
To: Audit, Scrutiny & Petitions Board

On: 1 June 2015

Report by: Director of Finance and Resources

Heading: Petition, Felling of Trees, Houston

1. Summary

1.1 The Council has agreed procedures in relation to the submission of petitions including parameters for determining valid petitions and those areas where petitions would not be valid.

1.2 All valid petitions are to be submitted to the Board for consideration and a summary report is to be prepared on any petitions which are not considered to be valid in terms of the procedures and it is for the Board to determine the validity of such petitions.

1.3 A petition in the undernoted terms has been received:

“Petition regarding the proposed removal of trees from the south bank of Houston Burn in Houston village centre between Main Street and Bogstonhill Road

We, riparian owners of the properties adjacent to the strip of Council land on which these trees are growing, request the relevant departments of Renfrewshire Council, including Housing and Planning, to take our views into consideration before deciding on any action to take with these trees, including any decision to fell them.

These trees are an integral part of the character of Houston village, which is designated as a Conservation Area. The Scottish Government's Guide to Conservation Areas states that local Councils have a responsibility to preserve and enhance Conservation Areas by among other things, the protection of trees. The complete removal of these trees would have a serious negative impact on the character of our historic village centre.

We also ask that Renfrewshire Council abides by the terms of the Town and Country Planning Act (Scotland) 1997, sections 160(6)(a) and 167. This states that because the trees in question are subject to a tree preservation order, the Council is required to replace any trees felled on the grounds of safety with others of an appropriate size and species at the same place as soon as they reasonably can."

- 1.4 The Head of Corporate Governance considers that the petition is not valid in terms of paragraph 3(b)(ii) of the procedures - petitions about individual planning, licensing or other applications (including decisions already taken) where there are already procedures. The Head of Planning & Development advises that a treeworks application (ref 15/160/PP) for a site at 15-29 South Street, Houston for the removal of five trees is currently being considered by the Council as Planning Authority. Accordingly, there are already procedures in place within the Council to deal with representations in relation to treeworks applications. The Head of Planning & Development has indicated that representations received in relation to the proposed treeworks will be recorded in the Report of Handling (the assessment report for the application) and will be taken into consideration.
- 1.5 If the application for treeworks is approved, it remains a matter for the Council (Development & Housing Services) as owners of the land and trees whether or not to act on the permission and implement the works. The application was submitted as result of safety concerns based on the erosion of the trees root plates by the adjacent Houston Burn.
- 1.6 It is for the Board to determine the validity of the petition and whether they wish to hear it.
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2. **Recommendations**

- 2.1 That the Board determines the validity of the petition and whether they wish to hear it.
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Implications of the Report

1. **Financial** – *none*
2. **HR & Organisational Development** – *none*

3. **Community Planning** – The petitions procedure provides an avenue for members of the public to engage with the Council.
4. **Legal** - *none*
5. **Property/Assets** – *none*
6. **Information Technology** – *none*
7. **Equality & Human Rights**
The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - *none*
9. **Procurement** – *none*
10. **Risk** - *none*
11. **Privacy Impact** - *none*

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