

Town and Country Planning Act 1990

REVIEW OF TREE PRESERVATION ORDERS

Insert title of:

THE ALNWICK DISTRICT (WEST AVENUE, AMBLE)

ORDER NUMBER:

061

ORDER NAME:

Order

TREE PRESERVATION ORDER, 1994

2005

Insert name of

Local Planning:

ALNWICK DISTRICT COUNCIL

Authority

REVIEW: Retain Order. New schedule + plan reflects current position.

in this Order called "the authority", in pursuance of the powers conferred in that behalf by s 198-200 [and s 201] 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 indicated 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.

FIRST SCHEDULE TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

Note: All measurements are taken from the centre line of the entrance to the cemetery, West Road, Ambler.

No. on Map Description Situation

T1	Sycamore	35.250 meters east
T2	Sycamore	31.400 meters east
T3	Sycamore	27.700 meters east
T4	Elm	25.900 meters east
T5	Sycamore	20.400 meters east
T6	Sycamore	16.700 meters east
T7	Sycamore	13.050 meters east
T8	Sycamore	11.200 meters east
T9	Sycamore	9.300 meters east
T10	Sycamore	5.700 meters east
T11	Elm	3.800 meters east
T12	Sycamore	1.550 meters east
T13	Sycamore	1.600 meters west
T14	Elm	3.450 meters west
T15	Sycamore	5.300 meters west
T16	Sycamore	9.000 meters west
T17	Elm	10.700 meters west
T18	Sycamore	12.600 meters west
T19	Elm	14.400 meters west
T20	Sycamore	16.100 meters west
T21	Elm	18.100 meters west
T22	Sycamore	19.900 meters west
T23	Sycamore	21.900 meters west
T24	Sycamore	23.850 meters west
T25	Elm	25.700 meters west
T26	Sycamore	27.550 meters west
T27	Elm	29.550 meters west
T28	Sycamore	31.150 meters west
T29	Sycamore	31.150 meters west
T30	Elm	29.550 meters west
T31	Sycamore	27.550 meters west
T32	Sycamore	23.850 meters west
T33	Elm	21.900 meters west
T34	Sycamore	19.900 meters west
T35	Elm	18.100 meters west
T36	Sycamore	16.100 meters west
T37	Elm	14.400 meters west
T38	Sycamore	12.600 meters west
T39	Elm	10.700 meters west
T40	Sycamore	9.000 meters west
T41	Sycamore	5.300 meters west
T42	Sycamore	1.600 meters west
T43	Horse Chestnut	0.200 meters east
T44	Sycamore	1.550 meters east
T45	Sycamore	5.700 meters east

FIRST SCHEDULE (continued)

T46	Sycamore	9.300 meters east
T47	Elm	11.200 meters east
T48	Sycamore	13.050 meters east
T49	Sycamore	16.700 meters east
T50	Sycamore	20.400 meters east
T51	Elm	22.000 meters east
T52	Sycamore	24.350 meters east
T53	Sycamore	27.600 meters east
T54	Sycamore	31.400 meters east

TREES SPECIFIED BY REFERENCES TO AN AREA* (within a dotted black line on the map)

No. on Map	Description	Situation
------------	-------------	-----------

NONE

GROUPS OF TREES* (within a broken black line on the map)

No. on Map	Description	Situation
------------	-------------	-----------

NONE

WOODLANDS* (within a continuous black line on the map)

No. on Map	Description	Situation
------------	-------------	-----------

NONE

* The word "NONE" must be entered where necessary

(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).

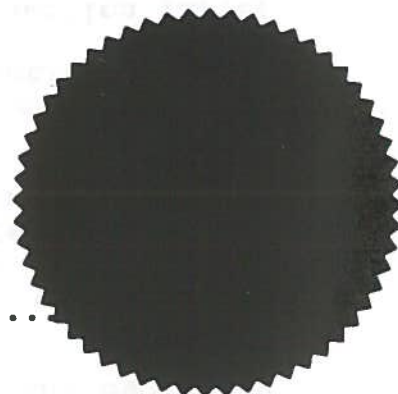
(8) This section does not apply to an order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under this Part or Part VII.

