

REPORT TO EXECUTIVE

Date of Meeting: 5 March 2024

REPORT TO COUNCIL

Date of Meeting: 23 April 2024

Report of: Director Net Zero Exeter & City Management

Title: Tree and Woodland Strategy 2023-33

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report provides an executive summary of the new Tree and Woodland Management Strategy, for the consideration of Executive. The public consultation to the strategy took place in 2020, subsequent to which recommendations were applied within the strategy document. The creation of the strategy was approved at Council on the 27 April 2021.

1.2 The Council is one of the largest tree owners in Exeter, and the one organisation that the public see as the guardian of the city treescape, both in its role as landowner and through planning controls. As such, it is the key organisation in developing a framework to protect and sustain the city's trees.

1.3 The Strategy documents best practice in regard to the maintenance and welfare of the Council's tree and woodland estate, and the service currently operates to the principles contained within it. The adoption of the strategy will formalise what has become standard operating procedure, but also provides a vision for the development of Exeter's tree estate.

2. Recommendations:

2.1 That Executive notes the report and recommends Council approves the adoption of Tree and Woodland strategy 2023-2033.

3. Reasons for the recommendation:

3.1 The strategy formalises and aligns the councils tree management in respect of industry best practice, duty requirements, and the Councils Corporate plan 2022-2026.

4. What are the resource implications including non financial resources

4.1 The tree inspection and management regimes have been developed over the last 10 years to the point it provides adequate and proportionate risk management. The current inspections and works revenue budget remain appropriate with an allowance for contract

upgrade, and assuming no significant impact from legislative, work practice, or waste disposal changes.

4.2 Ash dieback continues to present a financial risk with capital costs running between £50,000 to £150,000 per year for the next 5 years or longer (ECC Ash Dieback Action Plan 2019). The budget for 2023-24 stood at c.£302k, it is recommended that the existing capital budget remains in place and is carried forward to mitigate the ongoing impacts of Ash Die Back across the council's tree estate.

4.3 There is insufficient funding within the existing Revenue budget to manage woodlands effectively in line with a rolling management plan. A capital funded Woodland management scheme would enable existing woodlands to be brought into line. However, the council requires a woodland management plan prior to recommending funding considerations. This will be required to evidence the resource and financial needs associated with a cost-effective woodland management programme.

4.4 Arboriculture budgets are as follows:

| | Budget 2023-24 £ | Budget 2024-25 £ | |
|-----------------|---------------------|---------------------|---|
| Pay | 133,220 | 142,890 | 4.5% pay award (24/25) and additional cost of the 23/24 pay offer |
| Services | 4,550 | 4,550 | |
| Sub-Contractors | 115,780 | 115,780 | |
| Housing | (39,010) | (45,810) | |

5. Section 151 Officer comments:

5.1 There are no additional financial implications to consider. The amounts set out in section 4 are already provided for in the budget. Any future requests for funding would have to be taken in line with the Council's requirements to reduce spend over the next three years, and in competition with other critical, unfunded capital priorities.

6. What are the legal aspects?

6.1 This report recommends a management strategy in relation to the Council's trees and woodland. Section 5 of the report addresses planning and development aspects.

In particular, Members will note:

6.1.1 Section 197 of the Town and Country Planning Act 1990 which places a duty on local planning authorities to ensure, whenever it is appropriate, that in granting planning permission for development, adequate provision is made through the imposition of conditions for the preservation of planting or trees;

6.1.2 Section 198 of the Town and Country Planning Act 1990 concerning the power of local planning authorities to make Tree Preservation Orders where it is expedient in the interests of amenity in relation to trees, groups of trees and woodlands;

6.1.3 The Town and Country Planning Act 1990 in relation to proposed works to trees in conservation areas;

6.1.4 The Hedgerows Regulations 1997 in relation to the criteria for determining important hedgerows, permitted works, offences, and injunctions under the Regulations; and

6.1.5 The ability of the Council to take remedial action under Part 8 of the Anti-Social Behaviour Act 2003 in relation to high hedges.

7. Monitoring Officer's comments:

7.1 This report raises no issues for the Monitoring Officer.

8. Report details:

8.1 The strategy consultation was released in 2021 outlining the objectives the council was hoping to achieve through the implementation of the strategy. The consultation received 330 responses, and over 300 confirmed that they agreed or agreed strongly with the objectives outlined. There were only 12 negative responses. Where suggestions were made to improve the strategy, these were implemented into the final document where appropriate to do so. Through the consultation residents confirmed they wanted to see canopy increases, increased biodiversity and genetic resilience, good risk management, and an evidenced based approach to meeting targets such as 30% canopy cover over three years.

8.2 The previous tree strategy covered the period from 2009 to 2014. It consolidated knowledge of our tree stock and measures to manage trees effectively. Climate change was a theme within the earlier strategy, but this impact has evolved in the last ten years. More urgent action is now required to mitigate the effects of global warming. To gain the most benefit, landowners in the Greater Exeter area need to work together to plan and link existing and future tree cover. The new strategy provides a framework for more collaborative measures.

8.3 The council also developed the Tree Risk strategy in 2019. This formalised the routine inspection of Council Trees using National Tree Safety Group (NTSG) guidance alongside the 2012 Quantified Tree Risk Assessment Approach (QTRA). The Risk Strategy scope was limited to managing a common sense and cost-effective tree inspection programme, and to ensuring the council took reasonable care to avoid acts or omissions which cause a reasonably foreseeable risk of injury to persons or property. The strategy does not consider wider tree management issues, such as biosecurity and disease, environmental and ecology contribution, and best practice. As a result, an overarching Strategy is required to manage Exeter's Tree and woodland estate effectively, and with regard to the growing climate emergency.

