

TPO

Luton Borough Council

Correspondence



The Order

TOWN AND COUNTRY PLANNING ACT 1971

Confirmed

THE BOROUGH OF LUTON
(HART HILL)
TREE PRESERVATION ORDER, 1986

The Council of the Borough of Luton in this Order called 'the authority', in pursuance of the powers conferred in that behalf of sections 60 and 61 of the Town and Country Planning Act 1971 as amended by the Local Government Planning and Land Act 1980 and the Town and Country Planning (Amendment) Act, 1985 and subject to the provisions of the Forestry Act 1967, hereby makes the following order:

1. In this Order:-

"the Act" means the Town and Country Planning Act 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and

"the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, 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 First Schedule hereto comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. - (1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:-

(a) that the refusal or condition is in the interests of good forestry; or

(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under the Forestry Act 1967, application should be made not to the authority for consent under this Order but to the Conservator of Forests for licence under that Act (section 15(5))

6. - (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting.

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre;
- (c) the erection and maintenance of fencing necessary for protection of the replanting.
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by the Thames Water Authority restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws, and that any such condition or direction has effect subject to the requirements of the Thames Water Authority under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act and of section 46 of the Act adapted and modified for the purposes of this Order shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 60 of the Act or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. - 1(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13. The provisions of section 61 of the Act shall apply to this Order and the Order shall take effect on 30th June, 1986.

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £400 or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention is continued after conviction a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting, down or uprooting is authorised only by section 60(6) of the Act relating to trees which are dying, dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirements, to plant another tree of appropriate size and species at the same place as soon as he reasonable can. Except in emergency not less than 5 days previous notice of the removal etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
T1	Beech	18 Hart Hill Drive, Luton
T2	Prunus	2 Hart Hill Drive, Luton
T3	Beech	) 6A
T4	Cypress	) 8 Hart Hill Drive, Luton
T5	Lime)
T6	Lime)
T7	Scots Pine	) 18 Hart Hill Drive, Luton
T8	Horse Chestnut)
T9	Weeping Ash	20 Hart Hill Drive, Luton
T10	Ash)
T11	Ash	) 30 Hart Hill Drive, Luton
T12	Sycamore)
T13	Horse Chestnut)
T14	Sycamore	) 32 Hart Hill Drive, Luton
T15	Horse Chestnut	) 34 Hart Hill Drive, Luton
T16	Scots Pine	) 18 32 Hart Hill Drive, Luton

T17	Sycamore	36 Hart Hill Drive, Luton
T18	Horse Chestnut	38 Hart Hill Drive, Luton
T19	Sycamore	40 Hart Hill Drive, Luton
T20	Prunus	) 34/35 Crescent Road, Luton
T21	Prunus	
T22	Prunus	Smithfield House, Crescent Road, Luton
T23	Beech	Adjoining 76-82 Moulton Rise, Luton
T24	Sycamore	52 Hart Hill Lane, Luton
T25	Scots Pine	Adjoining 84-90 Moulton Rise, Luton
T26	Hornbeam	) Adjoining 7 - 29 Moulton Rise, Luton
T27	Lime	
T28	Lime	14 Crescent Road, Luton
T29	Sycamore	Adjoining 40-66 Moulton Rise, Luton
T30	Sycamore	15/16 Crescent Road, Luton
T31	Lime	) Adjoining 55-79 Moulton Rise, Luton
T32	Sycamore	
T33	Hawthorn)
T34	Horse Chestnut	Adjoining 31-53 Moulton Rise, Luton
T35	Sycamore	Adjoining 3 & 6 Linden Court, Crescent Road, Luton
T36	Red Maple	Adjoining 40-66 Moulton Rise, Luton
T37	Weeping Ash	Adjoining 7-29 Moulton Rise, Luton
T38	Lime	Linden Court, 30 Crescent Road, Luton
T39	Sycamore	Linden Court/The Martindales, Crescent Road, Luton
T40	Horse Chestnut	Site of 57 Crawley Green Road, Luton
T41	Horse Chestnut	) Site of 59 Crawley Green Road, Luton
T42	Sycamore	
T43	Beech	2 3 Hart Hill Lane, Luton
T44	Horse Chestnut	5 Hart Hill Lane, Luton
T45	Beech	) 7 Hart Hill Lane, Luton
T46	Araucaria (Monkey Puzzle)	
T47	Beech	15 Hart Hill Lane, Luton
T48	Beech	43 Hart Hill Lane, Luton

