

THE ARBORICULTURAL WORKING GROUP
WEDNESDAY 30th JANUARY 2013

MR CHAIRMAN

We presented the petition to Council on behalf of the signatories, with a view to promoting change in current practices and if necessary a change in legislation. We strongly re-iterate the sentiments of previous presentation speeches. In addition we would like to offer further information to clarify the points that were made.

We recognise that Tree Officers are working hard to preserve a 'Woodland Environment' in an 'Urban Setting' and realise the importance of their work and the need for preservation. We also appreciate that their practices are compliant within the constraints of current legislation.

Representatives from a variety of organisations were consulted when defining existing legislation with all agencies holding a bias for the preservation of Forests and Public Woodland, which cover some 10% of UK land.

However, an Arboriculture Association workshop in 2012, considered that perhaps 'The Independent Forestry Panel', had not addressed the management of 'Urban Trees adequately and that some 89 million non-woodland trees had not been properly considered, which did not necessarily provide opportunity for 'Prudent Land Ownership'.

In this regard, homeowners feel that existing legislation is too restrictive and perhaps not always pertinent to smaller 'Privately Owned' Urban Settings and therefore perceive the need for some change.

The petitioners hold the view that too much emphasis is placed on the subjective notion of 'Public Amenity' value rather than greater regard given to the welfare of the private property owner, occupier. This is a critical status as such a decision overrides their Human Rights to 'Peaceful Enjoyment of Possessions'. They are unhappy that the rights of the public outweigh those of the individual or permanent resident and would like to be given greater consideration to manage trees within their own boundary, particularly as there is an expectation for responsible ownership.

They feel that they are regarded as a third party in the decision process and hope that it will become inclusive.

Residents are deeply concerned for their safety, particularly when there are gale force winds and trees have exceeded what is an acceptable size for their position and have outgrown their environment. Such scenarios have increased as we experience excessive rainfall, resulting in rapid and prolific tree growth. They would like improved opportunities to take responsibility for prudent and sensible management on their land.

Restricted tree management and overgrowth compromising daylight and sunlight to properties, has often led to poor health. Occupants find it unacceptable that they need to use artificial light during daylight hours and have to go out to gain sunlight. Such issues have a detrimental effect on house sales and ultimately property values.

There are instances where Covenants are in situ at the time of property purchase, ensuring restricted tree height. Regrettably and unfairly TPO's negate the value of the Covenant. It is hoped that this process would be re-considered.

The recent CWG meeting prompted discussion from other parties regarding the necessity for changes in tree management, indicating the strength of feeling within the community.

There is continued interest in the campaign with new signatories anxious to sign the petition.

We are aware that the Arboricultural Working Group consists of Council Officers and Professional Representatives and provides an excellent forum to discuss and review existing policies and practices. It is an opportunity to engage with and include representatives from the Community to establish a balanced rationale in sensible and sensitive tree management.

We feel that a measured approach to pruning and reduction in canopy heights would not seriously interfere with the Overview of the Tree Landscape but would enhance the lives of many residents.