

Highways and Transport Committee

Date of Meeting:	2 nd March 2023
Report Title:	Notice of Motion – Tree Planting
Report of:	Tom Moody, Director of Highways & Infrastructure
Report Reference No:	HT/71/22-23
Ward(s) Affected:	All

1. Purpose of Report

1.1. This report responds to the Notice of Motion proposed at Council in October 2022 that stated ‘This council declared a climate emergency in May 2019 and has agreed a range of actions to meet its aims to become a carbon neutral council. This council has committed to significant tree planting across the borough:

- The council has supported and directly arranged tree planting programmes on its open spaces as part of its objective to plant the equivalent of 100 football pitches of trees.
- The council’s corporate plan states it will introduce a policy on highways land and introduce a borough wide tree policy.
- The council’s Carbon Neutral Action Plan notes that tree planting has benefits for biodiversity, the environment individuals, society and the economy.

1.2. Town and Parish Councils are also working to undertake tree planting programmes in their communities but have been limited in their ambitions by the refusal of Cheshire East Highways to grant permission for tree and hedge planting on land held as highway. In addition to the obvious environmental benefits of tree planting, and the enhancement they offer to the street scene, trees along streets offer additional direct health benefits:

- Reducing air pollution
- Reducing stress and improving mental health.
- Reducing noise levels

- Cooling air in summer
- Reducing UV radiation exposure
- Reducing wind speeds thereby reducing heat loss from buildings
- (Source: Health Benefits of Street Trees, Forestry Commission 2011)

1.3. Knutsford Town Council has been seeking permission from Cheshire East Highways to undertake tree planting and hedgerow creation on land held as highway since 2019. It has routinely been advised by senior councillors that the council is reviewing its policy but to date no change in policy has been forthcoming. Cheshire East Highways officers have advised the town council that it cannot permit new planting in the highway due to this council's policy and that this council needs to change its policy for highway officers to be able to assess and permit planting. This prohibition on planting has also prevented the replacement of trees which have been required to be felled meaning the number of street trees in the borough is actively decreasing.

2. Executive Summary

2.1. The Notice of Motion to Council on Tree Planting stated that this council:

- a) recognises the significant benefits of street trees and is committed to increasing the number of street trees across the borough.
- b) will work with Town and Parish Councils to identify suitable locations for tree planting and hedgerow creation.
- c) will ensure its policies require rather than prevent the replacement of felled street trees where appropriate to do so.

2.2. This paper outlines clarifications which are detailed in the Highway Tree Safety Inspection Policy and Code of Practice Committee Report which relate to the planting of trees in the highway.

2.3. The Council recognises the important role that trees have to play in delivering its environmental and climate targets and as such this report outlines proposals for the development of a highway tree planting policy in the next 12 – 18 months. The development of a Policy will help the Council gain funding from external sources.

2.4. The recommendations in this report align with the Council's Corporate Plan. They support the objective of being an open and transparent council as well as supporting sustainability initiatives within our communities which promote a local response to the climate challenge.

3. Recommendations

3.1. The Highways and Transport Committee is recommended to endorse the proposed response to the Notice of Motion, noting:

- The clarification detailed in section 6.20 of the Highway Tree Safety Inspection Policy and Code of Practice Committee Report relating to tree planting.
- The proposed development of a Highway Tree Planting Policy in the next 12 -18 months.

4. Reasons for Recommendations

4.1. In May 2019, the Council made a commitment to be carbon neutral by 2025 and in January 2022, made a further pledge to make Cheshire East a carbon neutral borough by 2045. The planting of trees in the highway in the Borough will help to deliver this.

4.2. The Notice of Motion supports the Corporate Plan 2021 – 25 vision of being 'Green' under the Aim of being 'A Thriving and Sustainable Place' and the priority 'to reduce our impact on our environment'.

5. Other Options Considered

5.1. No other options were considered. In the interests of being open and transparent, the response to this Notice of Motion to Council will be considered by the relevant service Committee in accordance with the Council's Constitution.

