

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

17th July 2019

Proposition No. P.2019/41

REQUÊTE

Island Development Plan

AMENDMENT

Proposed by: Deputy A.C. Dudley-Owen

Seconded by: Deputy H.L. de Saumarez

To add an additional Proposition 9

- a) To direct the Committee *for* Environment & Infrastructure to create a Tree & Woodland Strategy for Guernsey.
- b) For a review to be undertaken by the Development & Planning Authority of the existing legal framework for the protection for trees, including Tree Protection Orders and planning conditions, making appropriate recommendations for any required legislative amendments to the 2005 Land Planning & Development Law and related Ordinances, to ensure that greater protection is afforded to individual trees and woodland where they make a positive contribution to amenity value. Such review to be guided by relevant recommendations made in the Tree & Woodland Strategy.

Explanatory Note

This amendment seeks to reinstate a broader protection of trees and woodland areas deemed to have amenity value¹ and also to ensure that any such scheme is robust, pragmatic and looks to the future.

It is almost universally recognised that trees are an essential part of our environment and community. The current system protects only a very few trees on the island (only 100 are currently protected).

¹ Amenity is described as the “feel” of a place in terms of it being pleasant or agreeable including the visual pleasantness of a place or an area – Island Development Plan 2016 Pg. 349.

There is a rapidly increasing awareness of the importance of having a vibrant biodiversity and this is reflected both locally and globally, and it is right that a “Tree & Woodland Strategy” is devised for the management, protection and enhancement of trees in Guernsey, together with a review and recommendations to amend if necessary, the 2005 Land Planning & Development Law and related Ordinances, making the current scheme fit to ensure that the aims of the strategy are met.

In adherence to Rule 4 (3), advice has been sought and received from the Committee *for* Environment & Infrastructure in relation to the cost of the creation of a Tree & Woodland Strategy and this is estimated to be under £5k.

Advice has also been received from the DPA that the cost of the review and suggestion of alternatives could be around £50-100K assuming this would be commissioned from an independent expert in the field of planning law, given the potentially complex legal issues involved.

It is recognised though that the current legal provisions may be deemed sufficient, but that it is in fact additional human resources that are required in order to give more effect to the current legislation.

It would be the intention that the Tree & Woodland Strategy would be used to guide the legal review and to make any requisite pragmatic and feasible amendments.