



Report to: Environment Committee, 27th October 2020

Report of: Corporate Director - Place

Subject: MANAGING TREES INCLUDING ASH DIEBACK

1. Recommendation

- 1.1 **That the committee notes the content of the report and the 3 successful bids made to the Urban Trees Challenge Fund which will result in over 6,000 new trees for Worcester.**

2. Background

- 2.1 Earlier this year Environment Committee requested further information on the subject of Ash Dieback. This is a significant concern due to the negative impacts on the Ash tree population and environment that this will bring. A member briefing on Ash Dieback was issued in November 2019.
- 2.2 A Tree Seminar, an information evening for Members, was held on 10th September. Speakers included Council officers as well as guest speakers from Worcestershire County Council and a representative of a Community Group. The seminar provided an opportunity for Members to learn and understand much more about the wealth of trees across the City including how to identify different species and Ash Dieback.
- 2.3 The Council funds an in-house tree team, comprising three front line operatives, with a tree officer providing technical knowledge and managing the team. However due to problems in recruiting to one of the arborist roles, the team has not been in place for some time and most tree work is contracted out. A fresh recruitment approach is currently underway with a market forces supplement being offered to try and attract candidates. Not having an in-house tree team has implications for the amount of tree work that can be undertaken and means that only essential works are done.

3. Information

3.1 An introduction to trees including City Council Service Standards

- 3.1.1 At the Seminar, the Council's Tree Officer gave an overview of the wealth of trees in Worcester including areas with the most prominent tree populations. Historical and geographical influences on the city's landscape architecture were discussed showing their influence in allowing space for trees within the city.
- 3.1.2 The historical planting of rare specimen species around Worcester was highlighted with Astwood Cemetery being the focal point of this tradition.

Non-native species such as Cedar, Redwood, Acacia etc. were shown and how this specimen Woodland has now begun to mimic characteristics like those of a native and natural Ancient Woodland due to its age.

3.1.3 New Plantation and Trotshill in Warndon have been designated as the two areas most at risk of Ash Dieback within the city limits. These two ash plantations are monocultural (i.e. consisting of a single species) and will be lost as a result of Ash Dieback. It is recognised that there is a need to develop a plan to manage the future of these two sites as part of an Ash Dieback action plan. This will be aimed towards minimising the environmental impact of this disease with the planting of other species in place of lost ash trees.

3.1.4 Information was provided on canopy cover percentages. These give information on the percentage of available land that is under tree cover. Once this it is known it is possible to work out the amount of carbon sequestration occurring as a result of the trees in these areas. Canopy cover percentages for two contrasting wards, Bedwardine and Arboretum, have been calculated and show that 25.8% of Bedwardine ward and 22.2% of Arboretum ward is under canopy. This results in the removal of 1265kg of Carbon Dioxide in Bedwardine and 573kg from Arboretum. Canopy cover surveys provide a tool which can be used to provide a base line percentage on which to improve.

3.1.5 The following table outlines the number of public enquiries received regarding trees for the last 2.5 years:

Year	Total	Not on city land	% not on city land
2018/19	135	34	25%
2019/20	196	59	30%
2020/21 to Aug	164	39	36%

3.1.6 The City Council's service standards for dealing with tree enquiries have been in place for several years and contain several key aspects:

3.1.6.1 Proactive tree inspections are carried out based on risk as detailed in the table below:

Risk Zone	Details
High Risk	E.g. close to main public areas, busy parks and public open spaces, work yards, buildings, roads, car parks, major footpaths, picnic areas etc. Inspected every 12-18 months summer (to assess foliar condition) and winter.
Medium Risk	E.g. other footpaths, woodland paths or bridle ways in regular use but not intensive public use, quieter areas of parks and public places. Inspected at least every 2 years
Low Risk	E.g. woodland or farmland away from paths or only lightly used/trafficked. Inspected at least every 4 years or as part of normal routine visits.