6. Background

6.1. The Council's highway network consists of 2700km of highway, this is accompanied by many verges, embankments and areas of open ground. Many of these areas have trees planted in them either by design or through natural self-seeding. These areas provide a great deal of habitat and biodiversity, which contributes to the character of the Borough.

6.2. The Highways and transport Committee is considering a Committee Paper on 2nd March 2023 titled Highway Tree Safety Inspection Policy and Code of Practice. This report outlines that tree planting will be considered on a case-by-case basis, with consideration given to but not limited to:

- The location being part of the publicly maintained highway network.
- Consultation has been undertaken with all neighbouring/adjacent property owners and they are in agreement with the proposed planting.
- The proposed trees being of a suitable species.
- There is a minimum of 1.1metres verge width or more to provide space for the tree to be planted on the grass verge.
- Planting of trees in an existing hard surface, such as tarmac, slabs or paving will generally not be permitted.

- Trees will be planted a minimum of 3m from the edge of the carriageway, depending upon species
- Once mature, the tree will not impact any of the available footway width to ensure pedestrians can pass safely and without obstruction.
- Planting a tree where underground services are present will not generally be considered.
- As the tree grows and matures, it will not conflict with any nearby street lighting, overhead cables or underground pipes/services.
- The tree will not block sight lines at bends or junctions or block the view of the traffic signals or signs, as it grows.
- An appropriate licence to plant will be required (S142 of the Highways Act 1980) including agreement on future maintenance.
- The trees must be installed by an appropriate contractor with necessary street works permit.
- For trees installed as part of new developments, consideration will form part of the technical approvals and include commuted sums for future maintenance.

6.3. The highways service understands that Knutsford Town Council wish to plant a large number of trees in the highway, the level of resource this will require within the service is not available. However, the department will work with Knutsford Town Council to prioritise suitable locations that can be delivered within current resource levels.

7. Consultation and Engagement

7.1. As part of the new approach, it is proposed to undertake a consultation with relevant stakeholders to help identify the factors that should be considered when developing a new approach to tree planting on the highway.

7.2. Work will be undertaken with the Council's Research and Consultation Team to identify the appropriate stakeholders who should be consulted as part of this process.

7.3. The Council's Corporate Plan identifies the need for a Corporate Tree Policy and wider engagement will be undertaken across the Council to ensure a uniform approach.

8. Implications

8.1. Legal

8.1.1. The Highway Authority can use its powers in the Highways Act 1980 to ensure that highways users are kept free from any danger or obstruction which may occur.

8.1.2. The contents of this report and the recommendation to propose development of a tree planting policy have been considered and are supportable based on the information provided.

8.2. Finance

- 8.2.1. The planting of highway trees will place a burden on both the Council's capital budget (planting costs) and revenue budget (maintenance costs).
- 8.2.2. Wherever possible other funding streams including Section 38, ward members budgets, grants and opportunity to work with Town and Parish Councils to joint fund will be considered.

8.3. Policy

- 8.3.1. The development of a highway tree planting policy will be actioned as a result of this Notice of Motion, this development will take place over the next 12-18 months.

8.4. Equality

- 8.4.1. There are no equality implications as a result of this response to the Notice of Motion.
- 8.4.2. Equality impact assessments will be prepared for any proposed Policy amendment.

8.5. Human Resources

- 8.5.1. There are no Human resource implications arising as a result of this Notice of Motion.

8.6. Risk Management

- 8.6.1. The planting of highway trees will see the need for increased tree inspections to identify any defects occurring on any additional trees planted on the network.

8.7. Rural Communities

- 8.7.1. There are no specific rural communities' implications as a result of this Notice of Motion.

8.8. Children and Young People/Cared for Children

- 8.8.1. The planting of trees on the highway won't have any impact on Children and young People/Cared for Children.

8.9. Public Health

- 8.9.1. The introduction of additional trees on the highway network will have a positive impact on public health.

8.10. Climate Change

8.10.1. The planting of trees on the highway will help the council to deliver on its climate change commitments.

Access to Information	
Contact Officer :	Mike Barnett Head of Highways mike.barnett@cheshireeast.gov.uk
Appendices:	None
Background Papers:	Tree Risk Management Strategy (Link to document) – issued May 2021