

Statutory Tree Protection on the Isle of Man

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Where is it?

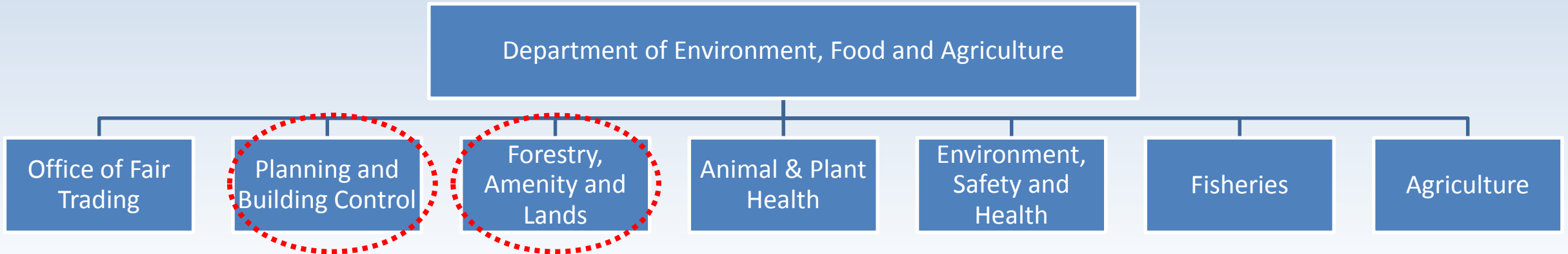


What is it?

- A self-governing British Crown dependency (not in UK or EU)
- The 5th richest nation in the world by GDP per capita
- Low tax, diverse economy
- The first country to give women the right to vote
- The first whole nation to be awarded biosphere reserve status by UNESCO
- The setting of the world famous TT races
- Cold and wet

Government and Department Structure

8 Government Departments, each of which is a separate legal entity with its own functions, powers and responsibilities



22 local authorities with varying status and functions

Tree Preservation Act 1993

- Blanket protection against felling of any tree over 8cm DBH
- 'Registered' trees are also protected against any kind of pruning
- Licences subject to conditions
- 'Reckless' damage
- Fines of up £40,000