3.1.7 If a tree is considered dangerous or potentially dangerous to the health and safety of an individual or is causing damage to property an inspection will take place. When making a report, customers explain why they believe a tree is a public danger. There must be a justifiable reason for works to be carried out on a tree such as a recognised defect. Evidence of dangerous/potentially dangerous trees include the following issues:

- Tree is snapped or blown over
- Tree is rocking – roots are damaged
- Tree uprooted but held up by another tree or building
- Large branch has broken off or is hanging off the tree
- Major deadwood is present where if it were to fall could cause injury to people or damage to property
- Tree is considered to be in a dead/dying condition
- Tree is obstructing a public highway or public right of way and no clear sight line is available at traffic junctions, road signs etc.

3.1.8 Council owned trees are not pruned solely to alleviate problems caused by natural and /or seasonal phenomena such as falling leaves, fruit etc. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal which may be considered to be social problems associated with living near to trees. These are not regarded as a 'nuisance' in the legal sense and a tree owner has no obligation to clear them. Examples of such problems are:

- Falling leaves, sap, fruit, nuts, bird droppings or blossom
- Reduction or increase of moisture to gardens
- Suckers or germinating seedlings in gardens
- Leaves falling into gutters, drains or onto flat roofs
- The build-up of algae to fences, paths or other structures.

3.1.9 The City Council do not enter private property to prune overhanging branches from Council owned trees. Under common law there is a general right to cut overhanging branches back to your property boundary (subject to legal restrictions such as Tree Preservation Orders (TPO) or Conservation Areas). Branches must only be pruned back to the boundary line and arrangements must be made to dispose of branches.

3.1.10 If a tree is protected by a TPO or is within a conservation area, then that Common Law right is removed and an application to the council has to be made to carry out any works.

3.1.11 The current service standards state that the Council do not fell or prune trees for reasons of light. A common complaint is that trees block light from properties and shade gardens. Whilst a right to light may exist, there has been no reported decision of any case to date having succeeded in respect of a loss of light caused by trees. Current legal advice is that as the obstruction will only have occurred gradually and such a case would be difficult to prove.

3.1.12 The Council will not fell or prune trees considered too big/too tall for this reason alone. A tree is not dangerous just because it may be considered too big for its surroundings:

- A tree taller than a house or a broad spreading tree does not in itself make it a dangerous tree.

- A tree swaying in the wind, does not in itself make it a dangerous tree, trees will naturally sway in the wind; the pliability in the branches is a natural mechanism that helps prevent fracture.
- A tree that has grown with a lean does not in itself make it dangerous; a tree will develop fatter growth rings on one side to it more stable

3.1.13 Trees are not felled or pruned solely because they are considered to be causing interference with television and satellite reception. Pruning trees often fails to improve reception and once pruned re-growth occurs quite quickly. Interference can often be reduced by relocation of aerials / dishes.

3.1.14 As detailed in paragraph 3.6 above, there are a number of areas where the City Council's current service standards are to not take action to prune or reduce trees. However, many of these issues, such as trees blocking light or TV signal, can have significant impacts on quality of life.

3.1.15 It is recognised that a review of approach and service standards should be undertaken to ensure that wherever possible tree works balance the needs of the customer with the environmental and arboricultural benefits.

3.1.16 As indicated at 3.6 many enquiries relate to trees which are not on city council land. The Council works closely with County colleagues regarding trees on Highway land. There are challenges with trees which are on land which is still under the responsibility of developers, this is a significant issue in Warndon Villages. The City Council will make a judgement about whether a tree poses a danger and if so, may need to carry out required works and then try to recover costs.

3.2 **Tree Preservation Orders, High Hedges and Planning Issues**

3.2.1 The seminar included a section on the planning department's role in managing Tree Preservation Orders and Conservation Areas within the City. This includes liaising with members of the public, contractors, land developers etc. when they are looking to undertake works on trees with legal restrictions.

3.2.2 The judgement of whether it is deemed suitable to work on these protected trees is made by assessing both the amenity value and suitability factor of the proposed works. If works are deemed necessary and suitable by the assessor or tree officer, then the application will be either approved or approved with conditions.

3.2.3 If the decision is made that the proposed work is not suitable and to the detriment of the tree's amenity value, then the application can be declined. There is an appeal process at this stage if the applicant wishes to pursue the works further.

3.3 **Ash Dieback**

3.3.1 A key part of the seminar focused on the problem of Ash Dieback. An officer from the County Council's countryside service delivered a presentation which outlined the key issues around Ash Dieback and the problems it presents.

