

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Committee	Development	Management
DATE	29 October 2015		
DIRECTOR	Pete Leonard		
TITLE OF REPORT	Tree Preservation Order Review Stage 1 Consultation		
REPORT NUMBER:	CHI/15/293		
CHECKLIST RECEIVED	Yes		

1. PURPOSE OF REPORT

To inform members of the intention to issue a consultation related to the Review of Tree Preservation Orders. The consultation is related to those orders identified in Stage 1 of the review that are currently identified as 'not to be pursued'.

2. RECOMMENDATION(S)

It is recommended that Members:

- 1) confirm their agreement to issue the consultation

3. FINANCIAL IMPLICATIONS

The cost of any Orders requiring to be served as a result of this consultation will be met through existing budgets.

4. OTHER IMPLICATIONS

The issuing and administration of this consultation is undertaken within existing staffing resources.

5. BACKGROUND/MAIN ISSUES

The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas (Scotland) Regulations 2010 instructs local authorities to periodically review their current Tree Preservation Orders (TPOs) as a matter of continuous improvement. This process was started in April 2014.

The purpose of the review is to ensure that the Council's TPOs are fit for purpose. As communicated in an Information Bulletin to this committee in November last year, during the review a number of TPOs were identified as not being legally enforceable. New TPOs have now been served on the majority of sites that still warrant statutory protection.

The review has identified a number of sites where it is no longer considered necessary to have a TPO in place. A document identifying these sites and the reasons for not pursuing individual sites has been drafted. It is our intention to circulate this to interested parties for consultation. Our consultee list includes Elected Members, Community Councils and internal departments such as Environmental Policy, Development Management, Local Development Plan, Master Plan, Design and Conservation and Public Infrastructure and Environment. By offering this document up for consultation we hope to capture any concerns regarding these sites allowing us to make an informed final decision on the status of the site and its requirement for future protection.

The consultation will run for a period of eight weeks to capture Community Council cycles. Consultation will be issued on the 11th January 2016.

6. IMPACT

Improving customer experience

The consultation will have a positive impact on the customer experience. Customers will be encouraged to engage with the consultation process through their Community Council and their local Councillors. The consultation will allow our customers to input into the review process and help shape the outcome.

Improving staff experience

The consultation will have a positive impact on our staff experience. Relevant staff members will be encouraged to engage with the consultation process allowing input into the review process and help shape the outcome. In addition the outcome of the consultation will help shape the overall review of Tree Preservation Orders. The outcome of the review is to produce a concise and accurate database of orders. This database will be made available to relevant staff members.

Improving our use of resources

The making, management and enforcement of TPOs carry a financial cost, both directly through legal costs and indirectly through staffing resources. By ensuring that all TPOs can be justified we will ensure that our resources are utilised managing and enforcing orders that remain fit for purpose and provide positive benefits. By ensuring TPOs are fit for purpose we are also ensuring that our database resource is a reliable source of up to date information.

Corporate

In line with the Smarter City vision we are using the consultation to engage with the community through various community links such as Community Councils and Elected Members to capture knowledge on the TPOs we are currently proposing not to pursue.

The consultation as part of the TPO Review helps the Council fulfil its duty in terms of the statutory Review that 'The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas (Scotland) Regulations 2010' introduced.

Public

The subject of this consultation will have limited interest to the general public. There are no anticipated impacts on equalities with this proposal hence an Equalities and Human Rights Impact Assessment is not required.

7. MANAGEMENT OF RISK

The serving of a TPO that cannot be justified in line with the parameters set out in current legislation can present legal and financial risks.

8. BACKGROUND PAPERS

Draft consultation document available on request.

9. REPORT AUTHOR DETAILS

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