VARIATION OF ORDER

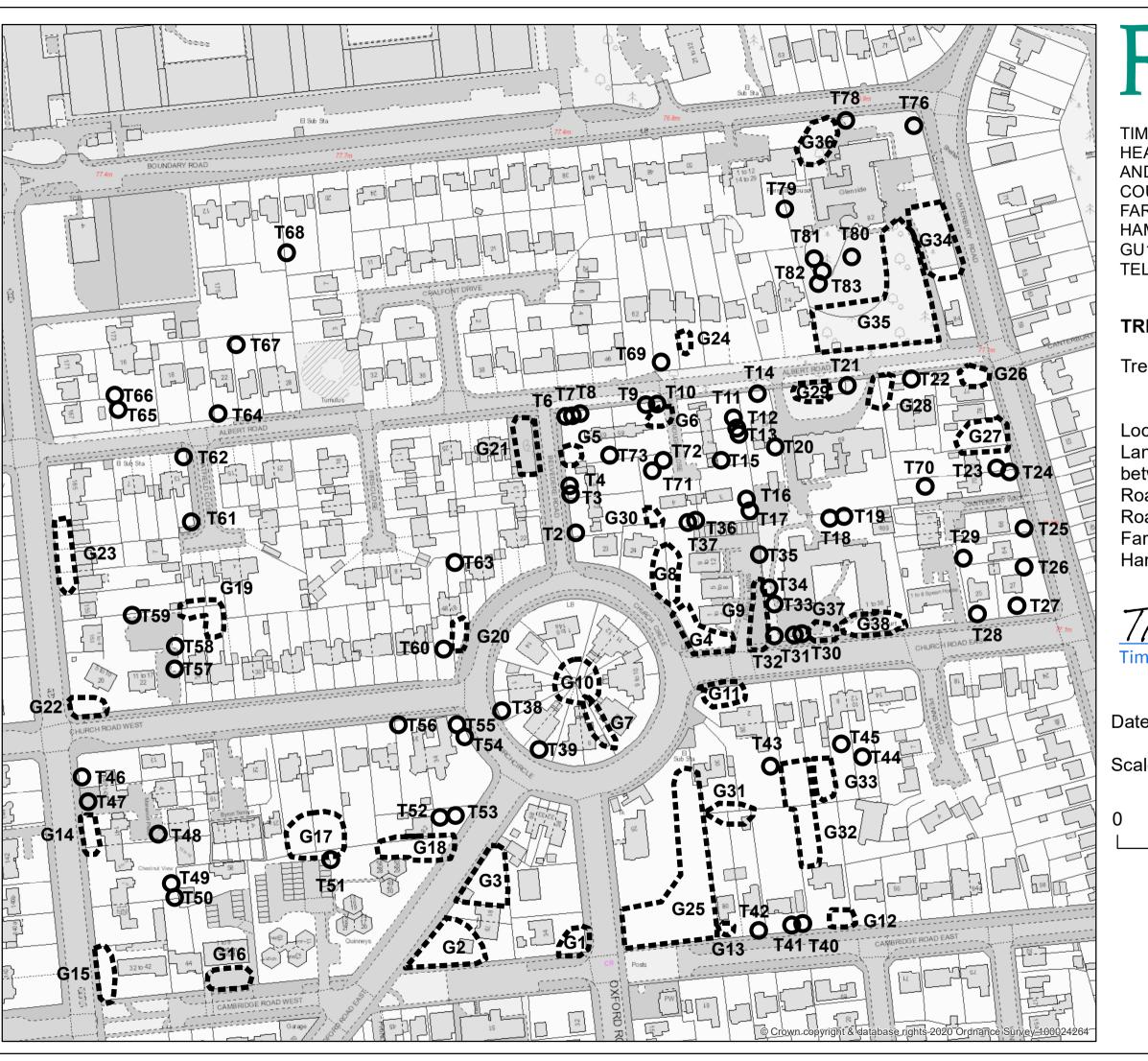
This Order was varied by Rushmoor Borough Council on the 10/24/2022 by a variation order under reference number 439A a copy of which is attached. This order will now be referred to as 439V.

Signed on behalf of Rushmoor Borough Council by

Tim Mills (Oct 24, 2022 23:15 GMT+1)

Head of Economy, Planning and Strategic Housing

Authorised by the Council to Sign in that behalf



RUSHMOOR BOROUGH COUNCIL

TIM MILLS
HEAD OF ECONOMY, PLANNING
AND STRATEGIC HOUSING
COUNCIL OFFICES
FARNBOROUGH ROAD, FARNBOROUGH
HAMPSHIRE
GU14 7JU

TEL: (01252) 398735

TREE PRESERVATION ORDER 439V

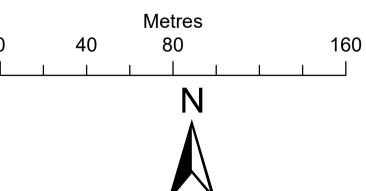
Tree Schedule: Please refer to Schedule 1

Location:-Land affected by TPO 439V between Boundary Road, Canterbury Road, Alexandra Road and Cambridge Road East Farnborough Hampshire

Tim Mills (Oct 24, 2022 23:15 GMT+1)

