

10 November 2014

**Scoping report for Scrutiny review
of the management of the
woodland estate owned by DCC**

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

1. The purpose of this report is to provide members of the committee with background information together with the terms of reference and project plan for the management of the woodland estate owned by Durham County Council.

Introduction

2. Woodland is a habitat where trees are the dominant plant form. The individual tree canopies generally overlap and interlink, often forming a more or less continuous canopy which shades the ground to varying degrees. Woodland provides many ecosystem services: regulation of water, absorption of pollutants, carbon sequestration, and habitats for wildlife, provision of fruit, wood fuel and timber, and contribute to the beauty, diversity and distinctiveness of our rural landscapes.
3. Depending on the amount of light reaching the ground through the tree canopy, there will be a great variety of other plants. These will include mosses, ferns and lichens, as well as small flowering herbs, grasses and shrubs. The more different kinds of plants there are, the greater the animal diversity will be in the woodland. This will range from a variety of herbivores feeding on the different plants, to the carnivores which they provide food for. Rotting wood and decaying leaf litter offer alternative food source for a staggering variety of invertebrates. The sheer quantity of dead organic material present means that a wealth of decomposing organisms, such as fungi and bacteria also occur.
4. Those which are publicly accessible form an important recreational resource. In urban areas, trees have a role in absorbing pollution and improving air quality, reducing urban flooding and raising property and land values. Ancient woodland, woods which are known to have existed in 1600 are particularly significant. They are among the most bio diverse habitat in the UK, and are irreplaceable; their continuity fosters more vulnerable species or those which are slow colonisers.
5. When faced with a plot of woodland, the question is often - should it be managed or merely left to nature? The answer will vary depending on the purpose of each individual wood in question. Management will be necessary when economic products such as timber or game species are to be the end result together with other less tangible benefits such as conservation of wildlife and recreational opportunities, management will also be required.

6. Where the primary purpose of woodland is economic, for example, to produce a crop of trees for wood products or game birds for commercial shoots, then management will undoubtedly be necessary. This may involve removing competing species, controlling pests, predators and diseases, as well as ensuring adequate nutrition for the species involved. No management is an option but it is never going to produce an economically viable product.
7. Where the purpose of woodland is for wildlife benefit or conservation, no management might be considered to be an option however it is probably safe to say that within Britain, no single woodland has remained uninfluenced by human activities. This is because woodlands provided essential materials for everyday living with pasture type woodland used to graze sheep and cattle. In pasture-type woodland, sheep and cattle resulting in woodlands being of great economic importance.

Woodlands within County Durham

8. County Durham has a large body of woods and forests. Many of its river corridors are lined with trees and woodland; river corridors are particularly important for ancient woodland. However, woodland cover in the County is low (6%) in comparison with the national average (9%) and the England average of 7% with existing woodlands are often relatively remote from populous areas.
9. The County as a whole is in an area prioritised in national and regional initiatives for an increase in woodland cover. Large areas of the County, including the North Pennines AONB and much of West Durham coalfield lies within a Woodland Creation Initiative.
10. Most ancient woodlands in the county lie on land that is unsuitable for agricultural development, on steep valleys and ravines along rivers and streams with much of the county's woodlands featuring oak and birch due to the acidity of the soil. Ash woodlands can be found on the limestone upland gills, ravines and coastal dunes.
11. The majority of woodlands in County Durham are plantations established for timber, shelter, amenity or game. Older woodlands were planted with native species or with broad leaved trees such as sycamore or beech. Conifers such as scots pine or larch planted for the pit wood market which became widespread during the 19 century and continued into the 20 century with the development of large forestry commission forests such as Hamsterley. A third of the county's woodland is in public ownership via the Forestry Commission with the County Council owning and managing approximately 1000 hectares of woodland within the County.

National Policy

12. In 2011 an independent panel on forestry was set up to advise the government on the future direction of forestry and woodland policy in England and on the future role of the Forestry Commission. The panel published its final report in July 2012 which put forward 31 recommendations including issues in relation to the future of the public forest estate, other functions of the forestry commission, woodland creation and management, economic development of the forestry sector, payment for ecosystems, community involvement in local woodlands and tree health.
13. The response by government to the independent panel's report was positive and agreed with the panel report that a new woodland culture should be developed and that

the woodland and forestry sector should become more resilient. A refreshed government forestry policy was produced (Woodland and Forestry Policy Statement 2013) based around a clear hierarchy of priorities which include protecting, improving and expanding public and private woodland assets. It also reflects government principles of economic growth, localism, deregulation, targeted intervention and value for money.

