East Lothian
Council

MINUTES OF THE MEETING OF
THE CABINET

TUESDAY 12 MARCH 2024
VIA A DIGITAL MEETING FACILITY

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Cabinet Members Present:
Councillor S Akhtar   Councillor A Forrest
Councillor N Hampshire (Convener)
Councillor C McGinn   Councillor J McMillan

Other Councillors Present:
Councillor C Cassini   Councillor L Jardine
Councillor C McFarlane   Councillor G McGuire
Councillor S McIntosh   Councillor C Yorkston

Council Officials Present:
Ms M Patterson, Chief Executive
Ms L Brown, Executive Director for Education and Children's Services
Ms E Dunnet, Head of Finance
Mrs M Ferguson, Head of Corporate Support
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms L Byrne, Head of Children's Services
Mr R Montgomery, Head of Development
Mr K Dingwall, Service Manager - Planning
Mr S Cooper, Service Manager - Communications
Mr C Grilli, Service Manager – Governance
Ms G Neil, General Manager ELHSCP
Mr J Coutts, Service Manager – Community Housing & Homelessness
Mr I Lennock, Team manager – Assets & Regulatory
Mr D Irving, Senior Planner

Clerk:
Ms F Currie

Apologies:
Councillor F Dugdale

Declarations of Interest:
None

The Convener advised Members that, under the terms of Standing Order 5.4, the report for Item 5: Proposed East Lothian Local Economic Strategy, had been called in. In accordance with this process, this item of business had been withdrawn from this Cabinet agenda and would be referred to the next ordinary meeting of Council for consideration.

The Convener also proposed that Item 6: Civic Government Licensing Fee Review be withdrawn from this agenda to allow time for further condition of the proposals. This proposal was seconded by Councillor Akhtar and agreed by the Cabinet members.

The Clerk advised that Item 7 would be taken directly after Item 1 to accommodate the Head of Children's Services, Lindsey Byrne, who had to leave the meeting early.

1.   MINUTES FOR APPROVAL: CABINET, 30 JANUARY 2024

The minutes of the meeting of the Cabinet on 30 January 2024 were approved.

7.   FOSTERING FEE INCREASE

A report was submitted by the Executive Director for Education & Children's Services providing Cabinet with an update on fostering payments in East Lothian and seeking approval to increase the foster carer fee.

Ms Byrne presented the report. She informed members that her Service was firmly committed to keeping The Promise and ensuring that support is available to allow as many children as possible to live within their families in east Lothian. However, it was not always possible for children to remain in the family home and increasing the number of foster carers within the county would allow greater numbers of these children to have their needs met and remain within county. She advised that nationally and locally, fewer people were applying to be foster carers and there were insufficient numbers to meet demand. It was recognised that the current fee levels were lower than neighbouring local authorities and were a barrier to some people applying to be foster carers. Increasing the fees would allow the Council to be more competitive and to support more children within East Lothian. Provision had been made for the fee increase within the recently approved budget; and it was hoped that, in the medium term, additional costs would be partially offset by a reduction in spend on external foster care. Ms Byrne concluded that foster carers were an important part of children's services and she was confident that the new fees would help to attract new foster carers.

In response to a question from Councillor Akhtar, Ms Byrne advised that the budget could accommodate up to 10 additional placements per year over the next 4-5 years. A new marketing campaign would be launched including social media and word of mouth to reach as many potential new carers as possible. In addition, a new post had been created to focus on marketing and raising the profile of the service. She welcomed any assistance from Elected Members to raise awareness of the fee increase, which she hoped would be the incentive which some needed to make an application.

Replying to questions from Councillor Jardine, Ms Byrne explained that the new fee would be a flat rate, which moved away from the previous age-related fee structure. She also confirmed training was a key part of the support provided to foster carers, not only during the initial stages but also through continuing professional development. She recognised that the better equipped foster carers were, through training, development and support, the better able they were to provide care.

Councillor Forrest thanked Ms Byrne and her staff for their work in bringing forward these proposals. He emphasised the importance of keeping children within East Lothian and within their own peer groups.

Councillor Akhtar also welcomed the proposals, acknowledging the important role that foster carers had in supporting young people across the county. She commended their efforts and encouraged anyone considering this role to get in touch with the Council. She also highlighted the significant amount of support available for foster carers.

Councillor McMillan echoed his colleagues' remarks, thanking staff and all foster carers within the county. He also encouraged anyone who might be considering becoming a foster carer to get in touch.

Councillor McGinn also echoed these remarks. He said that care experienced young people deserved love and support. He hoped that families within East Lothian would see this as an opportunity to provide that love and support, and to help keep as many young people as possible within East Lothian. He added that care experienced young people often suffered more than most and he welcomed these proposals as a step in the right direction.

The Convener referred to the challenging financial position faced by the Council but said that funding had been made available to provide support to families who were willing to welcome children into their homes. He added that he and his colleagues would do all they could to support this initiative.

Decision

The Cabinet agreed, by roll call vote, to note the content of the report and to approve the proposed increase in foster carer fees.

2.   COUNCIL HOUSE ALLOCATIONS TARGETS FOR 2024-25

A report was submitted by the Executive Director for Place seeking approval for Council House Allocation Targets for the period 1 April 2024 to 31 March 2025. The report also explained the context, legal position and rationale for the proposed targets.

The Service Manager – Community Housing & Homelessness, James Coutts, presented the report. He drew Members' attention to the targets set out in the report and said that demand for housing remained high with approximately 4000 people currently on the waiting list. He advised that legislation required councils to give reasonable preference to those who were living in unsatisfactory housing conditions, those under-occupying in social housing or those who were homeless or threatened with homelessness. He said that the Council was continuing to make progress in some areas with the highest number of allocations made during 2023/24. However, it was also important to set a target for the 'sustainable communities' group. This could be challenging as properties were not always available in the area identified. However, progress had been made via the local lettings plan for McLeod Avenue and a new local lettings plan for Prestonpans was proposed for 2024/25. He concluded by confirming that the Council's performance against all targets would be monitored throughout the year and, if any changes were required, a further paper would be brought forward to Cabinet in autumn.

Mr Coutts replied to questions from Councillor Forrest indicating that he hoped to see high levels of allocations during 2024/25, especially if there continued to be progress on void properties, attaining transfer targets and high levels of new build completions. However, cuts to Government subsidies in some area would increase these challenges. He also provided details of the outcomes achieved through the local lettings plan for McLeod Avenue.

In response to a question from Councillor Akhtar, Mr Coutts confirmed that, at present, there was no timescale for publication of the Scottish Government guidance on the Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022 which came into effect in November 2022.

Replying to the Convener, Mr Coutts advised that East Lothian Council was one of 5 local authorities that continued to breach the Order on a fairly regular basis with around 30 new breaches each quarter in relation to the 7-day temporary accommodation target. He added that 75% of homelessness cases were single person households and this compounded the problem. The Council had made the situation clear to the Scottish Government and the Scottish Housing Regulator, and while both were sympathetic, it had not eased this challenging situation.

Councillor Forrest thanked Mr Coutts and all staff within the housing service. He said he was aware of the pressure they were under to manage this situation. He acknowledged the range of roles within the service which combined to deliver a good service for tenants, while meeting targets in relation to climate change, etc.

Councillor McGinn welcomed paper and echoed his colleague's remarks. He said that all Councillors were inundated with housing queries from constituents, often in desperate situations. He was aware that staff across the Council were working tirelessly to resolve this situation. But he felt that the challenges were exacerbated by the unwillingness of Government to recognise that the country was in the midst of housing crisis. This needed to be rectified and recognised as a matter of urgency.

The Convener said that the Council would continue to deliver affordable homes across the county with the funding available to it, however, he was aware that demand continued to outstrip supply. Referring to the new local development plan which would soon come to Council, he said it would be essential to include the maximum amount of affordable housing within the plan. A home was a basic human right, but it was difficult to deliver new homes with continued restrictions on funding and land, and this remained the biggest challenge facing the Council.

Decision

The Cabinet agreed, by roll call vote, to:

i.   Approve the recommended targets detailed in the report.
ii.   Note that performance against these targets will be reviewed on a regular basis and that such reviews form part of the analysis in setting future targets in 2024/25 and beyond; and
iii.   Note that ongoing regular monitoring of performance has been embedded within the Community Housing Performance Management framework.

3.   **REDUCTION OF SPEED LIMITS FOR ACTIVE FREEWAY**

A report was submitted by the Executive Director for Place seeking Cabinet approval of the statutory procedures necessary to make and amend Traffic Regulation Orders to introduce new speed limits to reduce the speed limit on the A199 between Dunbar and Musselburgh to 40mph between settlements. This was to enable the construction of the Segregated Active Travel Corridor (now known as the Active Freeway) to current design standards.

The Team Manager – Assets & Regulatory, Ian Lennock, presented the report. He detailed the background to the proposals and the plans for the Active Freeway on the A199 between Dunbar and Musselburgh, which was a key part of the Council's active travel plan. He stated

that, for consistency, it was recommended that a 40mph speed limit was adopted for the whole length of the route, expect within settlements where the speed limit was 20 or 30mph. He confirmed that funding was available from external sources but that this was contingent upon the imposition of a 40mph speed limit. He explained that statutory consultation would take place as usual when making or amending traffic regulation orders but that some advance consultation had been undertaken in late 2023. This had involved an online survey, a drop-in event, and a presentation to a local cycling forum. If the 117 responses to the survey, 63% supported the proposed changes.

Mr Lennock responded to questions from Councillor Forrest and Councillor Jardine. He confirmed that external funding was available each year from SUSTrans and other sources, should further changes or improvements be required. He advised that the number of negative comments on the proposals was a relatively small proportion of the total response to the consultation. The Council had provided a response to each comment and officers would continue to engage with communities and explain the rationale behind the proposals.

Replying to a question from Councillor Cassini, Mr Lennock outlined plans for adjustments to existing speed limits which he hoped would reduce driver confusion and advised that the need for additional signage, etc. would be considered on a case-by-case basis for each settlement. He suggested that it would be best to introduce the changes, allow them to bed in, monitor compliance and take feedback and then respond appropriately.

Responding to the Convener, Mr Lennock confirmed that the detailed engineering design would include a standard minimum 60mm buffer to prevent vehicle egress into the cycleway.

Councillor McMillan welcomed the thoughtful and innovative proposals and the work of officers to improve safety and identify external funding sources. He welcomed the introduction of a 40mph speed limit in this regard. He said that the proposals in this report also responded to the requests of local people to increase and encourage cycling and walking. He reiterated his support for the plans as a response to climate change, as a way of improving wellbeing but primarily on grounds of safety.

The Convener echoed his colleague's remarks, particularly on the provision of safer cycling routes.

Decision

The Cabinet agreed, by roll call vote, to support the initiation of the statutory procedures to initiate, consider any objections and make or amend Traffic Regulation Orders in accordance with the relevant legislation to implement a 40mph speed limit between settlements along the A199, to enable construction of the first phases of the Active Freeway during 2024.

4.   CHANGES TO THE DISCRETIONARY CHARGING FOR THE PLANNING SERVICE

A report was submitted by the Executive Director for Place seeking approval to alter the discretionary fees to be applied for services within the Planning Service of East Lothian Council that were approved by Cabinet at their meeting of 14 March 2023 and that were implemented on 1 April 2023.

The Service Manager - Planning, Keith Dingwall, presented the report. He reminded Members that Cabinet had previously approved a range of discretionary fees in March 2023 and this report provided the outcome of a review of these fees, as well as proposals for further changes. He advised that, generally, the fees had worked well, and the review had provided an opportunity to streamline some of the pre-application processes, to benchmark the Council's planning service against other local authorities and, where necessary, to increase some of fee

levels. He drew attention to the main proposed change which involved energy-related projects and, in line with processes introduced at other local authorities, the introduction of discretionary fees for pre-application discussions for energy-related developments and a service for conditioned discharges. It was hoped that this additional income would support a future business case for the employment of a temporary planner for a period of 2 years. Allowing additional capacity within the service to manage the significant number of energy-related development applications.

Mr Dingwall responded to a question from Councillor Jardine, explaining the two processes for consents for energy installations involving the Council's planning service and the Scottish Government's Energy Consents Unit. He acknowledged that the Council's planning service did have capacity issues and that they were seeking to address these through the temporary planner post. He also hoped that this post would help to address the concerns of some community groups by providing additional resource to investigate breaches of planning controls.

In reply to a question from the Convener, Mr Dingwall advised that before the first discretionary fees were introduced in March 2023, a limited consultation had been undertaken with the development industry. They had provided qualified support for the proposals and there had been no adverse comments received since then. This time a limited consultation had been undertaken with the energy industry. The response had been generally positive, but developers were keen to see the income from these fees ring-fenced to support an additional planner post, to provide additional capacity in the system to help them better meet their timescales.

Responding to a question from Councillor McMillan, Mr Dingwall provided an assurance that there would be no conflict of interest with this additional post. The officer would be operating entirely under his management, as well as the two team leaders within the planning service. In addition, the new procedure for section 36 applications approved by Council in February, would mean that there were additional checks and balances in place for these applications, including the opportunity for call-in where appropriate.

The Convener said it was important to see development taking place within East Lothian and the planning process was a key part of that. He welcomed the proposals which he hoped would deliver an improved planning service for all parties involved.

Decision

The Cabinet agreed, by roll call vote, to:

i.   the introduction from the 1 April 2024 of the proposed changes to discretionary charges for providing pre-application services and written advice, as set out in the report; and

ii.   the introduction from the 1 April 2024 of a priority condition compliance service for major renewable energy related developments, as set out in report.

5.   PROPOSED EAST LOTHIAN LOCAL ECONOMIC STRATEGY

This report was called in under the terms of Standing Order 5.4 and would be referred to the next ordinary meeting of Council for consideration.

6.   CIVIC GOVERNMENT LICENSING FEE REVIEW

This report was withdrawn from the agenda.

Signed   ....

                Councillor Norman Hampshire
                Council Leader and Convener of Cabinet

East Lothian Council

REPORT TO: Cabinet

MEETING DATE: 14 May 2024

BY: Executive Director for Council Resources

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SUBJECT: Civic Government Licensing Fee Review

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1   PURPOSE

1.1   To inform Members of the results of the independent review of the Civic Government licensing fees.

1.2   To seek approval from Cabinet to set the Civic Government Fees as set out in this report.

2   RECOMMENDATIONS

2.1   Cabinet approves the proposed fees for the licences as set out in Appendix 2; and

2.2   Cabinet authorises the Service Manager, Governance to make any necessary alterations to application and guidance documentation required as a consequence of the updated fee levels agreed.

3   BACKGROUND

3.1   In terms of the Civic Government (Scotland) Act 1982, the Council is required to set licence fee levels such that the costs of running the licensing service are fully covered by the level of fee income received.

3.2   The previous review of costs and fees was undertaken circa five years ago so it is now considered necessary to review the fees for licenses to ensure these remain at an appropriate level. Given the legal obligation to ensure cost recovery, a robust and documented methodology has been applied to ensure accuracy and transparency in relation to the calculation of licence fees.

3.3   The fees for 2023/24 were frozen to allow this review to be undertaken and Arneil Johnston were commissioned in April 2023 to conduct a review of the

discretionary licensing fees, noting that statutory licences, including alcohol and gambling were out of scope for this review as these fees are set by the Scottish Government and these regimes are administered by the East Lothian Licensing Board, rather than the Council (these statutory licensing fees are set out in for information only at Appendix 3).

3.4   The first part of the review was to carry out a benchmarking exercise for discretionary licensing fees. Arneil Johnston researched all Scottish local authorities to establish the types of licensing fees that are in place, fee levels and duration of licences. These were then compared to ELC's fee levels, and a summary of the findings is shown in Appendix 1 of this report.

3.5   The review then sought to establish the costs associated with the delivery of the licencing service. Costs were determined by:

- Reviewing detailed budgets for the Licensing service for 2021/22, 2022/23 and 2023/24 as well as the financial outturns for 2021/22 and 2022/23 and agreeing the disaggregation of budgets relating to statutory and discretionary licences.

- Establishing the various activities and volumes of activities undertaken by the licencing team and what percentage of staff time is typically spent delivering these activities.

- Establishing and agreeing service, directorate and corporate overhead that are attributable to the licensing function and costing this to each fee type.

3.6   In establishing the level of fee to be set for each licence the licences were grouped into categories based on the processes involved in determining them and a standard fee was developed for those with a similar process. This ensures a consistency with the fees of licences with similar processes and allows the licencing team to quickly determine the fee to be set for any new licence by grouping it with licences which require a similar process to determine.

3.7   The review then analysed all budgets allocated to licencing then separated the costs attributable to different functions including Private Landlord Registration, Alcohol and Gambling Licensing and Civic Licensing. They then analysed the staff time and separated all licencing fees set by statute and the Private Landlord Registration, the latter sitting separate from the other licensing activities.   The staff costs relevant to the licensing regimes were then considered with appropriate apportionment of staff time allocated to licencing costs. This included provision for a part time licensing Standard's Officer who would be able to focus on compliance of civic licensing matters and where appropriate also includes time spent by Environmental Health Officers reviewing, inspecting and reporting on applications. The fee also accounts for overheads (non-staff costs) attributable to the operation of the licensing service. It should be noted however that the fee set out does not include external fees that may be required for certain licences, such as veterinary fees, which may also apply to certain licences, and these would be recharged at cost to the applicant.

3.8 In addition to the above considerations, it should be noted that not all licences are for a one year duration and consideration was taken in terms of multi-year licences. Most commonly, licences are granted for three years with the exception of the following which are granted for one year:

- Animal boarding
- Market operator
- Full public entertainment licences
- Metal dealer and itinerant metal dealer

- Skin piercing and tattoo
- Window cleaner
- Taxi drivers and operators
- Lottery licence

Annual licences are mainly granted on the recommendation from Police Scotland where they expect certain licensees to undertake annual checks given the nature of the work and potential public safety impacts.

As part of the review consideration has been taken in relation to these representations with a report being presented to Licensing Sub-Committee seeking their view on different options for charging for certain licences. Appendix 2 sets out the fee structure based on the preferred option of the Licensing Sub-Committee.

It should be noted that in arriving at this feeing structure due to lack of interest in a one or two year Full Public Entertainment licences the new fee structure only seeks to put in place a 3 year licence. Further as part of an additional benchmarking exercise carried out with neighbouring authorities as requested Appendix 2 provides the option of a either a 1 or 3 year license for Taxi Drivers, Private Hire Car Drivers, Metal Dealers and Window Cleaners. It should be noted that, taking on board Police Scotland representations, the three (3) year licence option would only be available after an initial 1 year licence being granted. After that an option to apply for a three year licence for eligible applicants would be available. Noting in particular for taxi drivers East Lothian Council's policy is to follow guidance set out by DVLA and as such there are requirements for drivers to undergo periodic medicals dependant on age and any underlying conditions, which takes into consideration public safety impacts.

3.9 As set out above the methodology for calculating the fees is based on the processes and time required by the licensing department to review, process and determine the license and where appropriate for certain licenses includes the cost for inspections by Environmental Health Officers. The fee review ensures that each particular license is not either subsidising or being subsidised by the fees for other licences. Accordingly, the proposed fees for a number of licences have decreased while others have been increased. In particular the fees calculated for Short Term Let Licensing Applications have significantly increased. These costs have been increased as we now have experience of the actual cost and complexity of processing these licenses together with the cost incurred as a result of an Environmental Health Officer inspecting the premises. The initial fee for these applications had to be set in advance of the new statutory regime coming into force and was based on a best estimate of the time that was believed it would take to process applications notwithstanding that the regime and applications had not been received at that point. Since then, we have now had experience of processing these applications and the time required to take these though to determination.

3.10 In order to ensure that the cost of the licensing service remains fully covered by the fees there are a number of considerations for applying uplifts on an annual basis. However, to ensure that the model remains relevant it is recommended that:

- Fees are inflated annually by the corporate budget assumption for other income

- The Council updates the model annually once budgets are approved and calculated fees are compared to the inflated fees levels

- Every five years the model is comprehensively updated to look again at processing times, overhead rates and fee groupings to ensure these are still fit for purpose

- New licences are assessed for time taken to process and assigned to the appropriate category.

And in addition, regular reviews are undertaken of

- The rationale for determining which fees are annual and which are multi year and agree an approach to setting differential fee levels for single or multi year licences

- The rationale for determining which fees are temporary and which are permanent and agree an approach to setting differential fee levels for temporary and permanent licences

- The rationale for determining which fees should have a sliding scale of fees levels depending on property size, capacity, ratable value etc. and agree an approach to setting differential fee levels

- The policy for setting nominal or free of charge licences and the rationale for this.

4   POLICY IMPLICATIONS

4.1 In fixing a scale of fees and other charges, the Council as Licensing Authority is complying with a statutory duty to ensure that its costs in administering these licences are fully covered by fee income.

5   EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6   RESOURCE IMPLICATIONS

6.1   Financial –The Council is required by the Civic Government (Scotland) Act 1982 to set licence fee levels such that the costs of running the licensing service are fully covered by the level of fee income received. Accordingly, there should be full cost recovery and no detrimental impact on finances for the service.

6.2   Personnel – The fee review seeks to include provision for an additional licensing standards officer to assist on compliance matters and work with Police Scotland on enforcement of civic licencing matters.

6.3   Other – None

7   BACKGROUND PAPERS

7.1   None

AUTHOR'S NAME	Carlo Grilli
DESIGNATION	Service Manager, Governance
CONTACT INFO	x7770
DATE	26 April 2024

Appendix 1

Benchmarking

Group	Licence	Benchmark Results			Current ELC Fee
		MAX	MIN	AVG	
1	HMO	£1,992.00	£308.00	£978.86	£504.00
	Zoo Parks	Benchmarking Not Available			£595.00
	STL	Benchmarking Not Available			£390.00
	Sexual Entertainment Venue	Benchmarking Not Available			£640.00
2	Late Hours Catering	£359.00	£120.00	£242.50	£272.00
	Second hand dealer	£1,600.00	£146.00	£368.48	£294.00
	Taxi Booking office	£1,312.00	£125.00	£439.12	£252.00
	Temp Market Op	£371.00	£150.00	£235.33	£167.00
	Petroleum	Set Fee			
	Temp PEL	£877.00	£53.33	£273.73	£211.00
	Full PEL	£1,984.00	£243.00	£665.50	£600.00
	Explosive Storage	Set Fee			
	Venison dealer	£671.00	£32.50	£152.88	£129.00
	Market Op	£1,080.00	£91.67	£339.81	£332.00
	Metal Dealer	£792.00	£62.67	£251.35	£294.00
	SP and Tattoo	£508.00	£6.67	£232.72	£263.00
	Itinerant Metal Dealer	£683.00	£46.33	£200.81	£294.00
3	Taxi Drivers	£272.00	£37.67	£134.55	£149.00
	Taxi Operators	Benchmarking Not Available			£405.00
	L&G Personal	Set Fee			
	Lottery Licence	Benchmarking Not Available			£10.00
	Charity collect	Benchmarking Not Available			£0.00
4	Street trader	£766.00	£140.00	£292.69	£294.00
	Animal boarding	£425.00	£69.00	£115.26	£138.00
	Window cleaner	£305.00	£45.00	£123.59	£89.00
	Temp Street trader	£187.00	£50.00	£98.60	£294.00
5	Pet seller	£436.00	£69.00	£195.55	£278.50
	Dog breeder	£477.00	£69.00	£210.52	£278.50
	Cat breeder	£477.00	£69.00	£200.01	£278.50
	Boat Hirer	£739.00	£41.00	£259.38	£220.50
	Performing Animals	New Licence- fees still to be set			
6	Occasional	Set Fee			
	Extensions	Set Fee			
	Minor	Set Fee			
7	Premises	Set Fee			
	Major	Set Fee			
8	Riding Est	£790.00	£69.00	£255.04	£278.50

Appendix 2

Licensing Fees

Licence type	Fee 2023/24 (£)	Duration	2024/25 proposal (£)	Duration
Private Hire Cars				
Driver	149	1 year	207	1 year
Driver*	-	-	310	3 year
Grant and Renewal of vehicle	405	1 year	445	1 year
Early Renewal & Replacement	405		445	
Replacement or Substitute vehicle	141	28 days	89	
Medical Fee	55		55	
Replacement Plate (Front)	32		20	
Replacement Plate (Rear)	35		20	
Replacement Brackets (Front)	32		20	
Replacement Brackets (Rear)	35		20	
Replacement Drivers Badge	29		34	
Replacement Door Sign	31		20	
Grant/Renewal of Trailer	149	1 year	59	
Wheelchair Exemption Certificate	29	1 year	82	
Duplicate Licence	29		30	
Variation	69		89	
Taxis				
Driver	149	1 year	207	1 year
Driver*	-	-	310	3 year
Grant and Renewal of vehicle	405	1 year	445	1 year
Early Renewal & replacement	405		445	
Replacement or Substitute vehicle	141	28 days	89	
Replacement Plate (Front)	32		20	
Replacement Plate (Rear)	35		20	
Replacement Brackets (Front)	32		20	
Replacement Brackets (Rear)	32		20	
Replacement Drivers Badge	29		34	
Replacement Door Sign	31		20	
Grant/Renewal of Trailer	149	1 year	59	
Wheelchair Exemption Certificate	29	1 year	82	
Duplicate Licence	29		30	
Variation	69		89	

Advertising:				
Internal	18	No Licensing Function		
External	60	No Licensing Function		
Superside	72	No Licensing Function		
Full Livery	90	No Licensing Function		
Advertising:				
Internal	18	No Licensing Function		
External	60	No Licensing Function		
Superside	72	No Licensing Function		
Full Livery	90	No Licensing Function		
Taxi Booking Offices				
Grant and Renewal	252	3 years	207	
Duplicate Licence	29		30	
Variation	69		89	
Late Hours Catering				
Grant and Renewal	276	3 years	269	
Duplicate Licence	29		30	
Variation	69		89	
Public Entertainment				
Grant and Renewal	600	3 years	311	
Multi-activity Indoor and Outdoor Facility	1714	3 years	311	
Duplicate Licence	29		30	
Variation	69		89	
Temporary Public Entertainment (numbers based on daily attendance)				
Temp Public Entertainment Licence – up to 500 persons	211	6 weeks	269	
Temp Public Entertainment licence 500 - 2000 persons	423	6 weeks	285	
Temp Public Entertainment licence 2001 - 5000 persons	635	6 weeks	301	
Temp Public Entertainment Licence - Over 5000	845	6 weeks	317	
Duplicate Licence	29		30	
Indoor Sports Entertainment				
Grant and Renewal	257	3 years	311	
Duplicate Licence	29		30	
Variation	69		89	
Tattoo & Piercing				

Grant and Renewal	263	1 year	404	3 years
Additional employees (each)	132	1 year	311	3 years
Duplicate Licence	29		30	
Variation	69		89	
Street Trader				
Grant and Renewal (per person)	294	3 years	269	
Duplicate Licence	29		30	
Variation	69		89	
Temporary Street Trader		Proposed to remove this option		
Grant	81	6 weeks	269	
Duplicate Licence	29		30	
Variation	69		89	
Knife Dealers				
Grant and Renewal	384	3 years	310	
Duplicate Licence	29		30	
Variation	69		89	
Venison Dealer				
Grant and Renewal	129	3 years	269	
Duplicate Licence	29		30	
Variation	69		89	
Metal Dealer				
Grant and Renewal	294	1 year	207	
Grant and Renewal*	-	-	310	3 year
Duplicate Licence	29		30	
Variation	69		89	
Itinerant Metal Dealer				
Grant and Renewal	294	1 year	207	
Grant and Renewal*	-	-	310	3 year
Duplicate Licence	29		30	
Variation	69		89	
Market Operator		1 year		3 years
Less than 50 traders	332		310	
More than 50 traders	586		removed	
Duplicate Licence	29		30	
Variation	69		89	
Temporary Market Operators		6 weeks		

Less than 50 traders	167		269	
More than 50 traders	283		331	
Duplicate Licence	29		30	
Variation	69		89	
Window Cleaners				
Grant and Renewal	89	1 year	207	
Grant and Renewal*	-	-	310	3 year
Duplicate Licence	29		30	
Variation	69		89	
Second Hand Dealers				
Grant and Renewal	294	3 years	207	
Duplicate Licence	29		30	
Variation	69		89	
Temporary Second Hand Dealer		Proposed to remove this option		
Grant	81	6 weeks	207	
Duplicate Licence	29		30	
Variation	69		89	
Boat Hirer				
Grant and Renewal	298	1 year	310	3 years
Duplicate Licence	29		30	
Variation	69		89	
Temporary Boat Hirer		Proposed to remove this option		
Grant	151	6 weeks	310	
Duplicate Licence	29		30	
Variation	69		89	
Animal Licences				
Pet Seller - Grant	194	1 year	403	3 years
Pet Seller - Renewal	205	1 year	403	3 years
Rehoming Activities - Grant	194	1 year	403	3 years
Rehoming Activities - Renewal	205	1 year	403	3 years
Animal Welfare Establishment (unless registered charity) - Grant	194	1 year	403	3 years
Animal Welfare Establishment (unless registered charity) - Renewal	205	1 year	403	3 years
Dog Breeder - Grant	194	1 year	403	3 years
Dog Breeder - Renewal	205	1 year	403	3 years
Cat Breeder - Grant	194	1 year	403	3 years
Cat Breeder - Renewal	205	1 year	403	3 years
Rabbit Breeder - Grant	194	1 year	403	3 years

Rabbit Breeder - Renewal	205	1 year	403	3 years
Duplicate of Pet Seller/Breeder /Rehoming Activities/Animal Welfare Est.	28		30	
Variation of Pet Seller/Breeder /Rehoming Activities/Animal Welfare Est.	145		89	
Dangerous Wild Animals	138	1 year	269	
Duplicate Licence	29		30	
Variation	69		89	
Zoological Parks	595	4 years	1,067	
Duplicate Licence	29		30	
Variation	69		89	
Riding Establishments	138	1 year	400	3 years
Duplicate Licence	29		30	
Variation	69		89	
Animal Boarding Establishment	138	1 year	269	
Animal Boarding (Use of Domestic Premises)	69	1 year	269	
Animal Boarding (Day Care)	138	1 year	269	
Duplicate Licence			30	
Variation			89	
Performing Animals		Lifetime		
Houses in Multiple Occupation		3 years		
3-5 Residents	504		1,067	
6-10 Residents	811		1,083	
11-20 Residents	1240		1,099	
21-30 Residents	1489		1,115	
31-40 Residents	1730		1,131	
41-50 Residents	1981		1,147	
51-75 Residents	2594		1,179	
76-100 Residents	3214		1,211	
101-200 Residents	4447		1,243	
201 + Residents	5681		1,275	
Additional Inspections after Initial (Per Officer)	59		62	
Change of Ownership (Prior to Grant)	178		89	
Change of Day to Day Manager or Agent	178		89	
Change of Maximum Occupancy Level	178		89	
Change to Physical Layout of Property	178		89	
Duplicate Licence	29		30	
Caravan Licence (Residential and Touring)		5 years (residential) / Lifetime (Holiday)		
01-25 caravans	578		1,067	
26-50 Caravans	933		1,099	
51-100 Caravans	1690		1,131	

101 + Caravans	1890		1,163	
Duplicate Licence	29		30	
Variation Licence	69		89	
Transfer licence	69			
Short-term Lets		3 years		
1 - 5 occupancy	390		1,067	
6 - 10 occupancy			1,083	
11 - 20 occupancy			1,099	
21 - 30 occupancy			1,115	
31 - 40 occupancy			1,131	
41 - 50 occupancy			1,147	
51 - 60 occupancy			1,179	
Duplicate Licence			30	
Variation Licence			89	
Sexual Entertainment Venue		3 years		
Grant and Renewal			1,067	
Duplicate Licence			30	
Variation			89	
Public Charitable Collections				
	No income	Specified by applicant		

*subject to conditions

Appendix 3
Licensing Fees Set by Statute

Licence Type	Current Cost (£)	Duration	
Explosives (Statutory)			
With no minimum separation distance			
Storage of Explosives Registration – 1 year (Fireworks)	119		
" " " - 2 years	154		
" " " - 3 years	190		
" " " - 4 years	226		
" " " - 5 years	260		
Storage of Explosives Renewal - 1 year (Fireworks)	59		
" " " - 2 years	94		
" " " - 3 years	132		
" " " - 4 years	166		
" " " - 5 years	202		
With minimum separation distance			
Storage of Explosives Registration – 1 year (Fireworks)	202		
" " " - 2 years	266		
" " " - 3 years	333		
" " " - 4 years	409		
" " " - 5 years	463		
Storage of Explosives Renewal - 1 year (Fireworks)	94		
" " " - 2 years	161		
" " " - 3 years	226		
" " " - 4 years	291		
" " " - 5 years	357		
Variation	40		
Transfer	40		
Replacement	40		
Petroleum (up to a maximum of 10 years) (Statutory)			
Not exceeding 2,500 litres	48	1 year	
Exceeding 2,500 litres but not exceeding 50,000 litres	65	1 year	
Exceeding 50,000 litres	137	1 year	
Alcohol			
Transfer of Premises	37.50		

Minor Variation	20.00		
Minor Variation and change of Premises Manager	31.00		
Major Variation	200.00		
Major Variation and transfer of Premises licence holder	220.00		
Extended hours	10.00		
Occasional	10.00		
Personal	50.00		
Replacement Personal licence	25.00		
Replacement (other than Personal licence)	37.50		
Provisional	200.00		
Temporary Premises	200.00		
Alcohol Premises			
Category	**Rateable value**	**Application Fee**	**Annual Fee**
1	Members club	£200	£180
2	£1 - £11,500	£800	£220
3	£11,501 - £35,000	£1,100	£280
4	£35,001 - £70,000	£1,300	£500
5	£70,001 - £140,000	£1,700	£700
6	Over £140,000	£2,000	£900
Gambling			
Family Entertainment Centre gaming machine			
Grant and Renewal	300		
Copy of licence	15		
Prize Gaming	300		
Copy of licence	15		
Club or Club machine			
Grant	300		
Renewal	200		
Annual Fee	50		
Copy of licence	15		
Variation of licence	100		
Licensed premises gaming machine			
Grant	150		
Annual Fee	50		
Copy of licence	15		
Variation of licence	100		
Automatic Entitlement notification			
Grant	50		
Small Lotteries			

Grant	40		
Renewal	20		
Society Registration			
Grant	40		
Renewal	20		
Gambling Annual Fees			
Adult gaming centre premises	700		
Betting premises (track)	1,000		
Family entertainment centre premises	500		
Betting premises (other)	400		

East Lothian Council

REPORT TO: Cabinet

MEETING DATE: 14 May 2024

BY: Executive Director for Council Resources

3

SUBJECT: Data Protection Policy

1   PURPOSE

1.1   East Lothian Council's ('the Council') Data Protection Policy has been revised and updated with minor changes in line with its regular scheduled review.   This report requests the approval of the updated Policy as appended (Appendix 1).

2   RECOMMENDATIONS

2.1   To approve the Council's updated Data Protection Policy.

3   BACKGROUND

3.1   In 2018, the Data Protection Act 2018 ('DPA2018') / General Data Protection Regulation ('GDPR') introduced new obligations on the part of Data Controllers and Data Processors and enhanced individual rights regarding data protection.   The Council's last major update to its Data Protection Policy reflected these changes to legislation.

3.2   Since implementation of the new Data Protection Policy and following Brexit, the GDPR has been brought into UK legislation and is now described as the 'UK GDPR' in Council documentation.

3.3   Compliance with the Council's Data Protection Policy and other relevant procedures such as the Council's Data Breach Procedure is reported annually to the Council's Audit and Governance Committee.   The last Information Governance Annual Report was made on 26 March 2024 and included a commitment to update all data protection policies and procedures timeously.   The Council's compliance with statutory timescales for responding to requests for personal data (also known as Subject Access Requests or SARs) is also reported quarterly to the Council's Corporate Management Team and annually to the Council's Policy and Performance Review Committee.

3.4   The current version of the Data Protection Policy includes minor updates such as:

- Updated references to the UK GDPR and Data Protection Act 2018, now described as 'Data Protection Legislation';

- Inserted wording regarding the definition of Criminal Offence Data and the 'appropriate policy document' for the processing of Special Category and Criminal Offence Data, including reference to the Council's Information Asset Register;

- Updated references to guidance on the Council's Intranet;

- Updated contact details for the Council's Data Protection Officer ('DPO')

- Updated job titles for relevant roles.

4   POLICY IMPLICATIONS

4.1   This report requests the approval of the updated Council Data Protection Policy, which is applicable to all Council staff.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

5.2   The Integrated Impact Assessment can be viewed online at: https://www.eastlothian.gov.uk/iiadpp.

6   RESOURCE IMPLICATIONS

6.1   Financial – there are no direct financial implications to this report.

6.2   Personnel – there are no personnel implications to this report.

6.3   Other – there are no other resource implications to this report.

7   BACKGROUND PAPERS

7.1   None.

Appendix 1 - Data Protection Policy

AUTHOR'S NAME	Zarya Rathé
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DATE	24/04/2024

EAST LOTHIAN COUNCIL

Data Protection Policy

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East Lothian Council
Data Protection Policy

Document Control		
Version	**Date**	**Description**
1.0	17/04/2012	First approved version
2.0	12/07/2012	Second approved version
3.0	07/05/2018	Re-drafted in line with the General Data Protection Regulation (GDPR) / Data Protection Act 2018.
3.1	29/05/2018	Maximum fine applicable to a security breach (section 16) amended from €20,000,000 to £17,000,000 in line with ICO guidance.
3.2	29/05/2018	Minor proofreading updates.
3.3	12/06/2018	Final approved by Cabinet.
3.4	01/03/2024	• Updated references to UK GDPR and Data Protection Act 2018, now 'Data Protection Legislation'; • Inserted wording regarding the definition of Criminal Offence Data and the 'appropriate policy document' for the processing of Special Category and Criminal Offence Data, including reference to the Council's Information Asset Register; • Updated reference to Intranet guidance; • Updated DPO contact details • Job titles updated

East Lothian Council
Data Protection Policy

1. Introduction

1.1.   This document sets out East Lothian Council's policy regarding data protection. To perform its public function and operate efficiently, East Lothian Council ('the Council') must collect and use information about individuals. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information to comply with the requirements of government.

1.2.   The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as essential to its successful operations and to maintaining confidence between the Council and those with whom it carries out business. To this end, the Council is committed to protecting the rights and privacy of individuals including those rights set out in the UK General Data Protection Regulation ('UK GDPR') and the Data Protection Act 2018 ('DPA 2018'), together the 'Data Protection Legislation'.

1.3.   The Council is fully committed to data protection compliance and will follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, volunteers and any other partners of the Council who have access to any personal data held by or on behalf of the Council, are fully aware of and comply with their duties and responsibilities under the Data Protection Legislation.

1.4.   The Council's principal aim is to ensure that all personal data processing carried out by the Council, or on its behalf, complies with the six data protection principles and other key legislative requirements.

2.   Statement of Intent

2.1.   East Lothian Council regards the lawful and correct treatment of personal data as very important to successful operations, and to maintaining confidence between those with whom it deals, both internally and externally.

2.2.   East Lothian Council recognises the importance of ensuring that the Council treats personal data lawfully and correctly and the Council fully endorses and adheres to the principles of data protection detailed in the Data Protection Legislation. Any employee found to be breaching the terms and conditions of this policy may be subject to disciplinary procedures.

3.   Definitions

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3.1. **Personal data:** information which relates to a living individual who can be identified either directly or indirectly from that information or any other information likely to come into the possession of the data controller. This includes any expressions of opinion and any indications of the intentions of the data controller, or any other person, in respect of the individual.

3.2 **Special category data:** personal data consisting of information revealing any of the following:
- Racial or ethnic origin.
- Political opinions.
- Religious or philosophical beliefs.
- Trade union membership.
- Genetics.
- Biometrics (where used for ID purposes).
- Health.
- Sex life.
- Sexual orientation.

Special category data has enhanced protections for processing compared with personal data.

3.3. **Criminal offence data:** personal data relating to criminal convictions and offences or related security measures. This covers information about offenders or suspected offenders in the context of criminal activity, allegations, investigations and proceedings.

3.5 **Record**: information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.

3.6 **Processing**: any action performed on personal data, including (but not limited to) collecting, storing, sharing, destroying or preserving data.

3.7 **Data controller**: a person or organisation who decides how personal information can be processed, and for what purposes. East Lothian Council is a data controller.

3.8 **Data processor:** a person or organisation (other than an employee of the data controller) who processes personal data on behalf of a data controller.

3.9 **Data subject:** an individual about whom the Council holds personal data.

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4.   Roles and responsibilities

4.1   **Senior Information Risk Owner (SIRO):** the SIRO has overall strategic responsibility for governance in relation to data protection risks. The SIRO:

- Acts as advocate for information risk at the Corporate Management Team (CMT);
- Provides written advice to the Chief Finance Officer for the Annual Governance Statement relating to information risk;
- Drives cultural change regarding information risks in a realistic and effective manner;
- Oversees the reporting and management of information incidents;
- In liaison with the Chief Executive and the Depute Chiefs, ensures the Information Asset Owner and Information Asset Administrator roles are in place to support the SIRO role.

The Council's SIRO is the Head of Council Resources.

4.2   **Data Protection Officer (DPO):** the DPO is a statutory role under the Data Protection Legislation. The DPO:

- Informs and advises the Council and its employees about their obligations to comply with the Data Protection Legislation;
- Monitors compliance with the Data Protection Legislation, including the assignment of responsibilities, awareness raising and training of staff involved in the processing operations and related audits;
- Provides advice about data protection impact assessments and monitors their performance;
- Co-operates with the supervisory authority (the Information Commissioner's Office);
- Acts as the contact point for the Information Commissioner's Office and members of the public on issues related to the processing of personal data.

