

To the Environment, Housing and Infrastructure Scrutiny Panel

RE: P.76/2021

We do have particular concerns that by expanding the definition of “development” to include works to trees (including felling, lopping, pruning, or any alteration of any tree) there is enormous potential for unintended consequences to have a detrimental effect on the Island tree stock without clarity as to how this is to be implemented.

It is the second time this year that the Environment Minister has caused concern by not publishing details of implementation, guidelines or codes of practice at the same time as promoting legislative change. Guidelines which were eventually released relating to the recent Wildlife Law were found to have lack of clarity, inconsistencies and unachievable criteria that required amendment prior to adoption. It seems that much trouble could be avoided by ensuring that more detail is provided before introducing new, or amending existing, legislation.

It also seems premature to be promoting this legislative change whilst at the same time the Environment Department is undertaking the development of a tree strategy for Jersey. During the consultation phase of developing this strategy it has been mooted that a planning application will be required to undertake any works to trees that would include what are routine tree management practices. This will be costly, time consuming and likely to result in trees being unmanaged with subsequent environmental degradation. Should the system become too onerous it will also likely discourage landowners from allowing trees to be planted in the first place which is surely counterproductive.

At the very least there needs to be a distinction drawn between specimen trees in an urban setting (e.g. the Royal Square) and woodland and hedgerow trees in a rural setting.

On behalf of the RJA&HS we should be pleased to explore this issue in more detail

Yours sincerely
James Godfrey