

COMMUNITIES SCRUTINY PANEL

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| DATE | 03/11/2022 |
| REPORT OF | Sharon Wroot, Director of Environment, Economy and Resources |
| SUBJECT | Principles of the draft Tree Strategy |
| STATUS | Open |

CONTRIBUTION TO OUR AIMS

The Tree Strategy will contribute to the achievement of our place priorities of enabling people to live in a high quality environment and benefit from a green economy. Our council plan mentions our approved Natural Assets Plan, which was agreed by Cabinet in December 2021. This included trees and woodlands as a key area of focus for improvement, both through planting more trees and through looking after those that we already have. The Tree Strategy provides detail about specific needs and how we will take action to achieve them. The Strategy also contributes to our priorities around health and wellbeing, climate change and community engagement.

EXECUTIVE SUMMARY

The Tree Strategy and associated documents will provide the framework for the management of the local tree population to achieve agreed objectives. The Strategy will help us deliver our obligations under the Natural Environment and Rural Communities Act, 2006 (section 40: duty to conserve biodiversity) and deliver aims contained in the Government's 25-year Environment Plan 2018. It will assist us in complying with the National Planning Policy Framework and meet our obligations under the Environment Act 2021. The Strategy will be accompanied by tree planting and tree management guidelines, and a tree risk management plan. There will also be a Supplementary Planning Document 'Trees, Landscaping and Development' which will set out developers' responsibilities regarding existing and new trees within planning applications.

This will be North East Lincolnshire's first Tree Strategy. By adopting this Strategy the council will demonstrate its commitment to caring for the trees under its management and increasing the number of trees in public places. The Strategy will also be used as best practice to influence private landowners to look after their trees and encourage planting on their land.

MATTERS FOR CONSIDERATION

It is requested that the Panel consider the principles of the Tree Strategy and raise any questions and comments prior to Cabinet receiving a draft of the Strategy, after which it will be subject to public consultation.

1. BACKGROUND AND ISSUES

- 1.1 The benefits of trees, woodlands and hedges have long been acknowledged. Trees provide one of the most cost effective ways to improve the environmental

quality of an area, delivering physical, social and economic well-being as well as mitigating climate change, improving storm water management, air quality, biodiversity and visual amenity to name but a few. We must work with all our partners to ensure that our tree canopy cover is not only maintained but increased to a level which allows us to mitigate the effects of climate change living within the built-up environment. Planning for the future is key to having resilient towns which are sustainable places to live in.

- 1.2 As a council we have a number of statutory duties in relation to trees. We have a duty to ensure that highways are safe and, as part of this duty, we inspect the highway tree stock on a programmed cyclical basis. We consult on planning applications where existing trees may be affected and we consult on planning applications where there may be a provision for/or need for a detailed landscaping scheme. The National Planning Policy Framework was amended in 2021, meaning that planning policies, and decisions should now ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in development, such as parks and community orchards.
- 1.3 We have the power to make Tree Preservation Orders (TPOs) if it appears to be 'expedient in the interests of amenity'. We create new Tree Preservation Orders where we consider trees of importance may be under threat and we review the existing TPO Orders.
- 1.4 A public consultation comprising of a survey on climate change and the environment took place in August and September 2021. The results of the consultation found that 97% of the respondents wanted to see tree cover increased, to help improve parks, open spaces and other green areas.
- 1.5 Our Natural Assets Plan sets out three core outcomes that will be reflected in the draft Tree Strategy:
 - The tree canopy cover of the borough is increased to at least the national average.
 - Trees are valued for the positive environmental and social benefits they bring.
 - Trees are managed to increase the length of their lives and to increase biodiversity(To note – when trees are mentioned this may also include hedgerows).
- 1.6 At government level a Trees Action Plan has been published, covering the period 2021-2024, in response to the analysis of the England Trees Strategy that was launched in 2020. The England tree canopy cover was then estimated to be 10.1%. Our own survey in our borough in 2021 estimated canopy cover to be 10.5%.
- 1.7 The draft Tree Strategy will start by identifying the economic, social and environmental benefits of trees. Of particular importance currently is the role that trees play in mitigating the effects of climate change, by removing carbon dioxide from the atmosphere and storing it. Trees help regulate water levels and also trap airborne dust and absorb pollutants. However, climate change is also causing problems for trees, with new pests and diseases becoming widespread, and with extreme weather events causing drought and high winds. Whilst trees have

many benefits, it is appreciated that they cause issues in our community too, such as shading and damage to structures through their roots.

