

'ON GAPS'

# Internal Memo



 Darren Maddison  
Landscape  
Leonardo Building

**Legal Services**  
Civic Hall  
Leeds  
LS1 1UR

Your Ref:

From: Joel Levine  
Tel: (0113) 2474385  
Fax: (0113) 2478829

Our Ref: A76/JL  
Email: joel.levine@leeds.gov.uk  
10 November 2015

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**CITY OF LEEDS TREE PRESERVATION ORDER (NO.16) 2015  
(LEEDS INTERNATIONAL POOL, WESTGATE, LEEDS)**

Please find attached a copy of the above Order that was made today.

Regards

JOEL LEVINE  
Legal Officer  
Development

**IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)  
REGULATIONS 2012**

**CITY OF LEEDS TREE PRESERVATION ORDER (NO.16) 2015  
(LEEDS INTERNATIONAL POOL, WESTGATE, LEEDS)**

**THIS IS A FORMAL NOTICE** to let you know that on 10 November 2015 the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on Tree Preservation Orders is given in the enclosed leaflet, '*Protected Trees: A Guide to Tree Preservation Procedures*', produced by the Department for Communities and Local Government.

The Council has made the Order in the interests of amenity to preserve the trees the subject of the Order.

The Order took effect, on a provisional basis, on 10 November 2015. It will continue in force on this basis for a further 6 months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other representations, please make sure they are received in writing by 11 December 2015.

Your comments must comply with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf.

Please send your comments to Mr J Levine, Leeds City Council, Legal Services, Civic Hall, Leeds LS1 1UR (reference A76/JL) or e-mail them to [legal.development@leeds.gov.uk](mailto:legal.development@leeds.gov.uk). All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this Notice, please contact Mr J Levine, Legal Services, Leeds City Council, Civic Hall, Leeds LS1 1UR (telephone (0113) 247 4385).

Dated this 10 day of November 2015

Leeds City Council  
Civic Hall, LEEDS LS1 1UR

**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING  
(TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

**OBJECTIONS AND REPRESENTATIONS**

- 6. (1)** Subject to paragraph (2), objections and representations—
- (a)** shall be made in writing and—
    - (i)** delivered to the authority not later than the date specified by them under regulation 5(2)(c); or
    - (ii)** sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
  - (b)** shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and
  - (c)** in the case of an objection, shall state the reasons for the objection.
- (2)** The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

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

### **CITY OF LEEDS TREE PRESERVATION ORDER (NO.16) 2015 (LEEDS INTERNATIONAL POOL, WESTGATE, LEEDS)**

Leeds City Council, 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 City of Leeds Tree Preservation Order (No.16) 2015

#### **Interpretation**

2. (1) In this Order “the authority” means the Leeds City Council
- (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—
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, 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 10 day of November 2015

