

**Forward Plan Reference number: FP/540/10/22**

<b>Report title:</b> Adoption and implementation of an Essex County Council Tree Management Plan	
<b>Report to:</b> Cabinet	
<b>Report author:</b> Councillor Kevin Bentley, Leader of the Council	
<b>Date:</b> 23 May 2023	<b>For:</b> Decision
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<b>County Divisions affected:</b> All Essex	

**1. Everyone's Essex**

- 1.1 Essex County Council (ECC) has a responsibility to manage and maintain all trees within its estate and on occasion, trees outside of its estate. Essex County Council is committed to managing, improving and extending its tree stock. The trees are a vital resource in helping to achieve Net Zero greenhouse gas emissions by 2050 set in law.
- 1.2 The purpose of this report is to seek approval of the adoption and implementation of an ECC Tree Management Plan.
- 1.3 The Tree Management Plan sets the vision for our tree stock, our aim and objectives used in the management of existing trees and the planting of new trees in all parts of our estate. Previously, there has been no formal Tree Management Plan, however, with the emerging Climate crisis, the Council needs a robust plan for tree management and planting.
- 1.4 ECC's organisation strategy, *Everyone's Essex*, recognises the importance of trees and green spaces in our county. As such, our commitment to effective management and maintenance of trees under our jurisdiction effectively aligns with the principles set out in *Everyone's Essex*, including the key strategic aim for a High Quality Environment. Through effective management and maintenance of our tree stock, we will be able to support ECC commitments, including for the county to be Net Zero. In addition, well managed trees will aid our commitment to building 'Green Communities', whereby residents and businesses are empowered to reduce greenhouse gases and to become more climate resilient. Furthermore, the cross-cutting benefits of trees, ranging from carbon sequestration to reducing flood risk, through to improved biodiversity and physical/mental health (particularly when trees are part of broader green spaces), highlight that trees are an important part of Levelling Up the Environment for people across Essex and for the county as a whole.
- 1.5 ECC's commitment to effective tree management and maintenance is demonstrated more broadly at a strategic level in documents such as the £200m four-year [Climate Action Plan](#), originally published in November 2021. This plan fully endorsed the recommendations made in the report [Net Zero:](#)

[Making Essex Carbon Neutral](#) (July 2021), by the independent advisory body, the Essex Climate Action Commission. This report included a key recommendation that “30% of all land in Essex will enhance biodiversity and the natural environment by creating natural green infrastructure’. Protecting existing trees and planting new ones will help achieve this recommendation. The Climate Action Plan aligns with ECC’s organisation strategy, *Everyone’s Essex*.

## **2. Recommendations**

- 2.1 Agree to adopt the Essex County Council Tree Management Plan as appended to this report.
- 2.2 Note that Tree Management Statements will be produced by officers and published on the ECC website.

## **3. Background and Proposal**

- 3.1. Essex County Council owns a large number of trees, either located on its land – such as schools and country parks - or in the highway. It has also committed to plant additional trees – with 240,000 trees having been planted by ECC by March 2023 as part of the Essex Forest initiative. Trees make an increasingly important contribution to the appearance of the area and to meeting our climate goals. We need to manage trees effectively if we are to maximise the contribution they make.
- 3.2. The Climate Change Act 2008 commits the UK government by law to reduce its greenhouse gas emissions and achieve net zero by 2050.
- 3.3. Everyone’s Essex sets out an aim to ‘help all our communities to enjoy a high-quality environment, by making them more resilient against flooding, heat stress and water shortages, by enhancing our county’s green infrastructure and by reducing air pollution”
- 3.4. The Council’s endorsement of the Essex Climate Action Commission’s published report *‘Net Zero: Making Essex Carbon Neutral’* has a key recommendation for ‘30% of all land in Essex will enhance biodiversity and the natural environment by creating natural green infrastructure. We expect these figures to be 25% by 2030 and 30% by 2040’. The County Council’s tree estate is an important element of that natural green infrastructure, especially in urban areas where street trees make up much of the tree population.
- 3.5. The trees within the estate or control of ECC are therefore a vital resource in helping to achieve the national target of net zero greenhouse gas emissions by 2050. Trees act as a carbon store, especially the older trees, and also fulfil a carbon sequestration role when new trees are planted. In addition, they

absorb heat and provide shade in our city and town centres reducing the “Heat Island effect”, as well as reducing flooding and enhancing biodiversity. To manage and enhance this important tree resource there must be balance between sound tree management and appropriate tree cover increases across the estate.

