



DEVELOPMENT CONTROL COMMITTEE: –

04 March 2010

REPORT OF HEAD OF DEVELOPMENT & DELIVERY

**TO RECOMMEND THAT TPO 45 OF 2008 ON 8 MANOR ROAD,
STREETLY IS NOT CONFIRMED.**

1. PURPOSE OF REPORT

To report to the committee on the issues surrounding the non-confirmation of TPO 45 of 2008 and to seek the support of the committee for the actions taken by the Officer.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Note the comments in the report at 12.0 below. A plan showing TPO 45 of 2008 and TPO 10 of 2009 are attached to this report.
- (ii) Allow the Tree Preservation Order 45 of 2008 to not be confirmed.

3. FINANCIAL IMPLICATIONS

Within budget.

4. POLICY IMPLICATIONS

Within Council policy.

5. LEGAL IMPLICATIONS

If a Tree Preservation Order is not confirmed it will not have any practical effect.

6. EQUAL OPPORTUNITY IMPLICATIONS

The procedures for making Tree Preservation Orders are prescribed by detailed legislation and guidance on trees which merit protection so there are no direct equal opportunity implications.

7. ENVIRONMENTAL IMPACT

Tree Preservation Orders have a positive environmental impact as legal tools to protect tree cover in the area.

8. **WARD(S) AFFECTED**

Tree Preservation Order 45 of 2008 is located within the Streetly ward.

9. **CONSULTEES**

None.

10. **CONTACT OFFICER**

Cameron Gibson – Extension: 2453

11. **BACKGROUND PAPERS**

Tree Preservation Order 45 of 2008 file PDI/17/871

Simon Tranter

HEAD OF DEVELOPMENT & DELIVERY

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12.0 **REPORT DETAIL.**

- 12.1 Tree Preservation Order 45 of 2008 on 8 Manor Road, Streetly was made as part of the Streetly TPO review, authorised by this committee. However, it was found to contain some anomalies and TPO 10 of 2009 was then made to correct these.
- 12.2 TPO 10 of 2009 was recommended for confirmation at the committee of 4th February 2010, with the revocation of TPO 45 of 2008 included in the same report. Both these were authorised by the committee. However, further inspection of the TPO files found that TPO 45 of 2008 had never been confirmed, due to the fact that TPO 10 of 2009 had been made.
- 12.3 Therefore, as it is not possible to revoke a TPO that has not been confirmed, this report seeks the authorisation of this committee to not confirm TPO 45 of 2008.