Date: 19/10/2022

Scale: 1:1,750



Schedule

Specification of trees

Trees specified individually

(Encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	34 Oxford Road/79 Guildford Road East
T2	Beech	2 Belvedere Road
T3	Oak	4 Belvedere Road
T4	Beech	4 Belvedere Road
T5	Sycamore	63 Albert Road
T6	Horse Chestnut	63 Albert Road
T7	Poplar	63 Albert Road
T8	Scots Pine	63 Albert Road
T9	Scots Pine	65 Albert Road
T10	Oak	65 Albert Road
T11	Oak	1 Gainsborough Road
T12	Douglas Fir	2 Gainsborough Road
T13	Douglas Fir	2 Gainsborough Road
T15	Birch	2 Gainsborough Road
T16	Oak	3 Gainsborough Road
T17	Sycamore	3 Gainsborough Road
T18	Oak	69A/B Albert Road
T19	Sycamore	69A/B Albert Road
T20	Birch	67 Albert Road
T21	Oak	69 Albert Road
T23	Scots Pine	72 Canterbury Road
T24	Sycamore	70 Canterbury Road
T25	Douglas Fir	66 Canterbury Road
T26	Purple Beech	27 Church Road East
T27	Lime	27 Church Road East
T28	Lime	25 Church Road East
T29	Ash	64 Canterbury Road
T30	Norway Maple	Farley Court, Church Road East
T31	Beech	Farley Court, Church Road East
T32	Beech	Farley Court, Church Road East
T33	Oak	Farley Court, Church Road East
T34	Oak	Farley Court, Church Road East
T35	Oak	Fairfax Mew
T36	Douglas Fir	3/4 Gainsborough Road
T37	Birch	4 Gainsborough Road
T38	Lime	2/2A Church Circle
T39	Sycamore	4 Church Circle
T40	Scots Pine	84 Cambridge Road East
T41	Lime	84 Cambridge Road East
T42	Scots Pine	82 Cambridge Road East
T43	Sweet Chestnut	28 Church Circle
T44	Sycamore	10/12 Church Road East
T45	Holly	8 Church Road
T46	Scots Pine	145 Alexandra Road
T47	Yew	141-143 Alexandra Road
T48	Horse Chestnut	137 Alexandra Road
T50	Lime	131-133 Alexandra Road
T52	Scots Pine	82 Guildford Road East
T54	Horse Chestnut	34 Church Circle
T55	Horse Chestnut	34 Church Circle 34 Church Circle
T56	Pine	34 Church Circle 31 Church Road West

Purple Beech	Land Adjacent to flats, Church Road West
Scots Pine	Land Adjacent to flats, Church Road West
Norway Maple	Land Adjacent to flats, Church Road West
Scots Pine	48 Church Road West
Birch	13 Albert Road
Purple Plum	13 Albert Road
Sycamore	18 Church Circle
Oak	22 Albert Road
Oak	16 Albert Road
Monkey Puzzle	16 Albert Road
Sweet Chestnut	24 Albert Road
Oak	18 Boundary Road
Oak	4 Gainsborough Road
Oak	4 Gainsborough Road
Sycamore	82 Albert Road
Pear	82 Albert Road
Crab Apple	82 Albert Road
Oak	82 Albert Road
Beech	Fernhill House, Boundary Road
Oak	82 Albert Road
Scots Pine	82 Albert Road
Scots Pine	82 Albert Road
Oak	82 Albert Road
	Scots Pine Norway Maple Scots Pine Birch Purple Plum Sycamore Oak Oak Monkey Puzzle Sweet Chestnut Oak Oak Oak Sycamore Pear Crab Apple Oak Beech Oak Scots Pine Scots Pine

Groups of trees

(within a broken black line on the map)

Reference on map	Description	Situation
G1	3 Scots Pine	34 Oxford Road
	1 Norway Maple	
G2	8 Scots Pines	79 Guildford Road East
	2 Oaks	
G3	3 Scots Pines	79 Guildford Road East
	4 Sycamores	
G4	5 Scots Pines	Land at flats, Fairfax Mews
	4 Oaks	
G5	2 Oaks	63 Albert Road
	2 Beeches	
G6	2 Beeches	65 Albert Road
	1 Sycamore	
G7	2 Sycamores	6, 7 & 8 Church Circle
G8	2 Oaks	24 Church Circle
	3 Scots Pines	
G9	10 Scots Pines	Highway adjacent to Fairfax Mew
G10	4 Scots Pines	1-10, 2a, 3a, 11, 12, 14, 14a Church Circle
	2 Sycamores	
G11	2 Scots Pines	2 Church Road East and Highway
	1 False Acacia	- ,
G13	2 Scots Pines	80 Cambridge Road East
G14	4 Sycamores	133, 137, 141-143 Alexandra Road and
	2 Oaks	Highway
G15	3 Limes	32-42 Cambridge Road West and Highway
	1 Oak	
	1 Red Oak	
G16	3 Limes	56 Cambridge Road West and Highway
G17	6 Oaks	23, 25 Church Road West
G18	3 Scots Pines	82 Guildford Road East, The Quinneys
	6 Oaks	Cambridge Road West

1 Oak 3 Oaks 20 & 26 Church Road West 3 Oaks 18 Church Circle and Highway 3 Oaks 1 Scots Pine 1 Aspen 20, 22 Church Road West, 153 Alexandra 14 Normbeam 157, 159, 161, 163 Alexandra 160, 14 Normbeam 164, 14 Normbeam 167, 169, 161, 163 Alexandra 168, 164, 164, 164, 164, 164, 164, 164, 164			
G20			
Beech			
1 Oak			
1 Scots Pine	G21	1 Beech	Belvedere Road, adjacent to 31 Albert Road
1 Aspen 1 Yew		1 Oak	
1 Yew		1 Scots Pine	
1 Yew		1 Aspen	
1 Hornbeam Road, and Highways 157, 159, 161, 163 Alexandra Road 1624 1 Hornbeam 66 Albert Road 2 Eatls Acacias 1 Sweet Chestnut 1 Sweet Chestnut 2 Scots Pines 1 Scots Pine 1 Oak 1 False Acacia 1 Birch 1 Oak 1 False Acacia 1 Sirch 1 Oak 1 False Acacia 1 Sirch 1 Oak 1 Scots Pine 2 Scots Pines 1 Oak 3 Oaks 3 Oa	G22		20, 22 Church Road West, 153 Alexandra
G23	_		
G24	G23		
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G38 2 Limes Farley Court, Church Road East	007		
5 Beeches	G38		Farley Court, Church Road East
		5 Beeches	

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation	
	NONE		

Duplicate

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

TREE PRESERVATION ORDER 439A

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire, 2007

The Rushmoor 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 Trees with land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire, 2007

Interpretation

2. In this Order "the authority" means the Rushmoor 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 26th October 2007.

