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HYNDBURN BOROUGH COUNCIL

CALL-IN PROCEDURE FORM FOR CABINET DECISIONS

Please note that it is suggested that prior to call-in, discussions should take place with the relevant Cabinet Portfolio Holder.

TO: MEMBER SERVICES SECTION, SCAITCLIFFE HOUSE, ORMEROD STREET, ACCRINGTON	
FROM COUNCILLOR ...Judith Addison..... (SPONSOR/OVERVIEW & SCRUTINY COMMITTEE CHAIR (OR VICE-CHAIR IN THE CHAIR'S ABSENCE) OF OVERVIEW AND SCRUTINY)	
DATE SUBMITTED:	<u>1st AUGUST 2016</u>
SIGNED: COUNCILLOR	<u>Judith A Addison</u>
SIGNED: MEMBER SERVICES OFFICER	<u>B. Cartwright</u>
HAVE DISCUSSIONS TAKEN PLACE WITH THE RELEVANT CABINET PORTFOLIO HOLDER?	YES/NO <input type="checkbox"/> <input checked="" type="checkbox"/>
HAVE DISCUSSIONS TAKEN PLACE WITH THE RELEVANT OFFICER? YES/NO*	<input checked="" type="checkbox"/> <input type="checkbox"/>
* delete as appropriate <u>& with Chair of Friends of Rhyddings Park (telephone discussion) ✓</u>	

EXECUTIVE DECISION TO BE CALLED-IN

CALL-IN PROCEDURE ACTIVATED BY

(Chair (or Vice-Chair in the Chair's absence) of the Overview & Scrutiny Committee or any 2 members of that Committee)

COUNCILLOR	SIGNATURE
Chair of Overview & Scrutiny Committee	
Vice-Chair of Overview & Scrutiny Committee	
1 <u>LISA ALLEN</u>	<u>[Signature]</u>
2 <u>TERRY HURAN</u>	<u>[Signature]</u>

(To be completed by Member Services)

DATE OF CALL-IN MEETING

DATE OF CABINET MEETING

COUNCIL TO BE NOTIFIED OF CALL-IN.....

DATE OF CABINET MEETING 20th JULY 2016

ITEM 9. RHYDDINGS PARK HERITAGE LOTTERY BID

CABINET PORTFOLIO HOLDER: CLLR. KEN MOSS

PORTFOLIO REQUIRED TO ATTEND? YES [X] NO []

REASON(S) FOR CALL-IN: (Please also fill out attached sheet and clarify in detail)

The controversy about the Sequoia Tree has arisen because Ward Councillors and local residents were never consulted about the Stage 2 Bid, despite statements to the contrary in the Customer First Analysis dated 20th May 2016. It was only at Stage 2 that the relocation of the Market Cross and consequent felling of the Sequoia tree were introduced - they did not feature in the Stage 1 Bid or in the planning consent for the refurbishment and improvement of the Park - Planning Application No. 11/14/0359.

1. CLARITY OF DECISION MADE BY CABINET (Please state if the reasons for call-in are related to clarity of recommendation made by Cabinet and the nature of the concerns)

Cabinet's recommendation for felling of the Sequoia Tree is clear but is based on a false premise (see below).

2. INFORMATION BASIS FOR DECISION (Please state if the reasons for call-in relate to the information upon which the decision was based and the nature of the concerns)

Councillors & residents have never seen the Stage 2 Bid documentation. The Stage 1 Bid submitted by Newground on 30/8/13 doesn't mention the Market Cross or Sequoia Tree. Planning Consent 11/14/0359 for the Heritage Lottery Scheme, granted on 1/12/14, relates solely to the Coach House area at the top of the Park. The English Heritage comments dated 20/10/14 on the Case File confirm this. Consent to fell the Sequoia was granted under Ref. 11/16/0027 - Works to/Felling of various trees within Rhyddings Conservation Area. Simon Prideaux' "decision letter" of 16/3/16 states that the Council won't be issuing Tree

Preservation Orders in respect of any of the trees listed – “The reason for this is that the Council’s Cabinet has supported the proposals for the refurbishment and improvement of Rhyddings Park and this application has been made on the basis that these works to trees form an integral part of those proposals.” The Sequoia is shown as T335.

3. ISSUES OF POLICY (Please state if the reasons for call-in relate to policy issues regarding the decision and the nature of the concerns)

As a member of the Council’s Planning Committee (former Chair) I am concerned that the protection of trees in Conservation Areas is afforded so little importance. The Town and Country Planning Act 1990, Section 211, gives the same protection to trees in a Conservation Area (in this case Rhyddings Conservation Area, declared 14/4/92) as it does to trees included in a Tree Preservation Order. Although a Planning Authority can grant consent for works or felling, this would be regarded as the exception rather than the rule and would have to be justified, e.g. if diseased; in these circumstances replacement planting of a similar tree “at the same place” would normally be required.

4. ISSUES OF SERVICE DELIVERY (Please state if the reasons for call-in relate to service delivery issues regarding the decision and the nature of the concerns)

It is obvious that the proposals relating to the “impressive vista” at the Park entrance were introduced for the first time in the Stage 2 Bid document which Councillors and residents were not consulted upon. There is not even Planning Permission for the relocation of the Market Cross, which is after all only a replica of the original. Without this proposed relocation, the issue of the Sequoia Tree would never have arisen. The relocation will involve the cutting of a semi-circular seating area into the grass banking behind. This, we are told, will damage some of the roots of the Sequoia Tree, thus rendering it unstable.

