

**ENVIRONMENT & REGENERATION COMMITTEE – 13 JANUARY 2022**

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**Environment & Regeneration Committee**

**Thursday 13 January 2022 at 2pm**

**Present:** Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, McKenzie, and MacLeod (for Nelson).

**Chair:** Councillor McCormick presided.

**In attendance:** Mr P MacDonald (for Interim Head of Legal & Democratic Services), Ms L Carrick and Ms D Sweeney (Legal & Democratic Services).

The meeting was held by video conference.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.**

**26 Apologies, Substitutions and Declarations of Interest 26**

Apologies for absence were intimated on behalf of Councillors C McEleny and Nelson with Councillor MacLeod substituting.

Councillor Crowther declared an interest in Agenda Item 2 (Tree Preservation Order (No IC33) at Glen Avenue, Gourrock).

**27 Tree Preservation Order (No IC33) at Glen Avenue, Gourrock 27**

There was submitted a report by the Interim Director Environment & Regeneration in relation to the Tree Preservation Order (No IC33) at Glen Avenue, Gourrock (1) requesting the Committee to adopt the rules of procedure (Rules of Procedure) for the purposes of the special meeting; (2) advising the Committee in relation to the Tree Preservation Order, of the discussion between Council Officers and persons who have objected to the Tree Preservation Order and (3) making proposals to facilitate the effective, fair and proper hearing by the Committee of the objectors in order that the Committee considers their objection and to decide whether or not to authorise the Interim Head of Legal & Democratic Services to proceed with the confirmation process. Councillor Crowther declared a non-financial interest in this item as a result of a personal acquaintance with an objector. As the objector was not in attendance, Councillor Crowther formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the decision making process.

The Committee decided:

- (1) that the objections received in relation to the Tree Preservation Order be considered by way of the special meeting;
- (2) that the Rules of Procedure as detailed in Appendix 1 to the report be approved;
- (3) that in terms of Appendix 2 in relation to the Objections be considered and noted; and
- (4) that it be agreed to allow the objectors an opportunity to be heard at the special meeting in accordance with the Rules of Procedure.

In this regard, Mr P McElwee was present and the Committee heard Mr McElwee in relation to his objection.

Mr MacDonald advised the Committee of a typographical error at paragraph 5.3 of the report, and accordingly where the reference to “traffic calming measures” should read

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“Tree Preservation Orders”. Mr MacDonald advised the Committee that no representations were submitted as referenced in paragraph 4.5 of the report. Mr S Jamieson, Interim Director Environment & Regeneration Ms M Pickett, Planning Services, Ms E Peacock and Mr J Kerr, Legal & Democratic Services, were present and the Committee heard Ms Pickett in relation to the Tree Preservation Order.

The Committee then adjourned to private session to consider the Objections. Mr S Jamieson, Ms M Pickett, Mr J Kerr, Ms E Peacock were removed from the meeting, and Mr P McElwee indicated he would leave the meeting at this juncture.

Following consideration of the Objections, the Committee returned to public session Mr Jamieson, Ms Pickett, Ms Peacock and Mr Kerr were readmitted to the meeting. The Committee having considered and having regard to the Objections and the oral representations made by Mr McElwee and Ms Pickett at the meeting further decided:

- (1) that the objections be dismissed and approval be given to the Interim Head of Legal & Democratic Services to proceed with the confirmation process; and
- (2) that it be remitted to Officers to submit a further report to a future meeting of the Environmental and Regeneration Committee in relation to land management within the site of the Tree Preservation Order.