

Response ID ANON-3G7M-9Y8V-X

Submitted to Tree Protection Bill - Call for Evidence
Submitted on 2026-09-16 17:08:58

Introduction

1 Confirmation of having read the Northern Ireland Assembly Committee's Privacy Notice.

I confirm that I have read the privacy notice.

2 What is your name?

Please provide information to support your answer.:
Bronagh O'Hagan

3 What is your email address?

Please provide information to support your answer.:
bronagh.ohagan@nienetworks.co.uk

4 If you are providing a submission on behalf of an organisation or business, please state its name.

Please provide information to support your answer.:
NIE Networks

5 The Committee for Infrastructure has agreed to publish all responses as part of the survey results. If you would like to have your survey results anonymised and for us not to publish your name or organisation, please indicate so here.

I am content for my information, including details of my name and organisation, to be published in the survey results.

Clause 1 - Tree preservation orders: councils

6 Do you agree with Clause 1 of the Bill?

Yes

7 Please provide information to support your answer here:

Accessible:

We support the objective of strengthening protections for important trees and recognising the wider environmental benefits they provide, including ecosystem services and biodiversity. However, as Northern Ireland's electricity distribution network operator, we have statutory obligations to maintain public safety, security of supply and network resilience. The expansion of TPO designation criteria should not hinder essential maintenance, emergency response activities and network reinforcement works required to support decarbonisation and economic growth.

NIE Networks has a legal obligation under the Electricity Safety, Quality and Continuity Regulations (Northern Ireland) 2012 to maintain safe distances between trees and overhead electricity lines and to manage vegetation to ensure the safe and reliable operation of the network. It is therefore important that any planting, replacement planting or tree protection measures take account of minimum electrical safety clearances and avoid future encroachment on electricity infrastructure.

We recommend that the Bill or accompanying guidance explicitly recognises the role of statutory undertakers and provides appropriate provisions for safety-critical works, emergency works and vegetation management carried out to meet legal and licence obligations.

Clause 2 - Provisional tree preservation orders

8 Do you agree with Clause 2 of the Bill?

Not Answered

9 Please provide information to support your answer here

Accessible:

The database needs to be updated in as close to real time as possible. One solution would be to list provisional TPOs as such.

Clause 3 - Penalties for contravention of tree preservation orders

10 Do you agree with Clause 3 of the Bill?

Yes

11 Please provide information to support your answer here

Accessible:

We support measures to prevent unlawful damage to protected trees. The supporting database must provide relevant organisations with accurate information.

Clause 4 - Replacement of trees

12 Do you agree with Clause 4 of the Bill?

Not Answered

13 Please provide information to support your answer here

Accessible:

We support the principle that trees removed unlawfully should be appropriately replaced.

The requirement to replace trees with heavy standard specimens should allow flexibility regarding species selection and planting location. In utility corridors and beneath overhead electricity lines, planting large-growing species can create future safety risks, network reliability issues and ongoing maintenance requirements.

It is important that replacement planting requirements recognise established utility arboriculture principles and allow appropriate species choice that supports biodiversity while remaining compatible with critical infrastructure.

New planting in proximity to network equipment should also consider mature tree size and fall-risk distances. As a minimum, trees should be located outside a distance equivalent to their mature height plus 5 metres from overhead electricity infrastructure.

Clause 5 - Council to inspect replacement trees

14 Do you agree with Clause 5 of the Bill?

Not Answered

15 Please provide information to support your answer here

Accessible:

Clause 6 - Enforcement of duties as to replacement of trees

16 Do you agree with Clause 6 of the Bill?

Not Answered

17 Please provide information to support your answer here

Accessible:

In principle we agree with this. There should be a stated recognition that remedial works could be dependent on the landowner giving access and suitable provisions.

Clause 7 - Tree Protection Map

18 Do you agree with Clause 7 of the Bill?

Not Answered

19 Please provide information to support your answer here

Accessible:

We support the creation of a publicly accessible Tree Protection Map. A centralised, accurate and regularly updated digital dataset would improve transparency and assist infrastructure providers, landowners, developers and councils in identifying protected trees and woodland at an early stage.

We recommend that the mapping resource be GIS compatible and available through standard digital formats to facilitate integration with utility asset management, route planning and environmental assessment systems. Crucially this needs to be updated in real time, with auditable metadata to include timestamps.

Clause 8 - Determination of planning applications

20 Do you agree with Clause 8 of the Bill?

Not Answered

21 Please provide information to support your answer here

Accessible:

Clause 9 - Permitted Development

22 Do you agree with Clause 9 of the Bill?

Not Answered

23 Please provide information to support your answer here

Accessible:

Clause 10 - Ecosystem services

24 Do you agree with Clause 10 of the Bill?

Not Answered

25 Please provide information to support your answer here

Accessible:

This more structured basis for protection is welcome. Please note that extended powers need to be implemented uniformly across councils to leverage the benefits of a shared database in terms of clarity and consistency.

Clause 11 - Interpretation: 2011 Act

26 Do you agree with Clause 11 of the Bill?

Yes

27 Please provide information to support your answer here

Accessible:

Clause 12 - Interpretation: 2015 Order

28 Do you agree with Clause 12 of the Bill?

Yes

29 Please provide information to support your answer here

Accessible:

Clause 13 - Interpretation: general

30 Do you agree with Clause 13 of the Bill?

Yes

31 Please provide information to support your answer here

Accessible:

Clause 14 - Commencement

32 Do you agree with Clause 14 of the Bill?

Unsure

33 Please provide information to support your answer here

Accessible:

We welcome the inclusion of a lead-in period before commencement.

However, implementation of the Bill will require the development of supporting mapping resources and administrative processes. It will also be important to understand how the new provisions interact with existing duties placed on statutory undertakers and infrastructure operators, for example safety cutting and emergency response.