



**MINUTES OF THE MEETING OF
THE PETITIONS COMMITTEE**

**THURSDAY 12 JUNE 2014
COUNCIL CHAMBERS, TOWNHOUSE, HADDINGTON**

Committee Members Present:

Provost L Broun-Lindsay
Councillor W Innes
Councillor S Currie

Other Councillors present:

Councillor J Goodfellow

Council Officials Present:

Ms M Ferguson, Service Manager – Legal and Procurement
Mr P Forsyth, Roads Services – Asset and Regulatory Manager
Mr K Dingwall, Principal Planner

Petitioner(s) Present:

Mr J Lapish

Clerk:

Ms F Currie, Committees Assistant

Others present:

Mrs Lapish

Apologies:

Councillor M Veitch

Declarations of Interest:

None

1. PETITION PRESENTED TO THE PETITIONS COMMITTEE FOR CONSIDERATION

PET 1404: CALLING ON EAST LOTHIAN COUNCIL TO MAINTAIN COO'S GREEN INDEFINITELY AS A GREEN SPACE FOR THE ENJOYMENT OF RESIDENTS AND VISITORS TO NORTH BERWICK

Councillor Broun-Lindsay welcomed everyone to the meeting and briefly outlined the procedure that would be followed. He invited Mr Lapish to speak first regarding his petition.

Mr Lapish read out a prepared statement to Members regarding his petition. In it he referred to a number of considerations, some of which may have been missing from the consultation document. He outlined the historical, environmental and social importance of Coo's Green and commented on the significant problems in relation to parking and access to the site. In addition to his written petition, Mr Lapish advised Members that an online petition had attracted over 1300 signatures. He concluded by urging Members to take on board the views of residents in North Berwick, the majority of which were clearly opposed to the idea of using Coo's Green for car parking.

Mr Peter Forsyth, Roads Services – Senior Area Officer East, and Mr Keith Dingwall, Principal Planner, presented the Council's submission. Mr Forsyth explained that in April 2013 Cabinet agreed to a consultation on four possible options for car parking in North Berwick. This consultation concluded in May 2014 and a report on the recommendations would shortly be prepared for Cabinet or the Members' Library Service. He confirmed that the results of the consultation did not support Coo's Green as a viable option.

Mr Dingwall added that planning permission would be required for any new car park in North Berwick. The town was part of a conservation area and covered by planning guidelines which supported the protection of open spaces. Both of these factors, as well as the views of residents and an additional objections, would be taken into account should any planning application be forthcoming.

In response to questions from Councillor Currie, Mr Forsyth agreed that the information provided in the petition and in Mr Lapish's statement would assist the decision-making process.

In their debate, the Members acknowledged the importance of taking account of residents' views rather than attempting to impose a solution without community support. While they could not offer any guarantee in perpetuity, they pointed to the planning process as another means of securing the future of this site. The Members agreed that the petition had merit and that the matter should be referred to the appropriate Cabinet Spokesperson for further consideration. They concluded that it would be helpful to have this information, in addition to the results of the consultation, in the report on the North Berwick Parking Strategy when the matter is brought before Council/Cabinet later in the year.

Decision

The Committee agreed that the petition did have merit and they therefore referred the matter to the Cabinet Spokesperson for the Environment for further consideration.

2. PETITION SUBMITTED DEEMED TO BE OUT WITH THE REMIT OF THE PETITIONS COMMITTEE

PET 1402: TO EAST LoTHIAN COUNCIL IN RESPECT OF ANTI-SOCIAL BEHAVIOUR AT WHITTINGEHAME HOUSE AND THE INEFFECTIVENESS OF THE AUTHORITIES IN ITS CONTROL (2011 – PRESENT)

The Convenor presented the report informing Committee Members of petition PET 1402 which had been rejected on the grounds that it did not meet the criteria for consideration by the Committee.

The reasons for refusal were that the Council has no statutory power to immediately confiscate/destroy livestock; immediately impose an ASBO on an individual; evict an individual from a private tenancy; or impose a lifetime ban on keeping livestock. It is also incumbent upon the Council to reject petitions which relate to ongoing court cases.

Decision

The Members noted that the petition did not meet the criteria and would therefore not be considered by the Committee.

3. UPDATE ON PETITIONS PRESENTED TO THE PETITIONS COMMITTEE FOR CONSIDERATION DURING SESSION 2013/14

The Convenor invited Members to note the update provided on the petitions heard by the Committee during 2013/14.

Morag Ferguson, Service Manager – Legal and Procurement, advised Members that there was no set timescale for dealing with petitions referred for further consideration. The timescale would vary depending on the issues raised in each particular petition.

Decision

The Committee noted the report.

Signed

Provost Ludovic Broun-Lindsay
Convenor of the Petitions Committee