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STATUTORY INSTRUMENTS

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**2012 No. 605**

The Town and Country Planning (Tree  
Preservation)(England) Regulations 2012

PART 2

TREE PRESERVATION ORDERS

**Variation of tree preservation orders**

**10.**—(1) Where an authority vary an order they shall—

- (a) endorse the original order with a statement to the effect that the order has been varied, specifying the date on which the variation order takes effect;
- (b) serve on the persons interested in the land affected by the variation order—
  - (i) a copy of the variation order; and
  - (ii) a statement explaining the effect of the variation order; and
- (c) make a copy of the variation order available for public inspection, in accordance with regulation 5.

(2) Where an authority vary an order so as to add to the Schedule to the order (and the map) references to a tree to which the order did not previously apply, regulations 5(1)(a)(ii) and (2) and 6 to 9 shall apply to the variation order as they applied to the order, subject to the substitution, for references to persons interested, of references to—

- (a) persons who are the owners and occupiers of the land affected by the variation order; and
- (b) every other person whom the authority know to be entitled to cut down, lop or top the trees to which the variation order relates, or to work by surface working any minerals in, on or under that land.

(3) For the purpose of paragraph (1)(a) the date on which the variation order takes effect shall be the date on which the variation order is made, except that, where paragraph (2) applies, the date on which the variation order takes effect shall be the date on which the variation order is confirmed under regulation 7(2).

(4) For the purpose of this regulation, “land affected by the variation order” means the land on which the trees, groups of trees or woodlands to which the variation order relates are situated.