# [CONFIRMATION OF ORDER

pursuance of the powers conferred in that behalf by sections 60 and 61 of the Town and Country Planning Act, 1971, and subject to the provisions of the Forestry Act 1967, hereby makes the following Order THE WARRINGTON RURAL DISTRICT COUNCIL acting on behalf of the Lancashire County Council (in this Order called "the Authority") in

## 1. In this Order -

"the Act" means the Town and Country Planning Act 1971;

of whose lease or tenancy is three years or more; and a mortgage in possession; and "Secretary of State" means the Secretary of State for the Department of the Environment. sub-lessee) or tenant in possession, the unexpired portion or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a "owner" means the owner in fee simple, either in possession

- trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto, and a certified copy of which has been deposited for inspection at the Council Offices, Museum Street, Warrington, which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule. imposed on such consent, cut down, 2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, permit the cutting down, topping, lopping or wilful destruction of any compositied in the First Schedule hereto or comprised in a group of top, lop or wilfully destroy or the position of which
- be in writing, stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is requir An application for consent made under Article 2 of this Order shall required.
- the authority may think fit, such conditions one or more trees on the site or in the immediate vicinity thereof), as 4. (1) Where an application for consent is made under this Order, authority may grant such consent either unconditionally, or subject to conditions (including conditions requiring the replacement of any tree or may refuse consent.

character of the area, and shall not impose conditions on such consent requiring replacement or replanting. consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interest of amenity to maintain the special character of the woodland or the woodland specified in the First Schedule to this Order the authority shall consent so far as accords with the principles of good forestry, ex Provided that where the application relates to any woodland

awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours. application, the decision of the authority under The authority shall keep a this Order containing information as to the nature register of all thereon, any compensation applicationsfor

# Plan Reference P19/72 (72/57)

## First Schedule

# Trees Specified Individually (Encircled in Black on the Plan)

115	T4	T3	T2	17	Number on Plan
Ash	Sycamore	Beech	Beech	Beech	Description of Tree
PS stands in field adjoining properties on Bromley Close, at the rear of No. 11, map ref. 6293 9119 same map.		June 1960.	map ref. 626 911 on 25"	It to I4 are standing in	Situation in the Warrington Rural District Area

Other Tree Types

LIN

- forestry dedication covenant where the cutting down of any tree on land which is subject to a
- (a) contained in to then owner of the land are fulfilled. positive covenants covenants on the part of the owner of the land the same deed as the forestry dedication d at the time of the cutting down binding on the
- (d) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- 2 the cutting down of any tree which is in accordance with a plan of woodlands scheme. operations approved by the Forestry Commission under the approved
- W necessary for the purpose of preventing or abating a nuisance. which is dying or dead or has become dangerous, or the cutting down, topping or lopping of which is in compliance with obligations imposed by or under an Act of Parliament or is so far as may be the cutting down, topping or lopping of any tree exempted from the provisions of this order by Section 29(77) of the Act namely a tree a tree 60(6)
- 4 the cutting down, topping or lopping of any tree
- (a) in pursuance of the power by virtue of Section 5 of the Telegraph (Construction) Act, conferred on the Postmaster General
- (b) by or at the request of
- (i) the Act and either works on such land connot otherwise be carried out or the cutting down, or lopping is for the purpose of securing safety a statutory undertaker where the land on which the the operation of the undertaking. is situated is operational land as defined by topping
- (ii) respectively of the Electricity (Supply) and the Electric Lighting Act, 1882 or i would interfere with the maintenance or working of line or other Electricity Act, 1947, where such tree obstructs to construction by the board of any main transmission an electricity board within the meaning of the the Electric Lighting Act, such line electric line within the meaning pply) Act, 191 or interferes obstructs the 20

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- maintenance improvement or construction of water courses authority or drainage board in relation to the exercise of any of the functions of having been constituted under the Act 1963 or a drainage board constituted or treated as 1930 where the tree interferes or would interfere with river authority established under the Water Rosources drainage works. Land Drainage Act such river
- (c) where immediately required for the purpose of carrying out been so granted for any of the purposes of the Part. development authorised by the application made under Part the planning permission granted on or deemed to have
- (a) standing S. on land comprised in an orchard or garden. a fruit tree cultivated for fruit production growing or

