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| CABINET | AGENDA ITEM No. 8 |
| 13 FEBRUARY 2023 | PUBLIC REPORT |

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| Report of: | Adrian Chapman, Executive Director Place & Economy | |
| Cabinet Member(s) responsible: | Cllr Nigel Simons Cabinet Member for Waste, Street Scene and the Environment | |
| Contact Officer(s): | Jim Newton - Assistant Director Planning & Building Control (interim) | 07551046980 |
| | Darren Sharpe - Natural and Historic Environment Manager | 01733453596 |

TREE MANAGEMENT: ASH DIEBACK ACTION PLAN

| RECOMMENDATIONS | |
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| FROM: Adrian Chapman - Executive Director Place & Economy | Deadline date: N/A |
| <p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1. Agree and endorse the proposals set out in the draft Ash Dieback Action Plan (Appendix A and Appendix 1 to the report). 2. Delegate authority to the Executive Director Place & Economy to make minor changes to the Action Plan, if required. | |

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration of the draft Ash Dieback Action Plan by the Climate Change and Environment Scrutiny Committee on the 4th January 2023.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report is submitted to Cabinet having identified Ash Dieback as a threat within the Corporate Risk Register for some years. In accordance with best practice guidance it was considered timely to draft an Ash Dieback Action Plan which allows the Council to prepare to manage the impacts of Ash Dieback going forward.

The primary purpose of this report is to seek Cabinet's endorsement of the Ash Dieback Action Plan.

- 2.2 This report is for Cabinet to consider under 3.2.3, *'To determine any key decision ...'*, and 3.2.8, *'To determine policies or strategies that will have a significant impact on two or more wards.'*

3. TIMESCALES

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| Is this a Major Policy Item/Statutory Plan? | NO | If yes, date for Cabinet meeting | N/A |
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4. BACKGROUND AND KEY ISSUES

- 4.1 Ash Dieback is a virulent fungal disease that has spread across the country since its introduction in 2012. It causes wilting and dieback of ash, often leading to death of the tree. It is possible that up to 90% of the ash trees in Peterborough will be killed by the disease (based on epidemiology from other countries). These dead trees will rapidly present a health and safety risk to the public and property as they decay and become susceptible to other wood decay fungi. This in turn creates a risk of claims against the Council, litigation costs and adverse publicity if prompt action is not taken to deal with the problem.
- 4.2 The Ash Dieback Action Plan (ADAP) has been prepared as follows:
- To communicate the risk posed by the disease and the measures that may be needed to remediate the impact.
 - To identify the likely risks to public safety and infrastructure such as roads, footpaths, railways and overhead services
 - To consider and address the impact on the environment, landscape and biodiversity within the city which applies particularly to the Ancient Semi Natural Woodland in Bretton which contains a large number of ash trees.
 - To consider two likely scenarios: over 90% of ash dying within a 10-year period (scenario 1) and a more mixed impact of less than 50% of the trees during in a 10-year period (scenario 2).
 - To estimate the likely costs of dealing with ash trees killed and badly affected by the disease and their replacement.
- 4.3 This ADAP (Appendix A and Appendix1) includes a delivery plan that sets out how Peterborough Council, in partnership with Aragon Direct Services, will deal with the impact of the disease.

Key Issues

- 4.4 There are several key issues that have informed the policy created. These include:
- Large numbers of dead trees have the potential to impact on the city's infrastructure in particular roads, footpaths and overhead services.
 - Trees in the city provide a wide range of ecosystem services many of which help ameliorate some of the worst effects of climate change. The loss of ash will significantly affect the delivery of these services.
 - There are an estimated 22,600 council owned ash trees at risk. These fall into three main categories: trees in streets and public open space, trees in woodland belts planted by Peterborough Development Corporation (PDC) and trees in Bretton Woodlands.
 - It is estimated the cost of clearing and replanting council owned trees over a ten-year period will be substantial.
 - Estimates of cost in the plan do not include routine tree management work already budgeted for or anticipated within the period. Inevitably there will be additional administrative costs in dealing with trees in private ownership. No allowance is made for the effect of inflation. The 10-year timescale could be significantly reduced if the pace of infection within the city quickens.
 - The plan provides guidance for property and woodland owners on the procedures and rules that need to be considered when seeking to remove dead or dying ash particularly when the trees are the subject of a Tree Preservation Order (TPO) or within a Conservation Area. It also signposts sources of further help and advice.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the following Council Corporate Priorities:

