

	<h1>Report</h1>	Agenda Item <h1>13</h1>
---	-----------------	---------------------------------------

Report to:	Planning Committee
Date of Meeting:	28 April 2009
Report by:	Executive Director (Enterprise Resources)

Subject:	Tree Preservation Order – Merlewood Avenue, Bothwell
----------	---

1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Advise members of the making of a Provisional Tree Preservation Order (TPO) under the terms of Section 163 (Provisional Tree Preservation Orders) of the Town and Country Planning (Scotland) Act 1997 in relation to an area of ground located at Merlewood Avenue, Bothwell.
- ◆ Request that members note the action taken in terms of the Council's approved scheme of delegation.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that Committee note the making of the Provisional Tree Preservation Order under the terms of section 163 (Provisional Tree Preservation Order of the Town and Country Planning (Scotland) Act 1997) on the area of ground containing several trees shown on the attached plan.
- (2) that this provisional Tree Preservation Order be confirmed within 6 months from the date of this order should there be no objections.
- (3) that, in view of the requirement to progress the matter as soon as possible, the action taken by the Executive Director (Enterprise Resources) in terms of the Council's approved Scheme of Delegation, in consultation with the Chair/Depute and Local Members, be noted.

3. Background

3.1. Normally a TPO does not take effect until it is confirmed by the Council following a period which includes advertisement of the TPO, notification to owners and consideration of any representations made in response to the TPO. A Provisional TPO however allows the Council to provide immediate protection to trees for a period of six months and allows the time required to process the confirmation of the Provisional TPO.

4. Ground for making the TPO

4.1. The reason for making the TPO is to ensure adequate protection of these valuable specimens which are currently under threat given that works are currently taking

place in the surrounding area which may have an adverse effect on them. Their loss would have an adverse effect on the amenity of the area.

5. Employee Implications

5.1. There are no personnel implications

6. Financial Implications

6.1. There are no financial implications

7. Consultations

7.1. Consultations have taken place with the Council's Arboricultural Manager

8. Equality Impact Assessment and Consultation Arrangements

8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore, no impact assessment is required.

Iain Urquhart

Executive Director (Enterprise Resources)

9 April 2009

Link(s) to Council Objectives/Values

- ◆ Living in the Country (Source – Forecast)
- ◆ Creating Successful Communities – (Source – Forecast)

Previous References

None

List of Background Papers

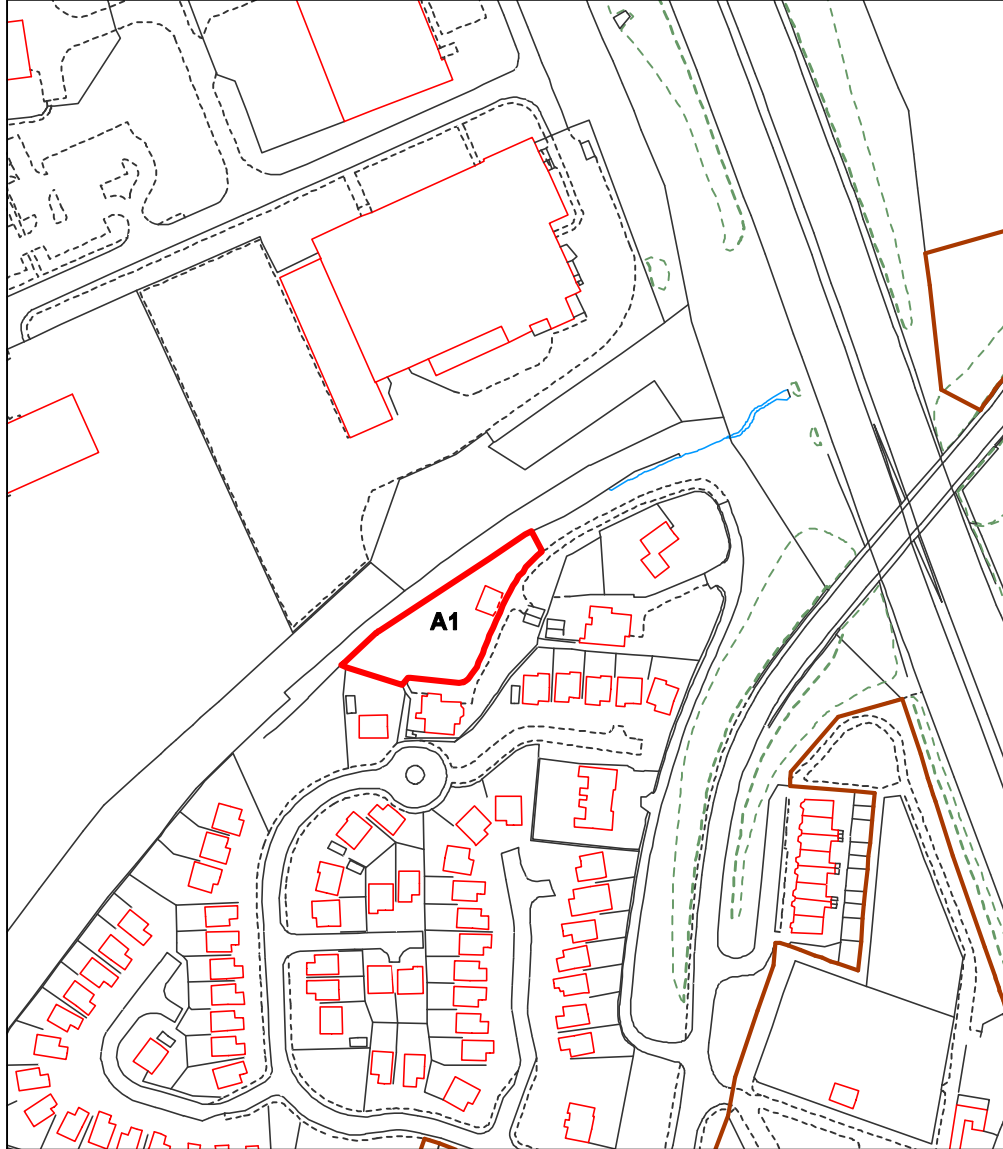
None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Mary McGonigle, Planning Officer, Brandon Gate, Hamilton
Ext: 3550 (Tel: 01698 453550)
E-mail: mary.mcgonigle@southlanarkshire.gov.uk

Merlewood Avenue, Bothwell



A1 Several trees of whatever species

Enterprise Resources Planning & Building Control

Date:

Scale: 1:1,946



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. South Lanarkshire Council 100020730 2005