

**REPORT OF THE LEADER OF THE COUNTY COUNCIL****DELIVERY OF TREES FOR CLIMATE PROGRAMME IN NOTTINGHAMSHIRE****Purpose of the Report**

1. To seek approval for Greenwood Community Forest to lead on the delivery of the Trees for Climate Programme in Nottinghamshire, working across the whole of the County.
2. To seek approval for the County Council, as the host organisation for Greenwood Community Forest, to act as the accountable body for the Trees for Climate programme in Nottinghamshire. This would include agreeing the terms of the Grant Funding Agreements between Cheshire West and Chester Council (the accountable body for the overall scheme) and Nottinghamshire County Council; and, recruiting any staff and consultants required for the delivery of the programme.
3. To seek in principle support for the County Council to purchase land for tree planting schemes.

**Information**

4. Greenwood Community Forest was established in the early 1990s with the aim of enabling communities across 161km<sup>2</sup> of west Nottinghamshire to create, care for and to use woodlands and other high quality accessible green spaces in a sustainable way to benefit the environment, landscape and the local economy. It is one of 10 Community Forests which together form England's Community Forests (ECF) network. Greenwood is hosted by Nottinghamshire County Council and the staff sit within the Conservation Team in the Place Department.
5. On 11 March 2020, the government announced the creation of a £640m "Nature for Climate" Programme. This funding is to support nature-based solutions such as woodland creation and peatland restoration, as part of an array of actions needed to reach the UK government target of net zero carbon by 2050. By creating new woodlands, a wide range of additional benefits can be achieved, including health and well-being and air quality benefits, an increase in biodiversity and the improvement of ecological networks to improve resilience of our biodiversity.
6. As part of the Nature for Climate programme, the ECF network, led by The Mersey Forest with the assistance of the Community Forest Trust, has been tasked by DEFRA with putting together a 6,000+ hectare programme of new woodland creation to be delivered over the period 2020 to 2025.
7. The 'Trees for Climate' programme would result in significant investment in woodland planting and see the network of 10 Community Forests working with local partners and landowners. As part of the indicative pipeline of projects for the programme, Greenwood has indicated that

it would be able to facilitate the establishment of at least 250ha of new woodland across Nottinghamshire, with both direct delivery of schemes and working through partner organisations.

8. At the same time, the County Council has been developing its Environmental Policy and Environment Strategy. The Policy and key strategic ambitions contained within the Strategy were approved by Policy Committee at its meeting on 18<sup>th</sup> March 2020. The Trees for Climate programme could help to deliver three of these strategic ambitions, namely:
  - Planting 250,000 trees in the next 7 years through woodland regeneration and woodland planting on Council land.
  - Achieving net gains in biodiversity on Council land and highway verges, supporting the delivery of Nottinghamshire's Local Biodiversity Action Plan.
  - Working with local communities to develop the proposed new 'national forest' in Sherwood, part of the Government's 25-year Environment Plan.
9. The Trees for Climate programme was approved by the DEFRA Tree Board on 29<sup>th</sup> June 2020 and a Letter of Intent issued for the year 1 revenue expenditure. The formal revenue and capital approvals were considered by DEFRA's Investment Committee on the 29<sup>th</sup> July 2020. The Letter of Intent for year 1 capital expenditure is expected in September 2020. It is anticipated that some planting will begin in the autumn 2020 planting season, and subject to approval by Policy Committee and the Grant Funding Agreements for both revenue and capital funding being in place, Greenwood's involvement in the programme would start.
10. DEFRA's preferred mechanism for distributing the funding is through a Section 31 (Local Government Act, 2003) grant, which limits the recipient of this grant to public bodies. As the host organisation for The Mersey Forest team, which has led the discussions with DEFRA to date, Cheshire West and Chester Council (CWAC) has agreed to be the grant recipient and accountable body for the overall Trees for Climate programme. The Grant Funding Agreements from DEFRA will, therefore, be with CWAC in its role as the accountable body for delivery of the Trees for Climate programme. CWAC will manage the grant process and cascade funding for delivery to the individual Community Forests, including Greenwood.
11. It is intended that CWAC will mirror the conditions that DEFRA set out in any Section 31 grant agreement in back to back agreements with each of the Community Forest Trusts or Local Authorities hosting Community Forests. Payments will only be made when CWAC has drawn down funds from DEFRA. These conditions will, in turn, be reflected in any agreements between Greenwood Community Forest (through the County Council) and local delivery partners.
12. In order to facilitate delivery of the programme in Nottinghamshire, it is proposed that the geographic area within which the Greenwood Community Forest can operate is extended to include the whole of Nottinghamshire (including the City), whilst retaining the current the Greenwood Community Forest boundary as the main area of focus and delivery.
13. Approval is sought for the establishment of 2.7 FTE fixed term posts created within the Natural Environment unit of the Conservation Team, namely:
  - Trees for Climate Project Manager – 1 FTE
  - Woodland Creation Officer – 1 FTE
  - Woodland Creation Assistant – 0.5 FTE
  - Admin and Finance Officer – 0.2 FTE

