

# Brighton & Hove City Council

**Council**

**Agenda Item 60**

Date of meeting 15 December 2022

## **GREEN GROUP AMENDMENT**

### **Protecting the City's Trees**

That the relevant changes are made to the recommendations as shown below in ~~strikethrough~~ and ***bold italics***:

This Council notes that:

1. Tree Preservation Orders (TPOs) were introduced in 1947 as a tool for local authorities to use to protect individual trees and woodland in the interests of preserving the amenity those trees provide to the area.
2. If a tree is protected by a TPO then it is a criminal offence to cut down, top, lop, uproot, damage or destroy that tree without the written consent of the local planning authority, and this extends to the cutting of the tree's roots.
3. Anyone found guilty of wilfully destroying a protected tree, or wilfully damaging that tree in a way that is likely to destroy it, may be fined up to £20,000 in the Magistrates Court and, in serious cases, they may go to the Crown Court, where the potential fine is unlimited ***and that this record was first tested thanks to action from a Brighton and Hove City Councillor***

This Council agrees that:

4. We should use the full force of the law when trees with TPOs are removed without BHCC's permission.

This Council therefore resolves to request:

5. A report to ~~ETS~~ ***TECC*** Committee which ***outlines*** brings forward for approval:-
  - a. ~~An enforcement~~ ***Details on the council's and national planning*** policy in relation to trees with TPOs that are removed without BHCC's permission ***and lawful conditions the council can make on applications regarding trees;***
  - b. ***A draft communications plan*** ~~Guidance~~ for residents and developers to support the Council's enforcement approach.
  - c. ~~Rules about the size, variety and number of trees — as well as agreed watering and maintenance schedules — to replace any tree on private land removed without the required permissions.~~

Proposed by: Cllr Littman

Seconded by: Cllr Hugh-Jones

## **Recommendations to read if carried:**

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