

TREE PROTECTION BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by Peter McReynolds MLA (the Bill Sponsor) in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum needs to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. So, where a clause or part of a clause does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Bill seeks to amend and strengthen primary legislation to provide greater legal protection for Northern Ireland's oldest and most significant trees and woods.
4. Northern Ireland has the lowest levels of tree and woodland cover in the UK and Ireland, and the least amount of ancient and long-established woodland.¹ While efforts have been made by central and local government to increase tree planting, there is currently insufficient protection for Northern Ireland's existing trees and woods, particularly ancient and long-established woodland, which are irreplaceable habitats under threat from development.
5. A 2023 YouGov survey commissioned by the Woodland Trust found 45% of respondents would feel sad, and 36% would feel angry, if a large local tree was felled for development, while 82% found it unacceptable to build new infrastructure that damages or destroys ancient woodland.² The Woodland Trust's Living Legends campaign, which called for legally protected heritage status for significant trees and stronger policy protection, received over 100,000 signatures, demonstrating clear public demand for stronger legal protections.³
6. Currently, there are three legal mechanisms for tree protection in Northern Ireland: Tree Preservation Orders (TPOs), conservation areas and planning conditions. However,

¹ Forest Research, Forest Statistics 2024, available at:

https://cdn.forestresearch.gov.uk/2024/10/Ch1_Woodland-WA-amendment.pdf

Government of Ireland, Ireland's National Forest Inventory 2022, available at:

<https://www.gov.ie/en/department-of-agriculture-food-and-the-marine/publications/irelands-national-forest-inventory-nfi/>

Woodland Trust, State of the UK's Woods and Trees 2025, available at:

<https://www.woodlandtrust.org.uk/publications/2025/06/state-of-uk-woods-and-trees-2025/>

² YouGov, Woodland Trust Survey Results. Available at:

https://d3nkl3psvxxpe9.cloudfront.net/documents/WoodlandTrust_AncientTrees_230516_NI_W.pdf

³ Woodland Trust, Living Legends Campaign, available at: [Protect Trees](#)

TPOs are limited in effectiveness because primary Northern Irish legislation does not make it an offence to ‘cause or permit’ a breach of a TPO, unlike in England, Scotland and Wales, creating enforcement challenges and loopholes that can be exploited.

7. Ancient and long-established woodland, one of Northern Ireland’s rarest habitats, lacks robust legal protection from its primary threat – loss to development. While felling licences regulate tree felling, they do not prevent the clearance of these habitats for development.
8. The 2023 Northern Ireland Public Services Ombudsman (NIPSO) report has highlighted failings in the delivery of tree preservation orders across Northern Ireland.⁴ The report’s recommendations, even if fully implemented, would not prevent the loss of ancient and long-established woodland to development, nor would they extend legal protection to ancient trees or strengthen the TPO system to recognise the broader environmental, cultural and health benefits provided by trees and is the basis upon which these proposals are made.
9. In England, Scotland and Wales, it is an offence to ‘cause or permit’ a breach of a TPO. The Town and Country Planning Act 1990 (England and Wales) and the Town and Country Planning (Scotland) Act 1997 make it an offence not only to directly breach a TPO but also to ‘cause or permit’ a breach. This wording extends liability to landowners, contractors, and others who indirectly enable a breach, aiding enforcement and acting as a deterrent.
10. The NIPSO report highlights that during the three-year period between 2019 and 2021, out of 369 tree protection breaches reported to councils, only one resulted in formal enforcement action being taken and no cases were brought to court. This contrasts with numerous documented cases in England and Wales where breaches of TPOs have been successfully prosecuted in the courts.
11. There is no direct reference to ‘cause or permit’ within the primary legislation which governs TPOs in Northern Ireland, although it does sit within the schedule of the Planning (Trees) Regulations (Northern Ireland) 2015. The omission of this phrase in the Planning Act (Northern Ireland) 2011 causes uncertainty as to the likelihood of a successful conviction when a TPO has been breached.
12. It is necessary to amend primary legislation to bring Northern Ireland’s TPO system in line with England, Scotland and Wales, closing existing loopholes and ensuring consistent enforcement across local authorities. Legislative change is also needed to broaden the criteria for making a TPO to reflect the full benefits of trees, aligning protections with the contemporary understanding of the role trees play in climate resilience and public health.
13. In addition to causing or permitting destruction, another policy objective of the Bill is to fasten responsibilities to plant replacement trees on landowners or those felling

⁴ Northern Ireland Public Service Ombudsman, 2023. Available at: [NIPSO Overview Report - Strengthening Our Roots - Tree Protection in the Planning System.pdf](#)

protected trees and to place duties on the Council to inspect and confirm replacement trees are of the appropriate condition and are maintained.

