

Tree Management Plan 2023



Contents

Introduction	3
Background	3
Policy Context	4
Guiding Principles	5
Climate Change	7
Managing the Current Tree Stock	8
Tree Establishment on Council Owned Land	18
Monitoring & Review	21
APPENDICES	
Appendix 1: Legal Framework	22

“There is something that inspires the lover of nature with an inexpressible feeling of awe in the contemplation of the perfect form of a noble tree”

Francis George Heath (1887): Our Woodland Trees

1. Introduction

Epsom & Ewell Borough Council (the Council) recognises the huge benefit trees and woodlands provide for people, nature and the climate. Trees and woodlands together with other key ‘green infrastructure’, such as hedgerows, chalk grassland, meadows, heathland and wetlands provide multiple benefits. Not only do trees help us commune with nature but they provide enormous benefits for health and wellbeing, biodiversity, air purification and carbon capture. Trees provide a significant environmental, aesthetic, cultural and economic benefit for our residents.

The Council owns and manages substantial areas of land and estate across the Borough. In total the Council’s landholding including co-managed sites has a combined area exceeding 1,000 hectares. This makes the Council well placed to connect and add value to existing woodland sites through tree planting and natural colonisation, on the basis of the ‘right tree in the right place, for the right reasons’ and as part of wider climate and biodiversity plans for Epsom & Ewell.

The focus of Epsom & Ewell Council’s Tree Management Plan is to set out how the Council will manage its current tree population and where appropriate, increase existing tree canopy and numbers of trees on land in the ownership of the council. This is due to the Council having control, management responsibility and liability for these trees in the future. We aim to care for our trees, restore neglected treescapes and maintain healthy, resilient, trees and woodlands for the future.

The plan will link in with current and emerging policies and requirements around environmental net gain and local nature recovery strategies as set out in the Environmental Bill.

2. Background

Epsom & Ewell’s existing tree stock already has enormous value and should not be underestimated. Notably the value of existing mature trees and how efficient they are at carbon sequestration in comparison with newly planted trees and in the context of formulating the plans proposed under this tree management plan.

According to figures taken from the ‘National Tree Map’ there are around 140,000 trees in Epsom & Ewell, of which 41,000 are on Council owned land. This figure rises to 60,000 when including co-managed sites such as Nonsuch Park. The Borough currently has approximately 26% tree cover, which rises to 46% in our open spaces. Both figures are considerably above the UK average of 13% (10% for England) and in line with the Surrey average of 24%, demonstrating the high tree cover the

Borough as a whole already benefits from. However, it is worth noting that some wards, in the more urban areas, have a much lower tree cover than the Borough average.

The importance of effectively managing the current tree population is clear and crucially needs sufficient investment, whilst also seeking opportunities to ideally increase tree cover, and replace lost trees in open spaces and parks to partially compensate for losses, where appropriate.

When considering planting further trees, care needs to be taken not to harm the mosaic of existing habitats and to ensure the widest possible diversity of plant and animal life. For example, it would not be appropriate to plant trees on the chalk grassland found on Epsom Downs, the grazed areas on Epsom Common Local Nature Reserve or the flower rich hay meadows of Horton Country Park Local Nature Reserve.

In 2020, the Council produced a new 10-year Biodiversity Action Plan (BAP) to help ensure both the long term protection and enhancement of biodiversity within our Borough. The plan includes actions to assist implementation of the Climate Change Action Plan; investigate how much carbon dioxide the Borough's tree cover absorbs and support and promote appropriate locations for street tree planting, natural regeneration of woodland, sustainable planting schemes and other plant-based measures that help tackle climate change issues.

A Biodiversity Action Plan working group, which includes key external partners, supports implementation of the BAP.

3. Policy Context

The Government set out its long-term plan for the whole treescape (trees, woodlands and forests) in England in the England Trees Action Plan (2021), along with its approach to protecting and enhancing our natural landscapes and habitats in England in the 25 Year Environment Plan (2018).

The importance of protecting and improving our existing woodlands is emphasised in the plan, along with the need to plant vastly more trees in England, using the principle of the right trees, in the right places for the right reasons approach. Trees and woodlands are recognised as having a vital role in delivering net zero greenhouse gas emissions by 2050, achieving the goals of the 25 Year Environment Plan and delivering the Governments ambitions to conserve and enhance biodiversity.

Increased tree planting is a goal in the 25 Year Environment Plan with an aspiration to plant 180,000 hectares of trees by the end of 2042; and in January 2020 the UK's Committee on Climate Change (CCC) released a report on Land Use which asserted that Britain must double its tree planting efforts in order to contribute towards a zero carbon UK by 2050. The latest update report (2022) from the CCC highlights that

planting rates remain well below the UK Governments commitment and will require a rapid increase to reach the 2025 target.

At the local level, Surrey County Council published its Climate Change Strategy and Tree Strategy in 2020 with an emphasis on tree planting. The Tree Strategy sets a target for facilitating the planting of 1.2 million new trees by 2030. This will only be achievable through partnership working as a key part of its delivery, including with local government, public bodies and community groups.