The Economy & Inclusive Growth

- Environment– The loss of Ash trees within the city will have a negative impact on the city through the loss of biodiversity and the broad range of ecosystem service Ash trees provide.
- Measures to replace felled trees will provide a sustainable tree cover for the city.
- Carbon Impact Assessment - Implicated trees are assumed to be close to death and thus there will an impact in terms of capturing carbon from the atmosphere. Once dead or felled

the tree/s would obviously stop that carbon capture, albeit any replacement trees would over time, should they mature, likely capture a similar level of carbon. Whilst difficult to quantify, it is considered that the Action Plan to be carbon negative, or it will take a long time to become carbon neutral. There will be a slight increase in carbon emissions from the increased transport required to fell implicated trees.

Our Places & Communities

- Action to fell dangerous trees will create a safe environment where people want to live, work, visit and play.
- The action plan clearly communicates the Council's intention, offering reassurance to all the community.

Sustainable Future City Council

- The proactive nature of the Action Plan allows the Council to budget and prepare for the threat posed, in a sustainable and transparent manner.
- The action plan linked with strong data will help refine management practices, offer clear services to residents and enable forward planning.

6. CONSULTATION

6.1 No external consultation has taken place on any matters referred in this paper.

The Climate Change and Environment Scrutiny Committee has been consulted on this paper, at its meeting of 5 January 2023. Having considered the report and **RESOLVED to endorse** the draft Ash Dieback Action Plan subject to the **RECOMMENDATION** to bring any revisions to the Bretton Woodland Management Plan back to Scrutiny Committee following the 2024 survey having been completed.

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 It is anticipated that Cabinet will endorse the Ash Dieback Action Plan.

8. REASON FOR THE RECOMMENDATION

8.1 The proposed Ash Dieback Action Plan for dealing with tree Ash Dieback has considered current best practice and has been developed alongside the framework of resources available to the Council and extensive working knowledge of the tree resource within the city.

Although the existing approach taken in respect to managing the historically low levels of Ash Dieback was considered an effective form of risk mitigation it was considered that a more detailed plan was required to prepare the Council for this significant tree disease. The Action Plan adds clarity to operational guidelines, prepares the authority for the potential financial impacts and provides a clearer understanding for all customers.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 Other alternative options include:

1. Have no Action Plan-This was dismissed as it was considered that the Council would not comply with best practice and would be inadequately prepared for Ash Dieback within the city.
2. Create an alternative ADAP template- This was dismissed as it is considered that the Tree Council ADAP template is extensively used and proven to have been published and updated with the assistance of a broad range of authorities and experts within the sector

10. IMPLICATIONS

Financial Implications

10.1 The future costs to PCC of dealing with the Ash Dieback are somewhat unknown in scale or time however the Ash Dieback Action Plan (ADAP) has been prepared to assess financial implications

based on two scenarios: 90% of the trees dying within 10 years and 50% of the trees dying within ten years. The cost of dealing with clearing and replanting Council owned trees over a ten-year period is estimated to range from £3.2m - £5.4m. This is considerably higher than the annual cost seen to date of under £50k for around 100 trees, which has been managed through existing budgets. No additional budget has been proposed at this stage, and the rate at which the potential costs outlined would start to hit is uncertain. Proposing additional budget of £3-500k from 23/24 has been considered, however this would require further savings to be identified, for the council to achieve a balanced budget. Given the uncertainty, it is proposed to manage this as a risk within the overall Tree Management budget during 23/24 and consider the budget position again should the caseload indicate that this has become necessary.

Legal Implications

- 10.2 There is a legal duty to maintain any ash trees on land that the Council owns and is responsible for, as defined in the Health and Safety at Work Act 1974, Management of Health & Safety at Work Regulations 1999, Highways Act 1980 and The Occupiers Liability Act 1957.

Many roadside trees will be in private ownership and thus the legal duties in respect of these trees will fall to the landowners. The Highways department have powers, where it is considered that a tree endangers the passage of vehicles or pedestrians, to request they are removed. If action is not taken by the tree owner, the Council may consider completing the work and recovering the costs from the owner as allowed under statutory provision.

Equalities Implications

- 10.3 There are no known implications, positive or negative.

Rural Implications

- 10.4 There are no known implications, positive or negative.

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1 Trees and Woodland Strategy 2018
Tree Council Ash Dieback Action Plan Toolkit.

12. APPENDICES

- 12.1 Appendix A- Peterborough City Council Ash Dieback Action Plan (ADAP)
Appendix 1- General Management Advice For Landowners On Ash Dieback