14. The Bill aims to protect ancient and long-established woodland to secure enforceable protection for these irreplaceable habitats against development pressure. Alternative approaches, including policy guidance or non-statutory measures, cannot address the current legislative gaps or provide the deterrent effect required to protect Northern Ireland's oldest and most significant trees and woodlands effectively. The proposed exclusion zone of 15 metres in clauses 8 and 9 where no development will be permitted (save in wholly exceptional circumstances) in clause 8, is intended to be proportionate by not unduly blocking legitimate development whilst ensuring there is concrete legislative provision to protect woodlands and ancient trees.
15. Alternative measures, including policy protections and planning guidance, have been insufficient to prevent loss, with around 13% of Northern Ireland's ancient and long-established woodland that survived to the 1960s since been lost, with 273 woods cleared.⁵ It should be noted that, this evidence provided dates back to 2010, this figure will be higher today.
16. Existing protections, such as TPOs under the Planning Act (Northern Ireland) 2011, are weaker than in other parts of the UK. It is necessary to close this legislative gap to fasten responsibilities on landowners, contractors and others in Northern Ireland. Additionally, while Northern Ireland's oldest buildings benefit from dedicated legal protection, there is no equivalent statutory protection for ancient trees, despite their significant ecological, cultural and climate value.

CONSULTATION

17. A public consultation was carried out between 27 November 2024 and 9 March 2025. A total of 703 responses were received to the online survey, which comprised of 638 individual responses (90.75%) and 65 responses from organisations (9.25%).
18. There was strong support for the proposed legislation in that survey. Only 14.6% of respondents who answered the question think Tree Preservation Orders are effective for protecting trees and groups of trees. 91.0% of respondents support updating the Planning Act (Northern Ireland) 2011 to make it an offence to cause or permit the breach of a Tree Preservation Order. 90.2% support the requirement to plant and maintain a tree if a TPO has been breached. 90.0% agree with the creation of a new heritage tree designation to protect our oldest and most significant trees. 91.2% of respondents supported the proposal to restrict permitted developments from sites with ancient and long-established woodland, legally protected trees and heritage trees. 75.45% agreed that any cost of implementing and enforcing the legislation is acceptable when balanced against its benefits.

⁵ [Woodland Trust, 2010, Back on the Map – An Inventory of Ancient and Long-Established Woodland for Northern Ireland.](#)

19. In addition to the public e-consultation, engagement with key sectoral stakeholders was undertaken. The intention of a survey is to provide testable propositions to inform the process of scrutiny and engagement with those directly involved in the process. Two stakeholder engagement sessions were held on 14 February 2025. The first was specifically for council officials and was attended by Lisburn & Castlereagh, Derry City & Strabane and Ards & North Down Councils. The second session was primarily for the environmental Non-governmental organisation (NGO) sector, however there was representation from Mid Ulster Council, RSPB, Ulster Wildlife, Northern Ireland Environment Link and the Ulster Angling Federation. This discussed the Bill's proposals, the implementation, costs and resources required.
20. The Bill Sponsor spoke with the Tree Officer Forum on 25 October 2024 which was attended by nominated tree officers for all the Councils across Northern Ireland. As a result of this meeting, the Sponsor identified that a specific TPO geared towards ancient trees would be a better way to support older and more significant trees, as a normal TPO would become invalidated by the proportion of those trees that might be diseased or dying, and the safety concerns around that. Additionally, in relation to permitted developments, it was highlighted to me that Class A and C developments were already not permitted if it would involve the removal of trees. Therefore, there is already a precedent set within the existing legislation and would ease the extension of this to include ancient trees and ancient and long-established woodland.
21. The proposals were presented to the Future of UK Treescapes project on 16 November 2024, the Protecting the UK's Tree Heritage Day at the Linnean Society in London on 20 November 2024, and the All-Party Group on Climate Change on 28 February 2025. The Sponsor has also spoken to constituents across Northern Ireland about the proposals, and instances of mature trees at risk of being felled for the progression of a development.
22. Following the consultation process, the Sponsor met with external stakeholders and council planners on an individual basis to discuss further development of the proposals. The Sponsor is conscious that Councils will have new responsibilities under the revised legislation and this engagement is crucial. The Member has also made contact with the Construction Employers Federation to seek their views on the Bill. The construction sector is an important stakeholder in relation to planning legislation and the Bill Sponsor is keen to hear their views.
23. The Bill Sponsor wrote to the Minister for Infrastructure to confirm the Department was not planning to introduce similar legislation to the proposals within this mandate, and on two other occasions to share the initial proposal and the consultation summary of responses.
24. The Minister advised the Department were considering the recommendations of the 2023 NIPSO report, 'Strengthening our Roots', and undertaking a review of the Implementation of the Planning Act (NI) 2011 (RIPA). Following initial correspondence in May 2024, the Minister has not indicated her Department will progress the policy proposals via legislation or other means during this mandate.
25. In July 2024 the previous Minister for Infrastructure advised in correspondence the aspects covering 'Heritage Trees' could come under the remit of the Department for