Prohibited acts in relation to trees

- 4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), 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 a statutory undertaker, where the land on which the

tree is situated is operational land of the statutory undertaker and the work is necessary—

- in the interests of the safe operation of the undertaking;
- (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
- (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
- (aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15(1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes);
- (ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes;
- (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
- (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
- (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
- (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Development Order) 1995;
- (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

- (g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.
- (2) In paragraph (1), "statutory undertaker" means any of the following-
 - a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
 - a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
 - the holder of a licence under section 6 of the Electricity Act 1989,
 - a public gas transporter,
 - the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied;
 - a water or sewerage undertaker,
 - the Civil Aviation Authority or a body acting on behalf of that Authority,
 - the Post Office.

Applications for consent under the Order

- 6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall—
 - (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
 - (b) specify the work for which consent is sought; and
 - (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990 7.—(1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents

under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

- 8.—(1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.
- (2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.
- (3) A direction under paragraph (1) may include requirements as to—
 - (a) species;
 - (b) number of trees per hectare;
 - (c) the preparation of the relevant land prior to the replanting; and
 - (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

- 9.—(1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—
 - (a) the refusal of any consent required under this Order; or
 - (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

- (2) No claim, other than a claim made under paragraph (3), may be made under this article—
 - (a) if more than 12 months has elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
 - (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

- (3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.
- (4) In any other case, no compensation shall be payable to a person—
 - (a) for loss of development value or other diminution in the value of the land;
 - (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
 - (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
 - (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.
- (5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

TREE PRESERVATION ORDER 439/439A LIST OF ALL PEOPLE SERVED WITH ORDER AND NOTICE

The Owner/Occupier 79, 89 Guildford Road East Farnborough Hampshire GU14 6QD

The Owner/Occupier 25, 34, 36, 38 Oxford Road Farnborough Hampshire GU14 6QU

The Owner/Occupier 3, 3A, 4, 5, 6, 28, 30, 32, 33, 34 Church Circle Farnborough Hampshire GU14 6QQ

The Owner/Occupier 80-90 (evens) Cambridge Road Farnborough Hampshire GU14 6QX

The Owner/Occupier 2-14 (even's), 25, 27, 1-12 Fairfax Mews Church Road East Farnborough Hampshire GU14 6QJ

The Owner/Occupier 4, 5, 5A, 6, 7 Penns Wood Farnborough Hampshire GU14 6RB The Owner/Occupier Flats 1-8 Spean House Church Road East Farnborough Hampshire GU14 6HQ

The Owner/Occupier 1-36 Farley Court Church Road East Farnborough Hampshire GU14 6PZ

The Owner/Occupier 62-69, 69A, 69B, 72, 74, 77, 84 Albert Road Farnborough Hampshire GU14 6SL

The Owner/Occupier
Flat 1 and 2
82 Albert Road
Farnborough
Hampshire
GU14 6SL

The Owner/Occupier 1, 2, 3 Canterbury Walk Farnborough Hampshire GU14 6GY

The Owner/Occupier 64, 66, 70, 72 Canterbury Road Farnborough Hampshire GU14 6QL The Owner/Occupier 1-4 Gainsborough Close Farnborough Hampshire GU14 6SW

The Owner/Occupier 2, 3, 4 Belvedere Road Farnborough Hampshire GU14 6SP

The Owner/Occupier
1, 2, 2A, 7, 8, 9, 10, 11, 14,
18, 19, 23, 24
Church Circle
Farnborough
Hampshire
GU14 6GH

The Owner/Occupier 1-6 Beresford Court 14A Church Circle Farnborough Hampshire GU14 6GH

The Owner/Occupier
7, 11, 13, 16-26 (evens), 31
Albert Road
Farnborough
Hampshire
GU14 6SH

The Owner/Occupier 24, 26, 46, 48 Church Road West Farnborough Hampshire GU14 6QG

The Owner/Occupier
Flats 5-10
20 Church Road West
Farnborough
Hampshire
GU14 6QG

The Owner/Occupier Flats 11-17 Church Road West Farnborough Hampshire GU14 6QG

The Owner/Occupier 6, 7 Firs Close Farnborough Hampshire GU14 6SR

The Owner/Occupier Flats 1-4 153 Alexandra Road Farnborough Hampshire GU14 6RU

The Owner/Occupier 155-165 (odds) Alexandra Road Farnborough Hampshire GU14 6RU

The Owner/Occupier 167, 169, 171, 175, 175A Alexandra Road Farnborough Hampshire GU14 6SD

The Owner/Occupier Flats 1-4 Elda House 173 Alexandra Road Farnborough Hampshire GU14 6SD

The Owner/Occupier 16, 18, 20 Boundary Road Farnborough Hampshire GU14 6SF The Owner/Occupier 7
Chalfont Drive Farnborough Hampshire GU14 6SJ

The Owner/Occupier Flats 1-12, 14-29 Fernhill House Boundary Road Farnborough Hampshire GU14 6SU

