opinion that the

The common seal of ALNWICK DISTRICT COUNCIL was hereunto affixed in the presence of:-

3054



Notes

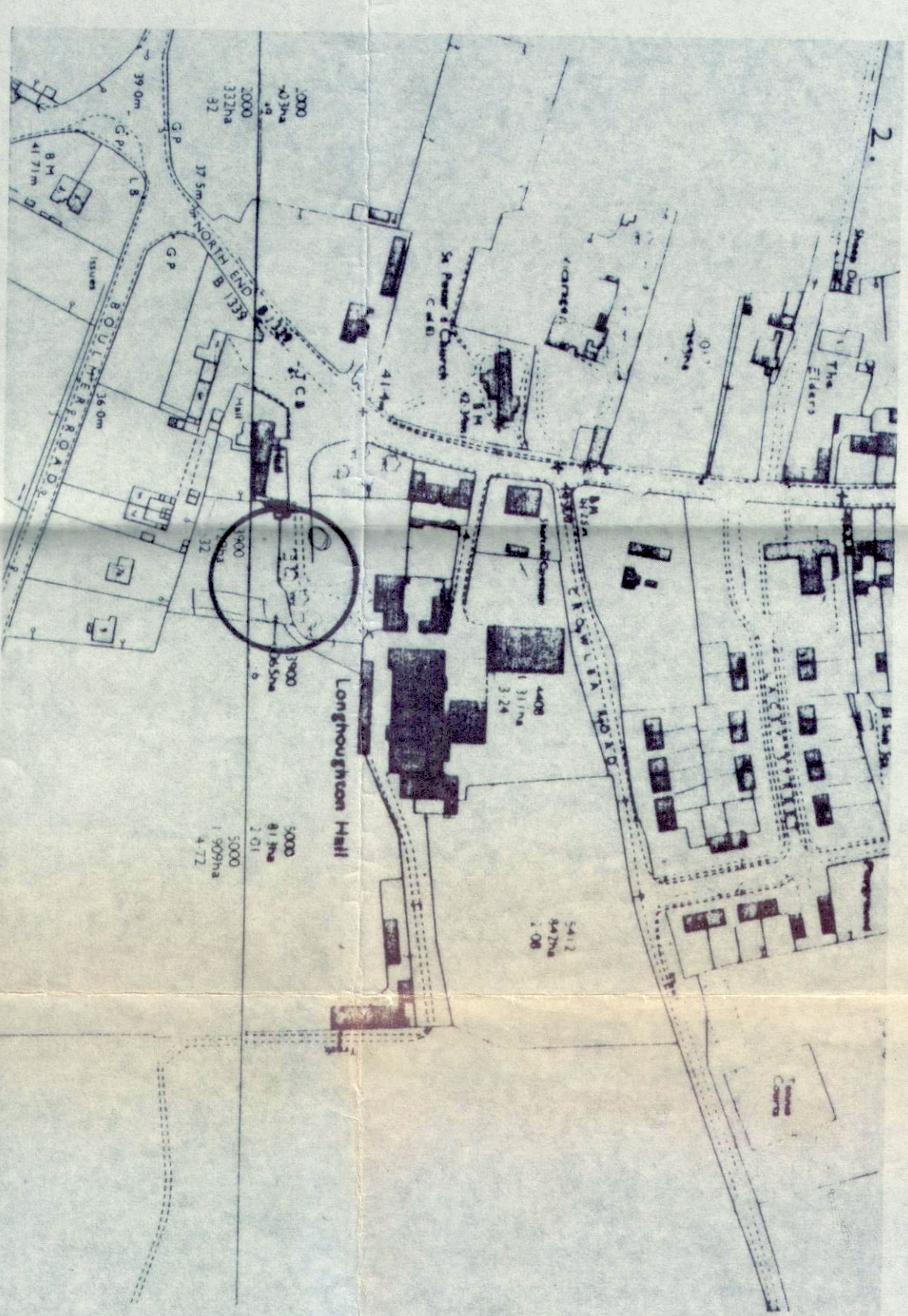
No.	Date	Revisions	By

Title
LONGHOUGHTON
HALL, T. P. O.