REMOVED 12-2-06

T49	Silver Birch	53 Hart Hill Lane, Luton
T50	Yew	'Hart Hill Crest', Hart Hill Lane, Luton
T51	Horse Chestnut	'Hill View', Crescent Rise, Luton
T52	Cypress)
)
T53	Cypress)
		) 'White House', Crescent Rise, Luton
T54	Prunus)
)
T55	Blue Cedar)
)
T56	Hawthorn	'Southlynn', Crescent Rise, Luton

GROUPS OF TREES
(within a broken black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
G1	Horse Chestnut & Lime	Woodland Court, 55 Crawley Green Road and 2 Hart Hill Drive, Luton
G2	Lime & Scots Pine	3, 4 & 6 Hart Hill Drive, Luton
G3	Horse Chestnut, Lime & Sycamore	4 & 6 Hart Hill Drive, Luton
G4	Horse Chestnut, Lime & Beech	8 Hart Hill Drive, Luton
G5	Sycamore & Lime	10 Hart Hill Drive, Luton
G6	Sycamore, Beech, Scots Pine, Ash & Lime	12 Hart Hill Drive, Luton
G7	Sycamore, Yew, Lime, Laburnum & Horse Chestnut	20 Hart Hill Drive, Luton
G8	Horse Chestnut, Ash & Sycamore)
		) Hartwood, 44 Hart Hill Drive, Luton
G9	Beech & Poplar)
G10	Beech, Scots Pine, Horse Chestnut & Sycamore	50, 52 and 54 56 Hart Hill Drive & 'The Towers', 56 Hart Hill Drive, Luton
G11	Lime, Scots Pine & Horse Chestnut	60 Hart Hill Drive, Luton
G12	Prunus	Hartwood, 44 Hart Hill Drive, Luton
G13	Sycamore	14 Crescent Road, Luton
G14	Beech	Adjoining 68-74 Moulton Rise, Luton
G15	Sycamore, Lime & Ash	Hyde House, Crescent Rise, Luton
G16	Horse Chestnut & Sycamore)
		) Land in Crescent Rise, Luton
G17	Horse Chestnut & Sycamore)
G18	Hornbeam)
)
G19	Hornbeam & Weeping Cherry	) Adjoining 79-101 Moulton Rise, Luton
)
G20	Hornbeam & Weeping Cherry)

REPLACED BY TWO PYRUS CALLERYANA

G21	Hornbeam, Laburnum, Lime & Sycamore	Adjoining 1-5 Moulton Rise, Luton
G22	Sycamore & Lime	Linden Court, Crescent Road, Luton
G23	Sycamore & Lime	The Martindales, Crescent Road, Luton
G24	Horse Chestnut	34/35 Crescent Road and Land between 'The Martindales' & 34/35 Crescent Road, Luton
G25	Lime & Hawthorn	37/38 Crescent Road, Luton
G26	Prunus	Smithfield House, Crescent Road, Luton
G27	Horse Chestnut, Lime, Beech, Sycamore & Holly	) ) Woodland Court, 2 Hart Hill Drive and) 55 Crawley Green Road, Luton
G28	Beech, Sycamore & Scots Pine)
G29	Sycamore	Site of 57 Crawley Green Road, Luton
G30	Sycamore	Site of 59 Crawley Green Road, Luton
G31	Sycamore, Lime & Horse Chestnut	) 1 and 2 Hart Hill Lane, Luton) 3 Hart Hill Lane, Luton
G32	Sycamore, Scots Pine, Yew & Holly	) 2, 3 and 4 Hart Hill Lane, Luton
G33	Scots Pine & Sycamore))
G34	Horse Chestnut, Scots Pine, Sycamore & Ash	) 9 Hart Hill Lane, Luton)
G35	Scots Pine, Sycamore & Beech	15 Hart Hill Lane, Luton
G36	Maple & Sycamore	'Montrose', 55 Hart Hill Lane, Luton
G37	Sycamore & Ash	'Chandos', Crescent Rise, Luton
G38	Horse Chestnut, Sycamore, Ash, Lime, Beech, Prunus, Scots Pine & Corsican Pine	'Chandos', Crescent Rise & adjoining 34 Crescent Rise, Luton
G39	Sycamore, Holly, Hawthorn, Ash and Maple	R/O 50-60 Hart Hill Lane & R/O Hart Hill Crest, Hart Hill Lane, Luton
G40	Cypress, Hawthorn, Prunus & Holly	'Hart Hill Crest', Hart Hill Lane, Luton
G41	Lime))
G42	Sycamore & Hawthorn	) 'Hill View', Crescent Rise, Luton)
G43	Sycamore)
G44	Sycamore	Adjoining 79-101 Moulton Rise, Luton
G45	Sorbus & Ash	Adjoining 2-6 Moulton Rise, Luton
G46	Laburnum, Sycamore, Hawthorn, Prunus & Nut Hazel	Linden Court & 'The Martindales', Crescent Road, Luton
G47	Horse Chestnut & Lime	6A & 8 & 10 Hart Hill Drive, Luton
G48	Sycamore	R/O 64 Hart Hill Drive, Luton