1.8 Our future approach will take the following direction:

- a) Understand our tree population, through surveys and record-keeping, so that we have a good base of evidence for making improvements and tracking changes.
- b) Set targets for increasing canopy cover, and work towards achieving this whilst assuring that we get the right trees in the right places
- c) Establish guidance for tree planting, which can be used both by the council and by those planting trees on their own land. This guidance will take into account the need for species diversity and the need to plan for future climate changes. Particular focus will be given to how we can successfully plant trees in hard landscapes.
- d) Support the development of community woodlands and work towards sustainable and successful implementation of these projects.
- e) Engage with our community on aspects of tree planting and management, to achieve buy-in and active collaboration.

1.9. The draft Tree Strategy will have the following as its core policies:

- TP1 Healthy trees and woodlands will be protected, retained and managed to ensure healthy growth, development and species diversity. No tree will be felled or pruned without good reason. as set out in our Tree and Hedge Management Guidelines.
- TP2 North East Lincolnshire's tree stock and canopy cover will be increased to give greater species and age diversity to ensure a healthy, balanced, tree population.
- TP3 The council will use its powers to prevent unnecessary damage to trees within all construction/development in accordance with the current version of BS5837 and pursue enforcement action where appropriate if trees are damaged or destroyed.
- TP4 Using powers available under the Town and Country Planning Act, related legislation and/or lease clauses, the council will, in the interests of amenity, protect trees and woodlands that are of recognised value where they are visible to the public, are in reasonable health and condition and where there is a threat.
- TP5 Where council land containing trees is to be sold, the trees will be assessed to determine whether protection via a Tree Preservation Order or restrictive clause in a lease is appropriate to ensure retention for the benefit of the wider population.
- TP6 The council will engage with partners, the public and other landowners to raise awareness of tree protection, maintenance, planting and establishment best practice.
- TP7 The council will seek compensation from any external organisation responsible for significant damage to or removal of any council owned tree(s) to the value as calculated by the Helliwell system.
- TP8 Hedges that are of visual amenity, archaeological or nature conservation value and are in reasonable health and condition will be retained, protected and managed to ensure healthy growth as set out in Tree and Hedge Management Guidelines.
- TP9 North the council will seek to regenerate and increase traditional, locally native hedgerows with inclusion of hedgerow trees.

- TP10 In conjunction with the Tree Team, land holding departments and teams will ensure appropriate management of their hedges. Requests for work to hedges on council land will be assessed in accordance with legislation and the Tree and Hedge Management Guidelines.
- 1.10 For trees on private land the draft Tree Strategy will provide a summary of our powers in relation to trees and development. The final Strategy will be a material consideration within the determination of planning applications. It will cover protected trees, implementing planning conditions and actions for unsafe trees on private land.
- 1.11 The main part of the draft Tree Strategy document will be accompanied by the following:
- a) Tree management guidelines - for the council's own trees. These will outline our approach to tree management work and describe in broad terms situations where we are likely to consider pruning, felling or other forms of tree management work for our own trees. They also describe the types of tree work that are normally accepted as good practice, but each tree will be assessed on its own merits. The guidelines will include the process for replacing trees, the management of trees in the highway, the management of trees in green spaces, tree-related damage claims, long-term tree management plans, and training staff to develop the skills required for this work.
 - b) Tree Risk Management Plan – this will identify the risks posed by trees and manage these within reasonable limits, balancing the need to maintain tree cover for environmental and public benefits, with the need to take action before trees fail. We will use a Quantified Tree Risk Assessment to evaluate risks.
 - c) Tree Planting Guidelines - These will outline the council's approach to tree planting and describe in broad terms the best practice for planting our own trees. They also describe the various planting situations we may come across and what planting techniques would normally be accepted as good practice. The planting of new tree stock will normally be carried out by our own grounds maintenance teams and will be in accordance with current legislation, guidance, British Standards and codes of practice.
- 1.12 Once the comments of this Scrutiny Panel have been received and any amendments made to the draft Tree Strategy, a report will be put before Cabinet, with the recommendation of that draft being subject to public consultation before final approval.