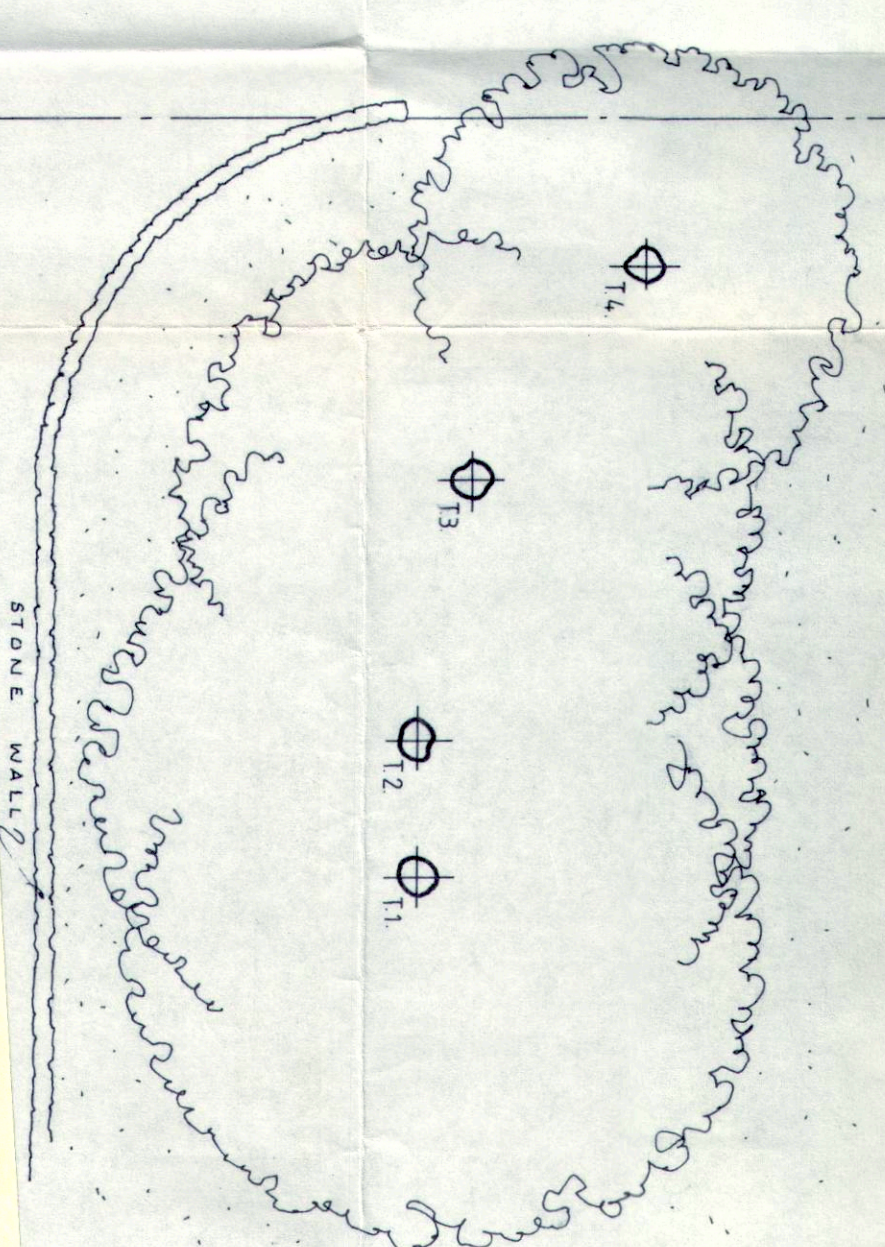
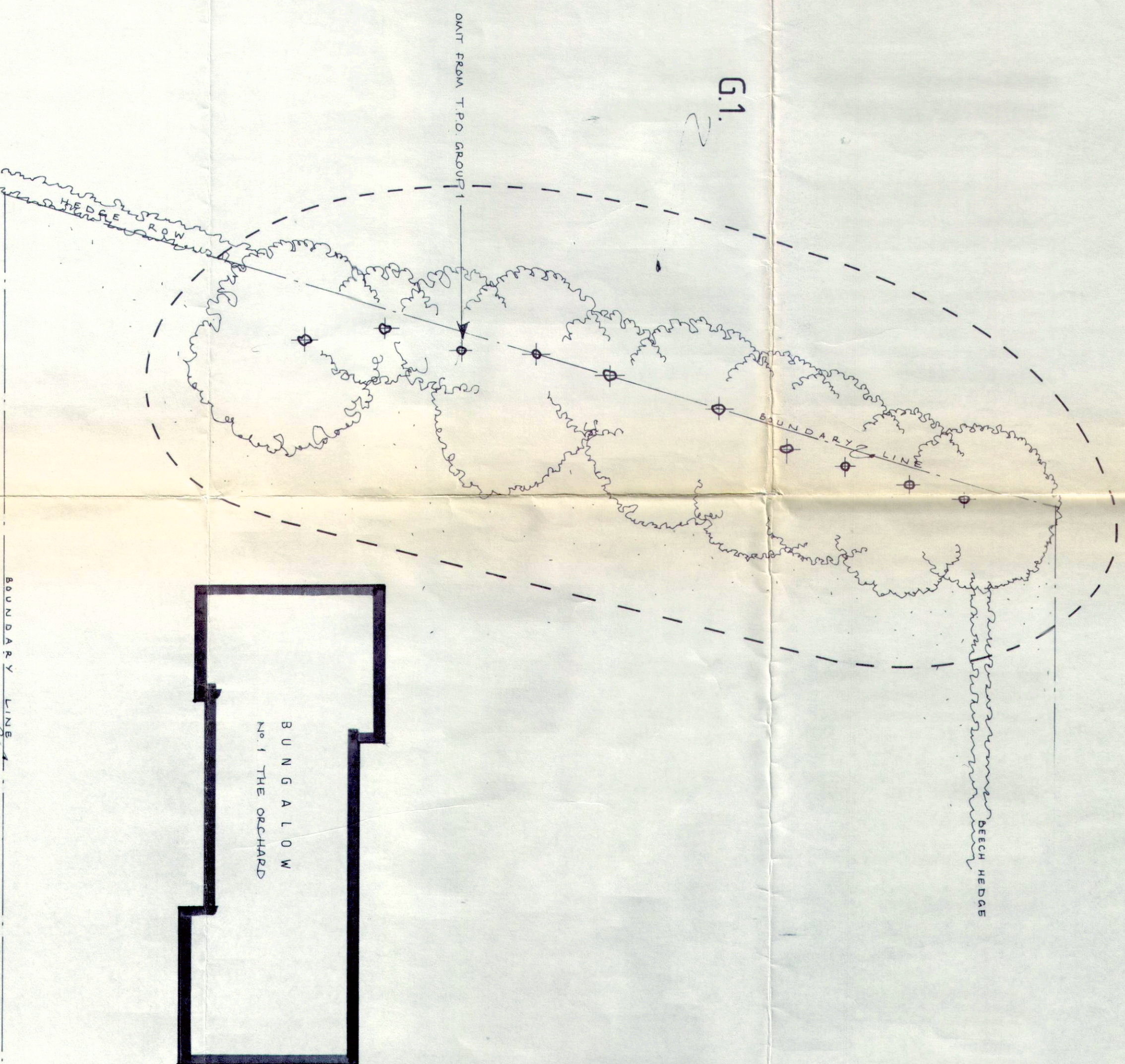
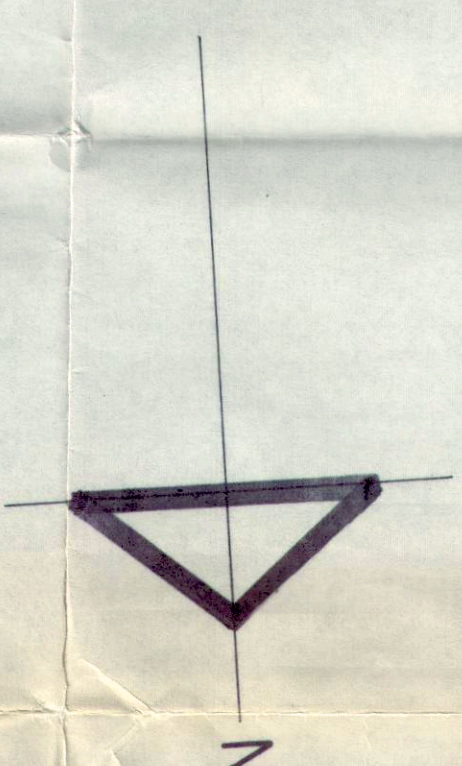
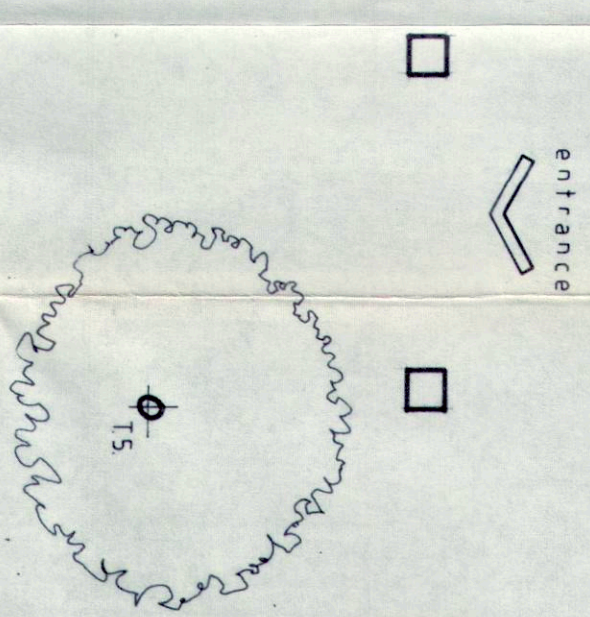
Dwg. No.	Revision

Drawn	Scale	Date
K J L	1:200	20/11/91
Traced	Checked	Approved

J. Macgregor, C. Eng., M.I.C.E., M.I.H.T.
Technical Manager.
ALNWICK DISTRICT COUNCIL
Allerburn House, Alnwick, NE66 1VY.
Tel. No. Alnwick 510505



Location Plan 1 : 2500



T1
Failed under
2002/11/2

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/6.

The review confirmed that the Order was valid and did not need to be modified.

