Tree Preservation Order Recommendations
TPO review

1. Summary

One individual significant tree, known as ‘The Poker Tree’ and also a group of trees, to the west of Aberfoyle village centre, were protected by Tree Preservation Order (TPO) served by Stirling District Council in 1978. The original TPO has been revoked and a new TPO served that only covers ‘The Poker Tree’ and the group has been removed as it no longer merits protection. ‘The Poker Tree’ is a mature oak and has literary associations with Sir Walter Scott’s novel ‘Rob Roy’.

2. Background

Site Description

2.1 The site lies on the south side of Lochard Road (B829) opposite the former hotel, known latterly as Bailie Nicol Jarvie hotel. The site lies adjacent to the River Forth.

Figure 1 – Location Plan
National Park Authority
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Figure 2: Site Plan – (Original TPO - Revocation 2018/0003)
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Figure 3 Site Plan – (New TPO – 2018/0008)
2.2 The TPO extends alongside the River Forth. The site plan shows the group of trees (A1) and the individual mature oak (The Poker Tree) as T1. The new TPO now only cover the individual mature oak and the group has been removed.

2.3 The photographs below show the view of the group of trees and the ‘Poker Tree’ from the village centre. The group of trees form a riparian edge to the river but were not considered worthy of protection by Tree Preservation Order.

*Figure 4 – Photograph of Poker Tree TPO*
3. **Relevant Planning History**

3.1 There is no relevant planning history.

4. **Consultations and Representations**

4.1 The following statutory consultations were undertaken in relation to the making of the TPO:
   a) Forestry Commission Scotland – Conservancy
   b) The owner, lessee and occupier of the land on which the trees are situated, and any party entitled to:
      i) fell, top, lop, uproot or otherwise damage or destroy any tree to which the tree preservation order relates; or
      ii) work by surface working any materials in, on or under such land.

4.2 In addition, an advert was placed in the Stirling Observer on the 30th March 2018 and Strathard Community Council was notified.

*Responses to consultation:*

4.3 There were no responses received.
5. Assessment

5.1 The Members are being asked to confirm two Tree Preservation Orders, made on 8th March 2018 with no modifications. These TPOs were served following re-assessment of the TPO which found that only the mature oak known as "The Poker Tree" still merited protection by a TPO.

5.2 The TEMPO method scores a tree on a number of categories as follows:
Part 1 is the amenity assessment which is broken down into four sections:
- Condition (relates to health and physical form);
- Retentions span (Remaining lifespan);
- Relative public visibility;
- Other factors such as arboricultural features or veteran trees, trees which have significant historical or commemorative importance.
Part 2 is the expediency assessment which is the level of threat to the trees or woodland concerned.

5.3 The group of trees when assessed by TEMPO scored 11 which indicated that a TPO could be defensible, however it was considered that the group did not warrant protection by a TPO due to the species mix and the unremarkable form of the native species present.

5.4 The Poker Tree scored 15, with 3 for condition (fair) while 4 for retention subject to appropriate monitoring and 4 for visibility and 3 for other factors (Large tree or medium tree clearly visible to the public) and 1 for expediency (Precautionary only).

6. Conclusion

6.1 The Members are being asked to confirm the two Tree Preservation Orders, made on 8th March 2018 which will result in this significant tree in the village of Aberfoyle being protected by an updated TPO.