(a) That the refusal or condition is in the interest of good forestry;

or granting consent that they are sattained -

- (d) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.
- unless part of a  $\Xi$ woodland other than consent for silvicultural thinning then Where consent is granted under this Order to fell any
- (a) such consent is land under Part III of the Act, such consent is granted for the to be carried out in accordance 20 purpose of enabling development with a permission to develop
- the authority with the approval of the Secretary of State dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner and the time within which he shall replant such land and where such direction is given and the part is felled the owner shall, subject to provisions of this Order, replant the said land in accordance with the that part of the manner in to the which

- include requirements as to -Any direction given under paragraph (1) of this Article may
- (a) Species;
- (b) number of trees per acre;
- (c) protection of the replanting; the erection and maintenance of fencing necessary for
- (b) and top; preparation of ground, draining, removal of brushwood,

and

- (e) protective measures against fire.
- made by a river authority or a drainage board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as to case may be, of the existence of such byelaws and that any such conditions to the conditions of the existence of such byelaws and that any such conditions are the conditions of the existence of such byelaws and that any such conditions are the conditions of the existence of such byelaws and that any such conditions are the conditions of the existence of such byelaws and that any such conditions are the conditions of the existence of such byelaws and that any such conditions are the conditions of the conditions of the existence of such byelaws and that any such conditions are the conditions of the con case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river authority or drainage board under those byelaws and the condition or direction shall if such condition or direction under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall this Order with respect to the replanting of woodlands, the authority snal if such condition or direction relates to land in respect of which byelaws effect accordingly. On imposing any condition requiring the replacement of any plicant or the owner of the land, as the such byelaws and that any such condition
- 8. The provisions set out in the Third Schedule to this Order, provisions of Part III of the Act adapted and modified for the purporthis Order, shall apply in relation thereto. Part III of the Act adapted and modified for the purposes
- prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage. if he makes a this Order or suffered loss or Subject to the ect to the provisions of this Order, any person who has or damage in consequence of any refusal of consent under of any grant of any such consent subject to conditions, claim on the authority within the time and in the manner

damage suffered by reason this Order. mage suffered by reason of such refusal or grant of consent in the case any trees the subject of a certificate in accordance with Article 5 of Provided that no compensation shall be payable in respect of loss or

- Article account shall be taken of : 10. In assessing componsation payable under the last preceding
- (a) and Country Planning Act 1932, relating to the preservation of trees or protection of whether to the claimant or any other person in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 60 of the Act or any compensation or contribution which has been paid woodlands contained in an operative scheme under the Town Development) under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim lopment) act, 1943, or any compensation which has been or which could have been claimed under any provision 1943, or any compensation which has been

and

- (d) any inurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
- 11. (1)  $\Lambda$  claim for compensation under this Order shall be in writing and shall be made by serving it on the Authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.
- of the authority, or of the Sccretary of State, as where an appeal has been made to the Sccretary of S (2) The time within which any such claim shall be made aforesaid shall be a period of twelve months from the date of the of the authority, or of the Secretary of State, as the case may be on the appeal. the authority, from the date of the decision of the Secretary of State s the case may be, or State against the decision the decision
- 12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.
- effect shall apply provisions of section # this Order and 61 of the Town the Order shall take and Country
- the true, whichever is the greater; or a person guilty of an offence under subsection (2) of that Section is liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further not exceeding two pounds for every day on which the contravention is so fifty pounds or twice the sum which appears to the court to be the value of (2) Any person contravening the provisions of this Order is guilty of an offence under subsection (1) of Section 102 of the Act and liable on Summary conviction to a fine not exceeding two hundred and offence thereunder and liable on summary conviction to an additional fine
- Tree Preservation Order, This Order may be cited as the Warrington Rural District Council (Poulton-with-Fearnhead) No.1, 1972.