Agriculture, Environment and Rural Affairs as it was regarding trees. However, the law we are seeking to change is strictly regarding planning legislation which comes under the auspices of the Department of Infrastructure.

26. Opinions from both the Human Rights Commission and the Equality Commission, to confirm there were no initial concerns with the policy objectives of the proposed Bill on human rights or equality legislation. If there are views in this area which become apparent following introduction of the Bill or during its progress, the Sponsor will engage on any points raised.

OPTIONS CONSIDERED

Option One - Do nothing, and continue with the status quo i.e. take no legislative action.

Option Two - Take legislative action to provide greater legal protection for Northern Ireland's oldest and most significant trees and woods.

Only 0.04% of woodland in Northern Ireland is ancient, with tree cover being only 8.6%. To address this, the Bill builds upon research and expertise on how to protect trees from across the UK. 'Cause and permit' need to be refreshed in legislation as case law has been too inconsistently applied under current legislation. The 15m buffer zone is based on precedent set by Natural England and the Forestry Commission, putting it on a statutory basis in Northern Ireland. The NIPSO 'Strengthening our Roots' report recommendations underlines that a single map of TPOs should be made available.

There has been no opposition to date to the Bill as reflected in the consultation. If there are areas for improvement or arguments against what is proposed, the Sponsor will engage constructively on these points.

Implications of not introducing legislation would result in Northern Ireland continuing to have significantly low levels of woodland and leaves significant risk to ancient and long-established woodland.

Following consultation, advice and deliberation, the Bill Sponsor concludes that introducing and enacting primary legislation is the most appropriate and proportionate approach.

OVERVIEW

27. The Bill has 15 Clauses and no Schedules. A commentary on each of the Clauses follows below. However, where a Clause or part of a Clause does not seem to require an explanation or comment, none is given.

COMMENTARY ON CLAUSES

Clause 1 - Tree preservation orders: councils

Clause 1 amends section 122 (Tree preservation orders: councils) of the 2011 Act, which allows a council to make a tree preservation order where it appears expedient in the interests of amenity. Clause 1 extends the grounds for making a TPO to include ecosystem services, defined as the direct and indirect contributions of ecosystems to human well-being (as set out in a new Schedule 1A to the 2011 Act inserted by clause 10).

Clause 1 also amends section 122(1)(a), extending the scope of a TPO by providing that it may prohibit a person from knowingly causing or permitting any of the existing prohibited acts. The existing prohibited acts are the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of a tree.

Clause 1 inserts new subsections (1A) to (1D) which provide for the protection of ancient trees into section 122. A council may make a TPO in respect of any tree which is an ancient tree without the need to satisfy the amenity or ecosystem services test (new subsection (1A)). Where a council has reason to believe that a tree may be an ancient tree and the tree has not already been confirmed to be an ancient tree by a suitably qualified arboriculturist, the council may commission an assessment by a suitably qualified arboriculturist before determining whether to make a TPO in respect of that tree (new subsection (1B)). If the arboriculturist determines that the tree is an ancient tree, the council must make a TPO in respect of that tree, unless the arboriculturist has confirmed that the tree is dead; the condition, health or structural integrity of the tree is not to be considered a ground for refusing to make an order (new subsection (1C)). Where a council decides not to commission an assessment under subsection (1B), the council must provide written reasons for that decision to any person who requested the assessment or who brought the potential ancient status of the tree to the attention of the council (new subsection (1D)).

