

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to Cabinet
of 14 March 2023**

Subject: Ash Dieback

1. Purpose

- 1.1 The purpose of this report is to inform the Cabinet of the impact of the Ash Dieback disease and to seek Cabinet approval for an Ash Dieback Plan as set out in Appendix 1.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 approves the Ash Dieback Plan at Appendix 1, with year 1 funding coming from the Council's uncommitted reserves; and**
- 2.1.2 agrees that Members lobby CoSLA to fund the full project through the Scottish Government. If the Scottish Government do not agree to fund the remaining work for years 2 to 7 a report will be brought to cabinet to seek instruction from Members.**

3. Background

- 3.1 Ash Dieback first came to notice in Europe some 30 years ago and has devastated the European Ash. It was first recorded in the UK in 2012 and has spread prolifically throughout England. The disease is now established in Scotland and has been identified in South Ayrshire.
- 3.2 The diseased trees can pose a significant risk to safety such as those trees located next to roads, in parks and open spaces and next to power lines. The loss of the trees will have a huge negative impact on biodiversity and the landscape and there will be a substantial economic impact through the need to manage this disease. This will involve identifying where we have Ash trees, assessing their condition and, where necessary, removal of the trees and a programme of replanting
- 3.3 The disease is spread by a fungus called *Hymenoscyphus fraxineus*¹. The spores are released into the atmosphere and can be blown great distances making the disease able to spread quickly and extensively. The spores then land on the leaves,

¹ *Hymenoscyphus fraxineus* is an ascomycete fungus that causes Ash Dieback and is characterised by leaf loss and crown dieback in infected trees.

penetrate the leaf and then further into the tree. The fungus grows in the tree resulting in blocking the tree's system of water movement, most often resulting in the death of the tree.

3.4 In May of 2021 Scottish Government wrote to the Chief Executives of all Local Authorities, as officers managing Corporate Risk, to attend a virtual round table briefing.

3.5 The Scottish Government recognises the very real risk that these dead and dying trees will pose on human safety together with the economic and environmental impacts. One of the important lessons from England is that many Local Authorities have now added the management of Ash Dieback into their Corporate Risk Registers and recruited new staff to deal with the disease.

3.6 The Scottish Government introduced an Action Plan Toolkit which was commissioned by Scottish Forestry and developed by the Tree Council with the aim of providing 'Scottish Guidance' on how to manage the disease.

3.7 Ash Dieback is most easily identified during the summer months when trees are in full leaf and is generally surveyed into one of four stages depending on the health of the tree depicted by the leaf cover:

- Category 1 – 100%-76% remaining canopy;
- Category 2 - 75%-51% remaining canopy;
- Category 3 – 50%-26% remaining canopy; and
- Category 4 – 25%-0% remaining canopy.

3.8 Trees that are within Category 1 and 2 are deemed safe to climb to facilitate the felling of the tree. However, trees falling into Category 3 and 4 are not considered safe to climb as the pathogen has weakened the tree so much that it is brittle and has a reduced structural integrity. These trees will require to be felled in line with our risk matrix with Category 4 deemed red in terms of risk and Category 3 deemed amber meaning they require attention within the next 3 to 6 months.

3.9 The Neighbourhood Services Forestry Team commenced surveying Ash trees on land that we own or manage between July 2021 and 30 September 2021 and recommenced surveying in May 2022 with survey work ending on 30 September 2022.

3.10 Funding of £250,000 was allocated as part of the 2022/23 budget proposals to carry out the survey work and to allow Neighbourhood Services to bring in a contractor to commence tree felling works.

3.11 91.34% of Parks and Public Open Space have now been surveyed as shown in the table below. To assist in this work, ICT developed an app that allowed us to electronically log data, log photos of the tree and map the location of each tree. See Appendix 2.

Category	No. of Trees on First Inspection
Category 1	2,477

Category	No. of Trees on First Inspection
Category 2	2,220
Category 3	1,205
Category 4	977
Non Specified	19
Total	6,898

3.12 It should be noted that of the trees identified:

- 15.99% of trees were in private ownership reducing the total figure that SAC have responsibility for to 5,798; and
- It is anticipated that we will not require to fell 10% of the 5,798 trees identified, reducing the number of trees to be felled to around 5,216.

3.13 Discussions have taken place with Ayrshire Roads Alliance (ARA) and the Council's Golf and Leisure to ensure a corporate approach to our assets.

3.14 Ayrshire Roads Alliance arranged for a contractor to undertake the survey of the roads network with their figures included in the table at section 6.2.

3.15 Both SAC and ARA will require to undertake annual inspections between May and October 2023 and record the trees condition, note any deterioration and the need for any remedial action.

4. Proposals

4.1 It is proposed that the Council approves the action and recovery plans as set out in the Ash Dieback Plan, with year 1 being funded from uncommitted reserves and years 2 to 7 subject to future funding availability. This function will be undertaken jointly with Neighbourhood Services arranging for inspection and necessary felling of trees within all Council public open space assets, including Golf; and Ayrshire Roads Alliance undertaking inspection and associated works of the road network.

4.2 Neighbourhood Services and ARA have already identified a significant number of Ash trees with the disease at stage 3 and 4 which are now a known risk and require to be felled as soon as possible.

4.3 It is proposed that the Councils representatives at CoSLA lobby in conjunction with other local authorities to seek funding from the Scottish Government to tackle the national issue of Ash Dieback across Scotland.