This Tree Management Plan aims to reflect the national policy on protecting and improving our treescapes and support increased and sustainable tree planting, where appropriate.

4. Guiding Principles

A 'Green & Vibrant' Borough is one of the 5 themes set under the Future40 long-term vision for Epsom & Ewell. This plan intends to support this theme and the delivery of the wider vision and priorities set under the Council's Four-Year Plan including to 'enhance the borough's natural assets, preserving and increasing biodiversity' and to 'work with partners to reduce our impact on the environment and move closer to becoming carbon neutral'. It will also deliver elements of the Council's Climate Change Action Plan and Biodiversity Action Plan as well as linking in with the emerging Local Plan.

The following four guiding principles set out our roadmap for delivering this:

1. Promote

- Raise the profile and promote the benefit of trees in the Borough.
- Support and encourage a diverse group of volunteers to help in our tree management activities; helping to build on the work of the Tree Advisory Board.
- Improve cross departmental collaboration.
- Encourage other landholders to invest in trees.

2. Protect

- Analyse our tree and woodland resource, as resource allows, to determine its extent, composition, health, ecosystem and capital values, and determine its overall sustainability and resilience.
- Keep tree records up to date.
- Review plans to ensure trees continue to be an integral element of sustainable growth.
- Develop the concept of treescape led town planning to create tree friendly places for trees to thrive amid urban expansion.
- Use legal powers as appropriate to enforce tree protection and establishment legislation.

3. Manage

- Manage trees and woodland in accordance with best practice and to promote biodiversity.
- Ensure resources are sufficient and focused to manage risks from trees to keep people and property safe from tree hazards.
- Manage customer expectations, experience, and satisfaction levels.
- Enhance the management of trees and woodlands so they are more resilient to stresses by reducing risks and encouraging greater diversity.
- Support investment in green jobs with appropriate arboricultural specialism to effectively manage and maintain our tree resource.
- Evaluate where treescape and woodland restoration projects are required and need to be incorporated into site management plans.

4. Enhance

- Create the right place for the right tree, ensuring the right growing environment, aftercare, and ongoing management.
- Create a plan to increase the overall canopy cover in the Borough in accordance with sound biodiversity principals to provide a more even distribution, focusing in areas where tree cover becomes naturally eroded or where cover is historically lower.
- Ensure tree supplies are from biosecurity secure suppliers and that tree establishment products aim to be from sustainable materials and are responsibly sourced.
- Develop a sustainable programme of tree establishment and replacement over the long-term, using native trees for environmental buffering in more natural settings, ensuring greater species and age class diversity, as well as improved adaption to climate change.
- Encourage natural regeneration and rewilding in appropriate settings, with sufficient ongoing maintenance to develop the right tree population and age structure.
- Seek resource and grant aid, and work in partnership with others to enhance tree cover.
- Measure tree cover by periodic review of tree mapping analysis and assess success of the trees/woodland created.

5. Climate Change

It is recognised that climate change is a significant threat and driver of change within the Borough. To respond to this threat, the Borough Council has committed to tackling climate change in the Borough and embarked on an ambitious programme of work with partners to reach net zero carbon in our own operations by 2035.

The Council developed a Climate Change Action Plan in 2020 and included an action to increase tree cover in the Borough to enhance the Borough's biodiversity and increase carbon capture.

Trees play an important role in both sequestering carbon and helping to provide resilience to climate change impacts, for example cooling, shading and flood alleviation. They also have proven benefits in tackling poor air quality by filtering out small particles and produce oxygen for us to breathe.

Calculating woodland sequestration rates is challenging as there is considerable variance depending on species, age, density, timber use and change with time. Using model sequestration figures from the Chartered Institute of Ecology and Environmental Management (CIEEM) and based on the Borough's current tree cover, it can be estimated that between 8,000-10,000 tonnes of CO₂ are sequestered annually by Epsom & Ewell's current tree stock.

Government national statistics show that in 2019 the total carbon emissions for the Borough of Epsom & Ewell were 252,400 tonnes of CO₂ emissions (tCO₂e). The current tree cover in Epsom & Ewell, therefore, contributes to mitigating up to 3.5% of total Borough carbon emissions.

Whilst it is recognised that trees can capture carbon dioxide, the contribution planting further trees can make to reducing atmospheric CO₂ levels, set against current emissions, is relatively small in the short to medium term. Tree planting alone will not provide the solution to reaching net zero carbon. However, as carbon neutrality is approached in the coming decades the mitigating function of the Borough's tree cover will improve significantly, indicating that increasing the Borough's tree cover is a worthwhile activity. This is especially true when considering the other benefits to air quality, cooling, townscape and flooding, in particular for the more urban areas of the Borough.

The key factors that should guide the decision-making process about increasing the Borough's tree cover are biodiversity gain/loss and the practicalities and predicted costs of future management.

