

DATED 1st JULY 1963.

SEDGLEY URBAN DISTRICT COUNCIL

Town & Country Planning Act, 1962.

TREE PRESERVATION ORDER

relating to trees, groups of trees
areas of trees and woodlands in the
Urban District of Sedgley.

- (b) has otherwise sustained loss or damage which is directly attributable to the revocation, modification, or stay of operations,

the authority shall pay to that person compensation in respect of that expenditure, loss or damage.

118-(2) For the purposes of this section any expenditure incurred on matters preparatory to acting on the consent shall be taken to be included in the expenditure incurred in carrying out that work.

118-(3) Subject to the last preceding subsection, no compensation shall be paid under this section in respect of any work carried out in the period after the making of the Order and before the grant of consent which is revoked or modified, or in respect of any other loss or damage (not being loss or damage consisting of depreciation of the value of an interest in land) arising out of anything done or omitted to be done during that period.

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, 1951, application must be made not to the Authority for consent under this Order but to the Forestry Commissioners for a Licence under that Act (see Forestry Act, 1951, Section 13(1)).

GIVEN under the Common Seal
of the SEDGLEY URBAN DISTRICT
COUNCIL the First day of July
Nineteen hundred and sixty-three.

LS

K.R.F. NEWTON.

Clerk of the Council.

Appeal in default of decision. 24. 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 Minister in accordance with directions given under section 22 of this Act;

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.

Power to revoke or modify the consent under the order. 27-(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.

27-(2) An order under this section shall not take effect unless it is confirmed by the Minister; and the Minister may confirm any such order submitted to him either without modification or subject to such modifications as he considers expedient.

27-(3) Where an authority submit an order to the Minister for his confirmation under this section, the authority shall furnish the Minister with a statement of their reason for making the order and shall serve notice on the owner 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 Minister, 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 Minister for the purpose.

27-(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 of consent shall not affect so much of those operations as has been previously carried out.

27-(5) Where a notice has been served in accordance with the provisions of subsection (3) of this section, 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 Minister under subsection (2) of this section.

Supplementary provisions as to revocation and modification. 118-(1) Where any person is affected by an order under section 27 of this Act or by a notice served on him under subsection (3) of the said section in a case where the order is not confirmed then, if, on a claim made to the authority within the time and in the manner prescribed by Article 11 of the Order, it is shown that he -

- (a) has incurred expenditure in carrying out work which is rendered abortive by the revocation, or modification or stay of operations, as the case may be, or

- (h) 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.

THIRD SCHEDULE.

Provisions of Parts III and VII of the Act as adapted and modified to apply to this Order.

22-(1) The Minister 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.

Reference
of applica-
tions to the
Minister.

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

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

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

22-(5) Before determining an application referred to him under this section the Minister 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 Minister for the purpose.

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

23-(1) Where an application is made for consent under the Order and that consent is refused by the 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 Minister.

Appeals
against
decisions.

23-(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 Minister may allow.

23-(4) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Minister, 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.

23-(5) Before determining an appeal under this section, the Minister 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 Minister for the purpose.

23-(7) The decision of the Minister on any appeal under this section shall be final.

No. on Map.	Description.	Situation.
G13	Group consisting of 14 sycamore and 6 ash.	In un-numbered plots (part) west of Mount Pleasant.
G14	Group consisting of 1 horse chestnut, 3 sycamore, 5 elm and 1 beech.	Plot No. 579 (part)

WOODLANDS

(Uncoloured and within a continuous black line on the map).

No. on Map.	Description.	Situation.
W1	Broadleaved woodland consisting mainly of alder and ash, with some oak and willow.	In un-numbered plot known as Park Coppice.
W4	Broadleaved woodland consisting mainly of ash, with some oak, alder, sycamore, field maple, hazel and holly.	In un-numbered plot known as Ashen Coppice.

SECOND SCHEDULE.

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

- (1) to the cutting down, topping or lopping of any tree that is dying or dead or has become dangerous;
- (2) to the cutting down, topping or lopping of any tree:-
 - (a) in compliance with an obligation imposed by or under an Act of Parliament;
 - (b) in pursuance of the power conferred on the Postmaster-General by virtue of Section 5 of the Telegraph (Construction) Act, 1908;
 - (c) in pursuance of the powers conferred by Section 24 of the Regulation of Railways Act, 1868;
 - (d) for the purpose of preventing or abating a nuisance;
 - (e) in the case of 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;
 - (f) by or at the request of 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.
 - (g) by or at the request of a River Board, established under the River Boards Act, 1948, or a Drainage Board constituted or treated as having been constituted under the Land Drainage Act of 1930, where the tree interferes, or would interfere with the exercise of any functions of the Board in relation to the maintenance, improvement or construction of water courses or drainage works;

