

A GENERAL INTRODUCTION TO TREE PRESERVATION ORDERS (TPO'S) FOR MEMBERS OF PLANNING COMMITTEE.

1. The District Councils, as Local Planning Authorities (LPA), are given powers to make a TPO under the Town & Country Planning Act 1990 (The Act).
2. The District Council LPA may make a TPO when it believes it is expedient in the interests of amenity.
3. The Act does not define `amenity' or `expediency'.
4. Government offers guidance on defining `amenity', giving many examples. When serving a new TPO, the Council uses a TPO assessment form to demonstrate
 - **Amenity value**
 - Reasonable degree of public benefit e.g. visible from public places, road, footpaths
 - Individual impact
 - Wider impact
 - **Expediency**
 - If trees are threatened with removal or damage, not necessarily imminent
5. Commonly TPO's are served when the District Council LPA is
 - notified of any planned felling/pruning work of currently non-protected trees. (This allows time for consultation, to find out public views before a tree is lost or inappropriately pruned).
 - consulted on planning applications, where trees are on or close to the development and are considered worthy of retention and protection.
6. **Serving new TPO's**
 - The trees are protected for 6 months from the date of serving
 - There is a consultation period of 28 days for objections to be received
 - If no objections are received, the TPO is confirmed before the 6 months period expires, and the TPO is then permanently in place.
 - If objections to the serving of the TPO are received, a democratic decision is made as to whether the TPO is confirmed or not. East Cambridgeshire District Council's constitution requires Planning Committee to consider the objections and decide on confirmation of the TPO.
 - If the decision is not to confirm then the TPO will lapse straight away.