The Council's DPO is the Team Manager – Information Governance.

4.3   **Team Manager - Infrastructure and Security:** the Team Manager - Infrastructure and Security is responsible for creating, implementing and maintaining the Council's Information Security Policy and procedures to reflect changing local and national requirements. This includes requirements arising from legislation, security standards and national guidance.

The Team Manager - Infrastructure and Security supports Service areas in achieving best practice and compliance with security requirements.

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4.4   **Information Champions:** Information Champions ensure that best practice regarding information governance and security is implemented consistently across the Council by acting as the main points of contact within Services for Information Governance issues. They liaise with the Team Manager - Information Governance / Data Protection Officer and the IT Team Manager - Infrastructure and Security to discuss changes to policies/procedures, disseminate information and troubleshoot problems.

Information Champions are nominated by Service Managers.

4.5   **Individual members of staff and elected members:** Individual members of staff and elected members are responsible for protecting personal information held or processed on computer, or held in paper records, within their care.

5.   Notification

5.1.   Data controllers are required to notify the Information Commissioner of the processing that they undertake.

5.2.   The Council will maintain its register entry and annually review its processing to ensure that its register entry is accurate and up to date.

6.   The Data Protection Principles

The data protection principles set out the main responsibilities for organisations. They stipulate that personal data shall be:

a) processed lawfully, fairly and in a transparent manner;
b) collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
c) adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed;
d) accurate and, where necessary, kept up to date:
e) kept no longer than is necessary for that purpose or those purposes;
f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against accidental loss, destruction or damage, using appropriate technical or organisational measures;

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In addition to the six principles listed above, the data controller shall be responsible for, and be able to demonstrate, compliance with the principles (also known as the 'accountability principle').

7. **Rights of individuals:** The Data Protection Legislation provides individuals with the following rights regarding their personal information:
    - The right to be informed about how their information will be used.
    - The right of access to their personal information.
    - The right to rectification, which is the right to require the Council to correct any inaccuracies.
    - The right to request the erasure of any personal information held by the Council where the Council no longer has a basis to hold the information.
    - The right to request that the processing of their information is restricted.
    - The right to data portability.
    - The right to object to the Council processing their personal information.
    - Rights in relation to automated decision making and profiling.

    The Council publishes detailed information for the public that sets out what these rights are and how these can be exercised.

8. **Compliance with the Principles**

    East Lothian Council will, through appropriate application of criteria and controls:

    - ensure the fair collection and use of information through the use of Privacy Notices;
    - meet its legal obligations to specify the purposes for which information is used; including specific requirements that must be met to ensure fair and lawful sharing of personal data both internally and externally;
    - collect and process appropriate information only to the extent that is needed to fulfill operational needs or to comply with any legal requirement;
    - ensure the accuracy of information used;
    - implement procedures to restrict the length of time information is held, including implementation of a corporate records Retention Schedule;
    - ensure that people about whom information is held are able to fully exercise their rights under the Act, as listed in Section 7 of this Policy;

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- ensure compliance with the East Lothian Council IT Policies/ Information Security Polices to safeguard personal data;
- ensure that information is not transferred abroad without suitable safeguards.

9. Information Handling and Collection (Principles a, b and c)

9.1. East Lothian Council will process all personal data for the purpose of providing an effective delivery of service in accordance with the aims, responsibilities and obligations of the Council.

9.2. All personal data will be processed in accordance with Privacy Notices issued to individuals by the relevant Council Service at the point of data collection. These Privacy Notices will inform data subjects of:
- The name and contact details of the Council;
- The name and contact details of the Council's Data Protection Officer;
- The purposes for processing their personal data;
- The lawful basis for processing their personal data, including conditions regarding 'sensitive processing', such as the lawful basis for processing special category data;
- The categories of personal data obtained;
- The recipients or categories of recipients of the personal data, including details of any transfers to third countries or international organisations;
- The retention periods for the personal data;
- The rights available to data subjects;
- The details of the existence of automated decision-making, including profiling.

Privacy Notices will provide this information in a way that is concise, transparent, easily accessible and using clear and plain language.

9.3. Personal data will only be collected where there is a specific purpose for doing so. It will not be used for any other purpose except where allowed by the Data Protection Legislation or required by law. The personal data collected shall be limited to what is necessary in relation to that specific purpose.

10. Records Management (Principles d and e)

10.1. The Council will implement procedures to ensure that all personal data it holds are accurate in respect of matters of fact and, where necessary, kept up to date.

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10.2. Opinions of officers of the Council that are recorded will be carefully and professionally expressed. When processing personal data relating to criminal offences, Council officers will distinguish between matters of fact and matters of personal assessment or opinion.

10.3. The Council will not hold personal data for longer than is reasonably required. The Council will comply with its corporate Retention Schedule.

10.4. Further information about records management and records retention can be found in East Lothian Council's Records Management Plan.

11.   Security (Principle f)

11.1. East Lothian Council will ensure that there is someone with specific responsibility for data security. Currently, the Team Manager - Infrastructure and Security has this responsibility.

11.2. All officers of the Council are responsible for ensuring that personal data are held securely at all times.

11.3. Access to all Council systems is password protected and only authorised personnel have access.

11.4. Personal data will be safely and responsibly destroyed when they are no longer required.

11.5 Personal data will be held in official recordkeeping systems with appropriate records management controls in place, in line with the Council's Records Management Plan.

11.5 All officers of the Council and individuals undertaking work for the Council will adhere to the Council's IT security policies and procedures.

12.   Accountability principle

12.1. All officers of the Council and individuals undertaking work for the Council have a personal responsibility to ensure the secure and compliant processing of personal data.

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12.2. Roles with specific data protection responsibilities are listed in Section 4 of this Policy.

12.3 A record of data processing activities will be maintained by the Council in an Information Asset Register, which will identify the members of staff responsible for overseeing compliance for each processing activity (Information Asset Owners).

12.4 All Heads of Service and Service Managers will ensure that documentation evidencing the Council's compliance with the Data Protection Legislation remains accessible and up-to-date within official recordkeeping systems.

13. Data protection by design and default

13.1 The Council recognises the importance of integrating data protection into its business processes from the start. Accordingly, the Council will conduct a Data Protection Impact Assessment (DPIA) as part of any new data processing activity.

13.2 DPIAs will be included as a standard element within the Council's risk reporting and risk management frameworks.

13.3 The Council will integrate data protection with reference to the 7 Foundational Principles of Privacy by Design:
1) **Proactive, not reactive:** anticipating and preventing privacy invasive events before they happen.
2) **Privacy as default:** personal data are automatically protected in any business practice or IT system. No action is required on the part of the individual to protect their privacy.
3) **Privacy embedded into design:** privacy of personal data is embedded into the design and architecture of IT systems and business practices. Privacy is integral to the core functionality of the system.
4) **Full functionality:** activities regarding privacy seek to accommodate all legitimate interests and objectives in a win-win approach.
5) **End-to-end security:** data protection extends security throughout the entire lifecycle of the data involved.
6) **Visibility and transparency**: all stakeholders are assured that business practices or technology operate according to stated promises and objectives, subject to independent verification.
7) **Respect for user privacy**: adopt a user-centric approach which uses strong privacy defaults, appropriate notice and empowering user-friendly options.

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14. Disclosures

14.1. East Lothian Council reserves the right to disclose information under certain circumstances where allowed by law.

14.2. When a request for disclosure is made, the Council will consider each request individually and where a disclosure is justified, the Council will only disclose the minimum data required.

14.3. In order to improve service delivery and to meet its responsibilities, the Council may enter into data sharing agreements with other organisations where data sharing is allowed by law. Where this is the case, the Council will ensure that an Information Sharing Agreement with that organisation is in place which ensures the data sharing is in compliance with the law and this policy.

15. Elected Members and Data Protection

15.1. Where Elected Members work on behalf of the Council, this policy applies to them, and they must abide by all associated procedures. Should any breach of the Data Protection Legislation occur, it will be the Council's responsibility.

15.2. Where Elected Members work for their constituents, they are data controllers in their own right and must register with the Information Commissioner. Should any breach of the Data Protection Legislation occur, it will be the Elected Member's responsibility.

16. Complaints, Enforcement and Dealing with Breaches

16.1. All complaints regarding data protection should be made to the Council's Data Protection Officer at dpo@eastlothian.gov.uk.

16.2 The maximum fine for data protection breaches is £17,000,000 or 4% of turnover (whichever is higher), with a mandatory deadline of 72 hours to report relevant breaches to the UK Information Commissioner. Therefore, the Data Breach Team should immediately be informed of any suspected internal data breaches, as laid out in the Council's Data Breach Procedure.

16.3. All Council staff, contractors and elected members will co-operate fully with any investigation into an alleged breach of the Data Protection Legislation undertaken by the Council's Data Breach Team or the Information Commissioner.

16.4. The Data Breach Team will apply a fair and consistent approach to the recording and management of all data breaches, including

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notification of breaches to affected individuals where necessary. In each case, this will include a risk assessment of the consequences of the breach, conducted in line with the relevant guidance from the Information Commissioner's Office and up to date case law. Precedent within the Council will also be taken into account.

16.5 Depending on the nature of the breach, breaches of the Data Protection Legislation or of this policy may result in disciplinary proceedings for the staff involved.

17. Managing Data Protection

17.1. East Lothian Council will ensure that-

- the Data Protection Officer will provide advice on data protection compliance to all officers processing personal data within Council;
- Heads of Service and Service Managers will ensure that all staff have access to this Policy and that they receive relevant training;
- training for all staff will be made available via e-learning, online and printed guidance, supplemented by person-to-person training where required;
- everyone managing and handling personal data understands that they are responsible for following good data protection practice;
- everyone managing and handling personal data is appropriately trained to do so and has the opportunity to receive training;
- everyone managing and handling personal data is appropriately supervised;
- queries about managing and handling personal data are promptly and courteously dealt with;
- methods of managing and handling personal data are regularly assessed and evaluated;
- performance of managing and handling personal data is regularly assessed and evaluated;
- risks regarding data protection are regularly reported at a senior level, with appropriate mitigating actions taken.

18. Appropriate Policy Document

18.1 The Council may from time to time process special category and criminal offence data in order to perform its functions. This data processing relates to a number of different purposes and activities.

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18.2 The Council is required to maintain a Record of Processing Activities in respect of the processing of personal, special category and criminal offence data. The Council's primary tool for maintaining this record is the Information Asset Register.

18.3 In respect of special category and criminal offence data, the Council shall record at minimum:
- Which condition for processing is relied on;
- How the processing meets the condition for lawfulness of processing;
- Whether the personal data is retained and erased in line with the Council's Retention Schedule, and if not, the reasons for not following those policies.

19. Related Policies and Procedures

- Data Protection guidance on Council Intranet
- Data Breach Procedure
- IT Acceptable Use Policy
- Information and Records Management Policy
- East Lothian Council Records Management Plan
- East Lothian Council Retention Schedule
- E-learning module: General Data Protection Regulation

20. Contact Information

20.1. East Lothian Council's Data Protection Officer can be contacted at:

Data Protection Officer
Governance Service
John Muir House
Haddington
dpo@eastlothian.gov.uk
Tel. 01620 827989

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East Lothian Council

REPORT TO:	Cabinet
MEETING DATE:	14 May 2024
BY:	Executive Director for Council Resources
SUBJECT:	ELC Transformation Strategy 2024-2029

4

1   PURPOSE

1.1   To inform of and seek approval from Cabinet for the East Lothian Council Transformation Strategy 2024-2029.

2   RECOMMENDATIONS

2.1   To approve the East Lothian Council's Transformation Strategy 2024-2029.

3   BACKGROUND

3.1   East Lothian Council Plan sets out the vision and priorities for the Council over the period 2022-2027. This Plan is ambitious and is strategically aligned with the Scottish Government's public sector reform initiatives. The Scottish Government's aim is to improve public services to ensure they are inclusive, sustainable, and effective in improving people's outcomes.

3.2   Transformation is not a new concept, and the Council has been improving how services are delivered over a number of years. The Council established a transformation programme in 2016, aimed at the Council becoming more efficient, effective, transparent, and accountable, which in turn can lead to better services for citizens and a more sustainable future.

3.3   In recognition of the financial challenges and the changing world in which the Council is operating, there is a need to continue to modernise how we deliver services.

3.4   ELC Transformation Strategy 2024-2029 aims to build on those ambitions and achievements, while making it applicable to the 2024 operating environment.

3.5   The Council has agreed three new short-term priorities to reflect the current financial challenges we face.

- *Ensure the financial sustainability of the Council through the delivery of approved savings and transforming the way we deliver services.*
- *Target resources on statutory services and focus on the highest risks and those most in need.*
- *Deliver key infrastructure, economic development and environmentally sustainable projects within available council resources and maximising external funding.*

3.6   The Council is also preparing the 2024 Council Improvement Plan that considers the results of, and recommendations made in, external and internal evaluations on governance, leadership and strategic policy and practice:

- Best Value Leadership Audit conducted by the Council's external auditors (Audit Scotland) in 2023
- Audit Scotland 2022/23 Annual Audit Report
- 2023 Corporate Governance Self-evaluation
- Council Management Team's Public Service Improvement Framework (PSIF) Self-evaluation.

We will ensure that these are addressed in the delivery of this Strategy.

3.7   Transformation has a key role in enabling the Council to deliver its plans, objectives, and priorities, within the resources available.

3.8   Transformation Vision: To deliver a portfolio of change over a 5-year period (aligned to the Financial Strategy 2024-29) which will support the financial sustainability of the Council aligned to Council Plan / Corporate priorities.

3.9   The Transformation Strategy (see appendix to this report) provides details of four Enablers and seven Strategic Objectives:

Enablers	Strategic Objectives
Portfolio, Programme, and Project Management Maturity	To design sustainable (core) council services
Transformation Capability	To design digital by-default customer services
Engagement	To deliver efficiencies and value for money
Collaboration	To develop a more commercial culture and increase income
	To become a more 'Intelligent Council'
	To support our response to the climate & ecological emergency
	To support place making and best use of our assets

3.10   A detailed Action Plan will be developed and included in an Appendix to this Strategy.

3.11   Performance against delivery of the enablers, strategic objectives and action plan and resulting benefits will be reported to the Transformation Portfolio Board.

3.12   This strategy will be reviewed and updated on an annual basis, to ensure continued alignment with supporting the delivery of the council's priorities and outcomes.

3.13   Any significant refresh of the Transformation Strategy will be reported to and approved by Cabinet.

3.14   Transformation financial targets will be included in a scene setting report in August 2024. We will monitor financial targets and report these alongside regular Finance updates to Cabinet / Council and we will produce an annual report capturing performance for each financial year.

4   POLICY IMPLICATIONS

4.1   The council requires to align with many national and council Regulations, Strategies, Policies, Guidance and Tools. Details of these are provided on p18 of the Transformation Strategy.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report will follow the Integrated Impact Assessment process. No negative impacts are expected.

6   RESOURCE IMPLACATIONS

6.1   Financial - None

6.2   Personnel - None

6.3   Other – N/A

7   BACKGROUND PAPERS

7.1   None

Appendix 1 - East Lothian Council Transformation Strategy 2024-2029

AUTHOR'S NAME	Michelle Cockburn
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DATE	14 May 2024

EAST LOTHIAN COUNCIL

TRANSFORMATION STRATEGY

2024-2029

Contents

Introduction and Transformation Vision

East Lothian Council Plan sets out the vision and priorities for the Council over the period 2022-2027. This Plan is ambitious and is strategically aligned with the Scottish Government's public sector reform initiatives. The Scottish Government's aim is to improve public services to ensure they are inclusive, sustainable, and effective in improving people's outcomes.

Transformation is not a new concept, and the Council has been improving how services are delivered over a number of years. The Council established a transformation programme in 2016, aimed at the Council becoming more efficient, effective, transparent, and accountable, which in turn can lead to better services for citizens and a more sustainable future. In recognition of the financial challenges and the changing world in which the Council is operating, there is a need to continue to modernise how we deliver services. This will support the Council to:

To attract and retain talent	To deliver improved efficiency and effectiveness	To enable better decision-making	To enhance customer experience
To improve service delivery	To increase transparency and accountability	To meet our sustainability obligations	To reduce costs
	To take account of our changing operating environment		

The council's new Transformation portfolio must drive significant change and innovation throughout the Council and help us provide the very best outcomes, with the resources available.

A strong Portfolio Governance framework will ensure strategic alignment to achieve Council objectives and priorities. It will enable decisions regarding resources and ensure alignment to the investment decisions and priorities while considering any significant constraints.

Council Vision

An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish. Council Plan 2022-2027

Transformation Vision
To deliver a portfolio of change over a 5-year period (aligned to the Financial Strategy 2024-29) which will support the financial sustainability of the Council aligned to Council Plan / Corporate priorities

3

Strategy rationale and context

There are a wide range of risks and variables facing the Council, and there is a need to ensure that the Council has sufficient resilience to satisfy delivery of approved outcomes whilst ensuring our future financial sustainability. It is now clear that the level of ongoing resources available to the Council will not be sufficient to meet future demand and pressures, and as such, the way in which we deliver services to the community must change.

Changes to service delivery are also driven from a need for greater emphasis on clients/service users, focused involvement of stakeholders and partners, and the possibilities of new delivery models.

To achieve this, the Council must embark on an enhanced programme of transformational change, which aligns with our corporate strategies. This includes embracing digital technology, maximise revenue income streams available, and to support economic growth and achieving wider aims and outcomes, the Council must accelerate a review of all Council assets, which will seek to minimise future revenue costs, and maximise the benefits derived from future capital investment.

Transformation Programme to date

The Transformation Programme has delivered many projects to date. Transformation priorities, and example projects are:

Digital Transformation

- Online Customer Platform
- New Content Management System
- HR & Payroll system
- Online school payments

Front Line Service Redesign

- Health & Social Care Core Business
- Social Work Out of Hours Service
- 1140 Hours Early Learning and Childcare
- Education Common School Day

Commercialisation

- Energy Transformation
- Managers Training - Commercial Mind Set & Skills

Support Service Redesign

- HR Lean Review

Delivering Benefits

4

Project Benefits shown below are improvements that contributed to the achievement of council objectives.

Projects	Benefits description
New systems & business process redesign: • Online Customer Platform • New Content Management System • HR & Payroll system • Online school payments • HR Lean Review	Costs avoided Customer Satisfaction Improved engagement with citizens Reduced Transaction time Resources released
Education Common School Day	Customer Satisfaction
Health & Social Care Core Business - Implementation of prepaid cards for direct payments	Increased debt recovered Resources released
Social Work Out of Hours Service	Customer Satisfaction
1140 Hours Early Learning and Childcare	Customer Satisfaction
Energy Transformation	Customer Satisfaction Costs avoided
Commercialisation	Increased income

Our new Transformation Portfolio Framework will be used to enhance our ability to capture, monitor and report on benefits during 2024 and beyond.

5

Contribution to Council Objectives

Transformation is about driving the value. Value comes from aligning the Transformation activities with the Council's objectives. The benefits derived from Transformation to date contribute to many Council objectives, as follows:

1	**2**	**3**
Reduce poverty and Inequality – supporting our communities to deal with the growing levels of poverty and inequality	Grow our People – give our children the best start in life and protect vulnerable and older people	Grow our Capacity – deliver excellent services as effectively and efficiently as possible within our limited resources
• Energy Transformation: ELC energy tariff, efficiency improvements implemented (boiler replacements, controls upgrades and lighting retrofits)	• 1140 Hours Early Learning and Childcare • Education Common School Day • Social Work Out of Hours Service	• New Content Management System • Health & Social Care: implementation of prepaid cards for direct payments • HR Lean Review

Other Public Sector Transformation Initiatives

There are a range of wider public sector initiatives that may impact this strategy, including a think piece report (Delivering a future for Scottish Local Authorities) that was jointly written by a group of Chief Executives on behalf of Solace and the Improvement Service (IS) about delivering a future for local government. The approach outlined complements COSLA's Blueprint, providing a vehicle to support the delivery of the Blueprint's ambitious vision for Scottish Local Government and the communities it serves.

Following on from this, the Improvement Service is working with Solace and individual local authorities to identify opportunities for transformation which will help progress the development of the 21st century Council model, to get some tests of change up and running and to develop a timeline for this work.

We will continue to participate in this work and align our transformation activities, as required, as this work progresses.

Scottish Government National Outcomes

Scottish Government National Outcomes underpin and enable our Transformation Strategy. The Scottish Government are developing proposals for changes to the National Outcomes and the wider National Performance Framework (NPF), and this is expected to be published in Autumn 2024.

7

Supporting Council Objectives

The 2022-27 Council Plan outlines how East Lothian council will strive to meet our Vision of: ***An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish.***

The Council has agreed three new short-term priorities to reflect the current financial challenges we face.

- Ensure the financial sustainability of the Council through the delivery of approved savings and transforming the way we deliver services.
- Target resources on statutory services and focus on the highest risks and those most in need.
- Deliver key infrastructure, economic development and environmentally sustainable projects within available council resources and maximising external funding.

The Council is also preparing the 2024 Council Improvement Plan that considers the results of, and recommendations made in, external and internal evaluations on governance, leadership and strategic policy and practice:

- Best Value Leadership Audit carried out by the Council's external auditors (Audit Scotland) in 2023
- Audit Scotland 2022/23 Annual Audit Report
- 2023 Corporate Governance Self-evaluation
- Council Management Team's Public Service Improvement Framework (PSIF) Self-evaluation.

There are a few Improvement actions that relate to Transformation, key actions include:

- The Council should continue to identify where it can progress transformational change in how services are delivered to address the longer-term pressures it faces.
- The Council needs to prioritise where it can invest in digital services to deliver savings in the longer term. The Council needs to strengthen their digital strategy, cyber security, business continuity management and associated policies to address prior year audit recommendations.
- Given the scale of the financial challenges it faces the council needs to be open and clear with communities and staff about the recurring savings that will be required to fill budget gaps, and how council resources will need to be targeted to achieve long-term policy and performance priorities, and the impact this will have on services and the priorities set out in the Council Plan.
- In light of the growing financial challenges faced by the council further work is required to make the link between how resources are targeted to achieve the Council's policy and performance priorities more explicit.

We will ensure that these are addressed in the delivery of this Strategy.

> Transformation has a key role in enabling the Council to deliver its plans, objectives, and priorities, **within the resources available.**

8

Enablers

Portfolio, Programme, and Project Management Maturity
We must deliver improved success from programmes and projects by evolving our maturity in the development of our project, programme, and portfolio management capabilities.

We will do this by:

- Implement the recommendations of the P3M3 Maturity Assessment
- Rationalising framework templates and focusing on what the information will be used for rather than gathering it
- Developing a set of minimum requirements or standards that set out what is expected from projects
- Separating business justification from project controls
- Establishing a Stage Gate process linked to a project lifecycle to improve control and tracking, this will also rationalise the information gathering
- Reviewing the governance and controls arrangements to enable them to flexible for different levels of risk and complexity in projects
- Ensuring business cases are developed and approved, prioritising those with a strong financial/economic case

What success looks like:

- User-friendly Portfolio Management toolkits & templates used consistently across the council
- Projects are delivered to time and within budget
- Identified savings are delivered to support closing the budget gap
- Project Business Cases are developed up to the end of Stage 3 and are regularly reviewed and updated thereafter
- Project gate reviews confirm that project teams have completed the required processes and tasks, and that the project is worth continuing
- Project Boards give approval for projects proceeding to the next stage throughout the project lifecycle
- Governance arrangements are streamlined appropriate to the size and complexity (risk profile) of the project

Transformation Capability:
People are key. We must ensure we are developing transformation professionals. As well as attracting, developing and retaining new and existing talent.

We will do this by:

- Developing a professional development plan to help our staff be even more effective
- Ensuring capacity (resource levels) align with council priorities and are within available resources
- Ensuring Transformation Team workloads are managed using a consolidated work plan and prioritisation tool to ensure work aligns with council priorities and is within available resources
- Implement a Portfolio Management Office (PMO) that defines and maintains standards for project management within the council as well as:
  - Dependency / Risk Management
  - Management Information & Reporting
  - Portfolio Management Framework and processes
  - Project Assurance & Gate reviews
  - Resource Allocation & training
- Ensure that the Team have or have access to key capabilities that include (but are not limited to):
  - Benefits Measurement
  - Business Intelligence / Data Analysis
  - Commercial Acumen
  - Digital Transformation (including automation)
  - Process Improvement, Customer Journey Mapping & Lean
  - P3M3® (Portfolio, Programme, and Project Management Maturity Model), Prince2 and Managing Successful Programmes (MSP)
  - Prosci Change Management
  - Risk Management, Monitoring and Reporting Process
  - The Scottish Approach to Service Design (SAtSD)
- Ensure that the team have support from Subject Matter Experts (SME's) across council services, including Audit, Communications, Customer Services, Finance, Human Resources, IT and Legal.

What success looks like:

- Professional competencies are understood, and people are developed to improve success from programmes and projects
- Attracting, developing and retaining new and existing transformation people
- Areas for improvement are understood and actions plans are in place to address them
- Successful delivery of Annual Service and Action Plans to address business needs and meets demand across the council
- Transformation team has / has access to key capabilities and support from Subject Matter Experts (SME's) to improve success from programmes and projects

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Engagement:
Having appropriate access to best practice to provide consistency across transformation activities. This will allow for efficient and effective delivery of transformation programmes and projects.

We will do this by:

- Ensure highly effective transformative leadership among senior leaders and influence over transformation activity
- Annually reviewing and updating Service Plan (Improvement Plan), reporting progress to EMT
- Working with communications team to raise the profile and ensure key transformation / Shaping our Future messages and updates are communicated
- Ensuring that all leaders understand their role in driving and enabling transformation
- Undertaking surveys to capture feedback and satisfaction levels from internal customers
- Using post-project lessons learned to improve our portfolio management framework
- Producing an annual report capturing performance for each financial year
- Annually reviewing and updating our Portfolio Management Framework and templates
- Developing and implementing on-line toolkits to enable staff to manage their own projects

What success looks like:

- Leaders and stakeholders are more engaged with and are driving transformation
- Increased awareness and consistent use of the portfolio management framework and toolkits
- Continuous improvement of the portfolio management framework to improve success from programmes and projects
- Performance of the transformation team and portfolio is understood, and any learning is used to inform continuous improvement activities

Collaboration:
Collaboration will assist us in achieving our goals. Strengthening collaboration and engagement across the Public Sector Transformation landscape will allow consistent approaches where practical, and facilitate development and sharing of best practice

We will do this by:

- On-going analysis of public sector transformation to identify best practice innovation and collaboration opportunities
- Participate in and learn from Solace/Improvement Service (IS) Transformation Anchors:
    - Enable a functioning, trusted local and central government relationship and Unlocking Community Action (Includes review of statutory services)
    - A focus on people through a public sector plc that tackles inequality at the root in order to improve everyone's life chances and lead council and cross sector partnerships with a focus on outcomes
    - Design for People's Needs and Create digital, design and technology enabled transformation
- Identifying and collaborating with our transformation peer group across public sector
- Maximize opportunities for innovation and collaboration across the public sector

What success looks like:

- Increasing opportunities for innovation, collaboration and learning across the public sector

Strategic Objectives

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To design sustainable (core) council services:

To assist services in identifying cost reductions and better ways of working and support the development of more sustainable budgets and help protect front line service provision.

We will do this by:

- Develop a consistent methodology to support reviews and re-modelling within services
- Prioritise Shaping our Future Service Reviews, deploying our methodology (capabilities in Process Improvement, Customer Journey Mapping, Lean, and the Scottish Approach to Service Design (SAtSD))
- Participate in and learn from Solace/Improvement Service (IS) Transformation Anchors:
    - 1&3: Enable a functioning, trusted local and central government relationship and Unlocking Community Action (Includes review of statutory services)
- Working with services to look at options to reduce agency costs through the implementation of more sustainable staffing structures
- Analysing the cost and benefits of providing our services

What success looks like:

- Consistent approach to support reviews and service design
- Resources released to focus on higher value activities
- Reduced Transaction time
- Simplified systems landscape
- Increase in number of online services offered
- Improved experience and Customer Satisfaction
- Increasing number of processes co-designed with customers
- Increasing number of end-to-end processes mapped with all relevant services
- Increased number of services offering one-stop resolution
- Evidence of improved analytics on customer contacts leading to service improvements
- Increasing opportunities for innovation, collaboration and learning across the public sector
- Reduced overall cost of service delivery

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To design digital by-default customer services:

To continue to make better use of technology to deliver smarter, efficient service processes and to deliver a better experience for customers.

We will do this by:

- Prioritise and progress key digital transformation projects
- Consolidate systems development resources
- Identify enterprise systems and create roadmap
- Complete transformation actions detailed within the Customer Strategy Action Plan:
    o We will have a plan and support in place for service teams switching to online/new ways of working.
    o We will develop robust ways to involve our customers in designing services.
    o We will involve all relevant services in mapping and improving our end-to-end processes.
    o We will review and increase the number of services that can be provided at the first point of contact, benchmarking and sharing good practice with other councils.
    o Services will build process improvement into their service plans to ensure they remain responsive to changing needs.
    o We will make better use of our statistical data to understand how and why customers contact us.
- Participate in and learn from Solace/Improvement Service (IS) Transformation Anchors:
    o 4&5: Design for People's Needs and Create digital, design and technology enabled transformation
- Partner with the Digital Office to identify and progress collective and scalable initiatives

What success looks like:

- Maximising return on investment / optimising functionality of existing systems
- Resources released to focus on higher value activities
- Fewer manual processes
- Reduced Transaction time
- Reduced number of systems used across the council
- Improved Data Maturity
- Clarity on enterprise systems when they will be deployed and how we will get there
- Reduced systems total cost of ownership
- Improved experience and Customer Satisfaction
- Improved engagement with citizens
- Increase in number of online services offered
- Increase in number of services with online included in their service plans
- Increasing number of processes co-designed with customers
- Increasing number of end-to-end processes mapped with all relevant services
- Increased number of services offering one-stop resolution
- Increased number of service plans featuring process improvements
- Evidence of improved analytics on customer contacts leading to service improvements
- Increasing opportunities for innovation, collaboration and learning across the public sector

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To deliver efficiencies and value for money:
To continue to deliver financial savings through efficiencies or cost reductions and smarter ways of working.

We will do this by:
- Prioritise and progress key lean / process improvement projects
- Identify enablers required to reduce manual transactions, e.g. On-line forms solution

What success looks like:
- Resources released to focus on higher value activities
- Reduced transaction time
- Increasing number of processes co-designed with customers
- Increasing number of end-to-end processes mapped with all relevant services
- Fewer manual processes

To develop a more commercial culture and increase income:
To develop a more commercial approach to the delivery of Council services with a view to increasing the level of income and, or debt/cost-recovery.

We will do this by:
- Prioritise and progress key commercial projects
- Strengthen the council's contract management practices and identify areas where further improvement may be required
- Develop a Commercial Strategy for the council
- Exploring all options to recover the costs of service delivery
- Integrating commercial awareness with public sector values to help deliver better and more sustainable services for residents
- Providing Learning and Development to increase the level of commercial and financial skills

What success looks like:
- Early identification of risks to contract provision, and ability to react to those
- Better value derived from contracts
- Enhanced relationships with suppliers and stakeholders
- Increased level of income and or debt/cost-recovery
- Staff have an appropriate level of commercial skills

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To become a more 'Intelligent Council':
To ensure that decisions are based on appropriate data and evidence.

We will do this by:
• Prioritise and progress key data projects • Build capability for Business Intelligence to support data-driven decision making/data maturity • Build the Corporate Power BI environment to fully enable the council and service departments to better understand and analyse their data to help improve business intelligence and decision making • Use performance data to identify and prioritise improvement projects, e.g. Early intervention & prevention • Progress key actions arising from the council's Data Maturity Assessment
What success looks like:
• Improvement initiatives informed by data • Increased transparency • Improved Digital Maturity

To support our response to the climate & ecological emergency:
To support the Council in delivering transformational change in support of key decarbonisation and ecological objectives and targets.

We will do this by:

• Prioritise and progress a pipeline of projects for:
    o Energy Transformation
    o Carbon reduction
• Prioritise and progress key climate and sustainability projects
• Support the roll out a Carbon literacy programme for members
• Work with the councils Sustainability and Climate Change Officer to develop a methodology for carbon budgets & Pilot Carbon budgeting
• Support Council Reporting on progress against public net zero commitment

What success looks like:
• Carbon Savings • Energy consumption / costs / generation • Environmental and community benefits • Support the council to meet its net zero commitments

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To support place making and best use of our assets:
To exploit the opportunities presented by a move to hybrid working and understanding the wide range of services we deliver, understand how we can deliver them in a more joined up way and take advantage of increasing take up of online and digital engagement to further rationalise the Council's estate and modernise and improve the working environment within the remaining core buildings.

We will do this by:
• Prioritise and progress key asset management projects, e.g., Corporate and Place Making Asset Management • Develop a framework to support the implementation of a debt/cost-recovery approach to the use of council assets

What success looks like:
• Reduced council estate and maintenance burden • Improved experience and Customer Satisfaction • Improved engagement with citizens • Optimised building utilisation • Numbers of staff working remotely on a regular basis • Increased employee satisfaction • Increased cost recovery

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Regulations, Policies, Guidance and Tools

There are many national and council regulations, strategies, policies, guidance and tools, that we must align with, including but not limited to:

Regulations, strategies, policies, guidance and tools	
- The Local Governance (Scotland) Act 2004 - The Local Government in Scotland Act 2003 - The Local Government etc. (Scotland) Act 1994 - The Local Government (Scotland) Act 1973 - Scheme of Delegation - Standing Orders - Financial Regulations - East Lothian Children and Young People's Plan 2023-2026 - East Lothian Council Climate Change Strategy 2020-2025 - East Lothian Council Customer Strategy - East Lothian Council Digital Strategy 2022-2027 - East Lothian Council Equality Plan 2021-2025 - East Lothian Council Plan 2022-2027 - East Lothian Council Poverty Plan 2021-2023 - East Lothian Economic Development Strategy 2012-2022 - East Lothian Integration Joint Board Strategic Plan 2022 – 2025 - East Lothian Local Housing Strategy 2018-23	- East Lothian Transport Strategy 2018-2024 - ELC_Recovery__Renewal_Plan_2021 - Lothian Strategic Development Framework - Financial Regulations - Financial Strategy 2024-2029 - Lean Six Sigma - Local Development Plan - Lothian Strategic Development Framework - P3M3® (Portfolio, Programme, and Project Management Maturity Model), Prince2 and Managing Successful Programmes (MSP) - Prosci Change Management - Risk Management, Monitoring and Reporting Process - Scheme of Delegation - Standing Orders - The East Lothian Plan 2017-2027 - The Promise - The Scottish Approach to Service Design (SAtSD) - United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act. (UNCRC)

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Savings, Benefits and Added Value

Delivering value through transformation is a key element and driver of continual Service Improvement. Savings and benefits definitions are defined as follows:

Financial Benefits:

- Economic
  - Cash saving
  - Increased income
  - Debt Recovery

Non-financial Benefits:

- Efficiency
  - Resources Released
  - FTE Reduction
  - Reduced Transaction time
- Effective
  - Reduced failure rate
  - Customer Satisfaction
  - Department Performance KPI's
  - Improved engagement with citizens
  - Improvement Initiatives informed by data
  - Increased transparency
  - Carbon Savings
  - Energy consumption / costs / generation
  - Environmental and community benefits
  - Building utilisation
  - Numbers of staff working remotely on a regular basis

A more formal approach to tracking cost savings has been introduced. Our new Transformation Portfolio Framework will be used to enhance our ability to capture, monitor and report on benefits during 2024 and beyond.

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Governance, Reporting and Resources

Governance & Delivery

- EMT will be the Transformation Portfolio Board, meeting quarterly
- The Chief Executive will lead the Transformation Board
- Emphasis on:
  - business case approval and benefits delivery against the *Portfolio Objectives and Financial Targets*
  - decisions and/or solutions to problems or barriers impacting on progress

- Programme/Project Boards will support delivery of each of the Transformation Portfolio Strategic Objectives
- Boards will be led by an Executive Director, Head of Service or Service Manager, as appropriate
- Emphasis on:
  - Business case approval and benefits delivery against the *Programme/Project Objectives and Financial Targets*
  - decisions and/or solutions to problems or barriers impacting on progress

Reporting

We are committed to being transparent and improving accountability, by publishing information about our Transformation activity.

In in line with this commitment, the Council:

- will monitor delivery of the strategic objectives and benefits, reporting progress to the Transformation Portfolio Board.
- will publish the approved transformation strategy
- will review and update the strategy on an annual basis, to ensure continued alignment with supporting the delivery of the council's priorities and outcomes
- will include Transformation financial targets in a scene setting report in August 2024
- will monitor financial targets and report these through regular Finance updates to Cabinet / Council
- will produce an annual report capturing performance for each financial year

Resources

- The Cost Reduction Fund (Transformation Fund) is to be used to support delivery of change which will realise a financial saving and/or service efficiency going forward.
- Spending from Transformation fund is subject to approvals in line with our Financial Strategy
- A key component of the revised Transformation Portfolio is strengthening financial component of business cases.
- Transformation Team resources will flex to support the Portfolio Strategic Objectives
- Programmes/projects will be Transformation Team-led, Service-Led or Partner-Led
- Programme/Project resources will be defined in the Business Case and allocated by either the Portfolio Management Office (PMO) or Service Areas or both

People, Skills and Culture

- People will be at the heart of delivering transformation across the Council
- Changing the culture and pace of change will be key to our success
- We want to empower people to be innovative and creative and to bring new ideas to improve services, embracing our One Council culture
- Staff will have a range of opportunities to be involved:
  - Intranet
  - Suggestions, ideas & surveys
  - Participation in projects
  - Providing customer views and feedback

Ownership

All staff within the council have a role in ensuring continuous improvement. Key internal stakeholders in East Lothian Council are:

- **Executive Management Team (EMT):** This group will oversee implementation and delivery of the Transformation Strategy
- **Corporate Management Team (CMT) and Service Management Team (SMT):** The Transformation Team cannot fulfil the strategic objectives without the support and co-operation of staff in service areas. Heads of Service and Service Managers are essential to the successful implementation of the Transformation Strategy and for providing relevant and timely information and resources to support our programmes and projects.
- **Service Users:** A well-informed and adequately skilled user base is another vital component for successful delivery of the Transformation Strategy

Michelle Coyle

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REPORT TO: Cabinet

MEETING DATE: 14 May 2024

BY: Executive Director for Education and Children's Services

SUBJECT: East Lothian Corporate Parenting Plan 2024 - 2027 **5**

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1   PURPOSE

1.1   To present the East Lothian Corporate Parenting Plan 2024 - 2027 to Cabinet for discussion and approval.

2   RECOMMENDATIONS

2.1   Cabinet is asked to endorse and approve the Corporate Parenting Plan 2024 - 2027 and note the responsibilities in the Children and Young People's (Scotland) Act 2014 to prepare, publish and review its Corporate Parenting Plan every three years.

3   BACKGROUND

3.1   Section 59 of the Children and Young People's (Scotland) Act 2014 Act requires a corporate parent to prepare and publish a plan for how it proposes to exercise its corporate parenting responsibilities.

3.2   Corporate Parenting duties and responsibilities were expanded within Part 9 of the Children and Young People's (Scotland) Act 2014 and includes those children in foster care, residential care, secure care, looked after at home on compulsory supervision orders and those in formal kinship care. It also includes care leavers who were looked after on their 16th birthday (or subsequently). The responsibilities continue to apply until the care leaver reaches their 26th birthday.

3.3   Corporate parents have a legal duty to promote the interests of care experienced children and young people They must seek to provide with opportunities to participate in activities which are designed to promote their wellbeing and take any action we consider appropriate to help them access these opportunities or makes use of services which we provide. Corporate

parents also need to be alert to matters which might adversely affect their wellbeing.

3.4 The 'East Lothian Corporate Parenting Plan 2024 - 2027' outlines our aspirations as Corporate Parents. It details the actions we will undertake to affect change for our care experienced community in East Lothian over the next 3 years.

3.5 The Plan has been developed in partnership with the East Lothian Champions Board and additional engagement with children, young people and their families. Engagement has also taken place with partner agencies in relation to realising the aspirations. At the heart of the Promise, is the voice of care experienced people. We aspire to continue this and further work covering wider engagement with younger care experienced children and young people will be the core of realising this plan.

3.6 The Corporate Parenting Board, chaired by the Council's Chief Executive, considered and approved the plan on 8 November 2023.

3.7 The plan's key priorities for improving outcomes for East Lothian's looked after and care experienced community are focused on 4 themes -

   ➢ Keeping Families Together - Children must stay with their families wherever it is safe to do so, and families must receive all the support needed to ensure this is a reality for most.

   ➢ Good childhood - Making sure children who cannot live with their family have all they need to thrive. Where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home, staying there for as long as needed'.

   ➢ Moving on - Making sure that young people have all that they need to transition into adulthood seamlessly.

   ➢ Increasing opportunities - ensuring education (in its broadest sense) has the right support to ensure children feel engaged and included in learning/ development.

3.8 These 4 themes are in line with the work of The Promise Scotland, the 24-30 plan. This Plan outlines change needed by all bodies to realise the aspiration of Scotland's promise to care experienced children and young people - that they will grow up loved, safe, and respected.

