

STILLINGFLEET PARISH COUNCIL

MINUTES OF A COMPLAINT COMMITTEE MEETING HELD ON 3 DECEMBER 2024

Comp2401 **Welcome and Apologies:**

- i.) The Committee Chair welcomed all present to the meeting as follows:
Councillors: Cllr Jonathan Foy (Chair), Cllr Lesley Collingridge, Cllr Annette Strickland
Clerk: Ruth Swales
The Chair pointed out that the above referenced Councillors had been appointed to the Complaint Committee as they had not been present at or party to the decisions taken by the Parish Council (SPC) at its meeting on 3 October 2024 nor were they members of the Village Green Committee (VGC).
- ii.) The Chair explained that because the complainants had requested confidentiality this meeting had not been opened to any members of the public.
- iii.) The Chair advised that the complainants had been invited to attend this meeting but had chosen not to respond.

Comp2402 **Scope of the Committee:**

- i.) The Chair explained that SPC had appointed him to Chair this Committee and had given full delegated power to the Committee to bring aspects of the lodged complaint to a conclusion.
- ii.) The Chair summarised that the PC had received complaints from the complainants in which they had expressed their dissatisfaction with the conduct of the Council alleging it had failed to notify North Yorkshire Council (NYC) Planning Authority of proposed work to a tree in a conservation area.
- iii.) The Chair explained that concurrently the complainants had also lodged a complaint with the Monitoring Officer regarding the alleged conduct of named councillors. The Committee were advised that the guidance received from the Monitoring Officer was that aspects of the complaint regarding the conduct of any particular councillor(s) are outside the jurisdiction of this Committee and therefore should not be considered under this process.
- iv.) The Chair summarised that this Committee would consider whether the PC followed NYC's requirement for appropriate notification of proposed work to a Plane tree located on The Green in a conservation area.

Comp2403 **Complainants representation:**

- i.) The Committee noted that the complainants had been asked to provide any new information or supporting evidence they wished to be considered but that no further submission had been received.
- ii.) The Chair advised that the complainants would be informed by formal letter of the conclusions of the process within 5 working days of this meeting and that the outcome of the process would be reported to the PC at its next meeting.

Comp2404

Conclusions of the Complaints Committee:

After due consideration of all the facts the Committee concluded that:

- i.) It cannot resolve matters of law relating to planning legislation and procedure in relation to work to trees in a conservation area.
- ii.) It was clear that NYC Planning had neither been notified nor consulted by SPC in relation to work on the tree in question.
- iii.) It was clear that the complainants felt aggrieved that this did not happen and that in their opinion “it was one rule for the public and another for the PC”.
- iv.) The complainants had themselves raised with SPC the issue of work being required to the tree stating it was overhanging their hedge and had subsequently further indicated it was close to electrical cables.
- v.) SPC/VGC, in its endeavour to complete the pruning of the tree, as requested by the complainant, considered various options for completing the work including consulting NY Highways and also considered whether notifying Northern Powergrid was appropriate.
- vi.) On 31st October 2024, being mindful of its limited financial resources and in the interests of saving cost to the public purse, the PC did get the minimal necessary pruning completed to an expert standard AT NO COST but without prior notification to NY Planning.
- vii.) At all times SPC/VGC acted in good faith.

Comp2405

Under its delegated powers the Committee **RESOLVED** that, should any work be required to trees in a conservation area on PC owned land, then SPC will ensure that the appropriate prior notification of an intention to undertake such work will be submitted to the appropriate planning authority.

Signed as an accurate record of the meeting held on 3 December 2024	Cllr Jonathan Foy CHAIR	5 December 2024
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