

PLANNING COMMITTEE

**Tree Preservation Order (no. 27/2010) Birch tree at
39 High Street, Bodicote**

27 January 2011

**Report of Head of Strategic Director Planning, Housing &
Economy**

PURPOSE OF REPORT

To seek the confirmation of an unopposed Tree Preservation Order relating to a Birch tree (copy plan attached as Annex 1) at 39 High Street, Bodicote Tree Preservation Order No. (27/2010)

This report is public

Recommendations

The meeting is recommended:

- (1) To confirm the Order without modification

Background Information

- 2.1 The Scheme of Reference and Delegation authorises the Head of Development Control and Major Developments to make Tree Preservation Orders under the provisions of Section 201 of the Town and Country Planning Act 1990, subject to there being reason to believe that the tree in question is under imminent threat and that its retention is expedient in the interests of amenity. The power to confirm Tree Preservation Orders remains with the Planning Committee.
- 2.2 The above mentioned Tree Preservation Order was authorised and made on 14 December 2010. The statutory objection period has now expired and no objections were received to the Order.

Key Issues for Consideration/Reasons for Decision and Options

3.1 None

Implications

Financial: The cost of processing the Order can be contained within existing estimates.

Comments checked by Eric Meadows, Service Accountant PH & E 01295 221552

Risk Management: The existence of a Tree Preservation Order does not remove the landowner's duty of care to ensure that such a tree is structurally sound and poses no danger to passers by and/or adjacent property. The TPO legislation does contain provisions relating to payment of compensation by the Local Planning Authority in certain circumstances, but these relate to refusal of applications to carry out works under the Order and no compensation is payable for loss or damage occurring before an application is made.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer 01295 221566

Wards Affected

Bodicote

Document Information

Appendix No	Title
Appendix 1	Plan
Background Papers	
NONE	
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