

Underbelly say they are looking after the trees

Despite claims which Underbelly made to the city council today, there are competing claims that the event company continues to ignore advice.

We understand that advice was given in October that there was not enough room for the Christmas Wheel in Princes Street Gardens if measures which should be taken to protect the trees were carried out properly.

The Council has recently launched its Million Trees initiative and has commitments to Net Zero by 2030, in addition to the established Edinburgh Design Guidance and Trees in the City Action Plan, but it appears to experts that little care is being shown to established trees in Edinburgh's flagship garden.

Chartered forester, Andrew Heald, who has been keeping an eye on the Princes Street Gardens developments explained the requirements to us and claims that the council and its contractor Underbelly are simply not implementing the required

safeguards, perhaps flying in the face of advice from their own officers. Mr Heald has published photographs on social media of the Princes Street Gardens measures to protect trees on the Edinburgh's Christmas site – or perhaps the lack of them.

CULTURE COMMITTEE

Cllr Chas Booth, Green councillor for Leith, raised the matters with Underbelly Director, Charlie Wood at the meeting of the Culture and Communities Committee on Tuesday. Cllr Booth said: " Can I take you up on the response that you gave to Cllr Osler and to Cllr Doran. You said that you would do everything that you could to ensure that the trees are protected.

"You were tagged in a photograph on Twitter on 5 November from Andy Heald with photographic evidence that your containers are right next to the trunks of trees in Princes Street Gardens. This is clear photographic evidence that what you have just said to committee is not correct.

"Will you first of all apologise to committee for potentially misleading us? Will you secondly ensure that will put in place urgently measures to protect the rootballs of these Rees and ensure that you also comply with your own statement of how you were going to carry out this work by ensuring that trees are protected by Heras fencing or similar. That was in your own plan.

"So firstly will you apologise, secondly will you ensure that the rootballs are not being damaged by structures on site and thirdly will you ensure that your own plan is out in place and protect the trees with Heras fencing please?

Underbelly Director Charlie Wood replied: "If there has been any failure to comply with the requirements that are set out in the design statement for both our 2020 and 2021 planning

applications in terms of how we work in parks and green spaces then yes, councillor, I sincerely apologise.

“I can assure you that I have emphasised to our teams on site the importance of doing so and I believe that all the requirements are currently being followed.”

Cllr Booth pressed the point and said: “I appreciate the apology Charlie. Thank you for that. But can you also respond – you’ve been tagged in these photographs on Twitter. Will you also respond with fresh photographic evidence that you have moved your structures to ensure that you are no longer damaging the rootballs of these trees?”

Mr Wood said: “I certainly do not intend Councillor to respond on Twitter to the question. I am more than happy to send you and everyone else on the committee photos how we are currently complying with the requirements set out in the design statement and that are approved by the Parks and Greenspace team.”

Chas Booth said to The Edinburgh Reporter: “Underbelly claim to be protecting the trees in Princes Street Gardens, yet councillors have been sent clear photographic evidence that this isn’t happening. Shipping crates and other heavy structures appear to have been placed within inches of mature trees in the gardens. Because of the importance of protecting the root ball of mature trees, this close proximity is completely inappropriate, is highly likely to damage the trees, and is contrary to Underbelly’s own procedures.

“I am grateful to Underbelly for their apology, but unless they take urgent action to ensure the trees in the gardens are properly protected, that apology rings very hollow.”

Hi [@edinhelp](#) – please can you ask Planning Team to visit [@Edxmas](#) set-up in PSG urgently, and insist that work is compliant with BS5837:2012 There should be clearly marked out Root Protect Areas around each tree [#TreeCharter](#)

<https://t.co/20kBbXnKXn> <pic.twitter.com/UCxCfDqUlo>

– Andrew Heald (@andyheald) [November 5, 2021](#)

A City of Edinburgh Council Spokesperson said: “We have received enquiries regarding the impact of the development on the trees in Princes Street Gardens and enforcement cases have been set up with investigations now underway.

“Council officers from Parks and Planning Enforcement teams are to visit site to assess the situation and take any appropriate action. If planning conditions have not been met we will advise this to be corrected with immediate effect.

Further questions

Cllr Hal Osler also questioned Mr Wood about the protection of the trees and green space.

She said: “What measures have been put in place and how will they actually be used to make sure that those spaces are protected and that the space can revert back to the general public as quickly as possible?”

Mr Wood replied: “The protection of green space is something we take very seriously. We have shared our plans with the council and the Parks and Green Space team and we are adhering with all of those requirements. In terms of reinstatement that is something we are not in control of. It is something that Parks and Green Space undertake after we have left but it is done at our cost. We have also significantly reduced the amount of green space that we are using most particularly in East Princes Street Gardens.”

Cllr Karen Doran said to Charlie Wood who presented at the council’s Culture and Communities Committee meeting on Tuesday: “Thank you Charlie for your presentation. As a city

centre councillor I can tell you that no concerns have been raised about the noise. I would remind you as I always do, and have done for many years, is remember the roots of the trees. It is very important that they don't get damaged. My question is about staff training and how you are looking after your staff."

Cllr Doran along with the rest of the committee then went on to hear that Underbelly staff are being trained over two days this week about hygiene on site, the need to take lateral flow tests and that they must feel safe in referring any concerns over procedures "up the line". We did not hear Mr Wood confirm the action being taken about trees in response to Cllr Doran direct.

Remembrance events

Separately, Underbelly were taken to task over the timing of the build by Conservative councillor Phil Doggart.

Cllr Doggart said that he had raised the point about the Christmas events impinging on Remembrance events in the gardens before. He lodged a question at a meeting of full council on 21 November 2019 asking for a dignified no-work cordon around the Garden of Remembrance and a delay in erection of high structures until after Armistice Day and Remembrance Sunday.

Director of Place, Paul Lawrence, apologised to the committee if the build this year has overshadowed the Remembrance Day events. It clearly has since the Big Wheel was already in place by 9 November, before the events scheduled for Remembrance Sunday.

Cllr Doggart said to The Edinburgh Reporter: "What is the point of councillors passing motions if officers do not follow them through? Council agreed there would be no high building work undertaken until after Remembrance Sunday, but once again

the wheel magically appeared in the gardens in advance of that date.”

Filmed on 9 November 2021 © 2021 The Edinburgh Reporter

Planning requirements

The Chief Planning Officer recommended that the plans for Edinburgh’s Christmas sites be approved on the basis that existing trees would be protected by Heras fencing, but one independent Arb consultant has expressed a view that he believes even this type of arrangement does not adequately meet the requirements of BS5837.

Section 159 of the Town and Country Planning (Scotland) Act 1997 places a duty on the planning authority to ensure that planning permissions make provision for the protection of trees.

BS5837 is the standard document to clarify the type of protection required. BS5837:2012 (Trees in Relation to Design, Demolition and Construction) sets out requirements for Root Protection Areas.

None of the [planning permissions](#) for the events in Princes Street Gardens referred to a BS5387 tree survey or an arboriculture impact statement both of which are components of a planning decision. An arb method statement would be prepared by an Arb Professional.

If exclusion fencing was installed as per BS5837 then arboricultural experts say the big wheel cannot fit into this area of Princes Street Gardens. The action of driving the big wheel into place alone, over existing root zones and using plant weighing in excess of 50 tonnes would not appear to be best practice. Installing the big wheel on the upper level of East Princes Street Gardens would appear to cause an unacceptable level of damage to tree roots through soil

compaction.



PHOTO © The Edinburgh Reporter 9 November 2021