Act as adapted and modified to apply Provisions of the following parts of Part III of the to this Order.

Reference
of
applications
to the
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of State.

- quthority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority. 22. (1)The Secretary of State may give directions to the
- specified particular in the direction. A direction under this section may relate either to application or to applications of a class
- State section has effect shall be referred to the Secretary accordingly. Any application in respect of which a direction under 0 H
- application which falls to be determined by the authority. referred to the Secretary of State under this section, provisions of Articles 4 and 5 of the Order shall appli Where an application for consent under the Order of the Order shall apply the to an
- them an opportunity of appearing before, and be person appointed by the Secretary of State for under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of Before determining an application referred to him and being the heard by, a purpose.
- application referred to him under this section shall be final. The decision of the Secretary of State on
- granted by them subject to conditions, or where any certificate Order and that consent is refused by the authority such certificate, or the person directed if he is aggrieved Secretary by the direction, direction is given by the authority, the applicant, if he aggrieved by their decision on the application, or by any (3) of State. Where an application is made for consent under the may by notice under this section appeal to the or is
- notification of the decision, certificate may allow. notification of the decision, certificate or direction, as to case may be, or such longer period as the Secretary of State writing within twenty-eight days from the receipt of A notice under this section shall be served in as the
- Secretary of State, subject to the following provisions of this instance certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first appeal relates vary any section, decision, may allow may allow or dismiss the appeal, or may reverse or part of the decision of the authority, whether the lates to that part thereof or not, or may cancel any certificate or direction of Where an appeal is brought under this section from a the authority, the
- (5) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- under 3 this The decision of the Secretary of State section shall be final. on any appeal

Appeals against decisions.

either between the applicant and the authority, the authority

(a) on the application, give notice to the applicant of their decision

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(b) give notice to him that the application have been referred to the Secretary of State in accordance with directions given under section 2% of the Act.

notification of their decision had been applicant at the end of the said period relates had been refused by the authority, and as the end of the said extended period, as the relation to the provisions of the last preceding section shall apply the application as if the consent of two months, received by case may to which it or at

may by Order revoke or modify the consent to such extent as application made under Article they consider expedient. revoke  $\exists$ or modify any consent If it appears to the authority that it 3 of the Order, the authority under the Order granted on

Power

to

revoke

or modify

consent under the

Order.

- either without modification or subject to such modifications Secretary of State may confirm any such Order submitted to him as he considers expedient. h. An Order under this Order under this section shall not take effect confirmed by the Secretary of State; and the
- to the authority, before confirming purpose. whom the notice is served so requires, the Secretary of St before confirming the Order, shall afford to that person, of twenty-eight opinion will be affected by the shall furnish the of State for his the land affected, by, a person appointed by the Secretary of State for for making the Order and shall serve notice Where an authority submit an Order to the Secretary confirmation days from the service an opportunity of Secretary of and on any under this State with a statement of Order, other appearing before, and being the Secretary of State, person who in their and if within the period thereof any person on section, the authority C C the their remov and
- modify a consent may operations (4) The power conferred by for which consent has been given have been completed. be exercised at any time before the this section 40 revoke

consent shall not affect so much of those operations as previously carried out Provided that the revocation or modification of ash

consent granted, the Secretary of provisions of subsect further operations as Where a notice has been served in accordance of subsection (3) of this section, no opera-State under subsection the case may be, of this section, no operations pending in pursuance of (2) of the this decisions SHO

The Common Seal of the Rural District Council of Warrington was hereunto affixed this twenty-first day of December, 1972

Chairman

Executive Officer.

pursuance of the powers conferred in that behalf by sections 60 and 61 of the Town and Country Planning Act, 1971, and subject to the provisions of the Forestry Act 1967, hereby makes the following Order THE WARRINGTON RURAL DISTRICT COUNCIL acting on behalf of the Lancashire County Council (in this Order called "the Authority") in

## 1. In this Order -

"the Act" means the Town and Country Planning Act 1971;

or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgage in possession; and "Secretary of State" means the Secretary of State for the Department of the Environment. "owner" means the owner in fee simple, either in possession

- trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto, and a certified copy of which has been deposited for inspection at the Council Offices, Museum Street, Warrington, which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule. 2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop or wilfully destroy or cause or permit the cutting down, topping, lopping or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of
- be in writing, stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required. An application for consent made under Article 2 of this Order shall
- the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any treby one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent. (1)Where an application for consent is made under this Order,

character of the area, and shall not impose conditions on such consent requiring replacement or replanting. where, in the opinion of the authority, it is of amenity to maintain the ancies Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall r as accords with the principles of good forestry, except opinion of the authority, it is necessary in the interest maintain the special character of the woodland or the woodland

of woodlands; and every such register shall be the public at all reasonable hours. awarded in consequence of such decision and any directions as to replanting application, the decision of the authority under this Order containing information as to the nature of The authority shall keep a register of all applications for thereon, any compensation available for inspection by

# Plan Reference P19/72 (72/57)

## First Schedule

# Trees Specified Individually (Encircled in Black on the Plan)

15	74	73	12	77	Number on Plan
Ash	Sycamore	Beech	Beech	Beech	Description of Tree
re to		Ju	ma ma	71	Si
TS stands in field adjoining properties on Browley Close, at the rear of No. 11, map ref. 6293 9119 same map.		June 1960.	map ref. 626 911 on 25"	to 14 are standing in	Situation in the Warrington Rural District Area

Other Tree Types

Mil

forestry dedication covenant where the cutting down of any tree on land which is subject to a

to

- (a) any positive covenants any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenants and at the time of the cutting down binding on the then owner of the land are fulfilled.
- (d) approved by the Forestry Commission under such deed the cutting down is in accordance with a plan of operations
- 2 the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved scheme.
- S down, topping or lopping of which is in compliance imposed by or under an Act of Parliament or is so: necessary which is dying or dead or has become provisions the cutting down, for the purpose of preventing or abating a nuisance. of this order under an Act of Parliament or is so far as may topping or lopping of any tree exempted from the sorder by Section 29(7) of the Act namely a tree 60 (6) dangerous, or the cutting with obligations
- 4. the cutting down, topping or lopping of any tree
- (a) 1908; in pursuance by virtue of of the power conferred on the rosumasucal Section 5 of the Telegraph (Construction) conferred on the Postmaster General Act,
- (b) by or at the request of
- (i) otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the Act and a statutory undertaker where the operation of the undertaking. situated is operational land as defined by either works on such land comnot land on which
- (ii) line or other electric line within the more respectively of the Electricity (Supply) and the Electric Lighting Act, 1882 or in would interfere an electricity board within the meaning of the Electricity Act, 1947, where such tree obstructs to construction by the board of any main transmission such line with the maintenance or working of or interferes meaning obstructs the or

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- maintenance improvement or construction of or of authority or the exercise of any of the functions of 1930 where the tree interferes or would interfere with having been constituted under the Land Drainage Act Act 1963 or a drainage board constituted or treated as drainage authority established under the Water Rosources drainage board in relation to the works. such river water courses
- (c) development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of where immediately required for the purpose of carrying out the Part.
- (b) standing on land comprised in an orchard or garden. a fruit tree cultivated for fruit production growing or

(a) That the refusal or condition is in the interest of good forestry; 20

or granting consent that they are satisfied -

- (d) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity
- unless part of a woodland other than consent for silvicultural Where consent is granted under this Order thinning to fell any
- (a) land under Part III of the Act, such consent is granted for the to be carried out in accordance 20 purpose of enabling development with a permission to develop
- (4) the authority with the approval of the Secretary of State dispense with replanting,

and the time within which he shall replant such land and where su direction is given and the part is felled the owner shall, subject provisions of this Order, replant the said land in command with woodland is situated a direction in writing specifying the manner authority shall give to the owner of the land on which this Order, replant the said land in accordance with the where such that part of to the in which

