

The Billericay Tree Warden's Bi-monthly

News-sheet for January 2024

Our News-sheets are available to view on the Billericay Town Council's website including back issues and are listed under the header "The Town". There are also tree related Factsheets included to advise residents. The Factsheets can also be viewed on Facebook at <https://tinyurl.com/k8bzd772> <https://tinyurl.com/3hxdy5m9>



Conserving Our Tree Heritage
In association with Billericay Town Council

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1] Tree Planting Notification – The Tye Common Road

We are planting a tree belt in mid-January along a section of ECC verge just south of the entrance to Blunts Wall Road. We are to contact our volunteers to enlist their help!

2] Tree Planting at Black Cat Meadow by the Billericay Tree Wardens (BTW)

On Saturday 9th December from midday onwards for a couple of hours the BTW and friends planted seventy 2ft to 3ft high trees of the following native tree species, Oak, Willow, Silver Birch, Rowan, Elder, Hazel, Hawthorn and Blackthorn. These were sourced from the Norsey Wood tree nursery by our Nathan Hume seen fourth in from the left. BTC Cllr Chris May is on the left, himself a Tree Warden, joined us for the event. Black Cat Meadow is just south of Norsey Wood and the railway line. If ever one needs confirmation that Billericay is mainly built on thick clay soil then this is the proof! Several residents who live nearby expressed an interest in the project and



are keen to be our "ears & eyes" as to the safety of the trees. Unfortunately, vandalism to trees in the town continues to occur so having Natural Guardians present next to the site is a safeguard. The meadow is the housing estate's recreation area and the planting has been kept to the periphery.

3] The Free Tree Giveaway event by the Billericay Tree Wardens (BTW).



On Saturday 25th November from 10am to 3pm, we were outside Paul Robinson's the solicitors in the High Street giving away 55 two foot high trees with their pots, compost and a pamphlet on their planting and care. "Black Friday" had been followed by a "Green Saturday"! It was a very social event as shoppers and visitors to the High Street stopped and engaged with us in our yellow hi-viz jackets and our "A Frame" poster! Tree species on offer were Rowan, Cherry, Hazel, Silver Birch, and Oak. We had some mini-whips (very small tree!) that were eagerly sort after by the children of the parents passing by. Gaining the enthusiasm of the young folk is one of the remits of the BTW. It's not often that the BTW gets to

meet the public as most of our work is behind the scenes liaising with our residents with their various tree issues. A big thank you to Paul Robinson's the solicitors for allowing us to utilize their frontage as it's a prime location for such an event. Soon after, we had some positive feedback via emails and social media by those who had already planted their trees in their gardens! We plan to repeat this event on an annual basis.

4] Brightside Primary School – Planting Project.

On the morning of Monday 6th November the Billericay Tree Wardens (BTW) enlisted the help of the pupils from the Eco-committee to plant a seven foot tall Silver Birch (*pendula*) and four butterfly attracting Buddleja bushes (*davidii*). The planting complements a seated area bordered by timber planks previously installed by the school. The plant species were chosen for their relatively quick growing ability and attraction to insects. Tree Warden and Councillor Chris May joined us for the project and BTW's tree planter Nathan Hume is back left. Our Tree Warden member Fiona seen towards the back has liaised with the school throughout. The young from the Eco-committee enthusiastically joined in the planting process and were keen to apply the compost, tamping it down and finally applying the **mulch!** A word that became the 'word of the day' with much amusement! This is the second planting project that the BTW has undertaken at the school and we thank the teachers in charge for seamlessly organizing the event. The young already have the mindset as to the importance of nature and were ready for the challenge! The project was co-funded by the school and the BTW.



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5] Vandalism to the late Queen's Platinum Jubilee Cherry Trees at South Green

Six Cherry trees were felled on the Green either late on the 14th November or early on the morning of the 15th. Planted by Basildon Borough Council (BBC) back in 2022 they formed a circle of twelve trees to commemorate our late Queen's Platinum Jubilee. However soon afterwards, some of them were subsequently vandalised. At the request of the Great Burstead and South Green Village Council (GB&SGVC) the BBC then replanted those still standing and replaced the trees that had been vandalised to form an avenue. But now further vandalism has occurred as six of their number have been felled at ground level, probably by the use of a battery operated handsaw and then left where they fell. Strangely, only alternate trees were targeted! This criminal act was surely premeditated rather than a late-night drunken spur-of-the-moment wilful act. The police were alerted and the South Green Village Council are checking local CCTV. Needless to say, local Councillors and residents are appalled at this senseless and wanton destruction. Unfortunately, tree planting in Billericay and South Green both have a history of vandalism. The video grab is taken from footage recorded by the BBC's Biodiversity Officer. If anyone has relevant information about this appalling act please contact the Village Clerk, Great Burstead and South Green Village Council, Tel: 01268 712866 email: clerk@greatbursteadsouthgreen-vc.gov.uk. Alternatively please contact the police – Thank you



6] When the Felling of a Tree becomes a Civil Action

The BTW was contacted by a worried resident in Salebury Drive that a neighbour was about to fell a non-TPO veteran oak in his front garden that was very close to both their houses. The oak would not have passed the criteria to be designated a TPO. The neighbour was justifiably concerned that the felling could trigger subsidence to his house. Although the BTW has knowledge of subsidence issues, we are not

lawyers or soil scientists and upon checking with the Basildon Borough Council, they too felt the issue was outside of their remit. So we recommended that the neighbour seek legal advice and check with his house insurers, as this was a civil matter.