Given under the common Seal of the ATLWICK DISTRICT COUNCIL

the 20th day of September 1994

Chairman

Duly Appointed Officer



3402

REVIEW OF TREE PRESERVATION ORDERS

ORDER NUMBER: 061

ORDER NAME: West Avenue

DATE REVIEWED: 2005

OUTCOME OF REVIEW: Retain Order

New schedule and plan reflects

current position

Notes

- 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) £20000 but subject to alteration by Order.
- 8) £1000 but subject to alteration by Order.

REVIEW OF TREE PRESERVATION ORDERS

No.61, WEST AVENUE, AMBLE.

ORDER NUMBER: 061

FIRST SCHEDULE

ORDER NAME: West Avenue, Amble 1994.

TREES SPECIFIED INDIVIDUALLY REVIEWED: 2005

(encircled in black on the map)

OUTCOME OF REVIEW: Retain Order. This

situation schedule reflects current position.

All measurements are taken from

the centre line of the entrance to

The Cemetery, West Road, Amble.

No. on Map	Description	
T2	Sycamore	31.4 metres east
T3	Sycamore	27.7 metres east
T5	Sycamore	20.4 metres east
T6	Sycamore	16.7 metres east
T7	Sycamore	13.05 metres east
T8	Sycamore	11.2 metres east
T9	Sycamore	9.3 metres east
T10	Sycamore	5.7 metres east
T12	Sycamore	1.55 metres east
T13	Sycamore	1.6 metres west
T15	Sycamore	5.3 metres west
T16	Sycamore	9.0 metres west
T18	Sycamore	12.6 metres west
T20	Sycamore	16.1 metres west
T22	Sycamore	19.9 metres west
T23	Sycamore	21.9 metres west
T24	Sycamore	23.85 metres west
T26	Sycamore	27.55 metres west
T28	Sycamore	31.15 metres west
T29	Sycamore	31.15 metres west

T30	Elm	29.55 metres west
T31	Sycamore	27.55 metres west
T32	Sycamore	23.85 metres west
T34	Sycamore	19.9 metres west
T36	Sycamore	16.1 metres west
T38	Sycamore	12.6 metres west
T40	Sycamore	9.0 metres west
T41	Sycamore	5.3 metres west
T42	Sycamore	1.6 metres west
T43	Lime replacement	0.2 metres east
T44	Sycamore	1.55 metres east
T45	Sycamore	5.7 metres east
T46	Sycamore	9.3 metres east
T47	Lime replacement	11.2 metres east
T48	Sycamore	13.05 metres east
T49	Sycamore	16.7 metres east
T50	Sycamore	20.4 metres east
T51	Elm	22.0 metres east
T52	Sycamore	24.35 metres east
T53	Sycamore	27.6 metres east
T54	Sycamore	31 .4 metres east

GROUPS OF TREES

(within broken line on the map)

No. on map	Description	Situation
NONE		

WOODLANDS

(within a continuous black line on the map)

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

NONE		
------	--	--

No.	Date	Revisions	By

REVIEW OF TREE PRESERVATION ORDERS	
ORDER NUMBER:	061
ORDER NAME:	West Avenue, Amble 1994
DATE REVIEWED:	2005
OUTCOME OF REVIEW:	Revoke Order.
New plan and schedule reflects current position.	