14. Job descriptions for these newly established roles will be formally evaluated under the Council's relevant job evaluation process and appointed to using the agreed recruitment and selection procedure. The evaluated posts would be fully funded through the grant.
15. Land availability for planting represents a constraint to what can be achieved. Around 40 – 50ha of land could be available for new woodland planting on the Council's Green Spaces sites. The sites would be selected to avoid damage to areas with existing biodiversity or heritage value and to facilitate public access where possible. More land could potentially be made available from the Council's wider rural land holding. This could include some lower grade land being removed from agricultural production but would need to be balanced against any loss of associated income to the Council or impact on farm businesses.
16. Some land could be purchased solely for the purpose of woodland planting. As part of the 'Trees for Climate' programme, it has been proposed that £13million would be made available for land purchase for woodland creation over the 5-year programme. The funding would be shared across the 10 community forests involved and would not have any match funding requirements. £3million of this would be available in year one of the project (the current financial year), with £2.5million per year subsequently. In principle support is sought for the County Council to purchase land for tree planting schemes. This land would then form part of the Green Spaces portfolio and be managed alongside other County Council Green Spaces sites.
17. In addition, opportunities will be sought for tree planting on land owned by partners, including other public sector bodies, charities and private landowners. These schemes will need development and are not likely to be delivered until the later stages of the Trees for Climate programme.
18. Greenwood Community Forest, with support from the County Council's Communications service, will be responsible for the local co-ordination of communications and publicity for Trees for Climate with the Partners, in accordance with any agreed ECF Communications Strategy and the requirements of DEFRA. Some publicity will also be co-ordinated nationally to avoid duplication and ensure consistency of message.
19. The funding also makes provision for the recruitment of any consultants required to deliver specialist works. Procurement for consultants will be carried out in line with NCC financial regulations.

### **Other Options Considered**

20. The County Council could choose not to support the delivery of the programme through Greenwood Community Forest. As an ECF-led programme, however, this would mean that the opportunity for significant tree planting in Nottinghamshire would be lost.

### **Reasons for Recommendations**

21. To enable Greenwood Community Forest to deliver the Trees for Climate programme in Nottinghamshire, in accordance with the approved purposes of the grant and the requirements of DEFRA.
22. To enable the County Council, as lead partner and Accountable Body for Greenwood Community Forest, to recruit the staff and consultants required to deliver the Trees for Climate programme in Nottinghamshire.

23. To enable the County Council, in principle, to purchase land for the purpose of tree planting (subject to the County Council's capital approval processes where applicable).

## **Statutory and Policy Implications**

24. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Data Protection and Information Governance**

25. The Funding Agreement will make provision for the County Council to enter into Data Sharing Agreements with all the Parties to the Funding Agreement for any Personal Data as defined in the Data Protection legislation.

