

District Councillor's Update for Blockley Parish Council, October 2023

Residents can contact me, Clare Turner, at Clare.Turner@cotswold.gov.uk

Privacy Statement

As a Councillor I may need to collect personal data to process constituents' requests for assistance or respond to their enquiries. As a Councillor I will only collect the personal data from constituents that is needed to provide them with relevant information, services or support. I will not give information about you to anyone else or use information about you for any other purpose, unless the law allows me to. Further privacy information see our Councillor Privacy Notice <https://www.cotswold.gov.uk/support/privacy-and-data/service-privacy-notice/councillors-privacy-notice/>

1. Planning

CDC are currently recruiting a senior planner but resourcing is an ongoing issue in a national landscape of national shortages.

The appeal hearing relating to case APP/F1610/C/22/3311035 (Draycott) is still pending, following the cancellation of a September date by the Planning Inspectorate. A provisional date of 16/11/23 has been offered by the Planning Inspectorate but I am awaiting confirmation from CDC officers that they have accepted that date.

The latest status of an appeal can be found by searching the Appeals Casework Portal here <https://acp.planninginspectorate.gov.uk/> (using the case reference number).

I sat on the planning committee this month (as a substitute for a regular committee member) when the dog walking field in Moreton was considered. The committee voted to permit the change of use, in line with the Officer's recommendation. I hope this will be a useful resource for some of our residents: several parishioners have already mentioned to me that they look forward to using the facility when it's up and running.

2. Crime

I attended a briefing from given by Police Inspector Simon Ellson, (Local Partnership Neighbourhood Inspector). You can find out more about the local policing team and crime statistics for our area here <https://www.gloucestershire.police.uk/area/your-area/gloucestershire/cotswolds/moreton-in-marsh/about-us/top-reported-crimes-in-this-area>

Every community has a named police community support officer (PCSO); ours is Paul Hancock. If parish councils haven't seen their PCSO recently, they are encouraged to make contact with them, as liaising with parish councils is part of their remit.

A key message for us as councillors and our residents, was the need to report all crime and this can now be done online (the national 101 telephone system continues to have very long wait times during peak periods). There is a new reporting tool for antisocial behaviour too. There are useful links for reporting a range of crimes here: [Report | Gloucestershire Constabulary](#) and the page for rural crime can be found here; <https://www.gloucestershire.police.uk/ro/report/rwc/rural/report-rural-crime/>

If a crime is in progress or life/property is in danger residents should, of course, continue to use the 999 emergency number.

3. Casework

I continue to receive concerns over **Highways** matters (speed limits, condition of roads, overgrown hedges etc) and am reporting these to the County Council where appropriate and flagging issues up to County Councillor Lynden Stowe. Blockley Parish Councillors Alison Fowlie, Steve Neill and I plan to meet in November to log progress on all Highways matter that have been raised and chase up outstanding issues as necessary.

I have been involved in a matter relating to **trees in a conservation area** in Ebrington, which has highlighted that there is no legal requirement for a Local Planning Authority to undertake any public consultation when dealing with a section 211 Notice (but it is required to publish Notices in public register). Residents must give six weeks' notice before carrying out work to trees in a conservation area that are not protected by a TPO and this is achieved through a Section 211 notice. The Council has two options in response to a section 211 Notice - they may either raise no objection or, if they wish to prevent the works, they must make a Tree Preservation Order. After the expiry of 6 weeks the works may be undertaken if a TPO has not been made.

CDC receives around 800 Section 211 Conservation Area Notices a year and an assessment is made of each case by one of the Tree Officers to consider whether it is appropriate to make a Tree Preservation Order to prevent the works.

As the Ward councillor, I do get notifications of these notices, so I will endeavour to flag them up to residents and parish councillors when they arise; there is typically a 7 day window to respond. Some general information about the process to undertake works on trees is appended for information.