No. on Map.	Description.	Situation.
A.3.	The several birch, black Italian poplar, sycamore, ash, Corsican pine, European larch, beech, Lombardy poplar, rowan, and Cedar of Lebanon standing in the area marked A.3 on the map.	In un-numbered plots (part) south of Greenleighs.
A.4.	The several alder and ash standing in the area marked A.4 on the map.	In part of un-numbered plot known as Alder Coppice.
A.5.	The several ash and elm standing in the area marked A.5 on the map.	In un-numbered plots (part) west of Hawthornden.
A.6.	The several alder and black Italian poplar standing in the area marked A.6 on the map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.7.	The several alder standing in the area marked A.7 on the Map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.8.	The several black Italian poplar and willow standing in the area marked A.8 on the map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.9.	The several ash and sycamore standing in the area marked A.9 on the map.	In un-numbered plots (part) north of Mount Pleasant.
A.10.	The several elm, sycamore, beech, lime, horse chestnut, and birch standing in the area marked A.10 on the map.	Plot No. 516 (part)
A.11.	The several lime, sycamore and elm standing in the area marked A.11 on the map.	Plot No. 579 (part)

GROUPS OF TREES

(Uncoloured and within a broken line on the map or coloured green and within a continuous black line on the map).

No. on Map.	Description.	Situation.
G1	Group consisting of 6 limes.	In un-numbered plot north of Park Hall.
G2	Group consisting of 7 limes.	In un-numbered plot north of Park Hall.
G3	Group consisting of 5 limes.	In un-numbered plot south of Lodge Farm.
G4	Group consisting of 5 willows.	In un-numbered plot north of Greenleighs.
G5	Group consisting of 5 ash and 2 alder.	In un-numbered plot known as Alder Coppice.
G6	Group consisting of 3 limes.	In un-numbered plot west of Hawthornden.
G8	Group consisting of 4 elms.	On boundary of un-numbered plots south of Hawthornden.
G9	Group consisting of 5 elms.	In un-numbered plot south of Hickmerelands Farm.
G10	Group consisting of 4 sycamores	On eastern boundary of Plot No. 570.
G11	Group consisting of 4 sycamores	On boundary between Plot Nos. 527 and 528.
G12	Group consisting of 6 limes	In Plot No. 516.

No. on Map.	Description.	Situation.
*T194	Elm	On northern boundary of Plot No. 570.
T195	Elm	ditto.
T196	Horse Chestnut	ditto.
T197	Elm	ditto.
T198	Ash	ditto.
T199	Sycamore	On boundary between un-numbered plots north of Plot No. 570.
T200	Horse Chestnut	On northern boundary of Plot No. 570.
T201	Sycamore	On eastern boundary of Plot No. 570.
T202	Elm	ditto.
T203	Elm	ditto.
T204	Elm	On boundary between Plot Nos. 570 and 571
T205	Elm	ditto.
T206	Elm	On boundary between Plot Nos. 529 and 568
T207	Elm	ditto.
T208	Elm	ditto.
T209	Elm	ditto.
T210	Sycamore	In Plot No. 531
T211	Sycamore	ditto.
T212	Weeping Elm	On boundary between Plot Nos. 528 and 529
T213	Elm	ditto.
T214	Elm	On boundary between Plot Nos. 528 and 569
T215	Elm	ditto.
T216	Elm	ditto.
T217	Elm	ditto.
T218	Sycamore	In Plot No. 528
T219	Sycamore	ditto.
T220	Beech	On boundary between Plot Nos. 528 and 534
T221	Elm	ditto.
T222	Elm	ditto.
T223	Horse Chestnut	ditto.
T224	Elm	On boundary between Plot Nos. 527 and 528.
T225	Walnut	In Plot No. 527.
T226	Sycamore	On boundary of Plot Nos. 524, 525 and 527.
T227	Sycamore	On boundary between Plot Nos. 519 and 524.
T228	Elm	On boundary between Plot Nos. 520 and 571.
T229	Beech	ditto.
T230	Elm	ditto.
T231	Beech	On boundary between Plot Nos. 518 and 571.
T232	Beech	ditto.
T233	Sycamore	In Plot No. 516
T234	Beech	ditto.
T235	Lime	ditto.
T236	Lime	ditto.
T237	Sycamore	ditto.
T238	Sycamore	ditto.
T239	Beech	ditto.
T240	Sycamore	In Plot No. 517
T241	Horse Chestnut	In Plot No. 516
T242	Horse Chestnut	ditto.
T243	Elm	ditto.
T244	Elm	ditto.
T245	Sycamore	ditto.
T246	Elm	ditto.
T247	Sycamore	ditto.
T248	Sycamore	On boundary between Plot Nos. 527 and 569.

