



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 7 April 2022

Report of the Executive Director - Place

Ash Dieback Disease

(Cabinet Member for Infrastructure and Environment)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned (this is currently defined as £500,000) and it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 To update Cabinet on progress with the agreed actions to manage the spread of ash dieback disease in Derbyshire, to note the completion of the Ash Dieback Action Plan (ADAP) and the resource implications detailed within it.

3.2 To secure Cabinet's approval to:

- The adoption and implementation of the Ash Dieback Action Plan.
- To set up an earmarked reserve to hold any underspends incurred during the roll out of the Action Plan to offset future growth bids.
- To note the estimated costs of the programme over the 20 year period.

4. Information and Analysis

- 4.1 A report on ash dieback disease (ADB) was considered by Corporate Management Team on 22 October 2019 and the following recommendations agreed:
- Cascade information to relevant colleagues in departments, e.g. Property Services, Health and Safety, Risk Management etc.
 - Allocate resources urgently to establish a corporate working group to oversee ash dieback management.
 - Agree to the development of a Corporate Ash Dieback Action Plan (ADAP).
 - In principle support the allocation of funding to deal with this county-wide issue.
 - Agree that risks related to ash dieback be added to the corporate risk registers.
- 4.2 Ash dieback is a fungal disease thought to have originated in eastern Asia and imported into mainland Europe in the 1990s. It has spread rapidly across the continent with the first recorded case in the UK in 2012. This is a vascular wilt fungus that blocks the water transport vessels within the tree, firstly causing the leaves to die then leading to dieback of twigs, branches and ultimately the whole tree. The disease is usually fatal for young ash trees and can kill saplings within one growing season. Larger mature ash with the infection are thought to be more tolerant or decline at a slower rate of several years.
- 4.3 In Derbyshire as a whole, ash is the second most common tree after oak, but in limestone areas of the County, they are the dominant species. Ash is the dominant tree in the woodlands of the limestone dales where it may comprise up to 99% of the tree cover. Estimates for the number of ash trees in Derbyshire have been made based on data from the Tree Council, Forestry Commission and Derbyshire Lowland Biodiversity Action Plan 2011 - 2020. The data suggests there are around 9 million ash trees in Derbyshire.
- 4.4 Initial funding of £0.270m for one year in 2020-21 enabled the appointment of a Project Officer to lead on ADB and the formation of a corporate working group to support the planning and management of ADB in Derbyshire. The section has been successful in a bid for an ongoing budget of £0.270m from 2022-23.
- 4.5 The working group has supported the Project Officer in the production of the ADAP, which is provided as Appendix 3. The document provides an overarching plan for identifying, communicating, and addressing the risks of ADB within Derbyshire. In particular the plan:

- a) Establishes the baseline value of trees and woodland in Derbyshire.
- b) Sets out the background, nature and scale of ash dieback nationally and as it relates to Derbyshire.
- c) Provides an overarching method to identify, communicate and address the risks of ADB disease across Derbyshire.
- d) Sets out how the Council will identify and manage the risks created by the disease to public safety (from falling trees and branches), infrastructure (roads, rail and utilities) and the wider environment (landscape, ecology and ecosystem services).
- e) Prioritises actions based on agreed timescales, with risk level for public safety being a major priority in the short to medium term and environmental risks being a longer-term issue that will require long term planning and resourcing.

4.6 Derbyshire, as a County, has a significant population of ash trees which relate to its landscape character and geology. The total cost of the outbreak to the Council over the next 20 years is estimated to be between £22.5 million and £40.5 million for tree felling and replacement, depending on the lowest (50%) and highest (90%) mortality rate predictions, hence, the successful delivery of the ADAP will have significant financial implications for the Council and these are outlined in Appendix 1 of this report.

