1. I am writing on behalf of the forestry department of Bell Ingram Ltd. in response to the call for evidence for the High Hedges (Scotland) Bill.

2. We manage trees and woodlands on behalf of our clients, frequently liaising with neighbouring property owners regarding trees close to boundaries adjoining residential properties. In many instances house owners wish for trees to be removed from woodland edges for a variety of reasons, most commonly due to a perceived risk to property, the effect of trees on light levels, leaf fall into gardens or occasionally poor television reception. In such cases we assess whether there is a risk to safety or property and instruct remedial works accordingly. However, we generally resist removing healthy trees unless required for safety reasons or woodland management.

3. Trees are an extremely valuable part of our rural and urban landscapes, and in many areas are already under pressure from development, damage or disease. Our experience suggests that there would be a high demand for the removal of trees in gardens and along woodland edges if there was a stronger statutory basis for this. This Bill is clearly targeted at the specific issue of leylandii hedges, as demonstrated by the very narrow definition of what constitutes a “high hedge”. However, if this definition were to be broadened to include deciduous trees and/or individual trees this could result in the unnecessary loss of trees to the detriment of urban landscapes and the environment.

4. We therefore strongly support the retention of the definition of a high hedge in section 1 of the High Hedges (Scotland) Bill [as introduced]. We feel that this adequately addresses the problems sometimes caused by conifer hedges without creating a legal basis for the forced removal or reduction of trees for reasons other than risk to safety or property.

5. I understand that high hedge notices under this legislation would take precedence over any Tree Preservation Orders covering the trees in question. We feel that this is unnecessary under the current scope of the bill, as leylandii hedges would be unlikely to be covered by TPOs. If the bill were to include other trees, this would potentially reduce the level of protection for valuable amenity trees.

6. We would also suggest that yew hedges should be specifically excluded from the scope of this bill, as these are slow growing, and where they exist tend to form part of historically valuable sites such as churchyards and old policy grounds.

7. Subject to the definition remaining unchanged, we have no specific comments regarding enforcement, costs and fees or dispute resolution.
8. I would be happy to discuss any of the points above in more detail if you wish for clarification or further evidence.

Graham Phillips
Forest Manager