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TREE CONSULTANCY

The National Trust; responsible national institution or hidden threat to our living heritage?

Municipal Tree Officers Association Newsletter (Spring 2014)

BTC/89/2014





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Due to the extensive international press coverage, most of you will already be aware that The National Trust felled one of Britain's most important heritage trees, The Duke of Wellington Cedar, at Kingston Lacy House in Dorset, just before Christmas. Jeremy Barrell, who knew this tree well from working on it in the early 1980s and visiting it only a few months ago, now updates us on the controversy that surrounded its removal.

Watch this video for an overview, set against a backdrop of one of the trees being felled:
<http://www.youtube.com/watch?v=BypBkilAHcI&feature=youtu.be>

Read more detail on the background at: <http://www.barrelltreecare.co.uk/pdfs/BTC88-BriefingNote-Complete-080114.pdf>.

On 14th January 2014, The National Trust (South West Region) issued a statement on its blog that can be seen at: <http://www.ntsouthwest.co.uk/2014/01/duke-of-wellingtons-tree-at-kingston-lacy/#comments>. It is worth reading this to review the comments beneath.

Anyone accessing this information will be well-placed to form their own view on what happened.



The magnificent Duke of Wellington Cedar, more than 20m in height and with a trunk diameter of 2.3m (14/09/13).



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Summary of progress since the video was released

Stepping back from the detail, and setting aside the seriousness of the loss of this tree, this affair is interesting to arboriculturists for a number of reasons. It is the first time that modern media has been so successfully mobilised to expose poor decision-making and to shame an organisation that actively promotes its ethical credentials relating to heritage trees. In the context of the small size of the arboricultural community, in excess of 5,000 hits for the video since it was launched is a staggering response that would be hard for any member-based organisation to ignore.

Furthermore, that response was international, with enthusiasts and professionals alike, joining together to support a common cause. Of course, it is a UK issue and so, as expected, the UK polled the most with 67% of the views, the US was second with 10%, Canada and New Zealand with 5%, Australia with 4%, Sweden with 2%, and Germany, Holland and France with 1%, so very strong international support. It is a great demonstration of how small ordinary people like you and me can make a big difference if they are given a framework within which to voice their disapproval. The protest was almost universal and the numbers, along with its breadth, give it significant weight.

Turning back to the main issue, the challenge now is to work out how to use this strong mandate to reduce the chances of other special trees suffering the same fate. As the video neared 5,000 hits, I felt that this was enough support to write to the Director General of the National Trust, Dame Helen Ghosh, and the Chairman, Simon Jenkins, to pose some questions about the way this matter has been managed. Here is what I asked on behalf of our profession, the general public and the National Trust Members:

1. Were you aware of the local decision by the South West Region to fell a tree of national importance against the advice of The Trust's own internal specialist advisors and the external consultant's analysis?
2. What are you doing to reassure the public and Members that this seemingly renegade action by the South West Region is an isolated incident and not endemic within the wider Trust administration framework?
3. What changes do you intend to make to The Trust's decision-making framework to reassure the public and Members that any remaining heritage trees it has under its care will be properly identified and responsibly managed in the future?

At the time of going to press, there had been no response, but I do intend to continue asking until there are some appropriate answers. In the meantime, please promote the video where you can to reinforce this emerging platform to lobby for change.

Professional, moral and ethical issues raised by this incident

The felling of The Duke of Wellington Cedar is a sorry affair by any standards of ethical and professional behaviour, so what lessons can be drawn for setting more morally robust benchmarks for dealing with similar situations? Here is some further commentary on important issues that I think deserve some careful thought:



The National Trust; responsible national institution or hidden threat to our living heritage?

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- **Could this tree have really been retained?** The National Trust has promoted such a web of misinformation through its one-sided public statements and its refusal to release all the expert reports that any casual observer could be forgiven for not being clear on this point. There should be no confusion; all the expert tree advice, both internally and externally, advocated the tree could be retained with pruning. Of course, the Trust are now attempting to argue that the tree would have looked terrible after pruning and that justified felling it without even attempting to see what its pruned form would have looked like. I substantially pruned that tree in the early 1980s and it was hard to tell it had been done, which is why it remained an integral part of the setting of the Listed Building for the next 30 years. I saw the tree a few months before it was felled and my opinion is that it is beyond any reasonable doubt that it could have been pruned again without any significant adverse impact on the visual aesthetics of the setting. Indeed, the available documents indicate that was the conclusion of all the tree advisors, which seems to have been ignored by the local decision-maker. There is credible and relevant international discussion on this point in the comments posted on the Trust's South West Region blog at the above link.
- **The selective use of information to manipulate public opinion:** All the video footage and published press reports from before and during the felling confirm that the Trust was actively promoting the line that the tree was dangerous and there was no option but to fell it. This smokescreen conveniently suppressed the real reason why the tree was felled, which the Trust later confesses was for visual reasons on its blog referred to above. Indeed, the glossy video prepared before the felling was so misleading that the Trust removed it from YouTube as soon as it realised the scale of its deception had been discovered. Furthermore, the documentation submitted to the LPA in the Conservation Area Notification was blatantly misleading in several ways. It implied that the felling was for safety reasons and that the trees were in such ill health that they would "*only last another 5–6years*". Most surprising of all, it only submitted the most favourable parts of the expert advice it had received, deliberately suppressing information that did not support the felling option. Quite simply, if the Trust had truthfully stated that the felling was for landscape reasons, there would have been public uproar, which would have forced a more balanced review. By manipulating the information it provided to the LPA, the press, the public and its Members, the Trust orchestrated the felling of the tree through a web of deceit. It is now backtracking after the event when no amount of apologising will bring the tree back; it's a *fait accompli*, which takes all the parties as fools to be spun whatever line the National Trust thinks will best suit its purpose.
- **Moral, ethical and professional responsibilities of The National Trust:** The National Trust is quite rightly a respected national institution, doing vast amounts of great work around the country. Indeed, my wife is a longstanding member and I have publicly supported its work as an author and presenter wherever I can (see <http://www.hortweek.com/news/1176245/according-barrell-act-support-conservation/>). However, the Trust has fallen far short of any reasonable set of



The National Trust; responsible national institution or hidden threat to our living heritage?