G49	Sycamore	'Hill View', Crescent Rise, Luton
G50	Lime	50, 52 and 54 50-Hart Hill Drive, Luton and 'The Towers', 56 Hart Hill Drive, Luton

TREES SPECIFIED BY REFERENCES TO AN AREA
(within a dotted black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
A1	Beech, Sycamore, Ash, Hawthorn, Hornbeam & Horse Chestnut	Land situated in Hart Hill Drive, between Crescent Rise and Crawley Green Road, Luton
A2	Pine, Larch, Sycamore, Beech, Lime, Maple, Horse Chestnut, Hawthorn, Ash & Holly	Sites of 57 & 59 Crawley Green Road & 61 Crawley Green Road, Luton
A3	Beech, Lime, Sycamore, Larch, Hawthorn & Horse Chestnut	R/O 13-15 Hart Hill Lane & Land adjacent to 17-35 Hart Hill Lane, Luton
A4	Hawthorn & Sycamore	'Southlynn', Crescent Rise & Lane between Southlynn and 'Hill View' Crescent Rise, Luton

WOODLANDS
(within a continuous black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
- NONE -		

SECOND SCHEDULE

The Order shall not apply so as to require the consent of the authority to

(1) the cutting down of any trees on land which is subject to a forestry dedication covenant where

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant.

(3) The cutting down, uprooting, topping or lopping of a tree

(a) in pursuance of the power conferred on the Post Office by virtue of section 5 of the Telegraph (Construction) Act 1908;

(b) by or at the request of

(i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

- (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) where the tree interferes or would interfere with the exercise of any of the functions of the Thames Water Authority in relation to the maintenance, improvement or construction of water courses or of drainage works; or
 - (iv) the Secretary of State for Defence, the Secretary of State for Trade and Industry where in the opinion of such Minister or Board the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
- (c) where immediately required for the purpose of carrying out development authorised by a planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
- (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;

(Where the trees are within the area administered by the Thames Water Authority)

- (e) in pursuance of the powers conferred on the Thames Water Authority by virtue of section 105 of the Thames Conservancy Act 1932.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1971 as adapted and modified to apply to this Order.

33. - (1) Without prejudice to the provisions of this Part of this Act as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.

35. - (1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

35. - (2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

35. - (3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

35. - (4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply to an application which falls to be determined by the authority.

35. - (5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

35. - (6) The decision of the Secretary of State on any application referred to him under this section shall be final.

36. - (1) Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

36. - (2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

36. - (3) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

36. - (4) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

36. - (6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either:-

(a) give notice to the applicant of their decision on the application; or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. - (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the Authority may by Order revoke or modify the consent to such extent as they consider expedient.

45. - (2) (Subject to the provisions of Sections 46 and 61 of the Act) an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

45. - (3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

45. - (4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification or consent shall not affect so much of those operations as has been previously carried out.

45. - (5) Where a notice has been served in accordance with the provisions of sub-section (3) of section 45, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under sub-section (2) of section 45.

46. - (1) The following provisions shall have effect where the authority have made an Order (hereinafter called "such Order") under section 27 above, revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

46. - (2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

46. - (3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

46. - (4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

46. - (5) If within the period referred to in subsection (2) (a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation such Order shall at the expiration of the period referred to in subsection (2F) (b) of this section take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45(2) of the Act.

46. - (6) The section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III or under Part IV or under Part V of the Act.

GIVEN under the Common Seal of the)
COUNCIL OF THE BOROUGH OF LUTON)
This Thirtieth Day of June,)
One thousand nine hundred and eighty six)
in the presence of:-)

C.S.

Mayor

Chief Executive

Confirmed by the Council of the Borough of
Luton on 26th October, 1987
as modified in red ink.

C.S.

