

Council of the Borough of North Tyneside

Consent Notice

To: Mr L Healy
Tyneside Tree Surgeons
PO Box 97
South Shields
Tyne and Wear
NE34 7PX

Planning Ref. No: 15/00068/TPO

The Council of the Metropolitan Borough of North Tyneside (Moor Park, New York) Tree Preservation Order 1987

In accordance with the powers conferred on them by the provisions of the Council of the Metropolitan Borough of North Tyneside (Moor Park, New York) Tree Preservation Order 1987, the Council of the Borough of North Tyneside, as Local Planning Authority, hereby consents to work being carried out to the following trees, subject to the conditions detailed below.

Reference

Description and Location of Tree

The following trees are measured along a line extending from the centre of the south elevation of 6 Garrick Close, and parallel to Woolsington Road. Distance is from the south east corner of 6 Garrick Close

Description of Works

(The works hereby permitted may only be carried out once unless the number of occasions is specified in the conditions)

T53 Beech situated 56 metres along the line and offset 15 metres south west of line.

Remove tree

T56 Beech situated 60 metres along the line and offset 8 metres south west of the line.

Raise crown by 1.5 metres to remove lower epicormic growth, prune back dead, dying or diseased wood back to healthy tissue. No more than 10% of the crown to be removed.

Conditions

1. The works to the tree hereby permitted shall be begun before the expiration of two years from the date of this consent.

Reason: To retain control over the work in the interests of local amenity.

2. Any works hereby permitted shall be undertaken in accordance with BS3998: 2010 Recommendations for Tree Work.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management.

3. The tree to be felled shall be replaced with a Rowan, Silver Birch or Ornamental Pear; which is 12 -14 centimetres in girth and 3.5 – 4.0 metres in height and located adjacent to the existing tree;. The replacement tree shall be planted within the first available planting season following removal of the tree subject to this consent.

Reason: To ensure that the treescape value of the area is retained in the interests of visual amenity.

Your Right to Appeal

You have the right to appeal against the conditions included in this Consent Notice to the Department for Communities and Local Government. If you wish to pursue this course of action you will need to do so in writing, within 28 days of receiving this notice, to:

The Environment Appeals Team
Trees and Hedges
Room 3/25, Hawk Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

You can find more information by going to:

<http://www.planningportal.gov.uk/planning/appeals/otherappealscasework/tree/preservation>

Or contact the Planning Inspectorate's Customer Services Team on Tel: 0117 372 8192.

If you suffer any loss or damage which is caused or incurred in consequence of this granting of consent subject to conditions, you may be entitled to recover from the Council compensation in respect of such loss or damage.

No claim can be made if more than 12 months has elapsed from the date of this decision (or, if you appeal to the Department for Communities and Local Government, within 12 months from the date of their decision) or if the claim would be for less than £500. Claims should be submitted in writing to this office.

Dated this 13 day of March 2015

A handwritten signature in black ink, appearing to read 'Dave Brown', written over a circular stamp or mark.

Dave Brown
Governance Services Manager
On behalf of:

Vivienne Geary
Head of Law and Governance
North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

METROPOLITAN BOROUGH OF NORTH TYNESIDE

Inter-Departmental Memorandum

To: As below

From: The Secretary and Chief Legal Adviser

Ref:

Ref: BMcN/AH/DEV.54/47

Date: 19th August, 1987

Town and Country Planning Act, 1971
Town and Country Planning (Tree Preservation
Order) Regulations, 1969 (As Amended)
Town and Country Planning Act 1984
The Metropolitan Borough of North Tyneside
(Moor Park, New York) Tree Preservation Order 1987

I enclose herewith, for your information, a copy of the above mentioned Tree Preservation Order which I have today served on the appropriate owners/occupiers and in this connection I shall write to you again shortly informing you of the date from which the Order is effective.

