



Eich cyf/Your ref P-05-911  
Ein cyf/Our ref DET/00170/20

Janet Finch-Saunders AM  
Chair, Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

05 March 2020

Dear Janet Finch-Saunders AM,

**Petition P-05-911 Protect Wales' Ancient Yew Trees**

Thank you for your letter of 17 February requesting details from Cadw about:

1. any protections afforded to ancient trees, such as yews, in Wales, and any schemes which could be used for this purpose; and
2. references made by the petitioner to actions taken by English Heritage in relation to yew trees in England.

I will address these points in order.

1. The Petitions Committee has already received information on Tree Preservation Orders and other possible measures of protection administered by other Welsh Government departments and local authorities.

I note that the petitioner specifically asks about the possibility of protection through scheduling such trees as ancient monuments. As the Welsh Government's historic environment service, identifying monuments that meet the scheduling criteria is one of Cadw's responsibilities.

Scheduling is the way that a monument or archaeological site of national importance is recognised by law through the Ancient Monuments and Archaeological Areas Act 1979.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Scheduling is used to protect unoccupied historic ruins and archaeological sites. Some scheduled monuments contain standing buildings or ruins and others have no visible remains above ground, but their buried archaeology is of national importance. Sites that are underwater can be scheduled too, such as submerged lakeside settlement sites or historic wrecks.

Cadw participated in a task and finish group that was established to look at the protection of ancient / veteran trees. The group looked at the viability of using scheduling to protect ancient / veteran trees, but concluded in early discussions that this was not the most effective way forward. The main reason for this is that trees do not fall easily within the definition of a monument because of their wider habitat and biodiversity interest, and indeed scheduling might compromise the ability to manage them effectively as any management of the trees would require scheduled monument consent. However, I understand from the response to the Petitions Committee from the Minister for Housing and Local Government dated 18 December 2019, that other, more appropriate, options for providing improved protection are being considered.

2. The petitioner states that English Heritage has taken a significant step in making the Ankerwycke Yew at Runnymede a scheduled monument. We have investigated this and established that the Ankerwycke Yew is not a scheduled tree; it is a tree situated within the boundary of a scheduled monument. The scheduled monument designation is for Ankerwycke Priory (a Benedictine nunnery founded in the late twelfth century) - Scheduled Monument List Entry Number: 1007943 <https://historicengland.org.uk/listing/the-list/list-entry/1007943>. Historic England is the body within England currently responsible for scheduling. Historic England states that there is a great variety of over 200 categories of monuments on its schedule but notes that 'only deliberately created structures, features and remains can be scheduled'.

3. For the reasons outlined earlier, Cadw does not regard scheduling as an appropriate mechanism for the protection of ancient trees and, like Historic England, it would not apply the designation to specific ancient yews.

Yours sincerely,



**Yr Arglwydd Elis-Thomas AC/AM**

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaet  
Deputy Minister for Culture, Sport and Tourism