

## **Form of Tree Preservation Order**

### **TOWN AND COUNTRY PLANNING ACT 1990**

#### **THE FOLKESTONE & HYTHE (LAND OPPOSITE 8, WALMER WAY, FOLKESTONE)**

#### **TREE PRESERVATION ORDER NO: TREE PRESERVATION ORDER NO. 01 OF 2023**

The District Council of Folkestone & Hythe 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 Folkestone & Hythe

TREE PRESERVATION ORDER NO. 01 OF 2023  
Land Opposite 8, Walmer Way, Folkestone

#### **Interpretation**

- 2— (1) In this Order “the authority” means the District Council of Folkestone & Hythe  
(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 —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 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 "C", 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.

Dated this 23 February 2023

Signed on behalf of the District Council of Folkestone & Hythe

A handwritten signature in black ink, appearing to read 'Llywelyn Lloyd', written in a cursive style.

Llywelyn Lloyd  
Chief Planning Officer  
Authorised by the Council to sign in that behalf

**CONFIRMATION OF ORDER**

On the

Authorised by the Council to sign in that behalf

**DECISION NOT TO CONFIRM ORDER**

On the

Authorised by the Council to sign in that behalf

**VARIATION OF ORDER**

This Order was varied by the District Council of Folkestone & Hythe subject to the modifications indicated by

On the

of.....by a variation order under reference number.....a copy of which is attached

Authorised by the Council to sign in that behalf

**REVOCAION OF ORDER**

This Order was revoked by the District Council of Folkestone & Hythe subject to the modifications indicated by

On the

Authorised by the Council to sign in that behalf

## SCHEDULE

### TREES SPECIFIED INDIVIDUALLY

*(encircled on map)*

No	Description	Situation	Approx	NGR
	1 Acer Tree			

### TREES SPECIFIED BY REFERENCE TO AREA

*(within dotted line on map)*

No	Description	Situation	Approx	NGR

### GROUPS OF TREES

*(within broken line on map)*

No	Description	Situation	Approx	NGR

### WOODLANDS

*(within solid line on map)*

No	Description	Situation	Approx	NGR