To: Chief Planning Officer (for the attention of Mr. M. Howe) ✓
Chief Architect (for the attention of Mr. F. White)
Mr. S. Oldcorn, Land Charges Section

METROPOLITAN BOROUGH OF NORTH TYNESIDE PLANNING DEPT		
RECEIVED		
21 AUG 1987		
DEPARTED TO	DEPT. NO.	NO. FILED
MRH MAA	BT	
PA		

E. D. Nixon

M1808TPOBMN/5A

JMC

TOWN AND COUNTRY PLANNING ACT, 1971

THE METROPOLITAN BOROUGH OF NORTH TYNESIDE (MOOR PARK, NEW YORK)
TREE PRESERVATION ORDER 1987

The Council of the Metropolitan Borough of North Tyneside (in this Order called "the Authority"), in pursuance of the powers conferred in that behalf by Section 60 of the Town and Country Planning Act, 1971 (as amended by Section 10(1) of the Town and Country Amenities Act, 1974), and subject to the provisions of the Forestry Act, 1967, hereby makes the following Order:-

1. In this Order:-

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

"owner" means the owner in fee simple, either in possession 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 mortgagee in possession; and

"the Secretary of State" means the Secretary of State for the Environment.

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, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of 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, 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.

3. An application for consent made to the Authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specifying the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the Authority under this Order, the Authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the Authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the Authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the Authority, it is necessary in the interests of amenity to maintain the

special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The Authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the Authority thereon, any compensation 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.

5. Where the Authority refuse consent under this Order, or grant such consent subject to the conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:-

(a) that the refusal or condition is in the interests of good forestry;
or

(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless:-

(a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act; or

(b) 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 in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and Section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to:-

(a) Species;

(b) Number of trees per acre (hectare);

(c) The erection and maintenance of fencing necessary for protection of the replanting;

(d) The preparation of ground, draining, removal of bushwood, lop and top; and

(e) Protective measures against fire.

7. On imposing any condition requiring the replacement of any tree 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 water authority since 31st March, 1974, by any other authority (whose functions are now exercised by a water authority) who at any time prior to 1st April, 1974 exercised the functions in respect of which the byelaws was made, by a drainage board, or by the Greater London Council in the exercise of any of its functions in relation to the maintenance, improvement or construction of watercourses or of drainage works restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the water authority, the drainage board, or the Greater London Council under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who had suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the Authority within the time and in the manner prescribed by this Order, be entitled to recover from the Authority compensation in respect of such loss or damage.

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

10. In assessing compensation payable under the last preceding Article account shall be taken of:-

(a) any compensation or contribution which has been paid 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 under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim 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; and

(b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A 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 addressing the claim to the Authority and leaving it at or sending it by post to the principal office of the Authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the Authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the Authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it, is guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or twice the sum which appears to the Court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding £200 on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order, or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by Section 60(6) of the Town and Country Planning Act 1971 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application, the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the Authority to enable the latter to decide whether or not to dispense with the requirement.

13. This Order may be cited as "The Metropolitan Borough of North Tyneside (Moor Park, New York) Tree Preservation Order, 1987.

FIRST SCHEDULE

The map referred to is at a scale of 1:500 and is based on an enlargement of O.S. sheet NZ 3369 SW (1979).

The area covered by the Order consists solely of the land currently known as Moor Park Hospital.

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

TREES SPECIFIED INDIVIDUALLY
(Encircled in Black on the Map)

NO. ON MAP	DESCRIPTION	SITUATION
		The following trees are measured along a line extending from the East corner of 12 Moor Park Road, and parallel to Woolsington Road. Distance from East corner of 12 Moor Park Road;
T1	Sycamore	8m
T2	Sycamore	11m; offset 15m N.E. of line
T3	Elm	18m
T4	Sycamore	27m
T5	Sycamore	32m
T6	Sycamore	48m
T7	Lime	56m
T8	Oak	65m
T9	Lime	73m
T10	Elm	81m
T11	Sycamore	89m; offset 5m N.E. of line
T12	Elm	91m; offset 7m N.E. of line
T13	Sycamore	108m