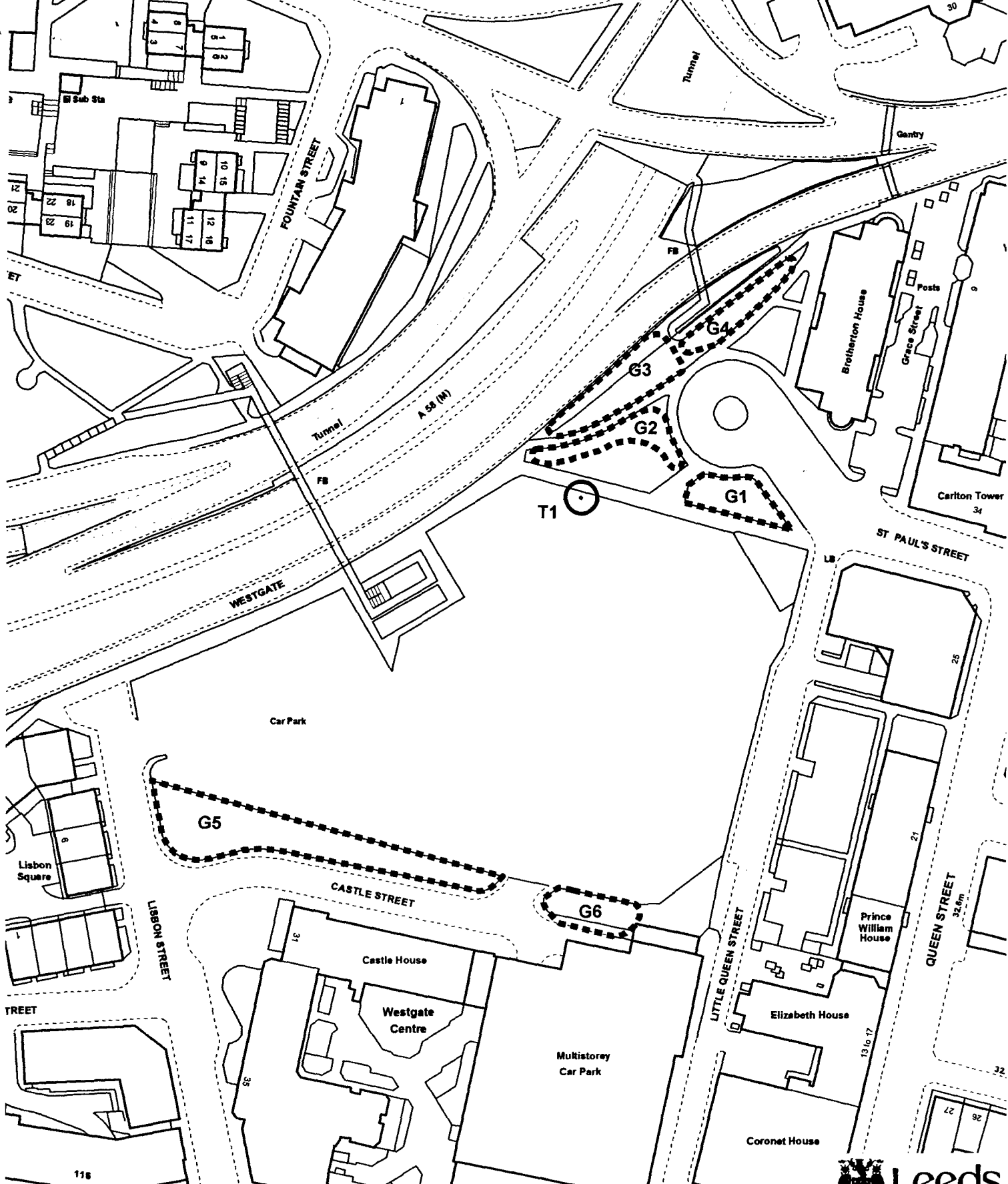
**THE COMMON SEAL of  
LEEDS CITY COUNCIL** was  
hereby affixed to this Order  
in the presence of:

Name: *W. DEER*

Signature: *[Handwritten Signature]*

Job Title: *Team leader*

Seal No. 93911



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**TOWN AND COUNTRY PLANNING ACT 1990  
 SECTION 198  
 CITY OF LEEDS TREE PRESERVATION ORDER  
 (No.16) 2015**

Leeds International Pool  
 Westgate  
 Leeds

Prepared By..... KJW  
 Checked By..... NH  
 Scale..... 1/1250  
 Date..... 09/11/2015  
 O.S. Grid Reference.... SE 2933  
 North.....



PRODUCED BY LEEDS CITY COUNCIL

## SCHEDULE

### SPECIFICATION OF TREES

**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Elm	On land at Leeds International Swimming Pool. Westgate Leeds

**Trees specified by reference to an area**  
(within a dotted black line on the map)

NONE

**Groups of trees**  
(within a broken black line on the map)

Reference on map	Description	Situation
G1	2 Cherry; 1 Rowan	On land at Leeds International Swimming Pool. Westgate Leeds
G2	2 Cherry; 3 Birch; 1 Rowan; 8 Pine	As above
G3	1 Cotoneaster; 17 Lime; 20 Cherry; 6 Pine; 2 Elm; 2 Hawthorn	As above
G4	4 N.Maple; 1 Cherry	As above
G5	5 Ash; 2 Pear; 10 Hawthorn; 8 Birch; 1 Laurel; 1 Rowan; 2 Whitebeam; 1 Beech; 2 Plane	As above
G6	2 Beech; 2 Plane; 1 Poplar; 1 Beech; 3 Rowan	As above

**Woodlands**  
(within a continuous black line on the map)

NONE