

**WARRINGTON BOROUGH COUNCIL**  
**TOWN & COUNTRY PLANNING ACT 1990**

**REVOCATION ORDER**

**THE CHESHIRE COUNTY COUNCIL (THE HIGHER LANE LYMM)**  
**TREE PRESERVATION ORDER 1951**

The **CHESHIRE COUNTY COUNCIL** ("the Authority") did on 15 May 1951 make the above Tree Preservation Order, ("the Order") pursuant to Section 28 of the Town and Country Planning Act 1947 ("the Act") the Order being subsequently confirmed by the Authority with modification on 28 December 1951.

The Authority now hereby makes the following "Revocation Order" 2001:-

**(THE WARRINGTON BOROUGH COUNCIL HIGHER LANE LYMM NO:2**  
**TREE PRESERVATION ORDER 2001**

The Order dated 15 May 1951 is now revoked in its entirety and no longer in force.

Dated this 20 day of September 2001

The Common Seal of **WARRINGTON**  
**BOROUGH COUNCIL** was hereunto  
affixed in the presence of:-



Solicitor to the Council



**TOWN AND COUNTRY PLANNING ACT 1990****TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999****THE WARRINGTON BOROUGH COUNCIL****(The Higher Lane Lymm No 2)  
Tree Preservation Order 2001**

The Warrington Borough Council, in exercise of the powers conferred on them by sections 198 [201] and 203 of the Town and Country Planning Act 1990 hereby make the following Order:

**Citation**

1. This Order may be cited as the Warrington Borough Council (The Higher Lane Lymm No 2) Tree Preservation Order 2001.

**Interpretation**

2. In this Order "the authority" means the Warrington Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990

**Application of section 201**

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 20<sup>th</sup> September 2001

**Prohibited acts in relation to trees**

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) <sup>(1)</sup> [or subsection (3) of section 200 (orders affecting land where Forestry Commissioners interested)], and subject to article 5, 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 Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

**Exemptions**

5. (1) Nothing in article 4 shall prevent:

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of

<sup>(1)</sup> Subsection (6) of section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 and section 15 of the Forestry Act 1967.