Title

WEST AVENUE,
AMBLE, TPO

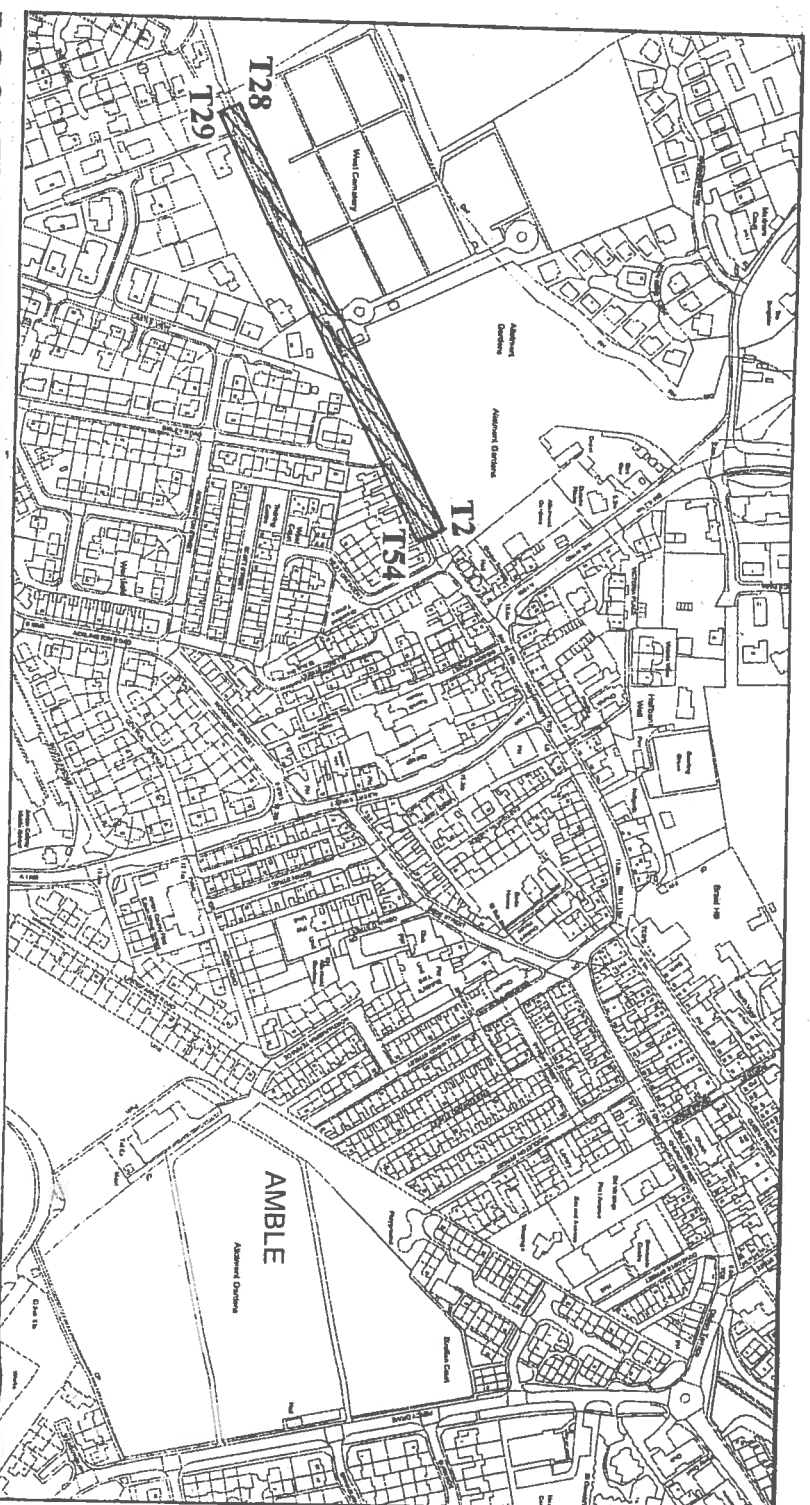
Dwg. No.	Revision
Drawn KJL	Scale 1:500/2500
Traced	Checked
	Approved

ALNWICK DISTRICT COUNCIL
Allerton House, Alnwick, NE66 1YY.
Tel. No. Alnwick 570505





PLAN SCALE 1:1.250



LOCATION PLAN SCALE 1:5.000

NORTH

REVIEW OF TREE PRESERVATION ORDERS

ORDER NUMBER: 061

ORDER NAME: West Avenue, Ambleside 1994

DATE REVIEWED: 2005

OUTCOME OF REVIEW: Retain Order. This plan reflects current position.

ALNWICK DISTRICT COUNCIL,
WEST AVENUE, AMBLE,
TREE PRESERVATION ORDER 1994.