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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

34th meeting
Strasbourg, 2-5 December 2014

Complaint in stand-by

**Cutting of trees for the expansion of the railway
network
(United Kingdom)**

REPORT BY THE NGO

*Document prepared by
The Tree Savers (United Kingdom)*

Update submitted on 17 September 2013

We have now put a small reply together regarding the response from D.E.F.R.A. and Network Rail.

Firstly we did not make a complaint about the expansion of the rail network at all. Our complaint was concerning the vast areas of railside embankments that are being systematic destroyed by Network Rail (NR) in the bird breeding season (and at other times of the year). They have a total disregard for local residents, wildlife and the environment. This work is being carried out simply as the cheapest way to maintain the embankments (we had this confirmed at our last public meeting), but in order for this work to go unchallenged NR are, for the most part stating the trees need to be removed in the name of safety. We have since proved this not to be true in our area, and we believe this is also the case in many other areas of the country.

When NR attempted to remove the trees in Whitstable, Kent this was when we first became aware of the problem. After a short amount of research we discovered that a vast area in Grange Park North London, land as far as 100mtrs from the track was stripped bare to the earth destroying fully grown Oak trees that had previously stood in very beautiful woodland for generations.

This led on to us being contacted by many other areas around the country that had suffered a similar outcome. After much insistence by the residents of Whitstable NR submitted to a public meeting. When we arrived at the meeting, the room they had chosen was so small most of the public had to stand outside the building and could not hear any of what was said. Once the meeting got under way it became clear, very quickly that NR was to address us with a presentation that took up practically the whole allotted time, giving the public very little time to ask any questions, leaving the residents angry and upset, feeling they had been lied too and given misinformation. We were then denied any more public meetings and told the work would be carried out and we had no say in the matter. This led to a massive campaign by the residents that had the support of local councillors and the RSPB. In July 2012 on the morning that work was set to start, 3 ladies over the age of fifty chained themselves to a tree(on the Railway embankment.)until NR agreed to stop what they were doing and promise to hold another public meeting, plus not to cut down any more trees in the bird breeding season. In conjunction, hundreds of members of the public came out to support the ladies with banners and placards. Meanwhile National Televisions Channel 4 were filming our day of protest and proceeded to show it on the television that evening with the whole of the country watching! Needless to say, NR had to give in to our demands and grant us another public meeting. We also demanded they stopped all railside vegetation clearance until the bird breeding season was over. It was at said meeting we finally made our points to them and were able to pick apart their previous presentation. We proved to them that without the trees on the railside bank our homes were in danger of flooding and there would doubtless be a collapse of the bank within 3 years, hence the trees are still standing to this day. I hasten to point out that the rail network has not come to a standstill because the trees are still standing as was indicated previously by NR.

On the point of communication Belmont Rd residents may have been informed of the tree clearance but we believe this was at the same time the residents of Cromwell Rd were. That was at 3 o'clock on a Sunday afternoon when the work was scheduled to start at 8 o'clock the next morning! Also, Belmont Rd is not an industrial estate, it has very many homes and only a small area of workshops at the back of two or three houses that could in anyway be described as industrial. The trees in Belmont Rd were all but eradicated, leaving the odd bush and withered tree. Had the residents of Cromwell Rd not gone down to the car park on Monday morning to discuss the situation with the contractor, we would also have had all the trees removed.

Network rail did not commission an independent survey until the day work was due to commence the second time. After we managed to halt the work and while waiting for the second public meeting ,we commissioned our own survey. This was carried out by Mr Jon Ford (MSc MCIEEM) also by resident Mr Andy Malone- who has been keeping a record of the birds living and breeding in the Cromwell Rd trees for the past 15 years.

Mr Ford and Mr Malone both found that the railway embankment contained a large variety of bird species and a large quantity of pairs of birds that were already breeding or in the process of nest building.

NRs communication is actually appalling, we know from people all over the UK that letters are not forthcoming, the contractors just turn up any time of the night or day then cut down the trees, once finished they disappear. This happened in Islington North London last year. During the night a whole area of trees (near a housing area and Arsenal Football stadium) was completely cut down. This ended up being discussed in House of Commons a few weeks later.