14. The government acknowledge the importance of protecting woodland assets and recognise the importance of preserving and maximising the social and environmental benefits given by trees particularly around urban areas. However there is a need for the sector to improve its economic performance by developing new markets based around better understanding of the value and potential of trees, woods and forests.
15. The policy addresses the need to sustain, manage and improve our forests and woodlands to enable their contribution to economic growth by reducing red tape and working with private landowners and others to actively manage woodlands. The policy identifies the need to work with the sector to explore the scope for exploiting opportunities such as fuel markets or rural tourism. Local government and Local Enterprise Partnerships (LEPs) are encouraged to take advantage of opportunities provided by government policies to realise the potential of local woodland assets.
16. In addition the policy statement suggests promotion of greater involvement of communities in the management of woodlands; encourage planting trees, working with communities to seek funding for initiatives aimed at developing future access and to continue to look at ways to improve access to woodlands especially in urban areas.
17. A review was undertaken (Forestry Functions Review July 2013) which informed government and the Forestry Commission on what organisational arrangements on forestry expertise and functions in England would best meet the objectives of the Woodland and Forestry Policy Statement. The review was timed to be aligned with the triennial review of the Environment Agency and Natural England so that each review could inform the other. The Forestry Functions review concluded that:
 - The current forestry functions remain of value and support the aims and objectives of the new forestry and woodlands policy statement as well as wider priorities including plant health and rural economic growth.
 - The benefits of merging forestry and conservation functions were outweighed by keeping the forestry functions together as an integrated whole, with a clear specific focus on delivering forestry and woodlands policy and its economic underpinning.
 - Forestry and woodland policy delivery would be strengthened by simpler governance for forestry in England, which England specific arrangements could allow. Moving to such a model would require legislation and further development and dialogue with the Scottish Government.
 - Implementation of the conclusions of the review would require further analysis of the costs and benefits of delivery options, which could include delivery from within the Secretary of State's department, through a new English forestry body or a reformed forestry commission. Changes would require the transfer of the forestry commission's powers and duties in England to the Secretary of State, who would then decide the precise form of future organisational arrangements.

- Any changes to cross boarder arrangements should be done in discussion and consideration with Scottish and Welsh Governments.
- Any arrangements to deliver constitutional change to the forestry commission will require further development in dialogue with the Scottish Government.
- The wider financial context indicates significant pressure to achieve greater efficiency in the governments forestry functions, therefore further work will be required to identify and deliver the necessary level of efficiencies.

Local Policy

The County Durham Landscape Strategy

18. The County Durham Landscape Strategy is a non-statutory plan (adopted by the council in 2008) which addresses issues that affect the varied landscapes of County Durham by setting out objectives for their conservation, restoration and enhancement and is based on the County Durham Landscape Character Assessment. The strategy is aimed at those who have an interest in the Durham landscape, or who are involved in its management or development. It is intended that it will be adopted and used by a wide range of partners who will guide and facilitate its implementation.
19. The strategy addresses some of the issues that are dealt with in other plans and strategies - development plans, local development frameworks, environmental strategies, biodiversity and geodiversity action plans. It also overlaps geographically with other area-based plans such as the North Pennines Area of Outstanding Natural Beauty Management Plan. It is intended that the strategy should complement such plans.
20. The strategy has the following three aims:
- To conserve and enhance the character and diversity of the Durham landscape.
 - To make development and land management more sustainable by helping to ensure that they respect the character of the landscape and contribute towards wider environmental objectives.
 - To support and complement other environmental strategies to help promote co-ordinated action on the environment.
21. The Landscape Strategy analyses the assets and attributes of the County's varied landscapes, the trends and pressures for change operating within them, and the aspirations of stakeholders for their future management. The strategy also contains spatial strategies which are based on landscape character which broadly indicate the kinds of action it is most appropriate to take in different local landscapes, whether that is conservation, restoration or enhancement or combinations of these. It is intended that these strategies will help to establish integrated objectives for development and land management in all the diverse landscapes within the County.
22. In addition, the strategy contributes to the sustainability of new development by informing planning policies for developments like housing, minerals or wind energy. It helps in decisions where new developments should go and how it should be designed if it is to conserve what is valued about our environment. The strategy will be used in the preparation of Local Development Frameworks and guidance on its use in planning applications will be contained within a Supplementary Planning Document (SPD). The

Strategy will help inform the way land management initiatives and agri-environmental schemes such as Environmental Stewardship are targeted.