3.9 The multi-agency Corporate Parenting Steering Group will lead the implementation of the plan and in partnership with the Champions Board, will report highlights and any barriers by exception to board meetings. Progress will be submitted 6 monthly to the Corporate Parenting Board.

3.10 Members of the corporate parenting steering group will be asked to provide relevant local data to enable performance measurements to demonstrate the impact of the plan on the lives of our looked after and care experienced children and young people.

4. **POLICY IMPLICATIONS**

4.1 Whilst there are none at this stage, the delivery of corporate parenting responsibilities may have implications for services available for care experienced young people that may require future changes to East Lothian policies across services.

5. **INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6. **RESOURCE IMPLICATIONS**

6.1 Financial – None

6.2 Personnel - None

6.3 Other - None

7. **BACKGROUND PAPERS**

7.1 None.

Appendix 1: East Lothian Corporate Parenting Plan 2024 -2027

AUTHOR'S NAME	Emma Clater
DESIGNATION	Service Manager, Children's Services
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DATE	1 May 2024

East Lothian Partnership

CORPORATE PARENTING PLAN
2024–27

#KeepThePromise

Contents

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Introduction

Welcome to East Lothian's Corporate Parenting Plan. Our plan sets out our shared vision, aspirations and ambitions for children and young people who are looked after, care experienced and care leavers.

A corporate parent is an organisation or individual who has special responsibilities for looked after children and care-experienced young people. Corporate parenting responsibilities extend to all looked after children, aged from birth to when they cease to be looked after, and as a care leaver. Corporate parents should do as much as they can to make sure children and young people feel in control of their lives and able to overcome the barriers they face. We want to work in partnership with young people to ensure that all care experienced children and young people have the same access and opportunities as other children and young people.

This Plan has been developed in partnership with children, young people and their families. Their voice has shaped what is important to them on the plan, which has then been translated into actions by partners.

Our Corporate Parenting Responsibilities for Looked After Children and Care Leavers

ASSESS
Assess the needs for the services and support we provide

ALERT
Be alert to matters which may adversely affect wellbeing

PROMOTE
Promote the interests

Corporate Parenting Responsibilities

IMPROVE
Strive to improve the way it exercises its functions

OPPORTUNITIES
Provide opportunities to participation in activities promoting wellbeing

ACCESS
Take action to help access opportunities and support and make use of services we provide

Scottish Government (2018)

Production of this plan is a statutory responsibility, but more than that will give the opportunity to stop and listen to our care experienced population. We want this plan to be a partnership between these groups, both challenging and changing practice in a constructive and safe way for all. We need to acknowledge that change may feel uncomfortable but is necessary to improve lives and outcomes.

East Lothian's Care Experienced Population

Despite being a small Local Authority, we are seeing a growing population. East Lothian was the fastest growing in Scotland, rising 24.6% in the last 20 years to 112,300 (Census, 2022). East Lothian also has the 6th highest proportion of 0-14 years old in Scotland. These increases bring great talent to East Lothian but also provide new challenges.

As our work has continued, we have seen falling numbers of children and young people Looked After away from home. However our number of children and young people Looked After at Home under statutory measures has increased. There has been greater focus upon the supports that these children and young people need to remain at home where safe to do so. This has challenged corporate parents to better understand and tolerate risk to create more child focused plans for care experienced children and young people. This has incorporated the actions of all of East Lothian's Corporate Parents.

Data	Latest Figures (31 July 2023)	Notes
Total number of Looked After Children	199	
Number in residential care	32	
Number in foster care	68	
Number in kinship care	41	
Number of Looked After at Home	58	
Number in secure care	0	
Number of care leavers (16-26 years old)	133	Eligible for aftercare (not including continuing care)
Number of young people in continuing care	24	
Number of Unaccompanied Asylum Seeking Children and young people	12	

Since the publication of The Promise in 2020, we have been working hard to realise the ambition of the Promise. This plan has incorporated the foundations of this – voice, care, people, family, and scaffolding.

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What have we achieved so far?

Our Previous Plan

Health and Wellbeing

The Single Point of Access Service for mental health has continued to offer support to young people who are in need of support with their health and wellbeing. The numbers have grown, both as the service as developed, but also as nationally, as we are aware need is rising.

The SEE survey is completed by schools annually with certain year groups to understand need and gather feedback from pupils. The SEE survey for 2022-23 for P6, S2 and S4 show 79% of pupils having a staged assessment meeting felt they received good support either from in school or those outside school. These meetings are an early intervention when things can start to get difficult for children. All three of these age groups, saw an increase in their reported health and respected SHANARRI indicators, as measured through the SEE survey.

Whilst this addressed the need with school age children and young people, it was clear that there was a need for older young people to receive support. Through a short term forum 9 young people were offered small grants to allow them to access supports to improve their mental wellbeing. This ensured that they took control of what they felt would make them feel better. For example some wanted direct therapeutic intervention and for others it was about the impact of sport on your wellbeing, and the equipment to make that happen. This group helped join up services for care experienced young people, allowing more options for support.

We recognised that being trauma informed is vital and have employed a Person-Centred Trauma Project worker to co-ordinate this approach. The next three years should see this embedded within all corporate parenting areas.

The last 3 years has seen a change in the services provide to young carers. A new service was developed, supporting 194 children and young people in 2022, 179 in 2023. When consulting for the new plan, this area has proved vocal in shaping and guiding that plan.

Keeping Loved Ones Together

The numbers of Looked after children and young people has fallen from 227 in April 2021 to 182 in March 2023. This is a consequence of the implementation of the Promise – ensuring children and young people remain at home where it is safe to do so and scaffolding these children as much as possible. We have continued to promote families finding solutions within their own networks at difficult times and continue to promote Family Group Decision Making (FGDM). 108 families in 2021-22 were involved in this and 80 families the following year (2022-23).

A newly designed Family Support Service as part of Children's Social Work was formed. Combined with the external funding received for Whole Family Wellbeing Fund (Families Together East Lothian), there will be real alternatives for families needing the additional support at different levels. The development of these will continue over the next 3 years.

Unfortunately, our numbers of foster carers has continued to fall, with just under 50 fostering households in April 2023. This is indicative of the landscape across Scotland, with recruitment being particularly tricky. Despite this we have an increasing number of young people remaining in their placement (continuing care) post 18. This has risen from 4 in 2020, to 13 in 2023. Whilst this places

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challenges on children needing placements, it highlights a successful transition for many young people into adulthood.

Our number of kinship carers dropped in 2021, however has remain steady since then, with a steady 4-5 young people remaining in their kinship placement post 18. This will set these young people up for life with consistent family links into adulthood. All kinship carers are offered support from Children 1st, with an expansion of support groups and activities. This has created both a formal and informal network. From April 2000, 114 carers with 113 children have been supported through this service. Over the last 3 years, there has been 1 disruption, which is a testament to the support offered.

There remains challenges around the ability to keep siblings together. We have a reduction in the number of sibling group in foster care, which may be due to the implementation of The Promise – with children remaining at home and together (the sibling bond being considered within the assessment as an important element for children). We have seen some inspiring practice where we have looked at carers coming to a family's home for a parental hospital stay rather than the trauma of disabled children leaving their family home, both keeping siblings together but also in their own environment, vital for their sensory needs.

Housing and Accommodation

Housing remains a challenge. As the population of East Lothian grows, so does the demand for good quality housing options. Development areas to try and address this will be reflected within the next plan.

Our TAC Housing and Support Panel has developed to assist young people to find the most appropriate supported accommodation. The Panel continue to meet monthly and has been creative within their approach to young people, increasing opportunities for relationship-based work to be undertaken prior to accommodation moves and where possible allow that transition to young people's safe permanent accommodation. Numbers have risen with need, with this forum also allowing partners to discuss supports for young people in a creative manner with relationships and the continuity of such at the fore. The first half of 2023 has seen 14 young people being discussed with supported accommodation needed for all, but that process of ensuring tenancy readiness being started earlier. There are currently 9 spaces in support accommodation ring-fenced for care leavers, with an additional 20 shared spaces between Housing and Care leavers (although some of those housing young people, may be care experienced). We have developed a more flexible support services for housing support which has supported a number of care leavers.

The new plan will continue to address the needs of this cohort, working directly with young people to identify factors needed to make housing options a success. The Plan will reflect that being a good neighbour starts early, and thus so should the learning around relationships and skills.

Education and Training

We aspire to have all children and young people living and learning in East Lothian. To make that aspiration a reality, we completed a redesign of Children's Social Work Services focusing upon the principles of the Promise and recognising the importance of timely person-centred intervention. This also coincided with the implementation of the Promise, changing culture and practice and working

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alongside families. The number of children and young people in external residential provisions falling from 28 in April 2021 to 25 in April 2023 and the numbers in external fostering falling from 18 in April 2021 to 14 in April 2023. Whilst change has been slow, many of these plans need to progress at the pace of the child and allow services to develop local bespoke resources for some of these children and young people.

As well as reducing numbers overall, these numbers reflect a reduction in those children being accommodated as well as children returning. These numbers don't illustrate what it actually feels like for the children and their families at the centre of this – we have listened to young people who tell us they want to be at home, and what they need to make that happen. With many children we have been able to act upon that.

However, when we have tried to divert families to more appropriate supports, Covid and the cost-of-living crisis has seen the number of referrals to social work rise, rather than fall, from 957 in April – June 2021 to 1061 in Jan – March 2023.

Education's Scottish Attainment Challenge Fund has a national focus on addressing literacy and numeracy across school age children. To support that aim with care experienced children we have funded an Education Support Officer. This role supports environments where care experienced learners will feel more settled, motivated, and resilient to ensure a better experience at school. This, in turn, will help to improve attendance, educational outcomes, and contribute to better life chances. The next 3 years will see the development of this work.

Since 2021, numbers of CEYP at Edinburgh College have fluctuated from 125 in 2021, 194 in 2022 and 89 in 2023. However there has been a focus upon the support provided to young people through college with a Corporate Parenting training module mandatory for all staff, priority to CEYP for the Discretionary Fund, fast tracking of their bursary payment and not suspending bursary payments. The work has been underpinned with a focus upon the right support at the right time. Recognising that college is not for you at this time, can be hard but through great relationships with social work teams and residential units, it can be a positive choice with the door being let open. This work continues.

Next year will see us follow the progress of the NHS who have identified career pathways for care experienced young people, recognising the barriers and challenges that they face.

Rights and Participation

Work has been underway around the Local Authority's response to the implementation of the UNCRC. The Local Authority has been working to ensure that systems, policies and processes are aligned to the UNCRC and ensuring that all Council corporate parents are aware of their roles and responsibilities. Our new Children's Strategic Partnership Plan has a priority around Children's Rights and we are now working to ensure that we broaden the work of the group to ensure it is a partnership approach.

The numbers of children and young people who have been referred to Young Carers as a support has risen drastically. These young people have completed Viewpoint, which allows us to gather and better understand the voice of these children.

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We have developed forums to include voice as a method of feedback but also to shape our services, for example East Lothian's Tenant's and Residents Panel (ELTRP), the Youth Strategy developed by Connected Communities' in partnership with others.

In the last 3 years we have developed our practice with children, young people and their families. Participation workers have been part of the new Families Together East Lothian Service, with their focus being on engagement and using this to build and develop the service. We have seen our language develop and change over the last 3 years – moving towards family time and looked after children. We are on a journey around that.

How was this plan shaped?

This plan has been developed with voice throughout, and shares the ambition of the Children's Strategic Partnership –

Making sure East Lothian's babies, children and young people are Happy, Healthy and Heard

The Champs Board have been through a period of change and have developed updated priorities. The plan reflects these –

- Belonging and Connection
- Health
- Culture
- Development
- Independent Living

These priorities have shaped the building of this plan, provided focus, and consistently brought actions back to the voice our services are there to support.

East Lothian Council has taken a comprehensive approach in developing its corporate parenting plan, ensuring that it reflects the lived experiences of children, young people, care-experienced parents, and the workforce. Recognising the importance of incorporating diverse perspectives, the council has worked diligently to create a plan that truly addresses the needs and aspirations of those involved.

To begin with, the council has actively engaged with children and young people who have experienced care, seeking their input and feedback on the plan. This involvement has been achieved through the East Lothian Champions Board, including workforce consultation events, and targeted focus groups. By directly involving care-experienced individuals, the council has gained valuable insights and first-hand experiences, ensuring that their voices are heard and their views are considered when shaping the corporate parenting plan.

East Lothian Council has also recognised the significance of including care-experienced parents in the development process. By engaging with care-experienced parents, the council has been able to gain a deeper understanding of the challenges they face and the support they require. This involvement has allowed for the creation of a plan that not only addresses the needs of children and young

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people in care but also considers the needs of care-experienced parents, ultimately promoting stronger family dynamics and support structures.

Additionally, Recognising the pivotal role that corporate parents play in delivering services and support to care-experienced individuals, the council has sought their input and experiences. By engaging the workforce, the council has been able to understand the challenges they face in their roles, identify areas for improvement, and develop strategies to enhance the support provided to care-experienced children and young people.

Four Engagement sessions were held with professionals in Spring 2023 around the themes identified by the Champs. Attendees included health (public health, school nursing/ LAC nurses), active schools, further education, Connected communities and housing. There was also individual engagement with other key partners, including Police Scotland, Families Together East Lothian, The Promise Lead, Education and Edinburgh College.

Regular meetings with Who Cares? Scotland, which has allowed the Champs Board to shape this plan. However due to staffing changes that might have reduced consistency. Voice has also been sought from a wider group. A questionnaire was produced and provided to partners. As workers who know and engage with our children, they were the best people to ensure young people and families could help them have a voice. The themes within the questionnaire focused around being Happy, Healthy and Heard, something we want for all our children and young people. We had 11 responses. An engagement session was also carried out with care experienced parents.

This plan has been influenced and shaped by the following policy drivers.

- The Promise
- UNCRC

Through engagement, we heard some young people's stories -

https://www.canva.com/design/DAFkN9UPLCs/gR30sqJxJUYYQMqPec4IxQ/edit?utm_content=DAFkN9UPLCs&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

https://www.canva.com/design/DAFyo85Nxak/NNOvV_pmDrCh_puW_waKqA/edit?utm_content=DAFyo85Nxak&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

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Our Corporate Parenting Plan 2024-2027

Keeping Families Together Children must stay with their families wherever it is safe to do so, and families must receive all the support needed to ensure this is a reality for most.	
Good childhood Making sure children who cannot live with their family have all they need to thrive 'Where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home, staying there for as long as needed'.	
Moving on Making sure that young people have all that they need to transition into adulthood seamlessly.	
Increasing opportunities Increasing opportunities: ensuring education (in its broadest sense) has the right support to ensure children feel engaged and included in learning/ development	

VOICE	OUTCOME	ACTIONS	Lead	MEASURE
We want to stay with our families and friends	Children and young people will remain within their families and home communities, where safe to do so.	Strong and compassionate leadership Continue the development of the Families Together East Lothian (Whole Family Support Wellbeing) Increasing use of FGDM to keep families together.	Lindsey Byrne, Head of Children's Services/ Nicola MacDowell, Head of Education	Number prevented from coming into care. Numbers returning from external placements. Numbers engaged in family support. Number of FGDM

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		Embed the Signs of Safety approach across all services. Support to kinship carers will increase, and number of kinship carers rise. Continue to prevent young people leaving East Lothian to live or learn, and when they do, have clear supportive plans for them to return to East Lothian.		Numbers of kinship carers Numbers engaging with kinship support. Numbers engaging with Families Together East Lothian
Our family are important to us	Children and young people will have strong, supporting, and nurturing family relationships	Ensure that, when it is safe to do, brothers and sisters live together. Where that is not possible, time with their brothers and sisters will be part of the plan.		Number of family groups prevented from coming into care. Number of brothers and sisters placed together in placement. Number of together and apart assessments and the outcomes (together/ apart/ other)
We need adults to understand us and how situations can make us feel	Adults around children will understand trauma and the impact on children. Adults will practice in a trauma informed manner.	Increase the number of workers having assessments of their awareness of being trauma informed. Increase the numbers of workers trained in trauma awareness practices. Increase the numbers of people completing the Learn-Pro Module – Trauma Informed Practice.	Sarah Sutherland, Person Centred/ Trauma Project Worker	Number of workers having assessments of their awareness of being trauma informed. Number of workers trained in trauma awareness. Numbers of people completing the Learn-Pro

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		All parts of the council will have a children's rights impact assessment.		Module – Trauma Informed Practice
We want opportunities to be active and try different activities	Children and young people will have the opportunity to be active and take part in activities.	Active Business Units will continue to work to identify and remove barriers to allow children/ young people to participate in sport.

Increase the numbers of children/ young people engaged with Arts Services/ Trumberbone. | | Numbers engaging with Active Business Units

Numbers of children engaged with Trumberbone. |
| We want somewhere suitable to call home and feel safe there.

We want a central information hub. | Children and young people will live in safe and secure housing.

The gap between residential to supported accommodation will be bridged.

Increased confidence in their skills for independent living for young people in supported accommodation/ their own tenancy. | Review of supported accommodation provision in East Lothian.

A supported flat near the new residential children's home will provide a gradual steppingstone to independent living.

Development of a young person's Housing Pathway which will encompass all young people who find themselves at risk of homelessness. All young people will receive appropriate housing, support, and advice.

A web-based hub will be co-produced with young people. | | Numbers of young people in B & B/ Number of 72-hour crisis meetings for those entering B & B.

All accommodation procurement contracts will reflect the Promise and UNCRC.

Number of young people's voice will help shape the work. |
| People will understand how important my family are to me | Young carers will be supported to care for a family member. | Young carer using services will be well supported, feel safe and happy. | | Numbers of young carers referred to the Young Carers service. |

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				Number of young carers participating in activities.
Least restrictive practices should be used	Young people in conflict with the law, will be supported to make positive changes.	Multiagency alternatives to secure will be sought and utilised (where appropriate) for young people finding themselves at risk of harm. Our response to young people in conflict with the law will be rights based. The principles of contextual safeguarding will inform our work. Multi-agency forums (TACG) will identify the spaces and places that our children and young people move in and endeavour to keep them safe. Multi-agency individual care plans will wrap support around young people at risk of leaving East Lothian. Development of Promise materials for Police Scotland to raise awareness.	Emma Clater, Service Manager (Children's Services)/ Alan King (Police Scotland)	Number of young people using secure care. Number of young people accessing the Intensive Support Service (Action for Children). Numbers of young people's voices shaping the YJ service. Numbers of CARM meetings/ Number of VYP's. Number of young people supported by Action for Children's Intensive Support service.
Care experience is life long and we need support to move into adulthood	Young people will thrive when they leave care, and be supported through known relationships	Development of a multi-agency aftercare service Develop a method of receiving Care experienced parents voice	Emma Clater (Service Manager, Children's Services)	Number of young people that contribute to the development of the service design.
We want to be listened to and heard	Children will feel that they belong to their community, and have a	Independent advocacy will be offered to all Looked After children and young people.		Number of children and young people who have their voice shared in meetings.

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	voice within that community	All looked after children and young people will be offered participation opportunities through who Cares? Scotland. Develop a forum to celebrate the successes of our care experienced children and young people.		Number of young people who are involved in collective participation opportunities. Number of CEYP sign posted to local groups and opportunities within the area from CS and WFWF team.
We want services to speak plainly to us/ we don't want services to judge us	Services will use simple language and we will understand why services are involved. Everyone will share an understanding of what we mean by early intervention.	All services will consider their use of language and young people will be co-produce changes. The signs of safety approach will be embedded in East Lothian in both written reports and meetings with all children and young people.		CP plan will have an easy read version for wider audience. All children and young people's social work plans will be based on the signs of safety approach.
We want to enjoy school and be supported	Children will have a positive experience in school, education and training and it will meet their needs. This will be supported by school staff and the work of the Education Support officer for Children and Young People with Care Experience.	Through the Raising Attainment Strategy, there are stretch aims to close the attainment gap between learners with care experience and those without for the following measures: 1. Primary school attendance. 2. Secondary school attendance. 3. Achievement of Curriculum for Excellence levels in literacy (Primary 1, 4 and 7 combined).		1. Reduce the gap by an annual minimum of 0.5% 2. Reduce the gap by an annual minimum of 2% 3. Reduce the gap by an annual minimum of 5%

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		4. Achievement of Curriculum for Excellence levels in numeracy (Primary 1, 4 and 7 combined). 5. School leavers attaining five or more qualifications at level one, or above.		4. Reduce the gap by an annual minimum of 5% 5. Reduce the gap by annual minimum of 4%
We want support to achieve after school	Young people will have support to further study or work in fields that interest them.	NHS provide pathways for employment in NHS for CEYP Promote college opportunities and have a holistic approach to wrapping the support around the young person (including a focus upon transitions).		Number of yp through that pathway. Number of completed, partially completed, and withdrawn care experienced young people.
We want to have opportunities to live with enough resources to thrive.	Children, young people, and their families should not live in Poverty	Many of the above actions will link in with East Lothian's Council Poverty Plan, focusing on creating the community to support our young people an allow them to prosper.		Number of young people will have access to financial inclusion team to maximise their income through benefit entitlement.

The Promise is clear that the voice of all children, young people and their families should inform and shape our services. Over the lifetime of this plan, as Corporate Parents we pledge to continue and increase the involvement of voice within our services. This includes the understanding of how our services are experienced by our children, young people, and families. We want to use that understanding to improve out services and increase the role of voice within that improvement. This change will require both will and investment (time and money) to create equal partnerships.

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REPORT TO: Cabinet

MEETING DATE: 14 May 2024

BY: Executive Director for Place

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SUBJECT: British Sign Language Plan 2024-2030

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1   PURPOSE

1.1   To seek Cabinet approval for East Lothian Council's British Sign Language Plan 2024-2030.

2   RECOMMENDATIONS

2.1   Cabinet is asked to approve the East Lothian Council BSL Plan 2024-2030.

3   BACKGROUND

3.1   The BSL (Scotland) Act 2015 received Royal Assent in October 2015 and placed an obligation on the Scottish Ministers to publish a BSL Plan in 2017, followed by Local Authority plans. National Plans and local plans are to be produced every six years thereafter.

3.2   The Council adopted its BSL Plan 2018-2024 in September 2019. This set out local priorities and actions identified through engagement with BSL users and based around the ten long-term national goals adopted by the national plan.

3.2   The Scottish Government published its second British Sign Language (BSL) National Plan 2023- 2029 in November 2023. It has ten long-term goals which were co-produced with BSL users across Scotland. The core long-term goal is that '*the Scottish Government wants to make Scotland the best place in the world for BSL users to live, work and visit'.*

3.3   In line with the legislation local authorities have been mandated to produce their new BSL Plans for 2024-2030 by May 2024. In March 2024, the Council held two engagement events with the support of NHS Lothian

colleagues and the British Deaf Association (BDA) to gather feedback on the existing plan. The views and comments of participants have been taken into account in developing the 2024-2030 Plan.

3.4   This plan, which replaces our current commits the Council to continue to:

- Improve communication and access to services for people who use BSL in East Lothian
- Promote the use of and understanding of BSL across the county; and
- Engage with BSL users.

3.5   The Plan includes an action plan covering key services for BSL users:

- Accessing information and support
- Education and learning – from pre-school onwards
- Culture and arts
- Health and wellbeing
- Employment
- Transport

3.6   The actions build on the actions set out in the 2018-2024 Plan taking account of the financial and other challenges the Council faces. Engagement with the BSL community will continue and the Council will be interested in the views of BSL users throughout the life of the Plan to assist in reviewing the Plan and its implementation.

4   POLICY IMPLICATIONS

4.1   The 2024-2030 BSL Plan fulfils the Council's responsibility under the BSL (Scotland) Act 2015 to publish a BSL Plan within six months of the publication of the Scottish Government's national BSL Plan. The Plan is an integral part of the Council's Equality Plan and helps it to fulfil its commitment to lead in the planning and delivery of services which are inclusive, accessible and meet need.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6   RESOURCE IMPLICATIONS

6.1   Financial – The Council has been allocated £11,000 per annum to support the development implementation of the plan.

6.2   Personnel – none.

6.3   Other – none.

7   BACKGROUND PAPERS

7.1   [East Lothian Council BSL Plan 2018-2024](#)

Appendix 1: East Lothian Council British Sign Language (BSL) Plan 2024-2030

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East Lothian Council

British Sign Language (BSL) Plan

2024-2030

May 2024

Contents

Introduction

The Scottish Government published its second national British Sign Language (BSL) plan in November 2023. It sets out 10 national outcomes identified through face-to-face engagement and online consultation with Scotland's BSL users.

This new National BSL Plan 2023-2029 and the resultant Plan for East Lothian is produced as a requirement of the BSL (Scotland) Act 2015. This requires each local authority to produce its own plan in response to national aspirations and to address local priorities.

The East Lothian BSL Plan, therefore, sets out the ten long-term national goals alongside local priorities identified through engagement with BSL users. This plan replaces our current BSL Plan 2018-2024 it commits us to continue to:

- Improve communication and access to services for people who use BSL in East Lothian
- Promote the use of and understanding of BSL across the county; and
- Engage with BSL users.

What is British Sign Language (BSL)

BSL is a visual-gestural language with a distinctive grammar using handshapes, facial expressions, gestures and body language to convey meaning.

The word deaf is commonly used to describe or identify people with a severe hearing difficulty. Often deaf is written with a capital 'D' and refers to people who have been deaf since birth or prior to language development. As with any population Deaf people/BSL user/s have a distinct community with a shared history, culture and sense of identity based on a shared language[1]. Recent medical procedures such as cochlear implants are a point of discussion in what this means for identity, culture and belonging. Lower case 'deaf' describes people who have lost some or all their hearing in early or later life. This group, who choose to use speech and lip-reading and regard English as their first language.

The British Deaf Association estimates that 151,000 people in the UK use British Sign language and it is the preferred language of over 87,000 Deaf people. The 2011 Scottish Census recorded 12,566 users of BSL at home, and that BSL is the preferred language of 7,200 people in Scotland. It recorded 182 BSL users in East Lothian. At the recent engagement events to consult on the Council's BSL plan those present indicated that there are currently around 90 BSL users in East Lothian. The results of the 2022 Scottish census question 'Can you use BSL?' will provide up-to-date data on the number of BSL users in East Lothian.

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[1] Solas: British Sign Language in Scotland – SPICe Spotlight | Solas air SPICe (spice-spotlight.scot)

The Scottish Government BSL Plan 2023-2029

The Scottish Government British Sign language (BSL) Plan 2023-2029 {BSL signed version: BSL National Plan (bslscotlandact2015.scot} sets out "a vision for better inclusion, opportunities and outcomes for Scotland's sign language users. It aspires to make Scotland the best place in the world for BSL users to live, work and visit. This means that people whose first or preferred language is BSL will be fully involved in daily and public life in Scotland, as active, healthy citizens, and will be able to make informed choices about every aspect of their lives." The national plan sets out ten priorities. In summary these are:

Delivering the plan: Embed the ambition of the plan within other government areas to make progress across the system.

Accessibility: Address the underrepresentation of BSL communities ensuring access to opportunities and services, coupled with information in the right format and at the right time.

Children, Young People and their Families: Embed the commitment to Getting It Right for Every Child to ensure the right support at the right time.

Access to Employment: Embed the principles of No One Left Behind, our all-age approach to employability to enable BSL users to find their best route to employment.

Health and Wellbeing: Person-centred healthcare involves access to, and delivery of, equitable services. It is important that BSL users have relevant information and the services needed to make informed health choices.

Celebrating BSL Culture: BSL users have access to, and can participate in, the cultural life of Scotland, which celebrates their own culture and heritage.

BSL Data: Build an evidence base of BSL data in Scotland, to inform our work in delivering this BSL National Plan and to inform local plans.

Transport: Embed BSL within our transport system to ensure safe, fair and inclusive access to public transport.

Access to Justice: Take steps to ensure BSL users have fair and equal access to the civil, criminal and juvenile justice systems in Scotland.

Democratic Participation: Deliver actions to help BSL users participate in democratic and public life in Scotland, addressing accessibility and information requirements.

East Lothian Council Commitment

East Lothian continues to grow significantly in population size and with this an increasing diversity of need and expectation. Budgetary constraints are well documented as the council continues to deliver responsive, accessible and inclusive services within these limits. In our local BSL Plan 2018-2024 {BSL signed version: British Sign Language Plan | British Sign Language Plan | East Lothian Council} we committed to modernising the way we deliver our services, to work collaboratively to ensure everyone can take part in local decision making, and to tackle inequalities and thereby promote the inclusion of BSL users.

The new 2024-2030 BSL Plan sets out our achievements to date and how we will meet the national priorities within our local remit. These being:

- Accessing information and Support
- Education and learning – from pre-school onwards
- Culture and arts
- Health and wellbeing
- Employment
- Transport

East Lothian Council continues to lead in the planning and delivery of services which are inclusive, accessible and meet need.

This Plan is published in BSL and English, with English subtitles and can be accessed at:

- 2024-2030 British Sign Language plan   add link

East Lothian Council BSL Plan 2024-2030

The Scottish Government in partnership with the British Deaf Association and other Deaf organisations consulted and engaged widely in the development of the national BSL plan. It provided opportunities for local residents to contribute to and define areas for improvement.

East Lothian Council updated and communicated our progress with the 2018-2024 Plan in January 2022, and in the spring of 2024 held face-to-face events inviting BSL users, and other deaf and deafblind people to inform the next plan.

As part of this work, we continue to work in partnership with Lothian councils (Edinburgh, West Lothian and Midlothian) and NHS Lothian colleagues to share information and best practice with the aim of ensuring BSL users can access the services needed, in a way that is consistent and responsive across Lothian.

Review BSL Plan 2018-2024 Actions

This plan provides a summary of our work to date and our commitments for the next six years. Within the period of the 2018-2024 plan, we experienced and worked through the Covid19 pandemic, ensuring vital services continued and were accessible to all, including BSL users. Lockdown limited our intention to work with BSL users to develop relevant and appropriate resources and information, so these will be followed up in the 2024-2030 plan.

In accordance with the commitments made in the 2018-2024 BSL Plan we have:

- Promoted the use of the Scottish Government's nationally funded BSL online interpreting video relay service, contactSCOTLAND-BSL. This facility enables BSL users to contact us directly prior to a BSL interpreter being provided.

- Increased staff awareness, knowledge and understanding of Deaf culture, language and service provision, including access to BSL learning and development opportunities for frontline staff through a partnership with Edinburgh college.

- Taken forward advice developed by Education Scotland to improve the way teachers engage with parents who use BSL, and ensure parents know how to get further involved in their child's education.

- Employed two teachers of deaf children who are informing best practice in this work. This also forms part of the SCILT (Scottish National Centre for languages) programme to support the learning of BSL in schools for hearing pupils as part of the 1+2 programme.

- Facilitated inclusion in local culture and the arts, as participants, audience members and professionals by ensuring ELC licenses take account of BSL provision.

- Promoted audio described and signed performances locally. For example, the Brunton Theatre Panto included performance signing, and visiting companies offer signed performances and audio description if they are able.

- Where face to face consultation is taking place, we communicate the requirement to provide BSL to English interpreters, especially where we are made aware of a personal requirement. Unfortunately, due to interpreter availability it has not been possible to provide this for every occasion. We continue to build good practice to embed BSL and other access requirements into our services. This is an integral part of the Council's new Customer strategy, launched in 2023.

- Whilst the council does not provide public transport, we have encouraged public transport provider companies to develop and use technological solutions to support accessible information in transport hubs (for example bus stops and stations and train stations). We have had limited success.

- Refreshed our equality monitoring guidance to include a BSL question.

- Provided links to Scottish Book trust pages for BSL and Call Scotland resources within the Bookbug pages on the library's website.

- We continue to support BSL users into work and training opportunities when approached or referred. This continues in our implementation of the No one left behind-Employability Scotland work.

Developing the 2024-2030 Plan

In March 2024, the Council held two engagement events with the support of NHS Lothian colleagues and the British Deaf Association (BDA). Those present were asked to consider:

- What is working well?
- What could be better?
- What matters to you?
- What do we need to do?

Feedback from participants highlighted frustration with East Lothian Council and the Health and Social Care Partnership in relation to BSL communication, information and availability; in particular, the need to access appropriate information in a timely

BSL format both online and face-to-face. Those present were keen to be involved in supporting better services and outcomes for BSL users.

The following comments helped to inform the development of the 2024-2030 plan:

- The need for timely and relevant information in BSL, with interpreters available for in person communication. Some BSL users reported having difficulty booking interpreters, with misunderstandings in relation to responsibility resulting in missed appointments, and family members interpreting, which raised some protection considerations.

- Check preferred communication, e.g. some BSL users prefer being contacted by email rather than by phone or letter.

- Deaf children missing school, and concerns about staff minimum BSL levels, a lack of knowledge of Deaf culture, and the requirement for BSL interpreters to be in place for parents' meetings and other school events.

- Concern that mainstreaming is impacting children who use BSL in relation to their educational outcomes, making friends, as well as their prospects and wellbeing in adulthood.

- Children wearing a cochlear implant should be able to access Deaf culture including BSL.

- A desire to be included and engaged with planning and policy making.

- Forward planning: BSL user support in anticipation of an older population, to provide intermediate care, care at home, access to day centres.

- Difficulty accessing a range of health services due to no BSL interpretation.

'It's very frustrating when you don't get the access you are entitled to'.

BSL Plan 2024-2030 Action Plan

Our aim is to ensure that East Lothian is a place where all people can thrive, whether they live, work or visit the county. To deliver this for BSL users, we endeavour to make changes to ensure people get the right information and the right support at the right time across everything we do. This will include anticipating different communication and access requirements and doing things differently to meet those needs.

Building on existing practice we will implement the following 2024-2030 BSL Action Plan.

Accessing information and support

Aim: Address the needs of BSL users by ensuring access to opportunities and services, coupled with information in the right format and at the right time.

Actions:

- Provide timely and relevant information in BSL formats, with interpreters in place for face-to-face communication online or in person, in line with the Council's Interpretation and Translation services provision

- As we consider improvements to website accessibility, we will explore the feasibility of providing increased access to BSL versions of information provided on the Council's website and associated sites

- Review and communicate council guidance on access to interpretation and translation services, including best practice, such as recording preferred communication method and providing interpreters for scheduled meetings

- Promote the Scottish Government's nationally funded BSL online interpreting video relay service contactScotland-BSL

- Refresh Deaf awareness training and information for council staff

- Review engagement and participation methods including online accessibility.

Note: This approach is the cornerstone of the newly revised Customer Strategy which supports the aim of all customers to be able to get the right information, at the right time and in the right format.

Education and Learning from pre-school onwards

Aim: Embed the commitment to Getting It Right for Every Child to ensure the right support at the right time.

Actions:

- Refresh Deaf awareness training for all staff around the child

- Explore how we can provide school web-based information in BSL

- Support opportunities for staff to develop BSL fluency in line with Scottish Government recommended skill levels

- Put in place BSL interpreters for parents' evenings, and other school activities where we know of this requirement.

Culture and the Arts

Aim: BSL users have access to, and can participate in, the cultural life of Scotland, which celebrates their own culture and heritage.

Actions:

- Work in partnership with providers of cultural events and activities across East Lothian, to, where possible, increase availability of signed performances and enhance an individuals' access to engagement in cultural activities within East Lothian

- Explore the use of technology to enhance the experience of BSL users visiting East Lothian Council exhibitions or accessing Council museum collections

- Where we provide licences within East Lothian, we will enable BSL users to take part in culture and the arts as participants, audience members and professionals.

Health and wellbeing

Aim: BSL users have access to, and delivery of, equitable person-centred health and wellbeing services, activities and information, to make informed choices.

Actions: The East Lothian Health and Social Care Partnership (HSCP) will continue to:

- Signpost BSL users to health and social care information available in BSL (to be produced by NHS Health Scotland and NHS24), and develop complementary information in BSL about local provision, as appropriate

- Through the Integration Joint Board, ensure that psychological therapies can be offered on a fair and equal basis to BSL users

- Through the Integration Joint Board, ensure that mental health services can be offered on a fair and equal basis to BSL users

- Through the Integration Joint Board, ensure that outpatient services can be offered on a fair and equal basis to BSL users

- Take steps to improve access to information about sport, and to local sports facilities and sporting opportunities

- Ensure that any local work to tackle social isolation explicitly considers the needs of BSL users.

Building on current practice the following will be progressed:

- HSCP to work with the local Third Sector Interface, Volunteer Centre East Lothian (VCEL) to ensure community information is accessible to BSL users and develop a Deaf Social Club.

Employment
Aim: ensure BSL users receive the information and support needed to access training and employment.
Actions: • Continue the implementation of our No-One Left Behind work through East Lothian Works and the Local Employability Partnership • Through the Local Employability Partnership (LEP), ensure that BSL users can access employability services on a fair and equal basis.

Transport
Aim: Ensure any transport provided by East Lothian council can keep BSL children and young people safe, and adults using BSL are able to receive information in the right format at the right time.
Actions: • We will encourage private transport providers to use technology to support communication with BSL users and ensure designated drivers have basic BSL awareness • School transport: continue to raise awareness of deaf culture and the needs of BSL users and include BSL awareness into the annual disability awareness training delivered to taxi drivers and escorts.

Conclusion

This plan sets out the actions we will undertake to ensure BSL users, in relation to our areas of responsibility, receive timely responsive services and inclusive communications. We have delivered on many of the intentions set out our first plan and will continue to monitor those actions embedding best practice.

The appetite to develop and support a Deaf club is welcomed, as we continue to engage with BSL users locally and work with Lothian partners to facilitate accessible and inclusive services towards a Pan Lothian approach.

What happens next?

East Lothian Council continues to be interested in your views on this Plan throughout its life.

This Plan has been published in BSL and English with English subtitles and can be accessed at www.eastlothian.gov.uk/bslplan

If at any time you would like to comment on this BSL Plan, then you can do this by emailing equalities@eastlothian.gov.uk in English or with BSL attachment

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East Lothian
Council

7

REPORT TO: Cabinet

MEETING DATE: 14 May 2024

BY: Executive Director for Place

SUBJECT: Tenant Participation Strategy 2024-2027

1   PURPOSE

1.1   To seek approval of the Council's Tenant Participation Strategy as the basis for effective tenant participation between now and 2027.

2   RECOMMENDATIONS

2.1   That Cabinet approves the Tenant Participation Strategy publication in line with legal requirements under the Housing (Scotland) Act 2001.

2.2   That Cabinet recognises that the Strategy is a living document and that as such the action plan in particular will evolve as consultation with tenants and tenant organisations help inform the Council's future plans in this area.

3   BACKGROUND

3.1   The Housing (Scotland) Act 2001 introduced new rights for tenants and obligations for social landlords in relation to tenant participation and consultation.

3.2   These duties include:

- Councils and Registered Social Landlords (RSL's) must prepare and publish a Tenant Participation Strategy. The Strategy must include an assessment of resources required to ensure effective tenant participation. The Strategy should show how the Council intends to take the views of tenants into account, what matters the Council is likely to consult tenants about and the information that it will provide to tenants.

- The requirement to set up a publicly available Register of Tenants Organisations (RTO's) in line with guidance from the Scottish Government.

- Landlords must ensure that the Tenant Participation Strategy complies with equal opportunities requirements.

3.3 The 2020-2023 Tenant Participation Strategy was approved by Cabinet in November 2020.

3.4 Prior to the development of the 2024-2027 Strategy, it was agreed with East Lothian Tenants and Residents' Panel (ELTRP), who are the umbrella organisation for tenants and residents' groups in East Lothian, that the 2020-2023 Strategy should first be reviewed before embarking on the development of a new Strategy.

3.5 This review of the 2020 Strategy involved East Lothian Tenants and Residents Panel and a group of Council staff looking at the successes and challenges of the old Strategy.

3.6 The review of the Strategy included, but was not restricted to, consultation with tenants, tenant groups and staff.

3.7 The new draft Strategy was fully consulted on during January and February 2024 and further amendments made to reflect the changes around participation and involvement brought about by the Coronavirus pandemic.

3.8 Consultation methods used included, but were not limited to, letter, email, website information, a consultation event hosted by ELTRP, a freephone service.

3.9 There was strong support for the new Strategy. All views were considered by the Council and where appropriate changes were made to the draft and reflected in the new draft Strategy.

3.10 Subject to formal approval, the Strategy will be formally launched at a joint event with ELTRP, the details and date of the event have still to be discussed and agreed.

4 POLICY IMPLICATIONS

4.1 The Tenant Participation Strategy recognises, links to and underpins other Council Strategies, including the Local Housing Strategy.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified. The report can be accessed using the link below:
https://www.eastlothian.gov.uk/iia-housing

6 RESOURCE IMPLICATIONS

6.1 Financial – The existing tenant participation budget will not be significantly impacted by the new Strategy.

6.2 Personnel – None.

6.3 Other – None.

7 BACKGROUND PAPERS

7.1 None.

Appendix – East Lothian Council Tenant Participation Strategy 2024-2027

AUTHOR'S NAME	James Coutts
DESIGNATION	Service Manager, Community Housing & Homelessness
CONTACT INFO	James Coutts – 07770 653162
DATE	May 2024

2024–27
TENANT PARTICIPATION STRATEGY

East Lothian
Council

ELTRP
LIKE *THIS*

Contents

East Lothian Tenants & Residents Panel members

Welcome

Welcome to East Lothian Council's sixth Tenant Participation Strategy, which sets out how we plan to involve our tenants and make sure that they can influence and scrutinise the housing services we deliver. The strategy sets out our commitment and the importance of involving tenants when we are developing and reviewing our housing policies.