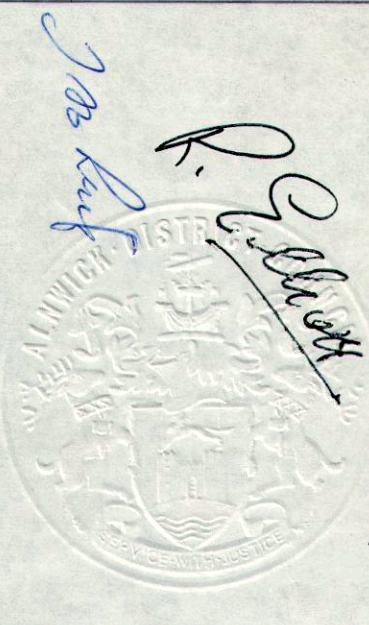
However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: J. Macgregor

Date: 19 June 2006

The common seal of ALNWICK DISTRICT COUNCIL was herewith affixed in the presence of:-

3054



Notes

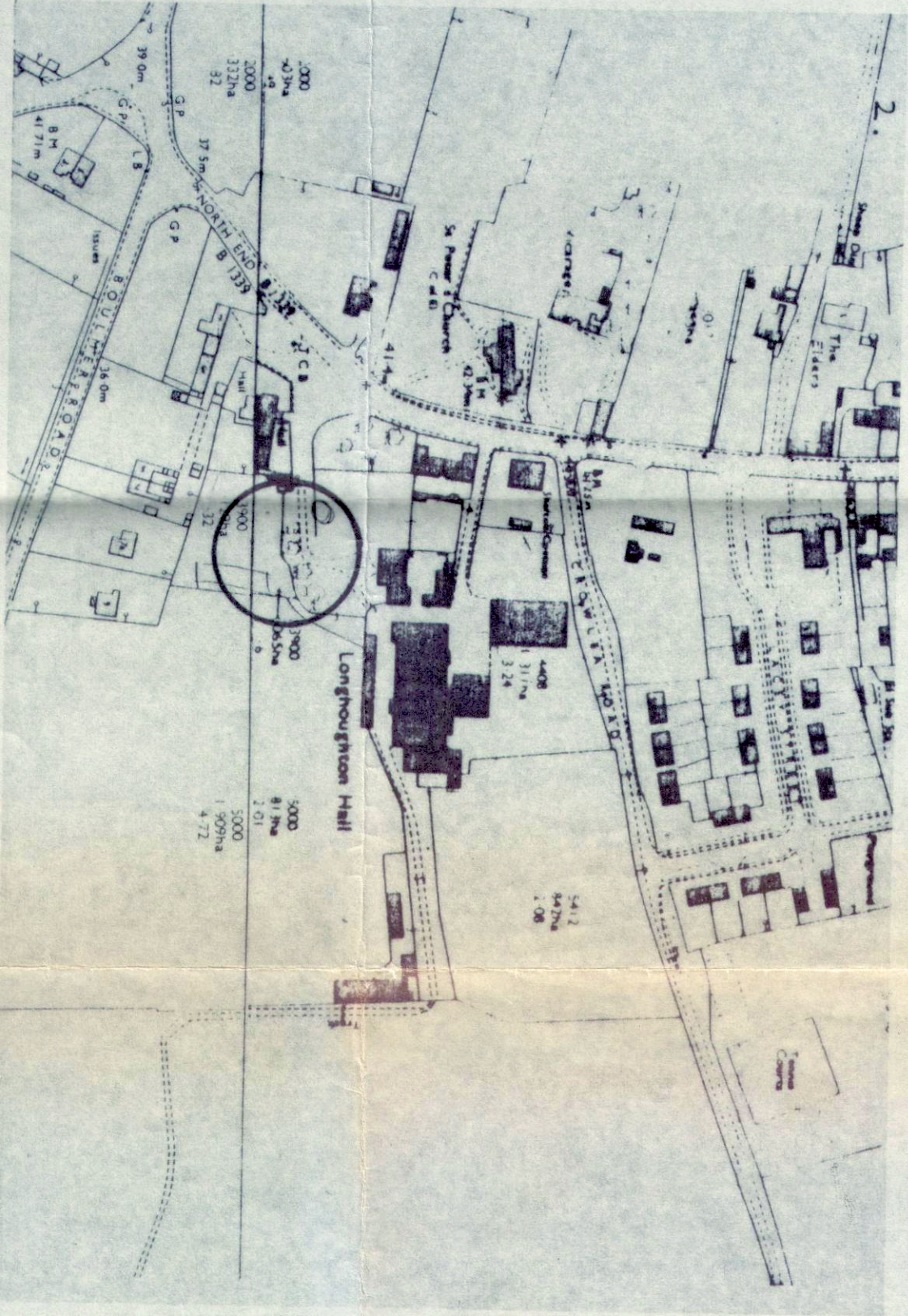
No.	Date	Revisions	By

Title
LONGHOUGHTON
HALL, T. P. O.