23. One of the principal mechanisms for delivering the Strategy will be through the development of Landscape-Scale Partnerships. A key task of these partnerships will be to develop action plans based on a common purpose and a shared vision of the future of the landscape. These action plans will integrate environmental, economic and social goals and be delivered by a broad partnership of local authorities, government agencies, the voluntary and private sectors and community groups. They will provide a framework for the activity of partners in those landscapes and identify key tasks and projects for conserving and enhancing the environment and securing funding for their implementation.
24. The emerging County Durham Plan has used the Landscape Strategy as part of its evidence base when developing policy 39 focusing on maintaining landscape character. Policy 39 states that proposals for new development will only be permitted where they would not cause significant harm to the character, quality or distinctiveness of the landscape, or to important features or views, unless the benefits of the development clearly outweigh its impacts and that development proposals should have regard to the objectives of the County Durham Landscape Strategy and contribute, where possible, to conservation or enhancement of local landscape and the work of the Local Landscape Partnerships.

County Durham Woodland Strategy

25. The Landscape Strategy contains a strategy for woodlands and forestry which seeks to improve the condition and management of the County's woodland resource and to increase woodland cover. It identifies priority areas for the creation of new native woodland, riparian woodland and community woodland. This will assist in reversing habitat fragmentation, strengthen landscape character and enhance biodiversity. Woodland expansion can also make an important contribution to the urban fringe environment.

Green Infrastructure Strategy

26. Green infrastructure is an emerging concept which refers to the network of multi-functional green spaces – woodlands, nature reserves, river corridors, cycle ways and public open space that contribute to the appearance, accessibility, biodiversity and liveability of urban areas and the countryside around and between them. Durham County Council in partnership has developed a Green Infrastructure Strategy for County Durham.
27. The countryside around towns or 'rural urban fringe' is part of the rural landscape most familiar to people who live in cities, towns and villages. It is also the part of the landscape most subject to pressures for development, access and recreation. In County Durham the industrial settlement pattern of the coalfield gives a 'semi-rural' or urban fringe character to large areas of the countryside in the centre and east of the county. The complexities of problems and opportunities in the rural urban fringe require an integrated approach to land management and planning. The development of a Green Infrastructure Strategy offers the potential of dealing with landscape, biodiversity, access and regeneration issues in the countryside around towns in a

systematic way and has a greater degree of integration with spatial planning at a regional and local level.

28. The rural urban fringe is inevitably the part of the countryside where pressure for new development, whether for new housing, industry, transport infrastructure, mineral working or waste disposal is greatest. At the same time it is necessary to conserve the often fragile rural character of these landscapes and to contain urban sprawl. Development can contribute towards improving the appearance, biodiversity or accessibility of the countryside. Such improvements are more likely to be delivered in a systematic way where there is a Green Infrastructure Strategy in place that is reflected in Local Development Frameworks.

29. Other important Durham County Council projects include the Durham Hedgerow Partnership, which seeks to identify opportunities for conserving or planting hedgerow trees, particularly on the Council's own estate, and the Durham Veteran Tree Project, engaging the public in surveying veteran or ancient trees. The strategy identifies how planning policies impact on trees and woodlands such as:

- Resisting development that would have a significant detrimental effect upon trees and woodland, particularly ancient woodland and urban trees.
- Requiring new woodlands to be planted, where appropriate, as part of the restoration schemes agreed for new or current opencast mineral sites and landfill sites.
- Instituting policies for new tree planting for example requiring all new streets to contain street trees, or requiring three new trees to be planted for each one removed.

Statement 10 of the strategy refers directly to trees, woodlands and forests and identifies actions required which include.

- Implementing the County Durham Woodland Strategy and supporting the work of the Durham Hedgerow Partnership and Durham Veteran Tree Project.
- Removing plantations in sensitive areas, such as blanket bog and historic landscapes, where appropriate.
- Improving the biodiversity of existing woodlands through appropriate management, including coppicing and removal of timber crops to create more robust woodland habitats.
- Encouraging new large multi-purpose woodlands in those areas affected in the past by land reclamation and opencast mineral working and to restore waste disposal sites and derelict land.
- Supporting proposals for forestry and other industries employing woodland resources, including biomass.
- Protecting urban trees from damage caused by engineering works and other adjacent.

Policy 20 of the emerging County Durham Plan specifies the requirements regarding development proposals in relation to the green infrastructure within County Durham.