Mayor

Chief Executive

Dated 30th June, 1986

**BOROUGH OF LUTON
(HART HILL)
TREE PRESERVATION ORDER, 1986**

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**THE BOROUGH OF LUTON
(HART HILL)
TREE PRESERVATION ORDER, 1986**

The Council of the Borough of Luton in this Order called 'the authority', in pursuance of the powers conferred in that behalf of sections 60 and 61 of the Town and Country Planning Act 1971 as amended by the Local Government Planning and Land Act 1980 and the Town and Country Planning (Amendment) Act, 1985 and subject to the provisions of the Forestry Act 1967, hereby makes the following order:

1. In this Order:-

"the Act" means the Town and Country Planning Act 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and

"the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, 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 First Schedule hereto comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. - (1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:-

(a) that the refusal or condition is in the interests of good forestry; or

(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under the Forestry Act 1967, application should be made not to the authority for consent under this Order but to the Conservator of Forests for licence under that Act (section 15(5))

6. - (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting.

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre;
- (c) the erection and maintenance of fencing necessary for protection of the replanting.
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by the Thames Water Authority restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws, and that any such condition or direction has effect subject to the requirements of the Thames Water Authority under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act and of section 46 of the Act adapted and modified for the purposes of this Order shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 60 of the Act or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. - 1(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13. The provisions of section 61 of the Act shall apply to this Order and the Order shall take effect on 30th June, 1986.

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £400 or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention is continued after conviction a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting, down or uprooting is authorised only by section 60(6) of the Act relating to trees which are dying, dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirements, to plant another tree of appropriate size and species at the same place as soon as he reasonable can. Except in emergency not less than 5 days previous notice of the removal etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
T1	Beech	18 Hart Hill Drive, Luton ✓
T2	Prunus	2 Hart Hill Drive, Luton
T3	Beech	) 6A
T4	Cypress	) 8 Hart Hill Drive, Luton
T5	Lime	12 Hart Hill Drive, Luton
T6	Lime)
T7	Scots Pine	) 18 Hart Hill Drive, Luton ✓
T8	Horse Chestnut)
T9	Weeping Ash	20 Hart Hill Drive, Luton
T10	Ash)
T11	Ash	) 30 Hart Hill Drive, Luton
T12	Sycamore)
T13	Horse Chestnut)
T14	Sycamore	) 32 Hart Hill Drive, Luton
T15	Horse Chestnut	) 34 Hart Hill Drive, Luton
T16	Scots Pine	) 18 32 Hart Hill Drive, Luton

T17	Sycamore		36 Hart Hill Drive, Luton
T18	Horse Chestnut		38 Hart Hill Drive, Luton
T19	Sycamore		40 Hart Hill Drive, Luton
T20	Prunus	)	34/35 Crescent Road, Luton
T21	Prunus)	
T22	Prunus		Smithfield House, Crescent Road, Luton
T23	Beech		Adjoining 76-82 Moulton Rise, Luton
T24	Sycamore		52 Hart Hill Lane, Luton
T25	Scots Pine		Adjoining 84-90 Moulton Rise, Luton
T26	Hornbeam	)	Adjoining 7 - 29 Moulton Rise, Luton
T27	Lime)	
T28	Lime		14 Crescent Road, Luton
T29	Sycamore	_____	Adjoining 40-66 Moulton Rise, Luton
T30	Sycamore		15/16 Crescent Road, Luton
T31	Lime	)	Adjoining 55-79 Moulton Rise, Luton
T32	Sycamore)	
T33	Hawthorn	_____	
T34	Horse Chestnut		Adjoining 31-53 Moulton Rise, Luton
T35	Sycamore		Adjoining 3 & 6 Linden Court, Crescent Road, Luton
T36	Red Maple		Adjoining 40-66 Moulton Rise, Luton
T37	Weeping Ash		Adjoining 7-29 Moulton Rise, Luton
T38	Lime		Linden Court, 30 Crescent Road, Luton
T39	Sycamore		Linden Court/The Martindales, Crescent Road, Luton
T40	Horse Chestnut		Site of 57 Crawley Green Road, Luton
T41	Horse Chestnut	)	Site of 59 Crawley Green Road, Luton
T42	Sycamore)	
T43	Beech		2 3 Hart Hill Lane, Luton
T44	Horse Chestnut		5 Hart Hill Lane, Luton
T45	Beech	)	7 Hart Hill Lane, Luton
T46	Araucaria (Monkey Puzzle))	
T47	Beech		15 Hart Hill Lane, Luton
T48	Beech		43 Hart Hill Lane, Luton