We want to continue to build on our achievements over the last few years, supporting tenants and working in partnership with them and *East Lothian Tenants and Residents Panel* (ELTRP).

We will remove any barriers so that tenant participation is accessible to all. We want to develop new ways of interacting and participating with our tenants, with the shift to online communication, whilst maximising tenant involvement.

We will continue to make sure tenants are at the heart of our work, giving them a menu of options to choose from, so that they can get involved in a way that suits them.

We value our tenant volunteers and all the work that they do with us every day. We always strive to work together to provide excellent housing services. We hope this strategy reflects how much more we want to achieve and explains the steps we will be taking to involve tenants in the coming years.

Jim Herron
Chairperson
East Lothian Tenants
& Residents Panel

Andy Forrest
Councillor, and
East Lothian Council
Spokesperson for
Community Housing &
Property Maintenance

Monica Patterson
Chief Executive
East Lothian Council

Wendy McGuire
Head of Housing
East Lothian Council

Our Vision for Tenant Participation

Our vision for tenant participation is to maximise the participation of all our tenants, by forming good working relationships, building trust and respect, whilst sharing information and ideas.
We will provide resources for tenant participation, give tenants time to consider proposals, involve them and give them the opportunity to influence our decision–making. We will continue to work in partnership with local tenants' and residents' groups and East Lothian Tenants and Residents Panel to further develop our tenant participation and scrutiny activities.

East Lothian Tenants & Residents Sparkle Awards 2023

Background

Tenants have the right to be consulted, set up tenants' groups and participate in decisions that affect them. Landlords must take account of tenants' views, inform tenants of housing proposals, produce a *Tenant Participation Strategy*, and set up a *Register of Tenant Organisations*. Our strategy is a requirement of the *Housing (Scotland) Act 2001* which introduced these rights for tenants.
We developed this strategy by reviewing our last one in partnership with ELTRP and our staff, highlighting the strengths and weaknesses, what we considered good practice and what had worked well. We carried out an *Equality Impact Assessment* to make sure our strategy promotes equal opportunities and does not

discriminate. We consulted with tenants, staff and ELTRP on our draft strategy before finalising it.

The *Scottish Social Housing Charter* sets the standards and outcomes that social landlords should aim to achieve. We are required by the *Scottish Housing Regulator* to report on our housing service. We produce a *Landlord Report to Tenants* each year to explain how we have performed in key areas of our service, for example repairs, maintenance, improvements, estate management, antisocial behaviour. A full list of the charter outcomes can be found in the Housing Charter.

Benefits of Tenant Participation

We know it is good practice to involve tenants in our work and this strategy sets out how we will do this. It is important that tenants have independent support to make sure they can participate and get involved in our *Tenant Participation* structures, whether this is as an individual, tenants' group or by being involved with ELTRP. *Tenant Scrutiny* helps our service become more tenant focussed and gives tenants the opportunity to make recommendations for improvement. Our *Development Support Project* provides development, outreach and administrative support to all our tenants, tenants' groups and members of ELTRP.
The project is provided by the *Tenants Information Service*..

Some of the benefits to tenant participation are:

- gives tenants a voice
- provides opportunities to build knowledge and skills
- tenants can get involved in decisions about their local area
- provides support, training, resources, and opportunities for tenants to participate
- makes sure our policies have a tenant perspective
- helps improve services and make them more tenant focussed
- improves communications between tenants & staff

We will remove any barriers to participation and provide training and assistance to our tenants, local tenants and residents groups, members of ELTRP and our staff. We will make sure that tenants' groups get the opportunity to raise issues through ELTRP so that they can feed into our service development and activities. We will continue to participate with tenants in writing, through our tenants' newsletter and by advertising locally so that tenants who are not online can still get access to our tenant participation activities.

We will assist tenants to participate with us and provide support and resources to enable them to attend meetings and events.

New build at Blindwells

Communication

We will consult with tenants and keep them informed of any proposed changes to our housing policies. We will make sure we give them enough time to tell us what they think. We will do this by offering tenants a variety of ways to get involved, for example by attending events, responding to consultations, through estate inspections, arranging Focus Groups, online meetings, and events. We may, at times, use public notice boards, advertise in local community spaces and attend events to promote tenant participation. We will use specific communication methods at times to make sure we reach under–represented groups.

We will keep tenants informed of our work and give them opportunities to give us feedback using:

- *Homefront*, our tenants newsletter

- social media and through our website

- by contacting tenants by telephone, email, text message and in person at our events.

Feedback we receive from tenants will always be considered by the council and we will explain our decisions.

We will continue to work with East Lothian Tenants and Residents Panel who we consider to be our key partner in all the work that we do. We will support our local tenants and residents groups and help them to become *Registered Tenant Organisations* and we will continue to provide *Grants for Tenants Groups* and other support like access to printing and photocopying and providing venues for meetings.

Digital strategy

We want to make sure we offer tenants a range of different ways for them to get involved and at the same time we want to promote the use of digital channels of communication.

Whilst we will continue to communicate with tenants in writing, through our tenants' newsletter and face–to–face we will also:

- work with ELTRP promoting different digital channels and social media

- increase knowledge and skills to support more tenants to communicate and meet with us online

- through online platforms, offer fun and interactive ways for tenants, tenants' groups and ELTRP to participate

- help tenants to get online and give them the support they need to participate with us, providing hints and tips and access to equipment through our Development Support Contract

- continue to develop more digital online services for our tenants.

east lothian tenants and residents panel

We are here to help!

We know these current circumstances are difficult, so ELTRP wants to provide it's members with some **'hints and tips'** based on our experience of getting to grips with things like ZOOM, SKYPE and TEAMS.

If you prefer to use other methods, ELTRP can support you with other resources, e.g. videos, that you may find easier to follow.

TEAMS!

SKYPE!

ZOOM!

Successes

We have celebrated a number of successes with tenants and tenants' groups getting involved in estate inspections, local initiatives and making improvements in their area.

We have carried out tenant scrutiny activities which have looked at the process for reporting a repair, communication, signing–up a new tenant and carried out some *'mystery shopping'* in our local housing offices. These activities have led to improvements being made to our services.

ELTRP and local tenants' and residents' groups in East Lothian have received recognition for their work both locally through ELTRP Awards and nationally.

ELTRP Annual Gathering 2023

ELTRP Anti–Social Behaviour Consultation Event, March 2023

Links to other strategies & services

Our Tenant Participation Strategy links in with our council policies and strategies. We will continue to work together with colleagues in other departments, councillors, staff and tenant representatives in other councils across Scotland to learn from them and hear about their good practice. We will go on study visits and learn from good practice to improve our tenant participation activity.

Some of the council strategies which share our commitments are:

- Digital Strategy 2022–2027

- Council Customer Strategy 2023–2028

- Council Plan 2022–2027

- Equality Plan 2021–2025

- Local Housing Strategy 2024–2029

- Community Housing & Homelessness Service Plan 2024–25

- Children's and Young People's Service Plan 2023–26

We will provide information, support and training to make sure tenant participation is successful. This support will be tailored to suit the tenant, making sure their tenant participation experience is meaningful and rewarding.

We know it is important to regularly review how we are performing and carrying out our tenant participation activities and we will monitor this through our *Action Plan* (shown in the Appendix).

Appendix: **Action Plan**

Our Action Plan explains what actions we will take to achieve our aims for tenant participation. We will monitor the plan regularly through our Tenant Participation (TP) Strategy Group.

Aim 1 ▶ **Form good working relationships**

Action	Timescale	Owner	Outcome
Involve tenants and staff in our tenant scrutiny activities	2024–27	ELC/ELTRP/TIS (Tenants Information Service)	Increase tenant involvement and improved services
Set up regular TP Strategy Group meetings involving both tenants and staff	2024	ELC/ ELTRP/ TIS	Quarterly meetings, monitoring of our tenant participation activities
Include local housing staff and encourage them to engage and support when starting up new tenants' groups	2024–27	ELC/ELTRP/TIS	Increase communications between staff and groups
Restart TP Forum meetings with staff from other Registered Social Landlords (RSLs) in East Lothian	2024–27	ELC	Six monthly meetings, improved communications with our RSL partners

Aim 2 ▶ **Communicate and empower tenants**

Action	Timescale	Owner	Outcome
Include ELTRP representatives in our Homefront (Tenants Newsletter) Editorial Group	2024–27	ELC	ELTRP representatives influence content of our tenants' newsletter
Invite tenant representatives to be involved in our Communications Group	2024–27	ELC/ELTRP/TIS	ELTRP involvement in our planned communications with tenants
Encourage tenants and tenants' groups to get involved in estate inspections, Area Partnerships and Local Housing Partnerships	2024– 27	ELC/ELTRP/TIS	Increase tenant participation in local communities and involvement in making improvements
Use a variety of methods of communication, particularly in relation to under-represented groups to maximise participation	2024–27	ELC/ELTRP/TIS	Maximise the participation of as many under-represented groups as possible
Provide information in an easy-to-read format and in other formats on request	2024–27	ELC	Provide information in easy-to-read format and Plain English

Aim 3 ▶ **Share information and ideas**

Action	Timescale	Owner	Outcome
Invite ELTRP representatives to get involved in our Working Groups when we are developing or reviewing our housing policies	2024–27	ELC	Make sure our policies have a tenant perspective and influence
Publicise our tenant scrutiny work and encourage tenants to get involved	2024–27	ELC/ ELTRP/ TIS	Increase tenant scrutiny, improved services
Implement Tenant Participation Strategy 2024	2024–27	ELC	Raise awareness of tenant participation

Aim 4 ▶ **Give tenants time to consider proposals, involve them and provide opportunity to influence our decision–making**

Action	Timescale	Owner	Outcome
Involve ELTRP representatives in our Housing Revenue Account (HRA) Consultation Group	2024–27	ELC	Tenants involved in our annual rent consultation
Work in partnership with ELTRP to agree how we will consult with tenants	2024–27	ELC/ ELTRP/ TIS	Tenants influence the design of our consultations
Consider feedback we receive from tenants and use this to inform and shape our services	2024–27	ELC	Use feedback from tenants to help shape and inform our services

Aim 5 ▶ **Provide resources for tenants' groups**

Action	Timescale	Owner	Outcome
Provide independent development support, information, and advice to ELTRP, tenants' groups and tenants	2024–27	ELC	Maximise tenant involvement by providing support and advice to tenants to encourage participation
Help and support the setting up of a new tenants' and residents' groups	2024–27	ELC/ ELTRP/ TIS	Increase in local group activity
Offer grants to tenants' groups	2024–27	ELC	Enable local groups to operate independently
Provide meeting venues and other in-kind support to tenants' groups (e.g. access to printing and photocopying facilities)	2024–27	ELC/ ELTRP/ TIS	Support local groups
Provide ELTRP with an office base and delegated budget	2024–27	ELC	Support ELTRP to operate as an independent organisation

Aim 6 ▶ Set the agenda with tenants

Action	Timescale	Owner	Outcome
Work in partnership with ELTRP and local tenants' groups to help raise issues with ELC Managers at Business Plan meetings	2024–27	ELC/ELTRP /TIS	Tenants' issues are listened to, working together to find solutions
Carry out Point of Service Surveys and respond to tenants' feedback	2024–27	ELC	Listen to tenants' feedback and make changes to our procedures
Work in partnership with ELTRP on tenant scrutiny activities	2024–27	ELC/ELTRP /TIS	Carry out tenant–led scrutiny activities to improve services

Aim 7 ▶ Build trust and respect and work in partnership with tenants

Action	Timescale	Owner	Outcome
Recognise the success of tenant participation through local events and awards	2024–27	ELC/ELTRP /TIS	Celebrate the success of ELTRP, tenants' groups and tenants
Publicise the results of our tenant consultations and explain the reasons for our decisions	2024–27	ELC	Provide information to tenants on consultations and subsequent decisions
Nominate tenants and tenants' groups for national awards and local recognition	2024–27	ELC	Celebrate and raise awareness of tenant participation activity in East Lothian
Work in partnership with ELTRP to produce our annual Landlord Report to Tenants	2024–27	ELC/ELTRP /TIS	Provide information to tenants on how we are performing as their landlord

ELTRP Sparkle Awards 2023

Aim 8 ▶ Create equal values and opportunities

Action	Timescale	Owner	Outcome
Encourage all tenants to get involved in tenant participation by providing different methods of involvement	2024–27	ELC	Maximise tenant involvement
Provide information in a range of different ways on request	2024–27	ELC	Provide information to tenants in the format that suits them
Continue to develop our Digital Strategy in partnership with ELTRP when communicating with tenants	2024–27	ELC/ELTRP/ TIS	Maximise the range of ways tenants can get involved
Create through our Development Support Project innovative ways to engage with all tenants in under–represented groups and those with vulnerable characteristics including Gypsy Travellers and those with disabilities	2024–27	ELC/ELTRP/ TIS	Maximise tenant participation removing any barriers to involvement
Develop and support new opportunities for involvement e.g. Armchair Critics, Quality Circles, Community Champions, Knowledge Exchanges and Study Visits	2024–27	ELC/ELTRP/ TIS	Create and support new and innovative methods of participation
Proactively engage with young people/children to make sure we meet the duties under the UNCRC Act and use specific steps to aid involvement	2024–27	ELC/ELTRP/ TIS	Ensure children and young people are valued contributors in their communities
Develop our online services through the implementation of a new Housing Management System	2024–27	ELC	Offer tenants more online services
Carry out an Equality Impact Assessment on our TP Strategy to make sure we are achieving improved equality	2024–27	ELC	TP Policy meets equalities legislation, and all tenants have the right to participate

Contact Us

If you would like to get in touch and find out more about Tenant Participation, please contact us:

East Lothian Council
Email: **tenantconsultation@eastlothian.gov.uk**
Call: **0800 431 721**
Visit: **www.eastlothian.gov.uk**

East Lothian Tenants and Residents Panel
Email: **tenantspanel@eltrp.co.uk**
Telephone: **0131 665 9304**
Visit: **www.eltrp.co.uk**

ⓘ **Versions of this leaflet can be provided in Braille, large print, audiotape, or your own language. For assistance call our Community Housing freephone: 0800 413 721**

Verbal abuse and threatening behaviour is never acceptable.   #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.

East Lothian Council

BE NICE
RESPECT US AS WE RESPECT YOU

East Lothian Council welcome feedback.
Visit **www.eastlothian.gov.uk/feedback**

Data Protection

East Lothian Council uses the personal data you provide for purposes associated with the delivery of our services. For more information go to:
www.eastlothian.gov.uk/communityhousingpn

Personal data will be retained in line with East Lothian Council retention policies. Data Protection Officer, East Lothian Council, John Muir House Haddington, EH41 3HA. Email: **dpo@eastlothain.gov.uk**

East Lothian Council

REPORT TO:	Cabinet
MEETING DATE:	14 May 2024
BY:	Executive Director for Place
SUBJECT:	Proposed Tree and Woodland Strategy for East Lothian

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1   PURPOSE

1.1   The purpose of this report is to outline the key changes made to the Draft Tree and Woodland Strategy for East Lothian as a result of public consultation and to seek approval for the proposed Tree and Woodland Strategy for East Lothian. The report also asks that Cabinet note the associated Report of Consultation, Environment Report, Habitat Regulations Appraisal/Appropriate Assessment and Integrated Impact Assessment.

2   RECOMMENDATIONS

2.1   It is recommended that Cabinet:

a) Note the findings of the associated Environment Report, Habitat Regulations Appraisal and Appropriate Assessment and contents of the Consultation Report;

b) Approve the Tree and Woodland Strategy for East Lothian;

c) Delegate authority to the Chief Planner, following consultation with the Convener, to amend the Proposed Tree and Woodland Strategy and associated documents in respect of non-material editorial amendments, corrections of factual error and presentational changes. This shall include any changes agreed with NatureScot to meet the terms of the Conservation (Natural Habitats, &c) Regulations 1994; and

d) Delegate authority to the Chief Planner to prepare and publish the statutory Post-Adoption Statement required by the Environmental Assessment (Scotland) Act 2005 with regard to this strategy.

3 BACKGROUND

Legislative Background

3.1 This Strategy is the Forestry and Woodland Strategy required by the Planning (Scotland) Act 2019.

3.2 It will replace the 2011 Edinburgh and Lothians Forestry and Woodland Strategy in East Lothian.

3.3 The Strategy will help fulfil the Council's duty to promote sustainable forest management as required by the Forestry and Land Management (Scotland) Act 2018.

Engagement

3.4 Public consultation was carried out on the draft Strategy between 21 June and 31 August 2023. Consultation documents, and a link to an ArcGIS storymap were placed on the Council's consultation hub. The Storymap form allowed more detailed viewing of the mapping included in the Strategy. Feedback could be given via an online survey, in writing, or at one of a series of seven public drop in events. The consultation was publicised via newspaper advertisement, social media, and via an email to those on the Local Development Plan mailing list.

3.5 Seven public drop-in sessions were held during June 2023, in a joint consultation with other services. One in each of our main settlements.

3.6 In addition to responses made directly on the Tree and Woodland Strategy, officers considered the findings of other council consultations running at the same time. These were early engagement on the Evidence Report of the Local Development Plan, in particular the work with children and young people, and responses on the Council's Nature Network project, which concerns biodiversity improvements on council owned land.

3.7 Consultation also took place with neighbouring authorities, key agencies, and Scottish Forestry.

3.8 85 responses to the survey were received. 69 of these responses were from individuals, whilst 10 were from organisations (including 2 community councils, 2 businesses, and the green party). The other 6 responses were from local environmental and sustainability groups.

3.9 We also received 12 email responses. 8 of which were from individuals, 1 from a community council, and the other 3 from key agencies.

3.10 Following feedback from the consultation officers undertook direct consultation with a number of tree related businesses within East Lothian.

3.11 The response from the consultation was that there is generally support for the Strategy. Many think the targets are good. Some feel they could be greater. The main feeling was that they Strategy has all the right words but how will it be implemented.

3.12   When asked if the Strategy had the focus right between native and commercial woodland, the majority response form the public was that there should be more focus on native woodland. Feedback was received from a representative of a commercial woodland company who felt the opposite. They felt that little thought had been given to commercial woodland.

3.13   The Strategy was revised to clarify that sustainably managed commercial woodland, both coniferous and hardwood, is supported as it is important to the local economy and in addressing climate change. But it has to be in the right place. Areas identified for native woodland would not be suitable for commercial coniferous plantations but may be suitable for commercial productive hardwoods. Space for coniferous commercial woodland is therefore limited but could be considered in the mapped "preferred" and "potential" locations on the Sensitivity to Woodland Expansion map, outwith the areas identified for native woodland on the Potential for Native Woodland map.

3.14   There were a number of comments concerned with recreational use of woodlands and conflict between nature and users and between different users of the woodlands. We revised the Strategy to bring in more on respect for woodlands and users of woodlands. Not all woodlands are suitable for heavy recreational use. Some should be prioritised for nature. Even woodlands with recreational use still contain nature and we emphasised the importance of reducing disturbance to this. The Strategy aims to increase the number of woodlands we have and provide more local woodlands for recreational use.

3.15   The consultation with school pupils brought out the importance of woods and trees to children. There was a clear link for children between trees and nature and climate change. Trees were raised as important locally to where they lived and to see and play beside on their journeys to school. We added in more information on the importance of local trees to the community section.

3.16   A presentation of the draft Strategy was given to the Councillors on 12 September 2023 to update them on the progress of the Strategy and feedback from the consultation.

3.17   All responses were considered and where appropriate changes were made to the Strategy. A full summary of the responses and changes made following consultation can be found in Supporting Paper 6.

Proposed Tree and Woodland Strategy

3.18   The Strategy will guide the delivery of the 2 million trees for the East Lothian Climate Forest. This target was set in the Climate Change Strategy Update on 19 January 2021.

3.19   The Strategy has no end date. However, its focus is on the next 10 years in line with delivery of the East Lothian Climate Forest.

3.20   The Strategy has three main parts. The first section includes the Strategy Vision, divided into seven themes, each covering a separate part of the overall Strategy Vision. Each theme has an Aim and Targets. These are supported by Actions throughout the document showing what we intend to do to achieve the targets, and ultimately, the Vision.

3.21   The second part of the Strategy is the Spatial Guidance. This includes mapping to show spatially across East Lothian and within our urban areas where woodland creation and tree planting would be best placed to achieve the Vision of the Strategy. A map of sensitivities also shows where there are factors that may prevent or limit the type of woodland and tree planting that can be undertaken.

3.22   The third part of the Strategy focusses on Delivery. This looks at how the Targets can be implemented and monitored over the next ten years. It includes an Action Plan drawing together the actions from throughout the document to direct and target resources and activity over the next ten years. It includes a section on the Climate Forest and what this could achieve through and in addition to the planting of 2 million trees. It also includes information on what we as a Council already do with regards to trees and woodlands and how people can become involved.

3.23   The Strategy is primarily a guidance document to guide the right types of planting to the right places for multiple benefits. The Strategy will be a material consideration by Scottish Forestry in woodland grant applications. It will provide advice to landowners and managers and others seeking to manage woodland and plant trees. It will also provide advice to developers on planning proposals that include woodland removal or woodland creation.

3.24   Collaborative working between many different parties over the long term is vital to achieve the Strategy Vision. Private landowners and businesses will play a significant role in its delivery.

3.25   The Strategy will be available as both a pdf document and online as an ArcGIS Story Map.

4   POLICY IMPLICATIONS

4.1   The Proposed Strategy introduces new Policy.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report has been through the Integrated Impact Assessment process and an appraisal of impacts is set out there. The full Integrated Impact Assessment will be published on the Council's website (a link will be circulated to Members when available).

6   RESOURCE IMPLICATIONS

6.1   Financial - There are no direct financial implications associated with approval of this Proposed Strategy. However, the achievement of some of the Targets and the Actions in the Proposed Strategy will require external funding and resources.

6.2   Personnel - Staff time will be required to carry out three yearly monitoring of the progress towards completions of the Targets within the Strategy.

7   BACKGROUND PAPERS

7.1   Due to their size, Appendices A – F of the Strategy can be found in the Members' Library, ref: **57/24**.

7.2   Supporting papers to the Strategy can also be found in the Members' Library, ref: **58/24**. These are:
- Supporting Paper 1 – Strategic Environmental Assessment (SEA) Environment report
- Supporting Paper 2 - Non-Technical Summary of the SEA Environment report
- *Supporting Paper 3 – Integrated Impact Assessment (available separately on the website)*
- Supporting Paper 4 – Habitat Regulation Appraisal and Appropriate Assessment
- Supporting Paper 5 - Habitat Regulation Appraisal NatureScot response
- Supporting Paper 6 – Report on Consultation

Attached to this report - Proposed Tree and Woodland Strategy for East Lothian

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DATE	26 April 2024

Tree and Woodland Strategy
for East Lothian

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Tree and Woodland Strategy for East Lothian

Helping Address the Climate and Nature Crises

This strategy is the Forestry and Woodland Strategy required by the Planning (Scotland) Act 2019 and replaces the 2011 Edinburgh and Lothians Forestry and Woodland Strategy in East Lothian. It helps fulfil the Council's duty to promote sustainable forest management as required by the Forestry and Land Management (Scotland) Act 2018. The Strategy has no end date. However, its focus is on the next 10 years in line with delivery of the East Lothian Climate Forest.

Version	Status	Date
1	Draft	7 July 2022
2	Draft	3 February 2023
3	Draft	20 March 2023
4	Draft	21 April 2023
5	Draft	18 May 2023
6	Proposed	12 March 2024
7	Final proposed	29 April 2024

Authors

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Planning Service, East Lothian Council

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Mapping

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Executive summary

This Tree and Woodland Strategy sets out the Council's long-term Vision, and policies and proposals for trees and woodland in East Lothian.

The Vision is:

Expanded and sustainably managed networks of woodland and trees across East Lothian contribute to addressing climate change, and provide a healthy and resilient environment, nature recovery, a strong sustainable economy, and enhanced quality of life for local communities.

The Council declared a Climate Emergency in 2019. Our Climate Change Strategy 2020-2025 update (ELC, 2021) includes the proposal to create an East Lothian Climate Forest.

EAST LOTHIAN CLIMATE FOREST

An ambitious proposal to help the Council reach its target of a net carbon neutral East Lothian, whilst also delivering a range of biodiversity, landscape, health and wellbeing, and green network benefits .

Working in partnership with communities, landowners and producers this will:

➢ Plant 2 million trees between 2021 and 2031

➢ Increase the urban tree canopy

➢ Expand the network of hedgerows

The Council declared a Nature Emergency in 2023. Working with communities and partners we seek to embed action to reverse the decline in nature as we update our range of strategies and policies, including this Strategy.

Trees and woodland have a key role in addressing the climate and biodiversity crises. The strategy aims to maximise these benefits and guide delivery of the East Lothian Climate Forest.

East Lothian has low levels of woodland and is undergoing significant population growth. Our urban areas on average also have low tree canopy coverage.

Low woodland coverage in East Lothian leads to issues including:
- Lack of connectivity of woodland habitat
- Lack of access for our communities to woodland
- Lack of tree canopy coverage within our urban areas which will become a greater issue with predicted climate change.
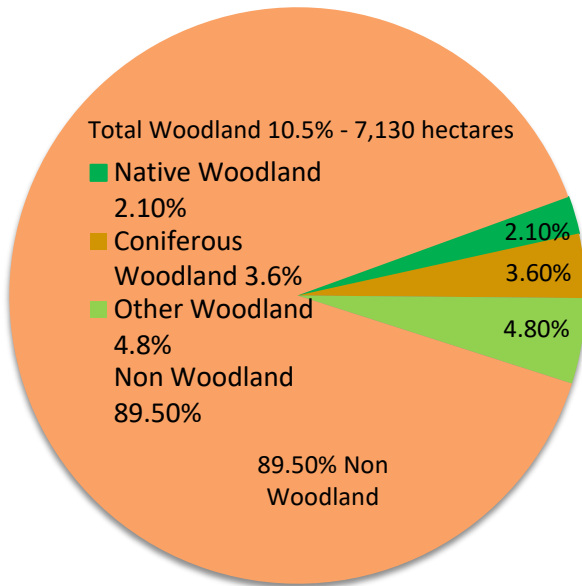
Percentage of landcover by type in East Lothian
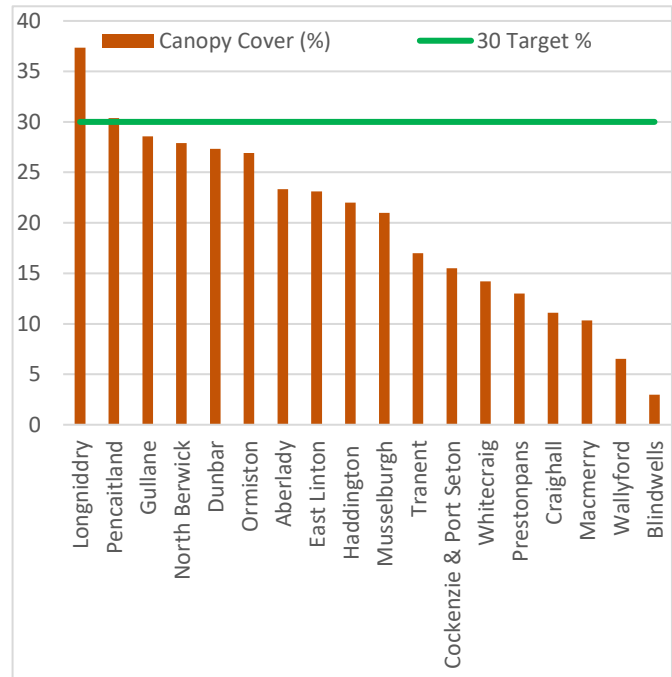
Graph of settlement canopy coverage

The planting of 2 million trees will increase woodland cover by an area of around 1250 ha, around three times the size of John Muir Country Park.

The Strategy encourages a focus on native woodland with the aim to double the area of native woodland in ten years' time. This can come from new woodland creation but also from restructuring existing woodlands.

If this Strategy achieves its aims, the woodland in East Lothian will look something like this:

Total Woodland

Currently	→	10 Years' Time
10.5%	increase by	max 13.45%
7130 ha	1 to 3%	max 9130 ha

Native Woodland

Currently	→	10 Years' Time
2.1%	increase	4.2%
1423 ha	by 2.1%	2988 ha
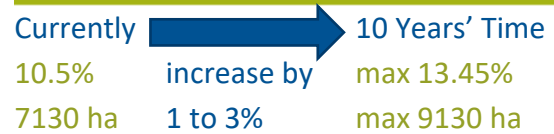
A network of connected woodland forming corridors along our river valleys and up into the hills. Native woodlands within the upland fringes transitioning to scrubbier planting on the uplands with productive woodlands retained on suitable sites. Across the agricultural plain, hedgerows and shelter belts support agricultural production with increased agroforestry. At the coast a mosaic of habitats includes scrubby trees. And improved urban canopy and recreational woodlands within and around our settlements.

A central overarching aim of the Strategy is to retain and manage to good condition woodland, trees and hedgerows. The Strategy introduces policy to support this (Policy 1 and Policy 7).

The Strategy is split into 7 Themes each covering a separate part of the Vision to highlight what we can do for trees and woodlands, and what woodlands and trees do for us.

Executive Summary ii

Climate Change Mitigation

Increase the contribution that East Lothian's existing and future woodlands make to achieving net zero carbon in line with East Lothian Council and Scottish Government targets.

Target 1: Creation of the East Lothian Climate Forest of at least 80-125 hectares of new woodland annually across East Lothian to provide the 2 million trees in 10 years to achieve increased woodland coverage of 13.45% by 2031.

Trees and woodlands and their soils help address climate change by absorbing carbon. The most important trees are the ones we already have. Maintaining healthy woodlands and their soils through good management increases carbon sequestration. The Strategy includes policy to retain and protect woodlands (Policy 1, Policy 2). The Strategy also includes policy on- sustainable management of our existing trees and woodlands (Policy 7). It encourages reduction in climate forcing emissions from forestry operations, appropriate waste management and the avoidance of using single use plastic (Policy 4).

Increasing woodland coverage and thereby carbon sequestration is a target of the Strategy. The Strategy vision requires woodland in East Lothian to be multi-functional. Coniferous softwood plantations offer the fastest benefits for carbon sequestration. Carbon from these trees will also remain locked up in the timber after harvesting. Native woodland however offers greater benefit for biodiversity and landscape. The Potential for Native Woodland map shows areas where native woodlands would have most benefit. The Sensitivity to Woodland Expansion map shows areas which are Sensitive to woodland creation, areas where it is Preferred, and areas where there is Potential. Coniferous planting could take place in areas identified as Preferred or Potential on the Sensitivity map, other than in areas identified as opportunities for native woodland on the Potential for Native Woodland map. The maxim of right tree in the right place to perform the right function is key to this Strategy. Policy 3 provides information on where and how to create woodland to meet the Strategy aims.

Hedgerows are also important in absorbing carbon. There is evidence to suggest that hedgerows sequester carbon at twice the rate of the equivalent area of woodland. They offer opportunities for planting in the arable farmland and urban areas where there are limited opportunities for large scale woodland. Retention and protection of hedgerows is included in Policy 1.

It is important to be aware that trees and woodlands cannot address all climate change mitigation Other habitats including peatland, saltmarsh and some grasslands also provide essential carbon sequestration value. Tree planting on such areas is unlikely to be the best use of the land. These and other sensitive habitats are shown on the Sensitivity to Woodland Expansion map.

How we use wood once harvested can also impact climate change mitigation. Policy 5 Supports the use of wood, particularly Scottish wood, products in preference to less sustainable materials. Wood products from recycled material or that can be reused or recycled afterwards are also encouraged.

Resilience and Climate Adaptation

Increase resilience of East Lothian's environment and its woodlands, including using trees and woodland to adapt to Climate Change.

Target 2: Improve resilience of East Lothian's environment including by:
- **Securing functional native woodland connections through East Lothian to support migration of species under climate change through:**
    - o **A lowland corridor between the eastern boundary with Scottish Borders to the east and Midlothian to the west**
    - o **Corridors between lowland woodland and montane scrub/heathland in the Lammermuirs**
- **Increasing native riparian woodland by 18%; from 42% of the riparian zone to 60%**

Resilience means ensuring East Lothian's communities, environment and woodlands are sustainable and can adapt and meet current challenges as well as future challenges brought by climate change. This includes improving the connectivity of our woodlands to enable movement of species across East Lothian.

The Strategy looks at how woodlands and trees can help address issues such as flooding and water quality, as well as reducing soil loss as part of nature-based solutions. Policy 6 promotes use of trees for water management and slope stability. Tree planting can be used to help make more resilient and adaptive urban environments, including by creating shade, urban cooling, and provision of trees as windbreaks.

Sustainable woodland management is important for adaptation and resilience of woodlands to climate change (Policy 7). Woodland needs to be resilient. We are seeing Ash Dieback disease creating great holes in our woodlands. New woodland needs to be mixed species, locally sourced, but also needs to consider future changes in climate. The most resilient woodlands are those that regenerate themselves from seedstock in the soil. Only the trees suited to the environmental conditions will establish successfully. The Strategy suggests more consideration is given to natural regeneration.

In urban areas trees face different challenges to those in rural areas including increased drought or waterlogging. To increase the resilience of our urban tree stock consideration needs to be given to design to provide sufficient space for root and crown growth and choosing the right species for the right location.

Biodiversity

Work towards a more natural tree and woodland cover with thriving native flora and fauna, protecting, maintaining, and connecting our distinctive native woodland types, and enhancing and connecting nature in our urban areas.

Target 3: Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) including by:
- **Doubling the area of native woodland (1426 ha new native woodland)**
- **Improving connectivity of the CSGN broadleaf and yew habitat network by woodland creation as opportunities arise focussing on the primary and secondary CSGN opportunity areas**
- **Mapping East Lothian's hedgerows and increase the total length by 10%**
- **Retention of ancient woodland**
- **Restoration of 30% of coniferous plantation on ancient woodland sites (PAWS) to native woodland**

Biodiversity loss is as much, if not more, of a danger as climate change. Woodland habitat is an important part of our biodiversity but is threatened by direct habitat loss and fragmentation, disease, climate change, invasive species, overgrazing, and pressures from increased recreation. To improve the biodiversity of our woodlands, and therefore biodiversity overall, we need to address these threats. We need to identify and protect the woodlands we have, improve their biodiversity value, and increase woodland coverage to improve habitat connectivity.

The Strategy identifies woodlands of high nature conservation value. These are:

- Ancient and Semi-Natural Woodland (including those now planted with plantation (PAWS))

- Sites of Special Scientific Interest (SSSI) with woodland as a qualifying feature

- Local Biodiversity Sites (Woodland Network)

- East Lothian Priority Woodland Habitats

- Broadleaf and Yew habitat identified by mapping carried out for the Central Scotland Green Network (CSGN)

- Areas on the Native Woodland Survey of Scotland

- Woodlands supporting UKBAP priority species

The Strategy in Policy 8 supports retention and protection of these in line with National Planning Framework 4 policy to reduce direct habitat loss.

Our oldest and most sensitive woodlands are ancient woodland of semi-natural origin. These woodlands have been continually wooded since at least 1750. Ancient woodland is a rare resource that is irreplaceable. The structure, wildlife and soils of ancient woodland has had the longest time to establish. This creates richer biodiversity than other woodlands making them of high value for nature conservation. It is important that ancient woodland is protected and well managed and the Strategy targets retention of ancient woodland.

In places ancient woodland has been planted with productive, often coniferous, plantation. Removal of the plantation species can provide opportunity for the dormant ground flora to regrow from the original ancient woodland seedbank, restoring the original character and species composition of the woodland through careful management and stewardship. The Strategy has a target of restructuring 30% of these sites within the next ten years.

Historical scrub and woodland removal for development and agricultural intensification has resulted in significant fragmentation and loss of lowland native woodland, leading to a lack of habitat connectivity. To reduce woodland fragmentation the Strategy has identified a target of doubling the area of native woodland in East Lothian. There is also a target to improve woodland connectivity by creating woodland in places identified by the Central Scotland Green Network as most beneficial. This is supported by Policy 10. The Potential for Native Woodland Map shows where new woodland should be sited to have most benefit for habitat connectivity. At project level, constraints such as other protected habitats as shown on the Sensitivity Mapping must also be taken into consideration.

Where there is peatland or areas that could be restored to peatland this Strategy supports peatland retention, creation, and restoration over woodland creation (Policy 15). There may be opportunities

for some woodland types such as scrub and heather with scattered trees in combination with peatland.

Good management of our existing woodlands can also improve biodiversity. Many of East Lothian's woodlands are not managed to support biodiversity. One of the main issues is control of invasive species. Invasive Species will be managed in line with National Policies (Policy 11). Deer browse vegetation which can make it difficult for new woodland to establish. As deer lack natural predators, they require control. Policy 12 advises on management of deer.

Natural regeneration is the ideal method of establishing new woodland and managing existing woodlands, as this allows the local seed to grow to suit local conditions, helping maintain the resilience of local woodland and distinctiveness of the different woodland types present in East Lothian. Policy 9 has advice of seed and tree stock sourcing when regeneration is not an option.

Within the lowlands of East Lothian, hedges with hedgerow trees are the main form of field enclosure. Many hedges have been lost due to changes in agriculture and many more are in poor condition. Hedges can provide habitat connectivity in areas unsuitable for woodland including within urban areas. Increasing the hedgerow network will also help in the recovery of UK priority species associated with hedgerows such as hedgehogs. Firstly, we need to know what we have. Then we can plan where we can improve the hedge network for most benefit to biodiversity. The Strategy includes a target to both map and increase the length of hedgerows.

The Strategy also includes policy on protection of European Sites (Policy 13), designated sites and habitats other than woodland (Policy 14) to ensure that woodland creation respects all aspects of the natural environment.

Community

Maximise the benefits for all people of trees and woodlands for recreation, health, wellbeing and community including through placemaking.

Target 4: Increase access to trees and woodland for all by:

- **Retaining or increasing tree canopy coverage to a working target of 30% in settlements and in the most deprived 30% of SIMD areas.**

- **Improving and increasing access to woodlands to meet the Woodland Trust's Accessible Woodland Standard so that 99% of properties meet at least one of the Standard's (currently 96%) and increase the number of properties with access to a 2ha wood within 500m from 67% to 80%.**

- **Developing a Tree Warden Scheme in East Lothian and recruit volunteers from each of our main settlements**

- **Helping set up and ensure management for a community orchard in each of our main settlements**

Trees can have a positive impact on health, wellbeing and overall quality of life. This can come from visiting a woodland or even just seeing a tree through a window.

Woodland is the second most popular destination for visitors to the outdoors nationally, making up just over a fifth of all outdoor visits in Scotland. One of the main reasons people gave for not visiting

woodlands was that they were too far from where they lived. The Strategy target to improve and increase locally accessible woodlands will help people benefit from woodland while reducing the need to travel far. The Strategy looks at three ways this could be achieved: improving access to woodlands where public access is not currently encouraged; management of neglected woodlands; and creation of new woodland or increasing the size of small areas of woodland.

It should be possible for people with all levels of mobility to access and enjoy woodlands. Where public access is encouraged, the Strategy in Policy 16 encourages woodland managers and those locating and designing new woodland to consider the needs of people of all levels of ability. This should include differing levels of mobility and sensory perception, as well as the needs of people with different characteristics.

There is a need to manage visitor pressure arising from recreational use of woodlands. There can be conflict between recreational use of a woodland and its biodiversity value and conflict between different types of recreational user. The Strategy encourages steering recreation to robust woodlands that can absorb increased visitor pressures helps to protect more sensitive woodlands such as ancient woodlands. It also encourages responsible access to all woodlands and advises following the Scottish Outdoor Access Code and treating woodlands and other users with respect.

The Strategy has advice on Hutting and low-impact holiday accommodation within woodlands. Policy 17 advises considerations for hutting proposals and within which types of woodlands they will not be supported.

Trees also play an important role in making attractive, healthy and functional urban areas. They improve climate change resilience by providing shade and shelter, reducing urban heat and also wind chill, slowing and reducing water runoff. They can also improve air quality, enhance biodiversity and green networks and contribute to the distinctive character, amenity value and place-making of settlements. Increasing tree coverage in our communities and urban areas is a key aim of the Strategy.

Although trees are beneficial, badly sited trees or poor species choice can cause issues. It is important that any new planting proposals consider the right tree in the right place. The Strategy has advice on this, including consideration of space for root and canopy growth and impact on utilities. Further guidance on this has been produced by the Trees Design and Action Group (TDAG) and should be considered at the project stage.

All the trees in urban areas, in gardens and other private land, on institutional land, parks and open spaces and alongside streets form the urban tree canopy. The Strategy has set a target for 30% canopy coverage in settlements and in the most deprived 30% of SIMD areas. However settlements each have a different character and different roles. The Strategy therefore supports a collaborative approach seeking consensus from all sectors of the community in setting targets for canopy cover through Area Partnerships Plans or Local Place Plans (Policy 18). These plans may also be a good vehicle for communities to work out how trees best fit into their area and propose areas for new planting. All sectors of the community should be involved to make sure increasing canopy coverage does not lead to issues for any particular groups.

The Strategy also supports community involvement in management of woodlands and trees. This includes through the development of community woodlands and orchards. These can help bring communities together helping bring a sense of ownership to the tree resource. Orchards have the additional benefit of providing local food. The Strategy identifies a target of developing a Tree Warden Scheme in East Lothian. Seeking volunteers to plant, protect and promote trees within their area.

Economy

Trees and woodland contribute towards a Sustainable and Inclusive Economy.