5. Legal and Procurement Implications

5.1 If South Ayrshire Council were found not to have fulfilled its duty of care under the Occupiers' Liability (Scotland) Act 1960, the local authority could be held liable for injury or damage caused as a result. A failure to mitigate the risks posed by Ash

Dieback could also result in criminal prosecution caused by a failure to adhere to obligations imposed by Health and Safety Legislation.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 Below is a table outlining the financial requirements for SAC as part of a 7 year management plan of Ash Dieback. Ayrshire Roads Alliance have submitted a 3 year plan. SAC costs are based on the average price of £600 to fell and remove a diseased tree in 2022/23, with 10% inflation added for each consecutive year.

6.2 In years 1,2 and 3 the inspection will take 6 months to complete. However, with the felling of trees throughout the first 3 years it is anticipated that the time taken to inspect all trees will reduce to 4 months in year 4 and will reduce further in year 6 to 2 months. This is reflected in the cost of survey in the table at 6.3

6.3 Funding of £250,000 was allocated as part of the 2022/23 budget proposals to facilitate the completion of the survey work and to commence with the felling and removal of trees with an anticipated spend of £234,000 by the end of the financial year.

Element	Lead	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
		2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
Cost of survey based on a 7 yr plan for SAC, 3yr for ARA	SAC	£19,090	£20,999	£23,098	£16,938	£18,632	£10,247	£11,271
	ARA	£25,000	£25,000	£25,000				
Tree Removal- SAC based on 700 per annum	SAC	£420,000	£462,000	£508,200	£559,020	£614,922	£676,414	£637,761
	ARA	£3,250	£38,480	£17,160				
Cost to undertake replanting based on replanting 5216 trees at recommend rate	SAC	£0	£231,000	£254,100	£279,510	£307,461	£338,207	£372,027
	ARA	£5,000	£59,200	£26,400				
Staff Costs /Administration – Costs will be absorbed by each Service	SAC	£0	£0	£0	£0	£0	£0	£0
	ARA	£0	£0					
Other Costs/Contingencies (15%)	SAC	£65,863	£107,100	£117,809	£128,320	£141,151	£153,730	£153,159
	ARA	£4,988	£18,402	£10,284				
Total per Year		£543,191	£962,181	£982,051	£983,788	£1,082,166	£1,178,598	£1,174,218

7. Human Resources Implications

7.1 There will be a requirement to contract in an arboricultural team to assist in the delivery of the Ash Dieback Plan.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

8.1.1 There is a risk that the Council will not be able to fund the required action and recovery plan over the next 7 years without financial support from the Scottish Government.

8.2/

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 There is a risk that in rejecting this proposal the Council will fail to deal with a known health and safety risk within its assets that could have serious or fatal consequences breaching its duty of care. If South Ayrshire Council were found not to have fulfilled its duty of care under the Occupiers' Liability (Scotland) Act 1960, the local authority could be held liable for injury or damage caused as a result. A failure to mitigate the risks posed by Ash Dieback could also result in criminal prosecution caused by a failure to adhere to obligations imposed by Health and Safety Legislation.

9. **Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping Process. There are no significant positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is shown in Appendix 3.

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** Given the urgency of situation from a Health and Safety perspective an SEA will be undertaken during the next 6 months in relation to the Ash Dieback Plan.

11. **Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. **Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitment 6 of the Council Plan: A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

13. **Results of Consultation**

13.1 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Housing, Operations and Development will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Undertake implementation of Ash Dieback Plan and report progress annually	January 2024	Service Lead – Neighbourhood Services/ Head of ARA
Report back on results of discussions with CoSLA over Scottish Government funding for Ask Dieback	30 September 2023	CoSLA Elected Member Representatives

Background Papers **None**

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Date: 6 March 2023

Ash Dieback Plan

DECEMBER 2022



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INTRODUCTION

This document sets out how South Ayrshire Council aims to manage Ash Dieback within the assets that it owns and or manages. The structure of the plan is based on the recommendations of National Guidance commissioned by Scottish Government and supplied by The Tree Council who developed, Ash Dieback: An Action Plan Toolkit for Scotland.

Ash dieback has been described by the Tree Council “as the most significant tree disease to affect broadleaf trees in the UK since Dutch Elm disease gained prominence in the 1960’s”. What makes this disease of such great concern is the rate of spread. Unlike Dutch Elm which was spread by beetles, Ash Dieback is spread by a wind borne fungus (*Hymenoscyphus fraxineus*) which has a much quicker and extensive rate of dispersal.

The disease was first recognised as a fungal disease affecting Ash trees in Poland in 1992 and by 2012 the first reports of the disease had been recorded in England and Scotland due to imported trees. Immediate changes were made to the importing and movement of Ash trees to reduce the spread of the disease within the UK. Scottish Forestry in conjunction with the Scottish Tree Health Advisory Group developed action plans to reduce the spread of the disease. However, by 2015 it was evident that eradicating or even controlling the rate of spread was not going to be possible.

The evidence from Europe indicates that Scotland will see the decline and death of 50-75% of Ash trees over the next 20 years. The resulting diseased trees will cause –

- risk to public safety,
- significant economic impact,
- substantial impact upon biodiversity, and
- considerable changes to our landscape.

It is estimated that there are 1 million ash trees growing in Scotland’s parks, public open space and roadsides. The implications of this disease was not lost on the Scottish Government and in May of 2021 the Scottish Government wrote to all Local Government Chief Executives “ *to invite you to personally attend an important ‘virtual’ Round Table briefing to find out more about the increasing spread of ash dieback across the nation, the major implications of dealing with dead and dying ash trees, and the crucial recovery process where there will be significant opportunities to create benefit-generating treescapes that are more resilient to climate change and any future pest and disease issues.*”

What is evident is that due to this disease, for landowners who have responsibility for the management and maintenance of trees, it will not be “business as usual. There will be a requirement to manage ash dieback which will require, identifying the extent of the impact, plan and implement a programme of works and a replanting programme, all of which will have a major economic cost.

