



Environment and Climate Change Committee

14 March 2023

Title	Barnet Tree Policy
Report of	Chair – Environment and Climate Change Committee
Wards	All
Status	Public
Urgent	No
Key	Key
Enclosures	Appendix A – Draft Tree Policy (2023) Appendix B – Equalities Impact Assessment
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Summary

A new Tree Policy supports our ambition to become one of London's most sustainable Boroughs and plays a key role in supporting our BarnNET Zero journey. The Policy (Appendix A) brings together a series of aims and commitments that focus on our people, place and planet and how we will deliver these aims through good governance and management, leadership in tree planting but also empowering and inspiring residents and the community to support us in facilitating environmental improvements.

The Council's existing Tree Policy was adopted by Environment Committee in 2017, and set out responsibilities for tree management in Barnet, alongside tree planting targets to be delivered by 2023. This report highlights the progress which has been made under the existing Tree Policy and presents a new Tree Policy for approval. The new policy is based on research, evidence, stakeholder engagement and consideration of national/regional policy.

The new policy recognises the need to work together to take action to respond to the challenges of the climate and nature emergency and to improve health and wellbeing. It also includes a focus on improving ecosystem services and will guarantee the replacement

of every street tree felled to support creating a sustainable urban forest. This will be underpinned through the delivery of a new strategic tree planting programme, which aims to plant 1,000 trees a year, a total of 5,000 by 2028.

Officers Recommendations

- 1. That the Environment and Climate Change Committee approves the draft Tree Policy (2023) located at Appendix A.**
- 2. That the Environment and Climate Change Committee notes the progress in delivering the current policy and planting targets.**

1. Why this report is needed

- 1.1 Barnet is fortunate to have a diverse range of trees in both age and species, from the oldest tree in London at St Andrew's Churchyard (which is 2000 years old), to over 30,000 street trees and 848 hectares of greenspace and woodland, totalling over 52,000 individual trees within the Borough. As such the borough has a high level of canopy cover at 27%, higher than both the London and England averages.
- 1.2 Future delivery of the Council's priorities has signalled a requirement to develop a new tree policy for Barnet which provides an updated evidence base and reflects emerging new local/regional strategies and policies, legislative changes (such as the Environment Act 2021) and the completion of the current tree planting programme.
- 1.3 This report provides an overview of the Council's existing Tree Policy and planting programme, and approval to implement a new Tree Policy (2023) alongside an increased commitment to plant 1,000 trees per year over the next 5 years as part of a new strategic tree planting programme, which will deliver greater benefits for the environment and our communities.

Tree Policy and Planting Programme

- 1.4 In October 2017 Environment Committee approved the existing Tree Policy which covers tree management and maintenance in Barnet. It covers tree inspections, tree works, tree removal, protected trees, tree preservation orders, tree emergencies, subsidence and personal risk, pest and disease management, damage to Council owned trees and how to report issues.
- 1.5 The policy also sought to address issues such as poor air quality, increasing growth and development and an ageing and declining tree stock, which typically results in the removal of 500 trees on average per annum.
- 1.6 The Tree Policy set an ambition to plant a total of 4,500 trees over the period.
- 1.7 The scheme, which has been managed and delivered by the Trees and Woodlands Team had the following goals:

- 500 - replacement plantings for street trees that had been removed.
- 100 - vacant tree pit replacements (where trees had been removed previously).
- 200 - parks planting, replacements, avenue and landscape planting.
- 100 - Green Infrastructure (GI) plantings area of poor Air Quality (as defined by GLA, and high Urban Heat Island (UHI) temperatures.

1.8 To deliver these targets, each year locations were identified, technically assessed and scanned for their suitability. Once deemed appropriate, planting and watering was undertaken by a third-party supplier commissioned on behalf of the Council. The Council managed and monitored the delivery of each location, which included a two-year programme of aftercare associated with each tree to ensure growth. Each individual tree planted has been added to the Council's tree database, which provides a record of the health of each tree inspected by the Council.

1.9 The table below provides a breakdown for each category and the number of trees which have been planted:

Activity	Original Target	Numbers delivered
Street tree replacements	3,000	3,065
Targeted Green Infrastructure planting	600	1,354
Parks	900	618
Barnet Homes	0	143
Total	4,500	5,180

1.10 A total of 5,180 trees have been planted by the service since 2018, an additional 680 trees above target. It became apparent at an early phase during the project that the original target for planting in parks was unachievable based on spatial requirements and the need to maintain a parkland environment.

1.11 A budget of £0.450m per annum was ring fenced from the Council's reserves to implement the programme, noting that the Trees and Woodlands Service had been successful in obtaining external grant monies from organisations such as the Greater London Authority (GLA) and the Forestry Commission (FC) and that any future funding secured would optimise the delivery of the programme.

1.12 Since the commencement of the programme, the Trees and Woodlands Team have been successful in securing a total of £0.420m funding contributions between 2018-2022. The provisional outturn position to deliver the scheme in full is £2.625m with an average expenditure of £0.525m per annum. The team's ability to secure investment has enabled the programme to deliver within budget.

