

2. **Grounds Maintenance and Landscaping**

Subject:	Detail:	Delegated by:	Delegated to:
Grounds Maintenance & Landscaping.	Day-to-day management of all Council-owned parks, woodlands and open spaces.	Executive Committee.	[Assistant Director of Environmental and Housing Property Services] / [Assistant Director of Planning, Leisure and Culture Services] / [Environmental Services Manager].
<u>Tree Preservation Orders.</u>	<u>To initiate Tree Preservation Orders.</u>	<u>Council.</u>	<u>Assistant Director of Environmental and Housing Property Services.</u>
<u>Tree Preservation Orders - Confirmation.</u>	<u>1. To confirm Tree Preservation Orders under the provisions of the Town & Country Planning Act 1990 in cases where:-</u> <u>a. objections have been received; or</u> <u>b. it is proposed that a tree be protected which is located on Council-owned land</u> <u>c. To confirm Tree Preservation</u>	<u>1. Council.</u> <u>2. Council</u>	<u>1. Planning Committee.</u> <u>2. Assistant Director of Environmental and</u>

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	<u>Orders in all other cases.</u>		<u>Housing Property Services</u>
<u>Tree Preservation Orders - Applications for consent to carry out works - Regulation 16 Town and Country Planning (Tree Preservation) (England) Regulations 2012</u> <u>NOTE: applications in this category fall under the National Scheme of Delegations - Schedule 2 - para 10</u>	<u>1. To determine applications for consent to the cutting down, topping, lopping or uprooting of any tree which do not involve any of the following features:</u> <u>-</u> <u>a. The tree(s) to be felled/removed have been deemed by officers to have a CAVAT value of £150,000 or more and officers are minded to refuse the application;</u> <u>b. Permission is sought for major works consisting of a full crown reduction of greater than 20% and officers are minded to refuse the application.</u> <u>2. Any applications not falling under paragraph (1) will be referred to the nominated officer and nominated member for</u>	<u>Council</u>	<u>Assistant Director of Environmental and Housing Property Services.</u>

	<u>consideration under the Gateway Test and shall be determined as follows:</u> <u>a. Where outcome of Gateway Test is referral for determination by Members at Planning Committee</u> <u>b. Where outcome of Gateway Test is for determination by officers</u>	<u>Council</u> <u>Council</u>	<u>Planning Committee</u> <u>[Assistant Director of Environmental and Housing Property Services]</u>
Tree Preservation Orders – <u>All other matters</u>	4.-To determine all applications/ make all decisions/ take all steps All planning decisions, actions or advice/responses on behalf of the Local Planning Authority that relate to the protection of trees <u>not identified separately in this Scheme of Delegation and falls within the list of Planning and Associated legislation/regulations are considered to fall within the delegation scheme and will be determined by officers, unless:</u>	Council	[Assistant Director of Environmental and Housing Property Services]

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	<u>1.</u> a.-Objections have been received where it is proposed that a tree preservation order protects a tree/trees previously unprotected; or b.-It is proposed that a tree be protected which is located on Council-owned land. In all cases relating to trees, decisions made using delegated powers shall be reported to members at Planning Committee within six months of the decision being made, for information purposes. 2.-To initiate Tree Preservation Orders.	Council	[Assistant Director of Environmental and Housing Property Services]
Trees - Dangerous.	1. Where notice is received under s23(2) of the Local Government (Miscellaneous Provisions) Act 1976 that trees are in such condition that they are likely to cause damage to persons or	Planning Committee.	[Assistant Director of Environmental and Housing Property Services].

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	property on the land of the person giving notice: a. To take any steps necessary to make the trees safe (whether by felling or otherwise) where the owner of the land is not known. b. to serve a notice under s23 (3) of the Act on the owner or occupier of the land on which the trees are growing where the name and address of such or occupier is known requiring the taking of steps to make the trees safe and if the Notice is not complied with to take the steps specified therein and recover such expenses. 2. To take any necessary action under s23 – 26 of the Local Government (Miscellaneous Provisions) Act 1976 to secure the removal of dangerous trees and to deal with dangerous excavations.	Planning Committee.	[Assistant Director of Environmental and Housing Property Services].
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High Hedges.	1. To determine High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate when: a. such applications are submitted by or on behalf of any officer of the Council or any Parish Council within the Borough of Redditch. b. such applications are submitted by or on behalf of any County, District or Parish Councillor whose ward is within the Borough of Redditch. c. any County, District or Parish Councillor whose ward is within the Borough of Redditch is affected by such an application. 2. In all other circumstances to	1. Council.	Planning Committee
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	determine all High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate.	2. Planning Committee	[Assistant Director of Environmental and Housing Property Services].
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