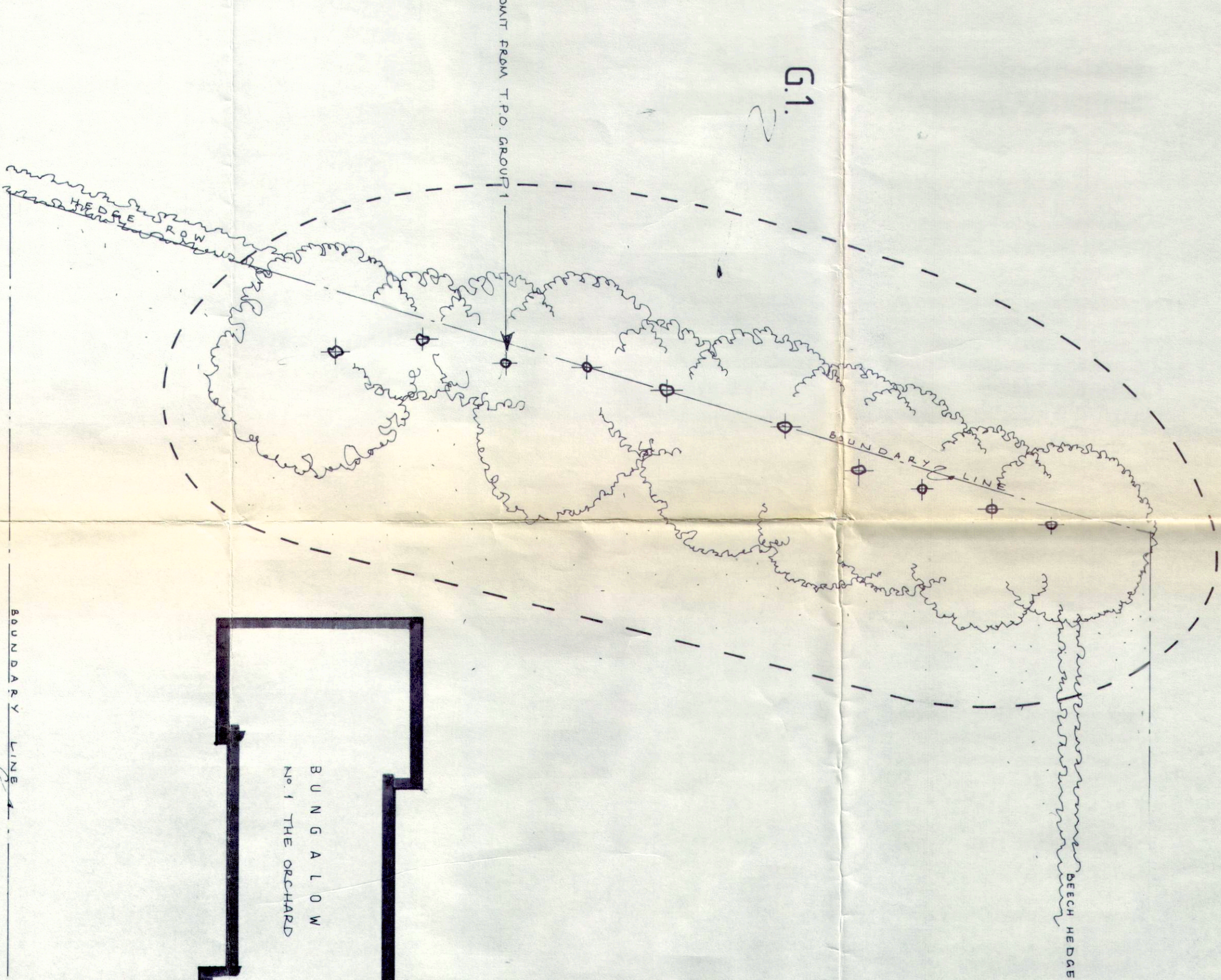
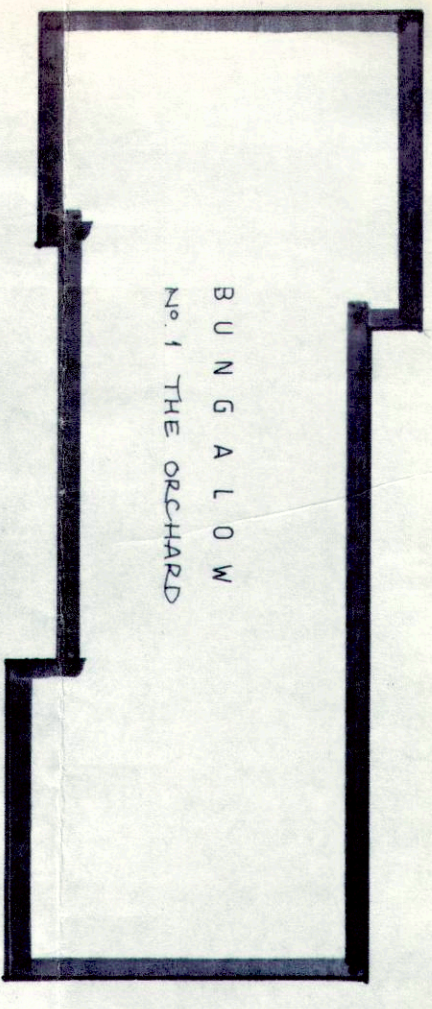
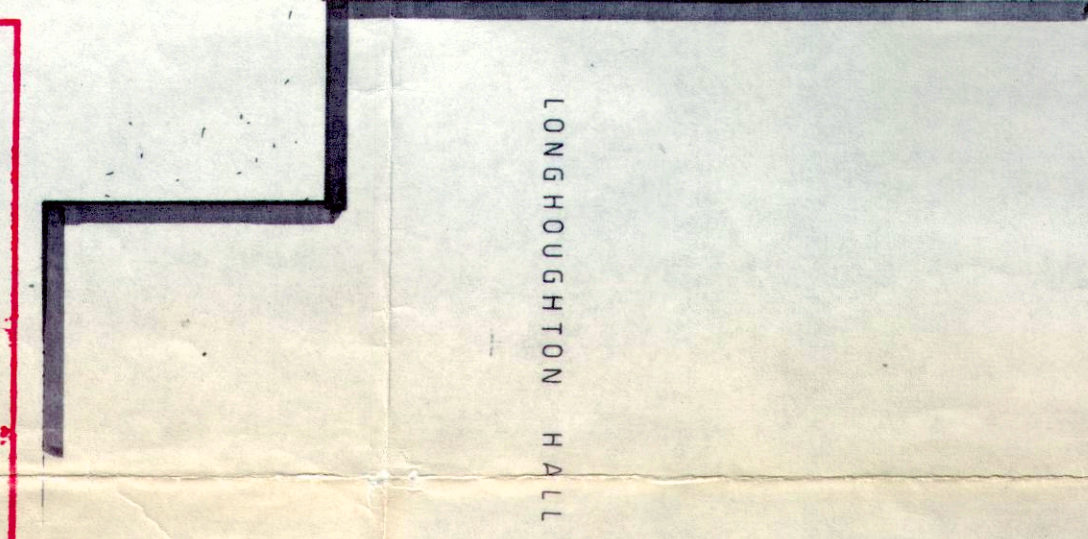
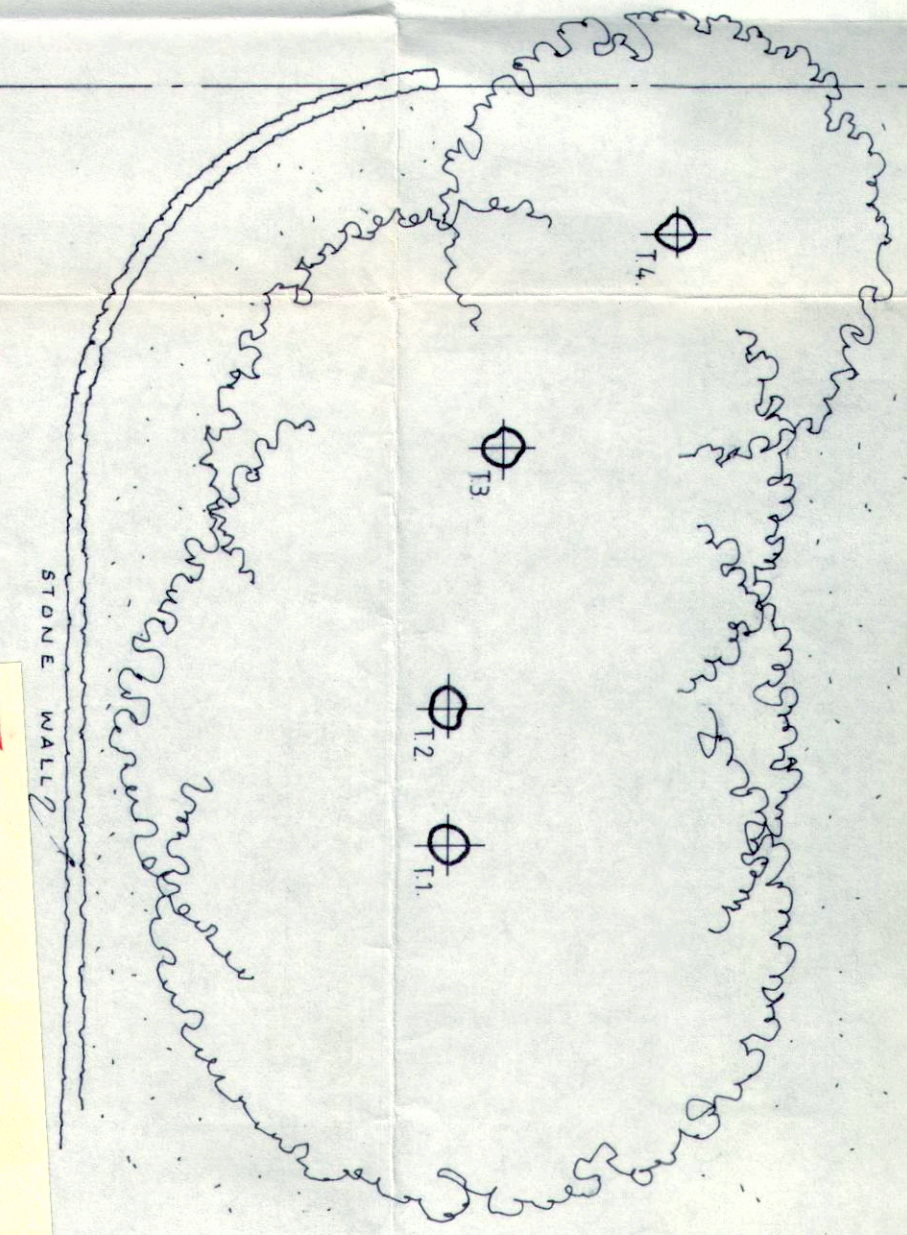
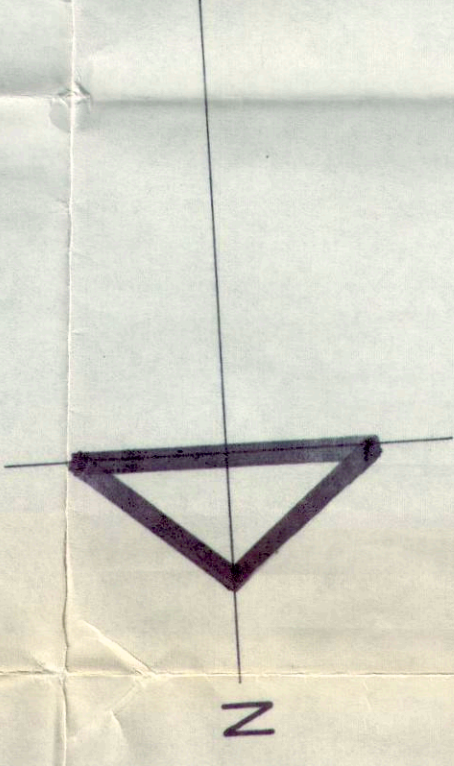
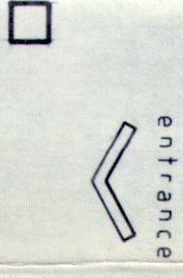
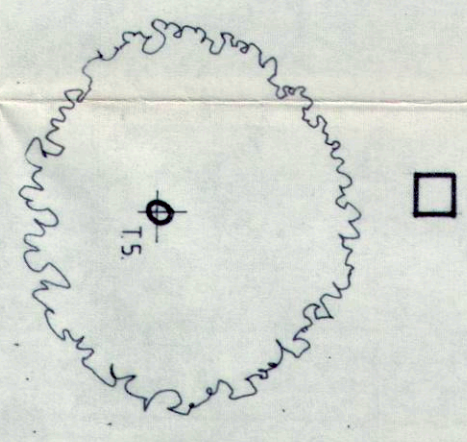
Dwg. No.	Revision