NO. ON MAP	DESCRIPTION	SITUATION
		The following trees are measured along a line extending from the South corner of 2 Drury lane, and parallel to Woolsington Road. Distance from South corner of 2 Drury Lane;
T14	Sycamore	12m; offset 8m S.W. of line
T15	Elm	14m; offset 6m S.W. of line
T16	Sycamore	25m; offset 9m N.E. of line
T17	Elm	33m; offset 9m N.E. of line
T18	Sycamore	40m; offset 12m N.E. of line
T19	Rowan	48m
T20	Beech	98m
T21	Elm	104m
T22	Sycamore	105m; offset 10m S.W. of line
T23	Elm	107m; offset 2m S.W. of line
T24	Sycamore	109m; offset 5m S.W. of line
T25	Elm	111m; offset 4m S.W. of line
T26	Sycamore	111m; offset 2m S.W. of line
T27	Beech	114m
T28	Beech	124m
T29	Beech	155m
T30	Sycamore	161m
T31	Sycamore	169m; offset 15m N.E. of line
T32	Sycamore	164m; offset 9m N.E. of line
T33	Elm	145m; offset 6m N.E. of line
T34	Sycamore	143m; offset 8m N.E. of line
T35	Whitebeam	141m; offset 18m N.E. of line
T36	Sycamore	141m; offset 11m N.E. of line
T37	Elm	141m; offset 9m N.E. of line

NO. ON MAP	DESCRIPTION	SITUATION
T38	Elm	112m; offset 10m N.E. of line
T39	Sycamore	112m; offset 8m N.E. of line
T40	Beech	109m; offset 18m N.E. of line
T41	Elm	109m; offset 14m N.E. of line
T42	Elm	109m; offset 9m N.E. of line
T43	Sycamore	103m; offset 19m N.E. of line
T44	Elm	103m; offset 16m N.E. of line
T45	Elm	103m; offset 9m N.E. of line
T46	Elm	100m; offset 10m N.E. of line
T47	Elm	98m; offset 8m N.E. of line
<p>The following trees are measured along a line extending from the centre of the South elevation of 6 Garrick Close, and parallel to Woolsington Road. Distance from South East corner of 6 Garrick Close;</p>		
T48	Sycamore	30m; offset 10m S.W. of line
T49	Sycamore	30m; offset 6m S.W. of line
T50	Sycamore	30m; offset 3m S.W. of line
T51	Sycamore	36m
T52	Elm	38m; offset 2m S.W. of line
T53	Beech	56m; offset 15m S.W. of line
T54	Sycamore	56m
T55	Elm	60m; offset 15m S.W. of line
T56	Beech	60m; offset 8m S.W. of line
T57	Beech	74m
T58	Sycamore	79m
T59	Sycamore	87m
T60	Beech	93m

NO. ON MAP	DESCRIPTION	SITUATION
T61	Beech	98m; offset 12m S.W. of line
T62	Elm	98m; offset 8m S.W. of line
T63	Sycamore	98m; offset 5m S.W. of line
T64	Sycamore	107m; offset 3m S.W. of line
T65	Beech	109m
T66	Sycamore	114m
T67	Sycamore	117m
T68	Beech	128m; offset 3m S.W. of line
T69	Sycamore	130m
T70	Beech	136m; offset 14m S.W. of line
T71	Beech	138m; offset 2m S.W. of line
T72	Sycamore	139m
T73	Sycamore	152m
T74	Sycamore	161m
<p>The following trees are measured along a line extending from the centre of the South elevation of 8 Garrick Close, and parallel to Woolsington Road. Distance from South corner of 8 Garrick Close;</p>		
T75	Sycamore	39m
T76	Sycamore	49m
T77	Sycamore	88m
T78	Sycamore	96m
T79	Whitebeam	109m
T80	Sycamore	123m
T81	Rowan	127m
T82	Sycamore	158m
T83	Sycamore	162m

NO. ON MAP	DESCRIPTION	SITUATION
		The following trees are measured along a line extending from the centre of the North facade of 23 Chirton Hill Drive, and parallel to Woolsington Road. Distance from North East corner of 25 Chirton Hill Drive;
T84	Sycamore	173m
T85	Sycamore *	155m
T86	Sycamore	117m
T87	Sycamore	113m
T88	Sycamore	104m
T89	Sycamore	96m
T90	Sycamore	87m
T91	Hawthorn *	82m; offset 7m S.W. of line
T92	Hawthorn	67m
T93	Hawthorn	53m
T94	Hawthorn	44m; offset 5m S.W. of line

* double stemmed

TREES SPECIFIED BY REFERENCE TO AN AREA

NONE

GROUPS OF TREES

NONE

WOODLANDS

NONE

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the Authority to:-

(1) the cutting down of any tree on land which is subject to a forestry dedication covenant where:-

- (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
- (b) 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 operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under Section 4 of the Forestry Act, 1967 except a scheme which applies to a forestry dedication covenant;