TREES SPECIFIED BY REFERENCE TO AN AREA.

(Coloured blue and within a continuous black line on the map).

No. on Map.	Description.	Situation.
A.1.	The several oak, ash, alder, field maple, hazel, holly, and thorn standing in the area marked A.1. on the map.	In un-numbered plots (part) in stream valleys situated between Park Coppice and Ashen Coppice.
A.2.	The several oak, alder, willow and thorn in the area marked A.2 on the map.	In un-numbered plots (part) in stream valley south of Park Coppice.

No. on Map.	Description.	Situation.
T100	Ash	On boundary between un-numbered plots south of Hickmerelands Farm.
T101	Ash	ditto.
T102	Ash	ditto.
T103	Oak	On boundary between un-numbered plots south of Alder Coppice.
T104	Oak	ditto.
T105	Oak	ditto.
T111	Alder	In un-numbered plot near Urban District boundary by Penn Brook.
T112	Alder	ditto.
T113	Ash	ditto.
T114	Alder	ditto.
✦ T115	Alder	On boundary between un-numbered plots near Urban District boundary by Penn Brook.
T116	Oak	On boundary between un-numbered plots south of Alder Coppice.
T117	Oak	ditto.
T118	Oak	ditto.
✦ T123	Black Poplar	On eastern boundary of Red Lane.
✦ T124	Sycamore	On boundary between un-numbered plots east of Red Lane.
✦ T127	Ash	On western boundary of Red Lane.
✦ T128	Oak	On eastern boundary of Red Lane.
✦ T129	Black Poplar	On western boundary of Red Lane.
✦ T130	Elm	On boundary between un-numbered plots west of Red Lane.
✦ T131	Elm	ditto.
✦ T132	Elm	ditto.
✦ T133	Elm	ditto.
✦ T134	Elm	ditto.
✦ T135	Ash	ditto.
T136	Elm	On boundary between un-numbered plots east of Red Lane.
T137	Oak	ditto.
T138	Field Maple	ditto.
T139	Sycamore	ditto.
T140	Oak	ditto.
T142	Sycamore	ditto.
T147	Field Maple	On boundary between un-numbered plots south of Hickmerelands Farm.
T148	Field Maple	ditto.
T149	Field Maple	ditto.
T150	Oak	ditto.
T151	Ash	In un-numbered plot south of Hickmerelands Farm.
T152	Elm	ditto.
T153	Elm	ditto.
T154	Ash	On boundary between un-numbered plots north east of Sedgley Hall.
T155	Ash	ditto.
T158	Ash	On boundary between un-numbered plots west of Townsend House, Mount Pleasant.
T159	Elm	In Plot No. 579
T160	Elm	On northern boundary of Plot No. 579
T161	Beech	In Plot No. 579
T162	Elm	On northern boundary of Plot No. 579
T163	Sycamore	In Plot No. 579
T164	Elm	ditto.
T165	Horse Chestnut	ditto.
T166	Yew	ditto.
T167	Sycamore	ditto.
T168	Ash	In Plot No. 578
T177	Elm	On northern boundary of Plot No. 571
✦ T182	Elm	On boundary between un-numbered plots west of Red Lane.
✦ T183	Elm	ditto.
✦ T184	Oak	ditto.
✦ T185	Sycamore	On northern boundary of Plot No. 568
✦ T186	Sycamore	ditto.
✦ T187	Elm	ditto.
✦ T188	Elm	On boundary between Plot Nos. 529 and 569
✦ T189	Horse Chestnut	On northern boundary of Plot No. 569
✦ T190	Elm	ditto.
✦ T191	Beech	ditto.
✦ T192	Horse chestnut	On western boundary of Plot No. 570.
✦ T193	Oak	On boundary of un-numbered plots west of Plot No. 570.

No. on

Map. Description.

Situation.