Climate change will potentially have an adverse effect on the existing tree population in terms of greater tree losses from climate affected factors such as storms and rising temperatures. It will therefore be necessary to adapt management practices to address these challenges, including species selection and water supply.

Whilst not tree cover per se, hedgerows can play a role in contributing to reducing CO₂ emissions (as well as supporting biodiversity) and should be increased on Council owned land wherever feasible and sustainable.

6. Managing the Current Tree Stock

6.1 Tree Management

The role of a professionally qualified Tree Officer or Urban Forest Manager is pivotal to the management of the Council's urban forest resource.

The Council is legally required by the Occupiers Liability Act 1984 to take reasonable care to "maintain its land in such a condition that it does not harm any person or damage any property". This requirement is reinforced in certain circumstances by the Health and Safety at Work Act 1974.

Trees are a potential liability and therefore it is important for the Council to comply with this duty of care and not to put persons or property at unreasonable risk from tree hazards.

Trees need ongoing maintenance and management if we are to maintain a healthy and vibrant urban forest. Fundamental to this care is the need to provide sufficient funding for this purpose.

Programmed tree inspections and maintenance of trees on Council managed land is undertaken by arboricultural maintenance contractors. A new tree maintenance contract was tendered and agreed in 2022 for a 3-year period (with option to extend), replacing the previous contract which ran from June 2012.

The contract includes provision for a tree inspections programme; tree maintenance; tree planting and aftercare; emergency call out (including extra resource to respond to storm events) and Oak Processionary Moth (OPM) control and Ash Dieback.

It is important to maintain a continuity of service in this provision due to the risks that arise from unmaintained trees. The Contract includes key service indicators to manage the contractor's performance.

Succession planting and tree replacement are also important aspects of the tree management plan. The tree maintenance contract includes provision for tree replacement and further consideration will be given to where tree replacement will be appropriate as per the 'right tree in the right place, for the right reasons' approach.

6.2 Tree Risk

The Council has implemented a formal Tree Risk Policy since 2015. The Policy includes a tree risk management framework which is based on a "proportionate to risk" inspection regime for trees in order to ensure that the stock is maintained in a reasonably safe condition. Inspection frequency is therefore prioritised in accordance with risk-based zoning as set out in the following Table.

Zone	Usage Criteria	Inspection regime
High Risk: e.g. popular car parks, play areas, adjacent to main roads (A and B) railway lines, schools, shopping areas, high use parks/open spaces. Ash dieback high risk zones.	High volumes of traffic High likelihood of public access.	Formal inspection undertaken every two years by a qualified arboriculturalist.
Medium Risk, e.g., lower use open spaces and parks, cemeteries, church yards, parks, footpaths, trees adjacent to lower use roads, domestic property/ gardens and business premises. Ash dieback medium risk zones	Moderate volumes of traffic Moderate likelihood of public access.	Formal Inspection undertaken every three years by qualified arboriculturalist.
Low Risk e.g., low use footpaths, rural woodland paths, low use open spaces in areas with infrequent public access	Low volumes of traffic Low likelihood of public access.	General inspections by arboriculturalist or other operational staff.

Records of the tree risk zones are held on the Councils GIS system and programmes of inspection targeted in accordance with the regimes.

The Council operates a tree inspection process based on the analysis of the physiological condition and biomechanical structure of the tree in its setting: The method will involve analysis of target, defect assessment, impact potential and probability of failure. Remedial tree works from assessment are set with the following target priorities for attention:

Priority	Designation	Target Response	Examples
1	Emergency	Within 24 hours	Work which is required immediately to alleviate an immediate risk.
2	High	Within 12 weeks	To mitigate a serious risk or abate an actionable nuisance.
3	Medium	Within 1 year	Works to mitigate nuisances, lesser defects etc.
4	Low	Within 3 years or reassessment of priority within this timeframe	Cyclical and cultural pruning and pollarding.

6.3 Tree Service Requests & Tree Removal

The Council receives a significant number of tree service requests annually from the public, ranging from reports of fallen trees to requests for pruning. The main focus of the Council tree risk policy is to manage trees for the critical reasons of public safety and abatement of actionable nuisance. Tree removal is generally undertaken only as a last resort and with sound arboricultural justification for the works.

In the interest of safety, the public will not be consulted for approval as the decision to undertake the tree works will be made based on technical capability and experience of qualified Officers at the Council.

The following guidelines set out the Council's reactive approach to tree service requests:

Guideline	Comment
Emergencies	
The Council aim to inspect dangerous or fallen trees as soon as possible to assess the risk, determine the extent of the hazard and implement appropriate health and safety measures.	We will normally arrange for an inspection within 4 hrs. However, we may need more time in the event of storms in which case priorities will be determined based on a triaged assessment of risk.

