Minutes of the Extraordinary Parish Council Meeting held 16 October 2017
Village Hall – 7.45 pm

Present
Peter Hubbard (Chair), Richard Steel (Vice Chair), Richard Robson and Ian Stones
Clerk - Emma Taylor

Four members of the public.

Public Session

The chair confirmed that there were only two items on the agenda. If the public wanted to discuss either of those items, they could do so as usual, before the meeting starts.

A concern was raised that there was a complete lack of detail in the application. Nothing about whether it is dangerous, diseased or if has wildlife in it. Ash trees are a habitat for bats.

Craig South confirmed that there was an error on the application. The tree was not an Ash Tree. It was a Tree of Heaven, He had only just been told this. He had emailed RMBC to tell them but they have not changed the notice of the application. Tree of Heaven is a pest. It grows fast and contains toxic roots.

Public asked if the application should be withdrawn if it states the wrong tree. Craig confirmed that the planners should have attended this week to do their assessment. Craig is not an expert and cannot say for definite what the tree is. If it is a Tree of Heaven they are being culled all over the UK. The roots have poisonous suckers.

The chair confirmed that the application had to be considered on the basis that a tree was being cut down in a conservation area regardless of its type. The application states an Ash tree. PC will have to work on that basis, the experts will do their report.

Craig was asked how quickly he intends to remove it if permission is granted. He confirmed that Halifax have given him 3 months to build the wall so if he gets permission, he will take it down asap.

PC members then raised some questions as to whether the wall was clearly defined now and whether the tree fell on his land or the neighbouring properties land.

Clerk confirmed that PC members should raise their issues within the formal part of the meeting.

There were no other comments from the public.

Meeting

92/17 Apologies – David Wing had provided apologies for his absence. He was on a planned holiday when the meeting was called at short notice.

Apologies were accepted by vote.

[Signature]
29/11/17
93/17 Declarations of Interest – None declared.

94/17 Planning application to fell a tree at 5 Turnshaw Road

The Chair confirmed that the PC had to consider the application in relation to the tree. The application was available at the meeting. Craig has not submitted any further applications. The issues is whether the PC want to raise an objection to the felling of a tree in the conservation area. There are a range of options but the basic position is:-

1. The tree should stay
2. The tree should go

The PC are obliged to consider whether they want to express a view. If the PC objects then it will be one of the matters that the planning officer considers when they decide the outcome of the application. The nature of the tree and any issues such as whether it is dangerous or diseased are issues for the expert and planning officer. The PC will not see that information before the 6 week consultation ends. The PC have to decide tonight.

Councillor Steel asked if the PC could say not bothered?

The Chair confirmed that the PC could decide to say nothing. RMBC will take the silence as an expression that the PC have no objection to the tree being felled. The PC also has the option to consider that if they want the tree to stay, they could ask for a TPO to be placed on the tree.

Councillor Steel asked Craig if he was planning on taking any other trees out? Craig confirmed not at the moment. His application was just for the one tree. Councillor Steel was not sure where the boundary wall was. Craig confirmed that it was overgrown but basically followed the line where the tree was. Councillor Steel asked again if Craig new whether the tree was on his land or neighbours. Craig believes it is on his land.

Councillor Robson asked Craig if he had consulted with Sitwell estate who own the neighbouring property in case they wanted the tree to stay if it is on their land too. Craig confirmed that he had not. He had made the application. Sitwell would be able to see that.

The Chair confirmed that the PC accepted that the issue for Craig was the building of the wall. The PC however have to consider the cutting of a tree down in a conservation area. Is it sympathetic to the area? The PC vote does not hold any more weight than showing to RMBC what the PC position is. An expert will assess the tree.

Councillor Robson asked if the PC had a dual role as they also must have a duty to consider the residents of the village and their needs alongside the question of whether the tree should go.

Councillor Steel asked if it was a condition in a conservation area that any trees felled, had to be replaced. It had happened previously in the village. The Chair confirmed that it was not a condition. The trees had been replaced previously, as the planning application had contained a provision that they would plant trees. It is not compulsory.

Craig confirmed that he had bought a blot on the landscape and planned to make it much better. The wall will be in-keeping and the garden will be planted up.

P: S Hammond
29/11/17
The Chair confirmed to the PC that they had to consider the only application before them, which is to fell the tree. Craig’s other plans do not in planning terms, exist.

The Chair confirmed that his view would be to respond and say that the PC object due to size, location, age and the conservation area. If RMBC decide the tree can go, then fine. It is only our view. We have a 6 week timeframe. We tried to get an extension but RMBC confirmed that these applications cannot be extended. RMBC confirmed that the planning officer and the tree expert would visit the site and consider any views submitted. They will consider all aspects and make their decision.

The PC have to be notified by statute. PC does not get to see the report. Decision has to be made tonight.

The Chair suggested that unless Councillors had any other questions it would proceed to the vote. Councillors all agreed. The Chair put forward a motion that the PC would like to see the tree remain. Councillors are to vote yes if they agree and no if they want the tree to go.

Vote; The Chair voted in favour of the motion. The remaining councillors voted against.

The Clerk clarified with the Councillors that they all understood that this meant that the PC was saying that as a PC they had no objection to the tree being felled. The Councillors all confirmed this was correct and agreed that the PC would make no comment to the application.

Resolved – vote 3 to 1 in favour of the PC raising no objection to the felling of the tree.

94/17 Clerk

The Clerk confirmed that further to her email, she was resigning from the post. This is due to her main job and family commitments. The PC agreed that the job would be put out to advert asap. The Clerk confirmed that she would stay until a replacement had been found but would not remain beyond February 2018. 12 hours is sufficient for an experienced clerk. The Chair thanked the clerk for the work she had done to date and it was agreed that the Council should start the recruitment process as soon as possible initially by:-

1) Circulating the vacancy to the Clerks group in Rotherham
2) Looking to advertise in the YLCA’s newsletter

P. D. Elmes
29.11.17