*T30	Oak	On Urban District boundary west of Ashen Coppice.
*T31	Ash	ditto.
*T32	Oak	ditto.
T33	Willow	ditto.
T34	Oak	In un-numbered plot west of stream and west of Ashen Coppice.
T35	Oak	On boundary of un-numbered plot west of Ashen Coppice.
T36	Willow	In un-numbered plot by stream west of Ashen Coppice.
T37	Field maple	In un-numbered plot south west of Ashen Coppice.
T38	Willow	In un-numbered plot by stream south west of Ashen Coppice.
T39	Willow	ditto.
T40	Oak	On boundary between un-numbered plots west of Ashen Coppice.
T41	Oak	On boundary between un-numbered plots south west of Ashen Coppice.
T42	Ash	On boundary between un-numbered plots south of Ashen Coppice.
T43	Ash	ditto.
T44	Ash	ditto.
Felled - T45	Ash	On boundary between un-numbered plots north of Alder Coppice.
T46	Ash	In un-numbered plot south east of Ashen Coppice.
T47	Ash	In un-numbered plot north of Greenleights.
T48	Cherry (flowering)	ditto.
T49	Lime	ditto.
T50	Araucaria	ditto.
T51	Araucaria	ditto.
T52	Birch	In un-numbered plot south west of Greenleights.
T53	Thorn	ditto.
T54	Beech	ditto.
T55	Oak	ditto.
T56	Willow	On northern boundary of un-numbered plot known as Alder Coppice.
T57	Willow	ditto.
T58	Ash	ditto.
T59	Ash	ditto.
T60	Ash	In un-numbered plot known as Alder Coppice.
T61	Ash	ditto.
T62	Ash	ditto.
T63	Ash	ditto.
T64	Ash	ditto.
T65	Birch	ditto.
T66	Birch	ditto.
T67	Ash	On boundary between un-numbered plots east of Alder Coppice.
T68	Lime	In un-numbered plot north west of Hawthornden.
T69	Lime	In un-numbered plot west of Hawthornden.
T70	Horse Chestnut	ditto.
T71	Lime	In un-numbered plot at Hawthornden.
T72	Sycamore	ditto.
T75	Beech	In un-numbered plot south of Hawthornden.
T78	Beech	In un-numbered plot north east of Hickmerelands Farm.
T79	Horse Chestnut	ditto.
T80	Ash	On boundary between un-numbered plots north of Hickmerelands Farm
T81	Ash	In un-numbered plot north of Hickmerelands Farm.
T82	Ash	ditto.
T83	Ash	On boundary between un-numbered plots north of Hickmerelands Farm
T84	Thorn	In un-numbered plot east of Alder Coppice.
T85	Ash	ditto.
T86	Thorn	ditto.
T87	Oak	On boundary between un-numbered plots east of Alder Coppice.
T88	Ash	On boundary between un-numbered plots south of Alder Coppice.
T89	Elm	ditto.
T90	Oak	ditto.
T91	Elm	On boundary between un-numbered plots south west of Hickmerelands Farm.
T92	Ash	ditto.
T93	Ash	On boundary between un-numbered plots south of Hickmerelands Farm.
Felled - T94	Elm	ditto.
T95	Oak	ditto.
T96	Elm	In un-numbered plot south of Hickmerelands Farm.
T97	Elm	ditto.
T98	Beech	ditto.
T99	Ash	ditto.

- (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) 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 Minister, as the case may be, or where an appeal has been made to the Minister against the decision of the authority, from the date of the decision of the Minister on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 128 of the Act.

13. Any person contravening the provisions of this Order is guilty of an offence under subsection (1) of Section 62 of the Act and liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding forty shillings for every day on which the contravention is so continued.

FIRST SCHEDULE.

NOTE: All the trees, groups of trees, and woodlands described in this schedule are situated in the Urban District of Sedgley. All plot numbers referred to are Ordnance Survey plot numbers on 25 inch sheets Staffordshire LXII.14 Revision of 1937, Staffordshire LXII.15 Revision of 1938, Staffordshire LXVII.2. Revision of 1938, Staffordshire LXVII.3. Revision of 1938 and Staffordshire LXVII.6. Revision of 1938.

\$N.B. OUTSIDE CO. BOROUGH

TREES SPECIFIED INDIVIDUALLY (Uncoloured and encircled in black on the map.)

No. on Map	Description	Situation
✓T1	Thorn	On boundary between un-numbered plots north east of Park Hall.
✓T2	Willow	On boundary between un-numbered plots south west of Park Hall.
✓T3	Elm	On boundary between un-numbered plots south east of Lodge Farm.
✓T4	Oak	On boundary between un-numbered plots north of Park Coppice.
✓T5	Oak	ditto.
✓T6	Ash	On boundary between un-numbered plots west of Park Coppice.
✓T7	Ash	ditto.
✓T8	Oak	ditto.
✓T9	Oak	ditto.
✓T10	Oak	On boundary between un-numbered plots south west of Park Coppice.
✓T11	Oak	ditto.
✓T12	Oak	ditto.
✓T13	Oak	ditto.
✓T14	Oak	ditto.
✓T15	Oak	ditto.
✓T16	Oak	On boundary between un-numbered plots east of Park Coppice.
✓T17	Oak	On boundary between un-numbered plots south of Park Hall.
✓T18	Ash	On boundary between Plot Nos. 732 and 733.
T19	Ash	On boundary between Plot Nos. 744 and 745.
T20	Ash	On boundary between Plot Nos. 685 and 733.
✓T21	Oak	On boundary between un-numbered plots north of Ashen Coppice.
T22	Oak	ditto.
✓T23	Ash	ditto.
✓T24	Alder	In un-numbered plot east of stream and west of Ashen Coppice.
✓T25	Alder	In un-numbered plot west of stream and east of Park Coppice.
✓T26	Oak	ditto
✓T27	Willow	ditto
✓T28	Willow	ditto
✓T29	Oak	In un-numbered plot east of stream and west of Ashen Coppice.