Guideline	Comment
<p>The removal of fallen trees and branches will be prioritised based on risk.</p>	<p>The priorities will be:</p> <ol style="list-style-type: none"> 1. Risk to people. 2. Disruption of traffic or business. 3. Threat to property.
<p>Trees which overhang or are close to property</p>	
<p>The Council will not normally undertake tree work to a tree which overhangs neighbouring land unless the tree is dangerous or causing an actionable nuisance. The Council aim to take action to prune back branches which are growing into a main low-rise building, remove unsafe/dead trees, larger dead wood and broken/fractured branches.</p>	<p>The landowner is entitled to sensitively prune the overhanging branches or roots in accordance with good arboricultural practice and providing they do not trespass. Customers are advised to log the intention to prune Council trees with the Customer Contact Centre. Where trees are covered by Tree Preservation Order a formal notice of pruning must be accepted/agreed by the Council before pruning can commence.</p> <p>The Arboricultural Association can provide advice on good arboricultural practice and finding a tree surgeon (https://www.trees.org.uk/).</p>
<p>Highway obstructions</p>	
<p>The Council aim to take action to prevent obstruction caused by our public realm trees to the adjoining highway.</p>	<p>While this will normally be achieved through the tree management regime the Council will undertake reactive works if necessary.</p>
<p>Other</p>	
<p>The Council will not normally fell or prune trees to alleviate the natural or seasonal consequences of trees itemised below:</p> <ul style="list-style-type: none"> • Falling leaves, sap, fruit, nuts, other seeds, pollen, bird droppings or blossom, reduction or increase in moisture, suckering or seeding, insects, or build-up of algae on fences paths or other structures. • to improve satellite dish or TV reception. • to clear telephone wires or masts. • because they are perceived to block light or shade gardens (unless assessed to be a nuisance hedge). • because they are perceived to be “too big or too tall”. 	

Guideline	Comment
The Council will not normally act in response to allegations that a tree is damaging a private drain.	Tree roots cannot bore into drains, but they can exploit any existing cracks. The owner is responsible for ensuring that drains are watertight and would normally be expected to undertake any remedial work required where a root has trespassed in this way.
The Council will not normally undertake root pruning on private land.	Landowners have the right to prune roots on their property. Care is needed because damage to roots can destabilise trees, damage tree health and allow entry of decay organisms. Root pruning should only be carried out under professional arboricultural direction.

6.4 Pests, Diseases & Biosecurity

Climate change, international travel and trade have increased the frequency of pests and disease entering the UK. The current tree population may not be resilient to these new pests and diseases as they would not normally meet under natural circumstances. This can have devastating consequences on tree numbers and canopy cover, which will reduce the benefits the Council relies on trees to provide for residents. This adds to the need for this Plan to help identify opportunities to replace lost trees, succession planting and new planting sites.

Prevention is better than cure and appropriate species selection, purchasing of stock from biosecure sources, adequate planting and aftercare, and integrated pest and disease management practice are the best ways to protect Epsom & Ewell's trees.

6.4.1 Ash Dieback

The Council recognises that Ash Dieback is a significant issue for tree stocks and public safety in Epsom & Ewell. It will need to be carefully managed through strategies and a coordinated approach to ensure trees are safely managed and that harm to biodiversity and landscape character is mitigated.

There are no exact figures as to the number of Ash trees in Epsom and Ewell but a reasonable estimate, based on national coverage figures, would be there being at least 20,000 in the Borough.

Currently, Ash Dieback is present throughout Epsom and Ewell and is particularly evident on young trees, and in young plantations. Initially it was first observed on Epsom Downs (2014) and in Ash saplings in Horton Country Park LNR in (2015). At these sites it has been observed that the disease has progressively spread into Ash

trees of all sizes and it is now noticeable that many trees have progressive twig dieback and thinning crowns.

An inspection during the summer of 2022 of footpath trees on Epsom Downs recorded over 200 larger Ash trees in need of removal. They are condemned as a result of the disease and because they are rapidly becoming unsafe. The disease is firmly established across the Borough now with significant numbers of pole stage trees dead and many larger trees now exhibiting dead branches or noticeably denuded crowns from more progressive dieback. The rate of Ash Dieback is now in a state of surge which will accelerate further over the next couple of years to a highly critical stage. The numbers of unsafe Ash trees will pose high levels of public safety risk and have a manifestly detrimental effect on the Borough's landscape.

Based on observational evidence from other landowners the anticipated progression of tree mortality/advanced dieback is likely to follow the timeline set out in Figure 1:

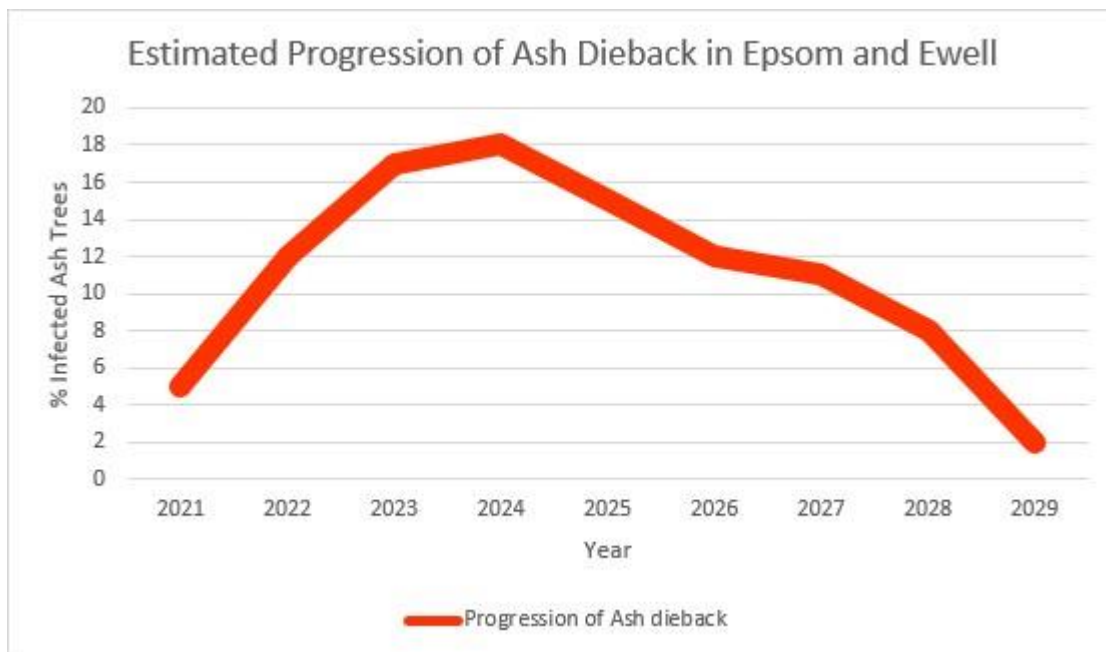


Figure 1: Line graph showing the estimated progression of Ash Dieback on trees in the Borough.

The Council recognises that it is a considerable financial challenge to deliver a robust plan to manage the effects of Ash Dieback but cannot be complacent with this issue. We will therefore take a risk-based approach to managing unsafe Ash trees through tree management contract/s in line with the risk management policy set out above and focussing on those trees that may cause harm to the public. Where trees are lost to Ash Dieback, replanting in these locations, where appropriate, will be prioritised as part of the tree planting plans (detailed in the next section).

6.4.2 Oak Processionary Moth (OPM)

Oak Processionary Moth (OPM) is widespread on Oaks in the Borough and is a potential hazard to human and animal health. The caterpillars of OPM are nest building and have the capacity to cause irritation due to their hairs. Spraying control

has been undertaken by the Forestry Commission but ceased in 2020 as the Borough was designated into the core infestation zone that has spread from South-West London.

The Council aims to have a coordinated control of this pest but acknowledges that this is becoming increasingly challenging now that the pest is established in our Oak dominated woodlands. In line with national practice, the Council is moving towards a risk-based approach to OPM control in line with the risk management policy set out above and focussing on those trees that may cause harm to the public. The Council will continue to observe the natural predation of the OPM caterpillars and whether adjustments are necessary if infestation patterns change. Provision for limited control of spraying and nest control has been incorporated into the new tree maintenance contract for the occupational health and safety of our tree work contractor. This includes some provision for high risk, low nest treatments.

6.4.3 Other pests and diseases

Whilst Ash Dieback and OPM are the most serious current pest and disease threats to our Borough, there are others which are likely to impact or are possible future threats to tree cover (e.g. Acute Oak Decline, Ramorum Disease, Red banded Needle Blight, Xylella and Chestnut Blight). Appropriate mitigation will follow a risk-based approach.

6.5 Trees & Planning

6.5.1 Tree Preservation Orders (TPO)

Trees may be protected under the Town and Country Planning Act 1990 by a Tree Preservation Order. To be eligible for a TPO, a tree should be of amenity value and under threat (if it is expedient for the Council to take action). A tree of amenity value contributes to the local landscape and provides public benefit. It could be a tree that is in a prominent place or is visible from a public highway.

A TPO makes it an offence to wilfully damage or destroy a protected tree, group of trees, woodland or defined area. The planning authority's written permission is required to prune any living part of the tree including roots or to cut the tree down.

All trees within Conservation Areas are also protected above a certain size. It is a legal requirement to give written notice of any intention to prune or remove any trees for property within a Conservation Area.

The Council operates an application process to assess and decide on all tree work except for exempt pruning works (removal of dead wood or fractured/broken branches). Applications can be made via the Council website (www.epsom-ewell.gov.uk/residents/online-forms).

We will assess TPO applications and grant or refuse consent where appropriate, in line with national guidance. The process involves considering the amenity value of

the tree and planning policy balanced against the reasons for the work, good arboricultural practice, risks of compensation and the impact on protected ecology. Tree works permitted will be required to be performed to the correct professional standard - British Standard 3998.

A review of the current TPO policy is due to take place. The intention is that TPOs will not be placed on trees on Council owned land as the Council is a responsible custodian and will manage trees as set out in this plan.