TARGET 5: Create 300 hectares of new small farm woodlands, shelterbelts, orchards and other agroforestry which align with and support agricultural production

The Strategy aims to encourage forestry and woodland related business and create an attractive place to encourage investment to support the Council's objective to grow our economy.

An increase in trees and woodlands and woodland management will lead to more opportunities in woodland management and tree surgery as well as timber supply.

Commercial coniferous woodland within East Lothian accounts for over a third (FR, 2023) of its overall woodlands. The Strategy supports the sustainable management of these forests and registering of them with a standard such as the UK Woodland Assurance Standard. This will help meet the increasing demand of customers for assurance that products are sustainably sourced. New commercial softwood forestry that complies with Policy 20 is supported by the Strategy. Space for these is limited but could be considered in the mapped "preferred" and "potential" locations on the Sensitivity to Woodland Expansion map, outwith the areas identified for native woodland on the Potential for Native Woodland map. An increase in hardwood production is supported. Productive hardwood woodlands may be suitable in areas identified on the Potential for Native Woodland map for native planting.

An increase in woodland can encourage an increase in local ancillary businesses from tree stock supply, to wood processing, to local craft and producers. An increase in green waste can be locally recycled supporting the local circular economy as well as zero waste targets.

East Lothian has extensive areas of land which are suitable for arable or mixed agriculture. The Strategy notes the importance of retaining our agricultural land for food production. It looks at opportunities to integrate new tree planting with agriculture through agroforestry to help improve agricultural production and diversification.

The agricultural plain is unlikely to be suitable for large woodlands. The Strategy looks at the benefits of hedgerows to provide habitat connectivity through our agricultural land whilst also benefitting and improving farming productivity. Policy 21 has advice on where woodland creation may be acceptable.

This section also encourages the role of woodlands in supporting sustainable tourism. This includes an action to encourage development of small-scale low impact tourism enterprises in suitable woodlands.

Cultural Heritage
Celebrate the role of trees and woodland as part of our cultural heritage and protect cultural heritage assets from harm from trees.

TARGET 6: Improve recognition and protection of trees with cultural heritage value including by

(A) Encouraging identification of Champion, Veteran and Ancient Trees through Citizen Science

(B) Complete mapping of ancient woodland, orchards, parkland and wood pasture

Trees and woodlands are an integral part of our heritage. They can provide links to our past. This can be both physically with historic trees and intangibly through traditional skills and stories. This section looks at how we can help bring back traditional skills and knowledge including through environmental education and the use of heritage varieties of fruit.

The historic yews that have been around for longer than most of the buildings in East Lothian, historic trees planted to commemorate important events, or trees important to our streetscapes are all examples of notable trees. Some of these are protected by Tree Preservation Orders and other s not. Policy 22 supports retention of all Notable trees. The Strategy has an aim to develop an interpretation plan to help highlight new and old trees and their importance.

The Strategy encourages positive management of Gardens and Designed Landscapes and recognition and protection of trees with cultural heritage value. It also identifies heritage designations and the role of trees within these including how best to protect the character of these. This includes Policy 24 on protection of Scheduled Monuments and Archaeological Sites and Policy 25 on protection of the historic environment. The Strategy has policy (Policy 23) on Memorial plaques to ensure that these are appropriately located. The East Lothian Tree Time project, is a scheme where money can be donated online. This will go towards looking after our existing trees or planting new trees and provides opportunity for remembrance and celebration or people and trees.

Landscape Character
Use trees to help retain and enhance the distinctiveness of landscape and settlement character within East Lothian.

TARGET 7: Improve landscapes through woodland creation by

(A) Structural planting in the Cockenzie/Blindwells area and Innerwick Coast area

(B) Developing a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease

There are different landscape character types across Scotland and at a more detailed level within East Lothian. Each has a distinct character and different amounts and types of woodland. Consideration must be given to the character of the area in any proposed woodland creation project (Policy 26). The most relevant elements for woodland and tree planting for each landscape character type are summarised in Appendix B together with opportunities and proposals for woodland creation and tree planting within each area

There are four potential projects identified for landscape scale planting. This includes for the development of a masterplan to guide structural planting within the Innerwick coastal area. This has the aim to help mitigate large scale development within the area. A similar project within the Cockenzie and Blindwells area would provide a landscape framework to create a multi-functional

landscape integrating blue and green infrastructure, providing for biodiversity, managing water and improving active travel. The other two projects are East Lothian wide. Firstly, a target to improve landscapes through woodland creation by developing a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease. Secondly, the landscape scale planting of riparian woodlands to improve habitat connectivity and provide for climate migration.

Our towns and villages also have distinct characters. The type, layout and number of trees helps define settlement character, and sometimes different parts of the settlement. Trees and hedges have many functions within our settlements. The Strategy has an action to support a managed programme of replacement trees important to townscape character. Further detail on the character of individual settlements is provided in Appendix A.

Spatial Guidance

The spatial guidance section provides mapping to identify opportunities and sensitivities for tree planting and woodland creation in East Lothian. These maps should be referred to when considering tree planting or woodland creation.

The Potential for Native Woodland map shows areas for different types of native planting to achieve the benefits identified in the main body of the Strategy.

Although tree planting can be positive there are some areas where is would not be suitable. The Sensitivity to Woodland Expansion map identifies areas where planting would be inappropriate. These Sensitive areas include non-woodland habitat such as Sites of Special Scientific Interest (SSSIs), the Central Scotland Green Network (CSGN) grassland, wetlands and heathland habitats, as well as non-woodland priority habitats. Local Geodiversity Sites and Scheduled Monuments are also within this Sensitive category.

Areas which have a constraint which is likely to limit the type or extent of woodland expansion but where there may be scope for woodland expansion which supports the interest are defined as Potential. These include Gardens and Designed Landscapes, Battlefields, Conservation Areas and Golf Courses.

Also considered Potential is prime and mixed farmland. This farmland covers a large area of East Lothian. This land has potential to accommodate some woodland expansion, respecting agricultural production and the qualifying interests of European sites. Suitable woodland types may include small farm woodlands and shelterbelts, wood pasture, orchards and agroforestry, and hedgerow and hedgerow trees.

Areas mapped as Preferred have no strategic constraints or sensitivities and are likely to offer the greatest flexibility for woodland expansion. Site specific issues are likely to be addressed with well-designed proposals. The mapping shows that the majority of the preferred areas in East Lothian are within the upland fringe and along riparian corridors. The areas shown offer potential for connectivity with existing woodland and tie in well with the proposals on the Potential for Native Woodland mapping. This suggests that woodland creation for native woodland expansion and connectivity should be possible without significant constraint.

New sustainable softwood forestry with UKWAS certification could be considered in the mapped "preferred" and "potential" locations on the sensitivity mapping, outwith the areas identified on the Potential for Native Woodland map.

The third mapping considers tree and woodlands within our settlements. Trees, woodlands, and hedges within urban areas are particularly important for their multifunctional benefits. The [Urban Tree and Woodland Opportunities](#) map shows an overview of East Lothian with opportunities within and around urban areas. To provide further detail, a map has been provided for each settlement area in Appendix A with information on opportunities and sensitivities for each settlement.

Delivery

The Strategy sets out a framework for delivery of the Climate Forest and woodland expansion and creation within East Lothian. The Council has limited land and resources. Collaborative working between many different parties over the long term is therefore vital to achieve the Strategy Vision. Private landowners and businesses will play a significant role in its delivery.

Progress towards the Targets will be monitored with results fed back to the Nature Emergency group and updated through the Climate Forest webpage.

The Action Plan draws together all the Actions from throughout the Strategy to direct and target resources and activity over the next ten years. Timescales of these are noted as short (within the next three years), medium (four to seven years), or long term (up to ten years).

The Climate Forest section draws together what could be achieved through and in addition to the planting of 2 million trees.

There is much that the Council already does both as regulator and as our everyday duties looking after trees and woodland. These relate to many of the Actions with the Strategy. In addition, there are ways for others to get involved with trees and tree related activities. We have provided some ideas.

The Strategy targets and actions look initially at the next ten years. This Strategy is the first step in setting a signpost for the way we see trees and woodlands developing in East Lothian. However, it is appreciated that tree and woodland development is a much longer-term process. With ongoing monitoring of the implementation of the targets, the Strategy should be able to adapt to changes and introduce new targets as the initial ones are achieved until the Vision is fully realised.

Contents

Policies

Figures

Abbreviations and terms

> **UK Forestry Standard Definition of Forest and Forestry**
>
> The term 'forest' is used to describe land predominately covered in trees (defined as land under stands of trees with a canopy cover of at least 20%), whether in large tracts (generally called forests) or smaller areas known by a variety of terms (including woods, copses, spinneys or shelterbelts). For the purposes of the UK Forestry Standard the alternative term woodland is synonymous with forest.
>
> Forestry is the science and art of planting, managing and caring for forests.

ELFWS – Edinburgh and Lothian Forestry and Woodland Strategy

SIMD – Scotland Index of Multiple Deprivation (Scottish Government, 2020)

CSGN – Central Scotland Green Network

TWSEL – Tree and Woodland Strategy for East Lothian (this Strategy)

SEPA – Scottish Environmental Protection Agency

SFS – Scotland's Forestry Strategy

SSSI – Site of Special Scientific Interest

Woodland – area of land larger than 0.25 ha, where trees are growing

UKFS – United Kingdom Forestry Standard

NPF4 – National Planning Framework 4

UKWAS – UK Woodland Assurance Standard (UKWAS, 2021)

1. Introduction

1.1 East Lothian has low levels of woodland and is undergoing significant population growth. This means that each and every woodland fragment, each and every tree, is valuable; socially as greenspace, as the building blocks of future Nature Networks and contributes towards our actions to combat the twin crises of climate change and biodiversity loss.

1.2 This Strategy:

- Sets out our long-term vision and our policies and proposals for trees and woodland
- Identifies woodlands of high nature conservation value.
- Shows how we will protect and enhance our trees and woodlands.
- Provides guidance to landowners and others seeking to manage woodland and plant trees and hedgerows.
- Provides guidance to developers for trees in and around their sites
- Provides advice for our people and communities who want to get involved with protecting trees or creating woodland

1.3 The strategy will enable trees to play a key role in addressing the climate and biodiversity crises and guide delivery of the East Lothian Climate Forest.

Policies, strategies and projects that inform this one

Scotland's Forestry Strategy

1.4 Scotland's Forestry Strategy 2019-2029 (Scottish Government, 2019) presents Scottish Ministers' 50 year Vision for forestry, and a 10 year framework for action.

Scottish Climate Change Plan update

1.5 The Update sets out how Scotland will meets its climate change targets, including:

18,000 ha of woodland creation annually

21% of Scotland forested by 2032

Scottish Government's Policy on Control of Woodland Removal

This policy (FCS, 2009) contains a presumption in favour of the retention of woodland, especially woodland of high nature conservation value. Woodland can only to be removed where there are public benefits, and normally compensatory planting is required.

Scotland's Forestry Strategy Vision

In 2070, Scotland will have more forests and woodlands, sustainably managed and better integrated with other land uses. These will provide a more resilient, adaptable resource, with greater natural capital value, that supports a strong economy, a thriving environment, and healthy and flourishing communities.

Scottish Biodiversity Strategy

1.6 The final-draft strategy (Scottish Government, 2023 (B)) aims to deliver the transformational changes needed to protect and restore terrestrial, freshwater and marine biodiversity in Scotland.

Central Scotland Green Network (CSGN)

1.7 This project aims to transform places for people and nature across central Scotland. It is one of the largest and most ambitions green infrastructure projects in Europe. Its focus is to

address climate change, biodiversity loss and environmental inequality by connecting people to greenspace where it is needed most. The CSGN is identified as a National Development in NPF4

National Planning Framework 4 (NPF4)

1.8 National Planning Framework 4 (Scottish Government, 2023 (A)) promises a step change in how the planning systems approaches issues of climate change and biodiversity loss. Its sets out requirements for development proposals regarding forestry, woodland and tree

Local Policy Context

Climate Emergency

1.9 The Council declared a Climate Emergency in 2019. Our Climate Change Strategy 2020-2025 update in 2021 (ELC, 2021) included the proposal to create an East Lothian Climate Forest, which will bring around 1250 hectares of new woodland creation and tree planting.

EAST LOTHIAN CLIMATE FOREST

An ambitious proposal to help the Council reach its target of a net carbon neutral East Lothian, whilst also delivering a range of biodiversity, landscape, health and wellbeing, and green network benefits .

Working in partnership with communities, landowners and producers this will:

➤ Plant 2 million trees between 2021 and 2031
➤ Increase the urban tree canopy
➤ Expand the network of hedgerows

Nature Emergency

1.10 The Council declared a Nature Emergency in 2023. Working with communities and partners it seeks to embed action to reverse the decline in nature as we update our range of strategies and policies including this Strategy.

NPF4 Policy 6 Forestry, woodland and trees
Policy Principles
Policy Intent:
• To protect and expand forests, woodland and trees

Policy Outcomes:
• Existing woodlands and trees are protected, and cover is expanded.
• Woodland and trees on development sites are sustainably managed.

Green Network Strategy

1.11 The Green Network Strategy (ELC, 2018(3)) sets out some of the ways the Council intends to integrate new development and new people into our beautiful area. This includes an expansion of native woodland and tree planting.
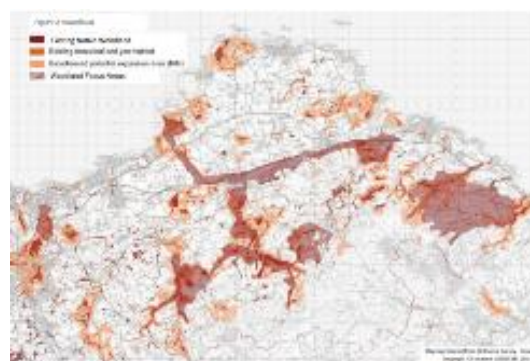

Figure 1 Extract from Green Network Strategy (Fig 8: Woodland)

Trees - Who Does What

Scottish Government

Sets the legislative framework for forestry and woodland and decides on overall levels of grant funding

Scottish Forestry

Scottish Government agency responsible for forestry policy, support and regulation. This agency determines grant applications at the project level.

Forestry and Land Scotland

Scottish Government agency responsible for managing Scotland's national forests and land. There is no national forest land in East Lothian (FLS, 2021).

NatureScot

Designates Sites of Special Scientific Interest and regulate the operations that can take place there.

Provide advice to the planning authority on proposals that might affect internationally and nationally designated sites.

Scottish Environment Protection Agency (SEPA)

Responsible for maintaining water body quality and flood risk planning.

Scottish Water

Responsible for providing safe drinking water and managing wastewater.

Charitable Bodies

The Woodland Trust is the UK's largest woodland conservation charity. The Trust aims to plant more trees, protect trees and woodland, restore woods, and inspire people (Woodland Trust, 2022). It owns Seton Dean, Butterdean Wood and Pressmennan Wood in East Lothian.

The Scottish Wildlife Trust supports wildlife through policy and campaigning work, and owns sites, including Brock Wood and Woodhall Dean, by Dunbar.

Smaller trusts and community groups also own and/or manage woodland in East Lothian, such as the Dunbar Community Woodland Group.

East Lothian Council

Responsible for producing the Forestry and Woodland Strategy for the area (this Strategy). We manage thousands of trees and woodland on land we own, including in parks, school grounds, open spaces and woodland across East Lothian. We also manage trees and woodland under Management Agreements at John Muir Country Park and much of the coast. The Council also has a duty as Roads Authority in ensuring safety on the public highway, which can be affected by nearby trees.

The Council also has a regulatory role. We make Tree Preservation Orders for the protection of specific trees and areas of woodland in the public interest. We produce the Local Development Plan for our area which contains policy on how trees are treated in development proposals. We determine planning applications, considering the removal and replacement of trees on development sites and imposing conditions on consent requiring replacement tree planting or landscaping schemes where necessary. The Council also arbitrates on disputes over high hedges.

Landowners and Managers

Most of East Lothian's woodland and trees are privately owned, from large commercial woodlands to trees in gardens. Landowners are responsible for avoiding damage to third party property from their trees and for the safety of the public on their land. The Scottish Outdoor Access Code asks land managers to assess the level and nature of public use of their woodlands. On busy sites, a plan should be developed to manage this. Where possible, paths and other facilities should be provided.

Homeowners and Tenants

Have responsibility for any planted or self-seeded trees and hedges in their gardens.

Public

Have a right of responsible access to woodlands.

Further Information

The Scottish Government produce further information on rules and regulations around trees that can be found here.

Where We Are

1.12 East Lothian's tree and woodland cover is lower than the Scottish average. And the trend from 2011-2021 was downwards, with woodland cover decreasing by 330 ha, mainly due to felling for windfarm development as well as some housing and golf course development. The Strategy aims to help reverse this trend.

1.13 Within the lowlands and Lammermuir fringe, woodland is concentrated in the river valleys and policy woodlands. The agricultural plain is generally open, though broken by shelterbelts and hedges. There are also trees associated with our towns and villages, some of which are well treed. The Lammermuir cleughs contain areas of native woodland, and there is considerable potential to increase this. The exposed Lammermuir plateau is generally grouse moorland and windfarm, although there are coniferous plantations at either end.

1.14 We have different types of woodland from native and ancient woodlands to woodlands for a purpose. More information on these can be found in the Biodiversity Section.
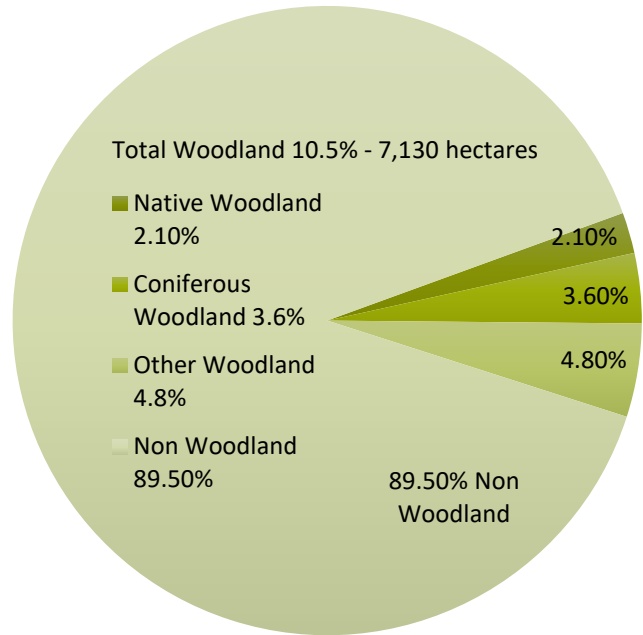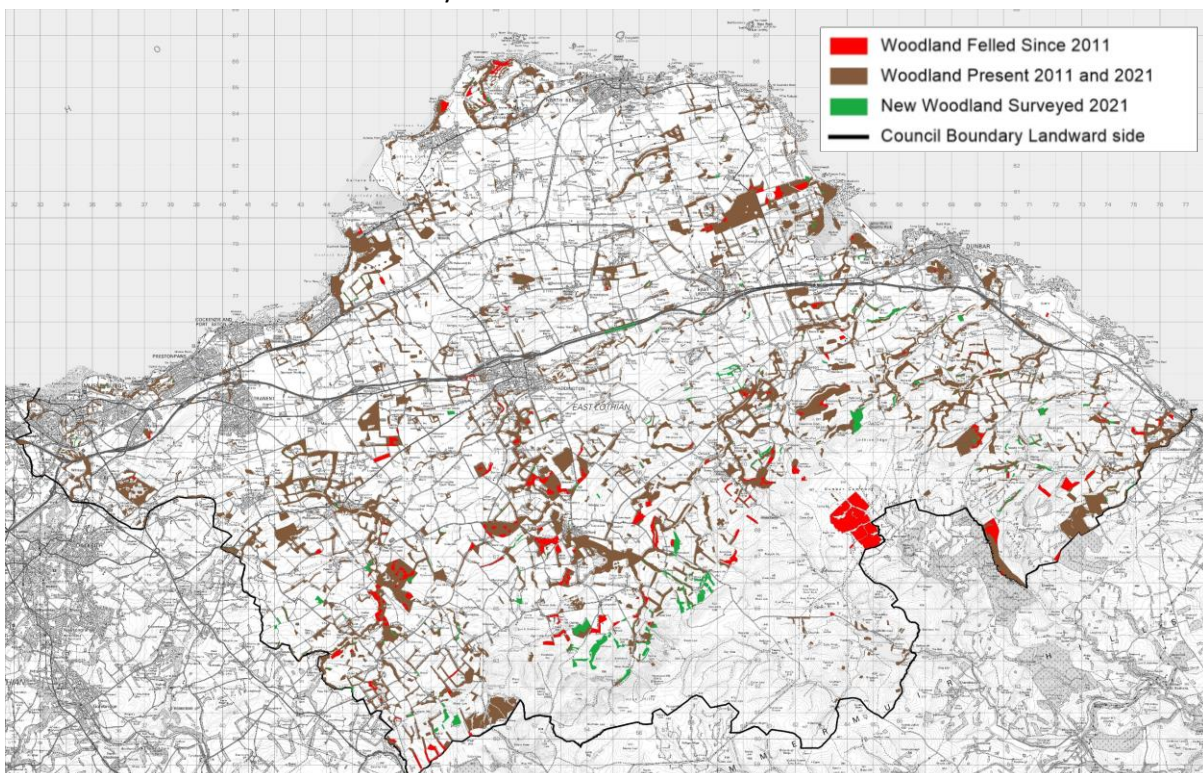
Total Woodland 10.5% - 7,130 hectares

Native Woodland 2.10%

Coniferous Woodland 3.6%

Other Woodland 4.8%

Non Woodland 89.50%

2.10%

3.60%

4.80%

89.50% Non Woodland

Figure 2 Percentage of landcover by type in East Lothian

1.15 The low level of woodland within East Lothian is partly due to competing landuses and constraints to woodland expansion as shown in figure 4.

Figure 3 Change in woodland cover between 2011 and 2021 recorded by the National Forest Inventory

Woodland Felled Since 2011
Woodland Present 2011 and 2021
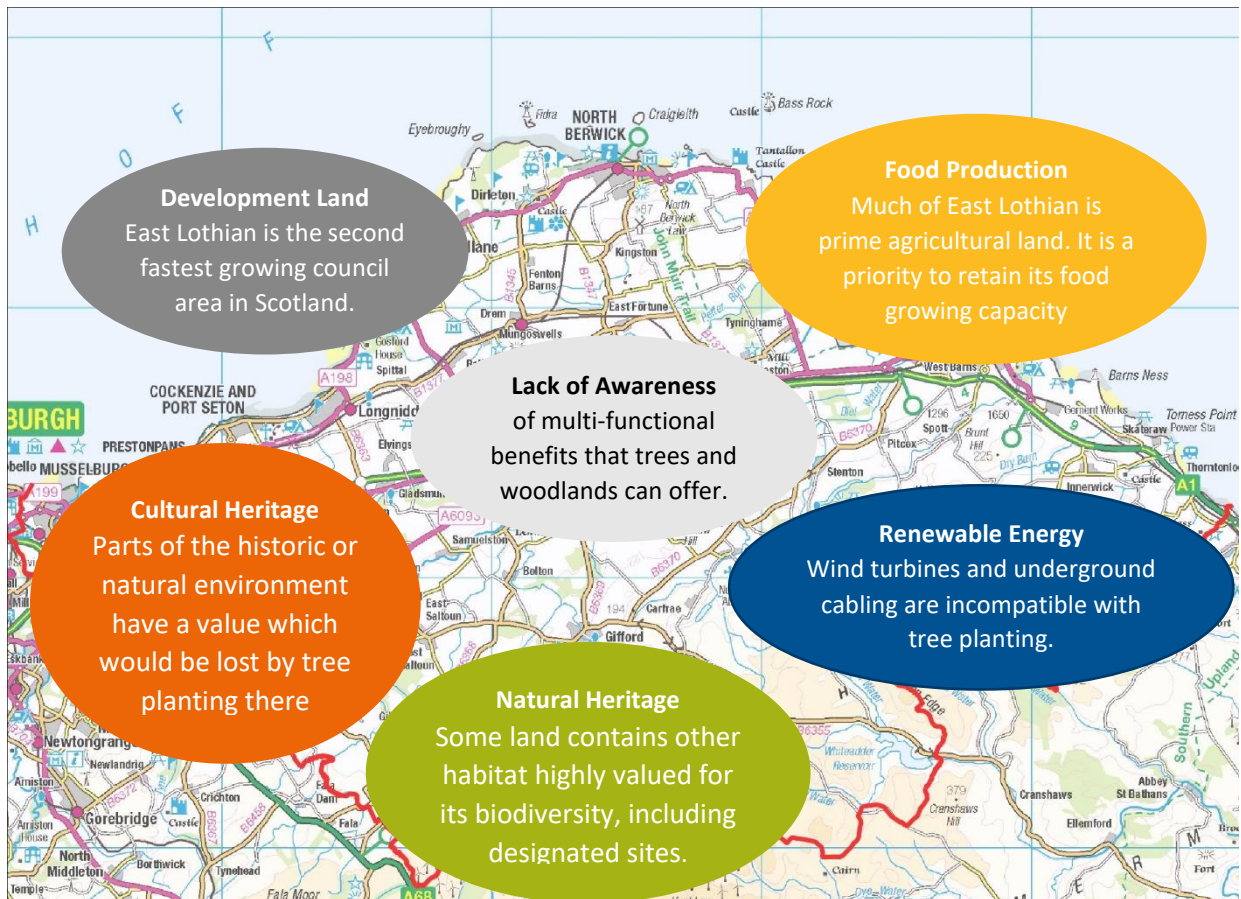New Woodland Surveyed 2021
Council Boundary Landward side

Figure 4 Constraints to woodland expansion

What We Have Been Up To

1.16 An impressive amount of tree planting is already underway – we are on track to meet the Climate Forest target so far, which is fantastic. Community groups have enthusiastically taken up the challenge, while private landowners and developers have also increased the wooded area. Charities such as the Woodland Trust have been providing trees to community groups while others including The Conservation Volunteers are bringing people together to plant them. The Council itself has an ongoing tree planting programme across our communities, including 15,000 recently planted at Levenhall Links.

1.17 A challenge is to make sure that these new trees and woodlands are managed so they can play their role in addressing climate change, improving biodiversity and providing attractive places to live.

Figure 5 The Provost helps plant the first tree for the Queen's Green Canopy in East Lothian

1.18 The Queen's Green Canopy was a significant project in celebration of the Queen's Platinum Jubilee. It encouraged people across the UK to "Plant a Tree for the Jubilee". Trees in schools and elsewhere were one legacy of this project; another is East Lothian Tree Time where donations to plant and maintain trees in East Lothian can be made.

2. The Vision

Expanded and sustainably managed networks of woodland and trees across East Lothian contribute to addressing climate change, and provide healthy and resilient environment, nature recovery, a strong sustainable economy and enhanced quality of life for local communities

Total Woodland

Currently		10 Years' Time
10.5%	increase by	max 13.45%
7130 ha	1 to 3%	max 9130 ha

Native Woodland

Currently		10 Years' Time
2.1%	increase	4.2%
1423 ha	by 2.1%	2988 ha

If this Strategy achieves its aims, the woodland in East Lothian will look something like this:

Coastal Mosaic

Riparian Connectivity

Improved Urban Canopy

Agroforestry opportunities and woodland supporting agricultural production

Climate Migration

Native woodlands

Tree planting supporting peatland restoration
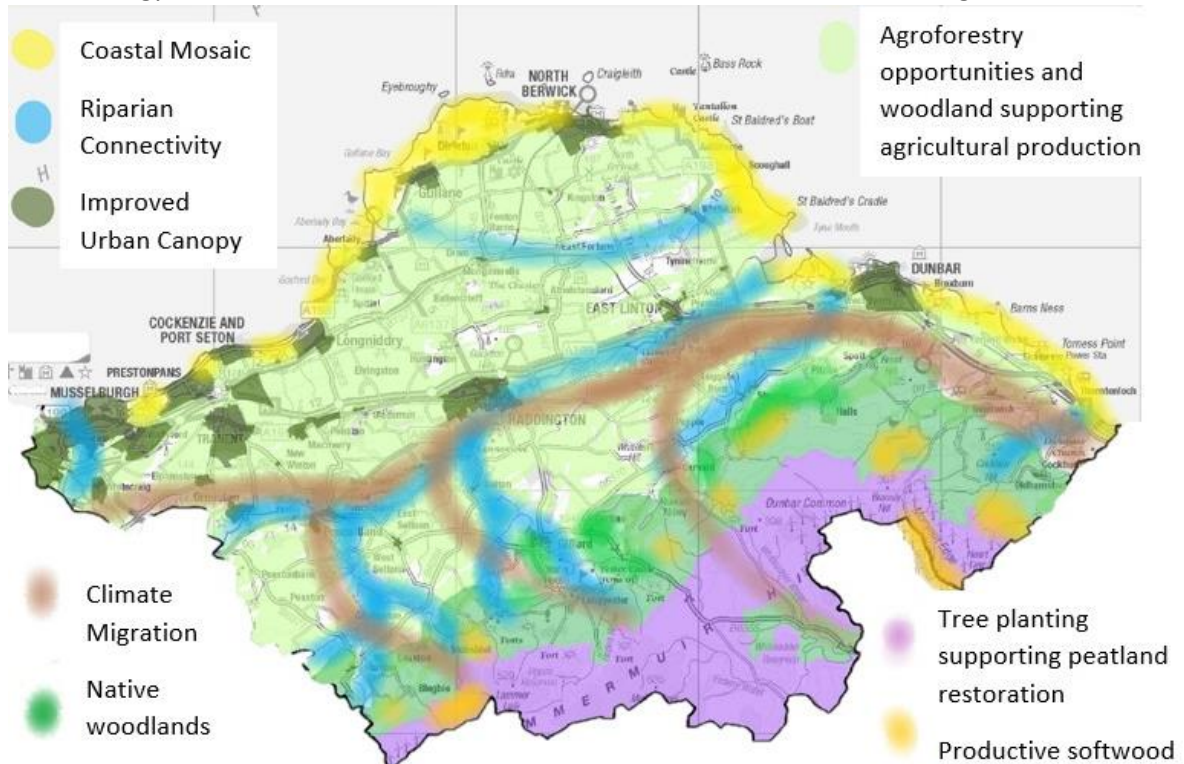
Productive softwood

Figure 6 Vision diagram

3. Achieving the Vision

3.1 What we can do for trees and what woodlands and trees can do for us are central to the Strategy Vision. The Strategy is split into 7 Themes each covering a separate part of the Vision:

- Climate Change Mitigation
- Resilience and Adaptation
- Biodiversity
- Community

- Economy
- Cultural Heritage
- Landscape Character

3.2 Each theme has an Aim and Targets. These are supported by Actions throughout the document showing what we intend to do to achieve the Targets and ultimately, the Vision.

3.3 Achieving the Vision requires us both to retain and create woodland. This approach to woodland and trees follows the mitigation hierarchy of avoid – minimise – restore – offset. Retaining existing established mature trees, hedges and woodlands has multiple benefits across all themes. Replacement planting takes many years to perform the same function as established woodland. Retention of trees and woodland is therefore as important as creation of new woodland. This is our policy towards retention:

> **POLICY 1 Retention of woodland, trees and hedges**
>
> Existing woodland, trees and hedges should be retained except where it is not feasible to do so.
>
> Woodland retention and compensatory woodland creation is required in line with the Scottish Government Control of Woodland Removal Policy.
>
> Where consent is given for removal of trees and / or hedges compensatory planting with native species will be expected except where circumstances do not allow.
>
> Consideration should be given to replacing the function of the woodland being removed such as recreation, canopy, biodiversity connectivity, and flood prevention.
>
> The expectation is that replacement planting should be provided on the site. Where it can be shown that this is not possible sites should be sought in the following order of preference: (1) East Lothian, (2) sites with active travel, biodiversity and / or visual links to East Lothian, (3) Scotland.
>
> Where the carbon sequestration value of new woodland, tree or hedgerow planting does not completely equal that lost the loss of carbon storage should be compensated in other ways.
>
> In addition, where trees are felled the timber shall be retained as a carbon store, where possible, such as by use in wood products.

3.4 The Scottish Government's Policy on Control of Woodland Removal (FCS, 2009) will be applied by both Scottish Forestry through felling permissions and East Lothian Council through the planning system. The planning system will also seek retention and replacement of individual trees and hedges. This will help retain existing woodland, trees and hedges, and secure replacement planting where this is lost. Replacement planting should ensure the functional benefits offered by the original woodland.

3.5 The mapping in the Spatial Guidance Section shows existing woodlands, sensitivities to woodland creation, and where new trees and woodlands of different types will create most benefit.

4. Climate Change Mitigation

AIM – Increase the contribution that East Lothian's existing and future woodlands make to achieving net zero carbon in line with East Lothian Council and Scottish Government targets

4.1 Trees and woodland can help address climate change by absorbing carbon. Increasing woodland cover is a Scottish Government priority (Scottish Government, 2019). Our Green Network Strategy aims to maintain tree and woodland cover and supports maximising the carbon stored in vegetation and soils through planting and landuse. Retaining and managing existing woodland and expanding woodland coverage, as well as supporting the use of wood products are therefore priorities for this Strategy.

4.2 The Strategy is not promoting the growth of wood as biomass fuel. Experience over the last few years indicates that this is not viable currently. Burning wood also releases carbon and can add to air pollution. However where logs are a by-product of management and unsuitable for other uses we support their use for fuel as a replacement for fossil fuels.

Retain and sustainably manage hedges, trees and woodland

Retain existing hedges, trees and woodlands

4.3 Existing trees and woodland, particularly mature established woodlands, trees and hedges store far more carbon than areas of new tree planting. The Strategy therefore supports retention of existing trees and woodlands as shown in Policy 1, and replacement of those that cannot be retained.

> **ACTION 1**
> The Council will investigate opportunities for offsetting its own unavoidable carbon emission through creation of new multifunctional woodland locally

4.4 Where tree or woodland removal is mitigated by an equivalent area of new planting there can still be net loss of carbon due to the initial smaller size of the new trees. The Strategy supports offsetting this additional loss of stored carbon through other means.

4.5 There is evidence to suggest that hedgerows sequester carbon at twice the rate of the equivalent area of woodland (GWCT, 2021) making them important for climate mitigation. There is no national protection for hedges in Scotland. This Strategy therefore includes local policy (see Policy 1) to help retain hedges.

4.6 Trees within garden ground are exempt from Scottish Forestry management requirements. Experience has shown that trees taken into garden ground can be very vulnerable to loss. Given the importance of retaining woodland, the Council does therefore not generally support change of use of woodland to garden ground.

> **POLICY 2 Change of Use of woodland to garden ground**
> Change of use of woodland to garden ground will not normally be supported. Where permission for change of use to garden ground is granted for land that contains tree(s) the Council will seek to protect these by a planning condition or Tree Preservation Order.

Sustainable woodland management

> ### European Definition of Sustainable Forest Management
> The stewardship and use of forest lands that maintains biodiversity, productivity, regeneration capacity, vitality and potential to fulfil now and in the future relevant ecological, economic and social functions at local, national and global levels and that does not cause damage to other ecosystems.

4.7 Maintaining healthy woodlands through good management increases carbon sequestration and supports adaptation to climate change. Support for sustainable woodland management including Continuous Cover Silviculture is at the heart of this Strategy and woodland owners are encouraged to manage their woodlands in this way. This is discussed further in the Resilience and Climate Adaptation Section.

4.8 Woodland management plans are a key tool to help manage woodland well. Plans should include mixed species planting including both those for short-term harvesting and those for long-term growth. The UK Forestry Standard, (C, 2023) is informed by the European definition of Sustainable Forest

Management and shows how to design and manage woodland sustainably. Scottish Forestry grant funding is conditional on meeting this standard.

4.9 The UK Woodland Assurance Standard (UKWAS, 2021) is a voluntary scheme that certifies sustainable woodland management. The UKWAS combines the UK Forestry Standard requirements with those of the internationally recognised certification of the Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification (PEFC). The Strategy encourages membership of this to show sustainable management of woodlands.

Woodland creation and tree planting

4.10 This Strategy brings together the aims of the Council's Green Network Strategy to increase tree and woodland cover for multiple benefits with its Climate Forest commitment to plant 2 million trees by 2031. This new planting equates to between 80 to 125 hectares a year. For comparison, Haddington's Neilson Park is around 5 hectares, Yellowcraig Plantation is around 12 hectares, Butterdean Wood is around 65 hectares.

> **TARGET 1: Creation of the East Lothian Climate Forest of at least 80-125 ha of new woodland annually across East Lothian to provide 2 million trees in 10 years to achieve increased woodland coverage of 13.45% by 2031**

> **ACTION 2**
> Deliver the East Lothian Climate Forest [1]

4.11 Carbon sequestration is an important function of woodland both through the trees and within the soil. Coniferous plantations offer the fastest benefits for carbon sequestration and also provide a timber crop where carbon remains locked up after harvesting. Where these are grown close to end user supply they have added sustainability value. Coniferous plantations are important to help address climate change but can have limited biodiversity. The Strategy vision requires woodland in East Lothian to be multi-functional and generally offer wider benefits than just carbon sequestration. Broadleaf trees sequester carbon over the longer term whilst offering wider benefits to biodiversity. The maxim of right tree in the right place to perform the right function is therefore key to this Strategy.

4.12 Barcham have produced a guide on the carbon sequestration value of different species. Forest Research (FR, 2024) have information on carbon accounting tools such as the CARBINE accounting model to help woodland managers estimate carbon stocks. These can help plan a woodland to increase its carbon potential.

4.13 As noted above woodland soil is also important for carbon sequestration, in fact organic soil is one of the largest accumulating carbon stores on earth. A vital element of soil is mycorrhizal fungi. They also act as a sink for plant carbon with fungal chitin or glomalin-related soil protein accounting for 30–40% of the total organic carbon in undisturbed soils (Jincai Shi et al, 2023). They do this by forming a symbiosis with plants including trees, helping them uptake enough nutrients, particularly

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[1] For the avoidance of doubt East Lothian Council will not be responsible for maintaining the trees planted as part of the Climate Forest where these are not on East Lothian Council land.

phosphates and nitrates, to be able to thrive. They also offer many other ecosystem services to the trees with which they form associations.

4.14 If new woodland is created in an area where these fungi are not available to the newly planted trees, such as agricultural land or amenity grassland, the trees are unlikely to thrive. Weedy plants such as bramble and wild raspberry will supersede them and shade them out. Woodland creation must be therefore more than just about tree planting.

4.15 There are options to introduce the relevant fungi to a new woodland site. Trees already inoculated with mycorrhizal fungi can be purchased and planted among other new plantings. The infection zone from the root system is approximately 15m, so if an inoculated tree were to be planted every 30m, everything in between would be in mycorrhizal range. Alternatively, trees can be inoculated by introducing translocated forest soil into trays where the trees are kept as plugs. Another option is to underplant "bait seedlings" under mature woodland trees and then lift them a year later with the entire root ball and translocate them to the new woodland site.

4.16 It is important to be aware that different trees associate with different types of fungi. Some trees form arbuscular mycorrhizal (AM) associations and some Ectomycorrhizal (ECM) associations It is therefore necessary to research which type of fungus the trees that you are planting require. Commercial mycorrhizal powder mixes tend to be made up of non-native fungal spores and should not be used.

4.17 Other habitats including peatland, saltmarsh and some grasslands also provide essential carbon sequestration value. Tree planting on such areas is unlikely to be the best use of the land. The value of existing and adjacent habitat for carbon sequestration should be considered at project level (see Peatland in the Biodiversity Section).

> **POLICY 3 Woodland creation** Tree planting and woodland creation should comply with the Spatial Guidance Section of this Strategy and the UK Forestry Standard.
>
> Land managers creating new woodland should seek to reduce carbon impacts associated with its creation by using methods of tree planting to reduce soil disturbance or by allowing natural regeneration.
>
> Woodland should be designed to achieve multi-functional benefits.

4.18 The Woodland Carbon Code (Woodland Carbon Code, 2021) is the internationally recognised standard for projects creating woodland as carbon offset in the UK. The Woodland Carbon Code issues carbon units which represent the amount of CO_2 removed from the atmosphere by the woodland created. East Lothian's Green Network Strategy has an aim for the identification of sites for woodland and tree planting to enable the benefits of off-setting to be kept within East Lothian. As part of the East Lothian Climate Forest implementation, the Council will seek to match landowners with space for trees with businesses – or individuals – who wish to support tree planting here, including for offsetting of unavoidable emissions.

4.19 Support is currently available for creation or management of woodlands through the Forestry Grant Scheme from Scottish Forestry and through Scottish Government Rural Payments and Services.

Funding may be available for land managers for woodland creation, and tree and [hedgerow](#) planting from charities such as the [Woodland Trust](#), and schemes supporting companies or individuals seeking to offset their carbon emissions. Proposals for woodland creation of over 2 hectares or in a sensitive

Wee Forests

"Help mitigate the effects of the climate crisis, one Tiny Forest at a time" Earthwatch

'Wee Forests' are areas of dense tree planting in urban areas specifically designed for climate mitigation, a method development by Dr Akira Miyawaki. A Wee Forest is a tennis court-sized area of dense fast growing native woodland planting to mitigate climate change. About 600 young trees of a mix of 15 to 30 native species suited to the local area are planted closely together and well mulched. This avoids the need for maintenance and develops the structure of a mature woodland in about 20 years.

Wee Forests help address climate change but also provide space for nature in the heart of our settlements. Their small scale may offer opportunities for tree planting for climate mitigation in many of our urban areas.