7] The Following Two Laws will Shape England's Local Plans The Levelling-up & Regeneration Bill (LURB) & The Biodiversity Net Gain Law (BNG) The Problem of Checking for Compliance is also discussed

The Levelling-up and Regeneration Bill that became Law on the 23rd October 2023

How this will affect the Local Plan remains to be seen and presumably our Borough's Local Plan will need to follow its dictates. The Government's overall description of the Bill does not take into account brevity!

"A Bill to make provision for the setting of levelling-up missions and reporting on progress in delivering them; about local democracy; about town and country planning; about Community Infrastructure Levy; about the imposition of Infrastructure Levy; about environmental outcome reports for certain consents and plans; about regeneration; about the compulsory purchase of land; about information and records relating to land, the environment or heritage; for the provision for pavement licences to be permanent; about governance of the Royal Institution of Chartered Surveyors; about vagrancy and begging; and for connected purposes."

Subsequent to this - The **National Planning Policy Framework (NPPF)** will need to be updated to deliver the "right homes in the right places" and to take into account the new Bill

The Biodiversity Net Gain Law (England)

With respect new build development, a law designed to leave nature in a better state than when it was found.

The recent Biodiversity Net Gain law (BNG) that is soon to become live in early 2024 will require development sites to achieve a biodiversity net gain of 10% with respect its wildlife than the site had already held. BNG is aimed at providing a habitat for wildlife rather than focusing on any particular animal species.

Where BNG cannot be achieved on a development site, then "*offsetting*" (mitigation) will be required whereby a site selected from the "*Environment Bank*" system will provide a habitat to achieve a 10% BNG. "*Offsetting*" will probably have greater benefits for nature than if achieved on the original development site.

BNG encourages landowners and farmers to provide land in an "*Environment Bank*" and selling the associated "*biodiversity units*" to Developers. It will be preferable that land given over to the "*Environment Bank*" to be of low-grade with regards its food production potential.

The Government and Natural England backed BNG initiative is to harness big business with the express purpose to help restore our countryside's depleted nature. Maintenance of offset habitat acquired from the "*Environment Bank*" is long-term funded, ecologically monitored and scheduled to continue for thirty years!

Compliance - The Unanswered Question!

However, there is an unanswered question about BNG that seems to be avoided at Government level, Local Planning level and in the media as to how will "*compliance*" be checked? That is what has been listed by a Developer in his granted Planning Application (PA) should be implemented by him on site. For example, a check should be made that hedges, ponds, bird boxes and a "*soft landscaping*" scheme outlined in the PA should have been installed in quality and quantity on the development site as agreed in law. Ideally, if a "*compliance*" check were made, it would need to be by an independent third party as there is a risk that items will be omitted either by accident or by design. Most Local Authorities (out of the approximately 325 in the UK's four nations!) do not have the resources to employ a Compliance Officer and its team. This issue of "*compliance*" needs to be addressed at national level as the Developer will be tempted to omit items that he has legally agreed to install as a cost saving. This has already been happening prior to BNG becoming law when non-BNG wildlife enhancements have been omitted from a development!

8] Integral Swift & Bat Boxes in New Build

Due to our environmentalist East Ward Cllr Andrew Schrader, all New Build Development in the Borough is to have integral Swift & Bat boxes installed and in meaningful numbers. Cllr Andrew, at the behest of the Essex Birdwatching Society (EBwS), passed a motion at a Full Council meeting in Basildon that all New Build should have this biodiversity enhancement. The motion received cross-party approval. This “*condition*” will have much relevance when the Local Plan kicks in with its 2765 new dwellings in the Billericay area! However, referring to the article elsewhere in this News-sheet, the problem of checking for “*compliance*” remains unresolved. Will these additions, set as a “*condition*” in the Planning Application, be installed by the Developer in the correct numbers? Swifts have been in serious decline for the last 40 years and there is a national campaign to provide them with new nesting opportunities on the side of our houses.

We would like to say thank you to the various BBC and BTC Councillors who support our goals and those “Friends of the BTW” (FoBTW), who’s anonymity we respect, who offer their technical advice and practical support when called upon

A thank you must go to the Billericay Town Council for providing the BTW with advice, a meeting room at the BTC’s Chantry Centre, moral support and Personal Liability & Personal Accident insurance for BTW members and their volunteers, whilst out in the field with no geographic restriction

We take this opportunity to thank the company of S H Goss & Co Ltd that has generously provided the use of equipment, materials, transport & Nathan’s time for BTW’s planting projects

The Billericay Tree Wardens are a voluntary group and all information contained therein is not legally binding and is provided as a source of advice and information only

The BTW’s next members’ Committee Meeting is scheduled for

Wednesday 7th February 2024 at 7pm (Zoom meeting)

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