Policy and Planting Programme – Successes and Learning

1.13 In 2019/20 the Greater London Authority (GLA) and the Forestry Commission awarded the London Borough of Barnet the London 'Borough Tree Award' for our tree planting and management, which was at this time, considered to be London's largest programme.

- 1.14 Other successes of the policy and planting programme have included increased community engagement and participation, whether fulfilling planting requests or delivering new tree and woodland creation projects such as;
- A partnership with the Good Gym
 - Creation of a new Tiny Forest
 - Creation of Barnet's first Memorial Woodland
 - One of 15 councils nationally to partner with Trees for Streets
- 1.15 The planting and watering operation has also successfully watered approximately 2,000 trees from May – August annually, mitigating against the loss of any newly planted species, especially during extreme weather conditions. In addition to implementing sustainable urban drainage schemes and community orchard planting.

Tree Policy and Strategic Planting Programme (2023)

- 1.16 The Covid-19 pandemic demonstrated the vital role nature plays in improving our mental health and wellbeing, especially when it forms part of the fabric of where we live, work and play. Evidence has proven that trees and woodlands can cool our settlements, improve air quality, and contribute to community cohesion and sense of place. Through building on the experiences of the current Tree Policy, the Council commissioned independent analysis of the borough's trees.
- 1.17 The analysis provides an updated evidence base, data and analysis on the Borough's tree stock; its natural capital value and the ecosystem value of approximately 52,000 public trees:
- The borough's trees have a replacement cost of £85m
 - The borough's trees have a Capital Asset Value for Amenity Trees (CAVAT) value estimated at £1.3 billion.
 - Our trees store approaching 53,000 tonnes of carbon and filter around 16 tonnes of air pollutants every year.
 - Our trees divert 22,000 cubic meters of rainwater from the drainage system whilst providing vital cooling to our urban streets.
 - Carbon sequestration, pollution removal and avoided runoff benefits have been valued at providing £3.25m per annum.
 - The borough has an impressive range of species, numbering some 243.
- 1.18 The report highlighted that the tree population is spread unevenly across wards when considering the benefits from stored carbon, removing carbon monoxide by carbon sequestration, to rainfall interception to prevent excess runoff and lowering flood risks. This has been explored further within the proposed future approach for a tree planting programme.
- 1.19 The new Tree policy sets out how the Council will continue to manage its responsibilities and legal obligations in relation to health and safety, along with the following aims and objectives:

- Support the Council's commitment to Climate Change and Biodiversity and support delivery of Sustainability Strategy targets.
 - Increase street tree canopy cover to improve ecosystem services (air quality, shade, flood risk, public health) and resilience to pests and disease.
 - Guarantee the replacement of every street tree that is removed to achieve a sustainable urban forest.
 - Support and enhance opportunities for community engagement.
 - Preservation of existing mature and maturing trees through good tree management and policies
 - Utilise new and improved methods of tree planting, pit design and aftercare.
- 1.20 The Policy also describes how the Council will seek to effectively manage the health and diversity of the Borough's tree stock whilst discharging statutory obligations.
- 1.21 The new Policy sets out an ambition to increase street tree canopy cover to improve ecosystem services (air quality, shade, flood risk, public health) and flood risk. Tree planting provides a symbolic and important contribution to our work to address the climate emergency, helping to raise awareness of the issue and inspire others to take action, while providing a significant range of benefits in helping us adapt to a changing climate.
- 1.22 The new policy sets out a commitment to invest in delivering a strategic planting programme which aims to plant 1,000 trees per year over the next 5 years, a total of 5,000 trees to be planted by 2028 which will deliver greater benefits for the environment and communities.
- 1.23 It is proposed that future delivery is concentrated along streets and residential areas, focusing on areas of poor air quality, targeting areas of multiple deprivation, reducing flood risk, and improving canopy cover. Whilst this is an ambitious target, our Policy ambitions recognise opportunities to deliver in partnership by working closely with residents and partners, businesses, public sector organisations, schools, landowners, and community organisations.

2. Reasons for recommendations

- 2.1 The current policy expires at the end of March 2023 and there is a need to develop a new planting programme. In addition, the Council declared a Climate and Biodiversity Emergency on 24 May 2022.
- 2.2 Our trees and woodlands form part of a vital biodiversity network, providing habitat for wildlife and bringing the countryside into the heart of the city. Since the adoption of the current Tree Policy (2017), the loss of biodiversity and climate change have become increasingly important issue.
- 2.3 Our trees and woodlands form part of the Borough's nature recovery approach. The new Policy will support achieving a series of outcomes related to the council's vision of caring for people, places and planet and the new corporate plan.

3. Alternative options considered and not recommended

- 3.1 The absence of a Tree Policy would not support the delivery of Council priorities, strategies and frameworks or consider the statutory duties and requirements within the Environment Act (2021). It would result in the deterioration of tree stock and could increase poor air quality and public health outcomes.

