

Tb Log..

# Memo

Legal and Democratic Services

To: For Circulation See Below

Development & Regulatory Law Team  
City Hall  
Bradford  
West Yorkshire  
BD1 1HY  
DX11758 BRADFORD -1

Ref: 12/00024/IGW

From: C E Barrott  
Legal Officer  
Development and Regulatory Law Team

Date: 29/08/2012

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**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 198  
LAND AT 70-84 WHEATLEY LANE, ILKLEY - TREE PRESERVATION ORDER**

The above Tree Preservation Order was confirmed on 28<sup>th</sup> August 2012. Please find attached a copy for your records.

*C.E. Barrott*

C E Barrott

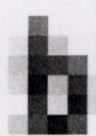
Enc

Arboricultural Technician  
Development Services Tree Section  
Department of Regeneration  
3<sup>rd</sup> Floor, Jacobs Well

Land Charges Manager  
Local Land Charges  
6<sup>th</sup> Floor Jacobs Well

For TPO's in Ilkley Area (including Menston)  
Veronica Clair (Area Clerk)  
Department of Regeneration  
Ilkley Town Hall

PLANNING DIVISION  
RECEIVED  
30 AUG 2012  
DISTRIBUTION



**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE LAND AT 70-84 WHEATLEY LANE, ILKLEY**  
**TREE PRESERVATION ORDER 2012**

The City of Bradford Metropolitan District Council in exercise of the powers conferred on them by Section 198 of the Town and Country Planning Act 1990 make the following Order:-

**Citation**

1. This Order may be cited as the Land at 70-84 Wheatley Lane Ilkley Tree Preservation Order 2012

**Interpretation**

2. (1) In this Order "the authority" means City of Bradford Metropolitan District Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning Act (Tree Preservation) (England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exception in regulation 14, no person shall:-
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation

23 and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planed pursuant to a condition**

- 4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order take effect as from the time when the tree is planted.

Dated this 3<sup>rd</sup> day of July 2012.

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-

*P D 7 1*

Authorised by the City Solicitor

*94704*

**CONFIRMATION OF ORDER**

This Order was confirmed by the City of Bradford Metropolitan District Council without modification on the *28<sup>th</sup>* day of *AUGUST 2012*

OR

The Order was confirmed by the City of Bradford Metropolitan District Council subject to the modification indicated by \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-

*P D 7 1*

Authorised by the City Solicitor

*94859*



**DECISION NOT TO CONFIRM**

A decision not to confirm this Order was taken by the City of Bradford Metropolitan District Council on the    day of

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL of THE CITY  
OF BRADFORD METROPOLITAN  
DISTRICT COUNCIL** in the presence of:-

Authorised by the City Solicitor

**VARIATION OF ORDER**

This Order was varied by the City of Bradford Metropolitan District Council on the day of    by a variation order under reference number    a copy of which is attached.

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL of THE CITY  
OF BRADFORD METROPOLITAN  
DISTRICT COUNCIL** in the presence of:-

Authorised by the City Solicitor

REVOCATION OF ORDER

This Order was revoked by the City of Bradford Metropolitan District Council on the day of

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-

Authorised by the City Solicitor

## SCHEDULE

### Specification of Trees

#### Trees specified individually

(encircled in black on the map)

Reference on map	Description	Situation	
T1	BIRCH	413276	447286
T2	OAK	413253	447327
T3	PINE	413286	447359
T4	BEECH	413282	447353
T5	SWEET CHESTNUT	413285	447348
T6	BIRCH	413295	447356
T7	HORSE CHESTNUT	413310	447357
T8	HORSE CHESTNUT	413345	447340
T9	SYCAMORE	413354	447328
T10	CHERRY	413318	447295

#### Trees specified by reference to an area

(within a dotted black line on the map)

Reference on map	Description	Situation	
NONE			

#### Groups of trees

(within a broken black line on the map)

Reference on map	Description	Situation	
G1	1 OAK 1 HOLLY	413255	447348
G2	4 PINE	413357	447305

#### Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation	
W1	ALL TREES OF WHATEVER SPECIES	413334	447357