[redacted]

From: [redacted]
Sent: 03 May 2022 08:04
To: [redacted]
Subject: RE: Ground opposite Robroyston Asda

Morning [redacted]

If you can send me the video either by email or WhatsApp via the mobile number below that would be appreciated and I will take a look and let you know otherwise but our understanding at this stage through our investigation was that the felling was exempt from requiring permission.

With thanks,
[redacted]

[redacted]
Technical Officer
Scottish Forestry
Central Scotland Conservancy | Bothwell House | Hamilton Business Park | Caird Park | Hamilton | ML3 0QA
Direct: [redacted]
Mobile: [redacted]
[redacted]@forestry.gov.scot

Website: forestry.gov.scot
Twitter: @scotforestry

Scottish Forestry / Coilltearachd na h-Alba

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation.

From: [redacted]
Sent: 29 April 2022 09:06
To: [redacted]@forestry.gov.scot>
Subject: RE: Ground opposite Robroyston Asda

How disappointing. I noticed this morning that the huge piles of trees left by the road had been removed, having sat there for several weeks. I did take a video at the weekend, when they were all still there, but I don't suppose that helps now.
We need more trees, not fewer. I often think councils won't be happy until there are no plants, trees or animals – just a load of concrete.

From [redacted]forestry.gov.scot>
Sent: 28 April 2022 18:11
To: [redacted]
Subject: RE: Ground opposite Robroyston Asda

Hi [redacted]

Thank you again for taking the time to make us aware of the tree felling on ground opposite Asda in Robroyston.

We have investigated the felling, including site visitation undertaken by two of our Woodland Officers

yesterday. Unfortunately there was no measurable timber left on site to measure, only a large pile of stumps and branches. However based on our site assessment and investigation we believe that the felling was exempt from requiring permission from Scottish Forestry.

As previously explained, the legislation which relates to tree felling in Scotland is the Forestry & Land Management (Scotland) Act 2018 and within this legislation there are a number of exemptions to requiring permission which may apply in a given scenario. If an exemption applies we have no locus under the legislation to act.

The specific exemptions which apply in this scenario being:

Exemption 1: Up to five cubic metres of timber can be felled within any calendar quarter.
Exemption 2: Any trees with a diameter of 10cm or less measured 1.3 metres from the ground.

Despite drawing a conclusion that the felling did not require permission in this instance, we have however provided an advisory letter to the landowner as a reminder of the need for a felling permission, unless a valid exemption applies.

We have also highlighted to the landowner that where felling is carried out under an exemption, it is their responsibility to prove that the exemption applies by keeping appropriate records and that felling without a valid Felling Permission and where exemptions or directions do not apply, is an offence and may result in prosecution, a fine and a criminal record for anyone involved. The Act considers the felling of each tree a separate offence with a maximum penalty of up to £5,000 per offence.

As previously advised on behalf of Martin McElroy. The disturbance of nesting birds, fox dens etc. is a matter covered by the Wildlife and Countryside Act 1981 and should be reported directly to Scottish Police as the competent body via their Wildlife Crime Liaison Officer.

Regards,
[redacted]

[redacted]
Technical Officer
Scottish Forestry
Central Scotland Conservancy | Bothwell House | Hamilton Business Park | Caird Park | Hamilton | ML3 0QA
☎ Direct: [redacted]
Mobile: [redacted]
[redacted]@forestry.gov.scot

Website: forestry.gov.scot
Twitter: @scotforestry

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From: [redacted]
Sent: 25 April 2022 13:09
To: [redacted]@forestry.gov.scot>
Subject: Re: Ground opposite Robroyston Asda

Yes, that's the correct place.
Thanks
[redacted]

-------- Original message --------
From: [redacted]@forestry.gov.scot
Date: Mon, 25 Apr 2022, 12:22
To: [redacted]
Subject: RE: Ground opposite Robroyston Asda
Hi [redacted]

Thanks for getting back to me so quickly. In order to investigate this matter further can you please just confirm whether the site in question is the one I have marked in red below?

Thanks,

[redacted]

[redacted]
Technical Officer
Scottish Forestry
Central Scotland Conservancy | Bothwell House | Hamilton Business Park | Caird Park | Hamilton |

ML3 0QA
☎ Direct: [redacted]
Mobile: [redacted]
[redacted]@forestry.gov.scot

Website: forestry.gov.scot
Twitter: @scotforestry

Scottish Forestry / Coilltearachd na h-Alba

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From: [redacted]
Sent: 22 April 2022 11:10
To: [redacted]@forestry.gov.scot>
Subject: Re: Ground opposite Robroyston Asda

Dear [redacted]

I contacted Martin McElroy, as my councillor, to enquire what was happening at the site, as on 22 March without any sign it was going to happen, all the trees on the site were felled. I copy my email to Martin below. For my own safety, given a previous alarming experience complaining about a planning issue, I don't want to be identifiable in any complaint or report. However, a quick visit to the site will confirm what has happened, as all the felled trees are still sitting in a huge pile by the side of the road. I'm afraid I don't have photos but may be able to take some the next time I'm passing. I have no idea who did the felling, because the entire thing was started and finished in one day while I was at work. I saw no lorries or workers there. I went to work in the morning and the trees were there, by the time I got home they were gone. Probably over a hundred of them.

