

## **FREEDOM OF INFORMATION ACT 2000**

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**Please explain to me, the full circumstances associated with the removal of the large London plane tree on Walton Street close to the junction of Narborough Road.**

**The tree was protected under condition 4 of the planning consent for the nearby Sainsbury's store and therefore should not have been damaged or removed - a tree survey undertaken in respect of the application showed the tree was healthy (Category A) and was safe.**

**If it has been damaged by the contractor, then a suitable replacement should be arranged by the developer.**

**I have asked for an explanation from the planning dept and parks and recreation (who are undertaking the work) and have received no reply.**

**Please explain.**

### **ANSWER**

I am sorry that you have not received a response to your earlier enquiry. The reasons for this are being looked into.

The Planning aspect of this case, in particular the issues around the tree in question, have been passed to an officer in Legal Services to review. Therefore this letter constitutes a refusal notice under Section 17.1 of the Freedom of Information Act 2000 because an exemption under Section 30 of the Act is being applied – Investigations and proceedings conducted by public authorities.

Disclosure of the requested information at this stage could have a significant negative impact on the outcome of the investigation. The Council considers there is a strong public interest in avoiding likely prejudice of such an investigation.

It is proposed to plant a large nursery stock item in its place. This will be done as soon as necessary engineering works are completed.

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Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager**  
**Information and Customer Access**  
**Leicester City Council**  
**FREEPOST (LE985/33)**  
**New Walk Centre**  
**LEICESTER LE1 6ZG**

e-mail: [info.requests@leicester.gov.uk](mailto:info.requests@leicester.gov.uk)

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow SK9 5AF**  
**Telephone: 01625 545 700**

[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.