Drawn	Scale	Date
K J L	1:200	20/11/91
Traced	Checked	Approved

J. Macgregor, C. Eng., M.I.C.E., M.I.H.T.
Technical Manager.
ALNWICK DISTRICT COUNCIL
Allerburn House, Alnwick, NE66 1VY.
Tel. No. Alnwick 510505



Location Plan 1 : 2500



G1.

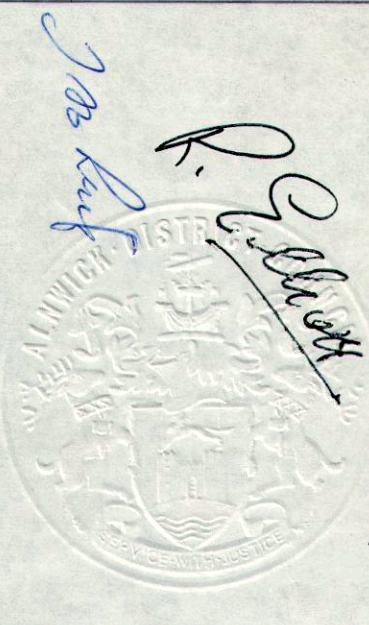
Site Plan

TI
Failed under
2002/11/2

REVIEW OF TREE PRESERVATION ORDERS
This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/6.
That review confirmed that the Order was valid and did not need to be modified.
However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.
Signed: *J. Macgregor*
Date: 19 June 2006.

The common seal of ALNWICK DISTRICT COUNCIL was hereunto affixed in the presence of:-

3054



Notes

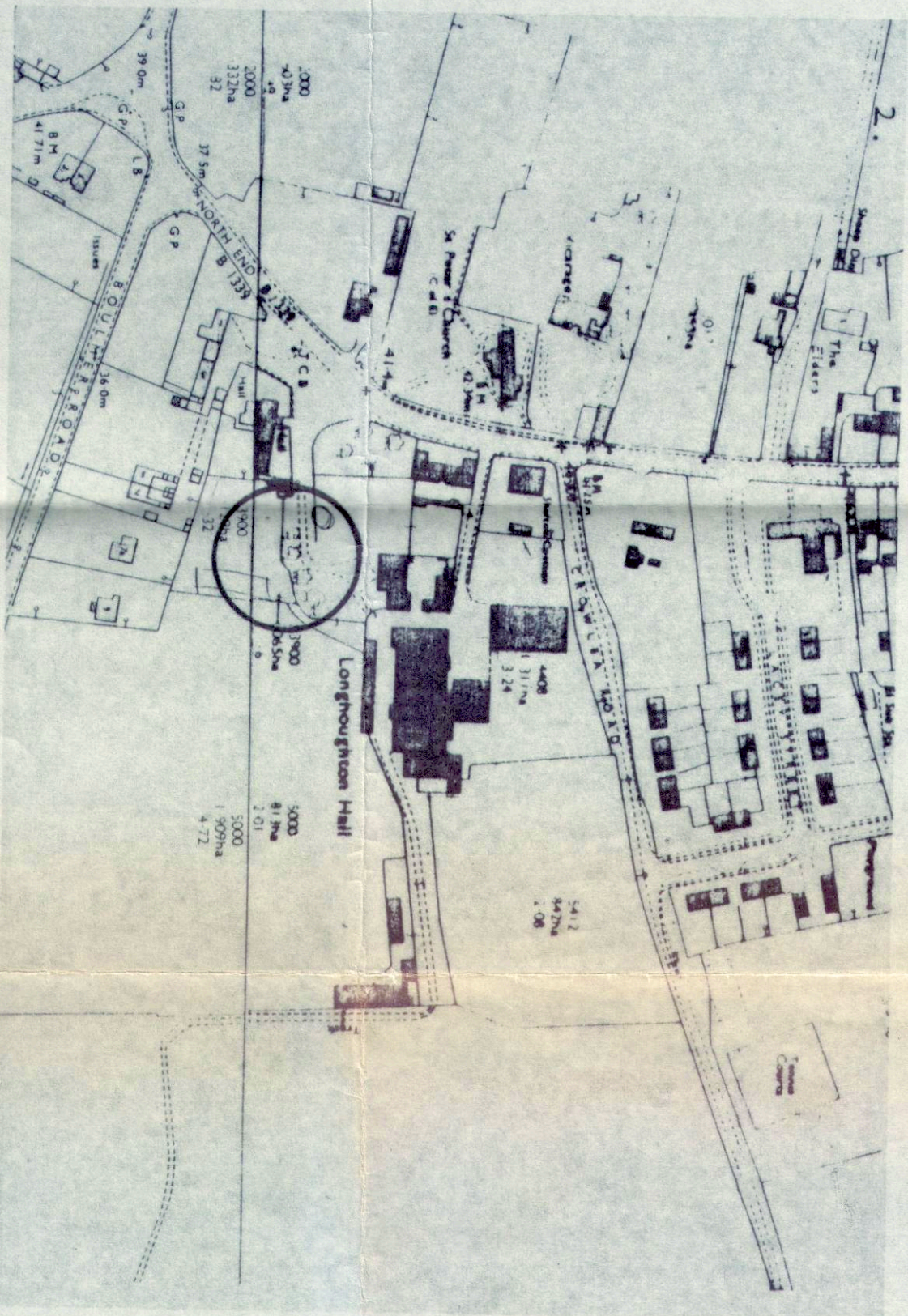
No.	Date	Revisions	By

Title
LONGHOUGHTON
HALL, T. P. O.