4. Post decision implementation

- 4.1 Subject to approval, the new Tree Policy (2023) will be published and available on the Council's Open Data Portal.
- 4.2 In addition, the Trees and Woodlands Service will commence a programme of work to implement delivery of the new policy including the tree planting targets.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 The establishment of a Tree Policy is an important part of managing the Borough's tree stock safely whilst delivering climate change, nature recovery and sustainability strategy priorities, in line with the priorities in the council's corporate plan.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The implementation of the Tree policy will be carried out by the Trees and Woodlands Team, using existing resources. The costs of the tree planting programme will be met by a combination of external grant funding and reserve funding.

5.3 Legal and Constitutional References

- 5.3.1 There is no statutory duty for the Council to produce a Tree Policy. However, the Tree Policy (2023) located at Appendix A sets out the various legislative powers that the Council has in relation to trees, including protecting trees within conservation areas and subject to Tree Protection Orders, planting and maintenance.

- 5.3.2 Committee Terms of Reference Article 7: [Document 08 Article 7 - Committees Forums Working Groups and Partnerships \(moderngov.co.uk\)](https://www.moderngov.co.uk/working-groups-and-partnerships)

5.3.3 Town and Country Planning Act (1990)

- 5.3.4 The Act enables the creation of Tree Preservation Orders (TPOs) and protection of all trees within a Conservation Area. The council can issue TPOs to trees (publically or privately owned) which significantly contribute to the public amenity of the area.

- 5.3.5 Under the Act it is an offence to damage or carry out work on a tree without obtaining prior permission from the LPA. The offender will be liable for a fine and may be ordered to replace the tree.

Occupiers Liability Act (1957 and 1984)

- 5.3.6 The Act places a legal Duty of Care on landowners and occupiers responsible for trees, to take reasonable management measures to avoid foreseeable injury or harm.
- 5.3.7 For major landholders, such as local authorities, this duty can be discharged by production and adherence to a detailed management policy such as this document.

Wildlife and Countryside Act 1981 (as amended Countryside and Rights of Way Act 2000)

- 5.3.8 The Act provides protection to birds by making it an offence to wilfully or recklessly damage or destroy the nest of a wild bird whilst the nest is being built or is in use.
- 5.3.9 The Act also provides protection for bats and their roosts, making it illegal to disturb or destroy a roost. Any potential roost features will be inspected prior to any tree work.
- 5.3.10 The Tree Team has a survey methodology which aligns with best practice guidelines (Bat Conservation Trust, 2016).

Highways Act (1980)

- 5.3.11 Under Section 96 of the Act, the Highway Authority is entitled to plant and maintain shrubs within verges using public sector funding. They may also erect fences and guards as a means of tree protection.
- 5.3.12 Section 142 of the Act gives power to the Highway Authority to issue licenses for the planting and maintenance of trees and shrubs by a resident in a property which adjoins the highway.
- 5.3.13 Section 154 of the Act entitles the Highway Authority to serve notice on any owner or occupier whose tree, hedge or shrub is overhanging, and compromising the safety of a publicly accessible area, to carry out remedial works within 14 days. If the owner or occupier fails to comply with the notice, the Highways Authority is entitled to carry out the work and recover reasonable costs from the owner or occupier.
- 5.3.14 The Environment and Climate Change Committee is responsible for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.

5.4 Insight

- 5.4.1 Research on legislation and guidance has been undertaken along with discussions with key stakeholders.

5.5 Social Value

- 5.6 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic, and environmental benefits.

5.7 Risk Management

- 5.7.1 The Tree Policy (2023) outlines an approach to risk management which is adopted

ensuring that tree stock is managed and maintained with regard to personal injury and subsidence risk.

5.7.2 All risks are managed using the risk management procedure, as set out in the Corporate Risk Management Framework. High level risks are reported as part of the Council's quarterly performance regime

5.8 Equalities and Diversity

5.8.1 Under section 149(1) of the Equality Act 2010 (EA 2010) the Council must, in the exercise of its functions have due regard to the need to: -

- Eliminate discrimination, harassment, victimisation, and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.8.2 Relevant protected characteristics are: - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

5.8.3 Please see the Equalities Impact Assessment Included at Appendix B.

5.9 Corporate Parenting

5.9.1 There are no implications for care experienced children and young people arising from this report.

5.10 Consultation and Engagement

5.10.1 The production of the Tree Policy (2023) and proposed Tree Planting Programme has been subject to stakeholder consultation, including: greenspaces, highways, capital delivery, planning, communications, sustainability, growth and community participation.

5.11 Environmental Impact

5.11.1 Trees contribute significantly to ameliorating a range of environmental pressures, such as:

- Reducing the risk of flooding by intercepting rainwater
- Absorbing carbon dioxide and other harmful gases, enhancing carbon capture
- Filtering wind-blown dust and gaseous pollutants
- Tree canopies providing shade and creating cooler spaces, combating the effect of urban heat islands

6. Background papers

6.1 [Barnet Tree Policy | Barnet Council](#)