An online map showing the location of TPO's in the Borough can be found on our website. (<https://maps.epsom-ewell.gov.uk/myeebc>)

The Local Planning Authority can consider whether to prosecute where unlawful works are undertaken to protected trees.

6.5.2 Tree Replacement Notice (TRN)

There is a duty requiring landowners to replace a tree removed, uprooted or destroyed in contravention of a Tree Preservation Order. This duty also applies if a protected tree outside woodland is removed because it is dead or presents an immediate risk of serious harm. The Council, in its capacity as The Local Planning Authority, may also impose a condition requiring replacement planting when granting consent under a Tree Preservation Order for the removal of trees. The authority can enforce tree replacement by serving a 'tree replacement notice'.

In administering tree work applications, the Council is proactive at routinely specifying tree planting details, as appropriate, where tree planting duty and conditions arise.

[Section 207 of the Town and Country Planning Act 1990](#) gives local planning authorities the powers to enforce an unfulfilled duty under section 206 to replace trees or woodlands by serving on the landowner a 'Tree Replacement Notice'. The Council as Local Planning Authority may also serve a tree replacement notice to enforce any unfulfilled condition of consent granted under a Tree Preservation Order, or imposed by the Secretary of State on appeal, that requires tree replacement.

Government guidance on this process advises: If the Local Planning Authority believes, in the circumstances, that replacement trees should be planted, it should first try to persuade the landowner to comply with the duty voluntarily. The authority should discuss the issue with the landowner and offer relevant advice.

The Council seeks to follow this government advice favouring voluntary compliance and cooperation, along with an element of self-regulation. However, enforcement of tree replacement conditions and duties can be pursued where necessary.

6.5.3 Conservation Areas

A section 211 notice is required when performing works on trees which are in a conservation area which are not subject to a Tree Preservation Order (TPO). The

local authority can reply by providing a TPO or by allowing the work to go ahead. As it is not an application for consent, it cannot be refused or accepted with conditions. A replacement tree should be planted in the space if a tree is removed or destroyed. This should be of the same species and size within reason.

Where the duty is not complied with, local authorities have powers to issue tree replacement notices (TRNs).

Applications can be made via the Council website (www.epsom-ewell.gov.uk/residents/online-forms).

6.5.4 Heritage and Veteran Trees

The Council recognises the importance of heritage and veteran trees. A heritage tree is one that is part of our history and culture and may have particular appeal due to their appearance, landscape character or architectural setting. A veteran tree is normally an aged tree which shows ancient characteristics such as: a low, fat and squat shape because the crown has reduced in size through age; a wide trunk compared with others of the same species; hollowing of the trunk. Veteran trees are important because of their ecological or cultural value.

Identifying and mapping veteran tree locations is a significant task but would have the benefit of supporting better management and preservation of these trees in the Borough. A limited amount of mapping to develop a register has taken place to date as part of the delivery of the previous Biodiversity Action Plan (BAP). The new BAP, adopted in 2020, identifies the continuation of veteran tree management and recording across the Borough as a key future and on-going project.

Veteran trees are considered heritage assets in planning terms and are a material consideration in planning applications.

6.5.6 Trees & New Development

Trees in urban areas face many pressures. Increases in the density of urbanisation can reduce tree friendly spaces. Trees with inadequate space to grow can result in an inharmonious interaction between those trees, people and the built environment. Appropriate integration of trees into our townscape needs to be well planned if the multiple benefits of trees are to become deliverable. Increasingly new development will need to become treescape led where the right space is created for the right tree.

The Council recognises the advances in treescape design and implementation as set out in design guides such as those produced by the Tree Design Action Group (www.tdag.org.uk/). The Council will follow the best practice guidance whenever possible to help create tree friendly spaces where trees can thrive for maximum benefit.

Our approach to trees and green infrastructure will be set out as part of the development of the new Local Plan policies and Infrastructure Delivery Plan.

Under the Environment Act 2021 Biodiversity Net Gain (BNG) is being introduced which will require all new development to deliver a minimum 10% increase in the amount of biodiversity. This policy is due to come into force by late 2023. Local Nature Recovery Strategies (LNRS) are also being introduced which will be a new system of spatial strategies for nature which will plan, map and help drive more coordinated action and investment in nature's recovery. The Council will be considering its approach to supporting the delivery of BNG and LNRS in Epsom and Ewell in conjunction with the development of the new Local Plan.

6.6 Trees on Highway

Surrey County Council (SCC) are the highway authority and are responsible for the vast majority of trees on public roads (in the verge), pavements and footpaths. Details on how they maintain trees on the highway can be found on the SCC website (www.surreycc.gov.uk/trees).

EEBC do own some verges, and there is potential, at a small scale, for additional tree planting, which will need to be balanced against the increased need for regular maintenance, road safety and opportunities for wildflowers.

The Borough Council support the enhancement of sustainable sylvan streets with appropriate financial resource for management. Opportunities will be sought to create sylvan streets when developing the new Local Plan and in the consideration of applications through the Council's planning function.

