

Public Participation at Appeals Committee

The Appeals Committee comprises seven Councillors, who are appointed by Full Council annually to determine appeals against decisions made by or on behalf of the Council.

The Appeals Committee, in connection with hearings to consider formal objections to Tree Preservation Orders, is a public meeting.

However, after hearing from the objector(s) and supporter(s), members of the public will be asked to leave the meeting whilst the Legal Advisor advises the Committee of its options and the Committee makes its decision.

The objector(s) to the Tree Preservation Order can choose whether to attend to present their case or not, as can any supporter(s) of the Tree Preservation Order.

The Appeals Committee will take into account any representations received before deciding whether –

- 1) To confirm the Tree Preservation Order –
 - (a) Without modification;
 - (b) Subject to such modification as is considered expedient.
- 2) Not to confirm the Tree Preservation Order.

Site Visit

Prior to the Appeals Committee meeting, the Committee will undertake a site visit to assess the tree(s) in context.

The objector(s), supporter(s) and members of the public can listen to the Tree Protection Officer's presentation at the site visit, but should not join in any subsequent discussion.

Public views will be presented at the Appeals Committee and will properly form part of the overall debate and discussion at that time.

Giving Notice

Objector(s) or supporter(s) wishing to speak at the Appeals Committee must give notice of their intention to speak by 4.00 p.m. three working days before the meeting. Registration should be made in writing, by email, or by telephone to *Democratic Services.

It is the responsibility of the person wishing to speak to find out the date that the Appeals Committee will meet. Late requests to speak at Committee will not be considered.

Details of the meeting can be found by looking on the Council's website or by contacting *Democratic Services.

The Meeting

Objector(s) and supporter(s) who have registered to speak should be in attendance fifteen minutes prior to the commencement of the meeting to enable a list of speakers present to be passed to the Chair. Any latecomers who have not confirmed their intention to speak in accordance with this requirement will only be allowed to speak at the discretion of the Chair.

If necessary, speakers must be prepared to respond to questions from Committee members at the meeting. However, there will be no debate between a speaker and members of the Committee on the matters raised by the speaker.

Once the speakers have spoken and the Tree Protection Officer has presented her case, the Committee will debate the matter and make a decision. There will be no further contributions from the public during this process.

Should speakers fail to attend the meeting, or are not present at the time when the item is being dealt with, the matter will not be delayed. Speakers must attend at the scheduled time. Any person who is registered to speak, but has to leave the meeting early, will be able to give his or her views on paper to be read out by the Chair.

Procedure at the Meeting

1. The objector(s) present(s) his/her case.
2. Members of the Committee ask questions of the objector(s).
3. The supporter(s) present(s) his/her case.
4. Members of the Committee ask questions of the supporter(s).
5. The Tree Protection Officer presents her case.
6. Members of the Committee ask questions of the Tree Protection Officer.
7. The objector(s) has(ve) an opportunity to reply.
8. The supporter(s) has(ve) an opportunity to reply.
9. Any press/public, the objector(s), the supporter(s) and the Tree Protection Officer leave the room whilst the Committee makes its decision.
10. The Legal Advisor advises the Committee of its options.
11. Members of the Committee reach a decision.
12. The excluded parties return to hear the decision.
13. The Chair announces the decision.

Contact Details Democratic Services, Lancaster City Council, Town Hall, Dalton Square, Lancaster, LA1 1PJ, telephone (01524) 582135, email publicspeaking@lancaster.gov.uk