

3.2 Deputy D.W. Mezbourian of St. Lawrence of the Minister for Planning and Environment regarding the preservation of oak trees at Goose Green Marsh:

Will the Minister explain how the Tree Preservation Order on two roadside oak trees at the Goose Green development will guarantee their protection?

Senator F.E. Cohen (The Minister for Planning and Environment):

I should firstly clarify that the term "Tree Preservation Order" is a remnant of the former 1964 Island Planning (Jersey) Law. The new 2002 Planning and Building (Jersey) Law provides for a list of protected trees. Thus under this law the 2 roadside trees at Bel Royal are included on this list and are therefore deemed to be protected trees. Under the provisions of the new law, the Minister's permission is required to cut down, lop or otherwise alter, harm or interfere with trees which are included on the list of protected trees. To do so without consent represents an offence. In other words the protection of the two protected oak trees at Bel Royal is guaranteed insofar as an application needs to be made to undertake any work to them or to fell them. Any application will be dealt with by me personally.

3.2.1 Deputy D.W. Mezbourian:

If I may? I understand that there was no environmental impact assessment carried out on the environment at Goose Green before the development permission was given. Had one been carried out I am sure it is likely that the row of oak trees would have been retained. Nevertheless, in retaining two of them, they will impact upon the road changes that have been approved for the development to go ahead and I would like to ask the Minister who will make the ultimate decision as to which will prevail here? Will it be Environment, by retention of the trees, or will it be a decision made by the engineers at Transport and Technical Services that they should be removed, after which the Minister will then make his final decision?

Senator F.E. Cohen:

I think I can simply answer the question by saying that the Deputy has my absolute guarantee that those trees will remain in place.

Deputy D.W. Mezbourian:

May I thank the Minister for that, Sir?