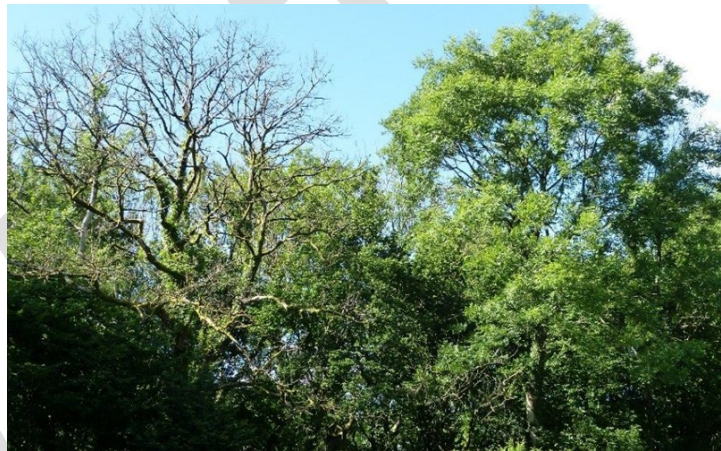
WHAT IS ASH DIEBACK

As mentioned previously Ash Dieback is a disease caused by a fungal pathogen which was identified in Europe in the 1990's and reported in the UK in 2012 and is now widespread and the spread is unable to be controlled.

The visual symptoms of the disease which are most identifiable is the loss of leaf cover in the tree crown and branches dying back



Arboricultural Association



Carmarthenshire County Council

Other symptoms include black wilting of leaves and shoots; black diamond shaped lesions centred upon where a branch joins the trunk, the lesions often spread the infection upwards and downwards displayed as an elongated diamond. This can lead to the girdle of the trunk which stops the movement of water and nutrients from roots to leaves. ¹



Woodlands Trust



Forest Research

¹ [Ash dieback \(Hymenoscyphus fraxineus\) - Forest Research](#)

Where trees have died completely the timber is very brittle allowing the potential for branch or limb drop, where a secondary disease has taken the opportunity to attack the weakened tree there can then be the issue of root destabilisation which could see the full tree falling.

Below are images of the progress of the damage / failure of the interior of the timber.



F Ross



Nicholsons Plants



National Trust

The disease is spread, mainly by the wind, by fruiting bodies which develop on the central stem of the previous seasons leaf litter. The spores are then dispersed landing on new Ash trees. Spores develop into a fungus which destroys the vessels through which water and nutrients are transported (xylem & phloem) around the tree. The result of which is the reduction of leaves and the die back of branches. The reduction of water and nutrients sees the tree weaken and it then can become susceptible to secondary pathogens such as Honey Fungus (*Armillaria*), Shelf / Bracket Fungus (*Ganoderma*) or Shaggy Bracket (*Inonotus hispidus*). The secondary infection can speed up the rate of death. Other external factors that can speed up the rate of decline include, moisture levels, topography and soil type.

While it is anticipated, through evidence from Europe, that 50-70% of the Ash tree population of the UK will be lost to this pathogen. However, the same research has found that approximately 10% of the Ash population has some degree of tolerance to the disease, with 1-2% of trees having a high level of tolerance to the disease.

IMPACT OF ASH DIE BACK UPON THE ENVIRONMENT

The disease will have a significant impact upon the biodiversity of the UK, the Joint Nature Conservation Committee published Report 501 in February 2014² in which it states that there are 1058 different species that are associated with the Ash tree. Whether that be directly e.g., living within the tree or indirectly e.g., feeding within the habitat that an Ash woodland provides. The importance of the Ash tree to the UK biodiversity should not be underestimated with at least 106 species depend specifically on the Ash tree and or the habitat that the trees provide. It is an important species as it has a light canopy which lets sunlight through, allowing light to access with woodland floor.

The loss of the Ash will have a significant affect upon the landscape, especially where there are large Ash woodlands such as those in England and Wales. In Scotland, the Ash is the 5th most common broadleaved tree (as individual tree)³ and is most common in rural areas especially along hedgerows and roadsides; it is found as part of mixed woodlands and often seen along waterways. In the urban

² [A summary of the impacts of ash dieback on UK biodiversity, including the potential for long-term monitoring and further research on management scenarios \(jncc.gov.uk\)](https://www.jncc.gov.uk/publications/501)

³ [chalara-impact-report-scotland.pdf \(forestry.gov.scot\)](https://www.forestry.gov.scot/publications/501)

area Ash is often used as a specimen tree, e.g., weeping ash, within parkland woodland and forming part of the amenity plantings within residential areas.

Additionally, the Ash tree plays an important role in carbon storage. A mature Ash tree has the capacity to store 6052kg of carbon and in a rural setting the life expectancy of the species is 200 years while in the urban setting the life expectancy falls to that of 100years⁴. The loss of so many trees within a relatively short period of time has the potential to also impact air quality; flood management and river banking stabilisation; noise and visual impact, especially along roads.

POTENTIAL IMPACTS OF ASH DIEBACK ON SOUTH AYRSHIRE COUNCIL

The Ash Dieback: An Action Plan Toolkit for Scotland developed by the Tree Council for the Scottish Government in the spring of 2021⁵ breaks down the potential impact that the disease may have on a corporate risk assessment into 4 separate headings and provides the following examples of risks.