- include requirements as to -Any direction given under paragraph (1) of this Article may
- (a) Species;
- (b) number of trees per acre;
- (0) protection of the replanting; the erection and maintenance of fencing necessary for
- (d) preparation of ground, draining, removal of brushwood,

and

- (e) protective measures against fire.
- under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a river authority or a drainage board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the or drainage board under those byelaws and case may be, of the existence of such byelaws and that any or direction has effect subject to the requirements of the effect accordingly. be, of the existence of imposing any condition requiring the replacement of any tree the condition or direction shall any such condition river authority
- o. The provisions set out in the Third Schedule to this Order, provisions of Part III of the Act adapted and modified for this Order. shall and shall are this Order. Order, shall apply in relation thereto. the Act adapted and modified for the purposes of being
- compensation in respect of such loss or damage. if he makes a suffered loss or prescribed by Order or Subject 0£ this Order, be entitled to recover from the authority claim on the to the provisions of this Order, any person who has damage in consequence of any refusal of consent under any grant of any such consent subject to conditions, authority within the time and in the manner shall,

of any trees Order. Provided that no compensation shall be payable in respect of loss or suffered by the by reason of such refusal or grant of consent in the case subject of a certificate in accordance with Article 5 of

- Article 10. account shall be taken of : In assessing compensation payable under the last preceding
- (a) Development) act, 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Tree Preservation Order under Section 60 of the same trees under compensation or contribution which has been paid to the claimant or any other person in respect same trees under the terms of this or any other the Act or any other

and

- (4) would result from the felling of the trees the subject any inurious affection to any land of the owner which of the claim.
- in writing and shall be made by serving it on the Authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed. (1)A claim for compensation under this Order shall be
- on the appeal. where an appeal aforesaid shall (2) The time within which any such claim shall be made as oresaid shall be a period of twelve months from the date of the decision the authority, or of the Secretary of State, as the case may be, or ere an appeal has been made to the Secretary of State against the decision authority, from the date of the decision of the Secretary of State decision
- accordance Any question of disputed compensation shall be determined with the provisions of Section 179 of the Act. provisions of Section 179 of the Act.
- •offot ·Plaming £ 1971 shall apply provisions of section # this Order of the DIE C Town and Country Order shall take
- fine not exceeding fifty pounds; and if in the case of a further the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine offence thereing two mounds for every day on which the contravention is so (2) Any person contravening the provisions of this Order is guilty of an offence under subscction (1) of Section 102 of the Act and liable on Summary conviction to a fine not exceeding two hundred and fifty pounds or twice the sum which appears to the court to be the value of the tree, whichever is the greater; or a person guilty of an offence under subsection (2) of that Section is liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing effence
- 14. This Order may be cited as the Warrington Rural Preservation Order, (Poulton-with-Fearnhead) No.1, 19 1972. District Council

Act Provisions of the following parts of as adapted and modified to apply to this to this Order. Part III of the

Reference
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- quthority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority 22. (1)The Secretary of State may give directions to the authority.
- specified in the direction. particular A direction under this section may application or to applications of a class relate either to
- State accordingly. this section has effect shall be referred to the Secretary Any application in respect of which a direction under O.F.
- application which falls to be determined by the authority. provisions of Articles 4 referred to the Secretary of Where an application for consent under the Order to the Secretary of State under this section, the of Articles 4 and 5 of the Order shall apply to an
- them an opportunity of appearing before, and being heard by, person appointed by the Secretary of State for the purpose. under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each or the state of the section the secretary of State shall, if either the applicant or the authority so desire, afford to each or the section to the secretary of State shall, if either the section the secretary of State shall, if either the section the secretary of State shall, if either the secretary of State shall it is secretary of State shall in the secretary of State shall it is secretary of State shall in the secretary Before determining an application referred to him ω
- application referred to him under The decision of the Secretary of State on any this section shall be final.
- such granted by them subject to conditions, or where any certificate 23. (1) Where an application is made for consent under the Order and that consent is refused by the authority or is Secretary of State. by the direction, direction is given by the authority, aggrieved by their decision on the a certificate, or the  $\Xi$ may by notice under this section appeal to the person directed if he is aggrieved application, or by any the applicant, ⊢5 |-he
- notification of the decision, certificate case may be, or such longer period as the Secretary of writing within twenty-eight days from allow. A notice under this section the receipt of shall be served in State as the
- instance. certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first appeal relates vary any section, Secretary of State, subject to the following provisions of this (4) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the may allow or dismiss the part of the decision of t to that part thereof or not, or may cancel any the authority, appeal, or may whether the reverse 70
- the Secretary of State for appearing authority Secretary Before determining an appeal of State shall, if either the so desire, afford to each of before, and being heard by, a the purpose. c either the appellant or the to each of them an opportunity of appeal under this section, the person appointed
- under this The decision of the Secretary section shall be final. O£ State on any appeal

