

Protect Wales' Ancient Yew Trees

Y Pwyllgor Deisebau | 20 Tachwedd 2019
Petitions Committee | 11 November 2019

Reference: RS19/10865-1

Petition Number P-05-911

Petition title: Protect Wales' Ancient Yew Trees

Text of petition: Please sign my petition call for ancient Yew trees to be protected by law. Currently there is no legal protection for these beautiful trees. It's urgent that we protect this vital part of our heritage with specific legal protection before we lose any more. These Yew trees have been a part of Britain for thousands of years. They are our ancient living monuments, our ancient living witnesses to the history of our ancestors and our civilisation. We must protect them as a matter of urgency before any more are lost

1. Background

The common yew tree (*Taxus baccata*) is the longest living native tree species in Europe. Yew trees can be found throughout the UK but are commonly located in churchyards. They may survive for as long as 3,000 years and are described as ancient at around 900 years, and veteran at 500 years old.



The majority of the remaining ancient yew trees in Europe are located in the UK. [The Ancient Yew Group](#) has identified 407 ancient or veteran yews in Wales and 978 in England, compared with [77 in France, and four in both Germany and Spain](#).

The Woodland Trust has created an [Ancient Tree Inventory](#) to 'map the oldest and most important trees in the UK'. Ancient trees are considered [irreplaceable](#) as they provide important ecosystem services including unique [habitat for wildlife](#) and they are [significant carbon stores](#). Ancient and veteran trees, and trees with particular historic or cultural significance, are often referred to as [Trees of Special Interest \(TSI\)](#). Some of the most ancient TSI's, often yews, are also associated with [ancient religious practices](#).

The two oldest trees in the UK are both yew trees. [Fortingall Yew](#) is located in a [graveyard in Perth, Scotland](#), and [Defynnog Yew](#) in a [churchyard at Defynnog, near Sennybridge in Powys, Wales](#). Both trees are estimated between 2,000 and 3,000 years old, but some assessments age the trees as old as 5,000 years.

Legislation

There is currently no legal protection *specifically* for ancient yew trees in the UK. Under the [Town and Country Planning Act 1990](#), local planning authorities can make a [Tree Preservation Order \(TPO\)](#) to protect a specific tree, group of trees or woodland, that brings significant amenity benefit to the local area. A TPO protects trees from deliberate damage or destruction, making it a criminal offence to cut down, top, lop, uproot, wilfully damage or destroy, or to cause or permit these actions, to a tree protected by an order, without the local planning authority's permission.

Additional [legislation and regulations that can protect trees](#) include; designated [conservation areas](#), [felling licences](#) and [restrictive covenants](#).

Efforts to protect ancient yew trees

In 2014, the [Church in Wales](#) launched a campaign to help protect yews, offering information and advice to parishes and communities on ancient yew tree management.

More recently in 2019, petitions calling for the legal protection for ancient yews have launched in the UK and Wales. More than 230,000 people and counting have signed a petition to '[Save Britain's ancient yew trees before we lose any more](#)'.

2. Welsh Government action

The Welsh Government's policy for protecting woodland is set out in the [Woodland for Wales strategy](#), published in June 2018. The strategy states that the Welsh Government wants to see that 'individual trees, ancient and veteran trees, wood pasture and woodlands in our urban areas and countryside, are better understood, protected and managed for

their cultural significance, aesthetic quality and heritage value'. The strategy acknowledges that 'ancient and veteran trees are a cultural resource linking people to place, environment and culture (past and present), and also provide continuity of habitat for some increasingly rare lichens, mosses and fungi in both the rural and urban landscape'.

The Welsh Government's [Natural Resources Policy](#), published in September 2017, sets out a commitment to:

[...] carefully manage trees and woodland that have high environmental values, including ancient woodland sites, ancient, veteran and heritage trees, which are an irreplaceable resource that provide a wide range of ecosystem services.

[Planning Policy Wales](#) (PPW) Edition 10, published in December 2018, outlines Welsh Government guidance for making planning decisions, which includes a framework for the protection of trees, woodlands and hedgerows. Paragraph 6.4.26 of PPW states:

Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.

Paragraph 6.4.25 states:

[...] permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.

3. National Assembly for Wales action

In 2017 the Petitions Committee last considered the petition: [P-04-439: Ancient veteran and heritage trees of Wales to be given greater protection](#). The Committee agreed to close the petition given the petitioners were members of a [Task and Finish group on ancient, veteran and heritage trees in Wales that made recommendations to the Welsh Government](#) (PDF 218KB), and the fact that the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths AM, had made a commitment to consider which actions to take forward.

In March 2019, Lesley Griffiths responded to two written questions regarding woodland and native tree protection. On 8 March 2019, Janet Finch-Saunders AM submitted a [written question](#) (emphasis added):

Will the Minister explain what steps the Welsh Government is taking to help **protect native trees in Wales**, and state how much money has been allocated to help fund tree planting in 2019/20?

On 12 March 2019, Nick Ramsey AM submitted a written question:

What steps is the Minister taking to protect woodland areas in Wales?

In response to these written questions, the Minister wrote (emphasis added):

The Welsh Government's 'Woodland for Wales' forestry strategy outlines the importance of native trees to our landscape. [...] Planning Policy Wales 10 provides greater protection for **ancient and semi-natural woodlands and individual ancient, veteran and heritage trees**. It stipulates that such trees and woodlands should be afforded **additional levels of protection** and every effort should be made to prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consult with NRW. Planning authorities should also have regard to the Ancient Tree Inventory.

On 18 October 2019, Julie James AM responded to this petition in a letter to Janet Finch-Saunders AM, the Petitions Committee Chair, stating:

Ancient and veteran trees (including Yew trees) are a cultural resource linking people to place, environment and culture, they also provide continuity of habitat in both the rural and urban landscape. [...] Welsh Government recognises ancient woodlands and trees have a vital role in providing a range of ecosystem services.

In the letter, she did not commit to specific actions to protect ancient yew trees.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.