

THE RURAL DISTRICT COUNCIL OF ALTON

TOWN AND COUNTRY PLANNING ACTS, 1932 AND 1943

INTERIM PRESERVATION ORDER NO. 1

WHEREAS it appears to us the COUNCIL OF THE RURAL DISTRICT OF ALTON IN THE COUNTY OF SOUTHAMPTON (hereinafter called "the Council") being the Interim Development Authority for the purposes of the above Acts in respect of the said District that it is expedient having regard to the provisions proposed to be inserted in the planning scheme for the said District in accordance with Section forty-six of the Town and Country Planning Act, 1932 to provide as hereinafter mentioned for the preservation of woodland areas during the period pending the coming into operation of the provisions of the said Planning Scheme

NOW THEREFORE in pursuance of the powers contained in Section eight of the Town and Country Planning (Interim Development) Act, 1943, and of all other powers enabling us in that behalf

WE THE COUNCIL DO ORDER as follows:-

- (1) THAT until such time as a Planning Scheme for the said District comes into operation and subject to the exemptions specified in the second schedule hereto no person (which expression shall in this Order include any body or firm whether corporate or otherwise) shall except with the consent of the Council out down, top, lop or wilfully destroy or permit the cutting down, topping, lopping, or wilful destruction of any part of the woodland areas in the said District referred to in the first schedule and more particularly indicated numbered and shown coloured green on the plan hereto annexed.
- (2) ANY application for consent of the Council made in pursuance of paragraph one hereof shall be in writing and shall contain such particulars and be accompanied by such plans as the Council may require and in considering any such application the Council may grant the same either unconditionally or subject to such conditions as they may think fit to impose

(2)  
Ord.

or may refuse the same  
PROVIDED THAT

(a) any person who is aggrieved by the refusal of any consent under this Order or by any condition imposed upon the grant of any such consent may appeal to the Minister of Town and Country Planning (hereinafter called "the Minister") and

(b) upon the refusal of any consent under this Order or upon granting any such consent subject to conditions, the Council may make a contribution towards any damage or expense likely to be suffered or incurred by reason of their decision.

(3) If any part of the woodland areas designated in paragraph one is felled in the course of forestry operations permitted by or under this Order, the owner of the land shall replant the said part in accordance with the practice of good forestry

(4) ANY person contravening this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty pounds and in the case of a continuing offence shall be liable on summary conviction to a fine not exceeding forty shillings for each day during which the offence continues after conviction

(5) This Order shall take effect from the date on which it is approved by the Minister in accordance with the provisions of subsection two of section 8 of the Town and Country Planning (Interim Development) Act, 1943  
THE FIRST SCHEDULE hereinafore referred to

No. on  
Plan.

Description of Woodland Area.

Situation.

*Woodland area of mixed trees  
Fin. Oak, ash, beech, known as  
Bell Wood and Kilcoble Wood.*

*Situated west of  
Road A 31 between  
Navy Lane and  
Kilcoble Lane in  
the Parish of  
Keshon Valence  
Nash.*

(5) THE SECOND SCHEDULE hereinafore referred to  
Ctd.

This Order shall not apply so as to require the consent of the Council to the cutting down, topping, lopping or wilful destruction of any part of a woodland area undertaken

(a) in compliance with an obligation imposed by or under any Act of Parliament; or

(b) in pursuance of a power conferred on the postmaster General by virtue of section five of the Telegraph (Construction) Act, 1908; or

(c) in the case of a local or public authority or statutory undertakers, in the exercise of any powers conferred on the Authority or undertakers by or under any Act of Parliament; or

(d) when the tree is dying or dead or has become dangerous; or  
(e) in pursuance of any consent granted on an appeal made under this Order.

IN WITNESS whereof the Council have caused their Common Seal to be hereunto affixed this                      day of                      One thousand nine hundred and                      in the presence of:—

(Signed)                      (Chairman)                      SEAL OF THE  
(Signed)                      (Clerk)                      .....

District Council,

29 June 1948

*Sealed by the  
Minister 29 June 1948*