

Minutes

PETITION HEARING - CABINET MEMBER FOR FINANCE, PROPERTY AND BUSINESS SERVICES

25 February 2015

Meeting held at Committee Room 3 - Civic Centre,
High Street, Uxbridge UB8 1UW



	<p>Committee Members Present: Councillor Jonathan Bianco (Chairman)</p> <p>Also Present: Councillor Ray Graham (Agenda Item 4)</p> <p>LBH Officers Present: Stuart Hunt, Green Spaces, Sports and Culture - Trees and Woodland Manager Charles Francis, Democratic Services Officer</p>
10.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING <i>(Agenda Item 1)</i></p> <p>None.</p>
11.	<p>TO CONFIRM THAT THE BUSINESS OF THE MEETING WILL TAKE PLACE IN PUBLIC. <i>(Agenda Item 2)</i></p> <p>RESOLVED: That all items be considered in public.</p>
12.	<p>TO CONSIDER THE REPORT OF THE OFFICERS ON THE FOLLOWING PETITIONS RECEIVED. <i>(Agenda Item 3)</i></p>
13.	<p>15 BAWTREE ROAD, UXBRIDGE - PETITION AGAINST THE PROPOSED PLANNED REMOVAL AND REPLACEMENT OF HIGHWAY TREE <i>(Agenda Item 4)</i></p> <p>Councillor Ray Graham attended the meeting and spoke as a Ward Councillor.</p> <p>Concerns and suggestions from petitioner included the following:</p> <ul style="list-style-type: none">• The petition had been raised by concerned residents and signed by about 60 people.• The petition requested the retention of the healthy tree.• Pedestrians could walk around it and it should not be felled.• Over the last 10 years, 6 trees had been chopped down in the road and several replanted trees had died.• At present there were only two trees left in the road.• Up to 62 species of wildlife relied upon the tree which was under consideration, including squirrels and bats.• Trees were essential in an urban environment and helped reoxygenated the area and refresh the soil.

- Pedestrian's tended to use the other side of the road or could walk around the tree.
- Of the tree options under consideration, the following comments were made;
- The first option: The petitioner / residents liked the do nothing options as this safeguarded the tree but appreciated that in the current blame culture, some action was required.
- The second option: Removing and replacing the tree was not viable as previous trees had been removed and those which had been replaced had died. A smaller sapling would take many years to grow and the street scene would be affected.
- The third option: The suggested modification to the highway was not viable because car parking was already at a premium and the construction of flats had added to the parking pressure.
- The petitioner suggested a fourth option: A break in the pavement could be made. Pedestrians could then walk around the tree or cross the road. This option would be far less expensive than modifying the highway.

The Ward Councillor made the following points:

- Supported petitioners' request that the tree be retained.
- Asked whether the footpath was adopted or not and the implications of the ownership.
- Suggested a further option, whereby the tree might be retained and surrounded by a metal fence, allowing for the tree's future growth but not too close to the curb so that it did not impact upon the highway.

The Cabinet Member, Cllr Jonathan Bianco, listened to the concerns and responded to the points raised.

Cllr Bianco sympathised with the views of petitioners and agreed that some action was required.

Noting the fourth suggestion which had been raised by the petitioners', Officers confirmed that an Act of Parliament would be required to close the footpath and under the current legislation, the Council had a legal duty to ensure footpaths were safe and accessible.

Cllr Bianco queried whether it might be possible to un-adopt 6 feet of the highway, but also noted that the Council's current proposal, to fell the tree and replace it, would keep the highway open and ensure a tree remained part of the street scene.

Commenting on the petitioner's views about the loss of trees, Cllr Bianco suggested that residents could contact their Ward Councillors about the possibility of allocating a proportion of a ward budget to replant trees. Officers confirmed that according to the schedule, Bawtree Road was due to have 2 new trees planted in the near future, and these would be located outside numbers 17/19 and 12/14.

Concluding the discussions, Cllr Bianco confirmed that no decision would be taken at the meeting. Instead, he instructed officers to make the necessary enquiries about the stopping of the footpath and the implications of the generator use which the petitioner had highlighted in their representations. Cllr Bianco stated that when this information had been considered, he would make a final decision and inform the petitioner in writing.

Resolved - That the Cabinet Member:

- 1. Notes the information in the report, and the views of the petitioners at the meeting and consider the suggested actions.**
- 2. Asks officers to investigate the stopping of the footpath and to report back to him as the Cabinet Member with the legal implications of this possible course of action.**
- 3. Asks officers to contact the electricity supplier about the implications of the substation and to report back their findings to him as Cabinet Member to inform his future decision.**
- 4. Having taken into account the information requested above, that a final decision be taken and for this to be provided to the petitioner in writing in due course.**

REASONS FOR RECOMMENDATION

To allow the Cabinet Member to discuss in detail with petitioners their concerns and to consider the Council's recommendations to remove and replace this mature highway tree with a suitable species for the location.

ALTERNATIVE OPTIONS CONSIDERED / RISK MANAGEMENT

- 1) Retention of the tree. This option would not address any of the ongoing issues concerned with highway safety i.e. pedestrian access and trip potential, and also potential damage to the brick wall.
- 2) Retention of the tree with Highway adjustments. Loss of parking bays and continued damage to footway and possible damage to adjacent property.

The meeting, which commenced at 7.00 pm, closed at 7.35 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Charles Francis on Democratic Services Officer 01895 556454. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.