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

6. (1) Where consent is granted under this Order to fell any part of a woodland 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 Minister 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 provisions of this Order 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 this Order or on giving a direction under Article 6 of this Order with respect of the replanting of Woodlands, the authority shall, if such condition or direction relates to land in respect of which byelaws made by a river board or a drainage board restrict or regulate the planting of trees, notify the applicant or 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 river board or drainage board 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 and Part VII 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 damage or has incurred expenditure in consequence of any refusal 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 damage or expenditure.

Provided that no compensation shall be payable in respect of damage suffered or expenditure incurred 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 or under Section 118 of the Act as applied by this Order, account shall be taken of:-

- (a) any compensation or contribution which has been paid in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 29 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

COPY OF THE URBAN DISTRICT OF SEDGLEY - TREE PRESERVATION
ORDER (No.2) 1963, AS CONFIRMED WITH MODIFICATION BY THE
MINISTER OF HOUSING & LOCAL GOVERNMENT ON THE 27th AUGUST,
1964.

SEDGLEY URBAN DISTRICT COUNCIL Acting on behalf of the County Council of the Administrative County of Stafford

(in this Order called "the Authority") in pursuance of the powers conferred in that behalf by Section 29 of the Town and Country Planning Act, 1962, and subject to the provisions of Section 13 of the Forestry Act, 1951, hereby make the following Order:-

1. In this Order:-

"The Act" means the Town and Country Planning Act, 1962;
"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; a 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 Minister" means the Minister of Housing and Local Government.

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, or wilfully destroy or cause or permit the cutting down, topping, lopping or wilful destruction of any tree specified in the First Schedule hereto or 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 signed by the Clerk of the Sedgley Urban District Council a certified copy of which has been deposited for inspection at The Council House, Sedgley, 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 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 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

76 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 Minister, as the case may be, or where an appeal has been made to the Minister against the decision of the authority, from the date of the decision of the Minister on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 128 of the Act.

13. Any person contravening the provisions of this Order is guilty of an offence under subsection (1) of Section 62 of the Act and liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding forty shillings for every day on which the contravention is so continued.

FIRST SCHEDULE.

NOTE: All the trees, groups of trees, and woodlands described in this schedule are situated in the Urban District of Sedgley. All plot numbers referred to are Ordnance Survey plot numbers on 25 inch sheets Staffordshire LXII.14. Revision of 1937, Staffordshire LXII.15 Revision of 1938, Staffordshire LXVII.2. Revision of 1938, Staffordshire LXVII.3. Revision of 1938 and Staffordshire LXVII.6. Revision of 1938.

S.M.B. OUTSIDE CO. BOROUGH

TREES SPECIFIED INDIVIDUALLY

(Uncoloured and encircled in black on the map.)

No. on Map	Description	Situation
WT1	Thorn	On boundary between un-numbered plots north east of Park Hall.
WT2	Willow	On boundary between un-numbered plots south west of Park Hall.
VT3	Elm	On boundary between un-numbered plots south east of Lodge Farm.
VT4	Oak	On boundary between un-numbered plots north of Park Coppice.
VT5	Oak	ditto.
WT6	Ash	On boundary between un-numbered plots west of Park Coppice.
VT7	Ash	ditto.
VT8	Oak	ditto.
WT9	Oak	ditto.
VT10	Oak	On boundary between un-numbered plots south west of Park Coppice.
VT11	Oak	ditto.
VT12	Oak	ditto.
VT13	Oak	ditto.
VT14	Oak	ditto.
VT15	Oak	ditto.
VT16	Oak	On boundary between un-numbered plots east of Park Coppice.
VT17	Oak	On boundary between un-numbered plots south of Park Hall.
VT18	Ash	On boundary between Plot Nos. 732 and 733.
T19	Ash	On boundary between Plot Nos. 744 and 745.
T20	Ash	On boundary between Plot Nos. 685 and 733.
VT21	Oak	On boundary between un-numbered plots north of Ashen Coppice.
T22	Oak	ditto.
VT23	Ash	ditto.
VT24	Alder	In un-numbered plot east of stream and west of Ashen Coppice.
VT25	Alder	In un-numbered plot west of stream and east of Park Coppice.
VT26	Oak	ditto
VT27	Willow	ditto
VT28	Willow	ditto
VT29	Oak	In un-numbered plot east of stream and west of Ashen Coppice.