4.7 Growth bids will be submitted from year 2023/24 to 2026/27 to increase the base budget as per the below table which will peak in 2026/27 with budget being returned to the centre from year 2032 as shown in Appendix 2 of this report:

Year	2023-24 £m	2024-25 £m	2025-26 £m	2026-27 £m
Base Budget	0.270	1.384	1.502	1.682
Total Cost	1.384	1.502	1.952	2.402
Growth Required	1.114	0.118	0.450	0.450

4.8 It is requested that Cabinet approves the carry forward of any underspend year on year of the Ash Dieback Action Plan into an earmarked reserve for use to offset the need for growth in future years.

4.9 The plan identifies the importance of a base line survey to establish the extent of the disease across Council land and communication networks (roads) in Derbyshire. Resurveying on an annual basis will be required to ensure the adequate management of risk from diseased and dead trees.

4.10 To date, all 'A' and 'B' class roads in Derbyshire have been surveyed, representing 22% of the Highway network. The remaining non-classified

highway network and wider Council estate will be baseline surveyed in the 2022 survey season. Resurveying of 'A' and 'B' Roads will also need to take place in 2022.

- 4.11 In addition to the development of the ADAP, the Project Officer has contacted districts and borough councils, the Peak District National Park, the Forestry Commission and large private landowners to establish a wider partnership on ADB and this work is progressing. A newly established Derbyshire Tree Officers Group (with good representation from Derbyshire's local authorities) met in January 2022 and identified the need to pursue joint working opportunities to tackle ADB. Other work on ADB is concentrating on the development of information and guidance for the public and private landowners and an online "report it" function for the new survey season in 2022.
- 4.12 It is difficult to predict how the disease will progress in Derbyshire, however, the ADAP is a measured approach that will allow the Council to manage the spread of the disease and the associated risks.

5. Consultation

- 5.1 The ADAP Project Officer is consulting with a range of public agencies and private landowners in managing the County's response to the disease.

6. Alternative Options Considered

- 6.1 The ADAP will be applied to the Council's highways and property estate over the period up to 2042-43. The plan's delivery will involve a rolling programme of identifying the Council's estate's ash tree population, assessing ash tree condition, monitoring for any change over time, removing appropriate trees, and planning mitigation for the expected loss of a large proportion of ash trees. This information will be used to identify the options by which the Council could prioritise its resources to mitigate the impacts of the disease.
- 6.2 The anticipated Council action and associated expenditure to address the disease have been profiled for the period 2022-23 to 2026-27 and is presented in Appendix 1. Alternative profiling models have been considered, i.e. changing variables such as the number of trees needing to be felled and replaced, and the costs of such measures. However, these have been rejected as officers consider that the profile of action and expenditure presented best represents current expectations.
- 6.3 The option to do nothing has been rejected as the Council, as the owner of the land where diseased trees are likely to stand, is responsible for

the health and safety of those who could be affected by that tree. Liabilities can arise if trees or branches fall.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 Derbyshire County Council Ash Dieback Action Plan (ADAP) Version 1, December 2021

9. Appendices

- 9.1 Appendix 1 – Implications.
- 9.2 Appendix 2 – Approved Budget and Current Pressure Bid.
- 9.3 Appendix 3 - The Ash Dieback Action Plan.

10. Recommendations

That Cabinet:

- a) Approves the adoption of the Council's Ash Dieback Action Plan and the implementation of its recommendations and actions.
- b) Notes the staffing and other resource requirements detailed in the plan to effectively manage ash dieback disease going forward.
- c) Notes the funding need estimated to deal with this County-wide issue.
- d) Approves the carry forward of any underspend into an earmarked reserve for use to offset the Plan's costs in future years.

11. Reasons for Recommendations

- 11.1 To secure Cabinet endorsement of the Ash Dieback Action Plan in order that officers can mobilise its delivery and prepare for managing its financial implications.
- 11.2 To provide assurance to Cabinet that appropriate officer resources will be allocated to the Ash Dieback Action Plan's delivery.
- 11.3 To identify the estimated financial implications to the Council for managing its response to ash dieback disease.