Appeals against decisions.

either octiveen the applicant and the authority, the authority

(a) give notice to the applicant of their decision on the application,

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(4) accordance with directions given under section 22 of the Act. give notice referred to him that the application 0 the Secretary of State in nas

notification of their decision had been received by the applicant at the end of the said period of two months, relates had been relation to the provisions of the last preceding section shall apply end of the said extended period, the application as if the consent to whi been refused by the authority, and as if as the case may be. to which it or at

to revoke or modify any consent under the Order granted on a application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as 27. they consider expedient. to revoke or modify any consent  $\Xi$ If it appears to the authority that it is expedient

modify

consent

under the Order.

Power

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revoke

- Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications unless it is considers expedient. An Order under this section shall not take effect confirmed by the Secretary of State; and the
- whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the opinion will be affected by of twenty-eight days from . opinion will reason for making the Order and shall serve notice of the land affected, and on any other person who of State for his confirmation shall furnish the Where an authority submit an Order to the Secretary days from the service Secretary O.T. the under this State Order, other person who in their Order, and if within the po with a statement of thereof any person section, the no the authority period their owner
- operations for which consent (4) a consent may The power conferred by be exercised at has been given have been completed. this section any time before to revoke or the

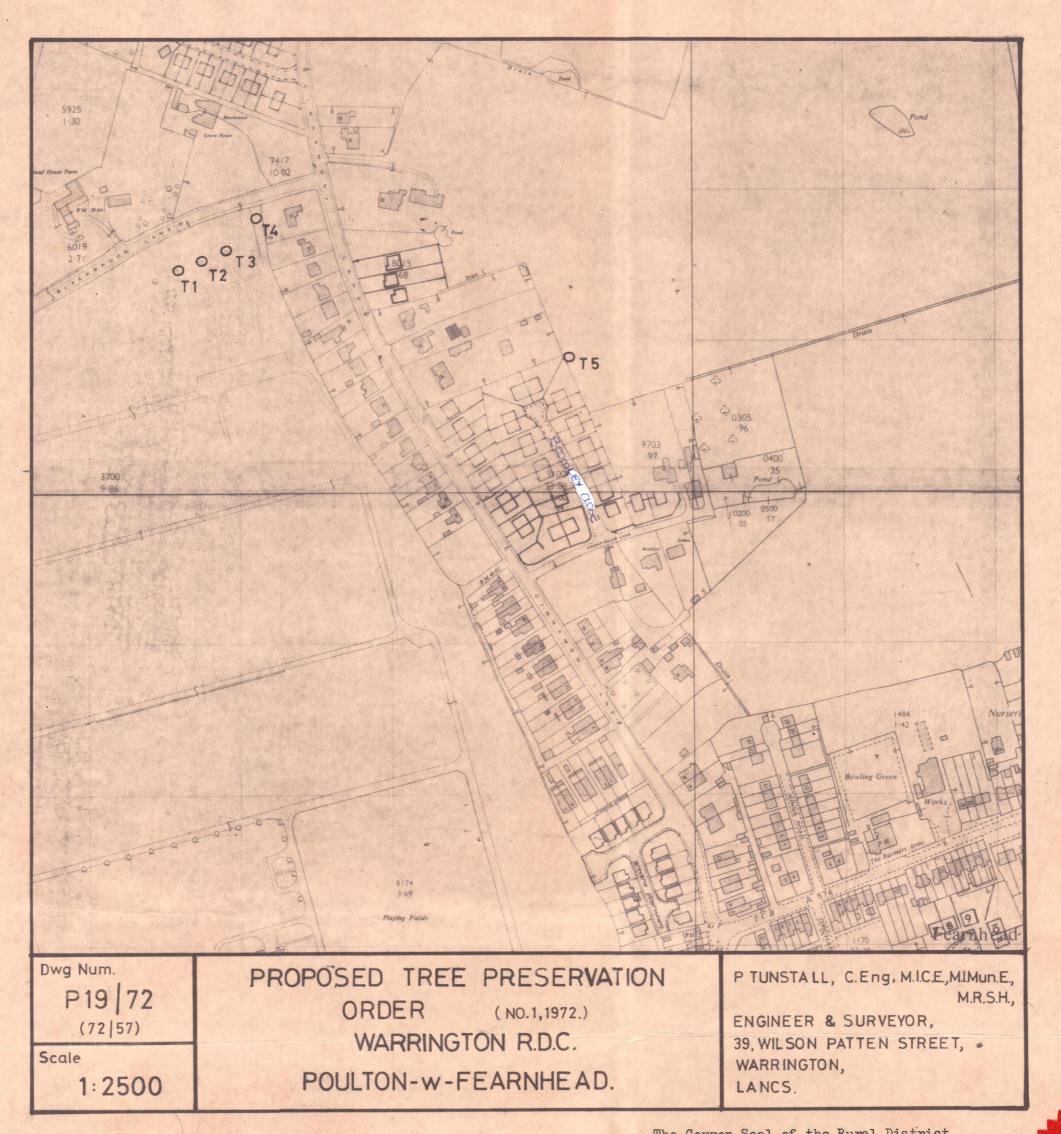
been previously carried out. consent shall not affect so much of those operations as Provided that the revocation or modification of Bed