Clause 1 further amends section 122(3), which currently provides that a TPO does not take effect until it is confirmed by the council. Clause 1 inserts a new subsection (3A) which provides that a TPO takes effect on the earlier of the date on which the order is confirmed by the council or the date on which it is deemed to have been confirmed in accordance with section 123(2)(b)(ii).

Clause 2 - Provisional tree preservation orders

Clause 2 amends section 123 (Provisional tree preservation orders) of the 2011 Act. Section 123 provides that a provisional TPO takes effect immediately but lapses after six months unless the council confirms it. Clause 2 amends section 123(2)(b)(i) to provide that a provisional TPO will be deemed to have been confirmed after six months where no objections or representations have been received by the council and the council has not issued a decision to revoke the provisional tree preservation order.

Clause 3 - Penalties for contravention of tree preservation orders

Clause 3 amends section 126 (Penalties for contravention of tree preservation orders) of the 2011 Act. Section 126(1) provides that it is an offence for a person to cut down, uproot, wilfully destroy, wilfully damage, top or lop a tree in contravention of a TPO.

Clause 3 amends section 126(1) to provide that a person who "knowingly causes or permits" any of those acts is also guilty of an offence. This is similar to the extension of section 122 (Tree preservation orders: councils) by clause 1.

Clause 4 - Replacement of trees

Clause 4 amends section 125 (Replacement of trees) of the 2011 Act, which currently requires the owner of the land to plant a replacement tree of an appropriate size and species where a tree is removed, uprooted or destroyed in contravention of a TPO.

Clause 4 amends section 125(1) so that a replacement tree must be a "heavy standard tree of an appropriate species" (clause 4(1)). A "heavy standard tree" is defined (by clause 11) by reference to British Standard 8545:2014 or any successor standard. The owner of the land is also required to inform the council when a replacement tree has been planted.

Clause 4 also inserts new subsections (3A) and (3B) into section 125. New subsection (3A) provides that if a replacement tree is planted pursuant to section 125 dies, becomes damaged or diseased, or is removed within 5 years of planting, the owner must plant a subsequent replacement, and the provisions of section 125 apply to any such replacement. New subsection (3B) provides that, where the owner of the land is not responsible for the breach of the TPO, the replacement and other duties under subsections (1) and (3A) are instead imposed on the person responsible for the breach. The owner may elect to replace the tree, and must do so if the person responsible for the breach has failed to replace the tree within 18 months of being notified of the duty by the council or the owner. If the owner replaces the tree pursuant to subsection (3B), the owner may recover the reasonable costs from the person responsible for the breach.

Clause 5 - Council to inspect replacement trees

Clause 5 inserts a new section 125A (Council to inspect replacement trees) into the 2011 Act, placing a duty on councils to monitor replacement trees. For 5 years from the date of planting, a council must carry out an annual inspection of the condition of any tree planted pursuant to section 125 in its district, with a view to (a) identifying any tree that needs additional care or replacement and (b) informing the owner of the land of any action that they need to take to ensure that the tree becomes established (section 125A(1)).

It is for the council to determine the form of the inspection (section 125A(2)). An inspection may be limited to the examination of evidence of the tree's establishment, or may include a scheduled or unscheduled site visit. Where the council requests the owner of the land to provide evidence of the establishment of the tree, the owner must provide the evidence in such form and within such reasonable period as the council may specify (section 125A(3)).

Where remedial action is required, the council must inform both the owner of the land and (if known) the person responsible for the breach of the remedial action required, and may specify

a reasonable period during which the action is to be carried out (section 125A(4)). Unless the owner of the land elects to carry out the remedial action, the person responsible for the breach must do so within the period specified or, if no period is specified, as soon as that person reasonably can (section 125A(5)). If the person who committed the breach has not taken the required remedial action within the period specified, the owner of the land must carry out the action as soon as the owner reasonably can and may recover the reasonable costs of such action from the person responsible for the breach (section 125A(6) and (7)).

