



# **Title of report: Executive Response to recommendations made by Environment and Scrutiny Committee for recommendations regarding Tree and Hedgerow Management**

**Decision maker: Corporate Director – Economy & Environment**

**Environment and Sustainability Scrutiny Committee** **Decision date: Monday 24 March 2025**

**Report by: Nutrient Mitigation Lead**

**Corporate Director – Economy & Environment**

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

All wards

## **Purpose**

To approve the executive response to the report from the Environment and Sustainability Scrutiny Committee regarding Tree and Hedgerow Management.

## **Recommendation(s)**

**That:**

- a) **The response to the Environment and Sustainability Scrutiny Committee's recommendations regarding Tree and Hedgerow Management shown as Appendix 1 as attached is approved.**

## Alternative options

1. None proposed; it is a Constitutional requirement to provide a response to recommendations made by Environment and Sustainability Scrutiny Committee. It is open to the executive to accept, partially accept or reject a recommendation from Scrutiny Committee, should a recommendation not be accepted an explanation should be provided.

## Key considerations

2. The Environment and Sustainability Scrutiny Committee met on 18 November 2024 to discuss the effectiveness and achievements of the Nutrient Management Board and made ten recommendations. These recommendations are addressed in Appendix 1.

### Environment Act 2021

3. The Environment Act 2021 (The Act) received Royal Assent on 9 November 2021 and operates as the UK's new framework of environmental protection. Given that the UK has left the EU, new laws that relate to nature protection, water quality, clean air, as well as additional environmental protections that originally came from the EU, needed to be established. The Environment Act allows the UK to enshrine environmental protection into law, it offers new powers to set binding targets.

The priority areas are:

- a. air quality;
- b. water;
- c. biodiversity;
- d. resource efficiency and waste reduction.

The Act introduces a new framework for setting long-term, legally binding targets for environmental improvement. These targets will sit with the Secretary of State. The Act legally obliges policy-makers to have due regard to the environmental principles policy statement when making policy decisions.

## Community impact

4. The supported recommendations align with the Council Plan 2024-28

*We will protect and enhance our environment and ensure that Herefordshire is a great place to live. We will support the right housing in the right place and do everything we can to improve the health of our rivers*

## Environmental Impact

5. The work to progress a Tree and Hedgerow Management Plan as part of a wider strategic approach to enhancing biodiversity aligns with the requirements of the Environment Act and the County Plan 2024-2028.

*Value nature and uphold environmental standards to minimise pollution and maximise biodiversity.*

## Equality duty

6. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. The Council notes environmental inequalities tend to disproportionately adversely impact areas of deprivation and those with lower household income. The supported recommendations set out in Appendix 1 seek to redress this imbalance.

## Resource implications

8. There are no resource implications associated with agreeing the content of this report as the Executive response provides information and indicates how the work is being taken forward. Where further decisions are required upon completion of the recommendations, any resource requirements will be considered in future reports.

## Legal implications

9. Scrutiny committees have the power to review, influence policy or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive, and to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area. The remit of the Environment and Sustainability Scrutiny committee is to scrutinise the:
- a. Core strategy
  - b. Waste & recycling
  - c. Travel incl. active travel
  - d. Climate & ecological emergency
  - e. Climate and nature impact assessment on infrastructure proposals
  - f. Environmental and energy efficiency standards
  - g. Nature strategy - Stewardship of natural resources & green spaces
  - h. Integrated wetlands & water quality and,
  - i. Statutory flood risk management scrutiny powers

## Risk management

10. The risks are summarised below:

Risk / opportunity	Mitigation
Pests and Disease – Ash Die Back, Oak processionary moth. Climate Change – Extreme weather events	Noting the aspiration to increase the percentage of tree coverage across the county, there is a risk of pests and diseases impacting upon this. Future guidance and planting will seek to ensure resilience by including variety of species. Planting will be appropriate to location and take into account potential risks of flooding, droughts etc.
Public perception or opposition to planting or maintenance activities	Ensure early engagement and communication with communities where planting or changes to hedgerow management are planned. Highlight the ecological and flood mitigation benefits to secure local support.
Additional resource costs to deliver the executive response. Long-term maintenance and management	The recommended actions will be delivering within existing resources. Consider and plan for the lifecycle management of trees and hedgerows, including pruning, disease monitoring, and eventual replacements. This will support the sustainability of the initiative and ensure long-term success. ?

The risks associated with the executive response to the Environment and Sustainability Scrutiny Committee's recommendations on tree and hedgerow management have been appropriately acknowledged. Mitigation measures are proportionate and aligned with the Council's overall risk management framework. Ongoing oversight, including operational and environmental risk monitoring, will help ensure the resilience and sustainability of tree and hedgerow programmes across the county

## Consultees

11. The legal and Constitutional issues are explained in other parts of this report. This decision will form the response of the Executive function to the recommendations from Overview & Scrutiny.

## Appendices

Appendix 1 for Executive response to recommendations made by Environment and Sustainability Scrutiny Committee regarding

## Background papers

None identified

## Report Reviewers Used for appraising this report:

**Please note this section must be completed before the report can be published**

Governance	John Coleman	Date 17/04/2025
Finance	Karen Morris	Date 11/04/2025
Legal	Click or tap here to enter text.	Date Click or tap to enter a date.
Communications	Iuene featherstone	Date 07/04/2025
Equality Duty	Harriet Yellin	Date 07/04/2025
Procurement	Carrie Christopher	Date 11/04/2025
Risk	Paige McInerney	Date 15/04/2025

Approved by Click or tap here to enter text. Date Click or tap to enter a date.