

Record of Delegated Non Executive Decisions by Officers

1. Subject of decision

The revocation of the Council of the Borough of North Tyneside (Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995.

Delegation Reference (Refer to Meeting Minute Number or Officer Delegation Scheme):

Head of Law and Governance

LG52 In consultation with the Chair and Deputy Chair of Planning Committee:

...

t) To revoke tree preservation orders in the following circumstances:

- A new tree preservation order has replaced an existing tree preservation order; or
- All trees within the tree preservation order have been felled and not replaced.

This decision has been delegated to one or more officer(s) under:

(a) A specific express authorisation (provide the date, report and decision of Council, Committee or Sub-Committee etc which delegated this to the specific officer(s))

(b) a general authorisation to take such decisions **and**, the effect of the decision is to:

(i) grant a permission or licence;

(ii) affect the rights of an individual; or

(iii) award a contract or incur expenditure which, in either case, materially affects the Authority's financial position.

[Insert a cross in the appropriate box(es)]

2. Name and Title of Decision Maker

Vivienne Geary, Head of Law and Governance

3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

4. Executive summary

The purpose of the report is to seek agreement for the revocation of the Council of the Borough of North Tyneside (Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995 as the trees protected under it are now protected by the Council of the Borough of North Tyneside (Holywell Engineering, Station Road, Backworth) Tree Preservation Order 2017.

5. Alternative options considered

Option 1

Take no further action and keep in place both the Council of the Borough of North Tyneside (Holywell Engineering, Station Road, Backworth) Tree Preservation Order 2017 and The Council of the Borough of North Tyneside (Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995.

Option 2

Revoke the Council of the Borough of North Tyneside (Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995 as the trees protected by it are also now protected by the Council of the Borough of North Tyneside (Holywell Engineering, Station Road, Backworth) Tree Preservation Order 2017.

6. Decision

The Manager of Democratic and Electoral Services is authorised to take the necessary steps to meet the requirements of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 to revoke the Council of the Borough of North Tyneside (Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995.

7. Reasons for the Decision(s)

It is appropriate to revoke the Holywell Mining, Station Road, Backworth) Tree Preservation Order 1995 as all the trees within it have been recently assessed and categorised as worthy of protection and protected by a new Order. The new Order (2017) has a more detailed plan to allow for each tree to be identified and keeping two Orders would cause confusion as some trees would be protected by both Orders.

8. Date Decision Made

11 July 2018



Vivienne M Geary

Signed

Head of Law and Governance

9. Date of Publication

12 July 2018