

# NWLDC Tree, Woodland and Hedgerow Management Strategy

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## 1. Introduction

North West Leicestershire includes the key urban areas of Coalville, Ashby, Measham and Castle Donington and a rich, varied rural area. A wide variety of landscape types and qualities exist and one of the most important, natural elements of the local environment is trees. Trees and hedgerows, whether appearing as individuals, groups, as woodlands, or part of the wider countryside matrix, have a significant effect on quality of life by providing direct and indirect benefits, including:

- Creating aesthetic value by contributing as part of the landscape.
- Contributing to people's quality of life and sense of wellbeing.
- Supporting and hosting flora and fauna, as part of a wider ecosystem.
- Improving air quality by releasing oxygen for us to breathe, absorbing carbon dioxide, and filtering pollutants.
- Reducing stress, improving mental health, and aiding recovery.
- Bringing people and communities together by promoting social integration.
- Providing educational benefits.
- Providing economic benefits.
- Providing shelter and shade.
- Reducing noise levels.
- Providing a timber resource.

All local authorities have a duty to protect significant trees for their amenity value and most manage a large number of trees and hedgerows both directly and indirectly. North West Leicestershire District Council (NWLDC) is no exception to this.

Trees are long-lived community assets which are essential to health and wellbeing, not only in enhancing enjoyment of the street scene, but by reducing some of the adverse impacts of urban environments. This resource should not be taken for granted and the municipal tree and hedgerow stock for which the Council is responsible must be managed and constantly replenished for our children and future generations. The Council must also raise awareness of the importance of the urban forest on both public and privately owned land and encourage all residents to manage all of district's trees and hedgerows carefully for many years to come, and to plant more. However, they can also cause a range of issues, from being a nuisance or inconvenience to potentially causing serious injury or property damage.

In view of the benefits of trees and hedgerows, and the Council's responsibility for tree management and protection, it is fitting for the Council to set out its approach to these issues. The purpose of this strategy is to set out the basis of management practices to ensure all those involved in managing trees and hedgerows are working to the same basic principles:

- Activities that increase and enhance trees, hedgerows and woodland will connect to wider landscape-scale projects as part of green infrastructure strategies (National Planning Policy Framework, National Planning Practice Guidance). Within this framework there is guidance for new developments. Planning policies and decisions will be developed that ensure new developments have adequate tree coverage. This document also links to other Government guidance such as the National Model Design Code which stipulates that all new developments will be expected to follow national policy by achieving a 10% net gain in biodiversity.
- Aims contained in the Government's 25-year Environment Plan (2018) to maintain our environment in a sustainable and resilient condition.

- Urban forestry activity can be better focused, both across tree and hedgerow planting and in the management of the existing tree and hedgerow stock.

The NWLDC Strategy for Trees, Hedgerows and Woodlands will link to a series of related local policies and action plans that will shape planning and day to day decisions around nature and around ongoing work in a sound, evidence-based framework.

It is important that this strategy remains a live document until 2030 and is continuously used, updated and referred to. The NWLDC Tree Strategy will be periodically reviewed by the Council and stakeholders. This would include:

- Performance of the strategy
- The relevance of the strategy in relation to local and national policy
- The production of an annual NWLDC Treen, Woodland and Hedgerow Management Action Plan.

The Council is aware that the Government is in the process of developing a National Tree and Open Spaces Strategy. NWLDC will therefore ensure that the local strategy fits into the national strategy once developed. This may involve refocusing the existing strategy to maximise national opportunities (e.g. around funding) and local implementation. Research continues to support best practices in managing tree stocks, new tree and hedgerow plantings and inform developing strategies. The NWLDC strategy will be a fluid document that will evolve in response to best practices and changes in legislation.

The strategy highlights the broad aims to ensure that NWLDC helps contribute to high quality urban environments and establishes a clear, consistent and structured approach to how trees on District Council owned land will be managed and maintained. This includes parks and open spaces, land and properties managed by Housing Services, land and properties managed by Property Services, and parished areas managed as a special expense. It does not include trees and hedgerows on highway verges which are managed by Leicestershire County Council, those on land owned and managed by parish or town councils, those owned privately, and those on land leased to a third party where the lease specifically passes the responsibility for tree management to the lessee.

## **2. The Strategy**

### **2.1 Council's Pledge**

Trees and hedgerows enhance the quality of life in urban environments and form an integral part of their shape, colour and diversity. They are essential to our health and wellbeing, not only in reducing some of the adverse impacts of the urban environment but also in enhancing our enjoyment of the street scene and rural landscapes.

Trees and hedgerows also provide economic benefits to North West Leicestershire through eco-system services; their leaves and branches filter out pollution, reduce the risk of flooding, cool urban air temperatures and provide shade from the sun's harmful ultra-violet rays. Trees contribute to climate change mitigation by absorbing and locking up carbon dioxide, reduce flooding and reduce pollution thus helping the world avoid climate change; and increased tree cover will help adapt the district for the effects of unavoidable climate change.

As part of the NWLDC Tree, Hedgerow and Woodland Strategy, the Council commits to:

- Undertaking a survey of all NWLDC's trees to form a single database. This shows what trees the Council has, what condition they are in, what maintenance works need to be undertaken, and identifying trees and areas which may come under threat.
- Setting out how NWLDC will respond to pests or diseases that threaten the Council's existing, replacement and new tree cover.
- Setting objectives that clearly define what future success looks like and the specific benefits the Council's tree and hedgerow stock is expected to deliver, together with milestones for progress during the life of the strategy.
- Ensuring all opportunities are taken to plant new, climate resilient trees and hedgerows to support wildlife and public amenity value and encourage appropriate natural regeneration.
- Using a Tree Risk Assessment Management tool, to ensure there is a clear audit trail of all decisions made regarding tree felling, pollarding, pruning and coppicing.
- Providing a framework to establish a healthy, balanced and sustainable tree and hedgerow population.
- Increasing tree canopy cover across the district.

As part of this pledge the Council will sign up to the principles of the Leicestershire Tree Charter ([Tree charter and our tree management strategy | Leicestershire County Council](#)) that has been created between Leicestershire County Council and The National Forest to help improve and enhance the tree scape for the residents of Leicestershire. It is a commitment of the partnership to ensure the future of the tree stock through the increased planting of both urban and rural trees as well as managing existing woodlands.

The Council is aware that there are limitations in that it has a limited land resource that is available for tree planting. There is scope to utilise the open space that exists around Council housing estates and open areas in many parts of the district. To achieve the desired targets, the Council will be relying on partner organisations, including The National Forest, Forestry Commission, Woodland Trust, town and parish councils, and other landowners to help deliver tree planting. The National Forest has been successful at increasing the canopy cover within its boundaries, some of which fall within the north west of the district. The district is experiencing an increase in housing development around the existing conurbations which is increasing land prices which makes tree planting less desirable to the owners in terms of financial return. There is the potential to increase the number of trees and green space required as part of a development.

## **2.2 Tree and Hedgerow Planting Rationale**

The Woodland Trust succinctly states, 'Woods and Trees are essential. For People. For Wildlife. For Life.' The current environmental crisis demands urgent action to protect our precious woodlands and trees, which are vital for the survival of both people and wildlife. These natural assets are under increasing pressure from a range of threats, including climate change, inappropriate development, pollution, a growing population in urban areas, deadly tree diseases and pests, invasive non-native species, and grazing by livestock and deer.

Ancient woods and veteran trees are some of the country's most valuable natural resources, home to many vulnerable and threatened species. Ancient woods are areas of woodland that have persisted since 1600 in England, Wales and Northern Ireland, and 1750 in Scotland. This is when maps started to be reasonably accurate so it can be identified that these areas have had tree cover for hundreds of years. They are relatively undisturbed by human development. As a result, they are unique and complex communities of plants, fungi, insects and other microorganisms. As well as ancient woodland there are other designations which are just as important to local wildlife and biodiversity:

**Ancient semi-natural woods** which are woods that have developed naturally. Most have been used by humans – often managed for timber and other industries over the centuries – but they have had woodland cover for over 400 years.

**Plantations on ancient woodland sites** which are ancient woods that have been felled and replanted with non-native species. Typically, these are conifers, but it can also include broadleaved planting such as non-native beech, red oak, and sweet chestnut. Although damaged, these sites still have the complex soil of ancient woodland, and all are considered to contain remnants of the woodland specialist species which occurred before.

