

## TOWN AND COUNTRY PLANNING ACT 1990

### THE HASTINGS BOROUGH COUNCIL TREE PRESERVATION ORDER NO. 308 OF 2019 LAND OPPOSITE 31-32 FRESHWATER AVENUE, HASTINGS

The Hastings 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:-

#### 1. Citation

This Order may be cited as THE HASTINGS BOROUGH COUNCIL TREE PRESERVATION ORDER NO. 308 OF 2019 LAND OPPOSITE 31-32 FRESHWATER AVENUE, HASTINGS

#### 2. Interpretation

(1) In this Order "the authority" means the Hastings 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.

#### 3. Effect

(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.

#### 4. Application to trees to be planted pursuant to a condition

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 8<sup>th</sup> April 2019

The Common Seal of Hastings Borough Council  
was affixed to this Order in the presence of:-

  
Authorised by the Council to sign in that behalf



CONFIRMATION OF ORDER

This Order was confirmed by Hastings Borough Council without modification on the [ ] day of

OR

~~This Order was confirmed by the Hastings Borough Council, subject to the modifications indicated by [ ], on the [ ] day of~~

Signed on behalf of the Hastings 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 Hastings Borough Council on the [ ] day of

Signed on behalf of the Hastings Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Hastings Borough Council on the [ ] day of [ ] by a variation order under reference number [ ] a copy of which is attached

Signed on behalf of the Hastings Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Hastings Borough Council on the [ ] day of

Signed on behalf of the Hastings Borough Council

.....

Authorised by the Council to sign in that behalf

SCHEDULE  
 SPECIFICATION OF TREES  
**Trees specified individually**  
 (encircled in black on the map)

Reference on Map	Description	Situation
T1	Oak	On land opposite 31/32 Freshwater Avenue, Hastings

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

Reference on Map	Description	Situation
	NONE	

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

Reference on Map	Description	Situation
	NONE	

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

Reference on Map	Description	Situation
	NONE	

**Reason for making the order**

The tree is considered to be valuable component within the local environment. The removal of this tree would have a significant impact upon the local environment and its enjoyment by the public.





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THE COMMON SEAL OF HASTINGS BOROUGH COUNCIL  
 was hereunto affixed this ..... 8<sup>th</sup> ..... day  
 of ..... April 2019 ..... in the presence of

*This Order was confirmed by  
 Hastings Borough Council  
 without modification on  
 the 29th May 2019*



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Title: **TREE PRESERVATION ORDER No 308**  
**LAND OPPOSITE 31-32 FRESHWATER AVENUE, HASTINGS**

Scale: 1:1,250

Date: Apr 2019

Drawing No. 2547

Drawn: ST

