

Report of	Meeting	Date
Head of Legal, Democratic and HR Services	Development Control Committee	24 April 2018

PROPOSED CONFIRMATION OF THE CHORLEY BOROUGH COUNCIL TREE PRESERVATION ORDER NO 1 (ECCLESTON) 2018 WITHOUT MODIFICATION

PURPOSE OF REPORT

1. To recommend formal confirmation of the Chorley Borough Council Tree Preservation Order No 1 (Eccleston) 2018 without modification.

RECOMMENDATION(S)

2. That the Chorley Borough Council Tree Preservation Order No 1 (Eccleston) 2018 is confirmed without modification as an unopposed order.

EXECUTIVE SUMMARY OF REPORT

3. Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the trees covered by the Order. Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the trees covered by the Order to lapse.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

5. The Order was made on 24 January 2018 and is attached to this report as Appendix A. The Order was served along with the statutory notice prescribed in Regulations on all those with a registered interest in the land on which the trees are situated on 26 January 2018. The Order was made because on the assessment of the case officer the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and because their removal would have a significant impact on the environment and its enjoyment by the public.

6. No objection has been received in response to the making of the above Order. One representation was received which supported the making of the order. The writer referred to the mature trees along the public footpath Sarscow Lane making a significant contribution to the surrounding landscape and stated that they could not be replaced.
7. It is therefore now open to the Council to confirm the above Order as unopposed. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc., any of the trees covered by the Orders without first having obtained lawful permission from the Council.

IMPLICATIONS OF REPORT

8. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

9. If the trees were to be lopped or pruned or chopped in breach of the order the Council would incur staff costs in any criminal investigation and prosecution. Staff costs in the Planning Department are also involved when dealing with applications for consent to work to protected trees.

COMMENTS OF THE MONITORING OFFICER

10. The legal effect of the order and the consequences of breach are addressed within the body of the report.

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
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