

WORKING ARRANGEMENTS GROUP

9 DECEMBER 2025

Present: Councillors Hilton (Chair), Rogers (Vice-Chair), Collins and Turner. Mary Kilner (Chief Legal Officer), [REDACTED]

23. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Barnett and Patmore. Councillor Turner was present as a substitute for Councillor Barnett.

24. DECLARATIONS OF INTEREST

None.

25. MINUTES OF THE LAST MEETING

Agreed.

26. AMENDMENTS TO THE CONSTITUTION: PLANNING APPLICATIONS FOR WORK TO TREES COVERED BY A TPO

At the WAG meeting on 7th October, it was agreed that the Constitution should be amended to allow applications for works to a tree with a Tree Preservation Order (TPO) to go to the Planning Committee. Two main issues were raised. The first was the potential volume of applications; if all TPO applications were referred to committee, it could overwhelm the committee and cause delays. The second was that government guidance requires decisions on tree applications to be based on expert advice. If the committee makes decisions contrary to that advice, it could lead to appeals and costs.

[REDACTED] presented a proposed change to the Constitution, to amend Paragraph 45 of Part 8 of the Constitution so that applications for works to TPO trees in conservation areas, where the recommendation is for approval, would be referred to the Planning Committee in the circumstances set out in Paragraph 42 of Part 8 of the Constitution:

- there are five or more representations contrary to the officer recommendation
- the Chair of Planning Committee has referred the application to the Planning Committee
- the application relates to or affects HBC/Foreshore Trust land or is submitted by HBC/Foreshore Trust
- the applicant is a councillor or officer in a politically restricted post
- or any councillor has given written notice with clear planning reasons for the application to be referred to committee.

Councillor Turner expressed concerns raised by residents about extensive tree felling and noted that the current wording focuses only on trees protected under TPOs, whereas all trees are important. Councillor Turner was unhappy with

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decisions being delegated and believed more should be done to preserve trees and that all applications involving tree felling, not just those with TPOs, should be decided by committee. He also suggested that the council arboriculturist should attend committee meetings when such applications are considered.

In reply, Councillor Hilton noted those points concern policy and could be dealt with elsewhere rather than through the Constitution.

[REDACTED] confirmed that the suggestion that all applications involving tree works should go to committee would result in between 600 to 900 applications being decided at committee per year, which would be unmanageable and too onerous for the planning process. The arboriculturist now has a standing invite to attend planning committee meetings whenever an application involving trees is considered. However, it was clarified that he works under a different team and manager, with responsibilities beyond commenting on planning applications, including tasks related to tree policy and strategy, which are outside the [REDACTED]

[REDACTED] direct control.

Councillor Collins expressed concern that requiring all tree felling applications to go before the committee would be unworkable and extremely difficult to enforce and raised concerns that the current TPO process and guidance are inadequate, and this should also be reviewed. Finally, he highlighted that the list of TPOs on the council website is not searchable and requires scrolling through a long list, which he has raised with the relevant officers.

[REDACTED] confirmed that that removal of a tree outside a conservation area and not covered by a TPO does not require council consent, and similarly, trees under 750mm in diameter within a conservation area can also be removed without permission. It was noted that ideally the council would have every TPO tree mapped on the council's system so that anyone can easily check if a tree is protected. Other councils already provide this functionality and there is a need for a broader tree policy.

Councillor Rogers said there is a need to strike a balance, as sending 600–900 tree-related applications to the planning committee would be impractical and lead to excessively long meetings. However, she acknowledged the importance of protecting significant trees and supported the proposal as a sensible middle ground.

There was general agreement around setting up a working group to look at the council's wider tree policy and approach to tree conservation.

Agreed:

To propose the amendment to Full Council.

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(The Chair declared the meeting closed at 6.45pm)