Ancient woods are irreplaceable as the complex biodiversity of these areas which has accumulated over hundreds of years cannot be reproduced. Many species that thrive in ancient woodland are slow to colonise new areas. These are an important habitat and in sore need of protection. They provide crucial benefits such as clean and cool air, carbon sequestration, timber, flood reduction, and improved physical and mental health. Urban trees play a critical role in creating healthy, economically successful communities and habitats for both people and wildlife.

There are numerous ancient trees in the district which are recorded on The Woodland Trust's web-based ATI mapping tool. The Council will actively introduce new specimens within the target areas as set out by The Woodland Trust. We will also create a database of Ancient Trees based on the Woodland Trust to aid our planning departments decision making process.

The Environment Act 2021 places the environment at the centre of policy making and takes urgent and meaningful action to address the nature and climate crisis. It sets an ambitious framework for ensuring that future generations inherit a healthier environment. For more information on government and local policies, refer to Appendix A.

### **2.3 Action Plan**

In order to support delivery of the strategy, an annual Action Plan will be developed which will detail specific actions the Council endeavours to undertake. The purpose of this Action Plan will be to deliver the Council's pledge, aims and objectives for trees, hedgerows and woodlands by:

- Establishing a plan to increase and enhance the availability and maintenance of trees and hedgerows in the district.
- Ensuring that all decisions and actions related to trees and hedgerows are made in a systematic and consistent manner; and
- Evaluating periodically the strategy, action plan and policies for the care, management, expansion and enhancement of Council's tree and hedgerow population, to track progress and make necessary adjustments.

### **2.4 Goals and Objectives**

The objectives of the NWLDC Tree, Hedgerow and Woodland Strategy are to:

- Conserve and enhance the tree and hedgerow resource in terms of quality and numbers, removing them only for overriding arboricultural or safety reasons.
- Ensure the provision of trees, hedgerows and woodlands is fully considered and integrated within management plans for parks and open spaces.

- Manage risks to people, property and infrastructure from trees and hedgerows, following best practices and legal obligations, and through appropriately resourced inspection and maintenance programmes.
- Increase tree canopy cover across the district.
- Fulfil the Council's legal obligations as a tree and hedgerow owner by addressing safety and major nuisance issues effectively.
- Inform residents and stakeholders of the legal obligations relating to trees and hedgerows, and manage enquiries and expectations appropriately.
- Establish sustainable management programmes for Council managed woodland utilising external funding from central government and other agencies.
- Work with landowners and partners to promote and increase the current level of tree and hedgerow planting on public and private land.
- Ensure the health, age diversity and species diversity of the Council's tree population.
- Develop a network of wooded landscapes and green corridors to help address the recent decline of individual trees and to mitigate against potential challenges.
- Protect important tree and hedgerow features.
- Sustainably manage, protect and enhance the Council's tree and hedgerow population to maximise its ecological, social, and economic benefits.
- Raise awareness of trees as valuable components of green infrastructure through education and community involvement and management.
- Retain a central database to track tree planting and monitor maintenance undertaken.

## **2.5 Management Principles of Trees and Hedgerows**

### **Parks and Open Spaces**

Trees are fundamental to the structure of parks and open spaces. They are not only important to regular visitors, they are very important contributors to the overall environment of the area. They are a high value resource that require active management if they are to prosper and bestow the benefits we would hope for.

The nature of tree populations in different parks and open spaces is as variable as the character of the sites themselves. At one extreme there are the older parks, with a declining, mature population of trees including a number of rare and interesting specimens. At the other end there are the newer parks, with a developing but neglected tree population. For this reason the management of park trees has to be planned on a site by site basis, seeking a balanced tree population and a character for each.

Some parts of the district contain open spaces with much shorter grass. Some structured tree planting has been carried out over the last 20 years thus creating copses and these areas are now in need of woodland management whilst bearing in mind the sensitive nature of such areas. Creating and managing small wooded areas can create opportunities for wildlife whilst improving the landscape and creating a place of real value for local residents.

### **Management of Trees**

Management of the Council's trees is based on a planned inspection routine and associated tasks and requests for tree works from the public and other outside sources. While all aspects of Council operations are important, resources need to be balanced to ensure trees are managed appropriately. When considering tree works to Council trees the following Acts will be adhered to:

1. Wildlife and Countryside Act 1981
2. Town and Country Planning Act 2012

3. Countryside and Rights of Way Act 2000
4. The Environment Act 1986
5. The Management of Hedgerows (England) Regulations 2024

Appropriate and effective tree inspection procedures should ensure that changes in tree conditions are noted and, if necessary, acted upon before the tree becomes hazardous and injury to persons or damage to property occurs. The Council's tree inspection procedures take into account a range of criteria including species, age, size, health and condition, location, site usage, hazard risk and landscape and ecological value. The tree inspection programme aims to balance the management of trees for public safety with the ecological and landscape value of trees. Both management objectives are important, but the nature and use of each site normally dictates which one should take precedence. Different management prescriptions may, therefore, be applied depending on the tree's location. When managing trees for public safety reasons, only the minimum work required to remove the danger should be undertaken to ensure that the trees' multiple benefits are retained unless this may create longer term issues for the tree. However, the Council acknowledges that good arboricultural practice will take precedence when working with trees when the danger has been removed and this may mean that more than the minimum works are carried out. Trees are best inspected when in full leaf, from mid-summer through to autumn, before leaf fall. However, the scale of the Council's tree resource dictates that inspections will continue throughout the year.

The Council's suitably qualified inspectors will undertake periodic inspections of all trees and woodlands under its control. A record of each inspection will be kept on the Council's database, including details of any action required and the timescale within which actions will be completed.

### **Ancient, Veteran and Heritage Trees**

Ancient, and other veteran trees are a vital and treasured part of the country's history, and natural and cultural landscape, and Britain has the greatest number of ancient trees in northern Europe. Ancient and veteran trees are a unique host to some protected species (such as the violet click beetle). An ancient tree is generally low, fat, squat (because the crown has reduced in size through age), and has a wide trunk which is often hollow. A veteran tree shows ancient characteristics. A heritage tree is linked to a local event, history or local person, or is botanically scarce. Notable trees are memorable, usually due to their size and/or setting. They need not be veteran.

### **Removal of Trees**

Trees are an important part of the district's environment and provide enjoyment, visual attractiveness, shade, and important wildlife habitats. The Council will not fell trees without very good reason and in any event will always encourage best practice. Each case will be considered on its merits. Felling may be considered where a tree is:

- Dead, dying or diseased.
- A danger to public or site user safety.
- Causing an unreasonable obstruction to a public highway.
- A major and proven contributor to serious structural damage to buildings or infrastructure.
- Of a size or species clearly inappropriate to their location.

The Council is committed to the regeneration of the district and felling may also be considered in an area designated for development and/or regeneration. Developers will be encouraged to retain the existing tree stock as far as reasonably possible and in accordance with recommendations outlined in BS 5837:2012.

## **Pruning of Trees**

Pruning can weaken the structure of a tree and should be avoided unless absolutely necessary. In some species pruning can encourage rapid shoot development and the intended outcome of the operation is thereby quickly negated. Therefore, the Council will approach each case on its merits. Pruning may be undertaken or permitted where:

- Low tree branches cause an obstruction over a highway, access to property, or gardens and open spaces to which the general public have access.
- A tree is proven to be contributing to structural damage to adjacent buildings.
- A tree restricts repairs and maintenance to property or infrastructure.
- Trees are interfering with street lighting, public CCTV, highway signage and sightlines.
- Young trees will benefit from pruning in order to shape and train them.
- Dead or diseased material is removed in order to make the tree safe or to shape and balance the crown.

## **Right to Light**

A common complaint received is that trees block light to properties and shade gardens. There is no legal “right to light”. The tree owner is not obliged to carry out work to the tree for the benefit of light levels.

- The Council will not fell or prune Council owned trees solely for the reason that they are reducing light levels into properties or are casting shade over gardens.

## **Solar Panels**

The use of solar panels to generate electricity has environmental benefits by producing low carbon energy at relatively low cost. However, it is not considered environmentally beneficial overall to require the removal or pruning of trees, which themselves provide environmental benefits (including carbon sequestration) and a broad range of other advantages for people and wildlife. Prior to the installation of solar panels, the provider’s pre-installation survey should take note of anything which may currently or potentially obstruct direct sunlight from reaching the panels surface and give advice regarding the suitability or otherwise of the installation. The Council assumes that the positioning of solar panels will have followed these procedures.