Health & Safety	Environmental	Economic	Reputational Damage
Potential for death or injury as a result of ash dieback related accidents, both to professionals working on trees, and to the general public	Landscape changes with impacts on tourism and recreational opportunities	Increased liabilities in cases of death or injury as a result of ash dieback related incidents	Potential for disruption as a result of ash dieback management e.g., widespread road closures to deal with potentially dangerous trees
Increased safety issues due to declining ash trees on roads, owned and managed land such as in county parks, housing, estates, schools, routes to school, active travel routes and other well-used paths	Losses to ecosystem services such as reductions in air quality, potential for increased flooding, biodiversity losses, increases in noise levels adjacent to roads, losses of visual screens	Inadequate staffing levels and the ability (or inability) to undertake the work required resulting in increased costs to recruit and retain the necessary staff	Political and reputational risks as a result of negative press over ash dieback management and public outrage and/or anxiety
Risks to statutory functions or service delivery such as retaining safe schools, public open spaces or roads	Risks to Protected Species/ sites through alteration of habitat structure, stability and composition e.g., loss of bat (a European Protected Species) breeding/ roosting/ feeding sites	Increased expenditure from direct and indirect cost due to ash dieback e.g., additional staff and management activities, and the impacts this may have on other services and budgets	Potentially strained relationships with landowners and managers as ash dieback spreads, particularly in relation to costs
Risks to staff and community from trees on adjacent land falling into your estate	Losses of carbon storage and sequestration	Additional costs if the disposal of some products from felled ash need to enter the waste management system. NB wherever possible the timber should be used and at present there is no restriction on the use of this for wood products and firewood	

⁴ [Layout 1 \(barcham.co.uk\)](http://barcham.co.uk)

⁵ [Ash-Dieback-Action-Plan-Toolkit-for-Scotland-June-2021.pdf \(treecouncil.org.uk\)](https://www.treecouncil.org.uk/ash-dieback-action-plan-toolkit-for-scotland-june-2021.pdf)

Risks from falling ash to your and others' infrastructure such as houses, buildings, structures, particularly Scheduled Historic Monuments and those of historical or other importance, buildings, fencing, signs, equipment stores, electricity lines and railway tracks etc.	Loss of biodiversity from the decline or extinction of species which are largely or entirely dependent upon ash	Increasing prices as a result of market competition for a limited pool of skilled tree contractors	
	Loss of shade for farming stock or for people in urban areas	Increased direct/indirect costs due to increased flood risk resulting from changes in the way water may be held back by tree roots, or absorbed into the soil, or taken up by ash trees	
		Costs of replanting needed to retain ecosystem services provided by ash e.g., flood reduction, urban shading, carbon storage and habitat for biodiversity	
		Increased liabilities and insurance premiums as a result of risks to adjacent land and 'third party' property from your trees falling/shedding branches	
		Drop in market prices for ash wood products due to excess ash on the market	

South Ayrshire Council has now added Ash Dieback to the Corporate Risk Register and many of the above risks have been recognised as potential effects that South Ayrshire Council must manage.

While all the above are of importance, the initial focus must be on Health and Safety, to ensure public safety, staff safety and to mitigate damage to property. Land held or managed by South Ayrshire Council can be divided into the following sectors.

- School Grounds
- Housing Areas
- Roads
- Parks and Public Open Space incl. Allotments
- Woodlands
- Footpaths, River walks, Cycle ways & Bridlepaths
- Cemeteries
- Golf Courses

If South Ayrshire Council were found not to have fulfilled its duty of care under the Occupiers' Liability (Scotland) Act 1960, the local authority could be held liable for injury or damage caused as a result. A failure to mitigate the risks posed by Ash Dieback could also result in criminal prosecution caused by a failure to adhere to obligations imposed by Health and Safety Legislation.

For South Ayrshire Council the next risk factor to consider is that of the Economic Impact. The financial cost will not just relate to managing the decline of the Ash trees within lands held by South Ayrshire Council; it is likely that the Authority will require to manage trees on private lands, trees adjacent to roads managed by Ayrshire Roads Alliance, and absorb the cost of doing so as the owner e.g. does not engage with the Council, refuses to undertake necessary works or does not have the means to undertake the works.

There is the potential of increased liabilities in cases of death, injury, damage to property. To ensure that South Ayrshire Council mitigates this, and all the above risks, the Council must ensure the delivery of an Ash Dieback Plan, which will have a major financial cost to implement. The specific costs will relate to the following: -

- Continued survey / monitoring of trees within South Ayrshire Councils ownership, management and adjacent to roads under the control of Ayrshire Roads Allowance.
- Implementation of the felling or pruning works identified from survey.
- Replanting

IDENTIFYING ASH TREES & ASH DIEBACK IN SOUTH AYRSHIRE COUNCIL CONTROL

South Ayrshire Council did not have an inventory of trees for which it has responsibility. As such, the first task was in establishing the number, location and condition of Ash trees that the Authority owns and or manages. The Council identified £250,000 for financial year 2022/23 to facilitate the necessary survey work and to commence with the felling of Ash that have been identified as suffering from Ash Die Back. The survey identifies any tree that is within felling distance of a target should a tree fail. A target being, e.g., a road, footpath, property, powerline. The easiest time to undertake the survey is during the time when the tree is in leaf, as the quickest and most effective method of identifying Ash trees and their current condition is to use leaf identification and the vitality of the crown.

The data collated from the survey will determine the prioritisation of works to be undertaken, subject to risk-based assessment. The first risk will be that of LOCATION – what would the impact of the tree if it were to fail e.g., tree within a school property or busy footpath where there are lots of people on a regular basis would be of a higher priority than a tree located within a public where there is no formal footpath close by. The second risk will be that of CONDITION – what is the condition of the tree. The method of assessing the condition of a tree will be undertaken using the Suffolk County Council Ash Health Assessment as included in the Action Plan Toolkit for Scotland.

