

## APPEALS COMMITTEE

2.00 P.M.

16<sup>TH</sup> NOVEMBER, 2004

**PRESENT: -** Councillors S. Denwood (Chairman), E. Ashworth (substitute for S. Burns), C. Coates, J. Harrison (substitute for J. Horner), H. Helme, D. Kerr and J. Kirkman (substitute for J. Gilbert).

Officers in Attendance:

A. Humphreys – Senior Solicitor  
D. Hall – Development Control Officer  
J. Kay – Democratic Support Officer

Also in Attendance:

T. Cooke -CAPITA – Appearing on behalf of the City Council.  
Mr. M. Fish - objector to the TPO  
Mr J. Stelfox - supporter of the TPO

Apologies for absence:

Councillors S. Burns, J. Gilbert and J. Horner.

### 17 **SITE VISIT – TREE PRESERVATION ORDER NUMBER 366 RELATING TO TREES LOCATED AT REANES WOOD, SLYNE WITH HEST**

Prior to the commencement of the meeting, a site visit to Reanes Wood, Hest Bank was undertaken in response to an objection to the above-mentioned Tree Preservation Order.

**The following Members were present on the site visit: -**

Councillors S. Denwood (Chairman ), E. Ashworth, C. Coates, J. Harrison, H. Helme, D. Kerr and J. Kirkman.

**Officers in attendance: -**

D. Hall – Development Control Officer  
J. Kay – Democratic Support Officer

**Also in attendance: -**

T. Cooke – CAPITA

### 18 **MINUTES**

The Minutes of the meeting held on 13<sup>th</sup> October, 2004 were signed by the Chairman as a correct record.

**19 APPEAL AGAINST TREE PRESERVATION ORDER NUMBER 366 RELATING TO TREES LOCATED AT REANES WOOD, SLYNE-WITH-HEST**

The Committee considered an appeal against a decision of the Council, under Section 198 of the Town and Country Planning Act 1990, making an order in respect of a group of trees located at Reanes Wood, Slyne-with-Hest.

Mr Hall began by submitting the case for upholding the requested Tree Preservation Order, which was reiterated by Mr Cooke from CAPITA.

Mr Stefox then presented his case in support of the Preservation Order.

Mr Fish was then given the opportunity to present his case to the Appeals Committee. A lengthy questions session then ensued.

*(The Committee passed a resolution to exclude the press and public, on the basis that on making its decision, exempt information would be received in the form of legal advice.)*

**Members considered the objections to the confirmation of the Order, TPO Number 366, at length and received legal guidance from Mr Humphreys.**

**It was proposed by Councillor Denwood and seconded by Councillor Kirkman: -**

**“That the Order be confirmed without modification.”**

**Upon being put to the vote, 4 Members voted for the proposal and 3 Members voted against, whereupon the Chairman declared the proposal carried.**

**Councillor Ashworth, Harrison and Helme requested that it be minuted that they had voted against the proposal.**

*Resolved: -*

**That the Order be confirmed without modification.**

.....  
Chairman

(The meeting ended at 3.35 p.m.)

***Any queries regarding these Minutes  
Please contact Jenny Kay Democratic Support Officer  
on 01524 582065, or alternatively email [jkay@lancaster.gov.uk](mailto:jkay@lancaster.gov.uk)***