the Secretary of State under subsection consent granted, further operations (5) Where a notice has been served in accordance with provisions of subsection (3) of this section, no operations shall be carried out pending the decisions State under subsection (2) of this section as the case may be, in pursuance of the CTO TO the

The Common Seal of the Rural District Council of Warrington was hereunto affixed this twenty-first day of December 1972.

Chairman

Executive Officer.



The Common Seal of the Rural District Council of Warrington was hereunto affixed this twenty-first day of December, 1972.

Gumphrey?

\_\_Chairman.

Clerk and Chief Executive Officer.

#### WARRINGTON BOROUGH COUNCIL

#### **TOWN AND COUNTRY PLANNING ACT 1990**

#### **VARIATION ORDER**

### THE WARRINGTON RURAL DISTRICT COUNCIL (POULTON WITH FEARNHEAD NO.1) TREE PRESERVATION ORDER 1972

The <u>WARRINGTON BOROUGH COUNCIL</u> ("the Authority") did on 21 December 1972 make the above Tree Preservation order ("the Order") pursuant to Sections 60 and 61 of the Town & Country Planning Act 1971 ("the Act") the Order being subsequently confirmed by the Authority.

The Authority now hereby varies the Order pursuant to Section 198 and Section 201 of the Town and Country Planning Act 1990 ("the Act") as shown in Schedule 1, which shall now be designated as the Warrington Borough Council (St Bridgets Close and Bromley Close Fearnhead) Tree Preservation Order 2001.

Dated this 6<sup>th</sup> day of June 2001

The Common Seal of <u>WARRINGTON</u> <u>BOROUGH COUNCIL</u> was hereunto affixed in the presence of:-

Solicitor to the Council

#### FIRST SCHEDULE

Trees Specified Individually (encircled in black on the map)

No. On Map	Description	Situation
T1	-	-
T2	-	-
T3	_	-
T4	Sycamore	In the back garden of 9 St Bidgets Close off
	•	Enfield Park Road Fernhead
T5	Ash	In the back garden of 11 Bromley off
		Parkfields Lane, Fernhead.

<u>Area</u>

None

**Groups of Trees** 

None

Woodlands

None