Tree Preservation Act 1993

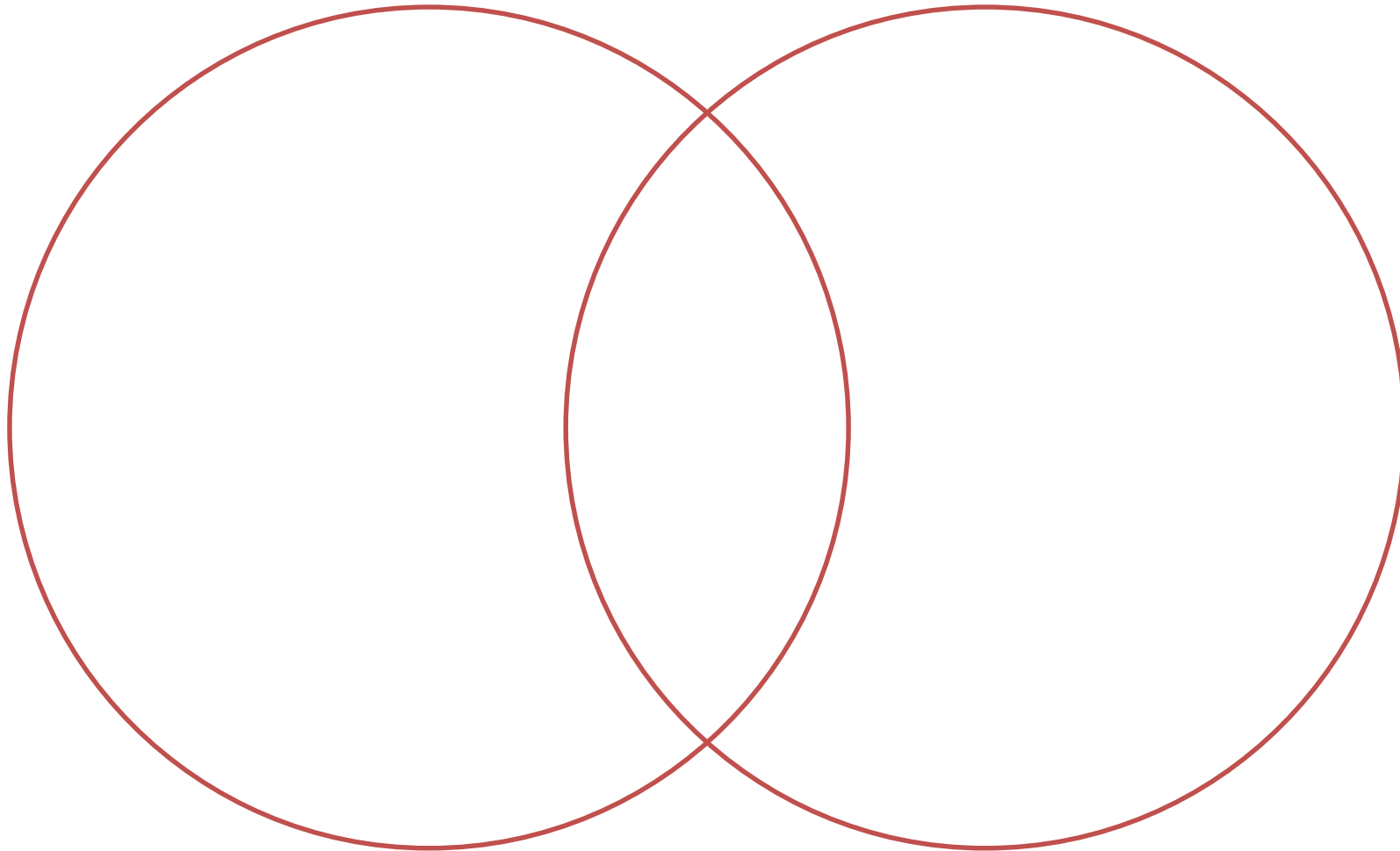
Exceptions:	Defences:
Dead trees	Health & Safety
Fruit trees in an orchard/garden	In the interests of preserving the tree
Coniferous plantation trees	Abatement of nuisance
	Right/obligation of another act
	Approved development

