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DEVELOPMENT CONTROL COMMITTEE: –

9 October 2007

REPORT OF HEAD OF REGENERATION -DELIVERY AND  
DEVELOPMENT

**MAKING OF TREE PRESERVATION ORDER 40 OF 2007 ON LAND AT  
FOREST GATE, NEW INVENTION, WALSALL, WV12 5LB**

**1. PURPOSE OF REPORT**

To seek the authority to make Tree Preservation Order No 40 of 2007.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Authorise the Walsall Tree Preservation Order No 40 of 2007. A plan showing the proposed Tree Preservation Order is attached to this report.
- (ii) Support the reason for making the Tree Preservation Order set out in paragraph 1.2.

**3. FINANCIAL IMPLICATIONS**

Within Budget, in general, new Tree Preservation Orders generate additional applications for consent and increase officers' workload.

**4. POLICY IMPLICATIONS**

Within Council policy – YES

**5. LEGAL IMPLICATIONS**

The owners and future owners of this site will be required to apply for Council permission if they wish to fell or prune any tree protected by the Tree Preservation Order. Failure to do this renders anyone carrying out unauthorised works to trees liable to criminal proceedings.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

NOT APPLICABLE

7. **ENVIRONMENTAL IMPACT**

The management of Walsall's tree cover through the administration of the Tree Preservation Order system has positive implications in protecting trees for their visual and environmental benefits. Removal of protected trees is often necessary because trees have a finite lifespan and may also cause nuisance or damage. In these instances the Council has to decide whether the removal of protected trees is justified. In the event that felling a tree is permitted, the Council can secure replacement planting to maintain tree cover.

8. **WARD(S) AFFECTED**

The Tree Preservation Order 40 of 2007 is located within Short Heath Ward.

9. **CONSULTEES**

Owners and near neighbours will be sent copies of the Tree Preservation Order and invited to make representations to the Council in both opposition and support of this Tree Preservation Order. Any responses will be described within the future report for the confirmation of this order.

10. **CONTACT OFFICER**

David Lomas - Extension: 2594

11. **BACKGROUND PAPERS**

File PDI/17/808 relating to Tree Preservation Order 40 of 2007.

**Simon Tranter**  
INTERIM HEAD OF REGENERATION-DELIVERY AND DEVELOPMENT

DEVELOPMENT CONTROL COMMITTEE: –

9 October 2007

CONFIRMATION OF TREE PRESERVATION ORDER 40 OF 2007 ON LAND  
AT FOREST GATE, NEW INVENTION, WALSALL, WV12 5LB

1.0 **REPORT DETAIL.**

- 1.1 The trees, the subject of this Order, is situated in the open space at Forest Gate, New Invention, Walsall, WV12 5LB.
- 1.2 The trees selected for new Tree Preservation Order 40 of 2007 are prominent in the street scene and are protected for the following reasons:
- *The trees form a prominent landscape feature in the local area and will continue to contribute to landscape quality in the future.*
  - *The trees add to the amenity and visual diversity of the immediate area.*
  - *The land is to become a Community project and they would like to protect the trees for future generations*
  - *The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces*
- 1.3 The Committee is therefore recommended to make Tree Preservation Order 40 of 2007.