County Durham Plan

30. The emerging County Durham Plan policy 40 lays down specific requirements for development proposals which may impact on trees, woodlands and hedges including ancient semi-natural woodlands (ASNW) which make up only 1.3% of the county and planted ancient woodland sites (PAWS). Natural England has produced an inventory of ancient woodlands which the County Council has updated on the basis of more

recent information. This includes ancient semi-natural woodlands (ASNW) and planted ancient woodland sites (PAWS). The County Durham Plan policy 40 stipulates the following:

- Concerning woodlands, proposals for new development will be expected to retain existing woodland and integrate them fully into the design having regard to future management requirements. Development will not be permitted that would result in the loss of woodland unless the benefits of the proposal clearly outweigh the loss and suitable replacement planting either within or beyond the site boundary can be undertaken. Proposals for new development will not be permitted that would result in the loss, fragmentation, isolation or deterioration of ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the harm. In these exceptional circumstances appropriate compensation will be required. Proposals affecting ancient woodland (including planted ancient woodland sites) not previously identified as such, will be subject to the same considerations.
- In relation to trees, proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the need for, and benefits of, the proposal clearly outweigh the loss. Proposals for new development will be expected to retain existing trees where possible and integrate them fully into the design having regard to their management requirements and growth potential. Where trees are lost suitable replacement planting will be required within the site or the locality.
- Concerning hedges, proposals for new development will not be permitted that would result in the loss of hedges of high landscape, heritage, amenity or biodiversity value unless the need for, and benefits of, the development in that location clearly outweigh the loss. Proposals for new development will be expected to retain existing hedgerows where they make a positive contribution to the design of the proposals. Where any hedges are lost, replacement planting or renovation of existing hedges, including management and maintenance arrangements will be required within the site or the locality.

Tree Management Policy

31. Durham County Council has agreed a county wide tree policy for the management of all trees under Durham County Council ownership and for those trees in private ownership which pose a safety risk to the public highway. It was felt that having a written document would ensure that service responds to requests in a consistent manner.
32. Durham County Council aims to inspect its tree stock at an appropriate frequency to ensure public safety. In addition, under the Highways Act Durham County Council has a duty to ensure that those trees in private ownership adjacent to the Highway do not pose a danger to users seeking to ensure that all roads are inspected at reasonable intervals, that defective trees are noted, tree owners are identified and contacted and the appropriate work is undertaken. Durham County Council also provides high standards of tree management based on the latest arboricultural research and promote such standards with private tree owners.

33. The tree policy also details the requirements in relation to Tree Preservation Orders and trees in conservation areas.

Reviews by other local authorities

34. For the information of the committee there has been no other scrutiny review undertaken looking at the management of woodlands however detail of scrutiny reviews undertaken by other local authorities focusing on trees and the countryside are listed below:

- Scrutiny Review of Trees and Woodlands Policy in East Sussex – was undertaken in March 2012 by East Sussex Council’s Economy, Transport and Environment Scrutiny Committee. The review looked at the County council’s policies for planting trees on highways and school grounds and the effectiveness of the strategy for tackling Dutch elm disease.
<http://www.eastsussex.gov.uk/NR/ronlyres/C27996C1-AB7A-4B0F-AA5F-40E4BD660376/0/treesandwoodlandreport.pdf>
- Scrutiny review on Trees London Borough of Merton’s Sustainable Communities Scrutiny committee carried out a review in March 2012 of how the council manages the planting and maintenance of trees in the borough, with a view to improving procedures already in place http://www.merton.gov.uk/trees_2012.pdf
- Middlesbrough Council’s Environment scrutiny panel carried out a review on Countryside Matters in 2009. The focus of the review was existing provision, tree management, community and partner involvement, bio-diversity issues and update on allotments.
<http://cfps.org.uk/domains/cfps.org.uk/local/media/library/countrysidematters.pdf>

Terms of Reference

Rationale

35. A report was presented to the Environment and Sustainable Communities Overview and Scrutiny Committee held on the 3 July, 2014 detailing the proposed work programme of the committee for 2014/2015. At that meeting it was highlighted to members that as part of the refresh of the work programme arrangements had been made for a visit by the committee to various community woodland sites within the County providing an opportunity for members to see ‘first hand’ the work undertaken by Durham County Council (DCC) and partners on woodland owned and managed by DCC.

A discussion then followed where members asked for further detail on the role of DCC in relation to the management of the woodland estate, the key partners within County Durham and confirmation as to whether timber extraction was taking place within the County. Following the conclusion of the discussion it was felt by committee members that the management of the woodlands estate owned by DCC was a topic suitable for focused scrutiny review activity providing an opportunity to examine whether current policies and strategies are ‘fit for purpose’, that funding is maximised and possible diversification opportunities for the use of woodland are developed.