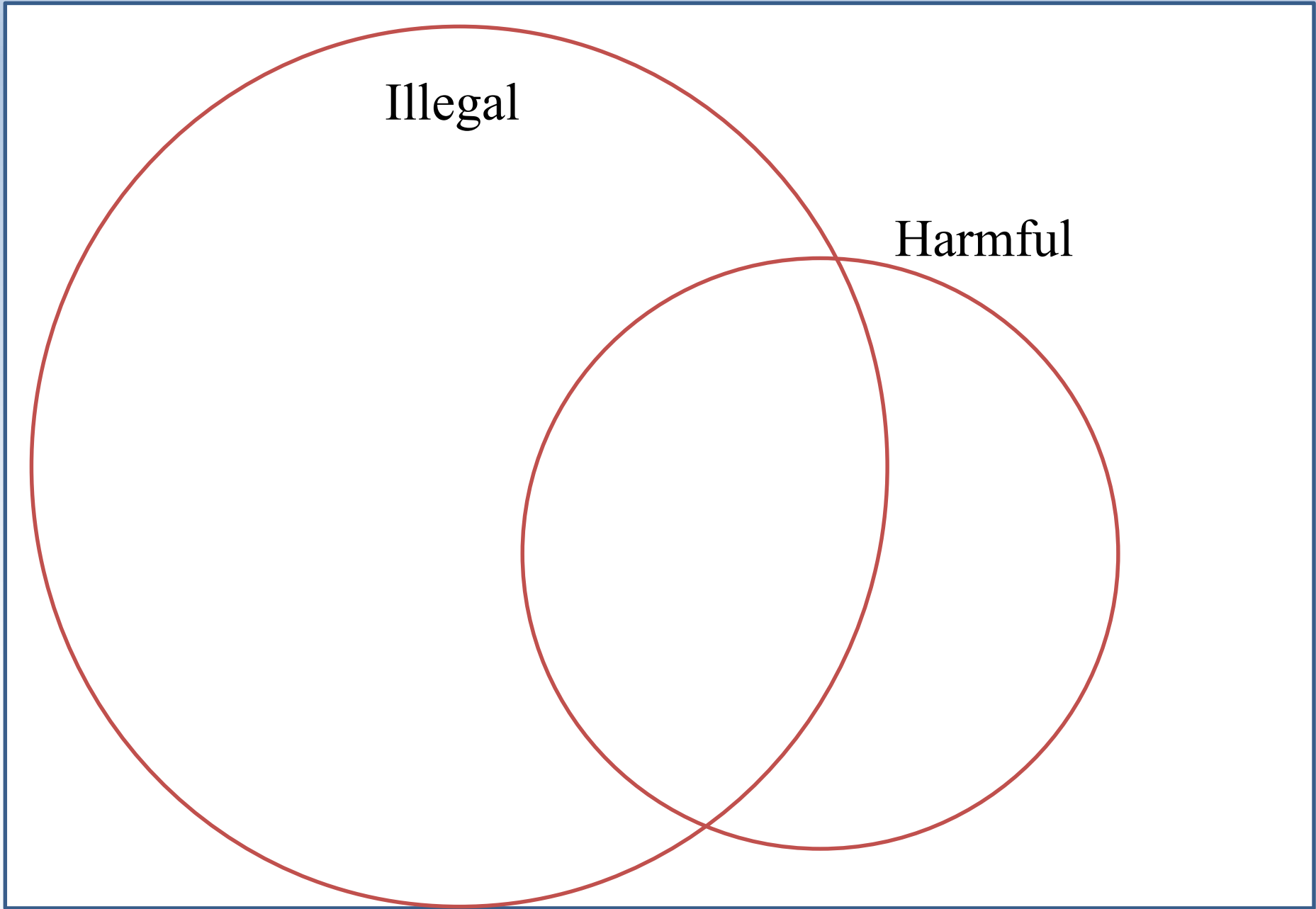
Tree Preservation Act 1993

- Applications can only be made by the owner or with the owner's consent
- Decisions are made solely by the Department's officers
- No statutory consultation period
- Application decisions can be reviewed and appealed
- Register entries/amendments – no appeal process

Illegal

Harmful





The Workload

~750 applications per year

Tree registrations and register amendments

Planning applications

Dutch elm disease control programme

Co-ordinate (some) tree surgery work

Enforcement cases

Enquiries, advice and other miscellaneous activities



The Issues

- Several challenges of our policy and procedures
- No public information
- No internal record of procedures – business continuity risk
- Application assessments: balancing quantity and quality



Managing the situation: Policy

Tree Protection Policy:

- **Defines the scope and purpose of the legislation**

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- **Sets out the Department's position on various issues**