The Owner/Occupier 50 Boundary Road Farnborough Hampshire GU14 6SG

The Owner/Occupier 15, 19, 17, 21, 23, 25, 27, 29, 31 Church Road West Farnborough Hampshire GU14 6QF

The Owner/Occupier 82 Guildford Road East Farnborough Hampshire GU14 6QE

The Owner/Occupier Flats 8-14 133 Alexandra Road Farnborough Hampshire GU14 6RR

Martin Lloyd
Defence Estates
Blandford House
Farnborough Road
Aldershot
Hampshire
GU14 2AA

The Owner/Occupier 1-30 The Quinneys Cambridge Road West Farnborough Hampshire GU14 6RA

The Owner/Occupier 32-42, 44, 58 Cambridge Road West Farnborough Hampshire GU14 6QA

The Owner/Occupier 1-9 Barton Court Cambridge Road West Farnborough Hampshire GU14 6QA

The Owner/Occupier 125-127, 137, 141-145 Alexandra Road Farnborough Hampshire GU14 6RR

The Owner/Occupier Flats 1-7 131 Alexandra Road Farnborough Hampshire GU14 6RR

Brandon O'Reilly
TAG Farnborough Airport Ltd
Lancaster House
PO Box 87
Farnborough Aerospace Centre
Farnborough
Hampshire
GU14 6YU

HCC Highways Sub-unit Council Offices Farnborough Road

Farnborough Hampshire GU14 7JU Tony Davison HCC Estates The Castle Winchester Hampshire SO23 9DS

Knellwood Ward Councillors: Cllr R Dibbs, Clllr A Jackman, Cllr PG Taylor

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Lime	34 Oxford Road/ 79 Guildford
		Road East
T2	Beech	2 Belvedere Road
T3	Oak	4 Belvedere Road
T4	Beech	4 Belvedere Road
<u>T5</u>	Sycamore	63 Albert Road
T6	Horse Chestnut	63 Albert Road
T7	Birch	63 Albert Road
T8	Scots Pine	63 Albert Road
T9	Scots Pine	65 Albert Road
T10	Oak	65 Albert Road
T11 ·	Oak	1 Gainsborough Road
T12	Douglas Fir	2 Gainsborough Road
T13	Douglas Fir	2 Gainsborough Road
T14	Larch	67 Albert Road
T15	Birch	2 Gainsborough Road
T16	Oak	3 Gainsborough Road
T17	Sycamore	3 Gainsborough Road
T18	Oak	69A/B Albert Road
T19	Sycamore	69A/B Albert Road
T20	Birch	67 Albert Road
T21	Oak	69 Albert Road
T22	Birch	77 Albert Road
T23	Scots Pine	72 Canterbury Road
T24	Sycamore	70 Canterbury Road
T25	Douglas Fir	66 Canterbury Road
Г26	Purple Beech	27 Church Road East
Г27	Lime	27 Church Road East
Γ28	Lime	25 Church Road East
Г29	Ash	64 Canterbury Road
Г30	Norway Maple	Farley Court, Church Road
	,	East
Г31	Beech	Farley Court, Church Road
•		East
Г32	Beech	Farley Court, Church Road
		East
Г33	Oak	Farley Court, Church Road
		East
Г34	Oak	Farley Court, Church Road
		East

T35	Oak	Fairfax Mews
T36	Douglas Fir	3 /4 Gainsborough Road
T37	, Birch	4 Gainsborough Road
T38	Lime	2 / 2A Church Circle
T39	Sycamore	4 Church Circle
T40	Scots Pine	84 Cambridge Road East
T41	Lime	84 Cambridge Road East
T42	Scots Pine	82 Cambridge Road East
T43	Sweet Chestnut	28 Church Circle
T44	Sycamore	10 /12 Church Road East
T45	Holly	8 Church Road
T46	Scots Pine	145 Alexandra Road
T47	Yew	141-143 Alexandra Road
T48	Sycamore	137 Alexandra Road
T49	Horse Chestnut	131-133 Alexandra Road
T50	, Lime	131-133 Alexandra Road
T51	Scots Pine	Land Adjacent to The
101		Quinneys, Guildford Road
	·	East
T52	Scots Pine	82 Guildford Road East
T53	Scots Pine	82 Guildford Road East
T54	Horse Chestnut	34 Church Circle
T55	Horse Chestnut	34 Church Circle
T56	Pine	31 Church Road West
T57 ·	Purple Beech	Land adjacent to flats, Church
		Road West
T58	Scots Pine	Land adjacent to flats, Church
		Road West
T59	Norway Maple	Land adjacent to flats, Church
	•	Road West
T60	Scots Pine	48 Church Road West
T61	Birch	13 Albert Road
T62	Purple Plum	13 Albert Road
T63	Sycamore	18 Church Circle
T64	Oak	22 Albert Road
T65	Oak	16 Albert Road
T66	Monkey Puzzle -	16 Albert Road
T67	Sweet Chestnut	24 Albert Road
T68	Oak	18 Boundary Road
T69	Pine	64 Albert Road
T70	Monterey Cypress	70 Canterbury Road
T71	Oak	4 Gainsborough Road
T72	Oak	4 Gainsborough Road
T73	Weeping Willow	6 Church Circle
T74 ·	Sycamore	82 Albert Road
T75	Apple	82 Albert Road
T76	Pear	82 Albert Road
T77	Crab Apple	82 Albert Road
T78	Oak	82 Albert Road
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T79	Beech	Fernhill House, Boundary Road
T80	Oak	82 Albert Road
T81	Scots Pine	82 Albert Road
T82	Scots Pine	82 Albert Road
T83	Oak	82 Albert Road

Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
	Groups of trees (within a broken line on th	ne map)
Reference on map	Description (including number of trees in the group)	Situation
G1	Scots Pine x3 Norway maple x1 Sycamore x1	34 Oxford Road
G2 ⁻	Scots Pine x11 Sycamore x3 Oak x3	79 Guildford Road East
G3	Scots Pine x4 Sycamore x4	79 Guildford Road East
G4	Scots Pine x8 Oak x5	Land at flats, Fairfax Mews
G5	Oak x2 Beech x2	63 Albert Road
G6	Beech x2 Sycamore x1	65 Albert Road and part of highway – Gainsborough Road
G7	Sycamore x2 Birch x3	6, 7, 8 Church Circle
G8	Oak x2 Scots pine x8	24 Church Circle and land adjacent to Fairfax Mews
G9	Scots Pine x10	Highway adjacent to Fairfax Mews
G10	Scots Pine x4 Tree of Heaven x1 Sycamore x4	1-10, 2a,3a,11,12,14,14a Church Circle
G11	Scots Pine x2 False Acacia x1	2 Church Road East and
G12	Scots Pine x2	highway 86 Cambridge Road East and highway
G13 G14	Scots Pine x2 Sycamore x4 Oak x2	highway 80 Cambridge Road East 133, 137, 141-143 Alexandra Road and Highway

G15	Lime x3 Oak x1 Horse Chestnut x1	32-42 Cambridge Road West and highway
G16	Lime x3	56 Cambridge Road West and highway
G17	Oak x6	23, 25 Church Road West and land adjacent
G18	Scots Pine x6 Oak x6	82 Guildford Road East, The Quinneys Cambridge Road West
G19	Horse Chestnut x1 Oak x3	20, 26 Church Road West
G20	Douglas Fir x2	18 Church Circle and highway
G21	Beech x1	Open Space on Belvedere
•	Oak x1	Road and adjacent to 31
	Scots Pine x1 Aspen x2	Albert Road
G22	Purple Plum x1	Land at 20, 22 Church Road
	Yew x1	West, 153 Alexandra Road
0.55	Hornbeam x1	and highways
G23	Scots Pine x7	157, 159, 161, 163 Alexandra Road
G24	Beech x1	66 Albert Road
G25	Sycamore x1 Oak x7	25 Oxford Road and highway
	False Acacia x4 Scots Pine x22 Sycamore x2	25 Oxioid Road and Inghway
	Sweet Chestnut x1	
G26	Scots Pine x2	77 Albert Road
G27 G28	Scots Pine x8 Oak x3	77a, 77b, 72 Canterbury Road 69, 77 Albert Road and land
020	Scots Pine x1 Sweet Chestnut x1	adjacent
G29	Sweet Chestnut x4 Sycamore x1	Land between Albert Road and 69 Albert Road
G30	Beech x1	4 Gainsborough Road, 2
. *	Birch x1	Belvedere Road and 2, 4 Church Circle
G31	Scots Pine x2 Oak x1 False Acacia x1 Birch x1	80, 82 Cambridge Road East, 28, 30 Church Circle
G32	Scots Pine x4 Oak x5	4, 6 Church Road East, 86 Cambridge Road East
G33	False Acacia x3 Silver Birch x1	6 Church Road East
G34	Beech x1 Yew x10	84 Albert Road, and land
0 07	Oak x4	between 82 Albert Road and

	Scots Pine x2 Norway Maple x1	Canterbury Road
G35	Scots pine x24 Beech x2 Oak x9 Hornbeam x9 Lime x1	Land between Albert Road, 82, 84 and 74 Albert Road
G36	Scots pine x6 Oak x4	Land between 82 Albert Road and Boundary Road
G37	Oak x2	Farley Court, Church Road East
G38.	Lime x2, Beech x8	Farley Court, Church Road East

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation

TREE PRESERVATION ORDER: 439

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire, 2007

It is expedient in the interest of amenity to make provision for the preservation of trees on the above site and that a Tree Preservation Order should be issued in respect of the above site.

Signed	1498	
Head of Pla	nning Services	
Dated:	26.10.07	
Agreed		•
Signed	4C, C. Limu	
Solicitor to t	the Council	
Dated:	29/2007	

TREE PRESERVATION ORDER: 439

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire, 2007

Dated this 29m day of October 2007

The Common Seal of *Rushmoor Borough Council* was hereunto affixed in the presence of –

237(07

Leader of the Council or appropriate Council Member.

Solicitor to the Council

SCHEDULE 2

PART I PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

•			
Provision of the Town and Country Planning Act 1990	Adaptation or Modification		
Section 69 (registers)	(a) In subse	ection (1)—	
	(i)	omit—	
		", in such manner as may be prescribed by a development order,",	
		"such" in the second place where it appears, and	
		"as may be so prescribed"; and	
	(ii)	substitute "matters relevant to tree preservation orders made by the authority" for "applications for planning permission".	
,	(b) In subsection (2)—		
	(i)	(i) after "contain" insert ", as regards each such order"; and	
	(ii)	for paragraphs (a) and (b) substitute—	
		(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and	
		(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.".	
	(c) Omit su 198(4)).	(c) Omit subsections (3) and (4) (as required by section	