The Queen Elizabeth II Jubilee Wood wee forest in the Longniddry planted by the Glassel Park Association with help from the local Scout Group. The mix of native trees were donated by the Woodland Trust. They intend to extend this in future planting seasons.

site[2], will be required to comply with the UK Forestry Standard.   The [Woodland Trust](#) and [Scottish Forestry](#) can provide funding and expert advice to landowners and farmers for developing woodland on their land.

Reduce climate forcing emissions from the forestry industry

4.20 Soil disturbance, drainage and transport of stock for woodland creation all lead to carbon emissions. Reducing soil disturbance of management operations thereby helps to retain the significant quantities of carbon present there. Natural regeneration also avoids emitting carbon from these sources. It also allows for natural selection of the best species for the site to establish, which should absorb more carbon more quickly (Fletcher, T.I. *et al*, 2021). Natural regeneration may therefore be preferable to planting in many situations for climate sequestration as well as ecologically and financially. Where planting is used, notch planting of whips can lessen soil disturbance and thereby reduce release of carbon.

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[2] Sensitive sites are those set out in [The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017](#) and in East Lothian currently are SSSIs, European Sites, Scheduled Monuments, and land covered by a Nature Conservation Order

4.21 Single use, plastic tree tubes are widely used to protect new planting from herbivores. However these are not biodegradable, can be expensive and time consuming to collect, and difficult to recycle. Often their removal is not included in woodland management or is forgotten about. This can lead to damage to the trees as they grow and littering and pollution as the tubes break and blow around or enter the water system. Tubing individual trees also does not encourage natural regeneration in the wider woodland environment. The use of biodegradable trees tubes or alternatives to tree tubes, such as fencing, are supported by this Strategy.

4.22 Some of the operations undertaken for both forestry and the supporting businesses lead to climate forcing emissions through transport, energy use or disposal of waste. This should be reduced to maximise the carbon benefits of woodland. Advice on reducing emissions for businesses is available from bodies such as the [Energy Saving Trust](). Waste brash from tree operation should be chipped and recycled to form green compost, not burnt.

POLICY 4 Reducing climate forcing emissions from tree planting and forestry operations

Forestry operations should aim to reduce climate forcing emissions including from fossil fuel use and soil disturbance.

Use of materials in tree and forestry operations and treatment of waste arisings should follow the waste hierarchy (Scottish Government, 2010) of prevent, reuse, recycle, recover, dispose.

The use of single use plastics should be avoided.

Promote the sustainable use and reuse of wood and wood products

4.23 Use of wood products helps support a low-carbon economy. Wood products store carbon as well as replacing more carbon intensive materials. The manufacture of timber products requires less fossil fuel than non-wood alternatives such as concrete, metals and plastics. In fact wood from sustainable sources has the lowest energy consumption and CO_2 emissions of any building material. (Scottish Forestry, 2020) Using local product reduces transport emissions. However wood products transported from other places can still be a more sustainable solution than a non-wood alternative.

4.24 Scotland's Forestry Strategy (2019) has a target for increasing the use of Scottish wood products in construction. The Council will support this by encouraging the use of timber and wood products in preference to less sustainable materials where possible. In line with our Sustainable Procurement

Policy and Sustainable Procurement Charter (ELC, 2020(3)) we will also increase specification of wood and wood products, particularly locally sourced timber, where possible.

> **ACTION 3**
> The Council will explore ways of increasing use of wood and wood products, particularly locally sourced timber

> **POLICY 5 Wood Products**
> The Council supports:
>
> - The use and retention of timber and wood products in preference to less sustainable materials where possible;
> - The use of Scottish wood and wood products;
> - The use of wood products that are from recycled material and/or that can be re-used or recycled after use.

4.25 The Forest Stewardship Council (FSC) is an international body promoting responsible management of forests. It certifies wood, paper and other forest products that come from responsibly managed forests. The Programme for the Endorsement of Forest Certification (PEFC) also promotes sustainable forest management through certification. Obtaining PEFC and FSC certification or use of certified products, will help suppliers show the product is sustainable.

4.26 The circular economy, explained as 'make, use, remake' as opposed to 'make, use, dispose', is part of the solution to our global climate emergency (Zero Waste Scotland, undated). The more wood products are recycled and reused the fewer trees need to be felled. See Policies 4 and 5.

4.27 The Council will continue to recycle wood products and use recycled wood products where possible. The Council's Climate Change Strategy (ELC, 2020) has further actions on the circular economy.

> **Recycling Wood Products**
>
> The Council supports the circular economy in regard to forestry, wood and wood products by:
>
> • Collecting paper and cardboard waste from businesses and households, allowing their recycling into further product and reducing the number of trees that need to be harvested to make new products. This means more land is available for permanent woodland.
>
> • Purchasing recycled paper, helping create demand for recycled produce.
>
> • Chipping brash waste from our own timber operations on site and collecting garden waste to send to a local company (Forth Resource Management) where it is composted. This is then sold as fertiliser and mulch for use in planting schemes, including by the Council. This helps avoid use of peat compost products, supporting the maintenance of peatlands as carbon sinks.

Reduce emissions associated with woodland recreation

4.28 Recreational use of woodlands can lead to emissions, sometimes from activities undertaken within woodland, but mainly through the journey there. Implementation of the Core Path Plan and Active Travel Improvement Plan will help improve the active travel offer across East Lothian. This Strategy also aims to improve access to woodland locally, to reduce the need to travel (see the Community Section).

5. Resilience and Climate Adaptation

AIM – Increase resilience of East Lothian's environment and its woodlands, including using trees and woodland to adapt to Climate Change

5.1 Resilience means ensuring East Lothian's environment and woodlands are sustainable and can adapt and meet current challenges as well as future challenges brought by climate change. Woodlands and trees can help address issues such as flooding, water management and soil loss as part of nature-based solutions. Tree planting can also be used to help make more resilient, adaptive places for people, including by creating shade, urban cooling, and provision of trees as windbreaks.

Use trees to contribute to reducing flood risk

5.2 Climate change projections for East Lothian include milder wetter winters with more rainfall and risk of flooding (Met Office). Trees and woodland can help reduce flooding and form an integral part of natural flood management and funding is available for woodland creation and management to reduce flooding.

5.3 There are three different types of woodland for natural flood management:

- Floodplain woodlands – SEPA suggest that conifer or mixed species woodlands or short rotation coppicing / woodland may be most suitable for this. Floodplain woodlands may have the greatest potential for downstream flood mitigation.

- Riparian woodlands – Up to 30m wide to both sides of a watercourse these provide a buffer between the watercourse and adjacent land. Broadleaved species are more suitable for these to improve both river and woodland biodiversity. These areas are shown on the Opportunities for Native Woodland map in the Spatial Guidance Section.

- Catchment woodlands – Planted within the wider catchment in areas of waterlogged soils or rapid water run-off these improve infiltration and soil stability, helping alleviate flooding downstream. One study found that soil infiltration was 60% greater under young native cross slope woodlands compared to adjacent grazed pasture (SEPA, 2015). Figure 7 shows areas with medium and high potential for water runoff reduction identified by SEPA. Planting in these areas should be considered alongside the Opportunities for Native Woodland map in the Spatial Guidance Section.
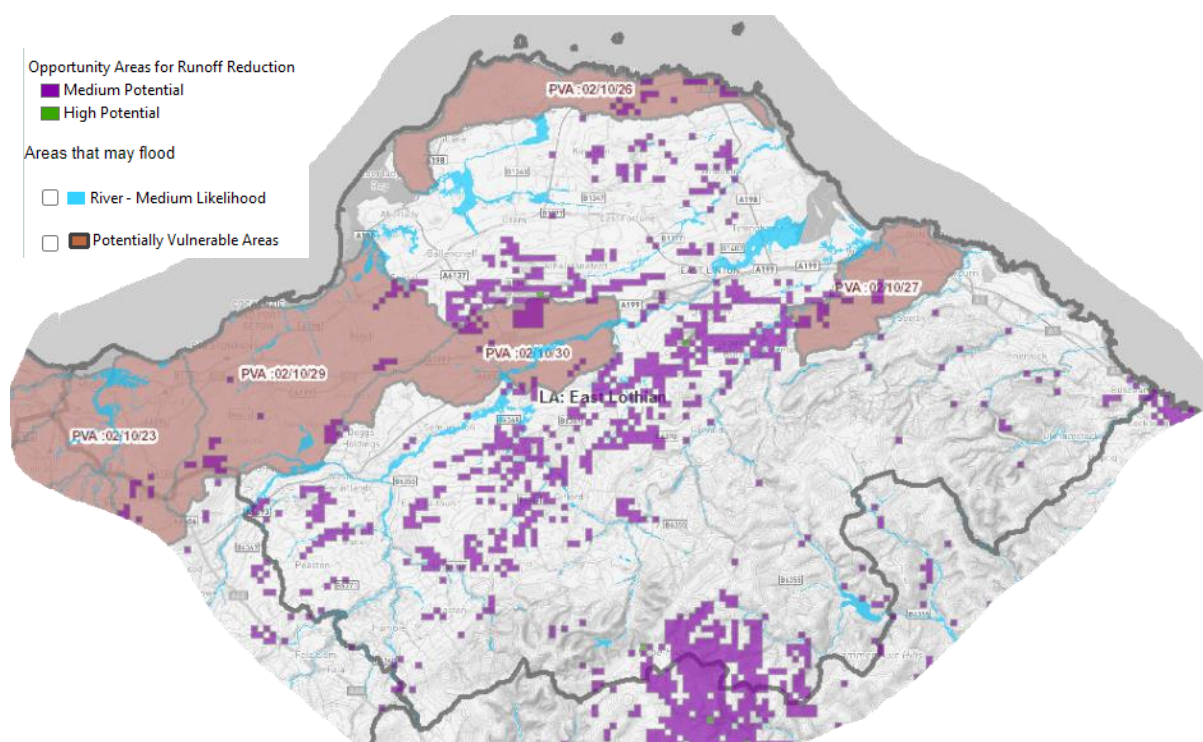

Figure 7 SEPA Opportunities for Runoff Reduction https://map.sepa.org.uk/floodmap/map.htm

5.4 Surface water run-off from agricultural land can also create localised flooding issues on our roads. Appropriately located woodland, shelterbelt and hedge planting could help address these issues. However, tree root ingress may have a detrimental impact on existing field drainage systems, worsening the situation. This should be considered at project level.

ACTION 4

Work with farmers and landowners to encourage hedgerow and tree planting and woodland creation where appropriate, to help reduce water run-off onto our roads

5.5 Tree planting in urban areas, including street trees, can also be used to manage surface water, reducing pressure on the drainage systems. Opportunities for urban tree planting are discussed further in the Community Section.

5.6 The planting of any new woodland should also consider the potential for an increased risk of flooding. Trees should not be planted beside flood embankments if there is a risk of windblow. Further advice can be found in SEPA's Natural Flood Management Handbook (SEPA, 2015).

5.7 The Council will work with SEPA, neighbouring authorities and stakeholders to identify how and where woodland retention, creation and management supports reduction in flood risk including areas such as floodplain, riparian and catchment woodlands..

ACTION 5

Work with SEPA, neighbouring authorities and stakeholders to identify where woodland retention, creation and management could most improve water quality, support reduction in flood risk and help increase slope stability

POLICY 6 Water Management and Slope Stability

Use of woodland and trees to improve water quality, reduce flood risk and improve slope stability is encouraged. Planting of new trees and woodland must avoid increasing flood risk.

Use trees to improve the water environment

5.8 Well-sited and well-managed riparian woodland can help reduce surface water runoff, carrying sediment and pollutants into rivers, stabilise banks and provide important wildlife habitat. The canopy also creates shade helping to regulate water temperature, prevent algal blooms and keep the aquatic ecosystem in balance.

The community group Friends of the River Tyne have recently planted 499 trees along the banks of the Tyne. 200 trees for the Queen's Green Canopy and others donated by local businesses and the Woodland Trust. These trees will have multiple benefits for the river from bank stabilisation, flood mitigation and providing shade.

5.9 Increasing river temperature due to climate change is a threat to many of Scotland's freshwater species which have adapted to live in cool places (Marine Scotland, no date). This includes fish with high economic, recreational and conservation value, such as salmon and brown trout. Shade from trees will support river habitat quality and fish diversity. This will become more needed with climate change. Riparian woodland should provide an open canopy with dappled shade with, ideally, around half of the watercourse open to sunlight. Priority areas for woodland creation for river temperature control have been identified by Marine Scotland. Scottish Forestry has increased grant funding for the creation of riparian planting in the highest priority areas. These areas are shown on the Opportunities for Native Woodland map in the Spatial Guidance Section. Currently just over 42% of the riparian zone along rivers within East

Lothian is wooded[3]. The Strategy seeks to increase riparian planting by 18% in line with Target 2B in places where benefits for river water quality can be achieved.

5.10 The Council will work with SEPA, the Forth District Salmon Fisheries Board and Marine Scotland, neighbouring authorities and stakeholders to identify how and where woodland can most improve water quality. Funding is available for woodland creation and management to reduce diffuse pollution.

> **TARGET 2: Improve resilience of East Lothian's environment including by:**
> **(B) Increasing native riparian woodland by 18%; from 42% of the riparian zone to 60%**
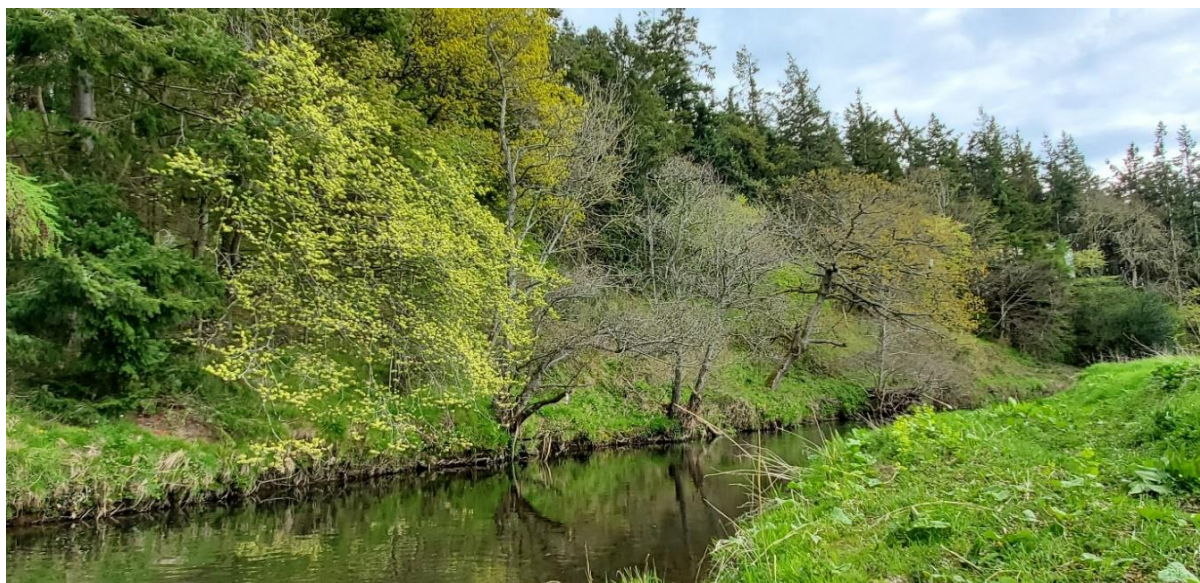
Use trees to protect and enhance the soil resource

5.11 Changes in arable farming over the last 50 years have led to increased field sizes and the loss of hedgerows to accommodate larger, heavier machinery. Larger fields can lead to increased soil erosion. Surface water run-off and wind erosion can lead to a loss of topsoil as well as seeds, fertiliser and agrochemicals which can pollute watercourses. In arable areas, particularly in lowland parts of East Lothian, where there are lighter, sandy loams, wind and water erosion of the soil resource is a significant issue that is set to worsen because of increased periods of drought due to climate change.

5.12 Woodlands can improve soil structure by increasing its organic matter, reducing erosion, and increasing humidity. They can also help reduce the intensity of rainfall, thereby reducing run-off and improving soil stability.

5.13 Shelterbelts planted in the right locations can lead to reduced wind erosion of ploughed fields as well as improving microclimate and can increase crop yields by up to 26% (Woodland Trust, 2012) (SAC Consulting, 2010). Hedgerows offer similar benefits.

5.14 The Strategy encourages the expansion of farm hedgerows, woodlands and shelter belt planting as a means of sustainable soil management.

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[3] This figure is based on a 30m wide zone to the sides of the rivers using the National Forest Inventory 2019.

Use trees to regulate the urban climate

5.15 In urban areas, heat can build up as hard surfaces such as concrete absorb heat in the day to release it at night, known as the heat island effect. Heat stress can cause illness and fatalities with high temperatures making the symptoms of respiratory illnesses worse. Heat waves are likely to become more common with climate change exacerbating the urban heat island effect, so increasing the need for shady outdoor spaces in urban areas.

5.16 Trees reduce urban heat in summer by providing shade and preventing the sun heating surfaces of roads and buildings and cooling the air. Trees also release water into the air through transpiration helping to cool the air. They can also help regulate temperature in urban areas by providing shelter from cold winds and shade from the sun. This can reduce the need for heating and cooling systems within buildings. Providing shade in urban areas can also help reduce the incidence of UV-related health problems. See figure 9 for more detail.
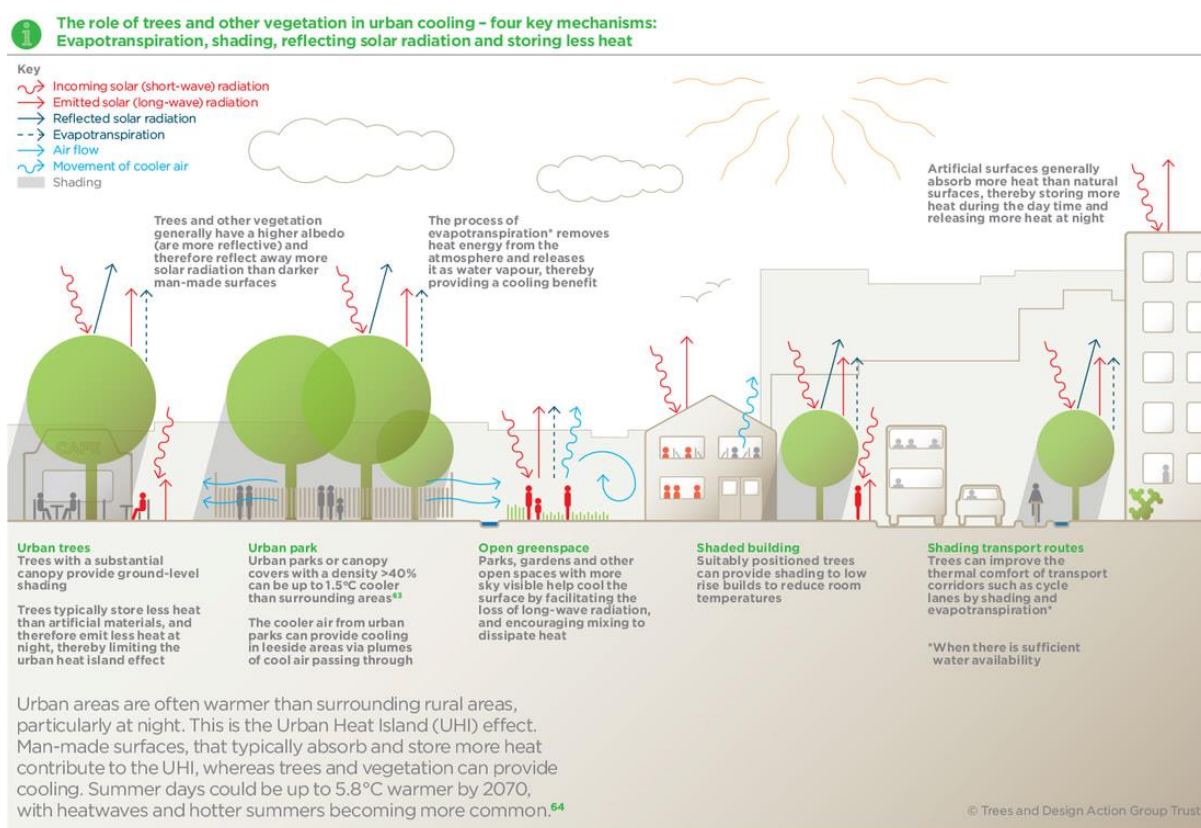

Figure 8 The role of trees in urban cooling, Trees and Design Action Group Trust

5.17 Canopy cover must exceed 40% to get the maximum benefit from this cooling effect. This tree planting must also be located within the areas where people live, not just in parks, to benefit all people at all times (Science Daily, 2019). Larger trees with dense crowns are most effective at local cooling. However broadleaf trees would be most appropriate to allow sunlight through during the winter. Locating trees where people can sit under them as well as offering shade to buildings brings multiple benefits. As a starting point for improved urban canopy, Target 4A aims to increase canopy coverage to a minimum of 30%. This is discussed further in the 'Urban Tree Canopy' in the Community Section.

Food Security

5.18 Food security in the face of a changing climate and uncertain future political situation is an important issue. One of the ways of guarding against trade disruption or absolute shortage is by growing our own food at both a country and individual / community level. This strategy supports food resilience by discouraging tree planting on prime and mixed farmland, unless it supports food production (see the Sensitivity to Woodland Expansion Map in the Spatial Guidance Section). The Strategy also supports individual and community fruit and nut growing, including in gardens and in orchards in the Community Section. The council intends to produce a Food Growing Strategy which will cover this further.
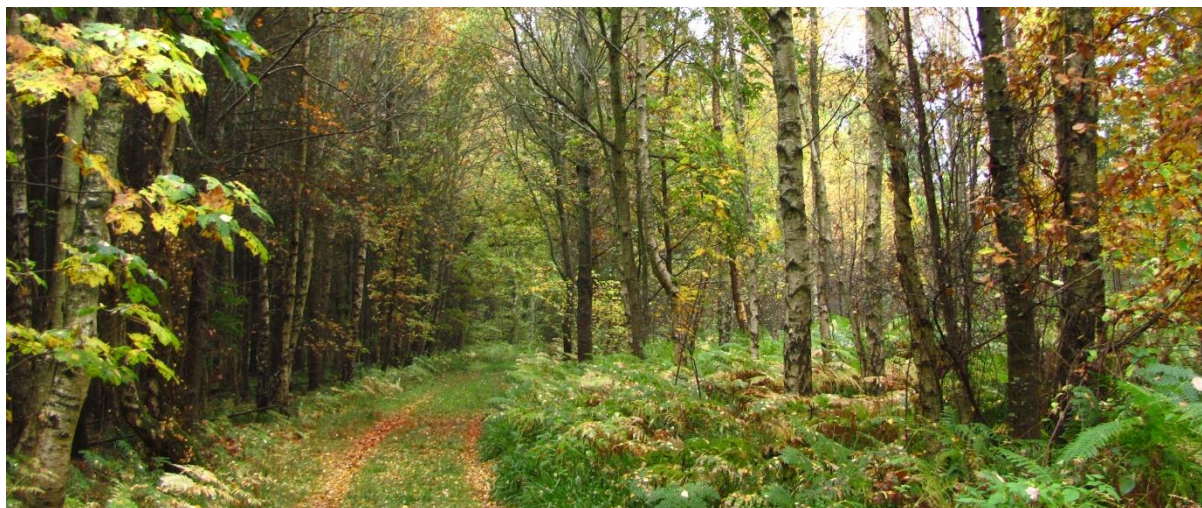
Increase tree and woodland resilience

5.19 Trees and woodlands can help make our environment more resilient but also face challenges themselves. These include changes in weather patterns and temperatures due to climate change, drought, attacks from pests and diseases, and for woodland, increased recreational use. There are uncertainties around the nature of changes so choosing a single approach to improve tree and woodland resilience may not be effective; flexibility is important. Measures likely to support resilience are considered below. More information on adapting forest and woodland management to the changing climate can be found in advice from Forest Research (FR, 2022)

Tree Diseases and Species Diversity

5.20 Until recently tree diseases that wipe out entire species have been limited within the UK, Dutch elm disease being the main contender. However, within the last decade tree diseases have begun to spread rapidly across the UK's woodlands and more are regularly being reported. The main cause is imported stock and timber, exacerbated by climate change.

5.21 Currently two main diseases are having an impact on Scottish woodlands potentially similar in scale to that of Dutch elm disease. These are Ash Dieback disease which, as the name suggests, is affecting ash trees, and *Phytophthora ramorum* mainly affecting larch trees but also rhododendron. No cases of *Phytophthora ramorum* have been identified in East Lothian to date. Scottish Forestry has a national Action plan to try and control its spread. Other diseases present in East Lothian include Dutch elm disease, *Phytophthora alni* disease of alder, and bleeding canker of horse chestnut. Many other diseases could spread to East Lothian including the Great Spruce Bark Beetle which could have a significant impact on commercial softwood production.

Ash Dieback disease (*Hymenoscyphus fraxineus* or *Chalara ash dieback*)

Ash Dieback is a fungal disease causing leaf loss and canopy decline. The majority of infected ash trees will die, although some are likely to be resistant. The Tree Council highlights the message "Don't panic: focus on finding the truly hazardous trees" and that trees showing only slight or moderate symptoms should be considered as potential survivors for many years to come and their condition monitored accordingly.

East Lothian has large numbers of ash trees including some native ashwoods. It is the most common native species in the upper canopy of our woodlands. The loss of ash will significantly affect East Lothian's landscape character and woodland habitats.

Due to the scale of loss, replacement planting with alternative species is strongly encouraged where ash trees are removed. No single tree species can entirely substitute for ash. However a number of tree species have similar properties and if used together can provide similar ecological conditions and greater diversity. The Devon Ash Dieback Resilience Forum (2019) has produced advice on suitable species. There are three considerations:

- Nectar and Pollen production – Elm is the closest match to ash in terms of tree height, flowering time and fruit type. Birch and rowan are also similar.
- Food source – for specialist insects, mosses and lichens elm is again the closest match, followed by sycamore, aspen, oak and hazel. More general animal species that feed on ash can be found on oak and beech as well as sycamore, birch and hazel.
- Soil quality – ash tree leaves important to soil quality as they are nutrient and base rich and decompose rapidly. Tree species with the leaves of the most similar qualities include alder and lime and less so sycamore, field maple and aspen.

The Council has over 22,000 ash trees, many of which are at an advanced stage of the disease. We are in process of surveying all the ash trees under ELC ownership for the presence of Ash Dieback disease. We are also developing an Ash Dieback Action Plan which will identify, communicate, and address the risks from the disease to landscape and biodiversity, public safety, and to roads and overhead cables in East Lothian. We have advice for the public and landowners about the issue on our website.

ACTION 6
Adopt the draft Ash Dieback Action Plan and manage ash trees in accordance with this.

ACTION 7
Develop and implement a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease.

The Council intends to develop an Ash Dieback Recovery plan for the landscape scale replacement of ash trees lost to Ash Dieback disease, identified as Action 7 and Target 7B (see the Landscape Character Section). The landscape scale replacement of ash trees will be additional to the two million trees of the climate forest.

5.22 The [Scottish Plant Health Strategy](#) sets out measures that are in place to prevent and react to plant disease. Any trees identified with disease can be reported at [Tree Alert.](#) A citizen science project, [Observatree,](#) provides training in recognising tree disease. The Council will update its [tree web pages](#) with information on how to identify and report tree diseases.

5.23 The impact of tree disease can be reduced by
- increasing the resilience of trees and woodlands to disease
- reducing the chances of introducing new diseases
- managing trees and woodlands once a disease has arrived.

5.24 The resilience of the treescape and woodland to future diseases can be increased through use of a diverse mix of tree species across the landscape. Woodlands with a range of species will increase the chances that some trees will be able to cope with future pests and climatic conditions. Achieving species diversity in forests is a requirement of the UK Forestry Standard. This 2023 standard requires that no more than 65% of a forest plan area is allocated to a single species. It states that the risks and opportunities of climate change and vulnerability to pests and diseases should be considered when selecting tree and shrub species for woodland creation and restocking.

5.25 The urban tree canopy should also contain a diversity of species to improve its resilience. Guidelines for tree diversity within a street tree population (Santamour, 1999) recommend that there should be no more than 10% of a single species, 20% of a single genus and 30% from a single botanical family in an urban tree population. A wider mix of species suitable to differing climatic conditions, which may not be appropriate within our native woodlands, can be planted in our urban areas.

5.26 The introduction of appropriate mycorrhizal fungi can help trees cope with pathogen infections and should be standard practice for new planting as discussed in "Woodland Creation and Tree Planting" in the Climate Change Mitigation section.

5.27 It is not always possible to avoid the arrival of new diseases, for example the fungus causing Ash Dieback disease can travel in the wind, though it was brought in initially on imported saplings. Creating woodlands using natural regeneration and only planting trees grown in the UK, ideally locally grown

Phytophthora disease of alder (Phytophthora alni)

Incidence of *Phytophthora alni,* which can infect and kill all species of alder has significant presence in East Lothian, mainly along river systems.

The loss of Alder would have a significant impact on East Lothian's riparian and wet woodland. Alder grows naturally in waterlogged conditions and their roots can stabilise river banks, so preventing erosion and helping mitigate flood risk. They are also useful for natural fertilising of poor-quality soil through nitrogen fixing nodules on their roots. Alder offers valuable habitat for many plant and animal species with otters known to use their roots as nesting sites.

and grown from seed sourced from southeast Scotland reduces the risk of introducing new tree diseases. Use of locally grown trees also supports the East Lothian economy.

5.28 Biosecurity measures including cleaning equipment and tyres before and after going to a woodland are encouraged. This is good practice even where diseases are not yet apparent. The Council will promote biosecurity measures within its own woodland through the Ranger Service as necessary.

5.29 The loss of individual tree species leads to changes in the woodland mix and diversity. The UK Forestry Standard suggests that woodlands with the affected species could be managed by replacement with a range of other species that are characteristic of the woodland habitat type. Planting those species which are most ecologically like the infected trees will help to mitigate for changes to the ecology of the woodland.

Improving genetic diversity of woodland

5.30 Genetic diversity within species is important as it provides the adaptive potential for tree species or populations to resist pests and pathogens and cope with climatic changes so reducing the chances of wholescale losses. Linking woodlands supports diversity by allowing genes to spread more widely. Diversity can also be improved by allowing natural regeneration and sourcing stock locally from trees at similar elevations. This Strategy supports inter-species diversity through promoting improved woodland connectivity and support for natural regeneration over planting

5.31 Trees that spread clonally are genetically identical and can therefore be particularly vulnerable to loss. NatureScot are looking at ways of increasing genetic diversity in several tree species, including introducing diversity into clonal species, to help address this concern.

Improving age diversity of woodland and urban trees

5.32 Climate change projections for East Lothian include a greater risk of severe weather events. The impact on woodlands of single age and stand structure by extreme weather events can be seen by the felling of 90% of the pine stand at Hedderwick Hill plantation at John Muir Country Park in the 1 in 50 year event of Storm Arwen in November 2021.

Devastation of Storm Arwen at Hedderwick Hill plantation November 2021

5.33 Diversity in age of the urban tree canopy will also improve resilience. Good age distribution for population stability is suggested by N A Richards as quoted in the Cambridge Tree Strategy (2016) to be about 40% trees under 20cm diameter, 30% 20 to 40cm trees in the early functional stage, 20% 40 to 60cm functionally mature trees, and 10% older trees with most of their functional life behind them.

Specifying trees for a changing climate

5.34 Predicted climatic changes makes drought more likely. Increasingly warmer wetter winters could also impact some species of tree in both growth and seed germination. Consideration should be given to specifying species suitable for these predicted changes in climate, although care needs to be taken to ensure the species are also suitable in other ways. The UK Forestry Standard recommends sourcing a proportion of native species from areas with conditions that match predicted future climate at the planting site could also be considered.

5.35 Extended periods of drought can lead to new trees failing to establish. Existing trees may also struggle. Planting schemes usually include for a year's maintenance; however, this may not be enough to allow large specimen trees to establish sufficient root systems to survive droughts in following years. This is especially so in urban areas. Watering schemes should be included for the first five years following planting to ensure successful establishment. Smaller stock for planting schemes has the potential to establish more quickly making it more resilient and should be considered where suitable. Suitable mycorrhizal fungi should also be introduced with all tree planting. It has been discovered that when under drought stress, mycorrhizal fungi both increases the contact area between tree roots and the surrounding soil and modifies the tree hormones to reduce damage elicited by drought stress (Jincai Shi et al, 2023).

5.36 The Tree and Design Action Group have produced the Tree Species Selection for Green Infrastructure: A Guide for Specifiers which includes the environmental tolerance and other characteristics of over 280 tree species for urban planting. Urban tree planting schemes should also provide sufficient space for mature tree root growth. This is discussed further in the Urban Tree Canopy in the Community Section.

Climate migration

5.37 Climate change may change the tree species that can grow here and could alter the distribution of species, introducing new species to East Lothian but also potentially bringing local extinctions both directly and indirectly. In Scotland, one in ten species face extinction. Species potentially at risk in East Lothian include Tree Creeper and migrant birds such as Wood Warbler and Spotted Flycatcher. Many species may need to adapt by moving to cooler areas, generally northwards and uphill. If we do not plan now for the connections that allow this movement, we risk losing species as the climate becomes too warm for them where they are. The Potential for Native Woodland map in the Spatial Guidance Section shows suggested strategic connections to improve connectivity and help support movement of tree and woodland species within and beyond East Lothian.

> **TARGET 2A: Improve resilience of East Lothian's environment including by securing functional native woodland connections through East Lothian to support migration of species under climate change**

5.38 Some mobile insect or animal species migrating to East Lothian may arrive to find there is no or little suitable habitat here. Planting of specific tree species can be carried out in support of particular species or habitat that is migrating. The European Forestry Genetic Resources Programme, EUFORGEN, (which includes the UK) promotes the conservation and sustainable use of forest genetic resources in Europe, and is a platform for pan-European cooperation. EUFORGEN recognises that climate change will affect species distribution and range, and that the areas which need most focus are those at the edges of a species range. Assisted migration – deliberately selecting planting material and moving it to areas being newly colonised – is under consideration at a European level.

Management of woodland for good condition

5.39 To address the challenges identified above and increase woodland resilience, woodland should also be managed to good condition and consider the risks to the forest from wind, fire, increased temperature, drought, waterlogging, and pest and disease outbreaks. As required by the UK Forestry Standard this should be achieved using a variety of silvicultural systems.

The brimstone butterfly is a newcomer to East Lothian, one of several species spreading northwards in response to climate change. Our Countryside Ranger Service is promoting planting of alder buckthorn in private gardens, as it is an important larval food plant for this butterfly.

5.40 The Strategy supports Low Impact Silvicultural Systems (LISS) such as continuous cover silviculture. This approach to woodland management aims to create more diverse woodlands by avoiding clear felling. A diverse woodland of a variety of ages, range of species, species mixtures and provenances, and variation in stand structure, including open space, will be more resilient. Forest Research have produced climate adaptation guidance for woodland management in their Climate Hub.

5.41 Wildfires may become more likely with changing climate. Poorly managed or designed woodland is more at risk from the effects of wildfire. As well as being dangerous, fires result in the loss of stored carbon. Good planning and management of woodland can help reduce this risk (FC, 2014).

5.42 The Council will continue to actively manage its own woodlands and trees to improve their resilience and reduce risk of wildfire and encourage others to do likewise .

POLICY 7 Sustainable Woodland Management

Woodlands should be designed and managed so that they are diverse, resilient and sustainable in line with the UK Forestry Standard.

Continuous cover silviculture is encouraged.

Woodland creation and management proposals must design out as far as practicable any potential increase, and consider the potential to decrease, risk of wildfire and spread of pests and disease.

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6. Biodiversity

AIM – Work towards a more natural tree and woodland cover with thriving native flora and fauna, protecting, maintaining and connecting our distinctive native woodland types, and enhancing and connecting nature in our urban areas

6.1 Biodiversity loss is as much of a danger as climate change. The world is losing biodiversity at an alarming rate. The situation in Scotland is no different with both the abundance and distribution of species declining (NatureScot, 2019 (B)). Woodland habitat is an important part of our biodiversity but is threatened by direct habitat loss and fragmentation, disease, climate change, invasive species, overgrazing, and pressures from increased recreation (IPBES, 2019). To improve the biodiversity of our woodlands, and therefore biodiversity overall, we need to address these threats.

6.2 The UN Global Biodiversity Framework adopted in November 2022 (UN, 2022) aims to address biodiversity

NPF4 Policy 3 Biodiversity
Policy Principles
Policy Intent:
To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks

Policy Outcomes:
Biodiversity is enhanced and better connected including through strengthened nature networks and naturebased solutions

6 Biodiversity: 28

loss, restore ecosystems and protect indigenous rights to halt and reverse nature loss. It is a core aim of Scotland's Biodiversity Strategy to 2045 (Scottish Government, 2023 (B)) to increase the health, biodiversity and connectivity of woodlands and improve integration of trees with other land uses.

6.3 This Strategy supports the delivery of the Global Biodiversity Framework by:
- Restoring and connecting woodland whilst not harming other habitats
- Considering genetic diversity including its adaptive potential
- Using and managing our woodlands sustainably
- Reducing pollution risk
- Minimising the impact of climate change
- Increasing connection to nature particularly in urban areas

6.4 The Strategy also supports the delivery of the UK and Scottish Biodiversity Actions Plans by:
- Retention and protection of the distinct native woodland types
- Management and increase in native woodland and trees
- Addressing fragmentation of woodland

Protection and Enhancement of Woodland

6.5 Woodland and trees are protected against loss and fragmentation through various regulatory regimes. The Wildlife Information Centre check all planning application against their records of notable species and habitats so their interest can be taken into account in planning decisions. The Local Development Plan (ELC, 2018(1)) contains policy protecting the biodiversity interest of a site proportionate to its value. Mitigation is required where damage is accepted.

POLICY 8 Protecting the Biodiversity Value of East Lothian's Woodland

Activities that lead to the removal of ancient woodland or damage ancient woodland sites are not supported.

It will not be appropriate to remove woodland of high nature conservation value to replace it with a timber crop.

Appropriate management of native woodland including ancient woodland, orchards, wood pasture and parkland, including habitat enhancement for key native species is encouraged.

Woodland of high nature conservation value

6.6 This Strategy is required to identify woodlands of high nature conservation value and set out policies and proposals to protect and enhance them. Woodlands of high nature conservation value are generally given more weight in the decision-making process across regulatory systems. The Council will continue to protect woodland of high nature conservation value, and this is strengthened through the introduction of Policy 8. Woodlands of High Nature Conservation Value are:

- Ancient Woodland (both of Semi-Natural Origin and Long-Established Plantation Origin)

- Sites of Special Scientific Interest (SSSI) with woodland as a qualifying feature

- Local Biodiversity Sites (Woodland Network)

- East Lothian Priority Woodland Habitats

- Broadleaf and Yew habitat identified by mapping carried out for the Central Scotland Green Network (CSGN)

- Areas on the Native Woodland Survey of Scotland

- Woodlands supporting UKBAP priority species

6.7 They are described in further detail in the following section and mapped as existing native and broadleaved woodland in the Potential for Native Woodland map. This map also shows opportunities for expanding native woodland.

Ancient Woodland

6.8 Ancient Woodland in Scotland is defined as land that is currently wooded and has been continually wooded since 1750/1850. Some is native woodland of semi-natural origin and some is woodland of long-established plantation origin. Ancient woodland is valued for its rich biodiversity. In 2011, East Lothian had only 893 hectares of ancient semi-natural woodland (for comparison, John Muir Country Park is 713 ha). Only a third of this was native. (Forestry Commission, 2013)

6.9 Ancient woodland is a rare resource in East Lothian and Scotland as a whole. It is irreplaceable and it is important that it is protected and well managed. The structure, wildlife and soils of ancient woodland has had the longest time to establish, leading to richer biodiversity than other woodlands making them of high value for nature conservation.

6.10 Scotland's Policy on Control of Woodland Removal (FCS, 2009) contains a strong presumption against removing semi-natural ancient woodland. The quality of ancient woodland should be retained, or where degraded, improved. As a sensitive habitat, ancient woodland is particularly adversely affected by recreational pressures or pollution. Even seemingly small changes (trampling, disturbance, emissions of pollutants) can lead to biodiversity loss. This should be carefully considered when planning activities or development that could affect this habitat (see Policies 1 and 8). Herbivore management and invasive species control is particularly important here.

893 ha

12.5% of all woodland is recorded on the Ancient Woodland Inventory as ancient semi-natural woodland and has been woodland since at least 1860
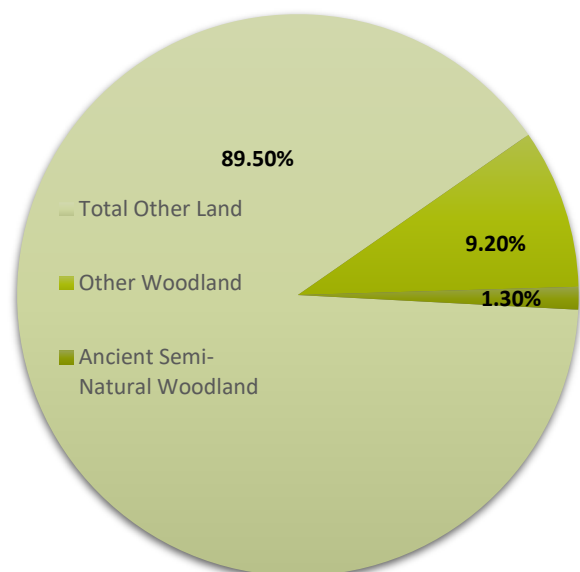

89.50%
Total Other Land

9.20%

1.30%
Other Woodland

Ancient Semi-Natural Woodland

Figure 9 Semi-Natural Ancient woodland as a percentage of total land cover

> **TARGET 3D Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) by retention of Ancient Woodland**

6.11 Ancient woodland is provisionally identified on the NatureScot [Ancient Woodland Inventory](#) (AWI) (NatureScot, 2020) and updated by the [National Library of Scotland](#) (NLS, 2024). This includes semi-natural woodlands and those of long-established plantation origin. NatureScot notes that the mapping is not definitive, and woods not shown on the AWI, but present on the historic maps, are likely to be ancient and should be treated as such unless evidence is available to the contrary. This has been revised by The Council is in the process of identifying areas of ancient woodland not included in the original survey using the same methodology. These will be protected.

