

[REDACTED]

From: Mark Silverman [REDACTED]
Sent: 24 October 2012 11:16
To: [REDACTED] Polly Harris Gorf [REDACTED]
Cc: [REDACTED]
Subject: RE: Planning - TPO's audit

[REDACTED],

I am assuming you are referring to the explanation provided to [REDACTED]
[REDACTED] - rather than the original [REDACTED] 6 months ago.

In terms of the constituent parts of the TPO register, the government's Tree Preservation Orders: A Guide to the Law and Good Practice (known as the 'blue book'), published in 2000, contains some advice about the TPO register. The addendum update in 2009 does not refer to the register. The Guide contains a limited amount of detail on the TPO register but has a couple of references to what should be kept on the register:

- Para 6.43 The register should include details of every application under the TPO and the LPA's decision.
 - Para 7.15 The LPA should, when they receive an appeal decision, record the outcome on the public register which they are required to keep
- (These both relate back to s69 of the Town and Country Planning Act)

More generally, in relation to the making of TPOs, which are legal documents, paras 3.21 and 3.43 refer to the need to make a copy of the TPO available for public inspection at the offices of the LPA.

There is a separate requirement to keep a register of section 211 notices which is covered in para 9.10 of the Guide. This only relates to Conservation Area tree works - those wishing to carry out works to trees in Conservation Areas have to provide us with 6 weeks notice. These are not TPO trees and this is unrelated to the TPO register.

Our tree officers who are shared with Aylesbury Vale DC have advised that how we keep our TPO register is the same as at AVDC i.e. a series of files for each TPO containing details of the Order, subsequent applications and appeals etc. These are filed by TPO number, chronologically back to the 1960s, rather than by address which would be less practical as the same TPO can cover multiple addresses. Based on the above and on my experience, I am of the view that the TPO register is only statutorily required to contain details of every application and every appeal. However, as the Council is also required to make copies of each TPO available for inspection, these are kept on the same file as part of the register.

If you would like to discuss further please let me know - I [REDACTED] should you want further clarity on legal requirements relating to the register.

Regards
Mark

From: [REDACTED]
Sent: 24 October 2012 08:37
To: Polly Harris Gorf [REDACTED] Mark Silverman [REDACTED]
Cc: [REDACTED]
Subject: Planning - TPO's audit

Hi Polly and Mark,

Just to update you, I [REDACTED] picked up the quality review process, before passing his queries back to me.

On a linked, but separate note, could you confirm to us in writing what the constituent parts of the TPO Register are, and what their role is?

When the audit commenced, we discussed in some detail what the register was comprised of, our understanding was sound, and coincided with the explanation provided to [REDACTED] Complaints Letter.

Our meeting on 4 October to discuss the issues emerging from the audit may have caused some doubt about the TPO register, and some revised clarity would be welcome.

Should you have any queries about our requirements, please do not hesitate to contact me.

Many thanks.

Kind regards

[REDACTED]

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