

Report of	Meeting	Date
Corporate Director of Governance	Development Control Committee	03/03/09

## PROPOSED CONFIRMATION OF TREE PRESERVATION ORDERS

### PURPOSE OF REPORT

- To consider formal confirmation of the Tree Preservation Orders as detailed below.

### RECOMMENDATION(S)

- 2.1** That the following Tree Preservation Orders be formally confirmed without modification:

- (1) The Chorley Borough Council Tree Preservation Order No. 2 (Chorley) 2008;
- (2) The Chorley Borough Council Tree Preservation Order No. 5 (Chorley) 2008;
- (3) The Chorley Borough Council Tree Preservation Order No. 6 (Rivington) 2008;
- (4) The Chorley Borough Council Tree Preservation Order No. 7 (Croston) 2008;
- (5) The Chorley Borough Council Tree Preservation Order No. 9 (Chorley) 2008.

**2.2** That the Tree Preservation Order named below be formally confirmed subject to the following modification, namely that T.2 and T.4 specified in the Schedule to the Order be deleted from inclusion within the Order on the grounds of their decayed condition:

- (1) The Chorley Borough Council Tree Preservation Order No. 3 (Ulmes Walton) 2008.

### REASONS FOR RECOMMENDATION(S)

- Formal confirmation of the Orders affords permanent as opposed to provisional legal protection on the trees covered by those Orders.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- No alternatives were considered. Not to have confirmed the Orders would have meant allowing the Orders, and thereby the protection conferred on the trees covered by those Orders, to lapse.

### CORPORATE PRIORITIES

- This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their		Ensure Chorley is a performing	



Communities		Organisation	
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**BACKGROUND**

5. No objections have been received in response to the making of the above Orders. It is, therefore, now open to the Council to confirm the above Orders as unopposed Orders. The effect of formally confirming the Orders will be to give permanent legal force to the Orders, 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 lawful permission.

**DETAILS OF PROPOSALS**

6. The following Orders were made and served on all those with an interest (owner/occupiers etc.) in the land on which the trees are situated on the dates stated for the following purposes:

- (i) The Chorley Borough Council Tree Preservation Order No. 2 (Chorley) 2008, made on 2 June 2008; to protect two trees on land formerly belonging to a social and athletic club, adjoining the south side of Duke Street, Chorley;
- (ii) The Chorley Borough Council Tree Preservation Order No. 3 (Ulnes Walton) 2008, made on 23 June 2008 to protect 5 trees situated on land at the entrance to the Royal Umpire Caravan Park, fronting the north side of Southport Road (A.581), Ulnes Walton.
- (iii) The Chorley Borough Council Tree Preservation Order No. 5 (Chorley) 2008, made on 11 September 2008, to protect an area of woodland on land adjoining the west side of Wigan Lane (A.5106), Chorley, just to the north of Wigan Lodge.
- (iv) The Chorley Borough Council Tree Preservation Order No. 6 (Rivington) 2008, made on 24 September 2008, to protect an “ancient” downy birch tree situated within woodland to the south-west of Great House Barn Car Park, Rivington Lane, Rivington, close to the eastern bank of Lower Rivington Reservoir.
- (v) The Chorley Borough Council Tree Preservation Order No. 7 (Croston) 2008, made on 22 October 2008, to protect two trees on land within the rear garden of 71 Station Road, Croston, and bordering the side fence of 1 Bramblewood.
- (vi) The Chorley Borough Council Tree Preservation Order No. 9 (Chorley) 2008, made on 21 November 2008, to protect five trees on land at the front of Hoole Cottage, adjoining the north side of Wigan Lane (A.5106), Chorley.

8. As regards Tree Preservation Order No. 3 (Ulnes Walton) 2008, it became evident following the making of the Order that two of the five trees protected by the Order, namely T.2, a Sycamore tree, and T.4, an Ash tree, were in a seriously decayed condition and thus endeavouring to afford protection to the two trees concerned served no durable purpose. For that reason it is recommended in paragraph 2.2. above that this Order be confirmed subject to the following modification, namely that the two trees in question, T.2 and T.4, be deleted from inclusion within the Order.

**IMPLICATIONS OF REPORT**

7. This report does not have any implications in relation to any of the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

A DOCHERTY  
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
G Fong	5169	16 February 2009	