SUPPLEMENTARY SUBMISSION FROM SCOTHEDGE

Many thanks for the opportunity to give evidence at the committee meeting last week and for the work you have both done so far. For the record I have attached the document which I gave (hard copy) to the recorder which featuring the football pitches and the statistics behind them.

We really appreciated the debate with the other witnesses and are grateful to the Convener and all the members for drawing out the key issues.

We fully understand the concerns about the need for an effective and efficient appraisal process, especially if the scope was widened in the way we favour. Scothedge has always advocated that centrally produced guidelines should be available to help local authorities come to a decision. England and Wales have such a document, High Hedges Complaints: Prevention and Cure and in 2009 Scothedge prepared a modified draft of key sections of this document to make them applicable to Scotland. We have reviewed this draft following last week’s committee session and the document can be found at Scothedge Draft Guidelines.

The Scothedge document is very much ‘work in progress but we particularly draw your attention to section 4.2 ff (page 15) ‘What Is Reasonable?’ and section 5.100 ff (page 38) ‘Proportionality’.

Scothedge would like to be sure that the committee are aware of these documents because they help answer many of the concerns raised last week. I think we all wish to avoid ‘re-inventing the wheel’ and much of the value of the documents is in the ‘prevention’ sections which should allay many of the fears of the Scottish Wildlife Trust etc., to which we remain largely sympathetic.

We showed in our evidence that the number of cases requiring local authority intervention and appraisal is likely to be low. However at this week’s session we anticipate that ‘resource’ will be a major concern for the tree officers. Alongside the guidelines, we feel that Scotland would be well served by some form of ‘central expertise’, advising and guiding councils towards good decisions. The arrangements in Wales are worthy of consideration.

We remain completely available at this crucial stage if there is any further help we can give to the committee.
Once again, many thanks.

Derek Park
for Scothedge
Statistics

The 6 English local authorities for which we have complete data have approx. one quarter of Scotland’s population.

- In the first seven years they experienced 1,220 enquiries which became 100 formal complaints. This means that 92% were cleared without formal complaints.
- In Scotland this would represent approx. 4,800 enquiries and 391 formal complaints over 7 years. (690 enquiries, 56 formal per year)
- For the average Scottish LA this is 150 enquiries and 12 formal complaints in 7 years.
- Uplifted by 50% to include deciduous and single trees this represents 225 enquiries and 18 formal complaints over 7 years for the average LA.

This is average of between 2 and 3 formal complaints per year for the average LA

Position of RSPB, Scottish Wildlife Trust & Woodland Trust

We estimate that there are 1.65 million ground level properties in Scotland. Assuming 1 in 3 has a hedge or tree this is 550,000 properties. The number of enquiries (4,800 over 7 years) represents 0.9% of the total Scottish domestic hedge stock. Again assuming 50% uplift (i.e. 0.45% for inclusion of deciduous & single trees) this means 1.4% of the total Scottish hedge and tree stock will be affected by the legislation.

By trying to exclude deciduous and single trees, these bodies are denying relief to some of the worst sufferers and supporting some of the worst human behaviour. This for the sake of a habitat which represents less than one half of one percent of the Scottish domestic hedge and tree stock.
How Cases Will ‘Dissolve’ Once Legislation Is In Place

Total Pitch Area Represents Scottish Enquiries Expected Per Year

Effect on Local Authorities of Adding Deciduous Cases

Evergreen Cases Needing Local Authority Action Per Year

Where Is The Justification for Exclusion of Deciduous Species?
The Likely Impact Of the Bill on the Entire Scottish Domestic Hedge & Tree Stock

Total Pitch Area Represents Scottish Domestic Hedge Stock – currently Trimmed And Well Looked After

Untrimmed Deciduous Stock
Untrimmed Evergreen Stock

These Two Areas Represent Scottish Hedge Stock Likely To Be Affected By The Bill

Where Is The Justification for Exclusion of Deciduous Species?