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## Licensing & Appeals Sub-Committee

**Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Thursday, 30th May, 2024 in the Committee Room, Town Hall, Matlock DE4 3NN.**

**PRESENT** Councillor Steve Wain - In the Chair

Councillors: Susan Hobson and Joanne Linthwaite

James Cunningham (Solicitor), Lucy Harrison (Democratic Services Assistant) and Chris Payne (Trees and Landscape Officer)

The Applicant and their Representative.

### 17/24 - ELECTION OF A CHAIR

It was moved by Councillor Susan Hobson, seconded by Councillor Joanne Linthwaite and

**RESOLVED** (unanimously)

That Councillor Steve Wain be elected as Chair of the Sub-Committee.

The Chair declared the motion **CARRIED**.

### 18/24 - INTERESTS

There were no declarations of interest.

### 19/24 - DERBYSHIRE DALES DISTRICT COUNCIL TREE PRESERVATION ORDER 204 - TREES AT BOW WOOD END, LEA ROAD, LEA WOOD, NEAR CROMFORD

The Sub-Committee visited the site prior to the meeting to appraise the situation of the Tree Preservation Order (TPO) and consider the public amenity value of the trees.

The Sub-Committee considered a Tree Preservation Order made under Sections 198,201 and 203 of the Town and County Planning Act 1990, issued in respect of TPO 204 (several trees of mixed species) at Bow Wood End, Lea Road, Lea Wood, Near Cromford.

The Chair invited all parties to introduce themselves, asked whether Members had any declarations of interest (for which there were none) and confirmed that the Sub-Committee was quorate.

The Trees and Landscape Officer gave an outline of TPO 204 and informed the Sub-Committee that the apparent fair structural and physiological condition, visibility to the public and ecological/biodiversity services of the group of trees justified formal protection of with a TPO.

Officers then further informed the Sub-Committee that the justification for the TPO, without modification, was to protect the public amenity of the trees being considered and their contribution to the character and appearance of the area. It was also noted that the TPO, if confirmed, would allow the Council to exert some control over future management of the trees. The Trees and Landscape Officer also informed the Sub-Committee that given the possible impact of ash dieback disease in the coming years, confirmation of the TPO would ensure the provision of suitable replacement trees.

The Trees and Landscape officer highlighted an error in Part 2 of the TEMPO form, noting that the Council was in fact notified of the previous removal of 3 trees. He therefore apologised to Mr McMichael for the error and Members of the Sub-Committee confirmed that the correction would be taken into account during decision making.

The Sub-Committee and the other parties were afforded an opportunity to raise any questions or request clarification of the Tree and Landscape Officer's report.

The Sub-Committee heard objections to the TPO from Mr McMichael and his witness Mr Hannath.

All parties were afforded an opportunity to request clarification of any points or ask further questions.

The Sub-Committee members confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

## **20/24 - DECISION**

The Sub-Committee resumed in public session.

It was moved by Councillor Steve Wain, seconded by Councillor Joanne Linthwaite and

## **RESOLVED**

That having considered all the evidence put before it, the Sub-Committee determined that Tree Preservation Order number 204, 2024 be confirmed with the modification that it is to apply only to the ash tree identified in tree works notification T/34/00248/TCA and that the Order shall not include all other trees within the group referenced as G1 within the order.

## **Voting**

**02 For**

**01 Against**

**00 Abstentions**

The Chair declared the motion **CARRIED**.

Reason(s) for Decision

The reasons for the decision are contained within the associated decision notice.

**Chair**

**Meeting Closed:** 11.35 am

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