

**APPEALS AND REVIEWS COMMITTEE
23RD OCTOBER 2023**

PRESENT:

Councillors C. Forrest, Dent, Fox, Woodward and Worrall

Mr Scrine (item 6)

Team Leader Natural & Built Environment
Senior Ecological Officer
Locum Solicitor
Democratic Services Manager

APOLOGIES: Councillor Bradshaw

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

13. CHAIR FOR THE MEETING

RESOLVED that Councillor Woodward be appointed Chair for the meeting, as Councillor C. Forrest was late arriving.

14. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Committee held on 21st August 2023 were received and noted.

15. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

16. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

17. AGENDA VARIANCE

RESOLVED that item 6 be considered prior to item 5 on the agenda, to enable the item for which objectors were present to be considered first.

18. BOROUGH OF CHARNWOOD (BRADGATE ROAD, NEWTOWN LINFORD) TREE PRESERVATION ORDER 2023

Councillor C. Forrest arrived at the meeting at 5.40pm and did not take part in the consideration of this item.

Considered, a report of the Head of Governance and Human Resources setting out details of the Tree Preservation Order served on the above site, the objections received to the Order and the comments of the Head of Planning and Growth on the issues raised by the objection (item 6 on the agenda filed with these minutes).

The Head of Planning and Growth's representative attended the meeting to put forward his case and answer the Committee's questions. The following objector also attended the meeting:

Mr Christopher Scrine participated and put forward his concerns about Group G3 (Representation D). The objector also circulated additional papers at the meeting in support of his case (copies retained for the record).

The Chair also read out a written submission from Mr and Mrs Cooper in respect of Tree T9 (Representation A) as they were unable to attend the meeting.

The Committee considered this matter in accordance with the "Procedure for Considering Objections to Tree Preservation Orders" set out in the Council's Constitution and on the agenda for this meeting.

RESOLVED that the Borough of Charnwood (Bradgate Road, Newtown Linford) Tree Preservation Order 2023 be confirmed with modification as follows:

Tree 10 – be removed from the order

Tree 12 – be removed from the order

Group of trees (G3) be amended to only an individual tree (T24 – Monkey Puzzle)

Reasons

Having considered in accordance with the procedure set out in the Council's Constitution the objections to the Order, the Committee considered that

- A. Tree 9 was of sufficient amenity value to be retained in the order.
- B. Tree 10 be removed from the order as the owner had not been notified of the serving of the Provisional Order on the Flowering Cherry Tree within their property boundary.
- C. Tree 12 be removed from the order as it was no longer in existence when the order was served.
- D. Group 3 be amended to an individual tree (T24 – Monkey Puzzle), as the other three trees included within the property boundary of No.470 Bradgate Road had been inaccurately identified.
- E. The Council did not have a record of T23 located within the property boundary of No.400 Bradgate Road being included in a previously served TPO. Therefore, recommend that T23 should be retained in the confirmed order as there is no objection to its protection.

19. BOROUGH OF CHARNWOOD (SIX HILLS ROAD WALTON ON THE WOLDS) TREE PRESERVATION ORDER 2023

Considered, a report of the Head of Governance and Human Resources setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Growth on the issues raised by the objection (item 5 on the agenda filed with these minutes).

The Head of Planning and Growth's representative attended the meeting to put forward their case and answer the Committee's questions. The objector did not attend the meeting.

The Committee considered this matter in accordance with the "Procedure for Considering Objections to Tree Preservation Orders" set out in the Council's Constitution and on the agenda for this meeting.

RESOLVED that the Borough of Charnwood (Six Hills Road Walton on the Wolds) Tree Preservation Order 2023 be confirmed.

Reason

Having considered, in accordance with the procedure set out in the Council's Constitution, the objection to the Order, the Committee considered that the reasons put forward for not protecting the trees did not outweigh the contribution they made to the amenity of the area and that the trees should therefore be protected.

NOTE:

No reference may be made to these minutes at the next available Ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.