Tree canopies are scored, assessing the percentage of the crown remaining. Using this four- category framework allows a tree to be assigned to a health category, which informs subsequent action. The four categories are:

Class 1: 100% - 76% remaining canopy
Class 2: 75% - 51% remaining canopy

Class 3: 50% - 26% remaining canopy
Class 4: 25% - 0% remaining canopy



Other factors that may require to be used in the assessment of prioritisation relate to weather conditions which may have a negative impact upon trees, such as high winds, which may bring down more trees due to their lack of vitality or cause limb / branch drop due to the brittle nature of the structure. Excessive rainfall which causes the ground to become excessively soft e.g., tree in parkland or field with a crown which is unbalanced, or the roots are no longer robust, and the soil is not firm enough to hold the tree upright. Another would be location of the tree, e.g., on a slope or river banking is likely to slip and fail.

Neighbourhood Services who manage the Authorities trees, with the exception of those within Golf Courses, has surveyed 91.34% of our sites. The Service asked ICT to develop an app which has allowed the Forestry Team to record data including the GPS location, take images of the trees and the ability to run reports.

Survey work commenced July 2021 and continued until leaf fall. Due to the importance of the survey this was made a priority and the Team only undertook arboricultural works that were considered essential or that had already been programmed. In so doing we have now created a backlog of works. Neighbourhood Services Forestry Team recommenced survey work at the end of May 2022 and continued until end of September. During this period Neighbourhood Services contracted in a 3-person forestry team to commence with the felling of those trees considered to be in high-risk areas-school grounds, cemeteries, areas of high footfall.

The survey has identified 6898 trees have been identified, the breakdown of classes being:

Class 1 – 2477	Class 2 – 2220
Class 3 – 1205	Class 4 – 977

81.46% of the trees identified are located on South Ayrshire Council land, 15.99% are on private and the remaining 2.55% is unspecified at this time. To date 291 trees (4.22%) have been felled.

Neighbourhood Services has had regular meetings to discuss Ash Dieback and how it will impact upon Ayrshire Roads Alliance (ARA). While the Alliance is responsible for all street trees within South Ayrshire Council there are very few street trees that are Ash. Ayrshire Roads Alliance while not the owner of all trees next to roads, does have a responsibility for managing and maintaining public roads under the Roads (Scotland) Act 1984 and is subject to the same Duty of Care as South Ayrshire Council under Occupiers' Liability (Scotland) Act 1960. As such, all roads for which ARA has responsibility will require to be surveyed.

IMPLEMENTING WORKS REQUIRED

Now the survey work has reached near completion, a programme of works will require to be developed based on the prioritisation assessment outlined previously. It is likely that it will require a 7-year plan as a realistic timespan to undertake the works and replanting necessary.

In relation to determining works necessary the Tree Council is recommending that any tree that is located within falling distance of a target or to drop a limb(s) should be felled and removed due to the likelihood of the tree to failure. For South Ayrshire Council that will result in the felling of approximately 90% of the Ash trees that we have responsibility for, within a target area, based on where our woodlands are and the proximity of targets to trees located in public open space.

In addition, trees that are within Class 1 and Class 2 (trees that have over 50% of the canopy remaining) are deemed safe to climb so would not necessarily require machinery to facilitate the felling of the tree. However, trees falling into Class 3 and Class 4 are not considered safe to climb as the pathogen has weakened the tree so much that it is brittle and has a reduced structural integrity. These trees will require the use of machinery to fell e.g., Cherry Picker, Scissor Lift, Boom Lift, Crane. All will depend on accessibility to the individual trees.

As detailed previously there are several risks that will impact upon the ability to undertake the necessary works. Due to the rate of spread of the disease across Scotland there is likely to be a skill shortage of suitably qualified arboriculturists, resulting in both delays to works being undertaken and increased costs due to market competition. The same challenges will be faced when hiring machinery.

In relation to the timber produced from the works undertaken the intention is to reach out to the company that currently purchases the Councils excess timber and see if they would be interested in entering into a contract with South Ayrshire Council for this additional timber.