6.7 High Hedges

Under anti-social behaviour legislation, the Council is able to deal with complaints regarding high hedges within the area.

The Council's role is not to mediate or negotiate between the complainant and the hedge owner, but to judge whether the hedge is adversely affecting the complainant's reasonable enjoyment of their property. If the circumstances justify it, the Council will issue a remedial notice to the owner of the hedge setting out the action they must take to remedy the problem and the date by which they must comply.

The Council provides further details, including the complaint form and fee on our website (www.epsom-ewell.gov.uk/high-hedges).

7. Tree Establishment on Council Owned land

7.1 Opportunities for Council tree planting

A desktop study was undertaken in 2019 which assessed the current tree cover within the Borough and identified areas where there may be opportunity for further tree planting. The study identified 21 locations owned by the Borough Council that had potential for planting or natural succession. Following a further review of the sites in 2022, 10 were identified for a more detailed assessment for tree planting or woodland succession. A list of the sites can be found in the table below. For each site an estimation is given of the number of trees that could be planted.

The study also highlighted that care needs to be taken when considering planting further trees. The Borough is home to a variety of existing habitats which provide a diversity of plant and animal life and not all would be appropriate for tree planting. There therefore needs to be a careful balance between preserving existing habitats and increasing tree cover in appropriate locations.

As a high level review the sites put forward will require further assessment and consultation to confirm their validity, along with tree planting numbers and species mix, but give an initial indication on what could be possible on Council owned land. For agreed sites it is the intention that a more detailed planting plan will follow with further detail. It is intended that the planting plan will be delivered over an 8-year period up to 2030.

There is a need for a sustainable continuity approach to tree planting over the long term. Recent experience has shown that ambitious schemes that involve mass planting over a short period can suffer from high levels of mortality if there is drought. It becomes a challenge to keep the high numbers of vulnerable young trees sufficiently irrigated especially if hosepipe restriction bans are imposed.

7.1.1 Proposed tree planting sites

Site name	Estimated planting no.	Ward
Auriol Park	100	Auriol
Hogsmill LNR – by Always Avenue	100	West Ewell
Hook Road Arena	500	Court
Long Grove Park	1860	Court
London Recreation Ground	1100	Ewell
Manor Park – Christchurch Rd & former Cricket Field	1200	Stamford
Royal Avenue Open Space	140	Cuddington
Replacements for Ash dieback loss (various)	1000	Various
Total	6000	

7.1.2 Proposed succession sites

Site name	No. of trees	Ward
Horton Country Park – Great Westcotts Copse	20	Stamford
Horton Country Park – Pond Wood extension	60	Stamford
Total	80	

In woodland areas natural regeneration will be the primary means of re-stocking, unless stocking levels require a boost in density or diversification of species by grant schemes. Natural regeneration can reduce the need for tree guards and can also create resilient woodlands as it may enable adaptation to local sites, the changing climate, and new pests and diseases. We will prioritise the use of this approach where it will bolster the connectivity of habitats and can provide important buffers to existing woodland.

7.2 Tree planting requests on Council owned land

The Council has developed this strategy for tree planting on its own land and any public requests received for additional planting will be considered against the proposed or targeted planting sites. Tree planting requests can be made via the online reporting forms on the Council website (www.ewell.gov.uk/residents/online-forms). Where planting requests are agreed they will be delivered in line with the principles of this strategy. There may be an application cost to assess the viability of tree planting sites and the cost for the Council to supply, plant and care for the tree will be expected to be covered by the applicant.

7.3 Tree planting on non-Council owned land

While the focus of this strategy is the planting of trees on Council owned land, the Council will still seek to encourage tree planting in appropriate locations on privately owned land. This should follow the principle of ‘right tree in the right place for the right reasons’, and the Council will utilise its communication channels and collaborate with business and the community to promote the benefits of trees.

7.4 Tree planting on Highway

As highlighted, trees on the Highway fall under the responsibility of Surrey County Council. Any planting in these locations would be led by the County Council but the Borough Council will seek to actively co-operate with the County Council to encourage additional planting in suitable locations. The County Council has provided a Highway Tree Planting Guide in the appendix of the Surrey Tree Strategy which can be found on the SCC website (www.surreycc.gov.uk/Surreys-Tree-Strategy).

7.5 Process for planting

Planting and establishing trees has significant financial implications and the Council will explore opportunities for external funding and support for tree planting schemes. Also, the Council will actively encourage community involvement in planting and aftercare programmes.

A proportion of sites could be undertaken in-house with the support of volunteers, as part of biodiversity enhancement works.

All planting will be planned for the period between November and March, which is commonly recognised as the best time of year for tree planting.

It is not the purpose of this strategy to detail how best to plant a tree. There is plenty of best practice advice available such as from The Tree Council (<https://treecouncil.org.uk/planting-guidance>).

7.6 Recording of tree planting

The Council will keep a record of all trees planted on its land on an annual basis. It is recognised that the Council is not the only organisation carrying out tree planting in the Borough and to address this the Council will aim to collect tree planting data annually from SCC, the Tree Advisory Board (TAB) and other community groups. This will help us measure tree planting in the Borough.