		Situation.
*T30	Oak	On Urban District boundary west of Ashen Coppice.
*T31	Ash	ditto.
*T32	Oak	ditto.
T33	Willow	ditto.
T34	Oak	In un-numbered plot west of stream and west of Ashen Coppice.
T35	Oak	On boundary of un-numbered plot west of Ashen Coppice.
T36	Willow	In un-numbered plot by stream west of Ashen Coppice.
T37	Field maple	In un-numbered plot south west of Ashen Coppice.
T38	Willow	In un-numbered plot by stream south west of Ashen Coppice.
T39	Willow	ditto.
T40	Oak	On boundary between un-numbered plots west of Ashen Coppice.
T41	Oak	On boundary between un-numbered plots south west of Ashen Coppice.
T42	Ash	On boundary between un-numbered plots south of Ashen Coppice.
T43	Ash	ditto.
T44	Ash	ditto.
T45	Ash	On boundary between un-numbered plots north of Alder Coppice.
T46	Ash	In un-numbered plot south east of Ashen Coppice.
T47	Ash	In un-numbered plot north of Greenleighs.
T48	Cherry (flowering)	ditto.
T49	Lime	ditto.
T50	Araucaria	ditto.
T51	Araucaria	ditto.
T52	Birch	In un-numbered plot south west of Greenleighs.
T53	Thorn	ditto.
T54	Beech	ditto.
T55	Oak	ditto.
T56	Willow	On northern boundary of un-numbered plot known as Alder Coppice.
T57	Willow	ditto.
T58	Ash	ditto.
T59	Ash	ditto.
T60	Ash	ditto.
T61	Ash	In un-numbered plot known as Alder Coppice.
T62	Ash	ditto.
T63	Ash	ditto.
T64	Ash	ditto.
T65	Birch	ditto.
T66	Birch	ditto.
T67	Ash	ditto.
T68	Lime	On boundary between un-numbered plots east of Alder Coppice.
T69	Lime	In un-numbered plot north west of Hawthornden.
T70	Horse Chestnut	In un-numbered plot west of Hawthornden.
T71	Lime	ditto.
T72	Sycamore	In un-numbered plot at Hawthornden.
T75	Beech	ditto.
T78	Beech	In un-numbered plot south of Hawthornden.
T79	Horse Chestnut	In un-numbered plot north east of Hickmerelands Farm.
T80	Ash	ditto.
T81	Ash	On boundary between un-numbered plots north of Hickmerelands Farm.
T82	Ash	In un-numbered plot north of Hickmerelands Farm.
T83	Ash	ditto.
T84	Thorn	On boundary between un-numbered plots north of Hickmerelands Farm.
T85	Ash	In un-numbered plot east of Alder Coppice.
T86	Thorn	ditto.
T87	Oak	ditto.
T88	Ash	On boundary between un-numbered plots east of Alder Coppice.
T89	Elm	On boundary between un-numbered plots south of Alder Coppice.
T90	Oak	ditto.
T91	Elm	ditto.
T92	Ash	On boundary between un-numbered plots south west of Hickmerelands Farm.
T93	Ash	ditto.
T94	Elm	On boundary between un-numbered plots south of Hickmerelands Farm.
T95	Oak	ditto.
T96	Elm	ditto.
T97	Elm	In un-numbered plot south of Hickmerelands Farm.
T98	Beech	ditto.
T99	Ash	ditto.

