

Town and Country Planning Act 1990
CHESHIRE EAST BOROUGH COUNCIL
(CHURCH LAWTON – BARLEYBAT HALL, 47 LIVERPOOL ROAD WEST)
TREE PRESERVATION ORDER 2023

The Cheshire East Borough 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

This Order may be cited as **CHESHIRE EAST BOROUGH COUNCIL (CHURCH LAWTON – BARLEYBAT HALL, 47 LIVERPOOL ROAD WEST) TREE PRESERVATION ORDER 2023**

1. Interpretation

2.— (1) In this Order “the authority” means the Cheshire East Borough 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, 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 16th day of June 2023

The Common Seal of **Cheshire East Borough Council**

was affixed to this Order in the presence of—

.....Deborah C. Nicolson.....



CONFIRMATION OF ORDER

This Order was confirmed by **Cheshire East Borough Council** without modification on the day of

OR

This Order was confirmed by the **Cheshire East Borough Council** subject to the modifications indicated by on the day of

Signed on behalf of the **Cheshire East Borough Council**

.....

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by **Cheshire East Borough Council** on day of

Signed on behalf of the **Cheshire East Borough Council**

.....

Authorised by the Council to sign in that behalf]

VARIATION OF ORDER

This Order was varied by the **Cheshire East Borough Council** on the day of by a variation order under reference number a copy of which is attached

Signed on behalf of the **Cheshire East Borough Council**

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the **Cheshire East Borough Council** on the day of

Signed on behalf of the **Cheshire East Borough Council**

.....

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
T1	Copper beech	Standing to the western boundary of Barleybat Hall Grid Ref: 381,343– 355,743
T2	Oak	Standing approximately 35 metres to rear of No's 39 & 41 Liverpool Road West Grid Ref: 381,390 – 364,355,669

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees

(within a broken black line on the map)

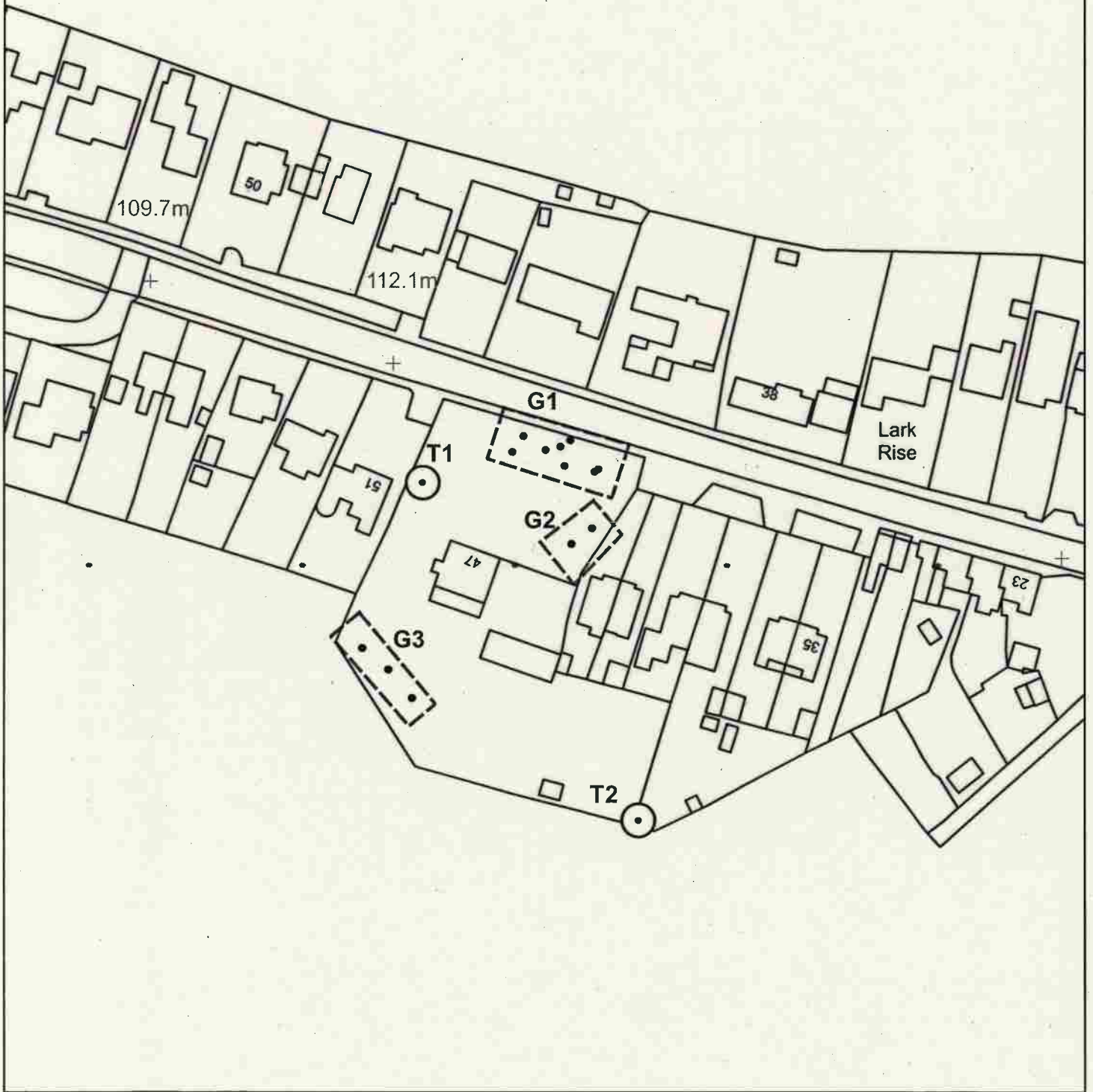
<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
G1	5 Holly and 3 Yew	Standing adjacent to Liverpool Road West Grid Ref: 381,373 – 355,751
G2	2 Lime	Standing to the eastern boundary of Barleybat Hall Grid Ref: 381,378 – 355,731
G3	2 Lime and 1 Oak	Standing to the south western boundary of Barleybat Hall Grid Ref: 381,336 – 355,702

Woodlands

(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
	None	

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1:1,250 at A4