T49	Silver Birch	53 Hart Hill Lane, Luton
T50	Yew	'Hart Hill Crest', Hart Hill Lane, Luton
T51	Horse Chestnut	'Hill View', Crescent Rise, Luton
T52	Cypress)
T53	Cypress)
T54	Prunus	) 'White House', Crescent Rise, Luton
T55	Blue Cedar)
T56	Hawthorn	'Southlynn', Crescent Rise, Luton

GROUPS OF TREES
(within a broken black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
G1	Horse Chestnut & Lime	Woodland Court, 55 Crawley Green Road and 2 Hart Hill Drive, Luton
G2	Lime & Scots Pine	3, 4 & 6 Hart Hill Drive, Luton
G3	Horse Chestnut, Lime & Sycamore	4 & 6 Hart Hill Drive, Luton
G4	Horse Chestnut, Lime & Beech	8 Hart Hill Drive, Luton
G5	Sycamore & Lime	10 Hart Hill Drive, Luton
G6	Sycamore, Beech, Scots Pine, Ash & Lime	12 Hart Hill Drive, Luton
G7	Sycamore, Yew, Lime, Laburnum & Horse Chestnut	20 Hart Hill Drive, Luton
G8	Horse Chestnut, Ash & Sycamore)
G9	Beech & Poplar	) Hartwood, 44 Hart Hill Drive, Luton
G10	Beech, Scots Pine, Horse Chestnut & Sycamore	50, 52 and 54 56 Hart Hill Drive & 'The Towers', 56 Hart Hill Drive, Luton
G11	Lime, Scots Pine & Horse Chestnut	60 Hart Hill Drive, Luton
G12	Prunus	Hartwood, 44 Hart Hill Drive, Luton
G13	Sycamore	14 Crescent Road, Luton
G14	Beech	Adjoining 68-74 Moulton Rise, Luton
G15	Sycamore, Lime & Ash	Hyde House, Crescent Rise, Luton
G16	Horse Chestnut & Sycamore)
G17	Horse Chestnut & Sycamore	) Land in Crescent Rise, Luton
G18	Hornbeam)
G19	Hornbeam & Weeping Cherry	) Adjoining 79-101 Moulton Rise, Luton
G20	Hornbeam & Weeping Cherry)

FELLED
(REPLACED WITH 2 PYRUS CALLERYANA TREES)

G21	Hornbeam, Laburnum, Lime & Sycamore	Adjoining 1-5 Moulton Rise, Luton
G22	Sycamore & Lime	Linden Court, Crescent Road, Luton
G23	Sycamore & Lime	The Martindales, Crescent Road, Luton
G24	Horse Chestnut	34/35 Crescent Road and Land between 'The Martindales' & 34/35 Crescent Road, Luton
G25	Lime & Hawthorn	37/38 Crescent Road, Luton
G26	Prunus	Smithfield House, Crescent Road, Luton
G27	Horse Chestnut, Lime, Beech, Sycamore & Holly	) Woodland Court, 2 Hart Hill Drive and) 55 Crawley Green Road, Luton
G28	Beech, Sycamore & Scots Pine	
G29	Sycamore	Site of 57 Crawley Green Road, Luton
G30	Sycamore	Site of 59 Crawley Green Road, Luton
G31	Sycamore, Lime & Horse Chestnut	) 1 and 2 Hart Hill Lane, Luton
G32	Sycamore, Scots Pine, Yew & Holly	) 3 Hart Hill Lane, Luton) 2, 3 and 4 Hart Hill Lane, Luton
G33	Scots Pine & Sycamore)
G34	Horse Chestnut, Scots Pine, Sycamore & Ash	) 9 Hart Hill Lane, Luton)
G35	Scots Pine, Sycamore & Beech	15 Hart Hill Lane, Luton
G36	Maple & Sycamore	'Montrose', 55 Hart Hill Lane, Luton
G37	Sycamore & Ash	'Chandos', Crescent Rise, Luton
G38	Horse Chestnut, Sycamore, Ash, Lime, Beech, Prunus, Scots Pine & Corsican Pine	'Chandos', Crescent Rise & adjoining 34 Crescent Rise, Luton
G39	Sycamore, Holly, Hawthorn, Ash and Maple	R/O 50-60 Hart Hill Lane & R/O Hart Hill Crest, Hart Hill Lane, Luton
G40	Cypress, Hawthorn, Prunus & Holly	'Hart Hill Crest', Hart Hill Lane, Luton
G41	Lime)
G42	Sycamore & Hawthorn	) 'Hill View', Crescent Rise, Luton
G43	Sycamore)
G44	Sycamore	Adjoining 79-101 Moulton Rise, Luton
G45	Sorbus & Ash	Adjoining 2-6 Moulton Rise, Luton
G46	Laburnum, Sycamore, Hawthorn, Prunus & Nut Hazel	Linden Court & 'The Martindales', Crescent Road, Luton
G47	Horse Chestnut & Lime	6A & 8 & 10 Hart Hill Drive, Luton
G48	Sycamore	R/O 64 Hart Hill Drive, Luton