7.7 Aftercare

Good aftercare for young trees for 2-3 years after planting is essential to ensure that the investment in trees is not wasted. This is particularly true for larger 'standard' trees. Aftercare of trees can be significantly resource intensive. The Council will actively seek to involve the local community to help with watering and aftercare of newly planted trees. However, the corporate tree contractor, where possible, will also be employed to water trees on a regular basis.

The Council will seek to plant smaller sizes of tree stock, where possible, which have a lower aftercare requirement, increasing the cost effectiveness of planting schemes.

7.8 Memorial planting on Council owned land

The Council recognises the wish of many residents to remember loved ones with a memorial tree in a public green space. The Council is happy to accommodate requests for memorial trees in most cases, but this must be balanced with the need for green spaces to be enjoyed by a wide range of park users and residents. Memorial planting will be focussed on a number of sites available across the Borough. The Council will ensure that the memorial tree process is managed and regulated for the mutual benefit of all.

Applications for a memorial tree will be made via an online form on the Council's website. There will be a set fee to the applicant for the Council planting a memorial tree. This is to cover sourcing, planting, maintenance, and admin costs associated with memorial planting. Once an application is received, the Council will:-

- Respond to your request and confirm location for the tree;
- Send you an invoice for the tree, its planting and tree guards;
- Upon payment, confirm a timescale for planting;
- Notify you in writing that the tree has been planted.

All memorial trees will be sourced by the Council and will be planted between the months of November and March. The species of tree to be planted will be subject to agreement. Where appropriate, the applicant will be encouraged to water the tree in early growth. The Council will be unable to accept responsibility for the loss of a tree due to damage or vandalism.

Plaques will not be permitted on trees planted in parks for safety and maintenance reasons.

8. Monitoring and Review

This document is a living document and will be reviewed annually to ensure it remains relevant and in line with policy developments. Progress on tree planting plans will be reported to the Environment Committee annually.

APPENDICES

Appendix 1: Legal Framework – Statutory Duties

The Council has a number of statutory duties required to be performed by law.

1. All landowners have a common duty of care under the Occupier's Liability Acts (1957) and (1984) and statutory duties under the Health and Safety at Work etc. Act (1974), to ensure that they act as a reasonable and prudent landowner. This means that they must ensure that they avoid acts or omissions that could cause a foreseeable risk of harm to persons or property. This is reinforced in criminal law within Section 3 of the Health and Safety at Work Act 1974. Section 3 of the Management of Health and Safety at Work Regulations 1999 states that employers are responsible for making suitable and sufficient assessment of the risks posed to their employees and persons not in their employment.
2. There are two Sites of Special Scientific Interest (SSSI), Epsom Common Local Nature Reserve and Stones Road Pond in the Borough. A SSSI is defined as a nationally important site and a Local Authority has a 'Duty' to conserve and enhance any SSSI under its ownership (Epsom Common LNR) in effect maintaining the SSSI in what is termed 'Favourable Condition'. The CROW Act 2000 amended the Wildlife and Countryside Act 1981 imposing a duty on "public bodies" in exercising their statutory functions to take reasonable steps, consistent with the proper exercise of those functions, to further the conservation and enhancement of the special features on an SSSI. "Public bodies", referred to in the Act as section 28G authorities, are defined very broadly, but specifically include the Secretary of State, Government Departments and agencies, local authorities and statutory undertakers (whether in the public sector, or a privatised utility), and other officers appointed by the Crown. The duty applies wherever public bodies are exercising their functions. It covers every stage from the formulation of plans to the carrying out of operations. The Secretary of State expects that all public bodies will take full account of their responsibilities under this duty whenever their actions may affect SSSI. English Nature will ensure it has provided public bodies with notifications regarding all SSSI so that they can make their own fully informed assessments.
3. Under section 74 of the Countryside and Rights of Way Act 2000 local authorities owning a SSSI have a statutory duty to further the conservation and enhancement of SSSIs both in carrying out their operations, and in exercising their decision making functions.
4. The Council is bound by the "biodiversity duty" (NERC Act 2006) "The public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."
(Natural Environment and Rural Communities Act 2006)

5. The Environment Act 2021 contains Environmental Governance Targets and duties to conserve and enhance biodiversity including; biodiversity net gain in planning, local nature recovery strategies and regulation on tree felling consultation.
6. Tree work operation shall be in adherence to the following planning, forestry, conservation, and wildlife protection laws:
 - Wildlife and Countryside Act 1981 (amended 1996).
 - Wildlife and Countryside (Amendment) Act 1999.
 - Countryside Rights of Way Act 2000.
 - Town and Country Planning Act (Trees) Regulations 1999 (amended 2008).
 - Conservation (Natural Habitats) Regulations 1994 (amended 2010).
 - European Habitats Directive 1992 (amended 2007).
 - Biodiversity Act 2005 (amended 2008).
 - Forestry Act 1967 (as amended).