Municipal Tree Officers Association Newsletter (Spring 2014)

expectations of ethical and professional behaviour in this particular matter. It is an organisation that should be setting the standard for others to follow, not struggling to pull itself out of the gutter. High standards of ethical performance are what the Trust promotes on its national website, and that is what its Members and the public reasonably expect from an organisation entrusted with some of Britain's most valuable heritage assets.



Stump cross-section showing an advanced column of central decay (darker colours) that has been compartmentalized, with limited breaches into the outer wood. Most importantly, there is a substantial outer width of lighter coloured sound heartwood and white sapwood beyond (mostly trimmed off in the felling process), which provides solid support for the tree. This confirms that the original Picus® results released by The National Trust were misleading and, in the context of no significant discovered root decay, there was no defensible justification for felling this tree on the grounds of instability.

- **Moral, ethical and professional responsibilities of Local Planning Authorities:** Although the LPA that dealt with the Conservation Area Notification clearly fell victim to the misleading and technically incorrect information in the submission, there still remain some awkward questions to be answered. Why was a BS 5837 category A tree with tens of thousands of viewers a year not deemed suitable for a TPO? Why was the direct reference to the tree in the formal Conservation Area description seemingly not considered? Why were the technically incorrect references to poor tree health, safety and the ability of the species to respond to pruning made by



The National Trust; responsible national institution or hidden threat to our living heritage?

Municipal Tree Officers Association Newsletter (Spring 2014)

the National Trust not challenged? Why was the obviously selective nature of the submitted reports not picked up? From the outside, I do not know the answers, but as a member of the public I do know that LPAs are effectively the guardians of trees in conservation areas on behalf of the local and national community. Indeed, a primary intended purpose of the conservation area legislation is to prevent trees that contribute to the protected character from being felled without good reason. This tree was a specifically noted part of that protected character and yet that safeguard did not work. For a tree of such national importance to have slipped through the net is a matter of serious concern. Something went badly wrong here; it is a reasonable expectation that the conservation area legislation should protect trees of obvious heritage importance and we should all be working towards making that a strong reality rather than a feeble aspiration.

- **Will the National Trust get away with this behaviour?** In a word, 'No'. It is reasonable to give the Trust sufficient time to respond to my letter, with an expectation that it will be positive, i.e. following internal investigation, there will be an admission of the mistake and a tangible commitment to ensuring that similar errors of judgement will not occur in the future. If that happens, then we will be able to move this forward positively and promote the National Trust as a responsible natural heritage asset manager. However, if the response is negative, then the campaign will move onto the next phase, which will have a focus on drawing together professional, public, NT membership and political condemnation to see if change can be forced in the absence of it being volunteered. Whether that will be successful remains to be seen, but a growing body of opinion supporting change will be hard to ignore. Of course, the National Trust could weather the storm by simply ignoring what has happened, but it is hard to see how it could remain unharmed through such inaction.

Closing reflections

It is obvious that there is something intuitively wrong with the felling of this tree, a point that was recently put into an interesting perspective by a call I received from a serving senior tree officer who used to be a contractor in his early career. He recalls working on this tree himself and having afternoon tea with his crew and Henry Bankes, the National Trust's biggest ever benefactor, on the Mansion terrace with the tree in full view in the late 1970s. Of course, it is unknown whether Mr Bankes would have approved of what has happened, but a more pertinent consideration for the National Trust may be whether future potential benefactors will feel quite so inclined to trust an organisation that seems to be displaying blatant double standards when it comes to our environmental heritage.

Of more urgent concern for the National Trust might be that I am booked to do keynote speeches at the ISA Ontario Chapter Conference in February and the ISA European Conference in Turin in May. I have papers in for an international conference on urban trees in Sweden in June and the AA Conference in London in September. Finishing off this year and into 2015, I will be embarking on a series of tree management workshops to China, Hong Kong, Australia and New Zealand. Top of my agenda for all of these events



The National Trust; responsible national institution or hidden threat to our living heritage?

Municipal Tree Officers Association Newsletter (Spring 2014)

will be the loss of The Duke of Wellington Cedar. It remains to be seen whether I will be portraying the National Trust as an intelligent, progressive and responsible manager, setting the standard for heritage tree conservation (my preference), or as the dumb villain without sufficient leadership qualities and vision to effectively manage hostile public opinion; a lumbering leviathan, out of control and out of touch with the membership that supports it.

In closing, I wish to thank everyone who supported this protest, which has recorded a resounding vote of disapproval at how the National Trust have managed this issue. I will be providing regular updates on further developments on my Facebook page at <https://www.facebook.com/pages/Heritage-Tree-Management/573985506028429>.



The ignominious end for one of Britain's most important heritage trees; a wheelbarrow full of foliage, a bin of offcuts as trinkets and a request for the public to donate to the cause! Perhaps a time to reflect on what Henry Bankes, the biggest ever benefactor to The National Trust, would have thought about such an end to this living link between him and his ancestors, who experienced and enjoyed its presence as they grew up and lived in the family home.