Clause 6 - Enforcement of duties as to replacement of trees

Clause 6 amends section 164 (Enforcement of duties as to replacement of trees) of the 2011 Act. Firstly, clause 6 amends section 164(1)(b) so that any enforcement notice served under section 164 requires the planting of a “heavy standard” tree consistent with clause 4 (clause 6(2)).

Secondly, clause 6 inserts new subsections (6) to (8) into section 164 (clause 6(3)). Where a person fails to comply with an enforcement notice, the council may enter the land, carry out the planting, and recover costs of doing so from the person who committed the breach (new subsection (6)). Where that person cannot be identified, is insolvent, or cannot be found, the council may recover costs from the owner of the land (new subsection (7)). The owner of the land has a right of action against the person who committed the breach to recover these costs (new subsection (8)).

Clause 7 - Tree Protection Map

Clause 7 introduces new sections 128A to 128D into the 2011 Act.

New section 128A requires the Department to make available online, free of charge, a digital map ("TPM") showing all tree preservation orders that are in effect in Northern Ireland and the boundaries of all conservation areas in Northern Ireland as well as the number of tree preservation orders received, approved, and rejected by each council.

New section 128B requires each council to enter into the TPM all information included in its records under section 242(1)(l), conservation area boundary information, as well as the number of tree preservation order applications received, approved and rejected, before the end of an "initial upload period" (section 128B(1)). The Department must ensure that anyone required to upload data to the TPM is given suitable access (section 128C(2)).

The initial upload period and the form and manner in which data must be entered are to be prescribed by regulations (section 128B(4) and (2)). Following the initial upload period, councils must at least once in every three month period upload to the TPM any new information and update any existing information (section 128B(3)). Regulations under section 128B are subject to the negative resolution procedure (section 128B(5)).

New section 128C provides that the Department may by regulations make provision for or in connection with making information kept in the TPM available (section 128C(1)). Regulations under section 128C are subject to the draft affirmative resolution procedure (section 128C(5)).

Section 128C(4) provides that, subject to section 128D, processing of information by the Department in exercise of functions under sections 128A or 128C does not breach an obligation of confidence or any other restriction on the processing of information.

New section 128D provides that the duty or power to process information under sections 128A, 128B or 128C does not require or authorise the processing of personal data in contravention of the data protection legislation, as defined by reference to the Data Protection Act 2018.

Clause 8 - Determination of planning applications

Clause 8 amends section 45 (Determination of planning applications) of the 2011 Act by inserting a new subsection (1A) that provides that planning permission must be refused where the grant of planning permission would result in (a) the loss or deterioration of ancient or long-established woodland, (b) development within 15 metres of ancient or long-established woodland, or (c) the deterioration of an ancient tree that is subject to a TPO, unless the applicant demonstrates that there are "wholly exceptional circumstances" justifying the grant of planning permission.

Clause 9 - Permitted Development

Clause 9 amends Article 3 of the 2015 Order to remove permitted development rights for development that would affect ancient or long-established woodland. Permitted development rights will no longer be available where development requires or involves (a) the loss or deterioration of ancient or long-established woodland, or (b) development within 15 metres of such woodland.

Clause 9 amends Article 3 (Permitted development) of the 2015 Order by inserting a new paragraph (5A). The permission granted by the Schedule to the 2015 Order will not authorise any development which requires or involves (a) the loss or deterioration of ancient or long-established woodland, or (b) development within 15 metres of ancient or long-established woodland.

Clause 10 - Ecosystem services

Clause 10 sets out the ecosystem services that may justify making a TPO (see clause 1). A new Schedule 1A lists three categories, namely cultural services, regulating services, and supporting services, and specifies examples of what these categories include.

Clause 11 - Interpretation: 2011 Act

Clause 11 inserts a number of new definitions into section 250(1) of Part 15 (Supplementary) of the 2011 Act. "Ancient tree" is defined by reference to the criteria published by the Ancient Tree Forum and the Woodland Trust (or any successor body), or such other criteria as the Department may prescribe by regulations. "Ancient woodland" is defined as an area that has been continuously wooded since at least the end of the year 1600 AD, including ancient semi-natural woodland and plantations on ancient woodland sites. "Heavy standard tree" is defined as a tree meeting the heavy standard specification in British Standard 8545:2014 (Trees: from nursery to independence in the landscape), or any successor standard, or such other

specification as the Department may prescribe by regulations. "Long-established woodland" is defined as an area shown to have been continuously wooded since the First Edition six-inch to the mile Ordnance Survey Maps of 1830–1844 were published, but for which no documentary evidence has been found that it was wooded prior to 1600.

