

**NORTH HORSHAM PARISH COUNCIL  
EXTRAORDINARY PARISH COUNCIL MEETING  
TUESDAY 24<sup>TH</sup> NOVEMBER 2020 AT 6.00pm  
BY REMOTE MEETING**

**CLERK'S REPORT  
To be read in conjunction with the Agenda.**

**1. Public Forum.**

Members of the public are invited to put questions or draw relevant matters to the Council's attention, prior to the commencement of business. This is for a period of up to 15 minutes and shall be limited to 3 minutes per person.

**2. Apologies for Absence.**

Apologies and reasons for absence to be given to the Clerk.

**3. Declarations of Interest.**

Members are advised to consider the agenda for the meeting and determine in advance if they may have a **Personal, Prejudicial or a Disclosable Pecuniary Interest** in any of the agenda items. If a Member decides they do have a declarable interest, they are reminded that the interest and the nature of the interest must be declared at the commencement of the consideration of the agenda item; or when the interest becomes apparent to them. Details of the interest will be minuted. Where you have a **Prejudicial Interest** (which is not a Disclosable Pecuniary Interest), Members are reminded that they must withdraw from the meeting chamber after making representations or asking questions. If the interest is a **Disclosable Pecuniary Interest**, Members are reminded that they must take no part in the discussions of the item at all; or participate in any voting; and must withdraw from the meeting chamber; unless they have received a dispensation.

**4. Veteran oak at Earles Meadow**

Mr W Jones, the Senior Arboricultural Officer at Horsham District Council (HDC) inspected the veteran oak at Earles Meadow with his colleague from HDC on 4<sup>th</sup> November 2020 and noted the following:-

"1. I fully acknowledge that the crack on the south-western side of the tree has expanded lately, and thank you for your measurements and photographs (*e-mail, 04 Nov 20*). This is a new level of crack expansion that I have not previously seen; and the stress on the cable braces taking the primary strain is certainly telling. In regard to the lower crack on the north-western side of the tree, I am unconvinced that this is exhibiting any worrying level of expansion further to its condition over the years since I

first visited the tree. Notwithstanding this, I thank you for the measurements taken, and indeed consider that the matter should in no way be ignored or dismissed.”(The tree surgeons acting on behalf of the Parish Council submitted measurements to demonstrate how the crack had expanded)

“ 2. You will recall that amongst the recommendations set out in David’s\* report on the tree (*May 2015*) was the principal of crown reducing the tree all round, by up to 3m laterally and to 4m in height. This work was permitted under application *DC/15/1276*, though this permission expired on 17<sup>th</sup> August 2017. However, in the light of your evidence regarding the expansion of the southerly crack, as noted, I consider that this work should now be carried out as a matter of urgency. Accordingly I advise that this work may **PROCEED** without further recourse to this Authority under the exemption at S.14.1(c) of the Town & Country Planning (Tree Preservation) (England) Regulations (2012). I also am in agreement with the principles set out for the renewal of the cable bracing systems in the tree; however, provided that non-invasive ‘Cobra’ bracing is used, this may be carried out without any consent being required from the Council.

3. David’s report also touched on the longer-term prognosis for the tree, referring to a veteran tree management programme, and it would appear from your comments regarding retrenchment pruning that you may have this in mind as a secondary way forward. I am unwilling to permit this further – and much more extensive – work at this stage, primarily as I am in agreement with David’s 2015 assessment that “*heavy pruning would result in the loss of too much dynamic mass*”. I’d just confirm that when the time comes for this work, a new application under the TPO will be required.

4. My final thoughts refer to the legal responsibility for the tree, which I understand lie with North Horsham Parish Council. In terms of the noted structural defects in the specimen, I feel at this stage that the area around the tree in which branches could possibly collapse and strike the ground should be fenced off, with a notice provided advising the public to keep out of the area. A simple rope barrier, as already provided, is sufficient, provided a notice is in place too. I consider that this new rope fencing should be extended to a distance of 21m from the trunk of the tree, east and west, and running along the side of the road to the south (which is 18.5m from the tree). The ‘desire line’ footpath running to the north of the tree should be fenced off as part of this.”