8.4 Where relevant the new strategy has taken into account Central Government's 25 Year Environment Plan, England's Tree Health Resilience Strategy, Exeter's Green Infrastructure strategy 2009, Exeter's Climate Emergency declaration 2019, and references the Exeter Tree Cover report 2023. In addition to the above documents, the strategy accords with the Forestry Commission's The UK Forestry Standard 2023.

8.5 Key themes running through the new strategy are:

- Urban Tree benefits;
- The Financial and Structural value of trees;
- Tree protection;
- Urban air quality;
- Climate change;
- Wildlife and biodiversity; and
- Effective Risk Management

8.6 It provides and outlines the importance of trees and the inherent urban tree benefits: It has long been known that trees are beneficial to urban areas and provide social, economic, and environmental benefits such as:

Social

- Quality of place, giving a sense of scale and softening the hard landscape.
- Improvements to mental health and wellbeing.
- Providing shade and shelter from adverse weather.
- Traffic calming, reducing the speed of traffic by having a visual impact on drivers.

Economic

- Trees have the potential to increase property values by up to 18%, and in streets lined with mature trees house sales complete faster.
- Trees provide timber and bio-mass, and other produce such as fruits, berries, bark and foliage.

Environmental

- Cleaner air through the removal of harmful gasses and particulate matter.
- Carbon sequestration through storage of carbon in the tree biomass and associated organic matter.
- Storm water attenuation through interception, ground stabilisation and infiltration.
- Moderating urban temperatures, reduced local wind speeds, and lessening the urban heat island effect.
- Noise abatement through deflection and absorption of sound.
- Trees play an important role in biodiversity, providing habitat for wildlife and improving habitat and species connectivity allowing them to move through urban environments and bringing nature into the city.

8.7 The strategy looks at operational delivery and provides a framework of best practice to protect tree stocks and provide effective risk management. It requires successional planting regimes to support age diversity of tree stocks. Already in practice this approach takes 'a right tree right place' ethos, ensuring that the location, species, existing eco system services, biodiversity, biosecurity, and procurement factors are considered as standard for planting programmes.

8.8 The strategy also looks at managing biosecurity risks. Many tree pests and diseases are imported on live plant material via the horticulture and forestry plant trades. These pests and diseases can have devastating consequences on the UK tree population, often as there will be no natural predators or controlling agents. Pest and diseases not only

have negative consequences for urban tree populations and their associated ecosystem services, but they can also have a far more serious impact on biodiversity and the wider environment.

8.9 Pest and disease outbreaks can also put the public at greater risk of harm due to increased frequency of dead and dying trees that are more likely to fail as a result. In order to combat these issues, the strategy recommends the highest biosecurity standards and the practical measures necessary to limit the risk.

8.10 It identifies the planning and development risks. With an increasing demand for housing in the city and this inevitably places more pressure on trees and the natural environment. Well established trees and hedgerows are known to add great value to new development and neighbourhoods, and it is desirable to make sure that they are retained and protected throughout the development process where possible. The strategy outlines both the councils' duties, and its recommendations, to ensuring that Exeter trees have focused consideration throughout the planning and development process.

8.11 Finally, A five-year action plan reflecting the objectives of the strategy to give a structured approach to tree management in and around the city. In conjunction with this, a longer-term ten-year plan will be developed in partnership with others to enable larger scale planting and woodland development, with an investment programme. The service is already actively working towards the goals outlined in the action plan.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The Tree and Woodland Strategy supports the Corporate Plan by promoting and enhancing carbon sequestration and negating the effects of air pollution, enhancing the amenity and recreational values of urban areas, and encouraging recreational activity in woodlands.

10. What risks are there and how can they be reduced?

10.1 There are no risks associated with the implementation of the strategy itself. The strategy is in place to provide risk mitigation across the councils' tree estate, and to further organisational goals in respect of climate change and ecology and biodiversity loss. However, as the council does not own the majority of the land within the city, and as pressure increases to supply a range of priorities across available land, the council's ability to meet canopy targets will be limited to its ability to influence development. This however is in part mitigated by the Environment Act 2021 requirements for developers to provide 10% biodiversity net gain on all developments in the future, onsite or offsite. Where mandatory 10% enhancements are made, this will include hedgerows and tree extensions better supporting canopy gains in the future.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation, and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and

- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies, and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage, and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because the strategy recommendations are limited to the delivery of tree management and welfare across the council estate. This bears no relevance to protected characteristics and is a service based on legal duty compliance.

12. Carbon Footprint (Environmental) Implications:

12.1 The implementation of the strategy will support the city in reducing carbon footprint as current tree levels enable the storage of more than 61 tonnes of carbon each year and completes the sequestration of more than 1500 tonnes of carbon per year.

12.2 The strategy recognises the need for, and identifies the routes to, increasing Exeter canopy cover with an aspirational goal of a 30% Canopy over the next 20 years. This is a 9% increase on current canopy levels and would see an increase in the levels of Carbon capture, and sequestration within the city. Alongside 10% biodiversity net gain duty, this will support a large reduction in city wide carbon levels.

13. Are there any other options?

13.1 The council can continue to operate without a new Tree and Woodland management strategy, using the existing Tree Risk strategy 2019 to manage tree and woodland landscapes. Doing so would maintain a risk-based approach to tree management. It applies a simple risk assessment process to managing the condition of each individual tree but is less concerned with the city's trees as a whole. A risk-based approach does not account for risks such as disease, lack of diversity and its potential impact on species decline, nor does it support the development of the canopy cover within the city.

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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