(3) the cutting down, uprooting, topping or lopping of a tree:-

- (a) in pursuance of the power conferred on the Post Office by virtue of Section 5 of the Telegraph (Construction) Act, 1908 and Section 21 of the Post Office Act, 1969, or by or at the request of the Post Office where the land on which the tree is situated is operational land as defined by the Post Office Operational Land Regulations and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
- (b) by or at the request of:-
 - (i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act, 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act, 1919 and the Electric Lighting Act, 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) a water authority established under the Water Act, 1973, a drainage board constituted or treated as having been constituted under the Land Drainage Act, 1930, or the Greater London Council, where the tree interferes or would interfere with the exercise of any of the functions of such water authority, drainage board, or Council in relation to the maintenance, improvement or construction of watercourses or of drainage works; or

- (iv) the Secretary of State for Defence, the Secretary of State for Trade, the Civil Aviation Authority or the British Airports Authority where in the opinion of such Secretary of State or Authority the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe, efficient use of aviation or defence technical installations;
- (c) where immediately required for the purpose of carrying out 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 that Part;
- (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act, 1971 as adapted and modified to apply to this Order.

33. (1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the Authority on the granting of such consent, shall (except in so far as the consent otherwise provides), ensure for the benefit of the land and of all persons for the time being interested therein.

Reference of appli- 35. (1) The Secretary of State may give directions to the
cations to Authority requiring applications for consent under the Order to
the Secre- be referred to him instead of being dealt with by the Authority.

State. 35. (2) A direction under this section may relate either to a
particular application or to applications of a class specified in
the direction.

35. (3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

35. (4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the Authority.

35. (5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant 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.

35 (6) The decision of the Secretary of State on any application referred to him under this section shall be final.

Appeals
against
decisions.

36. (1) Where an application is made to the Authority for consent under the Order and that consent is refused by that Authority or is granted by them subject to conditions, or where any certificate or direction is given by the Authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

36. (2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

36. (3) Where an appeal is brought under this section from a decision, certificate or direction of the Authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the Authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

36. (4) 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.

36. (6) The decision of the Secretary of State on any appeal under this section shall be final.

Appeal in
default of
decision

37. Where an application for consent under the Order is made to the Authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the Authority, the Authority either:-

- (a) give notice to the applicant of their decision on the application or
- (b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 above;

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

Power to 45. (1) If it appears to the Authority that it is expedient to
revoke or revoke or modify any consent under the Order granted on an
modify the application made under Article 3 of the Order, the Authority may
consent be Order revoke or modify the consent to such extent as they consider
under the expedient.
Order.

45. (2) Subject to the provisions of sections 46 and 61 of the Act an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

45. (3) Where an Authority submit an Order to the Secretary of State for his confirmation under this section, the Authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on 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 purpose.

45. (4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:-

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

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

Un-opposed 46. (1) The following provisions shall have effect where the local
revocation planning authority have made an Order (hereinafter called "such
or modifi- Order") under section 45 above revoking or modifying any consent
cation of granted on an application made under a tree preservation order but
consent. have not submitted such Order to the Secretary of State for
confirmation by him and the owner and the occupier of the land and
all persons who in the Authority's opinion will be affected by such
Order have notified the Authority in writing that they do not object
to such Order.

46. (2) The Authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person

appointed by the Secretary of State for the purpose; and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

46. (3) The Authority shall also serve notices to the same effect on persons mentioned in subsection (1) above.

46. (4) The Authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

46. (5) If within the period referred to in subsection (2)(a) above no person claiming to be effected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2)(b) of this section take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45 of the Act.

46. (6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III, Part IV or Part V of the Act.

THE COMMON SEAL of the NORTH)
TYNESIDE BOROUGH COUNCIL was)
hereunto affixed this 19th)
day of August 1987)
in the presence of:-)

(Sign'd) E. F. Dalyd.

