

Town and Country Planning Act 1990

The Metropolitan Borough Council of Stockport Tree Preservation (Middlewood View, High Lane) Order 2023

The Stockport Metropolitan Borough 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 Metropolitan Borough Council of Stockport Tree Preservation (Middlewood View, High Lane) Order 2023.

Interpretation

2. (1) In this Order “the authority” means the Stockport Metropolitan Borough 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 (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 "T", 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.

CONFIRMATION OF ORDER

This order was confirmed by Stockport Metropolitan Borough Council without modification on the 2 day of AUGUST 2023

Or

This order was confirmed by Stockport Metropolitan Borough Council, subject to the modifications indicated by _____ on the _____ day of _____ 20____

Signed



on behalf of: Victoria Alice Bates, Assistant Director (Legal & Democratic Governance)
Stockport Metropolitan Borough Council
Town Hall
Stockport
SK1 3XE

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this order was taken by Stockport Metropolitan Borough Council on the _____ day of _____ 20____

Signed

on behalf of: Victoria Alice Bates, Assistant Director (Legal & Democratic Governance)
Stockport Metropolitan Borough Council
Town Hall
Stockport
SK1 3XE

VARIATION OF ORDER

This order was varied by Stockport Metropolitan Borough Council on the day
of 20 by a variation order under reference a copy of which
is attached.

Signed

on behalf of: Victoria Alice Bates, Assistant Director (Legal & Democratic
 Governance)
 Stockport Metropolitan Borough Council
 Town Hall
 Stockport
 SK1 3XE

REVOCATION OF ORDER

This order was revoked by Stockport Metropolitan Borough Council on the
day of 20

Signed

on behalf of: Victoria Alice Bates, Assistant Director (Legal & Democratic
 Governance)
 Stockport Metropolitan Borough Council
 Town Hall
 Stockport
 SK1 3XE

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually

(encircled in black on the map)

Reference on map	Description	Situation
T1	Alder	Located on the norther side of the access road for Middlewood View on the corner of the garden area, to the rear of 1 Middlewood View
T2	Spruce	Located 2m north of the access road for Middlewood View. On the boundary between 5 & 6 Middlewood View
T3	Spruce	Located 4m north of the access road for Middlewood View. On the boundary between 5 & 6 Middlewood View
T4	Spruce	Located 8m north of the access road for Middlewood View. On the boundary between 5 & 6 Middlewood View
T5	Holly	Located on the northern boundary of the garden area, to the rear of 5 Middlewood View. On the boundary between 5 & 6 Middlewood View
T6	Birch	Located on the northern boundary of the garden area, to the rear of 7 Middlewood View.
T7	Hawthorn	Located on the northern boundary of the garden area, to the rear of 10 Middlewood View.
T8	Oak	Located on the northern boundary of the garden area, to the rear of 10 Middlewood View.
T9	Oak	Located on the eastern boundary of the garden area, to the rear of 11 Middlewood View. Approximately 6m north of the access road
T10	Holly	Located on the eastern boundary of the garden area, to the rear of 11 Middlewood View. Approximately 2m north of the access road

Dated this 2 February 2023
THE COMMON SEAL of THE
METROPOLITAN BOROUGH COUNCIL
OF STOCKPORT was hereunto
affixed in the presence of:-

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)
)



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V Bates
.....

Assistant Director Legal & Democratic Governance / Designated Authorised Signatory
(legal officer)

Victoria Bates
.....

Print Name

S. Walsh
.....

Authorised Signatory (legal officer)

SARAH WALSH
.....

Print Name

~~807889~~
807891

STOCKPORT LEGAL SERVICES
SEALING AUTHORITY FORM

TO: HEAD OF LEGAL & DEMOCRATIC GOVERNANCE
FROM: LEGAL P&H
NORWEL FILE REFERENCE: PLA011.348
DATE: 2 February 2023

I confirm that this document complies with the instructions received and that the appropriate authority has been obtained to seal the document on behalf of the Council. I confirm that it should be sealed under the following authority:

DESCRIPTION OF THE DOCUMENT:
The Metropolitan Borough Council of Stockport Tree Preservation
(Middlewood View, High Lane) Order Order 2023

MINUTE AUTHORITY (details of resolution of relevant committee or delegated powers)	PARTIES
ANTHONY CROOK AUTHORISED BY CAROLINE SIMPSON. CAROLINE SIMPSON HAS AUTHORITY UNDER THE COUNCIL CONSTITUTION – ITEM 75 – LEISURE AND HERITAGE FUNCTIONS	THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

Please arrange for the SEALING of the above document/s (and the initialling of any amendments by the Council Solicitor or his nominee, where indicated).

Do not fill in the date.

Name: ZOE ALLAN

PLEASE SEAL PLAN