

REPORT TO ENVIRONMENT AND GENERAL PURPOSES COMMITTEE
**LOBBYING CHESHIRE EAST COUNCIL FOR A CHANGE
TO HIGHWAY TREE PLANTING POLICY**



Report Reference EN-22-04
Meeting Date 6th June 2022
Agenda Item 10
Prepared by Town Clerk

1.0 BACKGROUND

The Town Council aspires to drastically increase the town's tree cover and since adopting the Nature Action Plan has undertaken two major tree planting programmes. A number of the areas identified for planting are land held by Cheshire East Council as highway.

In addition to new trees, the town has lost a number of highway trees over recent years. These include trees along Higher Downs, Bexton Road and King Edward Road.

Cheshire East Highways currently rejects any request to plant new or replacement trees in the highway.

In 2019 the Town Council was advised that Cheshire East Council was reviewing its policy regarding permissions to plant in the highway. In March 2020, the Town Council wrote to the then Portfolio Holder for Highways outlining the council's ambition to increase tree cover and seeking an update on the new policy. The Town Council was advised that "as with any policy [it takes] time but we plan to have it available for consultation this year and hope that you will be able to contribute, helping to shape the direction that we take in the future." Cheshire East adopted a Tree Risk Management Strategy but this did not change its policy on highway planting.

In February 2021, the portfolio holder advised the policy was "still in development but I do hope it will be available to share with you in the coming months". The Town Council wrote again to Cheshire East Council in May 2021 and received a reply from the Deputy Leader (who under the new committee system became Chairman of the Highways Committee) which stated that the council was developing policies and processes to deliver its tree management strategy. Further correspondence with CEC Highways advised that the council should submit tree planting requests through the 'report it' function. The council formally submitted these requests in early 2022 – each was rejected and the local highways officer advised that they cannot permit new planting in the highway due to CEC Policy and that Cheshire East Council needs to change its policy for highway officers to be able to assess and permit planting.

Cheshire East Council is currently preparing a Tree Strategy. The officer responsible has advised that it is likely to aim to increase tree cover across Cheshire East but that "it's difficult to say what that will look like in terms of highways, they will still have their individual policies and anything introduced corporately wouldn't override their statutory powers."

2.0 LOBBYING FOR A CHANGE IN POLICY

Over the last two years there has been no change in Cheshire East Council's policy to planting trees

within the highway despite senior councillors stating it was in progress. The development of the Tree Strategy provides an opportunity for a change in policy, although it is unclear to what extent this policy will cover highways.

To achieve a change in policy it is recommended that:

- a) The council seeks one/all of the Cheshire East Council ward members to submit a notice of motion to the council to secure a debate on changing policy at the Highways and Transport Committee meeting.
- b) The council ensures it responds to any consultation on the new Tree Strategy
- c) The council seeks support from the Cheshire East Council ward members in their response to the consultation on the new Tree Strategy

3.0 REPLANTING OF TREES ON KING EDWARD ROAD

The winter storms resulted in the loss of two trees from the pavement along King Edward Road. This has left just one tree from an avenue. The options for replanting were raised with Cheshire East Highways which advised that they would not permit the planting of trees in the ground but may consider permitting the installation of planters, subject to size and pavement space. Large planters could be planted with a tree.

The replanting of trees in this area would be challenging as there is no verge. The fallen trees were surrounded by tarmac and there are services within the pavement. To replant trees in the pavement an area would need to be excavated which would be costly (possibly in the region of £10k-£20k once traffic management is included).

The committee should consider whether to:

- a) Further explore the planting of trees within the pavement, once CEC's policy on highway tree planting is changed
- b) Explore the installation of planters along this route
- c) Do nothing

4.0 DECISIONS REQUIRED

The committee should consider the matters raised in sections two and three of this report.