Mayor

(Sign'd) E. D. Nixon

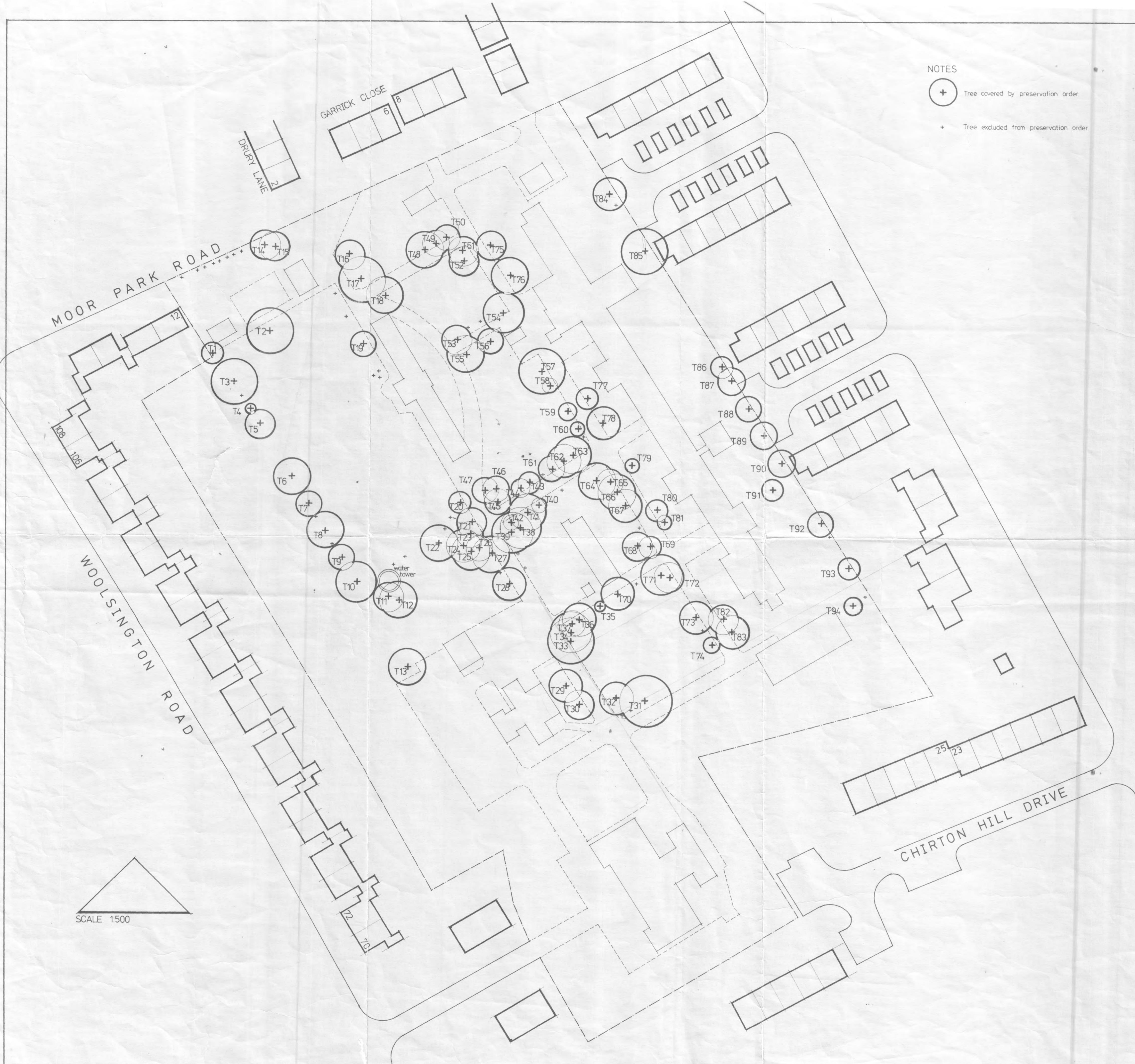
Secretary and Chief Legal Adviser

DATED 19TH AUGUST 1987

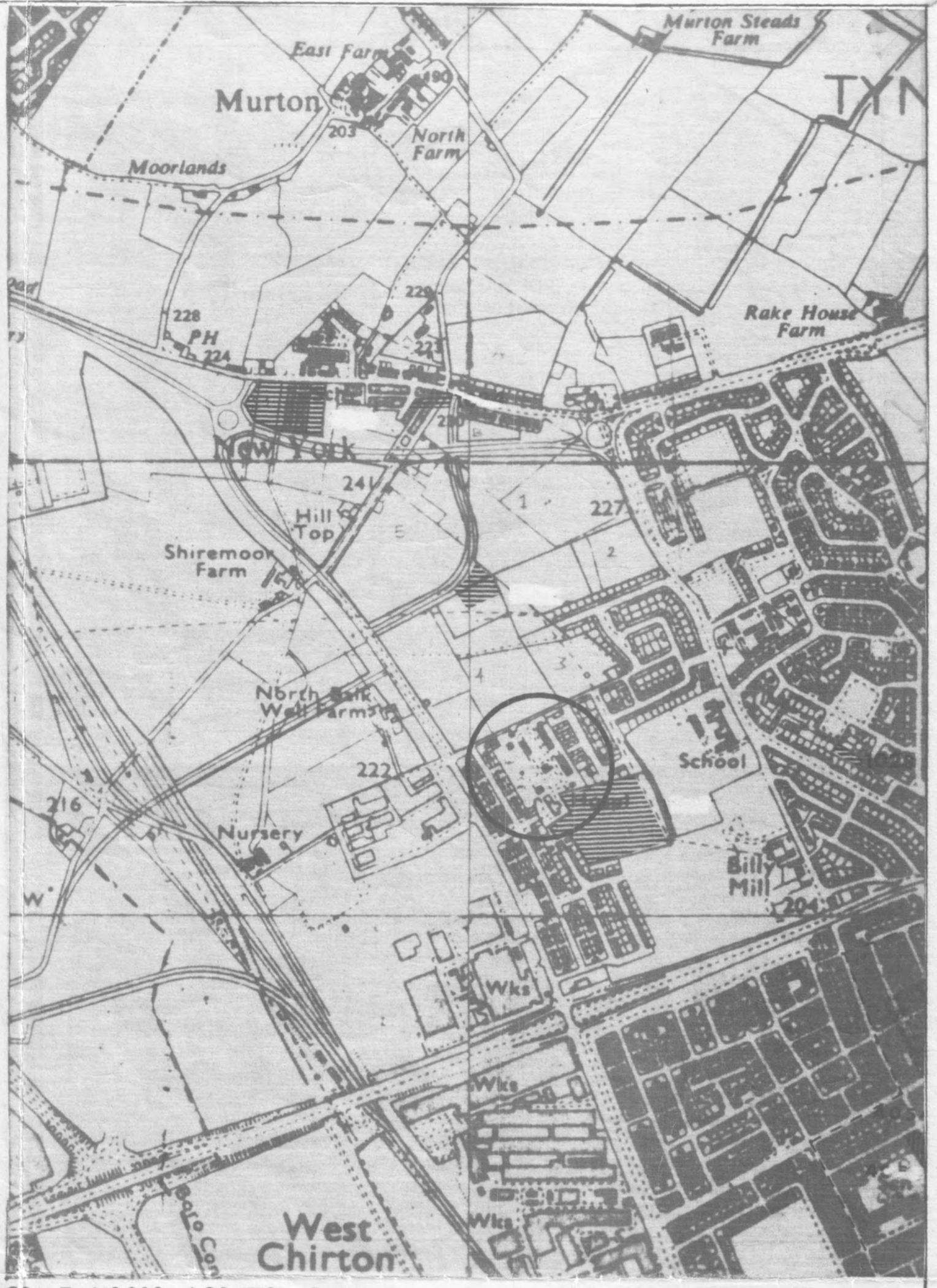
METROPOLITAN BOROUGH OF NORTH TYNESIDE

THE METROPOLITAN BOROUGH OF NORTH TYNESIDE
(MOOR PARK, NEW YORK) TREE PRESERVATION
ORDER 1987

E.D. Nixon
Secretary and Chief Legal Adviser
14 Northumberland Square,
North Shields.
NE30 1PZ



NOTES
 + Tree covered by preservation order
 + Tree excluded from preservation order



SCALE 1:10,000 LOCATION PLAN

METROPOLITAN BOROUGH
 OF NORTH TYNESIDE

A. HOLDSWORTH C.ENG. M.R.T.P.I. M.I.C.E. M.I.Mun.E.
 CHIEF PLANNING OFFICER

Drawn JHF
 Date October 1986

MOOR PARK, NEW YORK
 TREE PRESERVATION ORDER 1987

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TPO 1987
 MOOR PARK
 NEW YORK