11.4 To support the financial management of this matter in the medium to long-term.

12. Is it necessary to waive the call in period?

12.1 No.

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Implications

Financial

- 1.1 The Ash Dieback Plan (ADAP) is anticipated to be a core Council public service for the period 2022-23 to 2042-43; the 20-year time horizon that Ash Dieback (ADB) is expected to be prominent in the UK. The effective delivery of the ADAP has important financial considerations that the Council will need to address. The specific scale and timing of these will be determined based on the inspections and audits scheduled to be conducted by the Council during 2022-23 and 2023-24. Therefore, all forecasts and estimates are liable to change and will evolve based on the results and findings of these inspections, as the Council determines the scale of the problem within Derbyshire.
- 1.2 However, to provide a headline cost estimate, a 20-year profile from 2022-23 has been prepared and this is provided as Appendix 2. This is deemed to be a modest estimate and identifies a £22.5m cost for tree felling and replacement over this period, with a further estimated cost of £3m for Officer resources to deliver the ADAP. This projection is based on the following assumptions.
- a) To ensure public safety arising from the disease, 50% of the estimated 50,000 ash trees in high-use public locations and 12,500 ash trees in medium risk areas, will need to be felled and replaced over the next 20-years (i.e. a total of 31,250 trees).
 - b) Due to the expected high transmission nature of the disease, 80% of the affected trees needing to be felled in the first 10-years (i.e. 25,000 trees). Leaving 20% of the affected trees to be felled in the secondary 10-years (i.e. 6,250 trees).
 - c) The associated estimated costs are: £600 felling cost per tree and £120 replacement cost per tree.
 - d) The approval of the 2022-23 revenue pressure bid for a base budget increase of £0.270m to deliver the ADAP.
 - e) That a new and specialist team of officers will be required to deliver the ADAP in terms of project management, tree audits and inspections, public communications, land-owner engagement, partnership working with other local authorities, and external fund raising (e.g. grants). This team is proposed to initially comprise of the following posts from 2022-23:
 - 1 full time equivalent (FTE) ADAP Project Officer at Grade 11 (Established Post).
 - 2 FTE Tree Inspector at Grade 8.

- 1 FTE Tree Technician at Grade 6 (subject to job evaluation).
- 1 FTE Woodland Recovery Officer at Grade 10 (subject to job evaluation).

f) No external grant funding or new income generation support has been accounted for.

1.3 The profile (Appendix 2) identifies the following financial position for the period 2022-23 to 2026-27.

Year	1	2	3	4	5
	2022-23	2023-24	2024-25	2025-26	2026-27
Budget (current pressure bid (£m))	0.270	0.270	0.270	0.270	0.270
Total Expenditure (£m)	0.270	1.384	1.502	1.952	2.402
Shortfall of Budget (£m)	0.000	-1.114	-1.232	-1.682	-2.132

1.4 Growth budget bids will be required in each of the four financial years 2023-24 to 2026-27 will be required to meet the shortfall of budget as set out in the table above. From 2032-33 onwards, there is a reduction in the base budget as the programme costs being to reduce (see Appendix 2).

1.5 Officers will work to minimise the budget pressures via the following means:

- Grant funds (e.g. Countryside Stewardship grants; the Local Authority Treescapes Fund).
- New income generating services (e.g. providing the Council's arboriculture services to other landowners/managers).
- Using Vision Derbyshire to secure shared service working efficiencies with other local authorities.

1.6 Notwithstanding these initiatives, it is very likely that the Council will need to consider future pressure bids to address the expected budget shortfall. These will be prepared from 2022-23. Should any budget not be utilised in the first few years whilst the programme is being developed, it is requested that this underspend be held in an earmarked reserve for use to offset the costs in future years.

Legal

2.1 The Council has a responsibility to ensure trees on third party land, that pose an unacceptable risk to the Highway or other public property, are

dealt with effectively. The ADAP identifies the necessity for the Council to take prompt and robust action in this regard.

