

Council, the County Borough Council or the Urban and Rural Council which has authority delegated to it by the County Council.

Any individual citizen or society may request a T.P.O. Such request should be sent to the L.P.A. of the area in which the trees are situated. The request may be in respect of (a) a single tree, (b) a group of trees, (c) a wood, and should refer to amenity aspect. The test applied to any request for a T.P.O. is: if the tree or woodland were to be felled or lopped would there be any loss of amenity to the neighbourhood?

If it is considered that a tree or trees are in danger of being felled, the L.P.A. may make a provisional order which takes effect immediately and continues in force for six months. Penalties for contravening apply during this period.

Penalties for contravention of an order: maximum fine for each offence is £250 or twice the timber value of the tree, whichever is the greater. Both the tree feller and the owner can be held liable.

The L.P.A. can require the replacement of any tree felled to which a T.P.O. applies. The owner of mature trees or woodlands to which a T.P.O. applies may apply to the L.P.A. for permission to fell. This will usually be granted, subject to conditions such as replacement or, in the case of woodlands, the retention of a screen to cover the scars of felling.

An owner who has incurred expenditure or loss through a refusal of consent by the L.P.A. may claim compensation, except when the L.P.A., in refusing consent have certified that the refusal is in the interests of good forestry or special amenity value. The claim should be made to the L.P.A. within twelve months of the refusal. The amount of compensation is a matter for negotiation between owner and the L.P.A. If no agreement is reached the Minister will decide.

The Minister imposes a duty on the L.P.A. to preserve trees of amenity value when granting planning permission for development and to require the planting of new trees, which may be protected by T.P.O.S. If planning permission is granted on a site already subject to a T.P.O., the trees are exempted and may be felled; but a condition may be imposed for replacements elsewhere on the site.

With grateful acknowledgements to "The Groundsman".

Letter to the Editor

Dear Sir,

I refer to Mr. Patrick Smartt's article 'MOATS' featured in the February issue of *The British Golf Greenkeeper* magazine and would correct an inference made in that article regarding the water hazard in front of the 11th Green of Downfield Golf Course.

Mr. Smartt infers that this hazard was artificially constructed as a water bunker. While I would agree that the pond was artificially constructed at some point in time, it was certainly made many years before the late James Braid designed Downfield Golf Course in 1932. When the course was being designed and constructed, Ardlar Ponds had been in existence for a long time and the architect, with great success, brought them into play as a feature of what, at that time, was the 7th hole. In respect of Mr. Smartt's comparisons in artificiality between the Swilken Burn at St. Andrews and the pond at Downfield, I would venture to suggest that the former, with its vertical and concreted banks, bears much more of the stamp of man's efforts than does the latter.

Yours sincerely,
L. S. WRIGHT,
Greens Convener, Downfield G.C., Dundee