

Town and Country Planning Act 1990
The Council of the Borough of North Tyneside (2 Midhurst Road, Benton)
Tree Preservation Order 2014

The Council of the Borough of North Tyneside in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Council of the Borough of North Tyneside (2 Midhurst Road, Benton) Tree Preservation Order 2014.

Interpretation

2. (1) In this Order “the authority” means the Council of the Borough of North Tyneside

(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 (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 exceptions 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 planted 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 takes effect as from the time when the tree is planted.

Dated this 11th day of September 2014

The Common Seal of the
Council of the Borough of North Tyneside
was affixed to this order in the presence of:



Chair of the Council

A handwritten signature in black ink, appearing to read 'A. Lubiano'.

A handwritten signature in black ink, appearing to read 'J. W. S. W.'.

Authorised signatory

Tree Preservation Order 2014
2 Midhurst Road, Benton

Schedule

The map referred to is at a scale of 1:500 and is based on an enlargement of the 1:1250 O.S. edition of sheet numbered NZ 2769. The area covered by the Order is the front garden of 2 Midhurst Road, Benton, Tyne and Wear.

The area is wholly within the Metropolitan Borough of North Tyneside in the County of Tyne and Wear.

Specification of trees

Trees specified individually
(encircled in black on the map)

The following trees are measured from the north west corner of the front garden.

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Silver Birch	Located approximately 3.5 metres east; offset 1 metre in an southerly direction.

Trees specified by reference to an area
(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

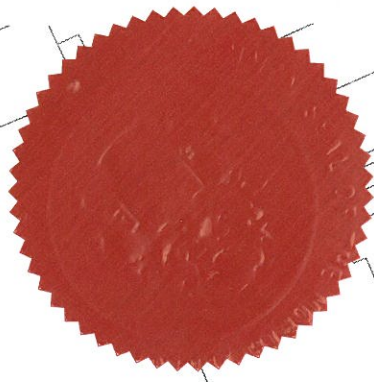
Groups of trees
(within a broken black line on the map)

None

Woodlands
(within a continuous black line on the map)

