(2) Any notice to be served or given under this Order may be served or given in the manner prescribed by Section 105 of the Act and by any regulations for the time being in force under that Section.

Dated this twenty-seventh day of January, 1950.

Given under the Official Seal of the Minister of Town and Country Planning.

(L.S.) *Lewis Silkin,*
Minister of Town and Country Planning.

EXPLANATORY NOTE

(This Note is not part of this Order, but is intended to indicate its general purport.)

Under subsection (1) of Section 3 of the New Towns Act, 1946, the Minister of Town and Country Planning, after consultation with the appropriate local planning authority and with any other local authority who appear to him to be concerned, may approve proposals submitted to him by a development corporation for the development of land within an area designated as the site of a new town. Subsection (2) of that Section, as amended by the Town and Country Planning Act, 1947, provides that a special development order made by the Minister under the latter Act may grant permission for any development of land in accordance with proposals so approved.

This Order, which applies to any area for the time being designated as the site of a new town, grants permission for such development, either by the development corporation or, in certain circumstances, by a person to whom the corporation have disposed of land in the area (Article 3, Class A). Permission is also granted for the carrying out by the corporation of temporary development in connection with development of Class A (Class B). The permission granted by the Order is subject to limitations and conditions (Articles 4 and 5) and may be withdrawn in any particular case by direction of the Minister (Article 6).

The Town and Country Planning (Tree Preservation Order) Regulations, 1950

1950 No. 534

Made - - - -	30*th March,* 1950
Laid before Parliament	1*st April,* 1950
Coming into Operation	6*th April,* 1950

B4174.

The Minister of Town and Country Planning, in exercise of the powers conferred on him by sections 28 and 111 of the Town and Country Planning Act, 1947(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Town and Country Planning (Tree Preservation Order) Regulations, 1950, and shall come into force on the sixth day of April, 1950.

(a) 10 & 11 Geo. 6. c. 51.

(2) The Town and Country Planning (Tree Preservation Order) Regulations, 1948(a), are hereby revoked; provided that in relation to any order made thereunder compliance with any requirement of those regulations shall be deemed to be a compliance with the corresponding requirement of these regulations, and so far as the requirements of those regulations have not been complied with the order may be dealt with as if it had been made under these Regulations.

2.—(1) In these Regulations, unless the context otherwise requires,

"the Act" means the Town and Country Planning Act, 1947;

"order" means a tree preservation order made under Section 28 of the Act, and in Regulations 4, 6 and 7 includes an order amending or revoking such an order;

"the Minister" means the Minister of Town and Country Planning.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Subject to the provisions of paragraph (2) of this Regulation, an order made by a local planning authority shall be in such form as the local planning authority may determine.

(2) Every order shall define the position of the trees, groups of trees or woodlands to which it relates and for that purpose shall include a map or refer to a map deposited for inspection at a place or places convenient to the locality in which such trees, groups of trees or woodlands are situate.

4. A local planning authority shall, on making an order—

(*a*) submit to the Minister

(i) in duplicate, the sealed order and any maps included or referred to therein;

(ii) five unsealed copies of the order and any such maps, except that where an order merely amends or revokes an existing order one such copy shall suffice; and

(iii) a statement of their reasons for making the order:

(*b*) serve on the owners and occupiers of the land affected by the order and on any other person then known to them to be entitled to fell any trees, groups of trees or woodlands specified in the order, or to work by surface working any minerals in the land affected by the order, a copy of the order (either with or without any map) together with a notice stating that the order has been made and submitted to the Minister for confirmation, naming the place or places where and the hours within which a certified copy of the order and any map included or referred to therein may be inspected, and stating that objections or representations with reference thereto may be made in writing to the Minister in accordance with these Regulations within 28 days from the date of service of the notice; provided that in the case of trees and groups of trees, where a copy of the order may be inspected at a place convenient to the locality in which the trees or groups of trees to which it relates are situate, service of a copy of the order may be dispensed with if the notice indicates briefly the effect thereof; and

(a) S.I. 1948 (No. 1436) I, p. 4224. (b) 52 & 53 Vict. c. 63.

(*c*) furnish to the Minister a certificate that the provisions of sub-paragraph (*b*) of this Regulation have been complied with, giving the names of the persons served with notices, and the dates of such service.

5.—(1) Every objection or representation shall specify the particular trees, groups of trees or woodlands in respect of which it is made and shall state the grounds thereof.

(2) An objection shall not be duly made unless it is received within the period allowed under the last foregoing Regulation and complies with the provisions of paragraph (1) of this Regulation.

6. The Minister shall, before deciding whether to confirm the order, take into consideration any objections and representations duly made in accordance with the foregoing Regulation, and, if a local inquiry is held, the report of such inquiry.

7. The local planning authority shall, on receipt of the Minister's decision on the order, inform all persons on whom notices have been served under sub-paragraph (*b*) of Regulation 4 of these Regulations of the Minister's decision, and in addition, where the order is confirmed or confirmed subject to modifications, serve a copy of the order on every such person.

Dated this thirtieth day of March, 1950.

Given under the Official Seal of the Minister of Town and Country Planning.

(L.S.) *Hugh Dalton,*
Minister of Town and Country Planning.

EXPLANATORY NOTE

(*This Note is not part of these Regulations, but is intended to indicate their general purport.*)

These Regulations deal with the form of tree preservation orders made under Section 28 of the Town and Country Planning Act, 1947, and the procedure to be followed in connection with the submission and confirmation of such orders. They effect a simplification of the previous Regulations on this subject (S.I. 1948, No. 1436) by relaxing the former requirement that every order should include a map, and by dispensing altogether with the giving of notice by advertisement of the submission and confirmation of orders.