## **Financial Implications**

26. The County Council, as the host organisation for Greenwood Community Forest, would be the Accountable Body for the programme in Nottinghamshire. Payment of Grant by DEFRA will be made through Cheshire West and Chester Council, as the accountable body for the Trees for Climate programme.
27. Total costs for the 2.7 FTE new posts over the 4.5 years of the programme, including on-costs and salary increments, are estimated at £460,000 and are fully funded by the grant.
28. Costs for consultancy and technical support are anticipated to be £101,000 over the 4.5 years.
29. All of the above staff costs and consultancy/ technical support costs will be met by the Section 31 grant. No costs will be incurred until both the revenue and capital Grant funding Agreements are in place and, as stated in paragraph 23 of this report, and where applicable any capital spend will be subject to capital approval processes. This is due to the fact that under the scheme, the County Council will be paying partners/land owners for delivery from the capital grant.
30. The capital grant will provide funding for the tree planting, including purchase of trees, planting and a period of maintenance to ensure good survival rates. Land purchase will be subject to the availability of 100% grant funding for this purpose and to confirmation by the Council's Capital Asset Management Group.
31. There is no requirement for match funding. The County Council will, however, need to provide "in kind" support in the form of staff time to manage the Project Manager, have financial oversight of the budget and support the communications and property/ legal requirements where necessary.
32. Where delivery is carried out by partner organisations, they will be reimbursed for any staff time and capital spend following receipt of the relevant grant money by the County Council.

## **Human Resources Implications**

33. All new staff will be employed by the County Council on fixed term contracts as set out in paragraphs 13 and 14 of this report and in line with the relevant policies and procedures. Day to day line management of the Trees for Climate staff will be through existing structures in the Conservation Team. Staff will be recruited for Year 1 of the programme in the first instance, with the option to extend contracts subject to confirmation of further years' funding by DEFRA.

## **Implications for Sustainability and the Environment**

34. The Council's emerging Environment Strategy has targets for the planting of 250,000 trees (equivalent to around 125ha of new woodland); achieving net gains in biodiversity on Council land; and, developing the new "national forest" in Sherwood. The Trees for Climate programme provides a vehicle for delivering these. The programme will also help to deliver one of the actions needed to reach the UK government target of net zero carbon by 2050, along with a wide range of additional benefits, including health and well-being and air quality benefits, an increase in biodiversity and the improvement of ecological networks to improve resilience of our biodiversity.

## **RECOMMENDATIONS**

- 1) That Committee gives approval for Greenwood Community Forest to lead on the delivery of, and for the County Council to act as the accountable body for, the Trees for Climate Programme in Nottinghamshire.
- 2) That Committee grants delegated authority for the Service Director Growth and Investment to agree the terms of the Grant Funding Agreements with Cheshire West and Chester Council, after taking relevant legal and financial advice.
- 3) That Committee gives approval for Greenwood Community Forest to work across the whole of Nottinghamshire, as set out in paragraph 12.
- 4) That Committee approves the establishment of, and recruitment to, 2.7 FTE fixed term posts within the Conservation Team and the recruitment of any consultants required for the delivery of the Trees for Climate programme in Nottinghamshire, as set out in paragraphs 13, 14 and 19 of this report.
- 5) That support is given in principle to the purchase of land for tree planting schemes and for the Capital Programme to be amended accordingly with any expenditure funded by external grant.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the County Council**

**For any enquiries about this report please contact:** Heather Stokes, Team Manager  
Conservation

## **Constitutional Comments (EP 03/08/2020)**

35. The recommendations fall within the remit of Policy Committee by virtue of its terms of reference.

### **Financial Comments (RWK 13/08/2020)**

36. The report outlines arrangements for the delivery of Trees for Climate programme in Nottinghamshire over the next 4.5 years. The programme will require the County Council to incur additional revenue expenditure on staffing, consultancy/technical support and reimbursements to partner organisations. The Council will also incur additional capital expenditure on purchasing land, purchasing trees, tree planting and a period of maintenance. There is no requirement for the County Council to provide match funding and all costs incurred will be funded from additional external grant. As the County Council will be incurring capital expenditure the Council's capital programme will require amending accordingly.

### **HR Comments (JP 17/08/2020)**

37. The HR implications are contained in the body of the report. Grades for the proposed posts referred to in the report will be established through the Authority's Job Evaluation process. The Authority's Recruitment and redeployment policies will apply.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Divisions and Members Affected**

- All