TREES ADJACENT TO ROADS

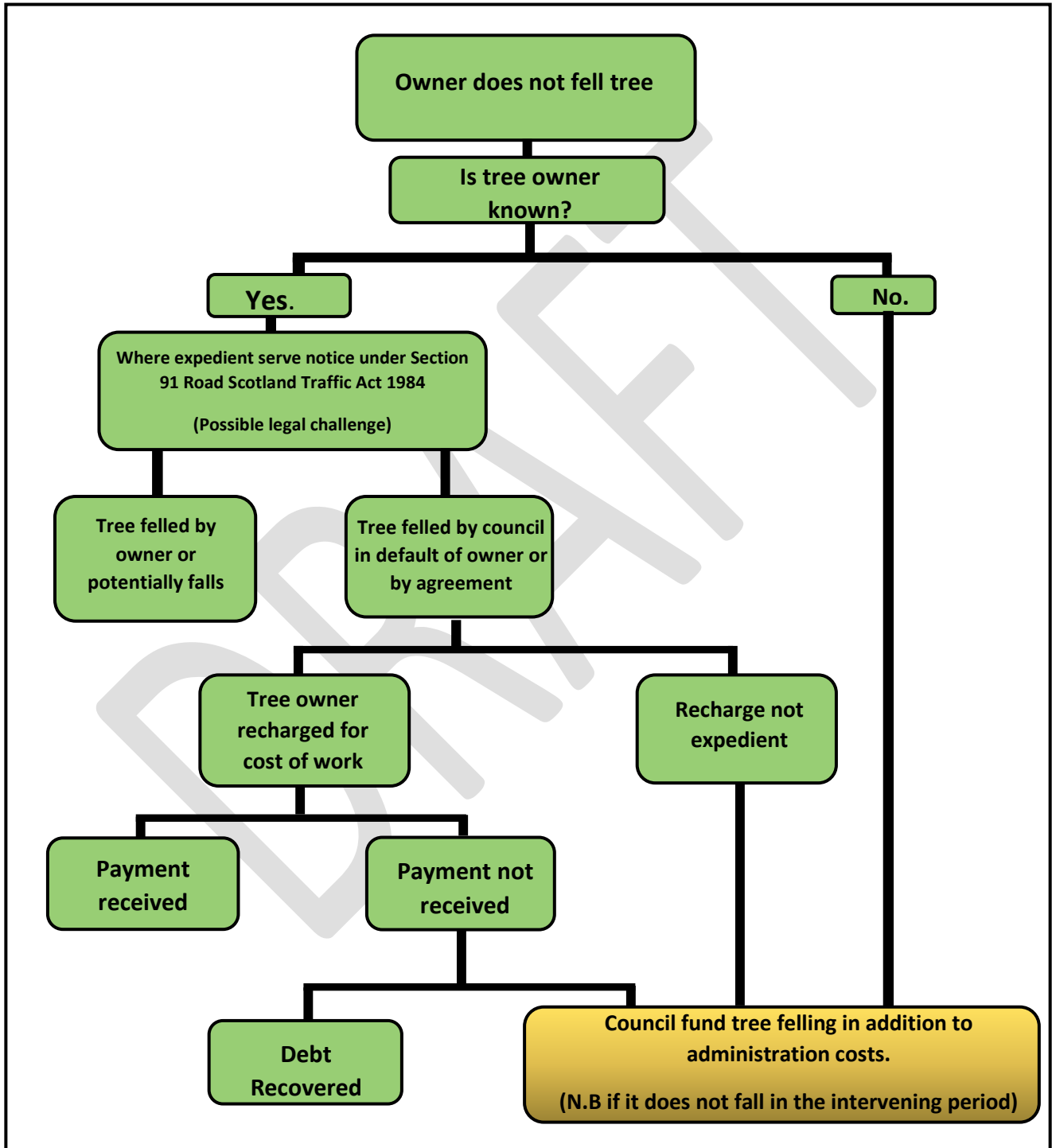
These trees are considered to be of great risk due to their location, that the risk will affect a large number of people together with the speed motorists could be travelling.

Ayrshire Roads Alliance is responsible of 1175Km of adopted highway, covering A, B, C, and minor roads. As mentioned previously ARA is responsible for management and maintenance of public roads under the Roads (Scotland) Act 1984 and has a Duty of Care under Occupiers' Liability (Scotland) Act 1960. As such, all roads for which ARA has responsibility will require to be surveyed, part of this survey will require to establish the owners of the trees which are in private ownership.

Under Section 91 of the Roads (Scotland) Act 1984, ARA has the authority to serve notice upon a landowner to fell or limb a tree where the tree is considered to be a danger to the highway. If the landowner does not undertake the works necessary within the timescale detailed, ARA has the right to undertake the works and to recover the costs from the landowner. It should be noted that the experience of English Authorities is that only a small percentage of the costs were ever recovered.

The same risks and challenges will be faced by ARA as South Ayrshire Council in relation to managing Ash Dieback with regards to reputational damage, being able to source the necessary qualified skilled staff to undertake the works and the machinery required. ARA face the additional burden of the administration required to be able to serve Notice upon private landowners. The flow chart⁶ on the next page provides a summary of the process.

FLOW CHART SUMMERISING THE PROCESS OF MANAGING ROAD SIDE TREES



⁶ [Ash Dieback Action Plan \(flintshire.gov.uk\)](http://flintshire.gov.uk)

RECOVERY PHASE

Implementing the recovery phase will be as important as the Action Phase (Survey & Implementation) of managing Ash Dieback. The Tree Council state “ it will be vital to consider longer-term recovery planning and how to safeguard Scotland’s precious treescapes for generations to come. We will need resilient planting and visionary thinking...”

The need to replant and replace the trees lost to Ash Dieback is not just an aesthetic need but one to help combat climate change, the loss of biodiversity, mitigate flooding and air pollution, provide shade and cover to farm animals.

When planning for recovery the first consideration is what species to replant with, to future proof as far as possible against current and anticipated pests and diseases. Currently within the UK there are a number of diseases targeting specific tree species e.g.,

- *Pseudomonas syringae* pv *aesculi* – affects Horse Chestnut
- *Phytophthora* – affects many trees such as Larch, Alder, Cypress, Oak, Beech
- *Sirococcus tsugae* – affects Ceders and Hemlocks

Rather than replanting with a single species it would be better to plant a diverse range of tree species. The selection of which again would not simply focus upon current pests and diseases but also changing temperatures, changing rainfall, soil type, location and function.

Where possible consider natural regeneration of lost trees rather than formal replanting, this maybe more in keeping in rural areas however in the urban setting it is more likely that replanting will be the method of recovery used.

In terms of the number that will be planted it will not be a simple 1 for 1 replacement. For the loss of a large mature tree it would be recommended that 3 new trees are planted. For the loss of a medium tree replant with 2 and for a small tree replant with 1.

A by product of the development of the Ash Dieback Plan is recognising the need for South Ayrshire Council to have a Tree Strategy which would look at the resilience, improving the condition, diversity and range of our trees and woodlands; to review the connectivity and the ability of the tree scape to provide green corridors, to mitigate against current and future threats whether that be from pest and disease, animals e.g. squirrel and deer or from development where land is lost to buildings. So protecting this vital habitat for future generations.

THE ESTIMATED COSTS

To deliver the Ash Dieback plan will require significant investment. The works falling into 2 main sections.