2. RISKS AND OPPORTUNITIES

The main risks associated with the draft Tree Strategy are likely to relate to our ability to increase and maintain sufficient tree cover to enable some mitigation from climate change. There are also risks associated with vandalism of newly planted trees, and with our ability to finance a large-scale tree planting and maintenance programme. There is also a large risk of many of our current trees being damaged by new pests and diseases that can now thrive due to climate change, and a risk that some tree species will not be able to survive the temperature changes and

extreme weather events that we are now feeling the effects of.

The main opportunities include engaging the community with tree planting and nurturing young trees, which may be the catalyst for community activities and engagement in other aspects of environmental protection and enhancement. Tree planting has the potential to contribute positively to the improvement of green spaces and to our nature recovery plans.

3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

There are potential positive reputational implications for the Council resulting from the draft Tree Strategy and related documents, as trees are generally seen as a positive benefit, in both urban settings and the wider countryside. An action plan will be agreed with the council's communications service. For some people trees have negative consequences, and we will be prepared for these reactions and explain how we will take those into account in any activities that we undertake.

4. FINANCIAL CONSIDERATIONS

The draft Tree Strategy does not make any firm proposals for major projects and so no detailed financial considerations can be made at this point. There are multiple grant funds available for planting trees and woodlands, and having this Strategy will prove positive in any bids that we make. Our approach of using trees as natural assets for the purposes of reducing flooding, providing shade and reducing air pollution may provide benefits for climate change adaptation and therefore less expenditure on mitigation.

5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

There are no direct implications from this report for Children and Young People, however, given the longevity of trees it is important that we involve young members of our community in decisions to plant trees and to help value and look after them.

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

Increasing our tree canopy over and maintaining our existing trees has the potential to have positive implications for a number of environmental issues, including carbon capture and storage, reducing the speed of rainwater run-off, providing shade to both buildings, people and livestock, enhancing our parks and open spaces and providing increased biodiversity. It is also widely documented that an environment with trees is seen as positive to physical and mental health and wellbeing. Trees in the landscape provide an economic advantage in terms of producing a high quality of environment attractive to potential developers, businesses and residents.

7. MONITORING COMMENTS

In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result no monitoring

comments have been sought from the Council's Monitoring Officer (Chief Legal Officer), Section 151 Officer (Director of Finance) or Strategic Workforce Lead.

8. WARD IMPLICATIONS

The draft Tree Strategy has the capability to affect all wards.

9. BACKGROUND PAPERS

England Trees Action Plan (UK Government) [England Trees Action Plan 2021 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/england-trees-action-plan-2021-to-2024)

Natural Assets Plan (North East Lincolnshire Council) [Natural Assets Plan - NELC | NELC \(nelincs.gov.uk\)](https://nelincs.gov.uk/natural-assets-plan)

Carbon Roadmap (North East Lincolnshire Council) [Carbon-Roadmap.pdf \(nelincs.gov.uk\)](https://nelincs.gov.uk/carbon-roadmap)

2021 NELC survey on climate change and environment [Final-Redacted-Public-Climate-Change-and-Environment-Survey-2021.pdf \(nelincs.gov.uk\)](https://nelincs.gov.uk/2021-nelc-survey-on-climate-change-and-environment)

10. CONTACT OFFICER(S)

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