

# Town and Country Planning Act 1990

## Tree Preservation Order 15/00005/TPO

**12 Hanover Terrace  
Whitby  
NORTH YORKSHIRE  
YO21 1QQ**

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 the Scarborough Borough Council Tree Preservation Order 15/00005/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 22nd day of October 2015

The Common Seal of the Scarborough Borough Council was hereunto affixed in the presence of -

*Maanah*

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|  |  |
|  |  |

Rebecca Jackson, Solicitor  
Legal Services Manager



Authorised Officer

**CONFIRMATION OF ORDER**

This Order was confirmed by the Scarborough Borough Council on the *28* day of *January 2016*

*Maanah*

Rebecca Jackson, Solicitor  
Legal Services Manager



Authorised Officer

**DECISION NOT TO CONFIRM ORDER**

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

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Authorised Officer

**REVOCATION OF ORDER**

This Order was revoked by the Scarborough Borough Council on the      day of

.....

Authorised Officer

|                                     |                                 |                 |
|-------------------------------------|---------------------------------|-----------------|
| Council/Cabinet Delegated Authority | Delegated Area Planning Manager |                 |
| Document drafted/Checked by         | Initials                        | Marcel Whitmore |
|                                     | Date                            | 22.10.15        |
| Document approved by                | Initials                        | /               |
|                                     | Date                            | /               |
| Authority checked by Legal Officer  | Initials                        | MF              |
|                                     | Date                            | 22.10.15        |

22.10.15

|                                     |                                |          |
|-------------------------------------|--------------------------------|----------|
| Council/Cabinet Delegated Authority | Planning Committee 21 Jan 2016 |          |
| Document drafted/Checked by         | Initials                       | Planning |
|                                     | Date                           | 22.10.15 |
| Document approved by                | Initials                       | /        |
|                                     | Date                           | /        |
| Authority checked by Legal Officer  | Initials                       | MF       |
|                                     | Date                           | 22.10.15 |

## SCHEDULE

### SPECIFICATION OF TREES

| Reference<br>on Map | Description | Situation (Grid Reference) |  |
|---------------------|-------------|----------------------------|--|
|---------------------|-------------|----------------------------|--|

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

|    |     |            |            |
|----|-----|------------|------------|
| T1 | Ash | (E) 489375 | (N) 510642 |
| T2 | Ash | (E) 489372 | (N) 510640 |

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

NONE

**GROUPS OF TREES**

(within a broken black line on the map)

NONE

**WOODLANDS**

(within a continuous black line on the map)

