



# News Release

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## Third Person Found Guilty of Damaging Protected Trees

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 Steven Hawken, 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.

On 13<sup>th</sup> November 2018 Mr Steven Hawken attended Plymouth Magistrates Court and changed his plea to guilty. Mr Hawken was fined £600 and ordered to pay a further £60 victim surcharge and £1560 prosecution costs. Mr and Mrs Kalis pleaded guilty to the offence at an earlier hearing and the court imposed a fine, victim surcharge and prosecution costs award of £2210 each.

The trees which were the subject of the Tree Preservation Order were in the grounds of a private dwelling in St Dunstan's Road, Salcombe. The owner did not give permission to cut the trees to Mr and Mrs Kalis or their contractor Mr Hawken.

**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 usually made to protect a tree or trees with landscape or 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.

To check a tree on your property, or to check whether they 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](mailto:trees@swdevon.gov.uk).

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