- The Council will not fell or prune trees solely for the purpose of improving solar access to panels.

## **Practical Impacts of Trees**

There are a variety of potential conflicts associated with trees. Most of these are minor or seasonal and considered to be practical issues associated with living near trees. Some consider these issues to be a nuisance, whilst others are content to accept minor or occasional inconvenience or irritation whilst appreciating the wider overall benefits trees provide. Some examples are:

- Falling leaves/needles, sap, fruit, nuts, or blossom
- Roosting and feeding birds and associated droppings
- Insects and honeydew
- Climbing of trees by children
- Reduction of increase of moisture to gardens
- Removal of nutrients from the soil
- Suckers or germinating seedlings in gardens
- Leaves falling into gutters, drains, or on to flat roofs



- Build-up of algae and moss on fences, paths, or other structures

Trees are living organisms which follow an annual cycle that cannot readily be altered by human intervention. Each species may have a particular tendency to create seasonal issues, but these are generally short lived. Any nuisance can be readily mitigated by basic maintenance of the householder.

- The Council will not fell or prune Council owned trees solely to alleviate problems caused by natural and/or seasonal phenomena

If a tree is causing stickiness to vehicles, washing, or other assets, this seasonal problem is likely to be caused by aphid infestation and the sticky material produced is known as "honeydew". When left for some time various fungi may develop on this substance which results in a black coating, often referred to as "sooty mould". This problem is particularly evident with certain trees species, notably lime and sycamore and is often more noticeable in hot weather. These problems cannot be solved by pruning or applying chemicals to the tree. Honeydew is a mild sugar solution and should not adversely affect paintwork or other materials provided the surface is washed regularly with a mild detergent.

- The Council will not undertake pruning or felling works solely for the purpose of eradicating honeydew or sooty moulds.

The Council receive many requests to prune or remove trees because they are judged to be interfering with views. Although it is understood that over time views may become impeded as trees mature, there is no right to a view. In many cases the tree was already there when the resident moved into the property so there was always going to be a time limit on the view.

- Under normal circumstances the Council will not prune or remove trees in order to improve or restore views.
- In certain areas of the district the original landscaping was designed to include viewpoints in key locations. Felling or pruning of trees in these areas may be considered in conjunction with the Council's Conservation Officer in order to maintain/restore these historic viewpoints.

### **Tree Pollarding**

Pollarding was first practiced as a form of woodland management. Traditionally, trees are pollarded for one of two reasons: Fodder pollards produced "pollard hay" for livestock feed; they were pruned at intervals of two to six years so their leafy material would be most abundant. Wood pollards were pruned at longer intervals of eight to fifteen years, a pruning cycle tending to produce upright poles favoured for fencing and construction. It has been used at various times to manage urban trees but is problematic because of its detriment to the tree, its aesthetic appearance, and its vigorous regrowth requiring constant attention with associated costs. Pollarding is defined in BS3998:2010.

- The Council will not pollard trees except to maintain old pollards where appropriate.
- The Council will not create new pollards

### **Trees in Close Proximity to Properties**

When trees are close to buildings it is not uncommon for people to be concerned that the roots are damaging their property. The direct action of roots will rarely cause significant damage to any heavy loaded structure, including houses. The Council will not fell or reduce trees solely for the reason that light structures such as driveways, footways, patios, garden walls, lawns etc are being disrupted. Structural damage to heavy loaded structures can be

caused through soil moisture extraction by tree roots in some circumstances. This type of damage generally only occurs where the soil type is shrinkable and therefore prone to fluctuations in volume. The Council will only remove or prune Council-owned trees that are proven to be responsible for causing damage to property if this is the most appropriate solution. In these circumstances the Council will require positive evidence to support any request, including (but not restricted to) the following information:

- Age of property
- Depth and type of foundation
- Building extension history
- Spatial arrangement and amplitude of damage
- Tree root data
- Soil tests
- Seasonal monitoring
- Level distortion survey.

The responsibility for provision of such evidence lies with the individual. Where trees which are not the Council's responsibility are causing damage to Council property, the Council will take action in the same way and will use the appropriate legislation to ensure the landowner carries out remedial action to rectify the problem.

### **Protected Trees**

There are a number of reasons a tree might be protected; Tree Preservation Orders (TPO's), Conservation Areas, Planning Conditions and Covenants, for example. It is a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a protected tree unless the Council has permitted the work. Therefore, if tree owners or contractors are unsure, they should check with the Local Authority Planning Service before commencing work on any tree. In some circumstances it may also be necessary to obtain a felling licence from the Forestry Commission before felling trees, although this is unlikely to apply to a normal domestic garden.

### **Tree Preservation Orders (TPO's) and Conservation Areas**

NWLDC has the power to issue TPO's to control work undertaken to trees that make an important contribution to the local area. Trees within conservation areas have a level of protection similar to trees which are covered by a TPO. If works to protected trees are needed, an application must be made to the Council. In line with best practice advice in the "British Standard 3998: tree work – recommendations" and TPO applications guidance notes, a full and clear specification of tree works will be required. Once a valid application has been received and registered, the local parish or town council and adjoining landowners, where appropriate, will be consulted. Tree owners should consult a suitably qualified arborist to decide upon an appropriate specification and description of tree work.

The title "Tree Preservation Order" suggests to the layman that the tree or trees are "preserved" for all time. This is not the case and is, impossible. Trees have a finite life and will likely require attention at some time, especially in urban areas or near properties, for example. The TPO ensures that the local authority, as an independent party, has a measure of control over the fate of the tree to ensure that only appropriate works are carried out and that, where appropriate, the tree is replaced at the end of its life.

A Conservation Area is a specified area designated by the Local Planning Authority because of its special character which is usually due to the architectural or historical importance of an area. Within a designated Conservation Area all trees have a level of protection similar to trees covered by a TPO.

It is a criminal offence to carry out works to a tree protected by a Tree Preservation Order or by virtue of being in a Conservation Area unless an application has been submitted to the Council to carry out the works and that application has been approved. The Council will then consider the impact of the proposed works on the character of the Conservation Area and local public amenity.

### **Dangerous Trees Which Are Protected**

The responsibility to remedy a hazard rests solely with the tree owner and not the Council. Any work to remove a hazard must be the minimum necessary. This can only be undertaken without going through an application process if the tree or branch is deemed dangerous. If this is the case the owner must inform the Council by giving written notice via email and must provide evidence of the hazard to the Council. Such evidence includes photographs of the damage. The owner should keep their own records of evidence, should they be challenged, so that they can prove the works undertaken were necessary in the interests of safety to make the tree safe. The Council also maintains a record of all reported and confirmed dangerous trees/branches. Persons who own and/or carry out works to protected trees under the guise of safety works without notification to the Council or sending in evidence could be liable to prosecution.

### **Woodland Trees**

The Council will take reasonable steps to preserve and enhance woodland trees, particularly those that are indigenous to the district. The Council will encourage natural regeneration in woodlands and, where possible and subject to safety assessments, will retain dead trees in woodlands, preferring to prune rather than fell. In situ dead timber and felled trees are left as habitat as it can improve the biodiversity of the woodland benefiting the birds, amphibians, reptiles and mammals as they forage, shelter and rear young in and around deadwood and old trees. Dead and dying trees, debris and wood fragments are even more valuable for less obvious groups, such as insects, lichens, bryophytes and fungi. The Council will manage woodlands as a long term, diverse and resilient sustainable resource. This includes the woodland management technique of woodland thinning of young trees to enable the best trees to flourish. The Council will also actively support and encourage community involvement in the planning and operation of woodland management.

The Council will develop management plans for Council owned woodlands with the multiple objectives of conservation, landscape, recreation and education being pursued and with the priorities being determined by the character and history of the woodland, its contribution to the landscape, conservation and recreation potential. Maintenance and improvement of boundaries, footpaths, drainage systems and public information are desirable aspects of woodland management. Where appropriate woodland management and park management plans will be integrated and will:

- Endeavour to improve access to woodlands for the whole community.
- Encourage community involvement in and awareness of the district's woodland inventory.
- Consider the benefits of a mixed woodland that leads to an increase in resilience of the woodland as a whole.
- Develop management techniques to ensure the development of multi-aged structure woodland and retain standing deadwood in woodlands and open spaces where public safety will not be compromised.
- Identify areas suitable for the establishment of new woodland.
- Encourage private landowners to establish and undertake active management of all woodlands in their ownership.
- Purchase timber and wood products from sustainable managed sources.

