



**Development Control
Committee**

**Thursday, 15
February 2018**

**Matter for
Information and
Decision**

**Title: Confirmation of The Borough Council of Oadby & Wigston
(Land at 20 Ring Road, Oadby, Leicester, LE2 3RR)
Tree Preservation Order 2017**

Author(s): Michael Bennetto (Arboricultural Officer)

1. Introduction

This report is to request the Committee to approve confirmation or otherwise of The Borough Council of Oadby & Wigston (Land at 20 Ring Road, Oadby, Leicester, LE2 3RR) Tree Preservation Order ("the Order") which was made on 6 October 2017.

2. Recommendation(s)

That The Borough Council of Oadby & Wigston (Land at 20 Ring Road, Oadby, Leicester, LE2 3RR) Tree Preservation Order 2017 be confirmed with modifications.

3. Information

- 3.1. The Order was created on the request of Leicestershire City Council in response to a neighbouring resident's request following concern that the tree was under threat from a proposed development.
- 3.2. A provisional TPO was made in response to the request. In compliance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012, copies of the Order were served on the owners of the property and adjoining neighbours.
- 3.3. A provisional TPO gives immediate protection to trees and remains in force for a period of up to 6 months during which time the Council can decide whether to confirm the Order as made, with modification or not to confirm.
- 3.4. The grounds of making the Order was that the tree is of amenity value to the general public insofar as being in a prominent location at the end of Wimborne Road, Leicester next to a gated-entrance to the Leicester Racecourse in Oadby.
- 3.5. During the statutory objection period which followed the service of the Order, two written representations were received, one in support and one in objection.
- 3.6. The neighbours supported the Order on the grounds of local environment and wildlife, visual screening and noise attenuation from the adjacent racecourse.
- 3.7. The owners objected to the Order on the grounds of the Council's jurisdiction, the trees condition which was described as poor in an accompanying report and that the tree was a potential danger to persons and property. Following a further site visit, it was explained that the trees form was not of concern nor was any evidence of ill health observed. Any development application would be submitted to Leicester City Council who would then consult with the Council regarding any proposed removal.

Background Documents:

None.

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Implications Confirmation of The Borough Council of Oadby & Wigston (Land at 20 Ring Road, Oadby, Leicester, LE2 3RR) Tree Preservation Order 2017	
Finance	There are no significant financial implications.
Chris Raymakers (Head of Finance, Revenue and Benefits)	
Legal	All legal requirements have been duly fulfilled. The report is satisfactory.
Dave Gill (Head of Law & Governance / Monitoring Officer)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> Reputation Damage (CR4)
Michael Bennetto (Arboricultural Officer)	
Corporate Priorities (CP)	<input checked="" type="checkbox"/> Green & Safe Places (CP4)
Michael Bennetto (Arboricultural Officer)	The confirmation of the Order will further the Corporate Priority to provide green and safe places by protecting the Borough's trees and natural habitat.
Vision & Values (V)	<input checked="" type="checkbox"/> Accountability (V1)
Michael Bennetto (Arboricultural Officer)	<input checked="" type="checkbox"/> Customer Focus (V5)
Equalities & Equality Assessment(s) (EA)	There are no significant equalities implications.
Michael Bennetto (Arboricultural Officer)	<input checked="" type="checkbox"/> Not Applicable (EA)