3.3.2 Ash Dieback is a fungal pathogen that targets ash trees specifically. It originated in Asia and was first seen in the UK in 2012.

The disease spreads with microscopic fungal spores in the air and at this stage of its establishment can no longer be stopped or slowed down. It is accepted that in Worcestershire we are in the "living with it" stage of its management.

- 3.3.3 Nationally we are expecting to lose 95% of our ash trees but it is impossible to say over what timescale. It is likely that ash trees will be impacted by the effects of Ash Dieback over the next decade. As one of the three most abundant species in the British Isles (the other two being oak and birch), the loss of ash trees is forecast to have a profound impact on our national ecology.
 - 3.3.4 On average ash trees number around 4% of a city's tree population. We do not have an accurate figure for the % of the trees in Worcester which are ash but areas like New Plantation and Trotshill plantation (Warndon) will be completely lost without strategic planting of different species in place of lost ash trees. A programme of replanting will begin with our UTCF work (further information below) and will use a mix of broadleaf and native trees to enable and support biodiversity and mimic the existing landscape.
 - 3.3.5 Land owned by County Councils, Highways England and Network Rail is likely to be significantly affected by this pathogen. Approximately 1.5-2 million mature ash trees lie adjacent to their respective assets.
 - 3.3.6 Another consideration is that pre-emptive felling is not an option for this disease as there will be a percentage of these trees that have a naturally occurring resistance. Felling them would prevent these genetic resistances from securing this species' future.
 - 3.3.7 We must take a 'wait and see' approach to the problem whilst managing risk. This means only felling ash trees that have been positively diagnosed with the disease or that are presenting a health and safety risk.
 - 3.3.8 Thankfully, Ash Dieback will affect different ages of ash trees at different rates creating a natural staggering making it easier to manage, trees will not all be affected at the same time. Some trees may withstand several lifecycles of Ash Dieback before finally succumbing.
 - 3.3.9 Next steps for the City Council include raising areas of dense Ash populations such as New Plantation and Trotshill to High Risk designation in our tree surveying rota. This means that they will be subject to formal inspection every 6 months with intermittent informal inspections happening in the interim.
 - 3.3.10 Where possible trees that are lost will be replaced with different broadleaved/native species in order to mitigate the effect on the area's ecology.
 - 3.3.11 Working in partnership with the County Council, the City Council will explore the possibility of joining forces with other Authorities and organisations in our efforts to minimise the impact of this disease.
 - 3.3.12 There are likely to be significant costs incurred as a result of this arboricultural pandemic but throughout it we are expecting to see funding made available to help alleviate them.
- 3.4 **Environmental Sustainability Strategy, working with local Communities and the Urban Tree Challenge Fund**

- 3.4.1 Management of trees has strong links with the Council's Environmental Sustainability Strategy, in particular the theme of the Natural Environment which has a vision to "*protect the natural environment of Worcester and enhance its biodiversity*".
- 3.4.2 Three of the five applications to the Urban Tree Challenge Fund (UTCF) have been successful. These applications were for 4,000 trees for Perdiswell Park, 1,500 at Diglis Field and an additional 600 at the Howard Road Recreational Grounds. All new trees will be mixed broad-leaved native species.
- 3.4.3 Unfortunately, applications to use UTCF funding to help mitigate the impact of Ash Dieback in two of Worcester's most ash populated woodlands, New Plantation and Trotshill, were unsuccessful. These areas were deemed unsuitable for planting because they are already areas of historic planting with established trees still in situ. Although planting in naturally occurring openings within the woodlands would have encouraged biosecurity, the success and failure percentages of the proposed planting would have fallen below the required parameters.
- 3.4.4 A representative of Worcester Environment Group (WEG) gave an overview of the work that the community group does to enhance and protect trees across the City. Working in partnership with local communities is extremely important and the planting of trees will require the help of several partners including The Village Environmental Group, Worcestershire Wildlife Trust, The Duckworth Trust and the Community Payback Scheme.
- 3.4.5 The seminar and this report identify several issues around how the City Council manages trees to protect and enhance them for the future. It is recognised that the City Council needs to develop a plan to manage the impacts of Ash Dieback and that an effective way of doing this will be through partnership. Collaborating with neighbouring authorities and organisations and combining resources and expertise could be the best way forward and officers will explore options around this.

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