Email to Martin follows:

Tue 22/03/2022 20:53

To:

- martin.mcelroy@glasgow.gov.uk

Hi, I saw today that all the trees have been cut down in the bit of ground directly opposite Asda. Can you confirm that the council gave permission for this to happen right in the middle of nesting season and when fox cubs are being born (and likely earthed alive in their dens now)? I am absolutely heartbroken at the loss of this habitat which had deer, foxes and birds year round. With all the surrounding fields being dug up for development, this feels incredibly short sighted in the midst of a climate crisis. What is being built there that could possibly justify this?
Thanks
[redacted]

From [redacted]@forestry.gov.scot>
Sent: 22 April 2022 11:00
To: [redacted]
Subject: RE: Ground opposite Robroyston Asda

Hi [redacted]

As Scottish Forestry have been copied within this email below, the matter has been passed to me for consideration. The information provided below on behalf of Clr McElroy to your enquiry I find to be very informative and accurate. Scottish Forestry, formerly Forestry Commission Scotland, as the forestry regulator would investigate matters relating to unlicensed tree felling.
The legislation which relates to tree felling in Scotland is the Forestry & Land Management (Scotland) Act 2018. As explained in more detail in the attached document, there are a number of exemptions to requiring permission which may apply in a given scenario. For example Planning Permission, i.e. planning approval, not approval in principle, forms an exemption from requiring permission.

It appears that you have made some form of enquiry or possibly complaint around tree felling relating to the Robroyston Development, however having only being copied into the response we have had no sight of the original correspondence from yourself.

I would therefore just like to enquire if you have a report to make in regards to unlicensed tree felling at this site? If this is the case please can you provide me with further details, knowledge, description of what's going on and who is involved. Any further evidence you have such as photographs would be useful too.

With thanks,
[redacted]

[redacted]
Technical Officer
Scottish Forestry
Central Scotland Conservancy | Bothwell House | Hamilton Business Park | Caird Park | Hamilton | ML3 0QA
Direct: [redacted]
Mobile: [redacted]
[redacted]@forestry.gov.scot

Website: forestry.gov.scot
Twitter: @scotforestry

Scottish Forestry / Coilltearachd na h-Alba

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From: [redacted]@forestry.gov.scot> **On Behalf Of** Scottish Forestry Enquiries
Sent: 19 April 2022 12:13
To: Scottish Forestry Conservancy, Central Scotland <centralscotland.cons@forestry.gov.scot>
Subject: FW: Ground opposite Robroyston Asda

Good Afternoon,

Please see email below.

Many Thanks
[redacted]

From: [redacted]@glasgow.gov.uk> **On Behalf Of** McElroy, Martin (Councillor)
Sent: 14 April 2022 11:19
To: [redacted]
Cc: Scottish Forestry Enquiries <scottish.forestry@forestry.gov.scot>
Subject: Re: Ground opposite Robroyston Asda

Dear [redacted]

I hope you are well.

I have received a response from the Dept. regardng your enquiry, advising

"Dear Councillor McElroy,

NRSMLU 1864582

Subject: Ground opposite Robroyston Asda

Thank you for your enquiry regarding the above.

The Planning service can only control tree works where they are with a Conservation Area or Tree Preservation Order; neither of these apply in this case. There is an existing Planning Permission on Principle relating to that area of ground, 18/01794/PPP, which was an application to vary a previous Planning Permission in Principle for the whole of the Robroyston Development. The Planner for this scheme is [redacted].

Planning Permission in Principle does not allow works to take place on site in terms of tree works, and does not give exemption from the requirement to seek a felling licence from Scottish Forestry, therefore this incident should be referred to them at their Hamilton Office, https://forestry.gov.scot/contact

The disturbance of nesting birds, fox dens etc. is a matter covered by the Wildlife and Countryside Act 1981 and should be reported directly to Scottish Police as the competent body via their Wildlife Crime Liaison Officer, https://www.scotland.police.uk/advice-and-information/wildlife-crime/"

I have copied the Scottish Forestry Tema into this response also in order that they are aware of this and can posisbly provide advice and guidance back to us.

I will keep you updated.

Kind Regards

Councillor Martin McElroy
Scottish Labour Party
Ward 17 – Springburn/ Robroyston

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