Action

- Continued Survey / Monitoring
 - ✚ Additional administration
 - ✚ Employing additional staff and or contractors
 - ✚ Vehicle hire / purchase

- Implementation
 - ✚ Additional administration
 - ✚ Employing additional staff and or contractors
 - ✚ Vehicle / Machinery hire and or purchase
 - ✚ Traffic Management
 - ✚ Disposal of timber

Recovery

- Planting
 - ✚ Purchase of trees /whips; tree stakes & ties
 - ✚ Employing additional staff and or contractors
 - ✚ Vehicle hire / purchase

The following estimated costs relate to two categories, costs associated with Trees for which South Ayrshire Council is directly responsible and those which Ayrshire Roads Alliance will require to assess and manage.

Costs for SAC are calculated on survey work undertaken to date. That being that we have identified 6898 Ash trees of which 15.99% of these trees are on private land reducing the total to 5798. Of this we anticipate 90% of these trees to be in proximity to a target. Therefor number of trees to be felled is 5216.

Costs are based on an average cost to fell and remove of £600 per tree in 2022/23, 10% inflation added for each consecutive year.

Ayrshire Roads Alliance arranged for a contractor to undertake the survey of the roads network and the figures below relate to the findings of that survey.

Element	Lead							
		2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
Cost of survey based on a 7 yr plan for SAC, 3yr for ARA	SAC	£19,090	£20,999	£23,098	£16,938	£18,632	£10,247	£11,271
	ARA	£25,000	£25,000	£25,000				
Tree Removal- SAC based on 700 per annum	SAC	£420,000	£462,000	£508,200	£559,020	£614,922	£676,414	£637,761
	ARA	£3,250	£38,480	£17,160				
Cost to undertake replanting based on replanting 5216 trees at recommend rate	SAC	£0	£231,000	£254,100	£279,510	£307,461	£338,207	£372,027
	ARA	£5,000	£59,200	£26,400				
Staff Costs /Administration – Costs will be absorbed by each Service	SAC	£0	£0	£0	£0	£0	£0	£0
	ARA	£0	£0					
Other Costs/Contingencies (15%)	SAC	£65,863	£107,100	£117,809	£128,320	£141,151	£153,730	£153,159
	ARA	£4,988	£18,402	£10,284				
Total per Year		£543,191	£962,181	£982,051	£983,788	£1,082,166	£1,178,598	£1,174,218

It should be noted that all the above costs are estimates based on current pricing and costs may well vary, therefore a contingency cost of 15% has been built in.

COMMUNICATION PLAN

It is essential that as part of this plan that there is a robust Communications Plan. As the works required to manage this disease with South Ayrshire are going to be highly visible, with major changes to the landscape it is to be expected that there will be concern from the general public that large quantities of trees are being felled resulting in a negative impact upon their community or neighbourhood.

We require to be able, prior to works commencing to be able to highlight the issue of Ash Dieback to the public. What is required by the Council as a responsible landowner to manage the disease and how the surveys and works are going to be implemented.

To make sure that we can address concerns relating to felling during breeding bird season, bat surveys etc. That we can inform the public that the plan includes a Recovery Phase in which there will be major replanting.

The other aspect of the Communication Plan is to highlight Ash Dieback to private Landowners and Householders. To be able to assist them in being able to identify an Ash tree and the different stages of the deterioration of the tree, so that they can assess whether any tree(s) within their ownership is an Ash and if so what class it / they fall in and what they now need to consider under Health & Safety.

ACTION PLAN

The following is an Action Plan detailing the objectives and associated actions which will facilitate the management of Ash Dieback including the Recovery Plan, within lands owned and managed in South Ayrshire. The Action Plan also takes into considerations the duties relating to Ayrshire Roads Alliance.

An officer working group that will work to deliver and monitor the delivery of the actions. All objectives and actions will be subject to annual review to ensure that all are progressing, to identify any issues, or where an action is no longer applicable or achievable.

On the next page is a summary of the objectives, the detail can be found in the tables that follow.

RISK	DATA	ENVIRONMENT	COMMUNICATION	RECOVERY
<p>Define detail of risk-based approach.</p> <p>Recognise and manage Authorities legal duty</p> <p>Manage & mitigate risk</p>	<p>Identify gaps within existing recorded data including owners of private land</p> <p>Arrange for surveys to be undertaken and to accurately record current status</p> <p>Continue to record works undertaken and resurvey each year or and & when necessary</p> <p>Identify outlets for timber</p>	<p>Develop a reasonable & responsible felling plan</p> <p>Consider landscape character when looking at replanting / natural regeneration</p> <p>Identify potential suitable species for replanting</p> <p>Identify impacts upon biodiversity & opportunities for mitigation</p>	<p>Develop communication plan to include general public, private landowners, and staff</p> <p>Provide training to staff to ensure the ability to accurately identify Ash Dieback and the classification of vitality</p>	<p>Identify opportunities for natural regeneration</p> <p>Procure biosecure trees for replanting with the required stakes and tree ties</p> <p>Develop a planting plan which provides opportunities for community involvement</p>

RISK

Objective	Actions	Key Services
Define detail of risk-based approach.	<p>Develop an officer working group to identify and prioritise the different risks to be considered when prioritising felling programme</p> <p>Work with Risk & Safety to ensure be critical friend of the developed risk prioritisation and that it will satisfy Council Insurance & mitigate Corporate Risk</p>	Neighbourhood Services Ayrshire Roads Alliance Risk & Safety
Recognise and manage Authorities legal duty	<p>Engage with Legal Services to ensure that we have identified all relevant legislation</p> <p>Engage with Legal Services to identify potential liabilities and ensure that our Ash Dieback plan eliminates or mitigates the potential liabilities</p> <p>Develop a register of the relevant legislation that can be shared with relevant stakeholders</p> <p>Consider how legally we manage sites of unknown ownership</p>	Legal Services Neighbourhood Services Ayrshire Roads Alliance Risk & Safety
Manage & mitigate risk	As part of the Communication Plan develop information for private landowners to understand the potential	Public Affairs Team – South Ayrshire Council Communication Team – East Ayrshire Council