Section 70	(a)	In subse	ection (1)—
(determination of	 `′		
applications: general		(i)	substitute—
considerations)			
			"Subject to subsections (1A) and (1B),
			where" for "Where";
	NAME AND ADDRESS OF THE PARTY O		"the authority" for "a local planning authority";
			"consent under a tree preservation order" for "planning permission" where those words first appear; and
		,	"consent under the order" for "planning permission" in both of the other places where those words appear;
		(ii)	after "think fit", insert—
			"(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and
		(iii)	omit "subject to sections 91 and 92,".
	(b)	After sub	esection (1) insert—
		wo far un co the	A) Where an application relates to an area of codland, the authority shall grant consent so as accords with the practice of good forestry, less they are satisfied that the granting of insent would fail to secure the maintenance of expecial character of the woodland or the codland character of the area.
		fel im sud for	B) Where the authority grant consent for the ling of trees in a woodland area they shall not pose conditions requiring replacement where ch felling is carried out in the course of estry operations (but may give directions for curing replanting)."
,	(c)	Omit sub	esections (2) and (3).
Section 75 (effect of planning permission)	(a)	In subse	ction (1) substitute—
Francisco Position (1)		(i)	"Any" for the words from "Without" to "any";

(ii) "consent under a tree preservation order" for "planning permission to develop land"; "the consent" for "the permission"; and (iii) (iv) "the land to which the order relates" for "the land". (b) Omit subsections (2) and (3). Section 78 (right to (a) In subsection (1) substitute appeal against planning decisions and failure to "the authority" for "a local planning (i) take such decisions) authority"; (ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear: "consent under such an order" for "planning (iii) permission" in the second place where those words appear; (iv) for paragraph (c) substitute— "(c) give a direction under a tree preservation order, or refuse an application for any consent. agreement or approval of that authority required by such a direction; or (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority.". (b) Omit subsection (2). (c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order," substitute-"in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made: and such notice shall be served-

	(a)	in respect of a matter mentioned in any of			
	within	paragraphs (a) to (c) of subsection (1),			
		the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as			
	the	Secretary of State may allow;			
	(b)	in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant."			
	(d) For subse	ction (4), substitute—			
		e appellant shall serve on the authority a f the notice mentioned in subsection (3).".			
	(e) For subsection (5), substitute—				
	79(1), i subsec	or the purposes of the application of section in relation to an appeal made under ction (1)(d), it shall be assumed that the ity decided to refuse the application in on.".			
Section 79 (determination of		ions (1) and (2), substitute "the authority" lanning authority".			
appeals)	(b) Omit subsection (3).				
	(c) In subsecti	ion (4), substitute—			
	7	section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5";			
		consent under a tree preservation order" for planning permission"; and			
		the authority" for "the local planning authority and a development order may			

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apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71.".

(d) Omit subsections (6) and (6A).

(e) In subsection (7), omit the words after "section 78".

PART II PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

- (1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.
- (2) The register shall contain, as regards each such order-
 - (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and
 - (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.
- (5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

- (1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order—
 - they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or
 - (b) they may refuse consent under the order.

- (1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.
- (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

- (1) Where the authority—
 - refuse an application for consent under a tree preservation order or grant it subject to conditions;
 - refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;
 - (c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or
 - (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

- (3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—
 - (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;
 - (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed

the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

- (4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).
- (5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

Section 79

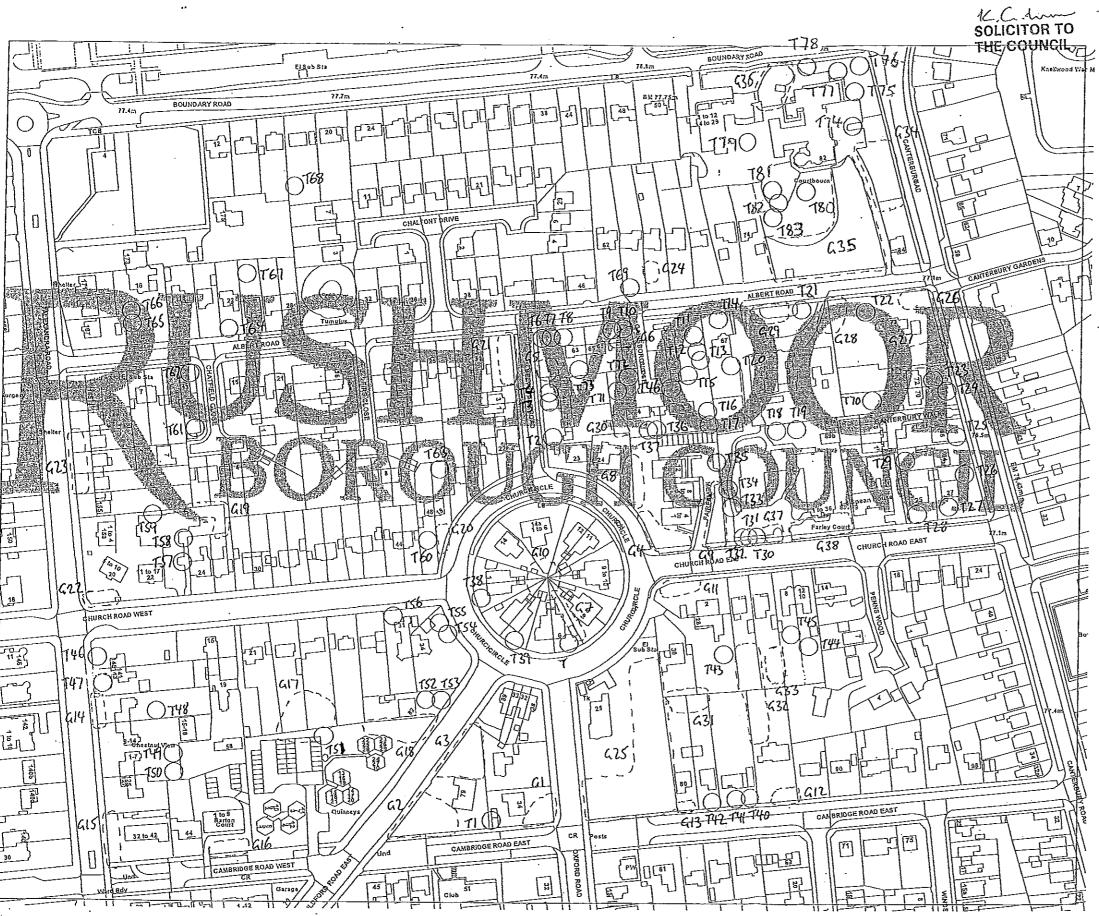
- (1) On an appeal under section 78 the Secretary of State may—
 - (a) allow or dismiss the appeal, or
 - (b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

- (2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.
- (5) The decision of the Secretary of State on such an appeal shall be final.
- (7) Schedule 6 applies to appeals under section 78.