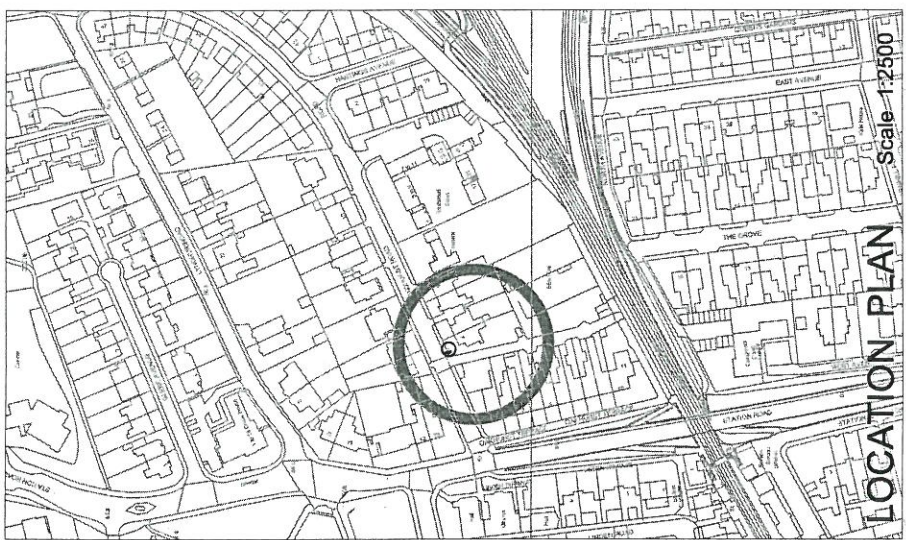
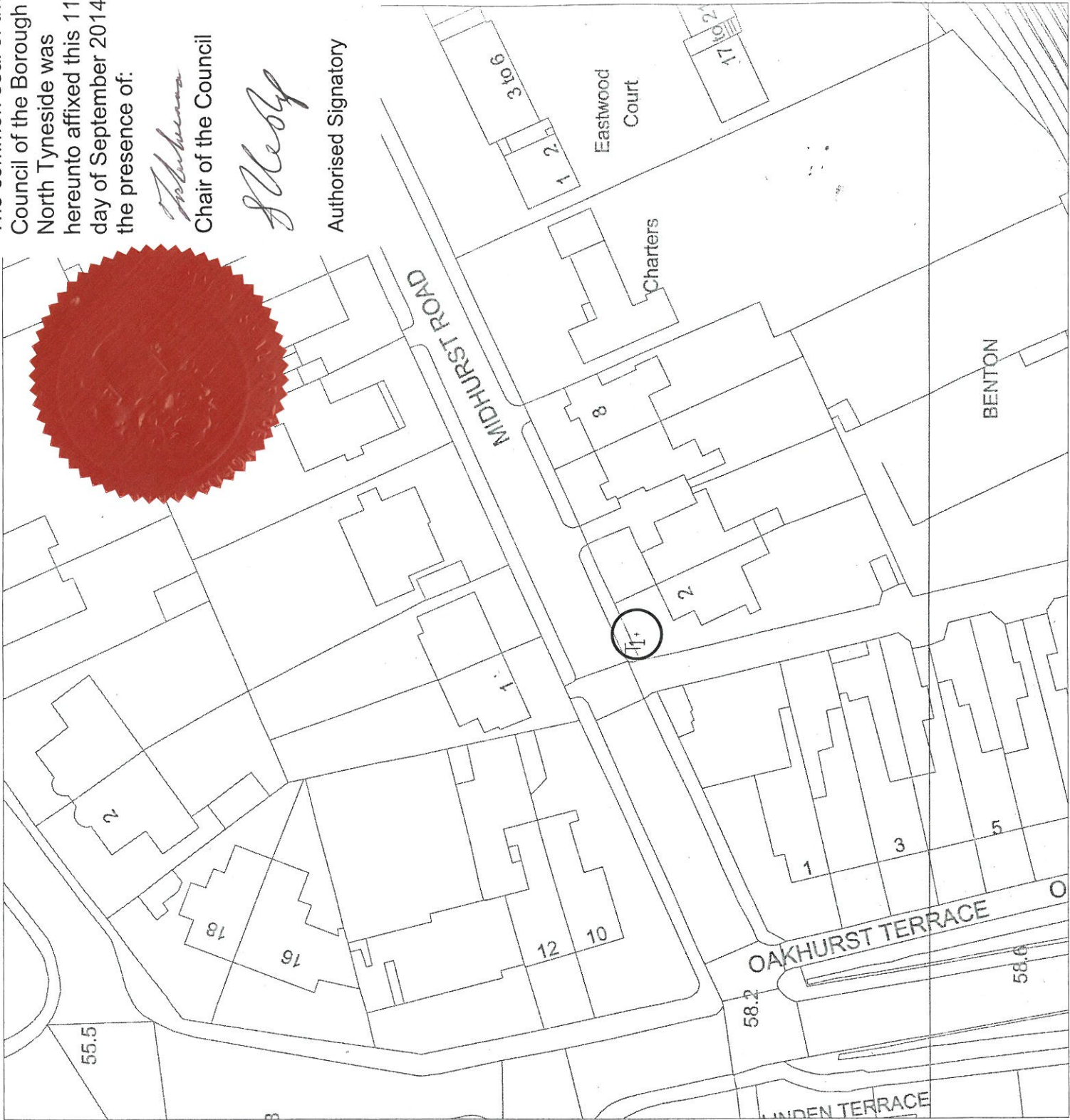
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

The common seal of the Council of the Borough of North Tyneside was hereunto affixed this 11th day of September 2014 in the presence of:



John Williams
Chair of the Council

Phil Scott
Authorised Signatory



NORTH TYNESIDE COUNCIL
2MIDHURST ROAD, BENTON, TYNE AND WEAR
TREE PRESERVATION ORDER 2014

Phil Scott
 Head of Environment and Leisure
 Quadrant East
 The Silverlink
 Cobalt Business Park
 North Tyneside
 NE27 0BY

Scale 1:500

NORTH

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CONFIRMATION OF ORDER

This Order was confirmed by the Council of the Borough of North Tyneside without modification on the 20th day of November 2014.

The Common Seal of the Council of the Borough of North Tyneside was affixed to this Order in the presence of:



Chair of the Council *Fulwanna*

HM Coombs

Authorised Signatory