

Town and Country Planning Act 1990
Tree Preservation Order 17/00002/TPO

9 Prospect Hill
Whitby
North Yorkshire
YO21 1QE

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 17/00002/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 14th day of November 2017

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



14216

C. Lehill

Council/Cabinet Delegated Authority	Area Planning Manager M. Whitmore 22.12.17
Document drafted/Checked by	Initials ACanning Date
Document approved by	Initials / Date
Authority checked by Legal Officer	Initials MJ Date 22/12/17

Authorised Officer

CONFIRMATION OF ORDER

This Order was confirmed by the Scarborough Borough Council on the 22 day of December 2017

Rebecca Jackson, Solicitor
Legal Services Manager

Rebecca Jackson



Authorised Officer 14248

DECISION NOT TO CONFIRM ORDER

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

Authorised Officer

REVOCATION OF ORDER

This Order was revoked by the Scarborough Borough Council on the day of

Authorised Officer

SCHEDULE

SPECIFICATION OF TREES

Reference on Map **Description** **Situation (Grid Reference)**

TREES SPECIFIED INDIVIDUALLY
(encircled in black on the map)

T1	Horse Chestnut	(E) 489448	(N) 510465
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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

TREE PRESERVATION ORDER
02/2017

9 Prospect Hill
Whitby
North Yorkshire
YO21 1QE

T1 Horse Chestnut

Scale 1:500 14 November 2017

Scarborough Borough Council
Town Hall, St Nicholas Street
Scarborough

EI
Sub
Sta

WATERSTEAD CRESCENT

THE MEWS

Tank

Ambulance

T1

Rebecca Jackson
Rebecca Jackson, Solicitor
Legal Services Manager



14248



14216
Rebecca Jackson

PROSPECT HILL

Appledene

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Council/Cabinet Delegated Authority	Area Planning manager - m Whitmore. 22/12/17
Document drafted/Checked by	Initials <i>Manny</i>
	Date
Document approved by	Initials <i>/</i>
	Date
Authority checked by Legal Officer	Initials <i>PJ</i>
	Date <i>22/12/17</i>