

**MINUTES
OF THE MEETING OF THE
GROWTH AND DEVELOPMENT SCRUTINY GROUP
WEDNESDAY, 26 JANUARY 2022**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors N Clarke (Chairman), R Butler (Vice-Chairman), M Barney,
J Cottee, L Howitt, J Murray, A Phillips, J Stockwood and L Way

ALSO IN ATTENDANCE:

Councillor T Combellack, Cllr R Jones and one member of the public

OFFICERS IN ATTENDANCE:

C Evans	Service Manager - Economic Growth and Property
D Hayden	Communities Manager
R Mapletoft	Planning Policy Manager
T Pettit	Landscape Officer
T Coop	Democratic Services Officer

11 Apologies for Absence

There were no apologies.

12 Declarations of Interest

There were no declarations of interest recorded.

13 Minutes of the meeting held on 13 October 2021

The minutes of the meeting held on 13 October 2021 were approved as a true record and signed by the Chairman.

14 Actions from the meeting held on 13 October 2021

The Group noted the actions from the previous meeting held on 13 October 2021.

15 Tree Conservation

The Landscape Officer delivered a presentation to support the report of the Director – Development and Economic Growth and the concerns raised around the management of trees, tree protection in the Borough through conservation areas and tree preservation orders (TPO's) and controls on development sites.

The Landscape Officer explained that Tree Preservation Orders (TPO's) can be used to protect trees where 'it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. Government guidelines state that TPO's should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public and that trees should at least, be visible from a public vantage point. Images of some prominent trees within the Borough were provided as examples.

The Landscape Officer advised the group that most of the current TPO's were made as a result of planning applications and that the Council also use conservation area tree notices and enquiries from the public as a catalyst to make a TPO. The Landscape Officer added that in respect of a conservation area due regard needs to be given to the special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance the area and the Council has three options: do nothing; make a TPO or allow work to proceed (no conditions).

The Landscape Officer advised that the Council receives on average 200 notifications a year mainly through development and planning applications. The group were informed that the Council manage over 3000 trees within the Borough with some requests for work from residents in respect of loss of light and potential damage to properties. In this instance Officers would take a pragmatic approach, if damage to property was evident, then removal of a healthy tree would be permitted. However, loss of light would not permit the removal of trees and the Council would address the issue by way of pruning and tree management.

The Chairman asked a specific question relating to trees that currently have a preservation order within a new development and whether the Council has robust enough policies to ensure that future claims on such trees once they have grown in maturity, still remain protected. The Landscape Officer explained that homebuyers often don't consider trees when buying a house and that an application to remove the TPO would need to be submitted to the Council. The Council would then consider the application on aesthetic quality and visual impact on the public. If the tree is in a prominent visual location it would be unlikely that it would be removed unless found to be dangerous or diseased.

Councillor Barney commended the Council for its extensive tree planting with over 2500 new trees having been planted across the Borough. Councillor Barney also asked how much of a problem disease was to tree stock and how Rushcliffe compares to other similar authorities when it comes to planting and establishing new tree schemes. The Landscape Officer explained that disease is a noticeable problem particularly amongst Ash trees and in the coming years many of these trees will be lost. In respect of comparisons with other authorities the Planning Officer advised that this was difficult to quantify, but he knew of similar schemes adopted by Newark and Sherwood DC.

Members asked whether the Council would consider widening its diversity of trees to prevent the spread of disease thus allowing biodiversity to adapt to climate and environmental changes.

Members raised concerns in respect of large developments where often sites are cleared ahead of planning consent and the destruction caused to trees and established hedgerows by extensive cutting, destroying habitats for nesting birds and insects, adding that these are often not protected by TPO's or in a conservation area and whether the Council could review its enforcement policy to prevent this or protect hedgerows as well as trees. The Landscape Officer explained that there is a national legal framework in respect of enforcement, the draft policy for tree protection and tree management would set out the Council's role, function and priorities.

Members asked, how would the policy be publicised and how does Rushcliffe compare with other authorities in respect of an online mapping system. The Landscape Officer explained that the Council currently has no framework in place, a policy would provide basic advice on TPO's, could include diversity of species and could look at expanding the nature and character of the Borough's trees. In respect of the online system the Landscape Officer advised that he is aware that Nottingham City, Gedling and Charnwood provided an online service and others may do too.

In considering the recommendations the Group proposed some additional comments, including the appraisal of planning applications, investigating the strengthening of protection and enforcement and lobbying Government for improved legislation including climate change, biodiversity and the inclusion of hedgerows.