> **ACTION 8**
> Complete the Ancient Woodland Survey for East Lothian including the mapping of wood pasture, parkland and orchards

Plantation on Ancient Woodland Sites (PAWS)

6.12 PAWS are defined as semi-natural ancient woodland sites that were mapped as mature woodland in 1755 that have subsequently been converted to planted woods usually with non-native conifers. The main components of the non-native PAWS woods are Scots pine, sycamore and Sitka spruce (FCS, 2014). In East Lothian PAWS are concentrated in designed landscapes and river corridors.

358 ha

5% of all woodland is Plantation on Ancient Woodland Sites (PAWS). Where trees have been planted on semi-natural ancient woodland sites.

6.13 Although the composition and character of many of these woods has changed, the soil structure and seedbank are often still present. This may also be the case for ancient woodland sites which currently do not have trees. These sites are therefore worthy of protection (see Policies 1 and 8) and restoration.

Sites of Special Scientific Interest (SSSI) with woodland features

6.14 SSSIs are designated by NatureScot as those areas which best represent our natural heritage. SSSIs are protected by statute – it is an offence for anyone to damage the protected natural features of a SSSI intentionally or recklessly. NatureScot regulates operations in SSSIs. For those sites with woodland interest, this generally precludes the introduction of a plant or seed and includes aspects of woodland management.

120 ha

1.7% of all woodlands are designated as Sites of Special Scientific Interest

6.15 Most of East Lothian's woodland SSSI features are in unfavourable condition, though some are recovering. The main pressures are invasive species, and over or under-grazing. Lack of, or poor, management also affects some

sites. The Strategy supports and encourages management so that the woodland interest of SSSIs is improved to a favourable condition.

6.16 NatureScot draws up management statements for each SSSI and aims to work with owners and managers to ensure appropriate management of the site's natural features. Funding for management may be available from the Scottish Rural Development Programme.

6.17 Appropriate expansion of woodland habitat in connection with SSSI woodland features could help support genetic diversity and connectivity of these sites. We have not mapped any proposed expansion areas for these as they will require site specific survey to consider other sensitive habitats both within and adjacent to the SSSIs as well as geodiversity sites.

Woodland Local Biodiversity Sites

6.18 The Council designated Local Biodiversity Sites in East Lothian in 2018. These sites include most of the large areas of native woodland priority habitat (see below). They are of high value for nature conservation through their importance for both habitat and connectivity. Part of the aim of designation is to support and protect woodland as a network including supporting the woodland interest of SSSIs.

6.19 The Council will continue to protect these sites from habitat loss and fragmentation through the planning system where possible and seek to strengthen their protection in line with any revised national policy.

East Lothian Priority Woodland Habitats

6.20 The East Lothian Local Biodiversity Action Plan identified habitats and species of most importance to nature in an East Lothian context. This includes all the national Native Woodland types as well as wood pasture and parkland, orchards, hedgerows, urban woodland and dead and veteran trees.
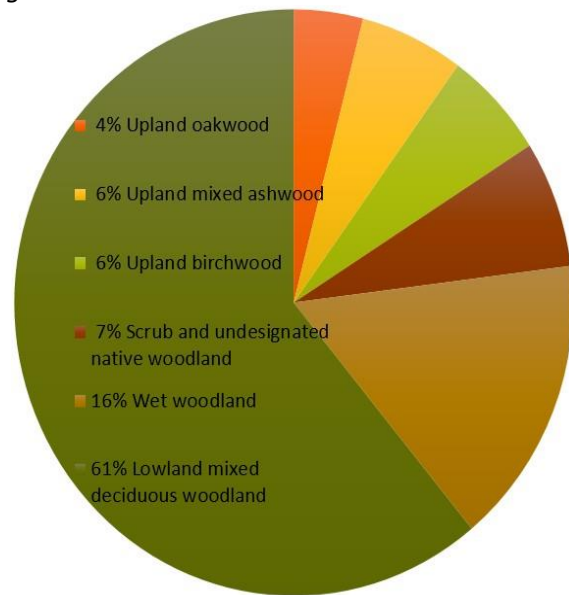
Figure 11 Native Woodland Mix in East Lothian

- 4% Upland oakwood
- 6% Upland mixed ashwood
- 6% Upland birchwood
- 7% Scrub and undesignated native woodland
- 16% Wet woodland
- 61% Lowland mixed deciduous woodland

Native Priority Woodland Habitat

6.21 A native woodland survey was carried out between 2006 and 2013 (FCS, 2014). This identified the distribution of native and nearly native woodland types across East Lothian.

6.22 Native woods are those where over half the canopy cover consists of native species. Only around a fifth of our woodland was identified as native, so just 2% of our total land area. This is about half the Scottish average. However, many of these are highly semi-natural in their structure and composition.

6.23 The most common native species in the upper canopy were found to be ash and pedunculate oak; this shows what a potentially devastating effect Ash Dieback disease could have.

Native Priority Woodland Habitats:

- Lowland mixed deciduous wood*
- Wet woodland*
- Upland mixed ashwoods*
- Upland birchwoods*
- Upland oakwood*
- Scrub

  = also on the Scottish Biodiversity List

6.24 Nearly native woodlands have canopy coverage of 40-50% native species. These woodlands have the most potential to restructure into native woodlands and should be prioritised. They are identified on the Potential for Native Woodland map.

Lowland mixed deciduous woodland

6.25 This is the most common native woodland in East Lothian, this type occupies a wide range of fertile, moist soils in the East Lothian lowlands and supports a rich flora. Common oak, ash and sycamore are the most common species of the upper canopy, followed by sessile oak, downy and silver birch. There is a range of other species both native and non-native.

Wet woodland

6.26 Alder, willows and ash are the dominant trees in East Lothian's wet woodland. These species along with downy birch are happy to colonise marshy areas. Found mainly along the edge of the River Tyne and its tributaries with some occasional small areas in less free draining areas of woodlands and other low-lying areas.

6.27 These are extremely valuable habitats for wildlife because they support species that would be found in both woodland and wetlands.

Upland mixed ash woodland

6.28 Diverse species rich woods with ash, alder, hazel, downy birch and oak. Found generally within the lower valley slopes within the Humbie river valley and upland fringes. Often in mosaics with upland birchwoods or upland oakwoods and merging into lowland mixed deciduous woodland at the lowland margins.

Upland mixed ashwood at Woodhall Dean

Upland birchwoods

6.29 Birch-dominated woods found in East Lothian on poorer quality soils of the mid-Tyne plain and cleughs of the higher land of the fringe and uplands with rowan, hazel, oak, alder, bird cherry, aspen and juniper amongst the associated species. In East Lothian silver birch is more common than downy birch, which is generally only found on wetter and more exposed sites.

Upland oakwoods

6.30 A scarce habitat contained in small areas within the eastern cleughs of the upland fringes. It has the lowest proportion of non-native species of

Upland Birchwood at Sheeppath Glen

East Lothian's native woodlands and also the highest proportion of deadwood. It is dominated by sessile oak with a few scattered ash and birch trees.

Scrub

6.31 This is an important variable woodland habitat. Scrub with clearings are often rich in wildflowers and provide cover and food for a variety of birds, mammals and invertebrates.

6.32 Montane scrub is a transitional habitat naturally found between the sparsely treed plateau tops and the wooded lower land, in limited areas in the Lammermuirs. It comprises ancient juniper and stunted and low growing trees.

6.33 Coastal scrub in East Lothian generally comprises sea buckthorn with young trees.

6.34 Areas of scrub in between the hills and coast can comprise low growing tree species of hazel, hawthorn and blackthorn growing more as shrubs than single stem trees. In urban areas naturally regenerating scrub can add some biodiversity value to vacant and derelict land.

Other Woodland and Woody Priority Habitats

6.35 The remaining East Lothian priority woodland or tree habitats are not mapped on the Potential for Native Woodland map but are still worthy of protection.

Wood pasture and parkland

6.36 Wood pasture and parkland is a distinctive woodland type characterised by open grown and usually old trees in a habitat kept open by grazing. It is classed as woodland if the canopy cover is over 20%. Individual trees, some of which may be of great size and age, are key elements of the habitat and many sites are also important historic landscapes most usually associated with designed landscapes.

Other Woodland and Woody Priority Habitats:

• Wood pasture and parkland*

• Traditional Orchards*

• Urban woodland

• Hedgerows*

• Veteran trees

• Dead wood

* = also on the Scottish Biodiversity List

6.37 Wood pasture and parkland is important for biodiversity as its open woodland cover allows varied amounts of light through. Specialised and varied habitats within wood pasture and parkland provide a home for a wide range of species, many of which occur only in these habitats, particularly insects, lichens and fungi which depend on dead and decaying wood (JNCC, 2011). Due to changing agricultural and estate management this habitat has been declining across Europe. Damage from livestock has also led to loss of trees within this habitat in places.
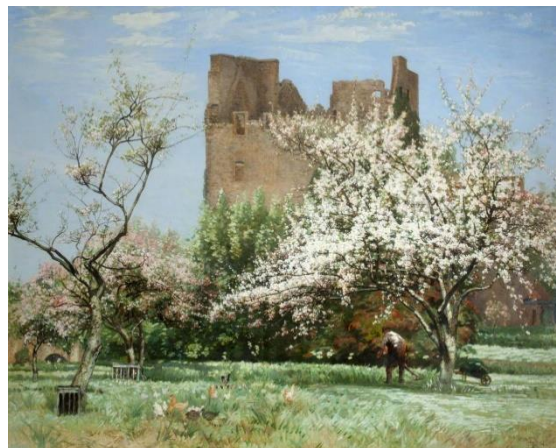
6.38 The Strategy supports restoration and maintenance of wood pasture and parkland. At the moment we have no accurate record of the current amount and condition of wood pasture and parkland. To give a baseline we will identify the remaining wood pasture and parkland as part of the East Lothian Ancient Woodland Survey.

Wood Pasture at Lennoxlove Estate

Orchards

6.39 East Lothian has a long tradition of orchards and fruit growing. Traditional orchards are plantations of mature, open-grown fruit-producing trees – mainly apple – managed in a low intensity way. Ground vegetation is generally neutral grassland but can include other grassland and bramble. Scrub, wetland vegetation, ponds and streams can also occur (JNCC, 2008).

6.40 Orchards are a UK Biodiversity Action Plan priority habitat. Over recent decades, the number of orchards has declined in East Lothian, as in Scotland in general. Some old orchard fruit trees remain in modern housing developments and links to this

An Old Castle Orchard, Longniddry by Robert Noble

heritage can be seen in many street names. There has been recent renewed interest in community fruit growing which may bring some old orchards back into use or develop new ones.

6.41 NatureScot carried out a desk-based survey of possible orchards in 2013/14 (NatureScot, 2014). This survey found East Lothian had around 80 possible orchard sites covering around 25 hectares, although these have not been mapped. As a first step towards protection, the Council will also seek the mapping of orchards as part of the East Lothian Ancient Woodland Survey.

Urban woodland

6.42 There are many trees and woodlands in our urban areas. Some settlements have larger areas of woodland such as Lochend Woods in Dunbar and the trees along the Tyne and Esk in Haddington and Musselburgh. Although some areas have a significant lack of trees. Trees range from formal planting defining the urban structure to less formal planting of trees and woodlands in our parks and open spaces, to small areas of unmanaged regenerating woodland on vacant and derelict sites.

6.43 Species tend to be of a wider range of species than surrounding rural areas due to garden and parkland planting. Fruit trees are common within gardens together with exotic species.

6.44 Trees and hedges in urban areas can be important for biodiversity and can offer greater biodiversity than surrounding arable areas in parts of East Lothian. Lines of trees and hedges can create links between habitats, allowing species to move into and though urban areas with woodlands providing pockets of habitat.

6.45 Urban woodlands, trees and hedges provide opportunities for people to be closer to nature. They help people in urban areas connect with nature, such as watching the trees change through the seasons. They also attract other species giving opportunities such as seeing butterflies and hearing bird song. This can inspire people who then act to protect biodiversity.

6.46 This Strategy supports the retention and management of existing hedgerows and trees within urban areas. It also supports increasing urban tree and hedge planting as part of the Green Network to improve biodiversity. More on trees and hedges in urban areas can be found in the Urban Tree Canopy in the Community Section.

Hedgerows

6.47 Hedges and hedgerow trees are an integral part of the character of lowland East Lothian, particularly the agricultural plain, with some distinct hedges such as the rolling beech hedges that line the roads around Humbie. Hedgerows are much more important than just field or garden dividers, they also provide habitat and habitat connectivity. Healthy hedgerows are teeming with life and vital for nature with the hedgerow network creating our largest nature reserve (CPRE, 2021).

6.48 Hedgerows in Scotland are predominantly hawthorn, with smaller amounts of blackthorn, gorse, elder, Wych elm and common oak, with native woody climbers including bramble and dog rose. Typical species of hedgerow trees include common oak, ash, Wych elm, holly and wild cherry.

6.49 Hedgerow trees are more likely to develop into ancient trees as there is less competition for light compared to in a woodland (Woodland Trust, 2014). There is no overall information available on hedgerow trees, however through casual observation their numbers appear to be reducing. Many of those that remain are old and /or ash. These trees may be removed for road safety reasons, or through collapse and death due to age or Ash Dieback disease.

6.50 Field expansion of arable land has led to the loss of many traditional hedgerows. The East Lothian Landscape Character Review (East Lothian, 2018) found the condition of those remaining to be variable from intact and well managed, to defunct and gappy, to completely derelict or replaced with post and wire fences or sometimes no upstanding boundary.

6.51 To be able to protect hedgerows as provided by Policy 1 we need to know where they are and what condition they are in. There is however an overall lack of information on East Lothian's

hedgerows, with no comprehensive data set being available. As a first step the Council intends to map all hedgerow and hedgerow tree locations, species and condition. Our intention is to also develop a Hedgerow and Hedgerow Tree Plan discussed further in 'Addressing Fragmentation' below. The Strategy also aims to protect hedgerows by working with farmers and landowners.

ACTION 9
Map locations, species and condition of all hedgerows and hedgerow trees in East Lothian

Veteran Trees and Deadwood

6.52 Veteran trees and deadwood are important habitats themselves. Some individual trees in East Lothian are over 300 years old: some as old as 500 years. These veteran trees can be seen in estate grounds and along field edges. Veterans are more than just trees. They are the habitat of a great diversity of plants, mosses, lichens, fungi, birds, mammals and invertebrates. Veteran trees tend to have a deeply fissured bark, dead wood, water-filled hollows and a wide girth. All this provides habitat for a great variety of wildlife and a great number of invertebrates. Veteran trees are scarce, and each individual is extremely valuable. They can be damaged by pruning, local disturbance, local planting or nearby tree felling. Mature trees are the veteran trees of tomorrow and need to be looked after. The Strategy supports the mapping of Veteran Trees through the Woodland Trust's Citizen Science Ancient Tree Inventory project. There is further information on this in the Cultural Heritage Section. The Council will consider protection of these such as through Tree Preservation Orders or conditions of planning consent where relevant.

Veteran sweet chestnut at Hedderwick Hill

CSGN Woodland Network

6.53 The CSGN identifies a broadleaf and yew woodland habitat network as well as grassland, wetland and bog heath habitats. Protecting these networks is important to support biodiversity connectivity across the CSGN area.

6.54 In East Lothian all this Broadleaf and Yew habitat is considered important forest habitat network as identified in the Scottish Government's Policy on Control of Woodland Removal (FCS, 2009) even where not currently a continuous woodland, as removal of any part leads to further fragmentation. There is therefore a strong presumption against the removal of this woodland habitat.

Woodland on the Native Woodland for Scotland Survey

6.55 Scottish Forestry published a survey (FCS, 2014) to map the extent, type and condition of native woodland in Scotland. This identified areas of native and nearly-native woodland and plantation on ancient woodland sites. These will continue to be protected from habitat loss and fragmentation through the planning system, applying the Control of Woodland Removal policy (FCS, 2009) and Local Development Plan policy (ELC, 2018(1)).

Improve woodland biodiversity

6.56 There are no truly wildwoods in the UK anymore. Human interaction has had a long term and important influence on how the biodiversity of our woodlands has developed. This started at local scale, with coppicing, allowing light into the woodlands and development of diverse ground flora. However more recent forestry planting initially to provide for boat building and to fuel the industrial revolution has been less sensitive to native woodlands and their biodiversity.

6.57 In recent years interest has grown in 'rewilding'. The idea is that nature is given more space, in a connected network of habitats, allowing lost wildlife to return and bringing greater diversity. In Scotland rewilding is generally seen as involving an expanded wild forest network connected by wildlife corridors.

6.58 Returning woodland to its original form would require more than just stopping human intervention in the landscape, with which it has coevolved over millennia. Historical management including the introduction of drainage has led to a change in the seedbank. There is also overgrazing by herbivores. This means that the land would not revert naturally to its original scrubby wet woodland form. However the aim of the Strategy is to encourage development of more natural woodland within East Lothian which could include "rewilding" in some places.

Managing Woodland for Biodiversity

6.59 Many of East Lothian's woodlands have lacked management or have been managed in a way unsympathetic to wider biodiversity aims. Woodland biodiversity can be improved by active management.

6.60 The Strategy supports management measures that improve woodland biodiversity including:

- Coppicing, which can increase the range of fungi, plants and animals
- Creation of canopy gaps
- Mixed aged stands to increase structural diversity
- Over mature trees, and standing and fallen deadwood
- Space for regeneration
- Woodland edge management

6.61 There is funding available for management of woodland for biodiversity. This currently includes the [Sustainable Management of Forests (SMF) Native Woodlands grant](#) and the [Habitats and Species Woodland Improvement Grant (WIG)](#) to help encourage natural regeneration which will benefit priority habitats.

6.62 Sustainable forest management is designed to retain woodland structure and biodiversity. However, poorly executed works, particularly during tree felling and ground cultivation works can also impact negatively on woodland biodiversity. Good forest practice must be followed to prevent this.

Restructuring Plantation on Ancient Woodland Sites

6.63 Many ancient woodland sites (both semi-natural and of long-established plantation origin) have since been planted with coniferous crops. The process of restructuring these woodlands following harvesting provides an important opportunity to re-establish a functioning native woodland ecosystem on ancient woodland sites where key woodland species or fragments of the ancient woodland survive.

6.64 Removal of the plantation species and/or removal of grazing or cultivation will enable the dormant ground flora to regrow from the original ancient woodland seedbank, restoring the original character and species composition of the woodland through careful management and stewardship.

6.65 We have identified 1172 hectares of coniferous plantation on ancient woodland sites, of both semi-natural and plantation origin, as ELC PAWS on the Potential for Native Woodland [mapping](#). Where conifers are planted on ancient woodland sites this Strategy supports reversion to native woodland. There is [grant funding](#) available to help facilitate this.

> **TARGET 3E Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) by restoring 30% of coniferous plantation on ancient woodland sites to native woodland**

> ACTION 10
> Promote the restoration to native woodland of Plantation on Ancient Woodland Sites (PAWS)

Natural Regeneration and Seed Sourcing

6.66 East Lothian's Green Network Strategy supports the use of native and locally sourced species in planting schemes, using local seed or stock. Natural regeneration is the ideal, as this allows the local seed to grow to suit local conditions, helping maintain the resilience of local woodland and distinctiveness of the different woodland types present in East Lothian. Where this is possible this is the preferred option supported by this Strategy. However, allowing natural regeneration in areas which have been used for plantation can allow trees not native to East Lothian to re-establish. Removal of these non-native species will be an ongoing process as these seeds will still be present in the soil. Even naturally regenerating woodlands therefore need to be managed to ensure diverse species development.

6.67 To enable successful natural regeneration will require management of the roe deer population. This is discussed in Invasive Species Management below.

6.68 Natural regeneration is not an option for areas of new woodland or restructuring of coniferous woods unless on ancient woodland sites. In these situations, trees planted should ideally be grown

from seed sourced from local native woods. The Strategy supports the development of a local seed bank to provide seed for this. Alba Trees are actively growing locally sourced seeds. This autumn they have gathered seed from trees on East Lothian land and are giving 10% of the stock grown back to the council. We encourage everyone to collect fallen tree seeds from the ground when out and about. These can be grown on as seedlings to supply to local tree planting projects.

6.69 Where local seed is not available then stock should be locally grown from seed sourced from southeast Scotland native seed zones 203 or 204 in line with Scottish Forestry's Scottish native seed sources guidance (FCS, 2006). This enables retention of local genetic diversity.

> **POLICY 9 Seed and Tree Stock Sourcing**
>
> When planning new or managing existing woodland, source material should be obtained in the following ways, in order of preference:
>
> i. Natural regeneration from seed stock within the soil
>
> ii. Trees grown in the UK from:
> - Seeds or cuttings sourced from nearby woodland
> - Seeds or cuttings from trees in Zones 203 – 204
>
> iii. Trees grown in the UK from seeds or cuttings from elsewhere

ACTION 33
Coordinate local seed collection and tree growing projects and identification of sites for planting

Addressing fragmentation

6.70 "Connectivity is a measure of the relative ease with which typical species can move through the landscape between patches of habitat" (JNCC, 2019). Historical scrub and woodland removal as a consequence of development and agricultural intensification has resulted in significant fragmentation and loss of lowland native woodland, leading to a lack of connectivity. The same is true for hedges and hedgerow trees. The largest areas of native woodland remaining in East Lothian are within the riparian zones and cleughs.

> **POLICY 10 Addressing fragmentation**
>
> Woodland and hedgerow creation that improves native woodland connectivity is encouraged, in particular where it:
>
> - supports the CSGN woodland habitat network;
> - is within the riparian area or connects river catchments;
> - creates coastal mosaic; or
> - supports species migration for climate change as shown on the Potential for Native Woodland Map.
>
> Where woodland removal severs existing woodland connections, mitigation should include replacement of any functional connectivity that it provided. Mitigation could include a woodland or hedgerow connecting across or around the site to the remaining woodland.
>
> Land managers and developers are encouraged to work together to form woodland connections.
>
> Avoidance of the potential for introduction or spread of disease or Invasive Non-Native Species (INNS) should be considered at project level.

6.71 Improving connectivity of woodland increases resilience of woodland through greater genetic diversity of trees and generally supports more robust populations of woodland species, also allowing them to respond to climate change by migration.

6.72 In general connectivity is positive, though there are some situations where it is not, including where it would allow invasive non-native species to spread.

6.73 Reducing fragmentation will require an increase in native woodland, which currently extends to 1423 hectares. Target 3A aims to double the area of native woodland within East Lothian. To achieve this, three quarters of the East Lothian Climate Forest would require to be native woodland. Ideally, this new woodland should be sited where it will have most benefit for connectivity as shown on the Potential for Native Woodland Map. The woodland networks need to be considered beyond the boundaries of East Lothian, and the Council will work with others to form a wider connected woodland network across property and administrative boundaries to create woodland in the most useful places. This is a long-term vision and making of such connections may well not be achieved for decades.

> **TARGET 3A Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) including by doubling the area of native woodland (1423 ha new native woodland)**

> **TARGET 3B Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) including by improving connectivity of the CSGN broadleaf and yew habitat network by woodland creation as opportunities arise focussing on the primary and secondary CSGN opportunity**

> **ACTION 11**
> Create and expand native woodlands where there are suitable opportunities, in particular where this will have most benefit for connectivity.

> **ACTION 12**
> The Council will work with others including neighbouring authorities to identify the best areas for connectivity of woodland habitat networks.

Riparian areas

6.74 Riparian corridors offer significant opportunities for native woodland habitat expansion. Expansion of riparian woodland along the Tyne in particular would help connect east to west from Belhaven to Midlothian. Other rivers offer potential for strengthening connections both north/south and east/west. Projects must consider the value of other habitat, and where relevant should take into account the recreational value of the riparian zone. The Scottish Wildlife Trust's Riverwoods project encourages and supports expansion of riparian woodlands and may provide funding for this.

Cleughs

6.75 Some of our most natural woodland is found within the Lammermuir cleughs. However, not all are wooded. There is potential for expansion of native woodland, particularly upland oak woodland, within the cleughs. Elm and hazel is suitable on lower slopes, transitioning to oak on the upper more

freely draining slopes and scrubby planting on the plateau tops, potentially connecting across to Scottish Borders Council area. NatureScot have carried out modelling on the potential for native woodland in upland areas (SNH, 2004). This shows that there is potential in the Lammermuirs for upland oak and birch, lowland mixed broadleaf as well as mosaic habitat as indicated on the Potential for Native Woodland map in (see figure 25).

Coastal Mosaic

6.76 East Lothian's coasts support a wide range of habitat including saltmarsh, dunes, cliffs, and coastal grasslands as well as woodland. This is an important area for biodiversity and also for recreation and landscape. Sufficient open grassland habitat must be maintained here to support the birds of the SPA. Woodland creation here should therefore strengthen the existing mosaic of coastal habitats by integrating with non-woodland habitats as well as considering the needs of the birds of the SPA and other coastal species.

6.77 Woodland types appropriate in this area include scrub to the coastal edges. Along the deans extending to the coastal margins lowland mixed deciduous woodland, wet woodland or upland oak may be appropriate depending on the local ground conditions and surrounding woodland types.

> **ACTION 14**
> Create and retain a balanced coastal mosaic habitat including reverting plantation woodland to more natural coastal habitat should the opportunity arise, subject to public engagement

Hedgerows and Hedgerow Trees

6.78 Hedgerows are the main form of field enclosure within the lowlands of East Lothian. They can provide habitat connectivity in areas unsuitable for woodland, including urban areas, and therefore have the potential to create landscape scale

> "Just as our capillaries branch and penetrate the body to supply all cells with food and oxygen, the UK's hedgerow network must remain healthy in order to branch and spread deep across our countryside and supply every village, town, city and rural area with the ecosystem services they need" CPRE, 2021

connectivity. Many UK priority species are associated with hedgerows including the hedgehog, whose decline has been linked with hedgerow loss (CPRE, 2021). Increasing the hedgerow network will help in the recovery of these species. The East Lothian Biodiversity Action Plan therefore seeks improved habitat connectivity through hedgerows within farmland. Introducing hedgerow trees further increases the biodiversity of the hedge.

6.79 This Strategy supports the retention and management of existing hedgerows, reinstatement of moribund or missing hedging and hedgerow trees, and the creation of new hedgerows with hedgerow

> **TARGET 3C Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG (Nature Network Green Network Task 1 Woodland) including by mapping East Lothian's hedgerows and increase the total length by 10%**

> **ACTION 13**
> Develop a Hedgerow Plan for retention, replacement, increase and management of hedgerows and hedgerow trees

trees. We aim to develop a Hedgerow Plan to coordinate this. The first step will be to map our existing hedgerows and their condition.

6.80 The Woodland Trust offers funding for new hedges with hedgerow trees to create habitat links. The Scottish Government offers funding through the Scottish Rural Development Fund for creating, restoring and managing hedgerows.

6.81 Hedgerows need management and this should be planned for from the start when new hedgerows are created. NatureScot have advice on the management of hedgerows for biodiversity. The potential impact on agricultural productivity of both hedges and the mature size of hedgerow trees should also be considered at the planning stage. New planning of hedgerows and hedgerow trees must also consider any road safety implications.

Invasive species management

6.82 Invasive species can be both native and non-native. Not all non-native species cause difficulties, and some have naturalised and now form an important part of our landscape and ecosystems. This includes commonly seen tree species such as sycamore. However, some non-native species can outcompete native species or cause other problems[4]. Some native species are also out of balance and require to be managed for the good functioning of woodland ecosystems. Scotland's Biodiversity Strategy (Scottish Government, 2023 (B)) notes that woodland biodiversity faces challenges from red and roe deer numbers and ranges, and invasive non-native species (INNS), specifically rhododendron.

6.83 The Strategy aims to expand woodland and increase connectivity of woodland habitat through the landscape. This will lead to easier and greater dispersal of species. Although generally a good thing for biodiversity, care is needed to minimise the risk of spread of invasive species.

6.84 Removal of non-native invasive species is the responsibility of the landowner. However it is advantageous to work together to manage these. The Council will seek opportunities to work with others to help removal of these. Funding may also be available from SEPA and NatureScot to assist with this. Grants for woodland creation are conditional on meeting UK Forestry Standard requirements, and forest

> Advice on treatment and disposal of invasive species is available from the Non-Native Species code of Practice (Scottish Government, 2012).

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[4] Such as Japanese Knotweed, which can cause structural issues for buildings

management plans are recommended to make clear how invasive species will be managed. Information on INNS and their management can be found on NatureScot's website.

6.85 It is an offence under the Wildlife and Natural Environment (Scotland) Act 2011 to plant or release non-native trees and plants into the 'wild' outside their native range. There are exemptions for many common tree species. The list together with advice on woodland creation to manage invasive species is available from Scottish Forestry (FCS, 2015). NatureScot note that planting of non-native species should have a buffer of at least 100m from designated woodland SSSIs and ancient native woodland of semi-natural origin to prevent seeding of non-native species into these sites.

POLICY 11 Invasive Species
Management of Invasive Species in line with National Policies is supported.

Deer

6.86 Deer cause problems for establishment of new woodland through browsing on new growth, affecting both planted trees and natural regeneration. They also eat some woodland ground flora and coppice regrowth. Increasing availability of woodland cover and habitat connectivity will also increase problems of human/deer interaction such as road accidents, Lyme disease and other tick-borne illness, crop and garden damage.

6.87 Roe deer are the only native deer found wild in East Lothian. Fallow and sika have also established here. All wild deer species risk becoming overabundant as their natural predators such as wolves, bears and lynx have been eliminated.

Roe Deer (c) Duncan Priddle, East Lothian Ranger Service

6.88 As roe deer are native to East Lothian eradication is not a suitable aim. However the population should ideally be kept at a suitable level to protect trees from browsing and support sustainable forest management. NatureScot advise that Woodland Habitat Impact Assessments (WHIA) are best conducted to monitor the condition of a woodland. Where WHIA are failing, then deer culling will reduce the impacts of deer, resulting in regeneration of the woodland.

6.89 Deer can be kept of out specific areas by fencing. This however just moves the deer onto neighbouring land and does not manage their numbers. Fencing can also be expensive, and negatively impact our access rights, landscape and biodiversity. In particular fences can be dangerous to low flying birds, such as Black Grouse. Guidance on avoiding bird strike should be followed if using fencing and appropriate provision made for access rights.

6.90 Deer can only legally be culled by shooting them and this should be done following best practice and complying with the Deer Act Scotland 1996 (NatureScot, 2012). Deer control can be controversial but is necessary for the safety of the Scottish Public, for the welfare of the deer species, for the protection of the environment, for tackling Climate change and reversing biodiversity loss. Deer control, if incorrectly carried out, can be dangerous in areas which are well populated and popular for recreation. Therefore, Best Practice is available which mitigates against all dangers; NatureScot has a

list of fit and component stalkers who already shoot deer in East Lothian. These stalkers are trained to the very highest level and are extremely efficient and discrete. As such, deer management has and continues to occur within East Lothian, and yet the public are not placed in danger.

POLICY 12 Deer management

Land managers are encouraged to work together and with NatureScot to maintain deer numbers at a level that allows for native woodland and shrub regeneration.

Where deer fencing is used it should:

- minimise landscape and biodiversity impact
- be removed once trees are sufficiently well established

Compensatory deer culls should be carried out when erecting a new fence as fencing alone will not maintain or control deer numbers.
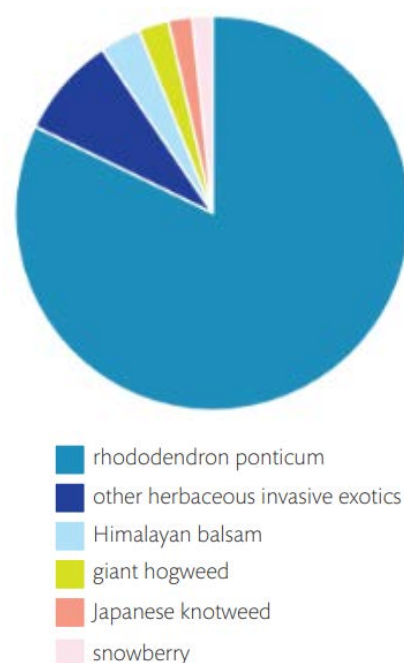

Rhododendron

6.91 Rhododendron is a threat to trees, woodland, and the countryside generally, with potential for biodiversity loss and economic damage. This is partly due to the plant out competing native understorey, but it also spreads pathogens, in particular the fungus Phytophthora which is a major threat to larch. Rhododendron is a major cause of native woodland in SSSIs being in unfavourable condition and was the main problem invasive plant found in the Native Woodland for Scotland Survey, East Lothian as shown in figure 12.

6.92 Effective removal of rhododendron is difficult and requires coordination, long-term effort and monitoring. Scottish Forestry have advice on rhododendron management. (FCS, 2017) This Strategy supports rhododendron removal as part of a coordinated approach.

Sea Buckthorn

6.93 Sea buckthorn is a native woody scrub species that was planted at the coast, in particular at Gullane, to stabilise the dunes. It spreads quickly, and although it can look dramatic in autumn with its bright orange berries, once established it can adversely affect grassland and dune habitats. The Council is

- rhododendron ponticum
- other herbaceous invasive exotics
- Himalayan balsam
- giant hogweed
- Japanese knotweed
- snowberry

Figure 12 Proportion of recorded invasive non-native shrub and field layer species in native woods (FCS, 2014)

working to restore natural dune grassland habitat by removal of sea buckthorn, with small areas of retention at Gullane and Aberlady for birdlife. Although removal of sea buckthorn and related successional tree growth can appear to go against our aim of increasing woodland cover, this is needed in places to conserve coastal habitats. The Council will therefore continue to manage this plant to conserve coastal habitat in accordance with SSSI site management statements and landowner management agreements.

Rangers managing invasive sea buckthorn at Yellowcraig, near Dirleton

Protection of non-woodland habitat and species

6.94 An expansion of woodland should not come at the expense of protected or valued non-woodland habitat or species.

European Protected sites

6.95 There are three European sites partly within East Lothian, the Firth of Forth Special Protection Area, the Outer Firth of Forth and St Andrews Bay Complex and Forth Islands Special Protection Area. There are other European Sites nearby which have ecological linkages with East Lothian. Protecting the interest of these sites is not only important for biodiversity internationally, it is also a legislative requirement (see Policy 13).

POLICY 13 Protection of European Sites

Proposals that are likely to have a significant effect on a European Site must undergo assessment under The Conservation (Natural Habitats, &c.) Regulations 1994 ('Habitats Regulations'). Sufficient information must be provided to allow the relevant authority to carry out this assessment, or failing which, provide sufficient funding to enable the authority to obtain this information. Where an adverse impact on the integrity of such a site is found, the proposal can only go ahead where:

a) there are imperative reasons of over-riding public interest and there are no alternative solutions; and

b) compensatory measures are provided to ensure that the overall coherence of the European Site network is protected.

6.96 Birds which are the qualifying interest of these sites (and others) use inland areas of East Lothian for foraging and roosting. Woodland creation in some areas could potentially affect these birds , either from direct habitat loss, or loss of openness so they are nervous they may not see predators. This is most likely to be an issue for woodland creation proposals on open farmland sites near the coast and within a wedge roughly between Aberlady, Drem and North Berwick.

6.97 Silt and accidental spillage of pollutants can adversely affect water quality, which can affect the qualifying interests of European Sites. Some areas of uplands drain into the River Tweed SAC. The qualifying interests of this site, including altlantic salmon, water crowfoot and otter, all depend on good water quality. Accidental spillage of pollutants reaching the water environment could also potentially affect birds which are qualifying interests of the Firth of Forth or even potentially other SPAs. Proposals for tree planting or other works would need to take this into account.

6.98 Advice can be sought from East Lothian Council's Sport, Countryside and Leisure Service or NatureScot.

Protection of designated sites, protected species and CSGN habitat networks

6.99 The interests of designated sites, protected species and priority habitats should be taken into account in any woodland planting proposals to ensure their interest is protected. This includes impacts from proposals outwith the designated sites or priority habitat themselves.

POLICY 14 Protection of the natural environment

Woodland management, expansion, creation, removal or restructuring should:

- enhance and not harm the interest of designated sites including Sites of Special Scientific Interests, Geological Conservation Review sites, Local Biodiversity or Geodiversity Sites, Local Nature Reserves
- avoid harm to protected species including through location of proposals and timing of works
- respect the CSGN wetland, grassland and heathland habitat networks and East Lothian priority habitats.

SSSI

6.100 Many of the SSSIs in East Lothian have been designated for habitat other than woodland, or for their geological interest. Each SSSI has a list of 'Operations Requiring Consent' for which approval must be obtained from NatureScot. In some of East Lothian's SSSIs, woodland management requires consent, such as at Bangley Quarry and Danskine Loch. Other SSSIs, such as the Firth of Forth SSSI, include prohibiting the introduction of a plant or seed. NatureScot note that planting of non-native species should have a buffer of at least 100m from designated woodland SSSIs to prevent seeding of non-native species into the protected sites.

Geological Conservation Review Sites

6.101 Geological Conservation Review sites are of national and international scientific importance to show all the key scientific elements of the Earth heritage of Britain with the intention of designating them as SSSIs. Information on the importance of each can be found on the [Joint Nature Conservation Committee website](). East Lothian Council recognises these sites through [Local Development Plan]() policy and supports their protection. [Guidance]() by NatureScot (2022) on forestry and woodland planning in relation to Geological Conservation Review sites, also relevant for Local Geodiversity Sites, should be followed.

Local Nature Conservation Sites

6.102 Local Nature Conservation Sites, consisting of Local Biodiversity Sites and Local Geodiversity Sites were designated in the [Local Development Plan]() (ELC,2018(1)). Further information on these

can be found in the Green Network Strategy Supplementary Planning Guidance (ELC, 2018(3)). Our Local Biodiversity Sites were identified as a network with the aim of protecting locally and regionally important biodiversity, and supporting the biodiversity value of SSSIs. Our Local Geodiversity Sites were identified with support from the British Geological Survey.

Local Nature Reserves / Country Parks

6.103 Both Local Nature Reserves and Country Parks have a biodiversity as well as a recreational interest. East Lothian has one Local Nature Reserve, at Aberlady, and one Country Park, John Muir Country Park, by Dunbar.

East Lothian Priority Habitat

6.104 East Lothian Priority Habitat was identified through the East Lothian Local Biodiversity Action Plan process. These areas are important for conserving biodiversity across different habitat types. Tree planting could adversely affect some of these habitats.

Central Scotland Green Network (CSGN) Habitat Networks

6.105 The mapping in figure 13 shows woodland, wetland, grassland and bog heath habitat as mapped by the CSGN. There is potential to expand and connect these habitats. Primary and secondary opportunities for expansion have been identified using disperal zones and mapped by NatureScot for the CSGN. The impact on the other habitats and potential connections as a network should be considered when looking at sites for woodland.
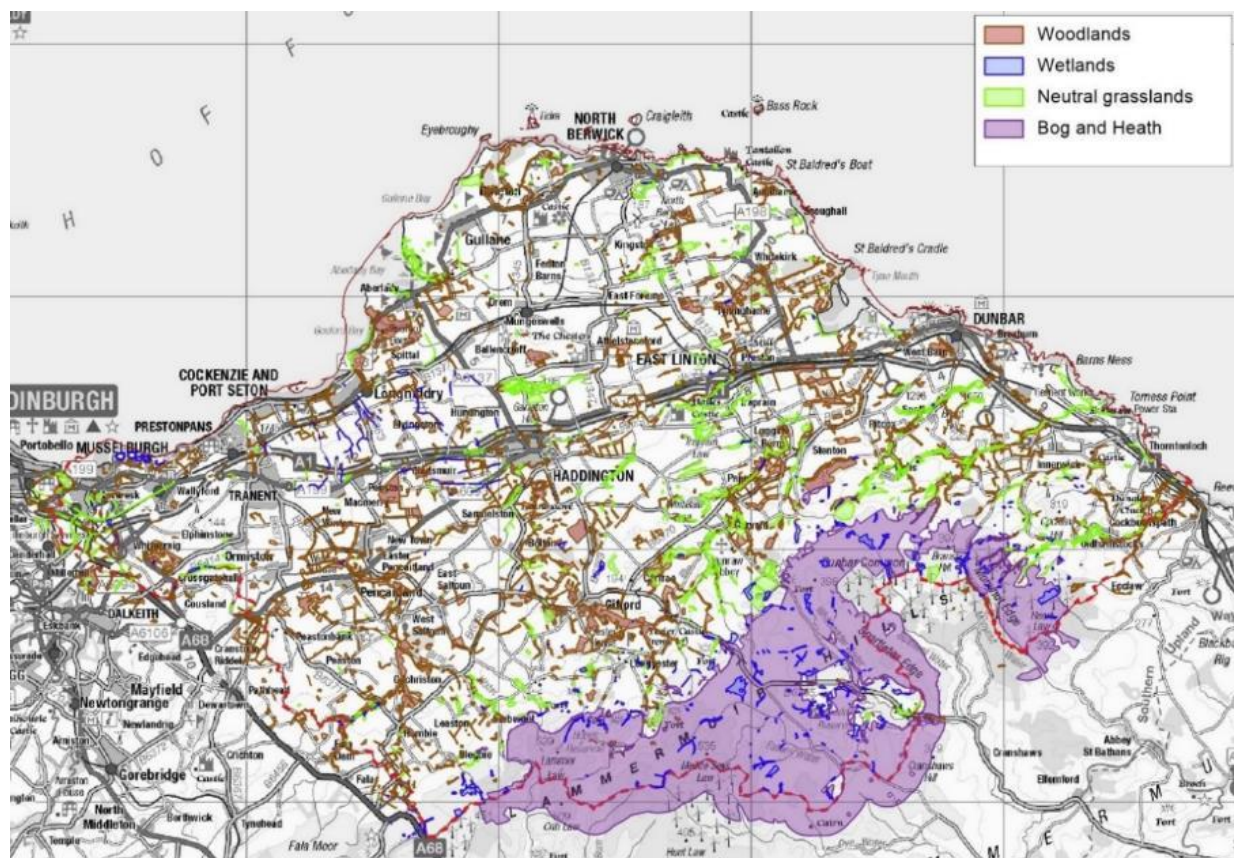

Figure 13 CSGN Habitats

Peatland

6.106 Peatland is a priority habitat and also has significant potential for carbon sequestration. [Scotland's third Land Use Strategy](#) (Scottish Government, 2021) notes that as Scotland moves towards being a net zero economy there will need to be significant land use change from current uses to both forestry and peatland restoration. The UK Forestry Standard contains a presumption against woodland creation on peatland. It also requires avoidance of woodland creation on sites that would compromise the hydrology of adjacent bog or wetland habitats. The Scottish Government's Climate Change Action Plan's targets for the restoration of peatland are currently not being met[5]. NPF4 seeks to "protect carbon rich soils, restore peatlands and minimise disturbance to soils from development".