- Inspect trees directly adjacent to or within the zone of influence of, highways, footpaths and public rights of way on a cyclical basis to ensure public safety as far as is reasonably practicable.
- Work with statutory and non-statutory partners for the benefit of the woodland inventory

### **Open Space**

Open spaces are the areas in a woodland without trees or shrubs. They can be managed to stop them reverting to woodland and losing their unique ecological and historic features. These spaces are important within woodland as they support a wide range of animals and flowering plants. They can be created through:

- natural events like storms and landslides that knock trees over
- management activities like tree felling and coppicing

Open spaces can be:

- temporary, where trees are allowed to regrow after a time
- permanent, where areas are cut or mowed to keep them free of trees

The way open space links to woodland is also important. The best habitat has a gradual change at its edges, from short grass to flowering plants to tall trees. This range of structures supports a wide variety of wildlife. Some habitats and wildlife found in open woodland spaces are threatened and need conservation action.

Open space can also protect the historic features in woodland such as burial mounds, charcoal hearths and earth banks.

Open spaces provide:

- habitats for invertebrates, birds, and small mammals
- food for a wide range of wildlife, including pollinators
- food plants for particular species, like common dog violet for the silver-washed fritillary butterfly
- year-round food supplies, like seeds, fruits, pollen, nectar and invertebrates
- nesting, shelter and hibernation sites
- bare ground to allow plants to germinate

These areas can also:

- connect adjacent natural habitats and help wildlife move through the landscape
- improve access
- create areas to manage deer populations
- reduce risks of wildfire to the standing trees
- help conserve historic features

Temporary open spaces, full of young, shrubby plants can be some of the best areas for wildlife, including pollinators.

### **Trees on Private Land**

The Council will:

- Issue TPO's on individual trees, individual trees that form significant groups and woodlands that are considered worthy of protection and under threat.
- Maintain current records of all TPO's and monitor the replacement of trees protected by them.
- Consider prosecuting breaches of TPO's and Conservation Area protection where appropriate.

- Fully consider existing trees and woodland, on or adjacent to proposed development, so those worthy trees are successfully retained and safeguarded in accordance with appropriate guidelines.
- Require the submission of a tree survey report as part of any planning application where trees and woodlands may be affected.
- Apply current industry standards as a minimum standard for planning applications and seek expert advice when necessary.
- When granting planning consent set conditions for the retention, protection, planting and maintenance of trees and other plants.
- Use planning conditions for the protection of trees.
- Utilise commuted sums such as Section 106 Agreements under the Town and Country Planning Act 1990, to ensure long-term maintenance of trees and woodlands on new development sites where appropriate.
- Seek to increase the awareness of developers and planners to the value of trees, and the methods for protecting and integrating them within new developments.
- Liaise with statutory authorities where necessary.

### **Hedges**

A hedge can be cheap to create and can last for a long time. It can help bring wildlife into a garden and its flowers, berries and leaves can add colour and beauty. Landowners do not normally need permission to plant a hedge in a garden and there are no laws that say how high you can grow a hedge.

Landowners are responsible for looking after any hedge on their property and for making sure it is not a nuisance to anyone else. A landowner can help prevent a hedge on their property from becoming a nuisance by trimming the top and sides of hedges regularly.

### **High Hedges**

If a hedge is allowed to grow unchecked, it can sometimes cause problems. If an individual is troubled by someone else's hedge, the best way to deal with the issue is to talk to them about it. Calling the Council or taking further remedial action without first approaching a neighbour may make matters worse. High hedges legislation only relates to evergreen or semi-evergreen hedges.

### **Protected Hedgerows**

Some hedges are afforded protection under the Hedgerow Regulations 1997 and landowners must submit a Hedgerow Removal Notice to the Council to request the removal of a hedgerow protected under these regulations. This includes hedgerows that are on or run alongside:

- Agricultural land
- Common land
- Land used for forestry
- Land used for the breeding or keeping of horses, ponies or donkeys
- A Local Nature Reserve or Site of Special Scientific Interest

Hedges within or that form the boundary of a dwelling are exempt from requiring notification. Where the hedge demarks the boundary between two properties and in the absence of mention of the hedge or boundary measurements in the titles of either property a Court is likely to assume that a line drawn through the centre of the base of the hedge represents the boundary, thus the hedge is joint property. Any jointly owned hedge cannot unilaterally be removed.

A landowner may cut back that part of the hedge that overhangs their property but must not endanger the continued life of their neighbour's half of the hedge. Any alternative boundary

demarcation will have to stand within the landowners' land alone. Similarly, any foundations must not endanger the continued life of a neighbour's half of the hedge.

### **Rural Trees and Hedgerows**

Woodland and hedgerow loss in the district has occurred since the Second World War, mainly due to the reduction in agricultural fields. Recent legislation such as The Environmental Act 1995 and The Hedgerows Regulations 1997 has been introduced to help protect certain hedgerows from removal.

Most land in rural areas is privately owned. Many landowners take a positive view of their influence over the quality of the landscape in the countryside and take advantage of grant aid schemes and sources of advice to implement positive landscape management and enhancement schemes. Conversely, there are some that do not or cannot undertake positive action and, consequently, the landscape under their control can decline.

More information for the public on trees and hedgerows can be found at [https://www.nwleics.gov.uk/pages/works\\_to\\_trees\\_and\\_hedgerows](https://www.nwleics.gov.uk/pages/works_to_trees_and_hedgerows)

## **2.6 Tree Inspections**

The Council has adopted tree inspection procedures which provide information to minimise risk to the public and property. Such procedures are considered reasonable, proportionate to the level of risk at a particular location, recognise the benefits of the trees, and are acceptable in legal terms as they follow industry recommendations and codes of practice. In addition to informal observations put forward by members of the public, Council officers and other organisations, the Council's approach to tree inspections includes walkover and detailed inspections, or tree surveys, which are carried out by appropriately qualified and knowledgeable arboricultural specialists. Such inspections are carried out at regular intervals and are commensurate with the level of risk identified at a given location. Detailed inspections will take into account the biological, pathological and bio-mechanical aspects of tree health and stability along with other considerations such as the effects of weather and site disturbance.

The Council maintains a tree survey database which is continually being updated to ensure it is up to date and holds inspection records for the trees in its ownership. At any one time the database presents a snapshot of the arboricultural health of NWLDC's tree stock.

Following a tree survey, a risk rating is attributed to each tree on the basis of its condition and the nature of the area, and this will determine how frequently further surveys will be undertaken, any remedial works required, and the timeframe within which these works will be delivered.

### **Walkover Inspections**

The Walk-over Inspection is a brief form of survey aimed at assessing the general condition and level of risk within an area of trees whilst identifying obvious hazards that exist. It will typically be used in areas of sites or whole sites where a moderate or low level of risk exists, for example, well used wooded areas after adverse weather. The walkover survey will involve:

- A general assessment of the tree cover within the area from ground level at walking pace
- A cursory glance at the existing trees within the site, in most cases by walking along existing footpaths or access routes, boundaries and edge trees.

- Those trees that appear to exhibit signs of decline, disease or weak structure will be subject to a detailed inspection.
- All trees requiring works or monitoring action will be recorded on a tree inspection schedule.

### **Detailed Inspections**

A detailed inspection, or a Tree Survey, involves a closer visual inspection from ground level of each individual tree within the given zone. It will typically be carried out on individual or groups of trees that are within falling distance of main roads, high use buildings, main thoroughfares or areas of high use. Each survey will determine the time period to the next inspection dependant on associated risks with trees and their locations and will also prioritise the tree/s:

- High Priority – these will be assessed a minimum of every two years
- Medium Priority – these will be assessed a minimum of every four years
- Low Priority - these will be assessed a minimum of every five years

When undertaking surveys throughout the year, priority will be given to those considered High Priority and then those that are Medium Priority. Only when there are extenuating circumstances, such as inclement weather and unforeseen resource implications for example, will flexibility be given to increasing the frequency of undertaking surveys and, in such situations, additional mitigation measures will be put in place to manage any risks this may present. The Council commits to reviewing the timeframes within which High, Medium and Low priority tree/s will be surveyed on an ongoing basis to ensure the delivery of tree surveys is adequately resourced and is effective.