Aphyle.

LEADER OF THE COUNCIL





DIRECTORATE OF ENVIRONMENTAL SERVICES

KEITH HOLLAND, BA, MRTPI HEAD OF PLANNING SERVICES COUNCIL OFFICES FARNBOROUGH ROAD, FARNBOROUGH HANTS, GU14 7JU TEL: (01252) 398398



TREE PRESERVATION ORDER No 439

TREE SCHEDULE: Please refer to Schedule 1

T1-T83 INDIVIDUAL TREES G1-G38 GROUPS OF TREES

Location:-.

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire.

Date: 18/10/2007

Map Reference: E: 487496 N: 154471

Scale:1:2000

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SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T2	Beech	2 Belvedere Road
Т3	Oak	4 Belvedere Road
T4	Beech	4 Belvedere Road
T5 ·	Sycamore	63 Albert Road
T6	Horse Chestnut	63 Albert Road
	Birch	63 Albert Road
T8	Scots Pine	63 Albert Road
T9	Scots Pine	65 Albert Road
T10	Oak	65 Albert Road
T11	Oak	1 Gainsborough Road
T12 ·	Douglas Fir	2 Gainsborough Road
T13	Douglas Fir	2 Gainsborough Road
T14	Larch	67 Albert Road
T15	Birch	2 Gainsborough Road
T16	Oak .	3 Gainsborough Road
T17	Sycamore	3 Gainsborough Road
T18	Oak	69A/B Albert Road
T19	Sycamore	69A/B Albert Road
T20	Birch	67 Albert Road
T21	Oak	69 Albert Road
T22	Birch	77 Albert Road
T23	Scots Pine	72 Canterbury Road
T24	Sycamore	.70 Canterbury Road
T25	Douglas Fir	66 Canterbury Road
T26	Purple Beech	27 Church Road East
T27	Lime	27 Church Road East
T28	Lime .	25 Church Road East
T29	Ash	64 Canterbury Road
T30	Norway Maple	Farley Court, Church Road
t	•	East
T31	Beech	Farley Court, Church Road East
T32	Beech	Farley Court, Church Road East
T33	Oak	Farley Court, Church Road East
T34	Oak	Farley Court, Church Road East

T35	Oak	Fairfax Mews	
T36	Douglas Fir		
T37	Birch	3 /4 Gainsborough Road 4 Gainsborough Road	
T38	Lime	2 / 2A Church Circle	
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T47	Yew	145 Alexandra Road	
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T49	Sycamore	137 Alexandra Road	
T50	Horse Chestnut	131-133 Alexandra Road	
T51	Lime	131-133 Alexandra Road	
101	Scots Pine	Land Adjacent to The	
		Quinneys, Guildford Road	
T52	Conto Dino	East	
T53	Scots Pine	82 Guildford Road East	
T54	Scots Pine	82 Guildford Road East	
	Horse Chestnut	34 Church Circle	
T55 T56	Horse Chestnut	34 Church Circle	
	Pine	31 Church Road West	
T57	Purple Beech	Land adjacent to flats, Church	
T58	Coots Dis-	Road West	
100	Scots Pine	Land adjacent to flats, Church	
T59	Nonuou Manta	Road West	
109	Norway Maple	Land adjacent to flats, Church	
T60	Conto Div	Road West	
T61	Scots Pine	48 Church Road West	
T62	Birch Divis	13 Albert Road	
T63	Purple Plum	13 Albert Road	
T64	Sycamore	18 Church Circle	
T65	Oak	22 Albert Road	
	Oak	16 Albert Road	
T66	Monkey Puzzle	16 Albert Road	
T67	Sweet Chestnut	24 Albert Road	
T68	Oak	18 Boundary Road	
T69	Pine Pine	64 Albert Road	
T70	Monterey Cypress	70 Canterbury Road	
T71	Oak	4 Gainsborough Road	
T72	Oak	4 Gainsborough Road	
1 / 1	Manning Miller	6 Church Circle	
T73	Weeping Willow		
T74	Sycamore	82 Albert Road	
T74 T75	Sycamore Apple	82 Albert Road 82 Albert Road	
T74 T75 T76	Sycamore Apple Pear	82 Albert Road 82 Albert Road 82 Albert Road	
T74 T75	Sycamore Apple	82 Albert Road 82 Albert Road	

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T79	Beech	Fernhill House, Boundary	
		Road	
T80	Oak	82 Albert Road	
T81	Scots Pine	82 Albert Road	
T82	Scots Pine	82 Albert Road	
T83	Oak	82 Albert Road	

Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation	

Groups of trees (within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
G1	Scots Pine x3 Norway maple x1	34 Oxford Road
G2	Scots Pine x11 Sycamore x3 Oak x3	79 Guildford Road East
G3	Scots Pine x3 Sycamore x4	79 Guildford Road East
G4	Scots Pine x8 Oak x5	Land at flats, Fairfax Mews
G5	Oak x2 Beech x2	63 Albert Road
G6	Beech x2 Sycamore x1	65 Albert Road and part of highway – Gainsborough Road
G7	Sycamore x2 Birch x3	6, 7, 8 Church Circle
G8	Oak x2 Scots pine x8	24 Church Circle and land adjacent to Fairfax Mews
G9	Scots Pine x10	Highway adjacent to Fairfax Mews
G10 .	Scots Pine x4 Tree of Heaven x1 Sycamore x4	1-10, 2a,3a,11,12,14,14a Church Circle
G11	Scots Pine x2 False Acacia x1	2 Church Road East and highway
G12	Scots Pine x2	86 Cambridge Road East and highway
G13 G14	Scots Pine x2 Sycamore x4 Oak x2	80 Cambridge Road East 133, 137, 141-143 Alexandra Road and Highway

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G15	Lime x3	32-42 Cambridge Road West	
	Oak x1	and highway	
	Horse Chestnut x1	•	
G16	Lime x3	56 Cambridge Road West and	
.		highway	•
G17	Oak x6	23, 25 Church Road West and	
040	Onata Dia a 20	land adjacent	
G18	Scots Pine x6	82 Guildford Road East, The	
	Oak x6	Quinneys Cambridge Road West	
G19	Horse Chestnut x1	20, 26 Church Road West	
3.10	Oak x3	20, 20 Charch Noad West	
G20	Douglas Fir x2	18 Church Circle and highway	
G21	Beech x1	Open Space on Belvedere	
	Oak x1	Road and adjacent to 31	
•	Scots Pine x1	Albert Road	
	Aspen x2	•	
G22	Purple Plum x1	Land at 20, 22 Church Road	
	Yew x1	West, 153 Alexandra Road	
000	Hornbeam x1	and highways	
G23	Scots Pine x7	157, 159, 161, 163 Alexandra	
G24	Beech x1	Road	
G24	Sycamore x1	66 Albert Road	
G25	Oak x7	25 Oxford Road and highway	
020	False Acacia x3	20 Oxiola Road and Ingliway	
	Scots Pine x22		;
•	Sycamore x2		
•	Sweet Chestnut x1		
G26	Scots Pine x2	77 Albert Road	
G27	Scots Pine x8	77a, 77b, 72 Canterbury Road	
G28	Oak x3	69, 77 Albert Road and land	
	Scots Pine x1	adjacent	· i
G29	Sweet Chestnut x1	Land between Albert Dood	•
GZÐ	Sweet Chestnut x4 Sycamore x1	Land between Albert Road and 69 Albert Road	į
G30	Beech x1	4 Gainsborough Road, 2	•
300	Birch x1	Belvedere Road and 2, 4	i
		Church Circle	
G31	Scots Pine x2	80, 82 Cambridge Road East,	:
	Oak x1	28, 30 Church Circle	1
	False Acacia x1		;
1	Birch x1		; ;
G32	Scots Pine x4	4, 6 Church Road East, 86	
	Oak x5	Cambridge Road East	i i
000	False Acacia	C Olemek Beet Feet	t 4
G33	Holly x1	6 Church Road East	ļ.
G34	Oak x1 Yew x10	84 Albert Road, and land	
O0 1	Oak x4	between 82 Albert Road and	•
	Out A I	DOMESTIC OF MIDDIE FLORE AND	•

	Scots Pine x2 Norway Maple x1	Canterbury Road
G35	Scots pine x24 Beech x2 Oak x9 Hornbeam x9 Lime x1	Land between Albert Road, 82, 84 and 74 Albert Road
G36	Scots pine x6	Land between 82 Albert Road
	Oak x4	and Boundary Road
G37	Oak x2	Farley Court, Church Road East
G38	Lime x2, Beech x8	Farley Court, Church Road East

Woodlands (within a continuous black line on the map)

Reference on map	Description		Situation	
	•	•		

TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 199) TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999-

RUSHMOOR BOROUGH COUNCIL

TREE PRESERVATION ORDER 439

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire, 2007

Under the provisions of Section 199 of the Town and Country Planning Act 1990, the Town and Country Planning (Trees) Regulations 1999 and The Planning And Compulsory Purchase Act 2004, Rushmoor Borough Council having considered six written representations received in respect of the above Tree Preservation Order, this Order is hereby confirmed with modification as TPO 439A.

Signed
Head of Planning Services
Dated23.4.08
AGREED
Signed 16. C. huni
Solicitor to the Council
Dated 28/408

CONFIRMATION OF ORDER 439A

This Order was confirmed by Rushmoor Borough Council with the following modifications:

Schedule 1 of the TPO has been amended to record the group designated G33 as consisting of 1 Oak tree and 1 Holly tree. The TPO has also been amended following the authorised removal of one Sycamore tree within group G1 and one multi-stemmed Lime tree identified as T1. T74, T75 and T77 have been erroneously protected within the Order and are now omitted from Schedule 1. G25 has been amended within Schedule 1 to identify 3 False Acacia trees instead of 4 False Acacias.

on the Both, day of April

Leader of the Council or appropriate Council Member

Solicitor to the Council

Ajhufle.

LEADER OF THE COUNCIL

SOLICITOR TO THE COUNCIL

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FARNBOROUGH ROAD, FARNBOROUGH
HANTS, GU14 7JU
TEL: (01252) 398398



TREE PRESERVATION ORDER No 439A

TREE SCHEDULE: Please refer to Schedule 1

T1-T83 INDIVIDUAL TREES G1-G38 GROUPS OF TREES

Location:-

Trees within land between Alexandra Road and Canterbury Road, South Farnborough, Hampshire.

Date: 18/10/2007

Map Reference: E: 487496 N: 154471

Scale:1:2000

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> SOLICITOR TO THE COUNCIL

TPO 439V - Pack

Final Audit Report 2022-10-24

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