- 2.2 Where trees are on private land, the Council will need to identify landowners whose responsibility they are. The Council, as Highway Authority, may service notice on a landowner or occupier to remove a dangerous tree under Section 154 of the Highway Act 1980 within 14 days of service of the notice upon them. Should the landowner or occupier fail to comply with the notice, the Council may carry out the necessary work and recover the reasonable expenses incurred in doing so.
- 2.3 The delivery of the ADAP will contribute to ensuring that the Council fulfils its tree/woodland management health and safety, heritage, and habitat protection obligations, e.g. approvals from the Forestry Commission and respecting tree preservation orders.

Human Resources

- 3.1 The dedicated staffing resources required to successfully deliver the ADAP are identified in Appendix 1, paragraph 1.2 point (e). However, it should be noted that other Council officers (i.e. those on the ADAP corporate working group) with expertise in disciplines, such as legal, financial, property and health and safety, will also be required to contribute when appropriate.

Information Technology

- 4.1 The use of IT will be maximised and used to map, record and monitor action on identified diseased trees. It will also be used to enable the efficient delivery of tree works to ensure value for money.

Equalities Impact

- 5.1 An Equality Impact Assessment has not been carried out as it is not appropriate to this decision.

Corporate objectives and priorities for change

- 6.1 The Council's effective management of ADB will support the delivery of all of the outcomes identified in the Council Plan 2021 to 2025 namely Resilient, Healthy and Safe Communities; High Performing, Value for Money and Resident-Focused Services; A Prosperous and Green Derbyshire.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 ADB may have significant negative habitat and biodiversity impacts which the Council will monitor. Based on the projection that 31,250 ash trees will

need to be felled, the loss of carbon capture per year will be 625 tonnes. However, the Council will be proactive in seeking to mitigate this loss by replacing the removed trees in accordance with its commitment to significantly increase the number of trees and woodlands in Derbyshire.

Appendix 2

Approved budget and current pressure bid against projected expenditure 2022-23 to 2041-42											
To ensure public safety arising from the disease affecting 50% of the projected 62,500 ash trees on high/medium use public locations; with 80% of the trees affected needing to be felled in the first 10 years and 20% of the trees affected needing to be felled in the secondary 10 years.											
Year	1	2	3	4	5	6	7	8	9	10	Total (£m)
	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	
Council current pressure bid	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	
Total (£m)	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	2.700
Expenditure											
Staff officer costs (£m)	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	
Felling costs (£m)	0.100	1.025	1.125	1.500	1.875	1.875	1.875	1.875	1.875	1.875	15.000
Replacement costs (£m)	0.018	0.207	0.225	0.300	0.375	0.375	0.375	0.375	0.375	0.375	3.000
Total (£m)	0.270	1.384	1.502	1.952	2.402	2.402	2.402	2.402	2.402	2.402	19.517
Variance to budget (£m)	0.000	-1.114	-1.232	-1.682	-2.132	-2.132	-2.132	-2.132	-2.132	-2.132	-16.817
Year	11	12	13	14	15	16	17	18	19	20	
	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	
Council current pressure bid	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	
Total (£m)	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	0.270	2.700
Expenditure											
Staff officer costs (£m)	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	0.152	
Felling costs (£m)	0.938	0.750	0.375	0.375	0.375	0.188	0.188	0.188	0.188	0.188	3.750
Replacement costs (£m)	0.188	0.150	0.075	0.075	0.075	0.038	0.038	0.038	0.038	0.038	0.750
Total (£m)	1.277	1.052	0.602	0.602	0.602	0.377	0.377	0.377	0.377	0.377	6.017
Variance to budget (£m)	-1.007	-0.782	-0.332	-0.332	-0.332	-0.107	-0.107	-0.107	-0.107	-0.107	-3.317
Notes:											
Tree inspections and audits in 2022/23 and 2024/25 will inform a robust projection of the scale and timing of tree felling and replacement costs up to 2041/42											
Cost of felling per tree = £600											
Cost of replacement per tree = £120											