### **Data Capture**

The following information will be recorded on the database:

- Date of inspection
- Site details including clear information on hazards detected
- Name of inspector
- Recommendations
- Work undertaken
- Details of enquiries or complaints relating to trees on the site
- The recording of data if there are no risks, hazards, or works identified

### **Response Times**

The remedial tree works that are highlighted from the surveys will be risk assessed and a timeframe for the works to be completed determined. The timeframe for works will be dependant on factors such as;

- The risk that not undertaking the works present
- Any associated risks within the environment
- How publicly accessible the area is
- The proximity to buildings and other assets
- Seasonality and weather

In the event of being made aware of a potentially high-risk situation, a site visit and assessment will be undertaken as a priority. A survey will be conducted and, based on that, a timeframe for remedial works programmed in. In the interim period, the area will be made as safe as possible to reduce any risk as far as is practically possible.

### **Failure Log**

A failure log is maintained as part of the process. Events such as tree failures are recorded as soon as practicable after they occur. Such information is important for identifying the cause of the failure and can help prevent similar incidents in future.

## 2.7 Contractors

If the Council engages a contractor to undertake tree inspections or maintenance works, then it will ensure as part of the procurement process and ongoing monitoring that all works are being delivered to an acceptable standard. This will include, but will not be limited to the following:

- Ensuring staff are adequately qualified
- Ensuring all works are adequately risk assessed
- Ensuring appropriate method statements are in place
- Ensuring works are undertaken in a safe manner
- Ensuring works are completed within the appropriate timeframes
- Undertaking periodic spot checks on the contractors to ensure compliance.

## 2.8 Tree Planting and Regeneration

The Council is committed to planting new trees and, where appropriate, replacing trees that require removal. As part of this the Council will:

- Undertake, where appropriate, a thorough site appraisal before carrying out tree planting.
- Record details of all trees planted on Council land, including objectives and future management requirements.
- Monitor the success of newly planted trees.
- Ensure that new tree planting does not reduce the value of existing landscapes or nature conservation.
- Plant species appropriate to the conditions and character of the site.
- Utilise a wide range of tree species and planting sizes according to the objectives of the planting.
- Encourage natural regeneration for ancient woodlands where possible, or the planting of native stock of local provenance where available.
- Adopt planting techniques that reduce the potential for infrastructure detriment.
- Appropriately maintain newly planted trees after planting.
- Consider planting specific trees for the benefit of wildlife, such as a disease resistant elm tree cultivars for White Letter Hairstreak butterflies.

On an ongoing basis, the Council will assess parcels of land it owns to determine the feasibility of planting trees.

Strategic planning, observing key ecological principles and best practice, is essential to determine long-term tree planting locations. The Lawton Principles ([The ecology of conserving biodiversity - the Lawton principles](#)) were developed in response to the need for a more strategic and holistic approach to conservation and restoration of habitats in the UK. The principles promote the idea of making space for nature, by expanding and connecting habitats across landscapes, improving their quality and resilience, and creating new habitats where necessary. By following these principles, the district can not only protect and restore existing biodiversity but also create a more resilient and sustainable environment for future generations.

Buffering and extending already-existing ancient woodland is crucial for maintaining the unique ecological value of these habitats. Ancient woodland is home to many rare and



threatened species, and its protection is vital for biodiversity conservation. By extending and connecting ancient woodland with other habitats, larger, more diverse landscapes that can support more species and provide greater ecological resilience can be created. Additionally, planting trees in buffer zones around ancient woodland can help protect them from pollution, fragmentation and other threats.

Canopy cover mapping is a valuable tool for identifying opportunities for planting new trees and expanding woodland cover. By using remote sensing data, areas with low canopy cover can be identified and prioritised for tree planting. This approach can help to maximise the benefits of new tree planting, such as carbon sequestration, flood prevention, and biodiversity enhancement, while minimising the potential conflicts with other land uses. Canopy cover mapping can also help to identify areas where existing woodland could be expanded or linked to other habitats, creating larger and more connected landscapes for wildlife.

### **When should trees be planted?**

Trees are best planted in the dormant period between November and March when the ground is damp and cold, although not below freezing. Traditionally, planting should be completed by Christmas to afford whips the greatest chance of root establishment. However, with climate change and the seasons becoming more erratic, it can be possible to plant later into a wet spring.

## **2.9 Partnership Approach for Delivery**

The key to the success of this strategy is working in partnership. The Council will continue to engage with key partners such as Leicestershire County Council, parish and town councils, schools, individual households and community groups to effectively manage the districts tree and hedgerow stock to support delivery of the strategy. A list of stakeholders and partners can be found at Appendix A.

As part of the partnership approach and subject to available resources, the Council will work with partners and stakeholders to:

- Encourage new tree planting, new rural hedgerows, planting of trees in hedgerows and field corners and maintenance on private land. Where appropriate, using native species will be encouraged for the benefit of local biodiversity, flora, fauna and landscape conservation.
- Lead by example and encourage positive woodland management.
- Develop programmes of education, guided walks, talks, open days, presentations and exhibitions, where resources permit.
- Provide opportunities for active participation with volunteer groups, nature conservation bodies, schools and residents.
- Endeavour to promote and encourage a Tree Warden scheme in the district.
- Continue to increase public involvement in tree planting using the Commemorative Tree Initiative scheme. Encourage and promote where appropriate local and national tree initiatives.
- Produce literature promoting the benefits and providing advice on tree related issues, as resources permit.
- Publish and make available information relating to trees and woodlands within the district.
- Provide opportunities for consultation and education.

## **2.10 Challenges**

## **Aftercare**

When it comes to ensuring the survival of newly planted trees, it is important to understand that their survivor curves are different from those of people. As such, a robust program of aftercare is essential to ensure their long-term survival and growth.

One crucial aspect of aftercare is the application of weed suppressant and/or mulch around the base of the tree. This is to conserve moisture and regulate temperature, both of which are essential for healthy tree growth. It also helps to suppress weeds, which can compete with young trees for water and nutrients. Mulch should be applied around the base of the tree, to a depth of two to three inches, and replenished annually.

Another key component of aftercare is beating-up. This involves replacing any trees that have died or failed to establish with new ones. Beating-up should be carried out as soon as possible after planting, ideally in the first growing season. This can help to reduce the risk of gaps in the tree canopy, which can lead to a lack of shade and an increase in weed growth.

Cell-grown trees can offer a survival advantage over bare-root or root-balled trees. These trees have a greater volume of root mass, which makes them better able to withstand drought and other environmental stresses. While losses are to be expected, a well-planned aftercare program can help to reduce the number of trees lost and promote healthy growth and development.

## **Biosecurity**

The threats facing trees is increasing at an unprecedented rate. Global travel, the importation of goods and a changing climate all have the potential to introduce pests and diseases which can have highly damaging impacts on national and local tree populations. These outbreaks not only have the potential to have a devastating impact on the landscape of the district but can also impact on the ability to strategically allocate resources to manage the district's trees effectively.

To reduce the risk of tree pests and diseases having a harmful impact on the NWLDC tree population, the Council is following current Government and industry best practice in relation to biosecurity matters. The Council endorses the principles set out in the Government and industry documents including the Arboricultural Association's guidance notes and current guidance from Forest Research.

The Council is not able to address biosecurity issues as a standalone organisation and owner of trees. However, through the adoption of these values, having robust biosecurity practices in place and working with other organisations and tree owners the Council can effectively respond to any new pest and disease outbreaks. NWLDC will do this by:

- Reporting the instances of notifiable pests and diseases to the appropriate national bodies.
- Developing Local Action Plans where necessary to address pest and disease outbreaks.
- Ensuring our appointed contractors have up to date biosecurity plans working practices in place.
- Maintaining a high level of training in biosecurity matters for our employees who encounter trees.
- Only procuring new trees from UK Nurseries with high biosecurity standards in place (including how they source their growing stock).
- Developing diversity in our own tree population.
- Promoting high standards of biosecurity to our partner organisations and the public.

## **Climate Change**

Climate change is expected to have significant impacts on tree planting in the UK. Changes in temperature, rainfall patterns and extreme weather events could affect the growth and survival of trees, making it challenging to establish new woodland. Globally, forest ecosystems play a key role in addressing climate change by absorbing carbon dioxide from the atmosphere. They also provide a source of wood, which is a low energy construction material and a less polluting source of energy compared with fossil fuels. On a local level trees and woodlands have an important role to play in mitigating climate change and it is essential that tree managers sustain and enhance this vital resource. It is crucial, therefore, to carefully consider the suitability of species for the changing climate when planting new trees.