G49	Sycamore	'Hill View', Crescent Rise, Luton
G50	Lime	50, 52 and 54 50 Hart Hill Drive, Luton and 'The Towers', 56 Hart Hill Drive, Luton

TREES SPECIFIED BY REFERENCES TO AN AREA
(within a dotted black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
A1	Beech, Sycamore, Ash, Hawthorn, Hornbeam & Horse Chestnut	Land situated in Hart Hill Drive, between Crescent Rise and Crawley Green Road, Luton
A2	Pine, Larch, Sycamore, Beech, Lime, Maple, Horse Chestnut, Hawthorn, Ash & Holly	Sites of 57 & 59 Crawley Green Road & 61 Crawley Green Road, Luton
A3	Beech, Lime, Sycamore, Larch, Hawthorn & Horse Chestnut	R/O 13-15 Hart Hill Lane & Land adjacent to 17-35 Hart Hill Lane, Luton
A4	Hawthorn & Sycamore	'Southlynn', Crescent Rise & Lane between Southlynn and 'Hill View' Crescent Rise, Luton

WOODLANDS
(within a continuous black line on the map)

<i>No. on Map</i>	<i>Description</i>	<i>Situation</i>
	- NONE -	

SECOND SCHEDULE

The Order shall not apply so as to require the consent of the authority to

(1) the cutting down of any trees on land which is subject to a forestry dedication covenant where

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant.

(3) The cutting down, uprooting, topping or lopping of a tree

(a) in pursuance of the power conferred on the Post Office by virtue of section 5 of the Telegraph (Construction) Act 1908;

(b) by or at the request of

(i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

- (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) where the tree interferes or would interfere with the exercise of any of the functions of the Thames Water Authority in relation to the maintenance, improvement or construction of water courses or of drainage works; or
 - (iv) the Secretary of State for Defence, the Secretary of State for Trade and Industry where in the opinion of such Minister or Board the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
- (c) where immediately required for the purpose of carrying out development authorised by a planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
- (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;

(Where the trees are within the area administered by the Thames Water Authority)

- (e) in pursuance of the powers conferred on the Thames Water Authority by virtue of section 105 of the Thames Conservancy Act 1932.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1971 as adapted and modified to apply to this Order.

33. - (1) Without prejudice to the provisions of this Part of this Act as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.

35. - (1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

35. - (2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

35. - (3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

35. - (4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply to an application which falls to be determined by the authority.

35. - (5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

35. - (6) The decision of the Secretary of State on any application referred to him under this section shall be final.

36. - (1) Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

36. - (2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

36. - (3) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

36. - (4) Before determining an appeal under this section, the Secretary of State shall, if either the appellants or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

36. - (6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either:-

(a) give notice to the applicant of their decision on the application; or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. - (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the Authority may by Order revoke or modify the consent to such extent as they consider expedient.

45. - (2) (Subject to the provisions of Sections 46 and 61 of the Act) an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

45. - (3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

45. - (4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification or consent shall not affect so much or those operations as has been previously carried out.

45. - (5) Where a notice has been served in accordance with the provisions of sub-section (3) of section 45, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under sub-section (2) of section 45.

46. - (1) The following provisions shall have effect where the authority have made an Order (hereinafter called "such Order") under section 27 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

46. - (2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

46. - (3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

46.- (4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

46. - (5) If within the period referred to in subsection (2) (a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation such Order shall at the expiration of the period referred to in subsection (2F) (b) of this section take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45(2) of the Act.

46. - (6) The section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III or under Part IV or under Part V of the Act.

GIVEN under the Common Seal of the)
COUNCIL OF THE BOROUGH OF LUTON)
This Thirtieth Day of June,)
One thousand nine hundred and eighty six)
in the presence of:-)

C.S.

Mayor

Chief Executive

Confirmed by the Council of the Borough of
Luton on 26th October, 1987
as modified in red ink.

C.S.

Mayor

Chief Executive

Dated 30th June, 1986

**BOROUGH OF LUTON
(HART HILL)
TREE PRESERVATION ORDER, 1986**