5. ISSUE OF COMMUNITY IMPACT (Please state if the reasons for call-in relate to issues of community impact regarding the decision and the nature of the concerns)

This is by far the greatest area of concern and threatens to bring the Council into disrepute. Oswaldtwistle residents see an unpopular decision being forced on them by a Leader and Cabinet which doesn’t include any Oswaldtwistle representatives. They think this makes a travesty of democracy, when even their own elected Oswaldtwistle Councillors weren’t consulted and can’t have a say in this. Residents love and value their local Rhyddings Park,

Last reviewed/updated 040208

in particular the "natural elements" such as the Sequoia Tree. IF they had been asked, I don't think there is one single person who would have chosen the Market Cross over the tree. As regular users of the Park – some several times a day for dog-walking – they feel that they should be allowed a big say in the plans. They are incensed that their Petition of about 2,000 signatures has largely been ignored by the Council/Cabinet, which they see as determined to "ride roughshod" over their wishes.

(SEE ATTACHED E-MAIL SEQUENCE BETWEEN RESIDENT SAMANTHA HASLOPE AND GEORGINA FINN OF HERITAGE LOTTERY FUND NORTH-WEST OFFICE)

Outlook Web App

Type here to search Entire Mailbox

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- Contacts
- Deleted Items
- Drafts
- Inbox (2)
- Junk E-Mail
- Sent Items
- Click to view all folders
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- COUNCILLOR
- Cabinet
- GENERAL
- MAYOR
- OUTSIDE BODIES
- PLANNING
- RECOVERED ITEMS
- RESIDENTS
- SCHOOLS
- Manage Folders...

Reply Reply All Forward X Junk Close

Fwd: Rhyddings Park
Snapdragon Portraits [samantha@snapdragonportraits.co.uk]

Flag for follow up
You replied on 01/08/2016 00:15.

Sent: 31 July 2016 20:10
To: Judith Addison
Attachments: PastedGraphic-1.LIFF (28 KB); ; ; ;

Hi Judith

Victoria has asked that I forward the below email on to you. It contains confirmation from HLF that they would not withdraw funds should the tree remain. It also states that me

Kind regards

Sam

Samantha Haslope

Mob: 07787522319

www.snapdragonportraits.co.uk

Begin forwarded message:

From: Georgina Finn <Georgina.F@hlf.org.uk>
Subject: Rhyddings Park
Date: 30 March 2016 at 11:08:10 BST
To: "samantha@snapdragonportraits.co.uk" <samantha@snapdragonportraits.co.uk>
Cc: "Peter Jordan (Peter.Jordan@newground.co.uk)" <Peter.Jordan@newground.co.uk>, "Craig Haraben (Craig.Haraben@hyndburnbc.gov.uk)" <Craig.Haraben@hyndburnbc.gov.uk>

Hi Sam

Thank you for your email.

I have been in touch with both Peter Jordan and Craig Haraben and I understand that the Council is currently considering the petition process. I am also aware that modified designs are being looked at for the Redwood tree and an independent arborists report is a

Whilst the final decision will ultimately rest with the Council, I can confirm although the tree is part of the approved designs for the funding was based and we would therefore not withdraw funding for the park based on the outcome of this decision. However, it is project and the Friends Group who are a key partner going forward and we hope that a positive outcome can be agreed by all parties

Many thanks

Georgina
Georgina Finn
Senior Grants Officer
Direct Line: 0161 200 8487
Email: georginaf@hlf.org.uk
Website: www.hlf.org.uk
Heritage Lottery Fund
Carver's Warehouse
77 Dale Street, Manchester
M1 2HG

Please note I work Mondays to Wednesdays only

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Since 1994 we have awarded £651million to more than 3,700 projects a

From: Snapdragon Portraits [<mailto:samantha@snapdragonportraits.co.uk>]

Sent: 29 March 2016 4:09 PM

To: Georgina Finn

Subject: Rhyddings Park

Hi Georgina,

Further to our telephone conversation last week where you confirmed that the Lottery Heritage would not withdraw funds should this in writing by return of this email?

The reason I ask it that we now have a councillor who is assisting us with this matter and he has asked for written confirmation to give some people are still telling others in the community that you will withdraw funding should the tree remain so he wishes to set this

In addition, I have had local papers contacting me who are also being given the misinformation about you withdrawing funding. I do not want your name or too much information without your permission. Please could you confirm you are either happy or otherwise for me to

Kind regards

Sam

Samantha Haslope

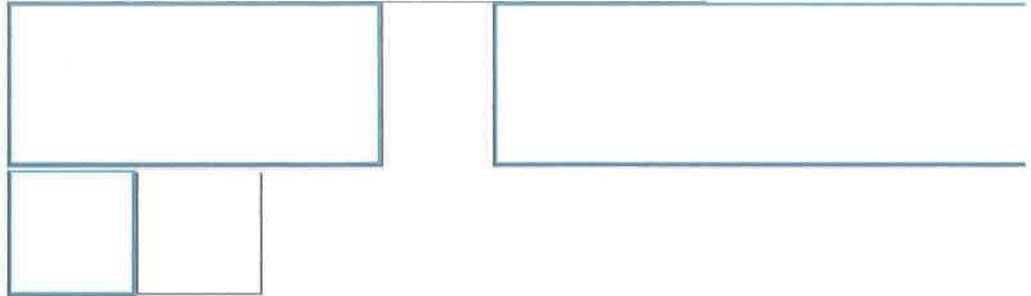
Mob: 07787522319

www.snapdragonportraits.co.uk

SAMANTHA HASLOPE IS ONE OF THE OBJECTORS (YOUNG FAMILY LIVING NEAR THE PARK)



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