One of the best ways to ensure minimal disruption to existing ecosystems is to plant native species. Native trees have evolved over thousands of years to cope with the UK's climate and soil conditions, and they are more resilient to pests and diseases. They also provide habitats for native wildlife, support biodiversity and help to preserve local landscapes and cultural heritage.

In the face of climate change, it is also important to consider the adaptability of trees. This means selecting species that can tolerate a range of conditions, such as drought, flooding, high winds and temperature extremes. Trees with deeper root systems, for example, may be better suited to cope with periods of drought, while those that can tolerate waterlogged soil may be better suited to areas prone to flooding. Within the boundary of the district a tree nursery has been established in a joint project between Leicestershire County Council and The National Forest with an aim of developing locally native tree stocks.

Overall, careful planning and consideration of the potential impacts of climate change are essential when planting trees. By choosing the right species and taking measures to ensure their survival and growth, the effects of climate change can be mitigated against, biodiversity can be supported, and a more resilient and sustainable tree stock can be developed.

## **Increasing Environmental Pressures**

Environmental legislation surrounding the management of trees and the reporting of arboricultural statistics has the potential to greatly impact on resources. In addition, the time over which the NWLDC Tree, Woodland and Hedgerow Strategy spans will likely see the introduction of various national policies and targets in relation to tree management which may impact on this further.

## **Land Availability**

The UK has one of the lowest levels of woodland cover in Europe, and while there have been concerted efforts to increase tree planting rates in recent years, finding suitable land remains a significant obstacle. One approach to addressing this issue has been for local councils to call on private landowners to provide sites for tree planting. This approach has been successful in some areas, with several local authorities offering grants or other incentives to encourage private landowners to establish new woodlands.

When considering the ideal land for tree planting, there are several factors to consider. One of the most important is the potential for the new woodland to buffer and extend existing ancient woodland. Ancient woodland is a valuable habitat that is home to many rare and endangered species. By planting new woodland adjacent to existing ancient woodland, it is possible to create a larger, more connected habitat that is better able to support wildlife.

Other factors include soil type, aspect and slope. Woodland planted on suitable soils will be more productive and will require less input in terms of fertilisers and other treatments. Trees planted on south-facing slopes will receive more sunlight and will be better able to grow,

while trees planted on north-facing slopes will be more sheltered and may require less maintenance.

Agroforestry and nature-friendly farming are also emerging as methods to boost tree cover while maintaining agricultural yield. Agroforestry involves integrating trees into farming systems, which can provide a range of benefits such as improved soil health, increased biodiversity, and enhanced carbon sequestration. Nature-friendly farming practices can also help to increase tree cover by creating new habitats for wildlife and supporting the growth of new trees.

### **Canopy Cover Distribution**

An initial assessment of the canopy cover across the district indicates that it is significantly higher than both the coverage across Leicestershire and the country as a whole. That said, there is a noted loss of canopy cover on the edge of urban areas with little graduation / integration of the tree stock in these areas. Furthermore, where there are important canopy populations in rural areas they tend to be fragmented, therefore reducing their ecological and biodiversity potential. As per Forest Research figures produced by the Forestry Commission, there is currently a 19.2% canopy cover across North West Leicestershire against a national coverage of 13% and a Leicestershire coverage of 14.2%. Whilst there is minimal land owned by the Council on which additional trees can be planted, the Council is committed to planting trees where it can, alongside working with partners and landowners across the district such as the National Forest, the Woodland Trust, Leicestershire County Council, and parish and town councils, with a view to increasing canopy cover to 20% by 2050.

### **Limited Diversity in Tree Stock**

A review of the composition of the Council's tree stock has shown limited diversity in terms of species mix, age classification and tree canopy size. Given the current threat to Ash trees, there is the potential that the Council's tree population could be significantly affected by an outbreak of Ash Dieback in the district. A lack of species diversity makes the Council's tree stock highly susceptible to significant losses through pest and disease outbreaks. Approximately 40% of the Council's trees are classified as "semi mature". This has the potential to increase the likelihood of a large proportion of our trees maturing and eventually entering decline at a similar time. Not only does this have the potential to lead to large scale tree loss in a relatively short period of time, but also has resource implications of managing an aging tree population. Similarly, only a small proportion of Council trees are classified as "over mature" limiting the future benefits we can derive from our oldest trees. Data concerning tree species mix also indicates that much of the tree stock is comprised of tree species with typically small size canopies at maturity. While these species still form an important part of the Council's tree population, their benefits are limited when compared to trees with a larger growth potential such as Oak and Beech, especially in maturity

### **Pests and Diseases**

Tree pest and disease management is a critical issue in the UK, with a range of pests and diseases posing a significant threat to the health and wellbeing of the country's trees. One of the most concerning diseases affecting UK trees is Ash Dieback, a fungal disease that has potential to devastate the country's ash population. The Woodland Trust advises landowners to monitor their ash trees for signs of the disease and to take appropriate action if necessary, such as felling affected trees and implementing biosecurity measures to prevent further spread of the disease. In a woodland environment it might be of benefit to fell and remove all the ash trees in infected compartments and replant with a mixture of species. The Forestry Commission has a requirement in its woodland creation grants that plants are purchased through a nursery that has signed up to Plant Healthy bio-security accreditation. Where possible that Council will ensure that its trees come thorough an accredited source.

Dutch Elm Disease (DED) took a significant toll of trees in the area in the 1970's particularly in the most intensive agricultural areas where Elm was the dominant hedgerow tree. Considerable areas of relatively denuded landscape have not been repaired and still rely on Elm regeneration that will, inevitably succumb to the disease. The only real solution to the problem is new planting with native species such as Field maple and Oak or naturalized species such as sycamore or allowing naturally regenerating trees to grow to maturity by restricting the use of hedges flails. DED remains a concern even today. The regrowth from the old Elm stumps and root suckers has become a significant feature in some places and this regrowth is now often at an age and size where it is becoming attractive to the Elm Bark Beetle which spreads the disease. Losses of Elm in recent years have increased and over the next few years considerable loss of regenerating Elm will once again deplete the tree population of our countryside.

Since the decline of the Elm tree in the late 1970s, the Ash has become the most common native tree in Leicestershire. It is the main component of our rural landscapes, being found commonly in woodlands, field hedges and along our road corridors. Much of the ash population is mature and the health of this species has been declining for many years due to a number of factors contributing to a syndrome known as ash decline. Ash Dieback (*Hymenoscyphus fraxineus*) was first reported in Britain in 2012 on imported nursery stock and was first observed in the wider environment in 2013. The disease has now spread extensively across the country and the advanced effects of the disease are now evident in southern and eastern counties. The disease has been noted in Leicestershire for a number of years and ongoing monitoring is showing that it is now well established in the county's ash population. Ash dieback was first recorded in Europe in 1992 and many countries have now suffered up to 90 percent mortality in their ash trees. Ash Dieback will present a significant public safety risk on our road and public open spaces and the council's action plan will help to address these issues. The long-term effect of Ash Dieback on the county's rural landscape will, however, be substantial with many areas potentially becoming devoid of mature trees. To monitor and manage the effects of the disease, Leicestershire County Council set up an Ash Dieback Project Board. An action plan has now been produced which will inform and steer the authority's response to managing the disease.

Acute oak decline is an emerging disease of oak trees (trees in the *Quercus* genus) which was first observed in the UK late in the 20th century. It can kill oak trees within four to six years of the onset of symptoms. The disease is found mostly on mature oak trees, but younger trees can also be affected. It is caused by multiple agents, especially bacteria, and thousands of trees are affected. For infection to occur, it is likely the trees need to be weakened (predisposed) by certain factors, especially environmental factors. Oak trees play significant roles in our economy, landscape, biodiversity, environment and culture. Oak timber is one of our most valuable woodland products, and hundreds of jobs and businesses depend on it to some extent. Oak trees are ecologically very important, supporting rich woodland biodiversity by providing habitat for more other species than any other tree species in the UK. The complexity of the cause and the rate at which the number of affected trees has increased therefore gives cause for concern for two of our most important and numerous tree species.