Map.	Description.	Situation.
T100	Ash	On boundary between un-numbered plots south of Hickmerelands Farm.
T101	Ash	ditto.
T102	Ash	ditto.
T103	Oak	On boundary between un-numbered plots south of Alder Coppice.
T104	Oak	ditto.
T105	Oak	ditto.
T111	Alder	In un-numbered plot near Urban District boundary by Penn Brook.
T112	Alder	ditto.
T113	Ash	ditto.
T114	Alder	ditto.
*T115	Alder	On boundary between un-numbered plots near Urban District boundary by Penn Brook.
T116	Oak	On boundary between un-numbered plots south of Alder Coppice.
T117	Oak	ditto.
T118	Oak	ditto.
*T123	Black Poplar	On eastern boundary of Red Lane.
*T124	Sycamore	On boundary between un-numbered plots east of Red Lane.
*T127	Ash	On western boundary of Red Lane.
*T128	Oak	On eastern boundary of Red Lane.
*T129	Black Poplar	On western boundary of Red Lane.
*T130	Elm	On boundary between un-numbered plots west of Red Lane.
*T131	Elm	ditto.
*T132	Elm	ditto.
*T133	Elm	ditto.
*T134	Elm	ditto.
*T135	Ash	ditto.
T136	Elm	On boundary between un-numbered plots east of Red Lane.
T137	Oak	ditto.
T138	Field Maple	ditto.
T139	Sycamore	ditto.
T140	Oak	ditto.
T142	Sycamore	ditto.
T147	Field Maple	On boundary between un-numbered plots south of Hickmerelands Farm.
T148	Field Maple	ditto.
T149	Field Maple	ditto.
T150	Oak	ditto.
T151	Ash	In un-numbered plot south of Hickmerelands Farm.
T152	Elm	ditto.
T153	Elm	ditto.
T154	Ash	On boundary between un-numbered plots north east of Sedgley Hall.
T155	Ash	ditto.
T158	Ash	On boundary between un-numbered plots west of Townsend House, Mount Pleasant.
T159	Elm	In Plot No. 579
T160	Elm	On northern boundary of Plot No. 579
T161	Beech	In Plot No. 579
T162	Elm	On northern boundary of Plot No. 579
T163	Sycamore	In Plot No. 579
T164	Elm	ditto.
T165	Horse Chestnut	ditto.
T166	Yew	ditto.
T167	Sycamore	ditto.
T168	Ash	In Plot No. 578
T177	Elm	On northern boundary of Plot No. 571
*T182	Elm	On boundary between un-numbered plots west of Red Lane.
*T183	Elm	ditto.
*T184	Oak	ditto.
*T185	Sycamore	On northern boundary of Plot No. 568
*T186	Sycamore	ditto.
*T187	Elm	ditto.
*T188	Elm	On boundary between Plot Nos. 529 and 569
*T189	Horse Chestnut	On northern boundary of Plot No. 569
*T190	Elm	ditto.
*T191	Beech	ditto.
*T192	Horse chestnut	On western boundary of Plot No. 570.
*T193	Oak	On un-numbered plots west of No. 570.

*T194	Elm	On northern boundary of Plot No. 570.
T195	Elm	ditto.
T196	Horse Chestnut	ditto.
T197	Elm	ditto.
T198	Ash	ditto.
T199	Sycamore	On boundary between un-numbered plots north of Plot No. 570.
T200	Horse Chestnut	On northern boundary of Plot No. 570.
T201	Sycamore	On eastern boundary of Plot No. 570.
T202	Elm	ditto.
T203	Elm	ditto.
T204	Elm	On boundary between Plot Nos. 570 and 571
T205	Elm	ditto.
T206	Elm	On boundary between Plot Nos. 529 and 568
T207	Elm	ditto.
T208	Elm	ditto.
T209	Elm	ditto.
T210	Sycamore	In Plot No. 531
T211	Sycamore	ditto.
T212	weeping Elm	On boundary between Plot Nos. 528 and 529
T213	Elm	ditto.
T214	Elm	On boundary between Plot Nos. 528 and 569
T215	Elm	ditto.
T216	Elm	ditto.
T217	Elm	ditto.
T218	Sycamore	In Plot No. 528
T219	Sycamore	ditto.
T220	Beech	On boundary between Plot Nos. 528 and 534
T221	Elm	ditto.
T222	Elm	ditto.
T223	Horse Chestnut	ditto.
T224	Elm	On boundary between Plot Nos. 527 and 528.
T225	Walnut	In Plot No. 527.
T226	Sycamore	On boundary of Plot Nos. 524, 525 and 527.
T227	Sycamore	On boundary between Plot Nos. 519 and 524.
T228	Elm	On boundary between Plot Nos. 520 and 571.
T229	Beech	ditto.
T230	Elm	ditto.
T231	Beech	On boundary between Plot Nos. 518 and 571.
T232	Beech	ditto.
T233	Sycamore	In Plot No. 516
T234	Beech	ditto.
T235	Lime	ditto.
T236	Lime	ditto.
T237	Sycamore	ditto.
T238	Sycamore	ditto.
T239	Beech	ditto.
T240	Sycamore	In Plot No. 517
T241	Horse Chestnut	In Plot No. 516
T242	Horse Chestnut	ditto.
T243	Elm	ditto.
T244	Elm	ditto.
T245	Sycamore	ditto.
T246	Elm	ditto.
T247	Sycamore	ditto.
T248	Sycamore	On boundary between Plot Nos. 527 and 569.

TREES SPECIFIED BY REFERENCE TO AN AREA.

(Coloured blue and within a continuous black line on the map).

