

TITLE	Tree Protection & Biodiversity Task & Finish Group - Update
FOR CONSIDERATION BY	Overview and Scrutiny Management Committee on 11 January 2022
WARD	None Specific
DIRECTOR	Graham Ebers, Resources and Assets

OUTCOME / BENEFITS TO THE COMMUNITY

Effective Overview and Scrutiny helps to improve services, holds decision makers to account and engages with local communities. In so doing it helps to demonstrate that the Council and other public service providers are open and transparent and are delivering high quality, value for money services. Tree protection and biodiversity are issues of public interest, especially in the light of the Council's declaration of a Climate Emergency.

RECOMMENDATION

The Committee is requested to:

- 1) consider progress made by the Tree Protection and Biodiversity Task and Finish Group to date;
- 2) consider any additional issues for consideration by the Task and Finish Group.

SUMMARY OF REPORT

As part of the Committee's discussions on its work programme for 2021/22 Members agreed that a Task and Finish Group be established to review the Council's approach to tree protection and biodiversity.

Following discussion at the March and June 2021 meetings, the Committee considered the composition of the proposed Tree and Biodiversity Protection Task and Finish Group at its meeting on 7 July 2021.

The Task and Finish Group met for the first time in late August 2021 and agreed its terms of reference. The terms of reference were subsequently expanded following the referral, by full Council, of a Motion relating to the proposed declaration of an ecological emergency.

The report gives details of the Task and Finish Group's progress to date.

Background

Following discussion at the March and June 2021 meetings, the Overview and Scrutiny Management Committee considered the establishment and composition of the proposed Tree Protection and Biodiversity Protection Task and Finish Group at its meeting on 7 July 2021.

In line with the Council's political balance arrangements, it was agreed that the Task and Finish Group should be set up with three Conservative Members, one Lib Dem Member and one Labour/Independent Member.

The following Members were appointed to the Task & Finish Group:

- Chris Bowring (Chairman);
- Michael Firmager;
- Gary Cowan;
- Paul Fishwick;
- Jackie Rance.

The Task and Finish Group met for the first time on 25 August 2021 and agreed the following Terms of Reference:

- a. To scrutinise the Council's current policies and plans relating to tree protection and biodiversity in relation to the Council's statutory powers and duties, including the implications of the Government's Environment Bill.
- b. To review the Council's Planning and Development Control policies and procedures relating to tree protection and biodiversity and the opportunities arising from the Local Plan Update.
- c. To carry out a case study relating to the loss of 500 mature trees at Bearwood Lakes.
- d. To consider the content and implications of the Council's emerging Tree Strategy.
- e. To consider the opportunities for improved partnership working with local stakeholders – residents, specialist and community groups, schools and Town and Parish Councils.
- f. To consider the implications of the Council's Climate Emergency Action Plan and the opportunities for improved tree planting (250,000 trees across the Borough), tree protection and biodiversity.
- g. To consider examples of best practice in tree protection and biodiversity from across the country.
- h. To consider how progress is monitored, reported and communicated to Members and local stakeholders.
- i. To produce a report to the Executive with recommendations for improvement.

The Working Group has met several times and has interviewed a number of witnesses including a representative from the Wokingham District Veteran Tree Association and several Town and Parish Council Clerks.

The Task and Finish Group also considered a case study on the felling of TPO trees around the Bearwood Lake Dam in order to comply with the provisions Reservoirs Act 1975. It transpired that the felling of the trees did not require approval from the Council as Local Planning Authority. The Group considered issues relating to the felling of the trees including the need for more effective, early communication with stakeholders including local residents, elected Members and Town and Parish Councils.

Council Motion

At the Council meeting on 18 November 2021, the following Motion was considered and was referred to the Task and Finish Group:

“This Council formally declares an Ecological Emergency and will:

1. Address ecological issues alongside climate emergency actions and ensure that opportunities to gain co-benefits from addressing both the climate and ecological emergencies are maximised.
2. Add ecological implications alongside those for climate in committee and Council reports.
3. Ensure the delivery of biodiversity and environmental enhancements through our planning policy and development control functions by providing guidance through a biodiversity supplementary planning document.
4. Strive to enable the development of a 20% mandatory biodiversity net gain policy for Wokingham through the new local plan.
5. Create a Developing Nature Toolkit and direct developers to use the toolkit to assist them in demonstrating a net gain in biodiversity, to be used from the very outset of planning new developments, and ideally at the time of selecting sites to acquire for development.
6. Re-establish the Wokingham Biodiversity Forum to allow the Council to collaborate effectively with partners and the wider community.
7. Where possible, embed ecological initiatives within all Council work areas, including Covid-19 recovery projects and programmes.
8. Promote woodland planting and rewilding in the right places and with the right species, peatland restoration, natural flood management, wild flower meadows, and habitat creation and restoration.
9. Work with local, county, regional and national partners to increase wildlife habitats, green infrastructure and natural capital in Wokingham Borough ensuring robust connectivity between them.

10. Manage Council services, buildings and land in a biodiversity-friendly manner, including by reviewing the use of harmful chemicals, such as pesticides and taking opportunities to create new wildlife habitats and corridors.

11. Provide advice for local communities and businesses on how to incorporate biodiversity, green infrastructure and natural capital into Neighbourhood Plans and other initiatives.

12. Encourage residents to take biodiversity measures in their own homes by, for example, wildlife gardening and home composting.

13. Working collaboratively with the Berkshire Local Nature Partnership, Wokingham Biodiversity Forum, a cross party working group and other stakeholders, produce a local nature recovery strategy and associated action plan with an annual progress report to full Council.”

Council resolved as follows:

“That this Council resolves to refer to the Tree Protection and Biodiversity Task and Finish Group to examine the benefits of formally declaring an ecological emergency and the actions below. This will be reported back to a future Full Council Meeting.”

Next Steps

The Task and Finish Group will meet again in January 2022 in order to interview further witnesses, including relevant Executive Members. The Group’s final report will then be submitted to the Overview and Scrutiny Management Committee in February or March 2022.

The Task and Finish Group’s recommendations relating to the Motion on declaring an ecological emergency will be submitted to full Council for consideration.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	0	NA	NA
Next Financial Year (Year 2)	0	NA	NA
Following Financial Year (Year 3)	0	NA	NA

Other financial information relevant to the Recommendation/Decision
None

Cross Council Implications
None

Public Sector Equality Duty
The Council's duties under the Equality Act 2010 have been considered in the drafting of the report

Climate Emergency – The Council has declared a Climate Emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham borough by 2030
The Task and Finish Group has considered how trees, woodlands and biodiversity across the Borough will contribute to achieving the targets in the Council's Climate Emergency Action Plan

List of Background Papers
None

Contact Neil Carr	Service Resources and Assets
Telephone No 0118 974 6058	Email neil.carr@wokingham.gov.uk
Date 30 December 2021	Version No. 1.0

This page is intentionally left blank