- 3.6. Currently across ECC, management and maintenance processes of the trees is currently commissioned to Place Services (a traded service of ECC) by those responsible for their service areas except for those planted by the Essex Forest Initiative. The trees are not currently managed on the same inspection timescales. All new trees planted by the Essex Forest Initiative are managed by that initiative.
- 3.7. In order to maximise the consistent management of trees by ECC, this report asks the Cabinet to implement an ECC Tree Management Plan which for the first time sets the vision for our tree stock, our aim and objectives used in the management of existing trees and the planting of new trees in all parts of the ECC estate.
- 3.8. It is proposed that officers will adopt Tree Management Statements which set out in more detail how the Council will manage trees. These statements supplement the plan by including the rationale for future inspections, tree maintenance and tree planting which seek to ensure that each tree is subject to some form of inspection, even if a site survey, every three years.
- 3.9. The main changes that we would expect to see by approving the Plan are:
  - Adoption of statements which lead to all trees being the subject to a survey or inspection, normally every three years or so, but more frequently if necessary, leading to more timely interventions to give trees longevity.
  - Recording of inspections or surveys.
  - Planting to replace trees removed from the highway, of an appropriate size and location to minimise the risk of replacement trees causing damage or obstruction
  - Tree planting standards to say what planting is appropriate where.
  - A systematic approach which will help us to respond to requests from neighbours to remove trees and to defend claims made against ECC arising out of the management of trees.
  - Continuation of tree planting activities.
  - A corporate commitment to using approved contractors for tree works.
- 3.10 This Tree Management Plan will help ECC reduce carbon emissions and help support net zero carbon targets in three ways. Firstly, the existing ECC Tree population hold considerable amounts of carbon locked up in the existing timber. The Tree Management Plan and Statements will improve the overall health of the tree population, thus retaining the carbon embedded in the trees for much longer periods. Secondly, by allowing for the healthier growth of the tree population, this will enable the existing tree population to grow further thus locking up increased amounts of carbon, in addition to the existing embedded carbon in the trees. Finally, the Tree Plan and Statements actively

promote the planting on new trees throughout the ECC estate. These new trees have the greatest potential to lock up carbon from the date of planting. The Green Streets initiative on Essex Highways land will proactively assess sites for new street trees which will have enough space and favourable environmental conditions to ensure vigorous tree growth, thus locking up additional carbon for ECC.

- 3.11 Choosing sites for planting carefully is important to avoid creating additional maintenance issues with the adjacent highways infrastructure – roads, footways, drainage. Where appropriate tree root retention infrastructure may also be needed to avoid root damage to adjacent public or private assets. The repair of damage caused to property and infrastructure by inappropriately sited trees has its own negative carbon impact.

#### **4. Links to our Strategic Ambitions**

- 4.1. This report links to the following aims in the Essex Vision:
- Develop our County sustainably
- 4.2. Approving the recommendations in this report will support the Council's delivery of its own Climate Action Plan and carbon neutral targets. The Tree Management Plan and associated Tree Management Statements will set out how the trees will be managed to balance the responsibility of the Council in both safely maintaining its tree stock, and enhancing the benefits trees bring to contribute to achieving Net Zero.
- 4.3. This report links to the following strategic priorities in 'Everyone's Essex':
- A high quality environment
  - Health, wellbeing and independence for all ages
  - A good place for children and families to grow.

#### **5. Options**

##### **5.1 Option 1: To adopt and implement an ECC Tree Management Plan (Recommended)**

This is the recommended option - to implement a tree management plan. This would ensure a consistent approach for tree management and maintenance is implemented across the Council. This also supports the Council in achieving its legal obligations regarding trees within its control. This will help us to be able to defend insurance claims in the future.

##### **5.2 Option 2: Do not adopt and implement an ECC Tree Management Plan**

This is not recommended. The consequences are that there would not be a standard approach to tree management and maintenance and the benefits of the plan would not necessarily arise.

## **6. Issues for consideration**

### **6.1 Financial implications**

- 6.1.1. All expenditure relating to the tree management plan and associated tree management statements will be contained within existing functional areas' budgets. Where new tree planting is taking place funding will be secured ahead of planting the trees to ensure no onward funding pressures are created for the authority and sufficient funds are identified for the ongoing maintenance requirements. The one service area that could be impacted by future pressures is highways. Funding has been secured for the additional costs of maintaining the trees, as a result of the proactive surveying, for the following six years. After six years, these costs will be unfunded, leading to a funding gap in the region of £200,000 per annum. A traded tree maintenance model is currently under investigation by Place Services to offset this shortfall from year 6, if this is insufficient activity spend will be matched to that of the available funding.
- 6.1.2 In addition the Essex Arboricultural team will be bringing forward a separate decision paper to recommend new fees and charges for pre application advice in relation to vehicle crossings.

### **6.2 Legal implications**

- 6.2.1 The benefits of the plan are clear, but it is important that the council delivers on the standards relating to inspection and tree works if it is to realise the benefits of active management of its trees.
- 6.2.2 It is also important to minimise the risk that trees can cause to infrastructure and property. This plan and standards seek to minimise that risk.

## **7. Equality and Diversity implications**

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil

partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 7.3 The equality comprehensive impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **8. List of appendices**

- 8.1. Appendix 1 - Essex County Council Tree Management Plan  
8.2. Appendix 2 - Equalities Comprehensive Impact Assessment

## **9. List of Background papers**

- 9.1. ['Net Zero: Making Essex Carbon Neutral' Essex Climate Action Commission's Report](#)  
9.2. Cabinet Paper: [Action Plan in Response to the Essex Climate Action Commission's Report, 24 November 21.](#)