No. on Map.	Description.	Situation.
A.1.	The several oak, ash, alder, field maple, hazel, holly, and thorn standing in the area marked A.1. on the map.	In un-numbered plots (part) in stream valleys situated between Park Coppice and Ashen Coppice.
A.2.	The several oak, alder, willow and thorn in the area marked A.2 on the map.	In un-numbered plots (part) in stream valley south of Park Coppice. ^

No. on Map.	Description.	Situation.
A.3.	The several birch, black Italian poplar, sycamore, ash, Corsican pine, European larch, beech, Lombardy poplar, rowan, and Cedar of Lebanon standing in the area marked A.3 on the map.	In un-numbered plots (part) south of Greenleighs.
A.4.	The several alder and ash standing in the area marked A.4 on the map.	In part of un-numbered plot known as Alder Coppice.
A.5.	The several ash and elm standing in the area marked A.5 on the map.	In un-numbered plots (part) west of Hawthornden.
A.6.	The several alder and black Italian poplar standing in the area marked A.6 on the map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.7.	The several alder standing in the area marked A.7 on the Map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.8.	The several black Italian poplar and willow standing in the area marked A.8 on the map.	In un-numbered plots (part) in valley of tributary of Penn Brook south of Alder Coppice.
A.9.	The several ash and sycamore standing in the area marked A.9 on the map.	In un-numbered plots (part) north of Mount Pleasant.
A.10.	The several elm, sycamore, beech, lime, horse chestnut, and birch standing in the area marked A.10 on the map.	Plot No. 516 (part)
A.11.	The several lime, sycamore and elm standing in the area marked A.11 on the map.	Plot No. 579 (part)

GROUPS OF TREES
(Uncoloured and within a broken line on the map or coloured green and within a continuous black line on the map).

No. on Map.	Description.	Situation.
G1	Group consisting of 6 limes.	In un-numbered plot north of Park Hall.
G2	Group consisting of 7 limes.	In un-numbered plot north of Park Hall.
G3	Group consisting of 5 limes.	In un-numbered plot south of Lodge Farm.
G4	Group consisting of 5 willows.	In un-numbered plot north of Greenleighs.
G5	Group consisting of 5 ash and 2 alder.	In un-numbered plot known as Alder Coppice.
G6	Group consisting of 3 limes.	In un-numbered plot west of Hawthornden.
G8	Group consisting of 4 elms.	On boundary of un-numbered plots south of Hawthornden.
G9	Group consisting of 5 elms.	In un-numbered plot south of Hickmerelands Farm.
G10	Group consisting of 4 sycamores	On eastern boundary of Plot No. 570.
G11	Group consisting of 4 sycamores	On boundary between Plot Nos. 527 and 528.

512
6 limes
Plot No. 516

- G13 Group consisting of 14 sycamore and 6 ash. In un-numbered plots (part) west of Mount Pleasant.
- G14 Group consisting of 1 horse chestnut, 3 sycamore, 5 elm and 1 beech. Plot No. 579 (part)

WOODLANDS

(Uncoloured and within a continuous black line on the map).

No. on Map.	Description.	Situation.
W1	Broadleaved woodland consisting mainly of alder and ash, with some oak and willow.	In un-numbered plot known as Park Coppice.
W4	Broadleaved woodland consisting mainly of ash, with some oak, alder, sycamore, field maple, hazel and holly.	In un-numbered plot known as Ashen Coppice.

SECOND SCHEDULE.

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

- (1) to the cutting down, topping or lopping of any tree that is dying or dead or has become dangerous;
- (2) to the cutting down, topping or lopping of any tree:-
 - (a) in compliance with an obligation imposed by or under an Act of Parliament;
 - (b) in pursuance of the power conferred on the Postmaster-General by virtue of Section 5 of the Telegraph (Construction) Act, 1908;
 - (c) in pursuance of the powers conferred by Section 24 of the Regulation of Railways Act, 1868;
 - (d) for the purpose of preventing or abating a nuisance;
 - (e) in the case of 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;
 - (f) by or at the request of 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.
 - (g) by or at the request of a River Board, established under the River Boards Act, 1948, or a Drainage Board constituted or treated as having been constituted under the Land Drainage Act of 1930, where the tree interferes, or would interfere with the exercise of any functions of the Board in relation to the maintenance, improvement or construction of water courses or drainage works;



STAFFORDSHIRE COUNTY COUNCIL
SEDGLEY URBAN DISTRICT
TREE PRESERVATION ORDER
NO. 2 1963

ORDNANCE SURVEY SHEETS—
STAFFORDSHIRE LXII. 14 REVISION OF 1937
STAFFORDSHIRE LXII. 15 REVISION OF 1938
STAFFORDSHIRE LXVII. 2 REVISION OF 1938
STAFFORDSHIRE LXVII. 3 REVISION OF 1938
STAFFORDSHIRE LXVII. 6 REVISION OF 1938

SCALE : 1/ 2500



DELETED FROM ORDER