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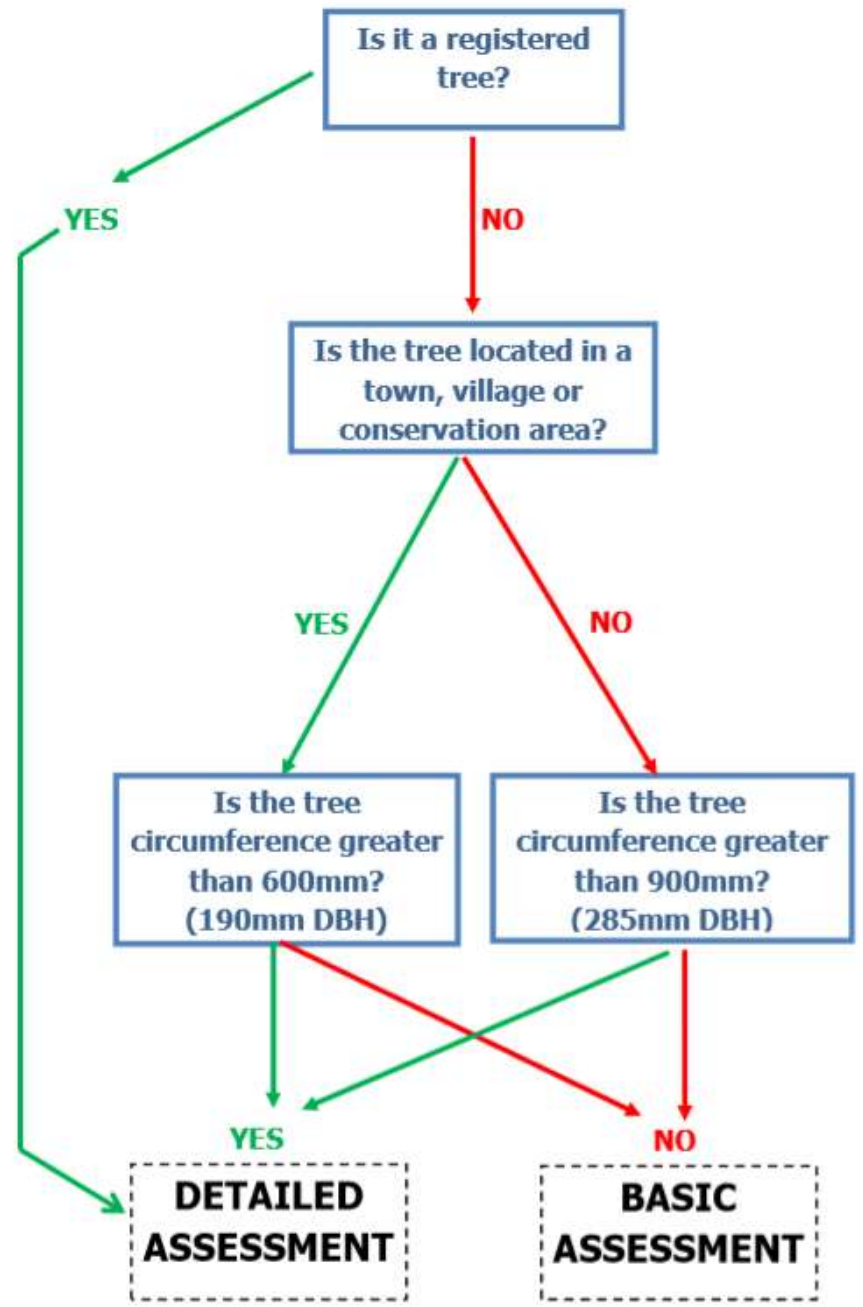
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- Sets out the Department's position on various issues
- **Provides transparency on application validation and assessments**

Managing the situation: Policy

Tree Protection Policy:

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 - Defines the terms used and provides an interpretation
 - Sets out the processes involved
 - Sets out the Department's position on various issues
 - Provides transparency on application validation and assessments
- **Differentiates between basic and detailed assessments**





Take home messages

- Good bits and bad bits
- If you were going to design a statutory tree protection system from scratch what would it look like??

Take home messages

What is important?

Simplicity

Coherence

Flexibility

Reduce Bureaucracy

Customer

Protection

Sustainable

Transparency

Enforceability

Efficiency

Amenity

Proportionality

Focused

Fair

Support

Accountability

Deterrents

Trust

Freedom

Robust

Take home messages

- Good bits and bad bits
- If you were going to design a statutory tree protection system from scratch what would it look like??
- What is important?
- How much are you willing to pay?
- Legislation is only one part of the solution
- Promote the benefits of statutory tree protection

Thank you

www.gov.im/treeprotection