Clause 12 - Interpretation: 2015 Order

Clause 12 inserts definitions of "ancient woodland" and "long-established woodland" into Article 2 (Interpretation) of the 2015 Order, in the same terms as the definitions inserted into the 2011 Act by clause 11.

Clause 13 - Interpretation: general

Clause 13 provides general interpretive provisions for the Act, defining "the 2011 Act" as the Planning Act (Northern Ireland) 2011 and "the 2015 Order" as the Planning (General Permitted Development) Order (Northern Ireland) 2015, and clarifying that references to Parts, numbered sections, and Schedules are references to the 2011 Act unless otherwise stated.

Clause 14 - Commencement

Clause 14 provides that the Act comes into operation twelve months after the day on which it receives Royal Assent.

FINANCIAL EFFECTS OF THE BILL

28. The Bill will likely have modest, but ongoing implications for the public purse. The scale of such impact would be highly dependent on its implementation, including enforcement.
29. While the Bill intends to both strengthen environmental protection and provide long-term public benefits, it will place additional administrative, staffing and enforcement pressures on public bodies, particularly local councils and the Department for Infrastructure.
30. In the short to medium terms, costs would be expected to arise from establishing new regulatory processes, training staff, handling applications and appeals, monitoring compliance, and taking enforcement action where required. Those costs could vary significantly between councils, depending on, for example, existing capacity, tree cover and development pressures.
31. New and expanded responsibilities on councils and the Department include administering tree protection measures, assessing applications and consent requests, maintaining records, monitoring compliance and undertaking enforcement action where breaches occur. As a result, administrative and staffing costs are likely to be the most immediate and tangible public purse impacts. The Sponsor is keen to engage further on how to deliver the legislation in a proportionate and cost-effective manner.

32. Councils could experience varying levels of financial pressure, depending on factors such as existing tree management capacity, levels of development activity and the number of trees likely to fall under protection. Councils with limited specialist expertise could be required to invest in training, additional staff and/or external arboricultural advice, while those with established systems could be better positioned to absorb costs within existing budgets.
33. There also could be legal and enforcement-related costs, particularly in cases of appeals, disputes over tree removal or prosecution for non-compliance. While it would not be expected such costs would arise uniformly or frequently, they could introduce a degree of financial uncertainty, making overall expenditure for councils difficult to predict with precision.
34. Indirect financial impacts include possible delays or additional administrative burdens within the planning system, which could have knock-on effects for both public bodies and developers. However, many of these impacts would depend on how the Bill is implemented in practice and the extent to which guidance and procedures would be streamlined.
35. Careful implementation, realistic funding assumptions and ongoing monitoring are important to ensure that the Bill's environmental objectives could be achieved without creating disproportionate or unfunded burdens on public services.
36. Overall, any potential financial implications are expected to be modest, as the Bill is building on existing statutory framework and responsibilities for councils. Restraints on development are intended to be modest and necessary to protect the natural heritage and therefore the Bill is carefully constructed with this balance in mind.

HUMAN RIGHTS ISSUES

37. The provisions of the Bill are considered to be compatible with the European Convention on Human Rights and with Article 2(1) of the Windsor Framework.

EQUALITY IMPACT ASSESSMENT

38. An Equality Impact Assessment (EQIA) has not been undertaken. Engagement between the Bill Sponsor and the Equality Commission on the outline proposal did not raise any potential adverse effects. If these emerge, the sponsor will engage to understand any points raised.
39. The Bill Sponsor is satisfied that the Bill will not have an adverse effect on any of the groups identified in section 75 of the Northern Ireland Act 1998.

This Memorandum refers to the Tree Protection Bill as introduced in the Northern Ireland Assembly on 29 June 2026, (Bill 41/22-27)

LEGISLATIVE COMPETENCE

40. At Introduction, Peter McReynolds MLA made the following statement under Standing Order 30:

“In my view the Tree Protection Bill would be within the legislative competence of the Northern Ireland Assembly.”



**Northern Ireland
Assembly**

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