\*David Kavanagh-Spall BSc(hons)Ecol, FDS (Arb), MArborA

Arborweald Environmental Planning Consultancy.

The Tree surgeons are preparing a quotation for the proposed works and officers are trying to contact the Senior Arboricultural Officer at HDC to talk to him about other options such as felling the tree as some councillors have expressed concern about the economic viability of the tree and questioned if spending money on doing the work is in the best interest of the parish. Work to the tree has been halted until a Council decision is made.

Should the Council disagree with the views of the Tree Officer there is an appeal process.

The following guidance is available on the gov.uk website (<https://www.gov.uk/appeal-decision-about-tree-order>)

### **“Appeal a decision about a tree preservation order**

#### **When you can appeal**

Your council\*\* makes decisions about work on trees protected by preservation orders.

You can appeal if you applied to cut down or carry out work on a protected tree and:

- you disagree with the decision
- a decision was not made within 8 weeks

You can also appeal if you disagree with a tree replacement notice you've been given.

The appeal goes to the Planning Inspectorate”

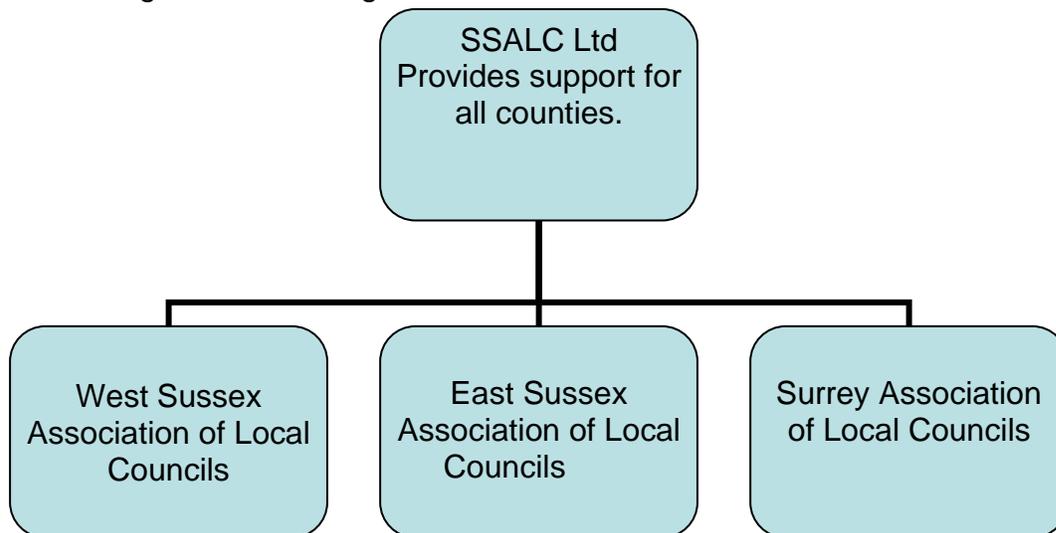
\*\*Horsham District Council.

General advice is that the Council is very unlikely to get permission to fell a tree that can be managed to remain safe and that they could face significant public opposition if they felled an iconic tree.

**5. Value for Money Report commissioned by West Sussex Association of Local Councils Ltd. (WSALC)**

Information circulated by e-mail.

1. Organisational diagram.



If WSALC breaks away it will have an effect on the other counties.

2. Progress on strategy review adopted by the SALC Board 14<sup>th</sup> November 2019.
3. Report brief for Colin Copus from WSALC.
4. Letters from WSALC Board of Directors August 2020 and 28.10.2020
5. Letter from Chairman of HALC 22<sup>nd</sup> September 2020.
6. Letter from Tony Steer, director of WSALC and Chair of the Mid Sussex ALC.
7. E-mail (redacted) between WSALC and member councils expressing concern.
8. Agenda for the WSALC AGM 2<sup>nd</sup> December which contains the special resolution on which representatives will be invited to vote.

**23. Date of next meeting**

5<sup>th</sup> November 2020 (Scheduled).