	<p>risks of the disease and their responsibilities</p> <p>As part of any tender process ensure that there is sufficient detail relating to the Authorities expectation of any contractor to ensure the safe working methods ensuring safety not only of staff but of the general public</p> <p>Ensure that all relevant Services are made aware of Ash Dieback an of the Plan e.g., Planning, Housing, Education</p>	<p>Procurement Neighbourhood Service Ayrshire Roads Alliance</p>
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DATA

Objective	Actions	Key Services
Identify gaps within existing recorded data including owners of private land	<p>Identify all lands held and or managed by South Ayrshire Council that require to be surveyed</p> <p>Identify all roads for which Ayrshire Roads Alliance have responsibility within South Ayrshire Council</p> <p>Work with the Asset Management to be able to identify landowners who have Ash trees which may impact upon adjacent land or roads owned or managed by South Ayrshire Council or Ayrshire Roads Alliance</p>	<p>Asset Management Neighbourhood Services Ayrshire Roads Alliance</p>
Arrange for surveys to be undertaken and to accurately record current status	<p>Continue to undertake the survey of public open space</p> <p>Ayrshire Roads Alliance to use the East Ayrshire Councils existing procurement Framework to appoint a contractor to survey the roads for which it has responsibility.</p>	<p>Neighbourhood Services Ayrshire Roads Alliance</p>
Continue to record works undertaken and resurvey each year or and & when necessary	<p>Develop a process by which all information is recorded and accessible to all relevant Services.</p> <p>Develop a process whereby reminders are embedded for resurvey or required monitoring</p>	<p>Neighbourhood Services Ayrshire Roads Alliance</p>
Identify outlets for timber	<p>Identify outlets for timber e.g., biomass, log companies, fencing etc</p>	<p>Neighbourhood Services Ayrshire Roads Alliance</p>

ENVIRONMENT

Objective	Actions	Key Services
Develop a reasonable & responsible felling plan	<p>Develop a felling plan based upon risk assessment to include anticipated timescales</p> <p>Identify trees which do not pose a H&S issue and can remain in situ</p> <p>Where possible, practical, and safe undertake felling while protecting any fauna that may be using the tree for nesting or roosting purposes</p> <p>Identify areas in which felled timber can be safely stored</p>	Neighbourhood Services Ayrshire Roads Alliance
Consider landscape character when looking at replanting / natural regeneration	Work with Planning Services to consider landscape and that replanting and species choice	Planning Service Neighbourhood Services Ayrshire Roads Alliance
Identify potential suitable species for replanting	Develop a data base of tree species identifying the benefit V detriment of each e.g., good for pollinators, provides fruit, carbon sequestration, absorbs pollutants;	Neighbourhood Services Ayrshire Roads Alliance
Identify impacts upon biodiversity & opportunities for mitigation	<p>Identify where monoliths can be left</p> <p>Identify where timber can be left in situ</p> <p>Consider species that would have a positive impact upon biodiversity</p>	Neighbourhood Services Ayrshire Roads Alliance

COMMUNICATIONS

Objective	Actions	Key Services
Develop communication plan to include information for general public, private landowners and staff	<p>Develop information to inform private landowners of the issue of Ash Dieback and their responsibility</p> <p>Develop information that can be communicated to the general public regarding, Ash Dieback, outline the Ash Dieback Plan and what the Authority is planning to implement.</p>	Public Affairs Team – South Ayrshire Council Communication Team – East Ayrshire Council Procurement Neighbourhood Service Ayrshire Roads Alliance

	<p>Develop information that can be communicated to the general public regarding their possible concerns whether that is H&S or loss of tree scape or other.</p> <p>Information to be able to be disseminated in a range of mediums – Web, Press, Leaflet / Letter</p>	
Provide training to staff to ensure the ability to accurately identify Ash Dieback and the classification of vitality	Develop inhouse training of staff to be able to identify Ash Dieback and the stage of degeneration	Neighbourhood Service Ayrshire Roads Alliance

RECOVERY

Objective	Actions	Key Services
Identify opportunities for natural regeneration	Create a database of sites where the landscape is more suited and offers the opportunity for natural generation	Neighbourhood Service Ayrshire Roads Alliance
Procure bio-secure trees for replanting with the required stakes and tree ties	<p>Create a data base of tree species which currently are not or are not fatally susceptible to pest and or disease</p> <p>Ensure as part of the procurement process that biosecurity forms part of the tender process</p>	Neighbourhood Service Ayrshire Roads Alliance
Develop a planting plan which provides opportunities for community involvement	<p>Consider when planting the potential opportunities for tree planting to be a community and or educational experience.</p> <p>Where opportunities are identified work with Community Engagement & Education to offer these opportunities to community groups and pupils</p>	Neighbourhood Service Ayrshire Roads Alliance Community Engagement Education



**South Ayrshire Council
 Equality Impact Assessment
 Scoping Template**

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

1. Policy details

Policy Title	Ash Dieback Plan
Lead Officer (Name/Position/Email)	Fiona Ross, Service Coordinator Grounds Maintenance & Bereavement – Fiona.ross@south-ayrshire.gov.uk

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	-	-

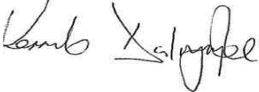
3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent's education, employment and income	-	-

4. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
Eliminate unlawful discrimination, harassment and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

5. Summary Assessment

Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	NO
Rationale for decision: This report deals with a national Health and Safety issue relating to trees on public land and as such has no specific equality implications	
<p data-bbox="167 526 619 616">Signed : </p> <p data-bbox="167 593 1295 631">Date: 14 February 2023 Assistant Director Housing & Operations</p>	