

To: Petitions Board

On: 4 June 2018

Report by: Director of Finance and Resources

Heading: Public Access – Elderslie Golf Course

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 has been received which relates to access to Elderslie Golf Course and the application by Renfrewshire Council of the terms of the Land Reform (Scotland) Act 2003 to access to land being closed off within the council area.
- 1.4 The Head of Corporate Governance considers that the petition is not valid in terms of paragraph 3 (x) of the procedures:

Petitions about any decision we have made as a Council, or a decision a board, committee, joint committee or officer has made in the last six months.

- 1.5 The Head of Planning and Housing Services has advised that Elderslie Golf Club erected fencing along a section of the golf course adjacent to a private lane to the rear of properties at 65 – 69 Glenpatrick Road, Elderslie in June 2017. Residents subsequently contacted Renfrewshire Council expressing concern that the erection of the fence led to the removal of an existing access from the lane to the golf course. An alternative access to the golf course exists at Lexwell Avenue, a short distance from the properties at Glenpatrick Road. This leads to a defined track which is part of a designated Core Path and extends into woodland within the golf course.
- 1.6 Following the enquiry from local residents, Council Officers contacted Elderslie Golf Club. The club confirmed that the new fencing had replaced an existing wire and post fence which was in poor condition, and that the works had taken place in response to health and safety concerns, particularly in view of members of the public entering directly on to the golf course.
- 1.7 A site visit was arranged with local residents, representatives of Elderslie Golf Club and members of the Renfrewshire Local Access Forum in August 2017 to consider the matter and potential solutions. While an alternative access option between the lane and the golf course was discussed at this meeting, this was not supported by all local residents.
- 1.8 The Head of Planning and Housing Services has advised that Council Officers subsequently further engaged with Elderslie Golf Club and sought additional guidance from the Local Access Forum as well as the Head of Corporate Governance to consider further options.
- 1.9 Following a review of these options, Council officers decided that the existing access at Lexwell Avenue, a short distance from the properties at Glenpatrick Road, provided the most appropriate, safe and reasonable access to the golf course and the associated path network. The Head of Planning and Housing Services has advised that the Petitioner was advised of this decision on 30 March 2018.
- 1.10 This route continues to facilitate public access to the golf course, as required by the Land Reform (Scotland) Act 2003. Access at this point was felt to be preferable in terms of health and safety, as it did not involve members of the public emerging from a wooded area directly onto the fairway and potentially into the paths of golf balls. For the reasons given above Officers felt that it was not appropriate to take action in terms of the 2003 Act.

- 1.11 It is for the Board to determine the validity of the petition and whether they wish to hear it.

2. **Recommendations**

- 2.1 That the Board determine the validity of the petition and whether they wish to hear it

Implications of the Report

1. **Financial** – none
2. **HR & Organisational Development** – none
3. **Community/Council Planning** - none
4. **Legal** – none
5. **Property/Assets** – none
6. **Information Technology** - none.
7. **Equality & Human Rights** - none

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
12. **Cosla Policy Position** – not applicable.

List of Background Papers

(a) Background Paper - 1 Petition

Author: Paul Shiach, Committee Services Officer
Tel: 0141 618 7103 Email: paul.shiach@renfrewshire.gov.uk

Legend

..... Core Path