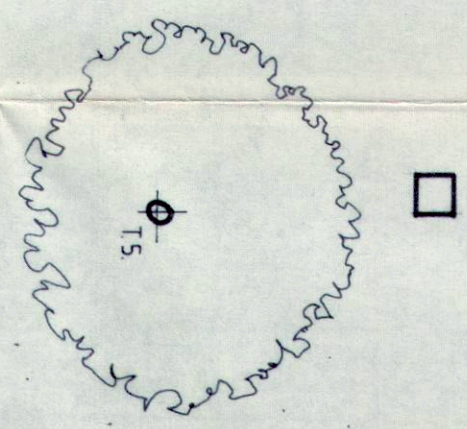
Dwg. No.	Revision

Drawn	Scale	Date
K J L	1:200	20/11/91
Traced	Checked	Approved

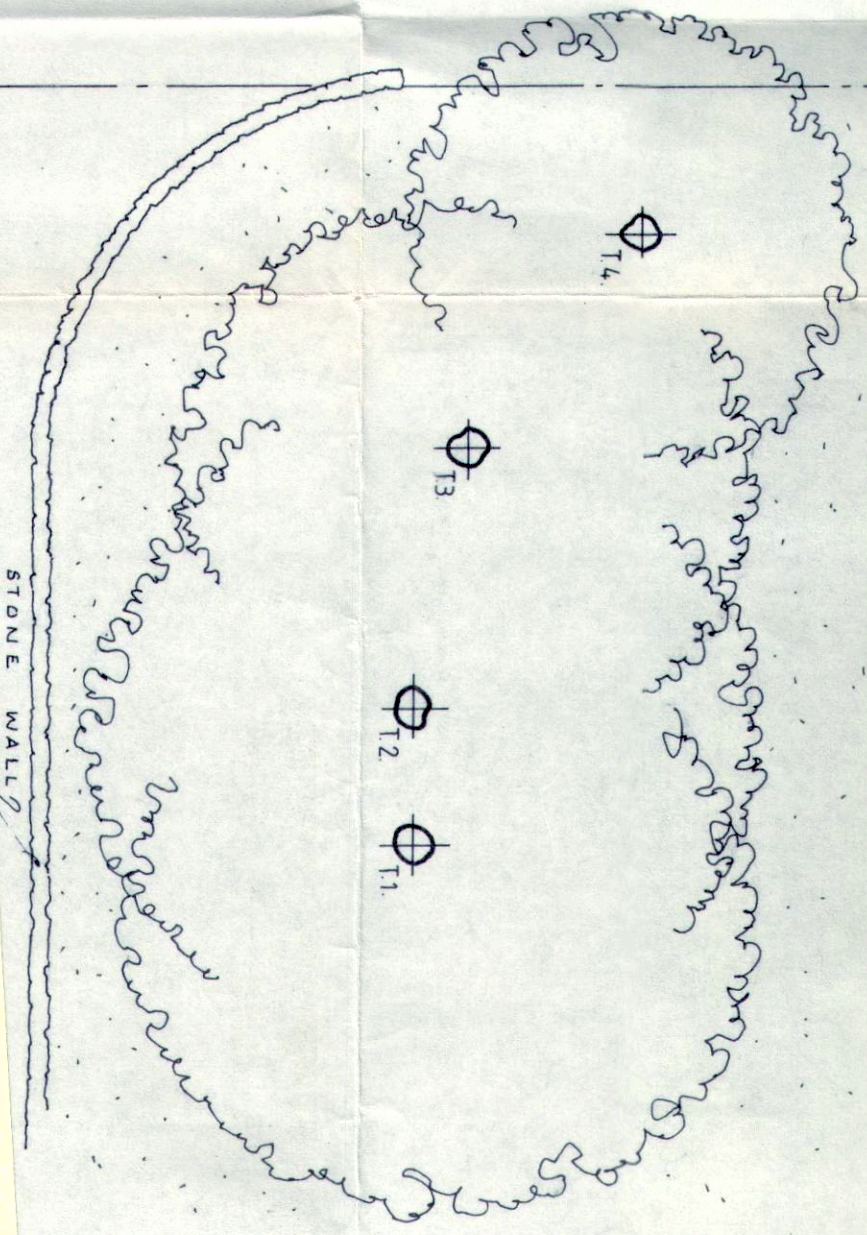
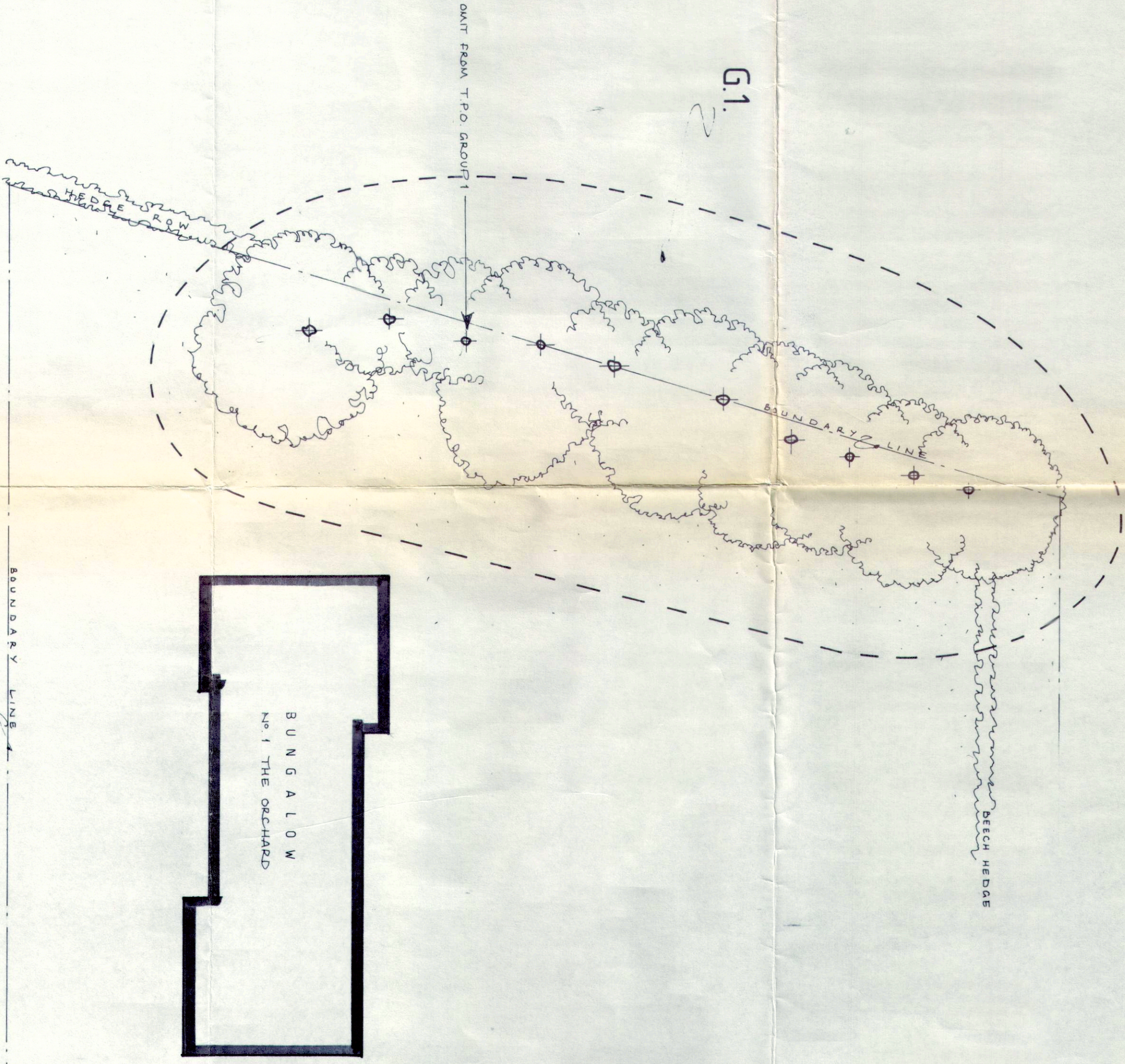
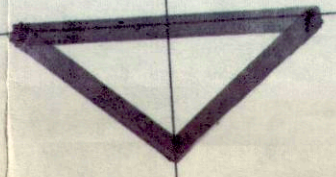
J. Macgregor, C. Eng., M.I.C.E., M.I.H.T.
Technical Manager.
ALNWICK DISTRICT COUNCIL
Allerburn House, Alnwick, NE66 1VY.
Tel. No. Alnwick 510505



Location Plan 1 : 2500



N



T1
Failed under
2002/11/2

REVIEW OF TREE PRESERVATION ORDERS

This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/6.