Another pest causing concern in the UK is the oak processionary moth, a non-native species that has the potential to cause significant damage to oak trees. The moth's larvae feed on oak leaves, causing severe defoliation and weakening the tree's defences against other pests and diseases. The Woodland Trust advises landowners to report any sightings of the moth and to take steps to control its spread, including removing and destroying affected trees and using pheromone traps to trap and kill the adult moths. This pest is more of a public health problem than a tree issue. The caterpillars and their nests should be avoided and pets should be restrained to prevent them coming into contact with the nests.

Other pests and diseases affecting UK trees, and increasingly within the National Forest area, include Phytophthora ramorum, a fungal disease that affects a range of tree species, including larch, and sweet chestnut blight, a fungal disease that can cause significant damage to sweet chestnut trees. The Woodland Trust advises landowners to be vigilant for signs of these and other pests and diseases and to take appropriate action to control their spread, including implementing good biosecurity practices, such as cleaning tools and equipment between sites, and avoiding movement of infected plant material.

The control of muntjac deer and grey squirrels will be undertaken, where possible, if the impact of the damage is considered to have a moderate impact on site biodiversity. High populations of squirrels and muntjac deer can cause extensive physical damage to trees and prevent the natural regeneration of woodland trees and flowers. Without vegetation it is difficult to create a diverse structure. Squirrels and deer do not have natural predators, so control needs to be by human intervention. This presents challenges in woodlands close to human habitation and is often not undertaken for this reason, to the detriment of the ecology of the woodland. Both species would require a detailed survey to determine the population levels and the amount of damage to the tree stock. Analysing of the data from the surveys will determine the need to level of control needs to be implemented for the Council to achieve its woodland objectives.

Effective tree pest and disease management is critical to the health and sustainability of the UK's trees and woodlands. The Woodland Trust and other organisations offer a range of guidance and resources to help landowners manage these threats, including advice on identifying and reporting pests and diseases, implementing biosecurity measures, and taking appropriate action to control their spread.

### **Vandalism**

Damage to trees through deliberate acts is common and places significant pressure on the Council to manage a sustainable tree population. Regular instances include the cutting of branches, lighting fires under mature trees, and poor-quality pruning of trees near domestic property. Young and newly planted trees often have branches torn out or their stems snapped against their supports. These, and all other acts of vandalism to Council owned trees prevents strategic allocation of our resources to managing our trees as it diverts resources elsewhere.

Vandalism to newly-planted trees can have a significant impact on tree survival rates, growth and development and it can take years for the trees to recover, if they survive at all. Therefore, it is essential to take steps to prevent vandalism from occurring in the first place and to address it promptly when it does.

Subject to resources, the Council will consider various means to counter vandalism. These will include:

- The installation of fencing around newly-planted trees. Fencing provides a physical barrier between the trees and potential vandals, making it more difficult for them to access the trees. Fencing can be particularly effective when combined with other deterrents, such as warning signs or hunting cameras.
- Hunting cameras can be very useful. These cameras can be set up in strategic locations around planting sites and they capture images or footage of anyone who enters the area. The presence of these cameras can act as a deterrent, and the footage captured can be used to identify and prosecute vandals.
- Public consultation can also be effective to prevent vandalism. The Council will consider various means to engage with local communities, and involving them in tree planting initiatives, can create a sense of ownership and pride in the new trees. This

can encourage people to take responsibility for protecting the trees and reporting any incidents of vandalism. Additionally, public consultations can help to identify any potential issues or concerns from the community, which can then be addressed in the planning and implementation of tree planting initiatives.

Vandalism to trees can have a detrimental impact on the environment and local communities. Preventative measures, such as those highlighted can help to reduce the risk of vandalism and protect newly-planted trees to ensure the success of tree planting initiatives and the growth and development of healthy trees for future generations.

### **Damage Associated with the Installation and Repair of Utility Services**

While the benefits of street trees are well documented, they are extremely vulnerable to damage from utility works. For example, poor pruning to give overhead line clearance and root damage from trenching and service installation. Work on trees in these areas must be carried out in accordance with NJUG Vol. 4.

### **Dated TPO Designations**

The assessment of legal designations has indicated that 30% of the Council's protected trees fall within TPO's that were made prior to 1990. Many of the older orders (especially Leicestershire County Council orders made before 1975) cover trees which are no longer present and may not reflect the current tree population. Leicestershire County Council is one of two counties in England to have retained responsibilities for their TPO's which were made before 1975 and this causes management complications and applications and applicant confusion. Whilst currently there is no consideration being given in Leicestershire to districts taking responsibility for TPO's, this debate has taken place in the neighbouring authority of Derbyshire where there is a reluctance to do so without the allocation of adequate resources. If this issue is raised in Leicestershire, then due consideration will be given to the implications of the Council taking responsibility at that time.

### **Handling Disputes**

The Council will not accept presumption of damage. All claims against the Council in respect of tree damage must be submitted with an appropriate independent assessment in order to ascertain whether a tree or hedge is causing significant damage. The decision of Council officers represents the Council's decision on tree matters. Where a member of the public considers that the decision or recommendation has not taken reasonable account of all of the factors and information they have previously provided, they may request that the matter is reviewed through the Council's existing Complaints Procedure.

## **3. Action Plan Monitoring and Implementation**

### **3.1 Action Plan**

On an annual basis, the Council will develop a NWLDC Tree, Woodland and Hedgerow Management Action Plan to support delivery of the Strategy by identifying tasks to be delivered, highlighting lead and partner organisations, financial implications, and timescales for delivery. The general aims of the Action Plan will be to increase levels of biodiversity and canopy cover across the district, whilst ensuring assets are adequately maintained and resourced appropriately.

### **3.2 Resource Implications**

A key requirement for delivery of the NWLDC Tree, Hedgerow and Woodland Strategy is to assess the staffing and financial resources needed to deliver it. These will be identified within the Action Plan where it is highlighted if resources are currently available to deliver

actions or if an application or business case will be required to access resources. Resources will be required to:

- Monitor the tree stock in order to proactively fulfil a duty of care.
- Organise necessary works to mitigate issues relating to health and safety or social/communal problems.
- Provide and plant new trees and hedgerows in line with the Council Carbon Zero agenda.
- Inspect and maintain the existing tree stock.
- Ensure all tree works are conducted according to current best practice, using suitably qualified operatives.

Where potential exists, the Council will assess the need for the following:

- Deliver aftercare for young trees to ensure establishment and longevity.
- Work and liaise with others to ensure trees remain an asset to the landscape.

The NWLDC Tree, Woodland and Hedgerow Management Action Plan will clearly highlight the financial implications of each action and, where possible, external funding sources will be identified and accessed to support the delivery of actions.

## **4. Context**

### **4.1 National and Local Policy and Guidance**

#### **Environment Act 2021**

The UK has passed the world-leading Environment Act 2021 into law, which will improve the country's air and water quality, reduce waste, increase recycling, and protect species and the natural environment. The act will be driven by new, legally binding environmental targets and enforced by the newly established Office for Environmental Protection (OEP). This office will hold government and public bodies accountable for meeting their environmental obligations. The act will include a target to halt the decline of species by 2030 and prevent deforestation overseas, and it will require new developments to improve or create habitats for nature. The act will also incentivise people to recycle more, encourage businesses to create sustainable packaging, and stop the export of polluting plastic waste.

The Environment Act 2021 will also crack down on water companies that discharge sewage into rivers, waterways and coastlines, and it will require the government to publish a plan to reduce sewage discharges by September 2022. The act will also strengthen the protection of the country's woodlands and help create a more wooded country. The Office for Environmental Protection has already been established in an interim form, and it will formally commence its statutory functions soon. The work of implementing the policies of the Environment Act has already begun, including developing legally binding environmental targets, launching consultations on deposit return schemes for drinks containers, and publishing a draft Principles Policy Statement to protect the environment.

#### **Environment Improvement Plan 2023**

The Government's 25 Year Environment Plan (25YEP) was established in 2018 to create a vision for a quarter of a century of action to help improve the natural world. The first review of this plan has now been completed and sets out the specific targets and commitments to deliver on the 25YEP's ten goals. The overarching goal of the plan is to halt the decline in biodiversity and to achieve thriving plants and wildlife. To do so, the plan outlines various initiatives such as the creation of a Species Survival Fund, the establishment of new National Nature Reserves, protection of 30% of land and sea for nature, and incentives for



farmers to adopt nature-friendly practices. Additionally, an updated Green Finance Strategy will be published to leverage private finance to achieve these goals, with a goal to raise at least £500 million per year of private finance into nature's recovery by 2027 and more than £1 billion by 2030.

