

Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 14 November 2019.

PRESENT

Mr. J. G. Coxon CC (in the Chair)

Mr. I. E. G. Bentley CC
Mr. M. H. Charlesworth CC
Mr. B. Crooks CC
Mr. T. Gillard CC
Mr. D. Harrison CC

Mr. W. Liquorish JP CC
Mrs. R. Page CC
Mrs. J. Richards CC
Mr. S. D. Sheahan CC

59. Minutes of the previous meeting.

The minutes of the meeting held on 10 October 2019 were taken as read, confirmed and signed.

60. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

61. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

62. Urgent items.

There were no urgent items for consideration.

63. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

It was noted that all members who were members of a Parish, Town or District Council, or Liaison Committee would have personal interests in applications which related to areas covered by those authorities. No further declarations were made.

64. Presentation of petitions.

The Chief Executive reported that no petitions had been received under Standing Order 36.

65. 2019/TPO/0100/LCC: Application to fell a sycamore tree T1, Douglasfir T2, 2 Lawson cypress trees T3, Portuguese laurel T4 and 2 yew trees T7 & T11 and raise the crown of beech T6 to 6.0m and raise the crowns of 3 yew trees T10, T13 & T14 protected by LCC Horninghold TPO 1973.

This item was withdrawn.

66. 2019/TPO/0214/LCC: Application to fell oak tree T1 protected by LCC Rothley TPO 1958.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 8', is filed with these minutes.

The Director of Environment and Transport clarified that whilst the tree was definitely infected it was unclear whether it was infected by the bacteria that causes Acute Oak Decline or Phytophthora Disease but in either case there would be a risk of the tree shedding branches and the adjacent oak tree becoming infected.

The Director of Environment and Transport advised that the Board did have the power to condition that a replacement tree be planted however in this particular case the garden was very small and due to the adjacent oak tree there was insufficient light for a replacement tree to grow.

RESOLVED:

That consent be granted to fell the oak tree T1.

REASON FOR DECISION:

The oak tree T1 is likely to be infected with either the bacteria that causes Acute Oak Decline or phytophthora disease and is shredding live branches that could damage property or cause injury to persons. The removal of the tree is in the interests of safety and good tree management.

67. Exclusion of the press and public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

Consideration of the action to take following the failure to comply with the terms of breach of condition notices (BCN).

68. Consideration of the action to take following the failure to comply with the terms of breach of condition notices (BCN).

The Board considered an exempt report of the Chief Executive, a copy of which is filed with these minutes. The report was not for publication by virtue of paragraphs 6b and 7 of Schedule 12(A) of the Local Government Act 1972.

RESOLVED:

That the Director of Law and Governance in consultation with the Chief Executive be authorised to take appropriate civil and/or criminal proceedings to secure compliance with the breach of planning control identified in the report should the identified breach not be remedied by 30 November 2019.

69. Chairman's announcements.

The Chairman advised that the next meeting of the Board would take place on Wednesday 18 December 2019 at 2:00pm.

2.00 - 2.25 pm
14 November 2019

CHAIRMAN