The review confirmed that the Order was valid and did not need to be modified.

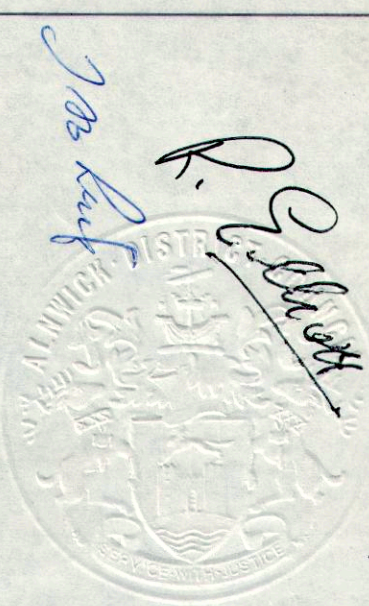
However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.

Signed: J. Macgregor

Date: 19 June 2006

The common seal of ALNWICK DISTRICT COUNCIL was hereunto affixed in the presence of:-

3054



Notes

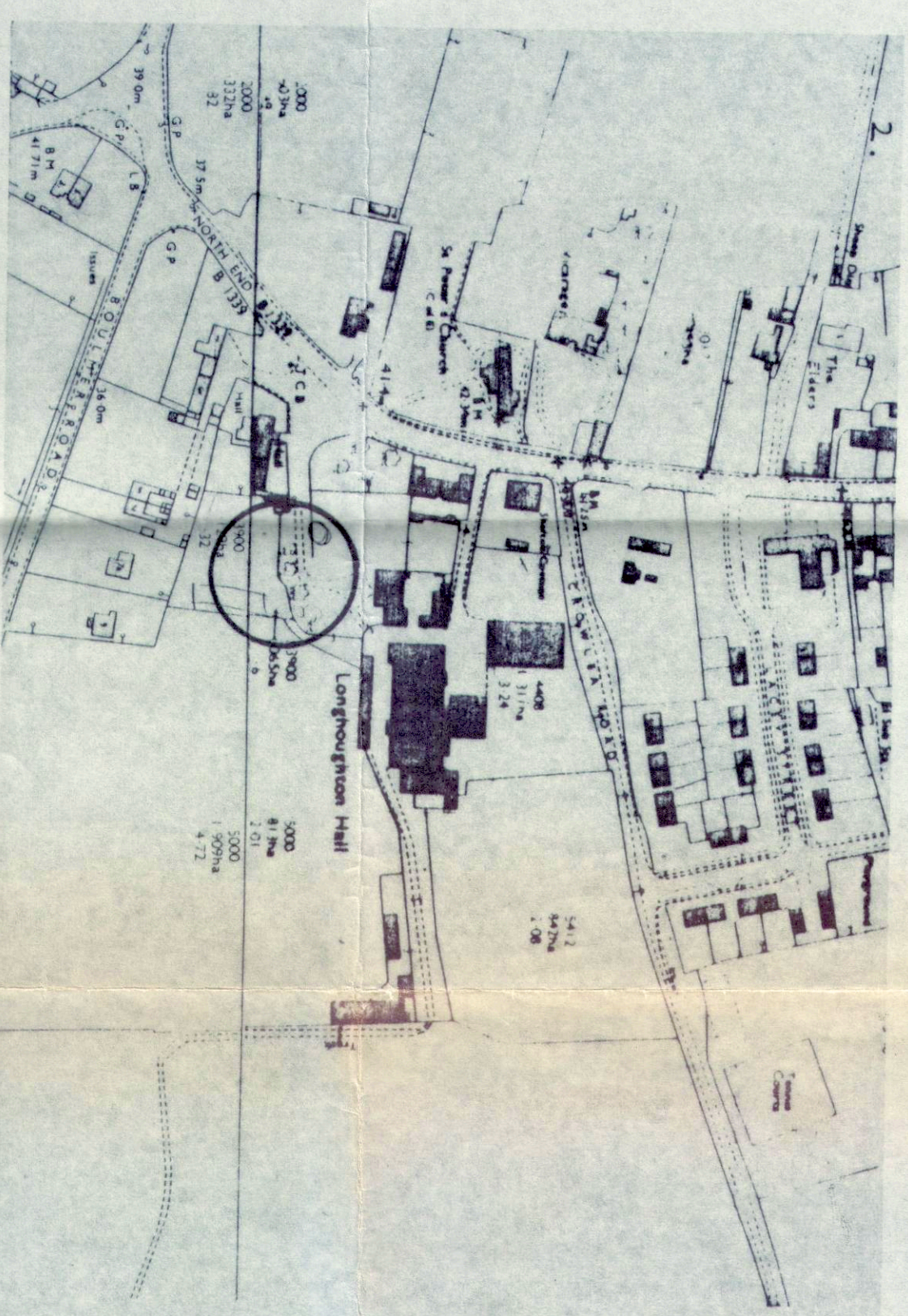
No.	Date	Revisions	By

Title
LONGHOUGHTON
HALL, T. P. O.

