TOWN AND COUNTRY PLANNING ACT 1990

TREE PRESERVATION ORDER 13/00003/TPO

38 SHACKLETON CLOSE WHITBY NORTH YORKSHIRE YO21 1NR

The Scarborough Borough Council in exercise of the powers conferred on them by Section 198 of the Town and Country Planning Act 1990 make the following Order:-

Citation

1. This Order may be cited as "Tree Preservation Order 13/00003/TPO".

Interpretation

2. (1) In this Order "the authority" means the Scarborough Borough Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exception in regulation 14, no person shall:-

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 29th day of January 2013.

THE COMMON SEAL of THE SCARBOROUGH BOROUGH COUNCIL)
was affixed to this Order)
in the presence of:-)

CONFIRMATION OF ORDER

This Order was confirmed by the Scarborough Borough Council without modification on the [ ] day of [*insert month and year*].

OR

This Order was confirmed by the Scarborough Borough Council, subject to the modification indicated by [*state how indicated*] on the [ ] day of [*insert month and year*].

THE COMMON SEAL of **THE SCARBOROUGH BOROUGH COUNCIL** was affixed to this Order in the presence of:-)

DECISION NOT TO CONFIRM

A decision not to confirm this Order was taken by the Scarborough Borough Council on the [ ] day of [*insert month and year*].

THE COMMON SEAL of **THE SCARBOROUGH BOROUGH COUNCIL** was affixed to this Order in the presence of:-)

VARIATION OF ORDER

This Order was varied by the Scarborough Borough Council on the [ ] day of [*insert month and year*] by a variation order under reference number [*insert reference number to the variation order*] a copy of which is attached.

THE COMMON SEAL of **THE SCARBOROUGH BOROUGH COUNCIL** was affixed to this Order in the presence of:-)

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	*Description*	*Situation*
T1	Oak	Grid Reference (E) 489229 (N) 510206

Trees specified by reference to an area
(with a dotted black line on the map)

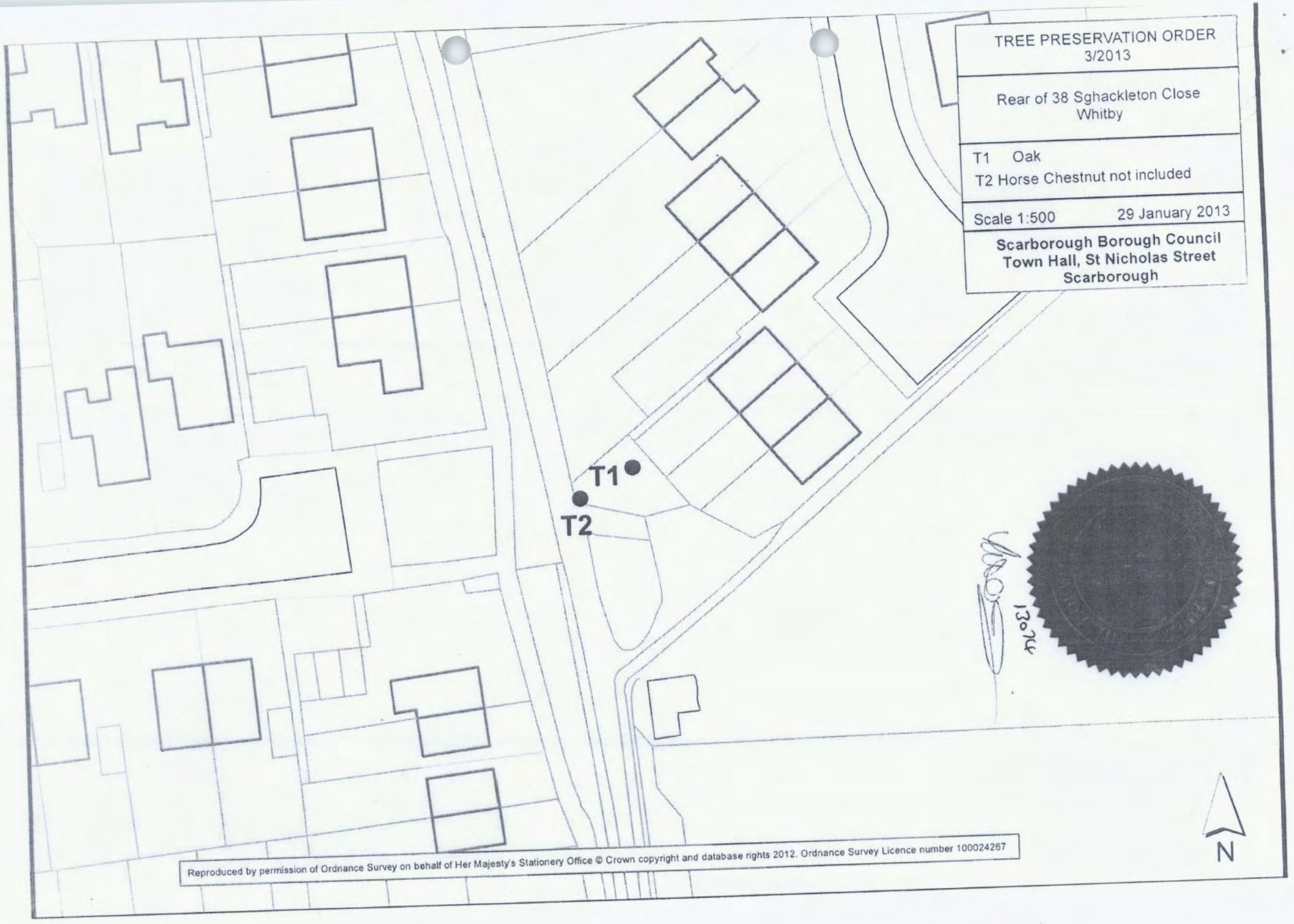
Reference on map	*Description*	*Situation*
NONE		

Groups of trees
(with a broken black line on the map)

Reference on map	*Description (including number of trees of each species in the group)*	*Situation*
NONE		

Woodlands
(with a continuous black line on the map)

Reference on map	*Description*	*Situation*
NONE		


TREE PRESERVATION ORDER
3/2013
Rear of 38 Sghackleton Close
Whitby
T1 Oak
T2 Horse Chestnut not included
Scale 1:500
29 January 2013
Scarborough Borough Council
Town Hall, St Nicholas Street
Scarborough
T1
T2
13074
N
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