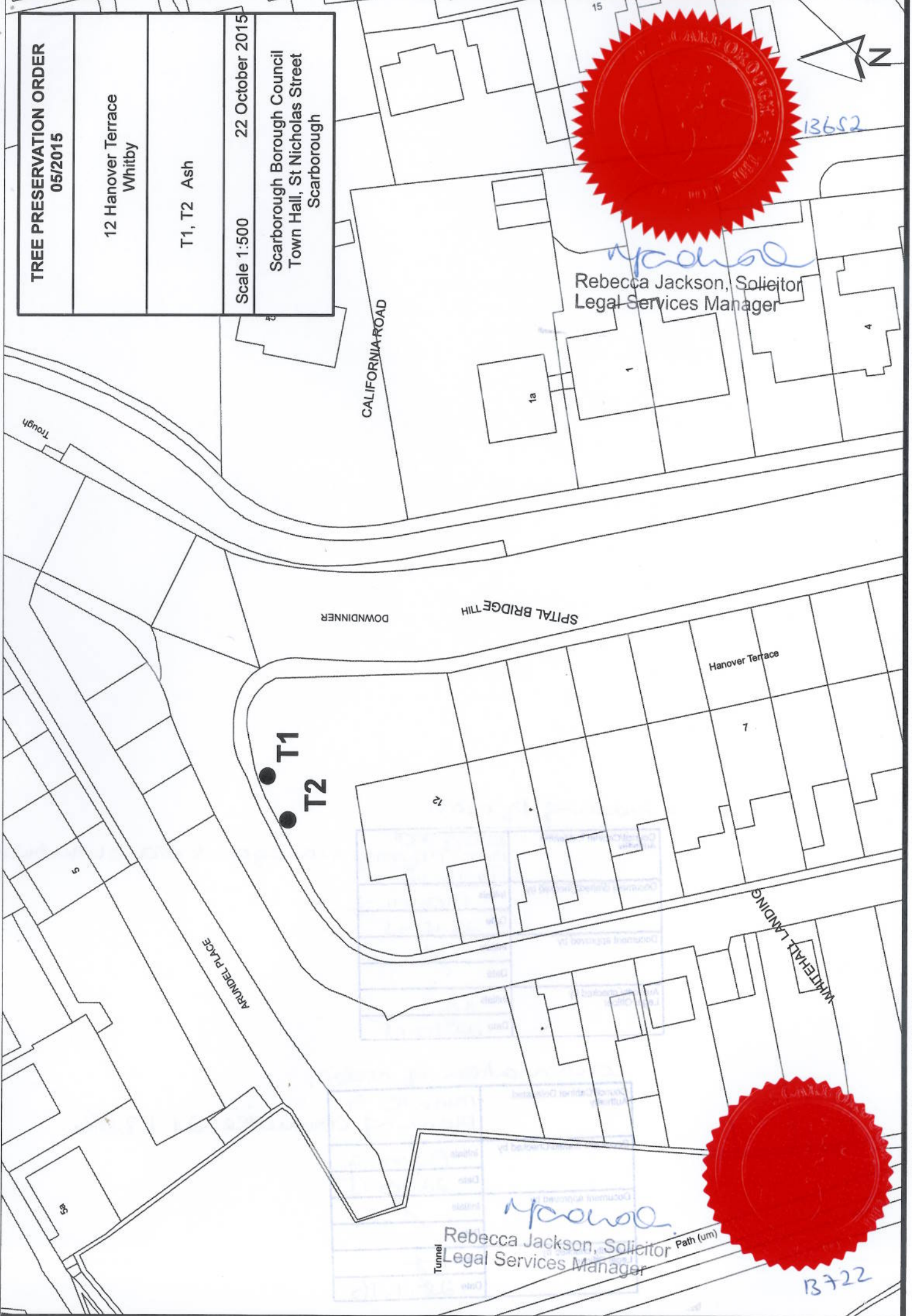
NONE

|   |                              |            |             |                 |
|---|------------------------------|------------|-------------|-----------------|
| <b>TREE PRESERVATION ORDER</b><br>05/2015                                   | 12 Hanover Terrace<br>Whitby | T1, T2 Ash | Scale 1:500 | 22 October 2015 |
| Scarborough Borough Council<br>Town Hall, St Nicholas Street<br>Scarborough |                              |            |             |                 |



*Rebecca Jackson*  
Rebecca Jackson, Solicitor  
Legal Services Manager

13652



*Rebecca Jackson*  
Rebecca Jackson, Solicitor  
Legal Services Manager

13722

Legal Services Manager  
 Rebecca Jackson, Solicitor

|                     |                     |                     |                     |
|---------------------|---------------------|---------------------|---------------------|
| Delegated Authority | Delegated Authority | Delegated Authority | Delegated Authority |
| Delegated Authority | Delegated Authority | Delegated Authority | Delegated Authority |
| Delegated Authority | Delegated Authority | Delegated Authority | Delegated Authority |
| Delegated Authority | Delegated Authority | Delegated Authority | Delegated Authority |

making of order..

|                                       |  |
|---------------------------------------|--|
| Council/Cabinet Delegated Authority   | Delegated<br>Area Planning manager - kerans Whitmore<br>22.10.15 |
| Document drafted/checked by           | Initials <i>Planning</i><br>Date 22.10.15                        |
| Document approved by                  | Initials /<br>Date /   |
| Authority checked by<br>Legal Officer | Initials <i>My</i><br>Date 22.10.15                              |

kerans Whitmore

continuation of order.

|                                       |   |
|---------------------------------------|---|
| Council/Cabinet Delegated Authority   | minute 9<br>Planning Committee 21.1.2016. |
| Document drafted/checked by           | Initials <i>Planning</i><br>Date 22.10.15 |
| Document approved by                  | Initials /<br>Date /                      |
| Authority checked by<br>Legal Officer | Initials <i>My</i><br>Date 28.1.16.       |