

In case of enquiry contact **Alistair Wilson**  
Direct dial 01223 457200  
Fax 01223 457539  
Email [alistair.wilson@cambridge.gov.uk](mailto:alistair.wilson@cambridge.gov.uk)



[request-315482-5e677193@whatdotheyknow.com](#)

8<sup>th</sup> March 2016

Dear Mr Taylor,

FOI request number 4537 - Tree Preservation Order Applying to Trees at 197 Milton Road Cambridge

Further to your recent correspondence and your subsequent Freedom of Information request as follows:-

*Information requested:*

*Please release any Tree Preservation Order applying to the trees near the road frontage of 197 Milton Road Cambridge CB4 1XG.*

*In relation to this request I'd like the council to consider publishing its tree preservation orders online.'*

*And in your follow up reply of the 10<sup>th</sup> February:-*

*Many thanks for your very prompt and helpful response to my request for any Tree Preservation Order applying to the trees near the road frontage of 197 Milton Road Cambridge CB4 1XG.*

*Could you please clarify if you are refusing to release the requested information without me visiting the council's offices and paying a fee and if so let me know which exemption in the Freedom of Information Act you are relying on.*

As the information you requested meets the definition of environmental information it will be dealt with under the Environmental Information Regulations 2004, as permitted under Section 39 of the Freedom of Information Act 2000.

The Regulations define "environmental information". This includes information relating to "built structures" to the extent that these are, or may be, affected by environmental elements; e.g. water or soil. The definition of environmental information also includes information concerning the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites, as well as measures that might affect or are intended to protect those elements.

We have determined that the information you are seeking falls within the definition of "environmental information" as it relates to the state of the elements, and measures intended to protect them.

The City Council is obliged, as a matter of law, to take a view on which regime applies. If information falls within the scope of the Environmental Information Regulations, then the City Council cannot consider it under the Freedom of Information Act.

In response to your request:-

Charging for copies of TPOs is something Cambridge City Council has always applied, and we have now completed a review of this practice.

We are legally obliged to allow the public to view TPOs but we are not obliged to make copies.

While we do not have TPO information available online it is available on the intranet to the staff at our Customer Access Centre who are able to provide the public with TPO reference number, tree location and species, over the phone or via email, letter. This we do without charge. Where there are a number of trees or the location is ambiguous, this information is sent out in the form of a plan, again free of charge.

Copies of a full, signed TPO are generally only requested by Solicitors in relation to conveyancing.

We are looking at providing TPO information online but first we need to do a review. Many of the TPOs are old, very big, have large areas of trees protected rather than individuals and smaller groups. Also many of the trees have died or been removed and this information has not been recorded.

As it is our intention to make TPO information available free online we have reviewed the £30 charge and will no longer be charging for this information, instead we aim to make this information available online.

There are three TPO'd trees in the front of 197 Milton Road, these are two Limes close to the property's front boundary with Milton Road and a Yew towards the side of the house and adjacent to the footpath leading to Kirby Close.

The TPO reference is 02/2000. It was served on 31st March 2000 and confirmed on 29th September 2000.

A copy of the TPO is attached.

If you are dissatisfied with our response, you are entitled to ask for a review. A request for a review should be addressed to

Mr Joel Carre,  
Head of Streets and Open Space,  
Mill Road,  
Cambridge,  
CB2 3AZ.

If you are dissatisfied with the outcome of an internal review, you are entitled to pursue an appeal to the Information Commissioner.

The Information Commissioner's address is:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Alistair Wilson', with a long, sweeping horizontal stroke extending to the left.

Alistair Wilson  
Streets and Open Space – Development Manager