4. As of 18th October, the **main switchboard** at CDC is only open from 9am to 2pm. This is a trial initially, with the timings based on existing usage (and an increase in online contacts). Lots of data around customer satisfaction etc will be used to evaluate whether this change should become permanent in 2024. There is a cost saving associated with the reduction in hours. The emergencies and out of hours line will continue to operate for urgent issues only such as flooding, dangerous structures or homelessness. The various ways CDC can be contacted can be found here: [Contact us - Cotswold District Council](#)
5. **Financial position of CDC**
Cotswold District Council is due to publish its draft budget for 2024/25 and draft Medium Term Financial Strategy for the next four years this month. Residents will be consulted on it and will be invited to share their views on the Council's plans with councillors before they set the budget in February 2024. Cllrs and residents may be aware of the announcement by CDC's Leader, Councillor Joe Harris, that the Council will need to make difficult decisions to balance its budget in the next few years and to deal with a huge forecast reduction in its grant from the Government of £3 million in 2026/27. Joe warned his fellow councillors that Cotswold DC could go bankrupt in three years' time like Birmingham City Council if they don't get on and make difficult decisions to withstand future pressures.
6. **Coming up**
Retrofitting. A training session for councillors, covering retrofit in listed and traditionally constructed buildings, is scheduled for early December, so I'll report back on that at our January meeting.
Next full council meeting is 22/11/23. Councillors have the opportunity to ask questions (as do residents) so please flag up any issues you would like me to raise.

Appendix 1: Additional Information on trees

<https://www.cotswold.gov.uk/planning-and-building/tree-works-and-preservation/> to apply to carry out work and view the register of TPOs etc.

Government advice on making TPOs and trees in Conservation Areas can be found here – <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Protected trees include those covered by a Tree Preservation Order (TPO) or those which grow in a conservation area. You will need to contact the Local Planning Authority (LPA: Cotswold District Council in our area) if you wish to prune branches overhanging from a neighbour's protected tree.

Tree Preservation Orders – If you wish to carry out works to a tree(s) protected by a TPO you must apply and include all relevant information as this will be the basis for a decision to be made on. When considering making a TPO the LPA has to be satisfied that the candidate trees are suitable for their location in the long as well as short term. LPAs generally do not consider the impact on individual neighbouring properties to be appropriate to warrant a TPO and there has to be long term benefit (20 years minimum) to the wider public. The LPA will not, unless in exceptional circumstances, make a TPO to prevent the felling of a tree that is causing damage to property or is likely to cause such damage.

Conservation areas – You must give six weeks' notice before carrying out work to trees in a conservation area that are not protected by a TPO. This is achieved through a Section 211 notice.

Permitted development – You must apply or give notice to your LPA if you want to work on a protected tree where you are carrying out development where full planning permission is not needed.

Planning permission – Where full planning permission has been granted you might need to apply or give notice to the LPA before carrying out work to protected trees. You can confirm whether this is necessary by contacting your LPA.

If a tree falls under a TPO and is in a conservation area, then procedure follows that of the TPO.

What is a Tree Preservation Order?

A Tree Preservation Order (TPO) is placed on a tree, group of trees or woodland with the aim of protecting them. Through prohibiting, without the Local Planning Authorities (LPA) consent:

- Felling
- Topping
- Lopping
- Uprooting
- Wilful damage/destruction

Owners of the trees must maintain their trees, and a LPA will often encourage good tree management. However, they are unable to require maintenance work just because a tree falls under a TPO.

Section 211 notice

A section 211 notice is required when performing work on trees which are in a conservation area which are not subject to a Tree Preservation Order (TPO). The local authority can reply by providing a TPO or by allowing the work to go ahead. As it is not an application for consent, it cannot be refused or accepted with conditions. A replacement tree should be planted in the space if a tree is removed or destroyed. This should be of the same species and size within reason. If there is not enough information in a section 211 notice, then the authority may request further details or give advice on resubmission.

When consent is not required

Consent is not required when a tree is dangerous or dead, however, residents should be prepared to prove that the works fall within an exemption. You are still advised to speak with your Local Planning Authority about any proposed work, especially in the case of felling.

Enforcement

The Local Planning Authority can prosecute when work is carried out without their consent on a preserved tree, without the required notice on a tree in a conservation area or when exemptions are misused. In relation to Section 211 Notices there is no mechanism to require or enforce replacement planting.

Duration of Consent

Consent lasts for 2 years once the notice is given, or application is approved.