NRs contractors DO NOT carry out Environmental Impact Assessments, they tell us they don't have too. In Whitstable the contractor carried out what they call a site assessment. In this Mr Nigel Summers stated that there were some sycamore and ash but nothing of any significance, he also states there were a few wood pigeons and magpies. As we have already mentioned our assessment by Mr Ford and Mr Malone indicates this to be a vast underestimation of the birds living and nesting at the time.

Regarding the response from Network Rail to our complaints, this is exactly what we expected from such massive company. Most answers we found were generic and or not relevant to the subject. They really don't answer questions properly because they don't believe they have too and object to any form of interference-as they see it. This also could be said of the UK government as they for the most part are supporting NR because of the massive amount of subsidies they have to provide each year to NR- any cost cutting measures are to the Governments advantage.

In the past when promised answers we actually found them to be false or we were told we could not have them as we would not understand them.

After what happened in Islington, Grange Park and Whitstable NR said that it must improve it's communication policy and yet nothing seems to change.

As we said earlier this is not just about Whitstable, but about the whole of the UK. If we lose our green corridors this could blight all wildlife, flora and fauna that would not just affect our towns and cities but the whole country.

We would like to thank you for reading our complaint and hope that some good will come from this.

Yours sincerely,

Ms. P. Crowther & Mr. A Finch.

March 2013

Our complaint against Network Rail (NR) is based on the policy they have adopted in recent years in order to maintain the Nations Railside Embankments. It is to simply remove all the trees. This has been happening for the past 10 years as far as we have been able to establish and in the past couple of years the problem appears to have escalated quite considerably.

Since our campaign started in April last year, we have found many examples of places that Network Rail have systematically destroyed. Using as their modus operandi 'safety' large areas of rail-side embankments have been eradicated. However we now believe this is little more than a cost cutting measure undertaken to maintain the banks after 50 years of neglect.

Network Rail have shown a lack of respect for their rail-side neighbours by simply removing all the trees – sometimes a great distances from the track – leaving the residents with no protection from the noise and dirt from the trains, ***and in the process devastating our country's wildlife corridor.***

The trees in many places have been removed during the bird breeding season with NR again stating that safety was an issue, however this we believe to be untrue. For example here in Whitstable back in April 2012 we were told that they had to remove the trees at that time, as it was an emergency. After contacting the RSPB we were able to get the work stopped until the bird breeding season had finished. Now we find ourselves in March 2013, we still have trees standing here (not all, as some were removed in November 2012) on our side of the track, however on the other side ALL the trees have been removed and the roots poisoned, yet no emergency work to the lines has been carried out.

We have been given no evidence that such work is truly required, having asked on many occasions for their reports and environmental studies and none have been forthcoming. We have been given a presentation at a local public meeting that was supposed to show the necessity for the work, however the presentation did little more than to convince us that we were being manipulated into their way of thinking, with little proof that it was a safe and sound idea to be removing such a large amount of trees.

Network Rail appear to give no consideration what's so ever to the fact that they are the custodians of one of the Nations few remaining places where wildlife can live freely, and their actions will be doing untold amounts of damage to the ecosystem. Network Rail themselves have stated that they will be removing an estimated amount of trees the size of The Forest Of Dean, in Gloucestershire, England. We estimate that to be 20 million trees!

Using the presentation given to us by Network Rail from the first public meeting, civil and Chartered engineer Peter Johns was asked to do a report on behalf of the people of Whitstable, pointing out the errors and misleading information that NR had given us in their presentation.

Peter Johns report is a 42 page document that we have already sent to you in October 2012. We hope you have had time to read it and discovered exactly why we believe NR are not giving us a full representation of all the facts. Mr Johns report also has a lot of other information including letters from councillors and MP's.

You should also have received other documents that we believe will help you to see the situation we find ourselves in. Our website has many -but not all – examples of were NR have already devastated the wildlife corridor : [-http://www.thetreesavers.webeden.co.uk/](http://www.thetreesavers.webeden.co.uk/)

If you contact Network Rail they will state that safety must come first (we also believe this to be true) and they will tell you they have no alternative, this is not the case. This issue must be brought to the public eye before it is to late to save what is left of our country's very important wildlife corridors and eco system. We also need to protect the people who live along side the railway so they can live a healthy, save and peaceful existence as it always was up until now.