It was **RESOLVED** that the Growth and Development Scrutiny Group:

- a) Supports the drafting of a tree protection policy and tree management policy setting out the Council's role, function and priorities, including appraisal of planning applications and the investigation to strengthening protection and enforcement.
- b) Supports the investigation into the feasibility of an online mapping system which could be used to show protected trees in the Borough
- c) A letter from Councillor Abby Brennan, Cabinet Portfolio Holder for Communities and Climate Change be sent to the Secretary of State for levelling up, Housing and Communities for improved legislation to take into account climate change, biodiversity and to include the protection of hedgerows.

16 **Cycling Networks - Part 2**

The Communities Manager delivered a presentation to support the report of the Director – Neighbourhoods on the Provision of Cycling Networks in the Borough and provided an update to enable Councillors to consider the emerging issues related to cycling and to consider the inclusion of walking in making recommendations for future action.

The Communities Manager reminded members of the three presentations from Nottinghamshire County Council Local Transport Plans Manager, the Cycle

Campaign Group for Nottingham 'Pedals' and Sustans the UK charity for walking and cycling, which were presented to the Growth and Development Scrutiny Group in July 2021.

The Planning Policy Manager provided information in respect of the national policy and guidance including:

The National Planning Policy Framework

Requires local planning policies and decisions to enable and support walking and cycling to:

- Increase active travel and promote healthier lifestyles and:
- Make transport more sustainable (e.g. reduce the need for new roads)

Local Transport Note 1/20

- Provides guidance and good practice for the design of cycle infrastructure

Local Plan Policy

- Cores strategy Policy 14 (Managing Travel Demand)
- Sites already, or which can be made, accessible by cycling, walking (and public transport) should be prioritised for development
- Cycling, walking (and public transport) should be prioritised ahead of measures to increase road capacity
- New/improved cycling facilities should be provided early in the build out of new developments

The Communities Manager asked the Group to consider the 'Plan on a Page' document circulated with the report, highlighting the three outcomes:

1. Promotion

- Increase awareness and participation in cycling
- Events – e.g. Dr Bike, Pedal Power Sound, Smoothie Bike
- Working with partners and businesses
- Integration of programmes such as cycling proficiency
- Communications – articles and social media

2. Safety

- Cycle theft preventions
- Safe walking and cycling campaigns
- Nottinghamshire Road Safety Partnership
- Online mapping of safer walking and cycling routes in Rushcliffe
- Increase walking and cycling training – walking bus and cycling proficiency

3. Infrastructure

- Planning obligations and applications
- Mapping of walking and cycling routes in Rushcliffe
- Bicycle storage
- Funding opportunities
- Support fully inclusive walking and cycling events
- New foot and cycle bridge over the River Trent connecting the Borough to the City

In summarising, the Communities Manager asked members to consider the 'Plan on a Page' document circulated with the report, which provided a more detailed summary of the Council's vision and aims.

Members raised their concerns in respect shared foot and cycle paths and asked when planning new schemes whether consideration could be given to them being separated. Members also stated that cyclists needed to be made aware of the dangers and safety element when cycling along a shared network and whether the changes to the highway code would conflict with existing schemes. The Communities Manager explained that the changes to the highway code was minimal and related to a cyclist's primary position on roads and at junctions. In respect of pedestrian and cyclist segregation the Communities Manager referred to the 'Plan on a Page', explaining that outcomes 1 (Promotion) and 2 (Safety) would be key to increasing resident's awareness.

Members questioned funding and delivery of schemes, especially as the infrastructure included shared responsibility with other authorities and agencies and how this may lead to conflict if the Council was to over promise and underdeliver. One member of the Group, and also a Nottinghamshire County Councillor, explained that the Government had offered a 10 week lead in to put ideas forward and then a further 6 weeks to put the schemes in place, adding it is significantly more expensive to adapt existing highway schemes and that support for priority sites and influencing the infrastructure within new developments to link up to existing highways is key.

The Communities Manager advised that as a Borough Council immediate actions could include safety, providing examples of preventative solutions including protection from theft, care and protection when cycling including wearing helmets, high-visibility clothing and lights all of which are not legal requirements but do help to avoid accidents. With regards to infrastructure the Communities Manager advised that the Borough would work in partnership with the County Council as the transport authority to support with any bids for governments funding.

Members were encouraged to see the Borough taking an active role in enhancing residents transport choices and the options for a healthier and more sustainable approach and looked forward to seeing improvements to the transport connectivity and accessibility.

It was **RESOLVED** that the Growth and Development Scrutiny Group:

- a) Approve the inclusion of both walking and cycling in the scope of future action.
- b) Approve the adoption of the proposed walking and cycling 'plan on a page'.

17 **Work Programme**

It was **RESOLVED** that the Growth and Development Scrutiny Group consider its Work Programme and that the following items for scrutiny were agreed>

20 April 2022

- Planning Communications
- Work Programme

The meeting closed at 8.31 pm.

CHAIRMAN