The 25YEP also acknowledges the international aspect of restoring nature, as it reflects that it is not just a national effort. The UN Nature Summit COP15 resulted in the agreement of a new Global Biodiversity Framework with 23 global targets, including the protection of 30% of global land and ocean by 2030. The 25YEP's goals and targets at home will support progress towards the UN's Sustainable Development Goals internationally. The implementation of the Environment Act 2021 and the rollout of Local Nature Recovery Strategies and Biodiversity Net Gain will further support the overarching goal of improving nature.

### **Environmental Land Management**

The Agricultural Transition is a major reform of agricultural policy and spending in England that is being undertaken as the country moves away from the EU's Common Agricultural Policy (CAP). The goal of this transition is to phase out subsidies for land ownership and tenure and improve support for farmers and land managers, who will be paid to provide both food production, and environmental goods and services. The reform also includes one-off grants to support farm productivity, innovation, research and development.

The Agricultural Transition is aimed at promoting a resilient, productive agriculture sector that can both meet food production needs and address the challenges of the environment and climate. In the past, food production has sometimes been achieved at the expense of nature, but these reforms aim to encourage farmers and land managers to improve the natural environment alongside food production. Environmental goods and services will play a key role in all farm businesses as the reforms aim to deliver significant elements of the statutory environment and climate targets.

### **Canopy Cover**

The Forestry Commission (Forest Research) has calculated that the current canopy cover across the country, comprising of woodland and trees outside woodlands, to be 13% and the Government have an aim of increasing this to 17% by 2050. The current canopy cover across the district is higher than the national average at 19.2%, whilst in the Coalville area it is slightly less at 18.6%. There are challenges to increasing canopy cover, namely within the Coalville area identifying suitable land whereby trees can be planted, and more widely across the district, working with landowners to encourage them to plant trees due to the lack of land the Council owns. Despite these challenges, the aim of the strategy, supported by actions within the Action Plan and subject to resources being made available to support delivery, is to increase canopy cover across the district and in the Coalville area to 20% by 2050.

### **Local Climate Change Strategy / Zero Carbon Roadmap**

On 25 June 2019, the Council declared a Climate Emergency and appointed specialist environmental consultants to help develop the response to the need to reduce the Council's and the district's carbon emissions. The Council has committed to achieve a Net Zero Carbon Council by 2030 and a Net Zero Carbon District by 2050.

This resulted in the publication of the Council's Zero Carbon Roadmap in November 2019 which, along with the accompanying Action Plan, was adopted by the Council on 31 March 2020. The Action Plan focuses on carbon emissions, their sources and how to reduce them and identifies recommended actions to achieve Net Zero Carbon status.

'Zero carbon' needs to be defined in terms of exactly which sources are included and which measures for off-setting carbon emissions are allowed, such as the planting of trees and hedgerows. Net zero carbon does not mean there will be no CO<sub>2</sub> emissions; there will be emissions, and these will be 'off-set' by either a reduction in carbon outside the measured area, or by a form of sequestration of carbon dioxide.

The Council can help to mitigate the effects of climate change and offset the use of fossil fuels by planting trees and hedgerows and creating small woodlands, where appropriate land can be found and resources identified to support this. As part of this strategy, the Council has identified and will continue to identify appropriate areas of housing and property that can be utilised for tree planting, and will continue to increase levels of tree planting in parks, open spaces, and other land the Council owns, where appropriate. In addition, the Council will continue to work with partners and landowners to encourage them to plant trees on their land with an aim of increasing canopy cover across the district.

As a tree dies and decays, it releases much of its stored carbon back into the atmosphere. Planting long lived trees and ensuring they remain in good health will help extend the length of time the carbon remains in storage. Urban trees play a role on mitigating climate change by acting as carbon pools, absorbing carbon and reducing the concentration of CO<sub>2</sub> concentrations in the atmosphere. This can be accomplished directly through carbon sequestration and indirectly as a result of the reduced need to heat and cool buildings owing to an increased canopy cover. In comparison to other types of above-ground vegetation, trees are particularly good carbon reservoirs, with older trees able to absorb more carbon. A study in Leicester identified that trees stored approximately 97% of the carbon stored in vegetation within the city (Davies et al. 2011), pointing to their potential to act as successful carbon pools within the urban environment.

The Council recognises the urgency of the situation and the need for immediate action to mitigate the effects of climate change. This includes a joined-up effort from all areas of the district, including transport, energy and waste. The strategy also recognises the role of nature in reducing carbon emissions and building resilience to environmental changes, such as using natural flood defenses and promoting biodiversity.

In February 2023, the Council was one of the first twelve organisations to sign up to the Leicestershire Climate and Nature Pact which is based on the principles of the Glasgow Climate Pact, signed by the UK Government in November 2021, and which brings together the private and voluntary sectors to work with local government, education sector and local communities to make environmental changes. The Council is also part of the Green Living Leicestershire partnership between Leicestershire authorities which aims to deliver projects supporting sustainability and net zero, and the reduction of greenhouse gas emissions to as close to zero as possible. The senior responsible officer governing Zero Carbon is the Chief Executive Officer which demonstrates NWLDC's commitment to combating climate change at the highest level. More information on the above can be found at [https://www.nwleics.gov.uk/pages/climate\\_change](https://www.nwleics.gov.uk/pages/climate_change)

### **Leicestershire Local Nature Recovery Strategy**

Leicestershire County Council (LCC) has been mandated by Government to develop a Local Nature Recovery Strategy (LNRS) for Leicestershire. Primarily aimed at landowners, farmers, local authorities and environmental groups, the LNRS will:

- map the most valuable existing areas for nature
- establish priorities
- map proposals for specific actions to drive nature's recovery and wider environmental benefits

The LNRS will bring together landscape scale, multifaceted approaches focused on preserving, conserving and enhancing nature and meeting other environmental objectives such as climate change, flood mitigation and improved air and water quality. It will also allow government funding to potentially be accessed to help deliver against priorities.

NWLDC will work with LCC to support delivery of the LNRS at a local level across the district.

### **Biodiversity Net Gain**

Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure any new development has a measurable positive impact ('net gain') on biodiversity, compared to what was there before the development. From 12 February 2024, all new major developments (10 or more homes or a site area of one hectare or more or 1,000 sqm metres of floorspace) have to demonstrate through a planning application how the scheme will provide at least 10% biodiversity net gain. From 2 April 2024, BNG also applies to all minor applications (unless exempt). In England, BNG is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The planting of new trees and hedgerows may be a way of contributing to the BNG of a new development and more information on this can be found at [https://www.nwleics.gov.uk/pages/biodiversity\\_net\\_gain\\_bng](https://www.nwleics.gov.uk/pages/biodiversity_net_gain_bng)

### **Local Plan**

A Local Plan sets the planning framework for an area. It is important because it;

- identifies the development land needed in the future
- sets out how sites will be developed and coordinated with the infrastructure needed
- helps reduce the risk of speculative planning applications
- sets out the policies used when determining planning applications.

Information on the North West Leicestershire Local Plan can be found at [https://www.nwleics.gov.uk/pages/local\\_plan\\_review](https://www.nwleics.gov.uk/pages/local_plan_review)

### **TPO Felling Requests**

The aim is to protect TPO trees and their replacements. To ensure this, the TPO applicant should provide information about the type and size of replacement trees, as well as the location where they will be planted. This information is necessary for NWLDC to update its TPO mapping system and maintain the TPO status of the new tree(s) (as stated in the Town and Country Planning Act 1990, Section 206(4)).

To ensure successful establishment of new plantings, NWLDC recommends adhering to current British Standards, specifically the British Standard Code of Practice for General Landscape Operations (excluding hard surfaces) (BS4428:1989).

## **Appendix A**

Partners and Stakeholders the Council works with to manage trees and woodlands includes, amongst others;

- Local Residents
- Council Elected Members
- Leicestershire County Council
- Parish / Town Councils
- The National Forest Company
- Forestry Commission
- Local Schools
- The Tree Council
- Earthwatch
- The Conservation Volunteers
- Leicestershire and Rutland Wildlife Trust
- The Tree Council
- Natural England
- Landowners
- Woodland Trust
- National Trust

## Appendix B

- Town and Country Planning Act 1990, Section 206(4). See item (4) at: <https://www.legislation.gov.uk/ukpga/1990/8/section/206>.