Arrangements have been made for an overview presentation on the management of the woodlands estate to be given to the Environment and Sustainable Communities Overview and Scrutiny Committee in November providing information on the following:

- National and regional policy in relation to the management of trees and woodlands providing detail of context and identifying how the policy landscape has changed in recent years.
- How national and regional policy is translated locally – Overview of the County Durham Landscape Strategy and its key aims and objectives relating to woodland and forestry, types of woodland within County Durham, map showing distribution of woodland types within the County and woodland owned and managed by DCC.
- Local policy for tree management – Overview of the County Durham Tree Management Policy covering trees in DCC ownership and private ownership and Tree Preservation Orders (TPOs).
- Key partners – identify partners with examples of projects undertaken within the County, how they are funded and what issues have been encountered.
- Funding – current and potential sources of future funding for woodland management and the potential to generate additional income from our timber stocks or use woodlands as a fuel source for council buildings using biomass heating systems.

Objectives

36. The aim of the review is to investigate how Durham County Council strategically manages the woodland estate for which it is responsible and will cover the following objectives:
- (a). To examine how the woodland estate owned by Durham County Council is managed including the community woodland estate managed by Neighbourhood Services for public benefit, together with detail of projects undertaken, the woodland restructuring programme and any issues in relation to managing the estate.
 - (b). To investigate what funding is currently available and identify any potential sources of future funding including EU funding opportunities for the management of the woodlands estate together with income generation from various initiatives such as biofuel schemes, sponsorship schemes, leasing or selling woodland.
 - (c). To establish how DCC encourages local people to use community woodlands including how we engage with local communities (do we use AAPs/Durham County News to publicise local projects), do we link in with the health agenda promoting projects from a health perspective, identify any projects that target specific groups (disabled, young people etc.) detail of participation rates within County Durham compared to participation rates nationally and regionally in relation to similar community based projects.
 - (d). To establish the work undertaken by DCC to encourage, engage with and support volunteers including detail of the current volunteer participation rate, how this compares nationally and regionally, are any projects targeted at specific groups (disabled, young people) and examples of volunteering schemes operated by partners within the County.

- (e).To identify work currently undertaken within the woodland estate in relation to timber extraction schemes and the development of woodland on unused land owned by DCC to generate biofuels.
- (f).To establish the work undertaken by DCC and partners within the woodland estate to promote the various habitats within the County, various projects that support wildlife, flora and fauna and identify changes in funding and policy.

Focus

37. The review should seek to identify outcomes and make recommendations in relation to:

- (a) Are DCCs current policies, strategies and plans effective in relation to managing the woodland estate owned by DCC?
- (b) Is partnership working within the County in relation to managing the woodland estate robust?
- (c).How DCC will fund woodland management in the future?
- (d).Should DCC be seeking to create new woodland that meets multiple objectives on DCC estate where appropriate?
- (e).How DCC and partners encourage, engage with and support communities within County Durham to participate in woodland projects and initiatives?
- (f). DCC's current and future arrangements for the diversification of the woodland estate?
- (g).How DCC and partners promote biodiversity within the woodland estate?

Membership

38. The membership of the Scrutiny Review Group will consist of members of the Environment and Sustainable Communities Overview and Scrutiny Committee. The membership of the Review Group will be no more than 10 including the Chair and Vice Chair of Overview and Scrutiny Management Board.

Reporting

39. On completion of evidence gathering and formulation of the recommendations a report will be drafted and sent to Corporate Management Team, Cabinet and the Environmental Partnership Group.

Timescales

40. The review will commence in December, 2014 with the aim of reporting to Cabinet in July/ Sept 2015.

Recommendation

41. Members of the Environment and Sustainable Communities Overview and Scrutiny Committee are recommended to:

Agree the terms of reference as set out in paragraphs 34 to 39.

Contact: Tom Gorman, Improvement Manager, Tel: 03000 268027

Email: tom.gorman@durham.gov.uk

Author: Diane Close, Overview and Scrutiny Officer, Tel: 03000 268143

Email: diane.close@durham.gov.uk

Appendix 1: Implications

Finance –None

Staffing – None

Risk - None

Equality and Diversity –An Equality Impact Assessment will be undertaken in respect of the Scrutiny Review recommendations.

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – None

Procurement - None

Disability Discrimination Act – None

Legal Implications – None