



News Release

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Successful Tree Protection Prosecution for South Hams District Council

Three people have appeared in court charged with damaging protected trees, after a prosecution was brought by South Hams District Council.

The charges were that Mr Klaas Kalis and Mrs Penny Kalis on 18 December 2017 did contravene the provisions of a South Hams District Council Tree Preservation Order by allowing, permitting or causing damage to be done to five of the trees subject to that order, contrary to section 210(4) of the Town and Country Planning Act 1990.

Mr and Mrs Kalis pleaded guilty to the offences and the court imposed a fine and victim surcharge of £1540 on each defendant, plus costs awarded back to the council of £670 each.

A third defendant pleaded not guilty and their case was adjourned until 13 November 2018.

Cllr Hilary Bastone, Executive Member for Development Management at South Hams District Council, said: "I am pleased with the results of the prosecution. It's very easy to check if a tree you own has a preservation order on it, or if you live in a conservation area. A TPO does not necessarily mean that work cannot be carried out to the tree; it means that you must seek the correct permissions and only carry out necessary works. South Hams District Council are committed to protecting trees in our area, and we will prosecute those who flout the law."

A Tree Preservation Order, or TPO, is made to protect a tree or trees with landscape and amenity value. It is illegal to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by a TPO.

In addition, all trees in Conservation Areas are considered to be protected and the same laws apply. A Conservation Area is an area which is considered to have special architectural or historic interest. Salcombe has a large number of protected trees and residents can contact the Council's Tree Specialists at any time for advice or information.

While the trees in question have been damaged, natural regrowth will occur which will need to be carefully managed. The trees should recover in time.

To check a tree on your property, or to check whether you live in a Conservation Area, residents can use the Interactive Mapping service on the website at <https://www.southhams.gov.uk/article/813/Interactive-Mapping> or email trees@swdevon.gov.uk.

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