

Report of	Meeting	Date
Director of Planning and Development, Development and Forward Planning	Planning Committee	25 October 2022

## Tree Preservation No. 1 (Euxton) 2022

Is this report confidential?	No
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Is this decision key?	No
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### Purpose of the Report

- To consider formal confirmation of the Chorley Borough Council Tree Preservation Order No. 1 (Euxton) 2022 without modification.

### Recommendations to Planning Committee

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

### Reasons for recommendations

- The Order was made on the 16 February 2022. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 February 2022. The Order was made because on the assessment of the Council's Tree Officer, the trees makes a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and its removal would have a significant impact on the environment and its enjoyment by the public.
- No objections have been received in response to the making of the above Order. The Council received a letter from the Landowner who stated that he could understand why the Order had been made even if he did not agree with the Order itself he understood the Council's position. He did not object to the Order.
- It is therefore, now open to the Council to confirm the above Order. 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 Order without first having obtained lawful permission.

## Corporate priorities

6. The report relates to the following corporate priorities: (please bold all those applicable):

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

## Background to the report

7. As stated as part of the recommendations. The Order was made on the 16 February 2022. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 February 2022. The Order was made because on the assessment of the Council's Tree Officer, the trees makes a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and its removal would have a significant impact on the environment and its enjoyment by the public.

## Climate change and air quality

8. The work noted in this report has an overall positive impact on the Councils Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.
9. In particular the report impacts on the following activities:
- net carbon zero by 2030,
  - air quality,
  - green areas and biodiversity.

## Equality and diversity

10. There are no implications regarding equality and diversity

## Risk

11. 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 Order without first having obtained lawful permission. If we do not formalise this process then these trees are at risk.

## Comments of the Statutory Finance Officer

12. 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**

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

### **Background documents**

- Copy of Provisional Tree Preservation Order No. 1 (Euxton) 2022

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