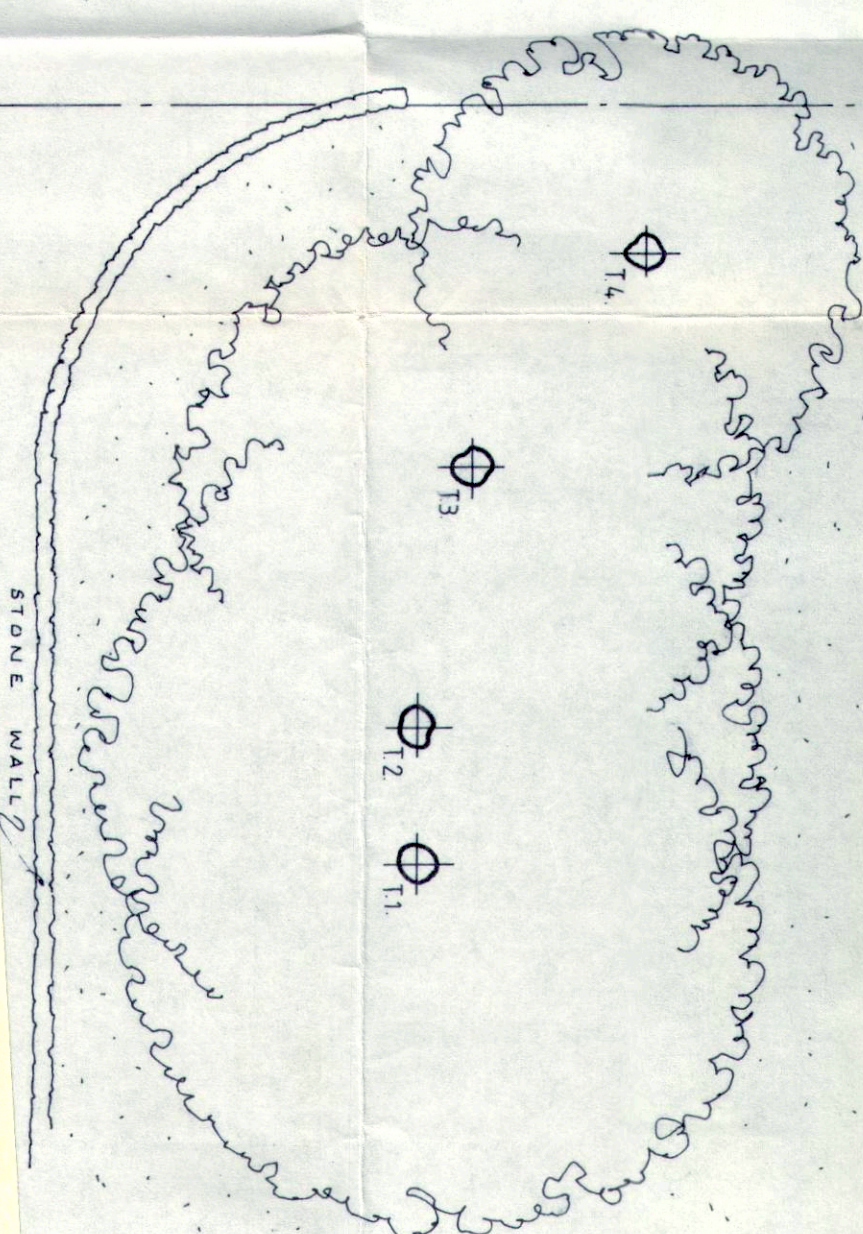
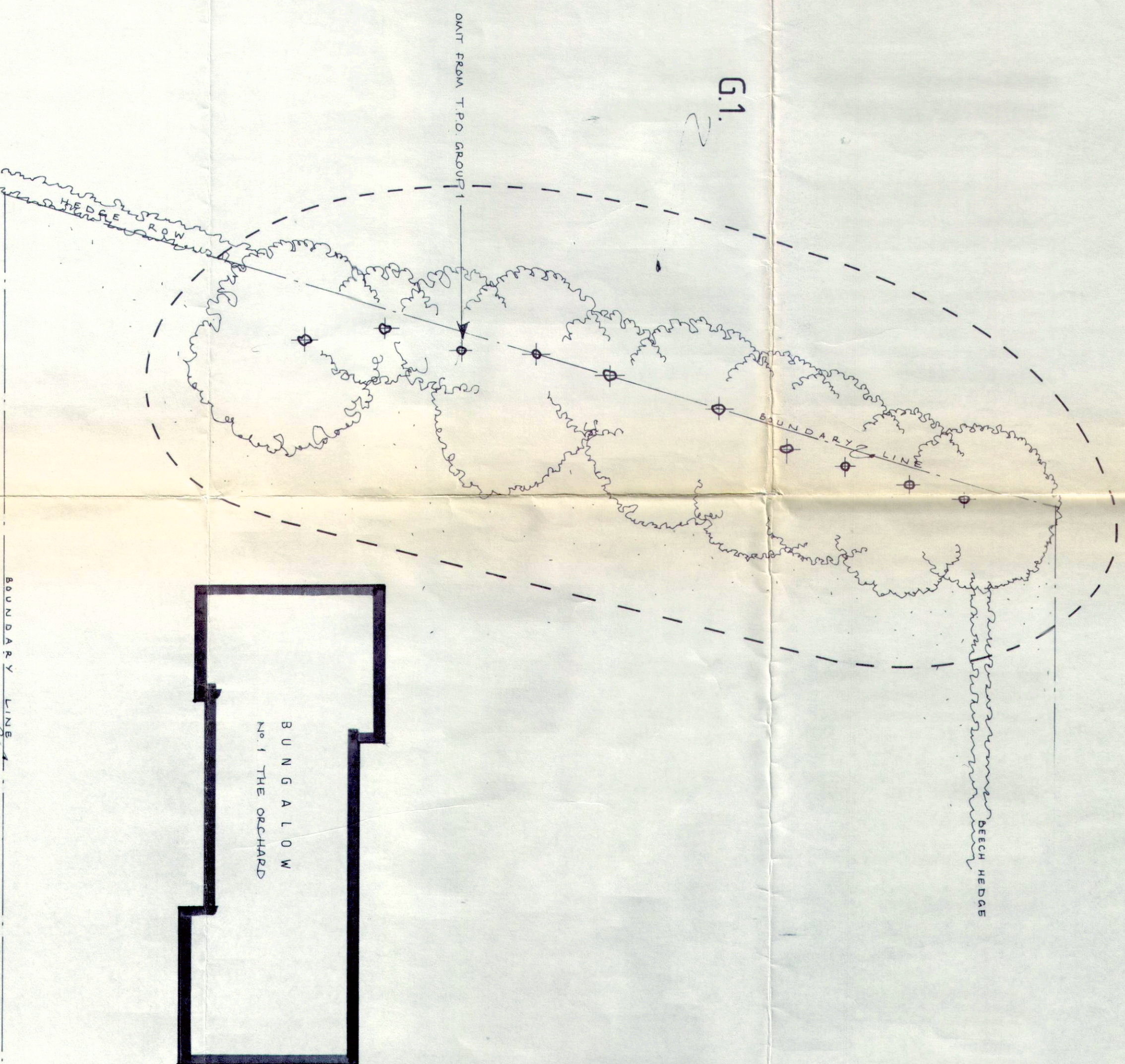
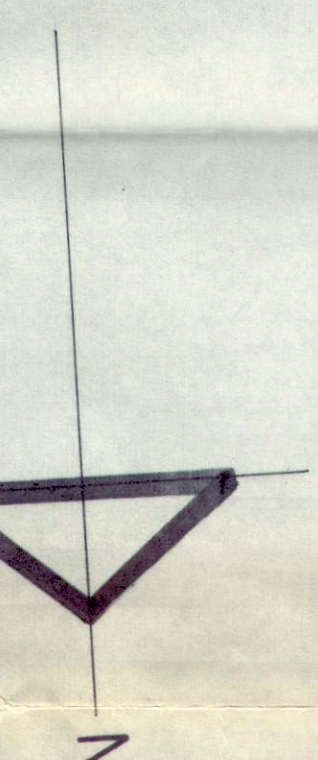
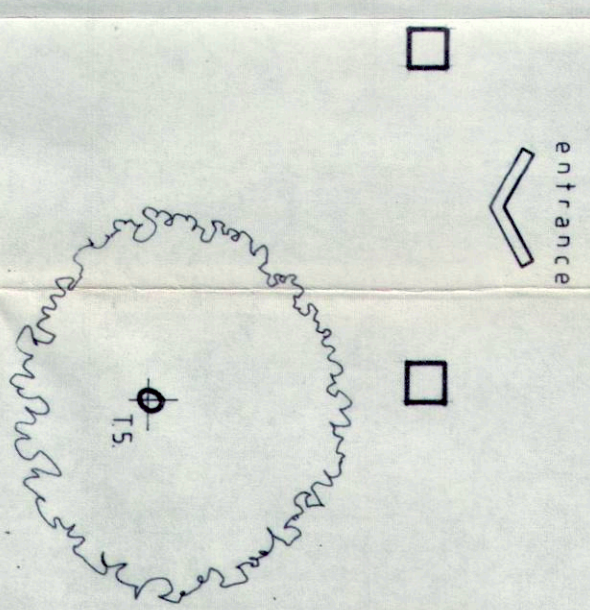
Dwg. No.	Revision

Drawn	Scale	Date
K J L	1:200	20/11/91
Traced	Checked	Approved

J. Macgregor, C. Eng., M.I.C.E., M.I.H.T.
Technical Manager.
ALNWICK DISTRICT COUNCIL
Allerburn House, Alnwick, NE66 1VY.
Tel. No. Alnwick 510505



Location Plan 1 : 2500



TI
Failed under
2002/11/2

REVIEW OF TREE PRESERVATION ORDERS
This Tree Preservation Order was reviewed as part of an overall review undertaken during 2005/6.
That review confirmed that the Order was valid and did not need to be modified.
However, the review found that changes had taken place since the Order was first made and a plan and revised schedule, showing the up to date position, has been produced and appended to the file.
Signed: *J. Macgregor*
Date: 19 June 2006