6.107 Where there is peatland or areas that could be restored to peatland this Strategy therefore generally supports peatland retention, creation and restoration over woodland creation. There may however be some small areas where creation of juniper scrub or scattered birch would be acceptable where this can be integrated with retention or restoration of peatland.

> **POLICY 15 Peatland** In areas of existing peat or land suitable for peatland creation or restoration, this is supported over woodland creation.

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[5] See Climate Change Committee's 2022 Report to Parliament "Progress in Reducing Emissions in Scotland" https://www.theccc.org.uk/wp-content/uploads/2022/12/Progress-in-reducing-emissions-in-Scotland-2022-Report-to-Parliament.pdf

7. Community

AIM: maximise the benefits for all people of trees and woodlands for recreation, health, wellbeing and community including through placemaking

7.1 Trees can have a positive impact on health, wellbeing and overall quality of life. This can come from visiting a woodland or even just seeing a tree through a window. Feedback from public consultation showed concern from both adults and children about the climate and nature crises. Trees and woodlands were seen as important to address this.

7.2 Woodlands provide opportunities for access to nature, play and physical activity. They can absorb large numbers of visitors without feeling overcrowded. The Land Reform (Scotland) Act 2003 gives a right of non-motorised access to most of the countryside in Scotland, as well as giving communities the option to buy land. This gives greater opportunity both for visiting woodland and involvement in managing woodland through ownership.

NPF4 Policy 20 Blue and Green Infrastructure
Policy Principles
Policy Intent:
To protect and enhance blue and green infrastructure and their networks.

Policy Outcomes:
• Blue and green infrastructure are an integral part of early design and development processes; are designed to deliver multiple functions including climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management.
• Communities benefit from accessible, high quality blue, green and civic spaces.

7.3 Trees within urban areas, particularly those close to residential areas, can provide benefits for everyone, and provide health benefits for the elderly, children, people with mental health issues, and for people living in deprived communities (O'Brien et

"Everybody needs beauty as well as bread, places to play in… where nature may heal and give strength to body and soul alike" John Muir

al, 2010). 'Walkability' of urban woodland is especially important for the elderly and children. The diagram in figure 14 shows the benefits to health of trees in urban areas. The consultation found that trees within local small open spaces and along regularly used pathways, such as routes to school, are important for a sense of wellbeing and appreciation of nature as well as for play value to children.

7.4 There are potentially some adverse health effects that could result from increased numbers of trees particularly in urban areas. This includes increased pollen levels (affecting those with hay fever) and risk of spread of animal and insect borne illness (mainly from ticks). There is information on the [NHS Inform website](#) on how to prevent tick bites and what to do if you get bitten.

Figure 14 Benefits of trees for health in urban areas, Trees and Design Action Group

Improving access to woodland

7.5 Woodland is the second most popular destination for visitors to the outdoors nationally, after local parks and open space (NatureScot, 2019 (A)), making up just over a fifth of all outdoor visits in Scotland. Research (FR, 2023) found that almost 80% of adults had visited a woodland in the previous 12 months. One of the main reasons respondents gave for not visiting was that woodlands were too far from where they lived. The Woodland Trust (2017) also found that the closer woodlands are to where people live the more likely they are to use them. Target 4B of the Strategy aims to improve accessible woodland close to communities.

> **Target 4B Increase access to trees and woodland for all by improving and increasing access to woodlands to meet the Woodland Trust's Accessible Woodland Standard so that 99% of properties meet at least one of the Standards (currently 96%) and increase the number of properties with access to a 2ha wood within 500m from 67% to 80%.**

Woodland Trust Access Standard

7.6 The Woodland Trust have produced a standard for access to woodland (Woodland Trust, 2017). It states:

> • No person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size; and
> • There should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes.

7.7 This standard is a good starting point for examining access to woodland. The land reform act in Scotland gives the public access to all woodlands we have therefore considered all woodlands to be potentially accessible.

7.8 We have mapped woodlands of over 2 hectares and those over 20 hectares and whether these meet the Woodland Trust's woodland access standard. The map in figure 15 shows the woodlands over 2 ha and over 20 ha. The map in figure 17 shows the distribution of properties which do not have access within 500 m and 4 km of woodlands of 2 ha and 20 ha respectively, as well as those where the standards are met. More information on how we mapped woodland and people's homes can be found in Appendix C.
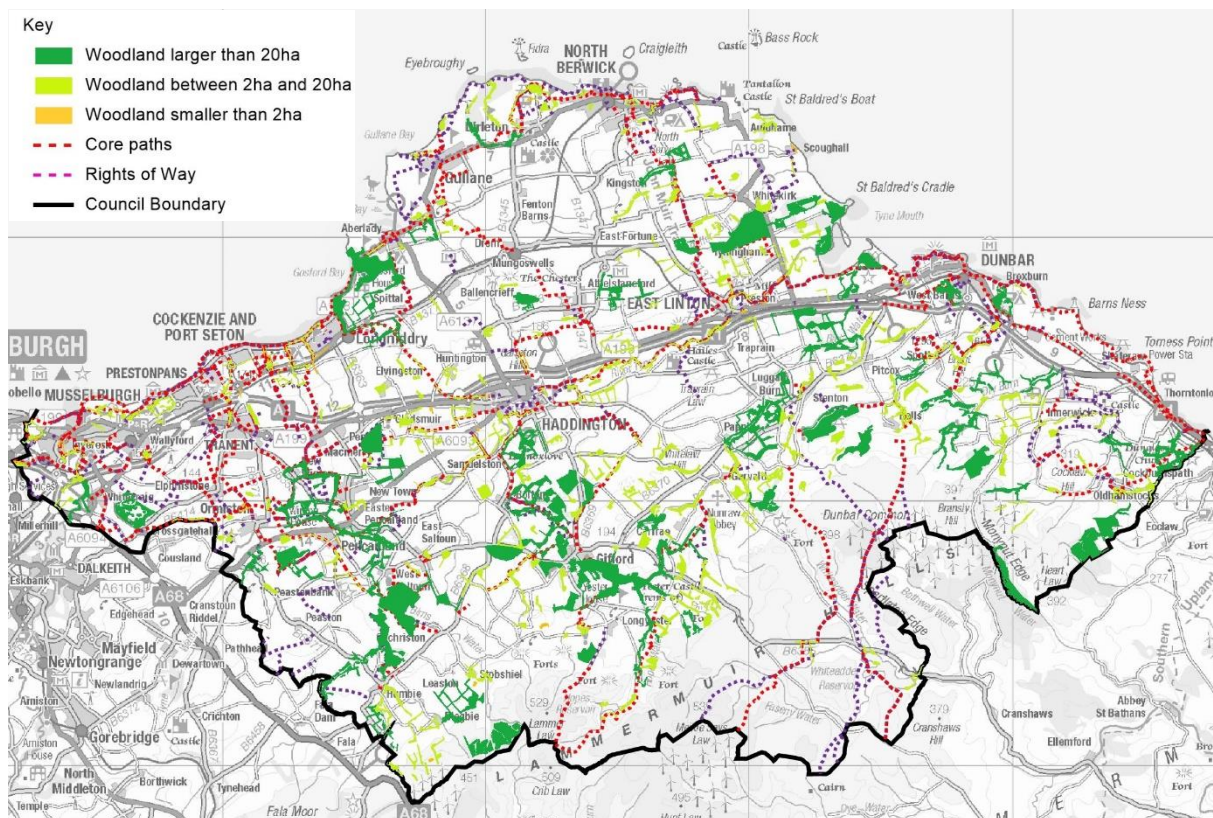

Figure 15 Woodland Map

7.9 The graph in figure 16 shows that over 90% of properties have access to a woodland of over 20ha within 4km. Although this is lower for the most deprived 30% of properties at 80%.

7.10 There is little difference between the lowest and highest SIMD areas access to woodlands of over 2ha within 500m at around 68%. Although for properties meeting neither part of the standard this is three times higher for the lowest most deprived 30% of properties at over 9%.
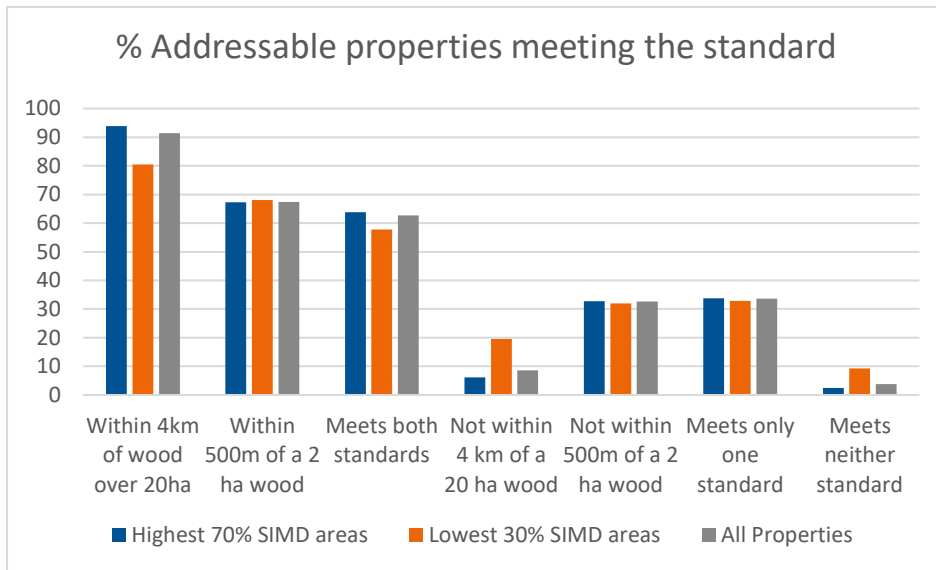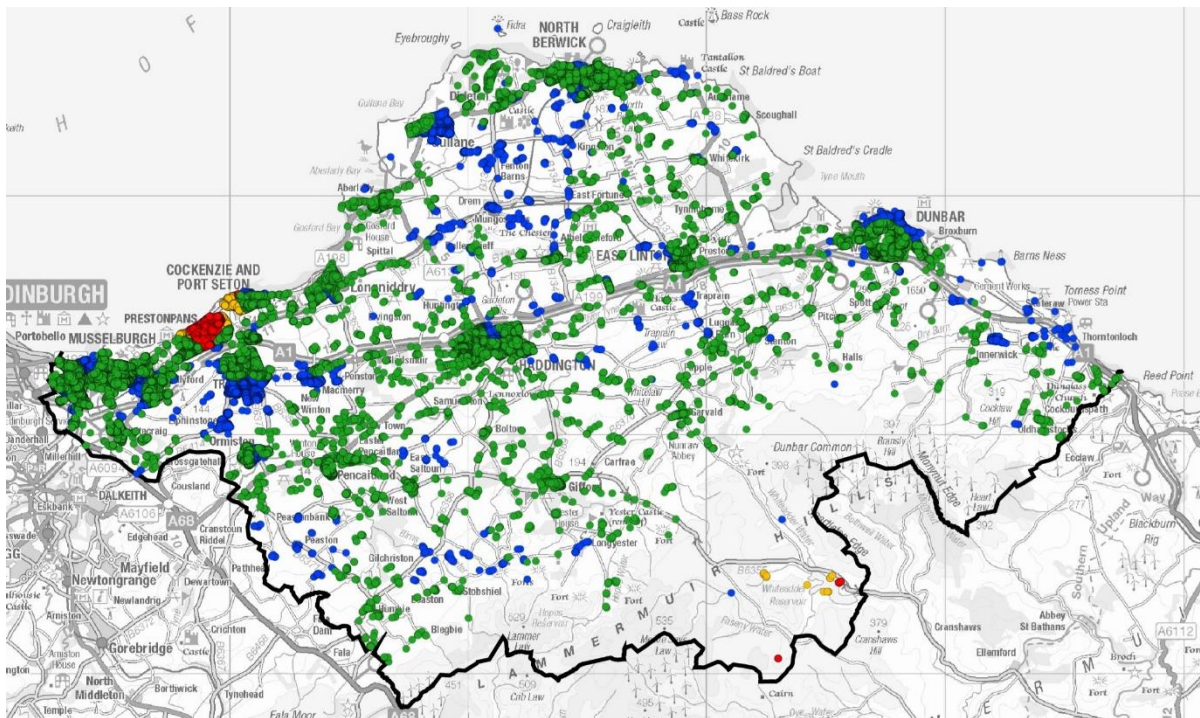

Figure 17 Percentage of addressable properties that currently meet the Woodland Trust's Woodland Access Standard

Key to Woodland Access

- Properties not within 500m of a woodland over 2ha nor within 4km of a woodland over 20ha
- Properties not within 4km of a woodland larger than 20ha
- Properties within 500m of a woodland over 2ha and within 4km of a woodland over 20ha
- Properties not within 500m of a woodland larger than 2ha

Figure 16 Map showing properties current access to woodland larger than 2ha and woodland larger than 20ha

7.11 Prestonpans/Cockenzie is one of the main areas where neither part of the standard is met for many properties. Parts of Prestonpans are also within a lower SIMD area, and in addition the town as whole has low tree canopy cover, so this is particularly concerning.

Key to Woodland Access

- Properties not within 500m of a woodland over 2ha nor within 4km of a woodland over 20ha
- Properties not within 4km of a woodland larger than 20ha
- Properties within 500m of a woodland over 2ha and within 4km of a woodland over 20ha
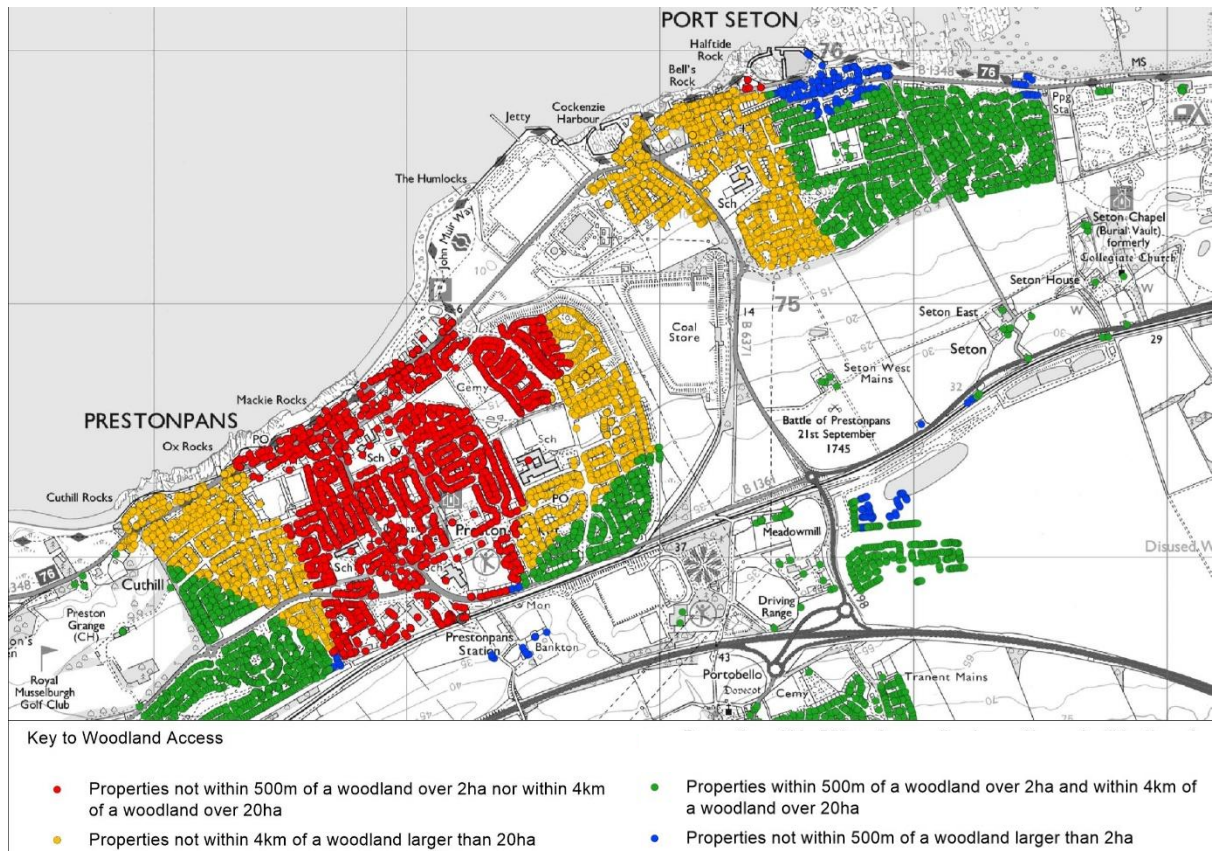- Properties not within 500m of a woodland larger than 2ha

Figure 18 Map showing properties in Prestonpans and Cockenzie Port Seton current access to woodland larger than 2ha and woodland larger than 20ha

7.12 There are challenges for increasing woodland in this area. Prestonpans/Cockenzie area has a dense urban form and is bounded to the north by the sea. Implementation of Target 7A to improve landscapes through woodland creation by structural planting in the Cockenzie/Blindwells area could help address this.

7.13 There are many properties where the standard of being within 500m of a woodland of over 2ha is not met across East Lothian. Significant urban areas include Fisherrow and the Pinkie Braes areas of Musselburgh; the south of Tranent; the Barbachlaw area of Wallyford, Elphinstone, Macmerry, central Ormiston and north central Haddington. Most of these areas also have generally lower percentages of canopy coverage (excepting Ormiston), and some are more deprived areas in the SIMD. Improved access to a 2 ha woodland within 500m would therefore be especially beneficial here.

7.14 There are parts of Gullane, North Berwick and Dunbar that are also shown as not meeting the 2ha woodland within 500m standard. However these settlements have access to the coast. Although this is clearly not woodland it does also offer an alternative natural outdoor experience.

7.15 In more rural parts, there are properties across much of the agricultural plain shown as not meeting the 2ha standard. Although much of this is prime agricultural land there may be small scale opportunities for increasing access to smaller woodland.

7.16 The above shows where creation of new woodland or increasing the size of existing woodlands would benefit communities. In addition to this, work has been carried out nationally (Tree Equity Score UK, 2024) to identify where there are disparities in urban tree distribution and where planting trees can bring most benefit. These should be used together with the Tree Canopy information below to focus tree planting within our communities.

7.17 Funding is available from Scottish Forestry through the Forestry Grant Scheme, and potentially other rural payments, for woodland creation. Areas for possible expansion of woodlands under 2 hectares are shown in the Urban Tree and Woodland Opportunities Map in the Spatial Guidance section and detailed maps in Appendix A.

> ### ACTION 15
> Work with landowners and Scottish Forestry to investigate opportunities for creating woodland where required to meet the Woodland Trust's Accessible Woodland Standard

7.18 Not all existing woodland is easy to access. The assessment above may therefore overestimate communities' access to woodland. This could be improved by management of neglected woods and encouraging public access to woodlands. On prime agricultural land, in particular, the Strategy supports this before creation of new woodland.

7.19 Although access rights apply to almost all woodland in East Lothian, not all woodland owners encourage recreational users. The Strategy seeks to increase the number of woodlands where responsible access is encouraged, particularly close to settlements and where woodland can be reached by sustainable transport modes. We therefore encourage woodland owners to consider increasing the accessibility of their woodland, where the woodland is ecologically robust and otherwise suitable for increased access. We respect however that not all owners will wish to do this.

7.20 The Scottish Forestry 'Woods In and Around Towns' (WIAT) programme provides funding to bring neglected woodlands in and close to urban areas into positive management to support people in using and enjoying woodlands. These woods must have free and unhindered public access. The grants can provide funding for operations that will contribute to the sustainable management of urban woodlands as well as provide a range of public benefits. This can improve accessibility by providing paths and way finding.

7.21 Woodlands within the WIAT programme are defined as those within one kilometre of settlements with a population of over 2000 people. To qualify for funding, at least half of the woodland must be within the Woods In and Around Towns area and be a minimum of 0.5 ha in size. The areas where WIG WIAT funding could apply can be found of Scottish Forestry's website and are overlaid on the Urban Tree and Woodland Opportunities Map in the Spatial Guidance section (and detailed maps in Appendix A).

Sustainable transport

7.22 Nationally almost all visits to less local countryside sites including woodlands are made by car (NatureScot, 2018). Although the Strategy supports increased access to woodland, increased car travel is not a desired outcome. An increase in locally accessible woodland should reduce the need for car travel to woodlands.

7.23 Accessibility of woodland by active and sustainable travel options should be maximised, such as access via a core path, or by considering bus routes. There are many core paths within East Lothian and a number of these already pass by and through woodlands. These are shown on the Woodland map in figure 15. Where there is potential for an active travel route between destinations to be formed *through* a woodland, this should also be considered when designing the woodland.

7.24 Opportunities for tree planting and enhancing green networks alongside paths and active travel routes are being explored by the CSGN. Creating attractive, treed routes may encourage users to consider the route as part of the experience, as well as offering shade and access to nature.

POLICY 16 Design for all

Managers and designers of new and existing woodland intended to encourage public access should:

- maximise provision for access by active and sustainable transport modes to and through woodland
- include provision for all levels of ability through location, access points and design

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Inclusive access

7.25 It should be possible for people with all levels of mobility to access and enjoy woodlands. Where public access is encouraged, woodland managers and those locating and designing new woodland should consider the needs of people of all levels of ability including differing levels of mobility and sensory perception, as well as the needs of people with different characteristics. Aspects to consider include provision of disabled car parking and wheelchair accessible paths, and the actual and perceived safety of routes. Although it may not be possible to provide level or wheelchair friendly access through a whole wood, paths offering access for those of lesser mobility should be provided to some parts of these accessible woodlands where possible. Various sources of funding for access related projects are available. Advice can be obtained from our Access Officer and Scottish Forestry.

ACTION 16

Map existing woodland provision for people with reduced mobility and work with disability groups to identify where this could be increased.

Recreation in woodland

7.26 Recent significant expansions of several of our settlements have put public use pressures on areas of countryside including some woodlands. The public consultation raised concerns from some woodland owners as well as members of the public about the action of the public within woodlands. The strategy aims for recreational users to have safe and enjoyable experiences in East Lothian's woodlands and wooded open space and encourages responsible access. What 'responsible access' means is set out in the Scottish Outdoor Access Code.

7.27 The main element is respect. Users should avoid or minimise damage. Trees and plants should be left unharmed. Trampling on seedlings, young trees and understorey should be avoided. Should you wish to build a den, do so with fallen dead branches and put the woodland back the way you found it when you leave. Horse riders and cyclists should keep to suitable paths and tracks. Dogs should be on a lead or under close control and should not be allowed to chase or disturb wildlife. Take your litter home with you, this includes dog mess. Do not leave a poop bag to pick up on you return journey. Deer control can take place all year round, often at dawn or dusk. Warning signs should be adhered to.

7.28 Those managing recreational woodlands need to consider the available facilities provided to ensure that everyone feels equally welcome and catered for. Some groups are underrepresented as visitors to woodlands. Older people, people with learning, sensory or mobility disability and people with some protected characteristics may have particular barriers to visiting woodland. Some people may come from cultures which do not have traditions of woodland access. Work to increase the

ACTION 17
The Council will promote access to and enjoyment of woodland for all, particularly with respect to underrepresented groups, where this can be done in a manner that does not harm the woodland.

appreciation and use of woodlands by people from a wide range of abilities, and socio-economic and ethnic backgrounds is encouraged.

7.29 There is a need to manage visitor pressure arising from recreational use of woodlands. There can be conflict between recreational use of a woodland and its biodiversity value as well as between different types of recreational user. Steering recreation to robust woodlands that can absorb increased visitor pressures helps to protect sensitive woodlands such as ancient woodlands.

7.30 The Council's Countryside Service produces management plans and management statements for several woodland sites it owns to help manage pressures. The Council will continue to manage the woods it owns or looks after under management agreement.

7.31 Play is hugely important in the lives of children and young people, and woodlands and trees can provide an excellent setting (see e.g. Jarvis et al, 2022). Scotland's Forestry Strategy supports the provision of more opportunities for children to play and learn in woodlands, particularly in urban areas. Our Strategy encourages tree planting and woodland creation in and around towns which will provide additional opportunities for play within wooded areas.

Hutting and low-impact holiday accommodation in woodland

7.32 There has been a recent upsurge in enthusiasm for huts and low-impact holiday accommodation such as glamping and pods. Woodland can be an attractive location for hutters and glampers, offering good opportunity to recreate and experience nature. However, it is important that this accommodation does not erode the overall character or biodiversity of woodlands. It must operate alongside enjoyment of the woodland by others under statutory countryside access rights. Planning permission will be required.

What is a hut?
"a simple building used intermittently as recreational accommodation (i.e. not a principal residence) having an internal floor area of no more than 30m^2, constructed from low impact materials, generally not connected to mains water, electricity or sewerage and built in such a way that it is removable with little or no trace at the end of its life"

7.33 NPF4 supports hutting proposals where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance. This refers to Reforesting Scotland's 2016 guidance New Hutting Developments, which stresses its low impact ethos. Proposals for huts within woodland should follow this guidance.

7.34 The location and design of the building must avoid harming woodland biodiversity. Even seemingly small changes can lead to biodiversity loss. These developments are not supported in

woodland within SSSIs or in Ancient Woodlands of semi-natural origin due to the likely detrimental impact on their biodiversity interest. Proposals for hutting within woodland should include a woodland management plan for the area of woodland associated with the hut.

7.35 Car access routes and parking can be both visually intrusive and damaging to woodland biodiversity and are unlikely to be acceptable within woodland. Where parking is required as part of planning permission this should be formed at the public road entrances to the woodland and limited to one space per accommodation. Multiple parking provision should be grouped together.

POLICY 17 Hutting

Proposals for huts within woodland should:

- follow Reforesting Scotland guidance "New Hutting developments"
- provide a management plan for the woodland
- provide vehicular access and parking by a public road and not within the woodland
- consider using local businesses for materials and skills

Hutting proposals within SSSIs, Ancient Woodlands of semi-natural origin will not be supported

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Urban Tree Canopy

7.36 Trees play an important role in making our urban areas attractive, healthy and functional. Increasing tree coverage in our communities and urban areas is a key aim of the Strategy. This is encouraged by Scotland's Forestry Strategy and the CSGN.

7.37 All the trees in urban areas, in gardens and other private land, on institutional land, parks and open spaces and alongside streets form the urban tree canopy. Good canopy coverage can:

- Improve amenity and climate change resilience by providing shade and shelter
- Reduce urban heat in summer through preventing the sun heating surfaces of roads and buildings and cooling the air
- Improve energy efficiency of buildings by reducing wind chill
- Support health and wellbeing by giving access to and views of trees
- Improve air quality and reduce impacts of air pollutants
- Contribute to the distinctive character, amenity value and place-making of settlements
- Enhance biodiversity and green networks
- Slow water run-off from hard surfaced areas into nearby watercourses, and improve water quality by filtering pollutants from roads
- Reduce the amount of water entering the combined sewerage system

7.38 Despite these benefits, wrong species choice or poorly sited urban trees can create issues such as creation of dark or apparently dangerous places, increase in allergens or damage to structures. This should be considered at the project stage and avoided through good design.

7.39 The Strategy supports and encourages an urban forest approach (Davies et al, 2017) within urban areas. This approach views urban trees, shrubs, plants and soil as a single entity regardless of ownership. It includes trees on streets and paths, in civic squares, urban woodlands, parks and open spaces as well as gardens. The wider issues of climate change and biodiversity connectivity are best understood by looking at the urban forest holistically. The Urban Forest approach encourages

collaboration with communities, owners, occupiers and visitors to get the best result for their area. This approach is very different from the current management approach for urban trees in East Lothian. This would require more resources and collaborative working as well as collection of data. This approach could be taken forward by local communities through production of Area Partnership Plans and Local Place Plans. Consultation responses on the LDP engagement showed that children particularly value small pockets of nature. These are difficult to map at a strategic scale but could be identified by local communities.

POLICY 18 Community collaboration
Proposals for tree planting in and around urban areas should be taken forward in a collaborative approach and seek consensus from all sectors of the community including children. Equality impact assessment is recommended to identify issues.

ACTION 18
Encourage those preparing Area Partnership Plans and Local Place Plans to include appropriate proposals for trees and woodlands in their area

Canopy coverage and targets

7.40 The 3-30-300 rule as suggested by Professor Cecil Konijnendijk van den Bosch and adopted by the IUCN Urban Alliance defines targets for tree cover and open space within urban areas (IUCN Urban Alliance, 2021). It recommends a 30% tree canopy within every neighbourhood. The Strategy will work towards a 30% target as defined in Target 4A. However we recognise that settlements each have a different character and different roles. We therefore support a collaborative approach seeking consensus from all sectors of the community in setting targets for canopy cover through Area Partnerships Plans or Local Place Plans. These plans may also be a good mechanism for communities to work out how trees best fit into their area and propose areas for new planting. All sectors of the community should be involved to make sure increasing canopy coverage does not lead to issues for any particular groups. The 3-30-300 Rule will also be taken forward in the Council's Open Space Strategy.

Target 4A: Increase access to trees and woodland for all by retaining or increasing tree canopy coverage to a working target of 30% in settlements and the areas in the most deprived 30% of SIMD areas.

7.41 We have calculated the canopy coverage for our main settlements and largest villages. These are shown in figure 19 and discussed further in Appendix A. Some settlements have more canopy coverage than others. Only Longniddry and Pencaitland currently have canopy coverage greater than 30%. There are also differences between areas within a settlement. New housing areas in particular have low canopy coverage as new trees planted there have yet to reach maturity. Social housing areas in general tend to have lower canopy coverage. Such areas often overlap with areas of higher multiple deprivation.

7.42 We have also calculated canopy coverage for the urban parts of the lowest 30% SIMD areas of East Lothian and these are shown in figure 20. This information should be used alongside the

Woodland Trust Woodland Access Standard and previously mentioned Tree Equity Score work to focus tree planting efforts in our communities.
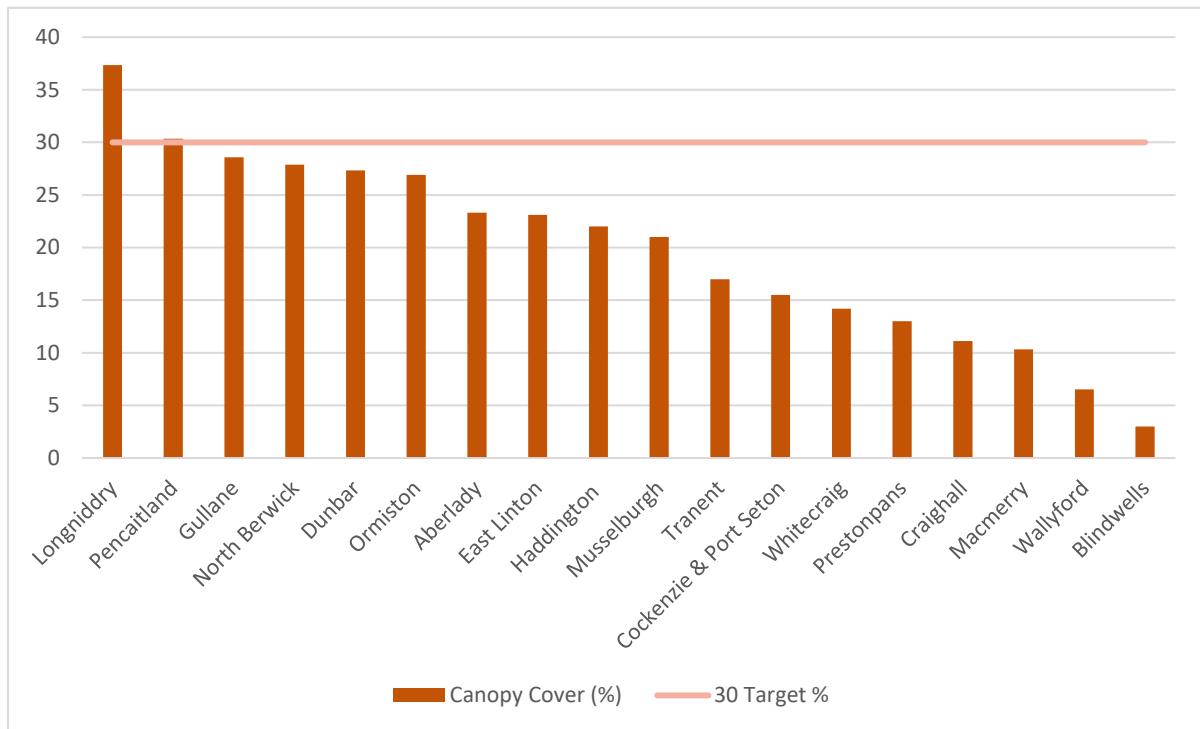

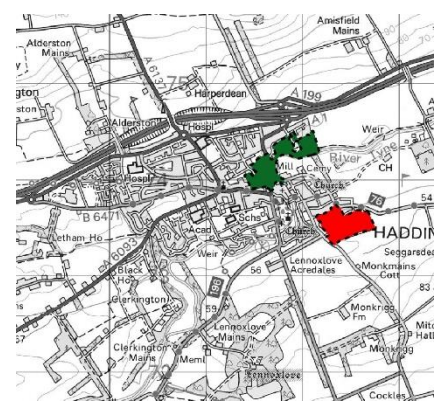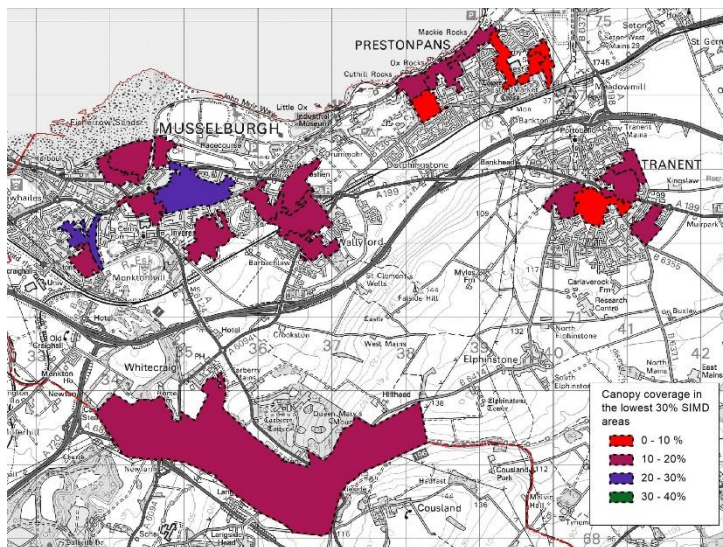*Figure 20 Graph of settlement canopy coverage*

Figure 19 Map of canopy coverage in lowest 30% SIMD areas to west of East Lothian, with Haddington inset

ACTION 34
Map canopy coverage for all settlements not yet mapped

7.43 The Council is already working to increase canopy coverage in social housing areas, in consultation with communities, as it usually owns the areas of open space and landscaping there. Considerable tree planting has also recently been undertaken in our communities through the Queen's Green Canopy scheme and ongoing Council tree planting programme all helping increase canopy

coverage. It is likely that there is potential for additional small-scale planting in many of our urban areas. The Council is updating its Open Space Strategy. This will identify areas of amenity woodland within towns, and help identify additional areas of open space suitable for tree planting or woodland creation.

7.44 To retain and where desirable increase urban canopy coverage, the Council intends to:

- raise awareness of the importance of the urban tree canopy, including trees in private ownership as part of the wider urban canopy
- sustainably manage our own trees and those we look after under agreements
- secure the canopy into the future by increasing age and structural diversity of our own trees
- work in partnership with communities and private owners through the East Lothian Climate Forest project
- use our regulatory powers to protect the urban canopy, and
- encourage retention and good management of trees in private ownership.

7.45 More information on potential opportunities for new woodlands in and around our settlements in both Council owned and other space can be found in Appendix A. See also 'Character and Setting of Towns and Villages' in the Landscape Character Section.

Design, and siting of trees in urban areas

7.46 Although trees are beneficial, badly sited trees or poor species choice can cause issues. It is important that any new planting proposals consider the right tree in the right place. It is also important to consider the location of new houses in relation to existing trees to avoid future amenity issues. Guidance on this has been produced by the Trees Design and Action Group (TDAG). Housing

Figure 21 Urban tree placement guidance, Trees and Design Action Group

developers are also expected to apply the principles of the Council's Design Standards for New Housing Areas SPG (ELC, 2020(2)) within the masterplanning, planning and design processes. This guidance aims to secure space for street trees and open spaces suitable for trees and hedges in new residential development and support and improve green networks.

7.47 The diagram in figure 21 from TDAG gives examples of where and where not to plant for successful urban trees. Consideration must be given to the final size of the trees canopy when positioning trees to avoid damage or nuisance to built structures. Tree planting proposals adjacent to roads and railways should be designed to avoid adverse impacts on these assets. Trees and hedges should not be planted in the road verge for road safety reasons.

7.48 Roots must also be considered with appropriate space for root growth and protection for underground structures provided as required. Without sufficient space for tree root growth any trees planted will be unlikely to reach their full potential. A tree planted in a cubic metre of soil within a hard surfaced area has little opportunity to find water in times of drought. There are planting systems available to increase the area for root growth beneath hard surfaced areas. Developers should consider these in new developments as it is difficult to retrofit these elements. Root barriers should also be used to enable trees to be planted next to underground services to avoid damage to these by tree roots. The use of underground cell systems to provide space for root growth below hard surfaces areas is supported by this Strategy. This ensures the roots have sufficient space to develop below the ground and avoids issues of roots lifting and damaging pavements and road surfaces.

An example of the use of underground cell systems in Musselburgh, without which the trees would not grow in this location

7.49 Urban areas provide opportunity for a wider range of tree species to be planted. Our native trees may not be the best suited to more stressful urban situations. The Tree Species Selection for Green Infrastructure: A Guide for Specifiers (TDAG) includes the environmental tolerance and other characteristics of over 280 tree species for urban planting.

7.50 Pollen from wind pollinating trees can cause allergies including hay fever and food allergies. The worst species is birch, but also hazel, alder and horse chestnut. This Strategy recommends not planting these allergenic tree species closer than 100m to schools, hospitals or care homes to reduce impacts from pollen. All the species mentioned produce both male and female flowers on one plant. Some trees species such as poplar and willow, however, produce male and female flowers on separate plants. The male plants of these produce very high quantities of pollen. Avoiding planting the male plants of these tree species in these sensitive locations will also help reduce the impact from pollen.

7.51 Policy and guidance on trees within new development can be found in the Council's LDP (ELC, 2018(1)) and Design Standards for New Housing Areas SPG (ELC, 2020(2)).

Utilities and Permitted Development

7.52 Utility companies often have permitted development rights to install underground and overhead apparatus. They are required to comply with the guidance of the National Joint Utilities Group (NJUG). Where underground works are required there should be no mechanical excavations within the crown spread of the tree or a distance of three times its circumference. All works are prohibited within 1m of the tree. Where pruning works are required to trees to avoid damage to tree crowns by the apparatus or vice versa then all works must be undertaken in accordance with British Standard BS3998 'Tree Work – Recommendations'.

7.53 Where works impact the public road, the council will be informed. Should the utility company not comply with these requirements then the council has powers to report them to the Transport Commissioner for enforcement.

Securing the urban canopy into the future

7.54 Trees planted when the parks and streets were laid out in the Victorian era have considerable value to the urban forest for canopy coverage, carbon storage and amenity value. The majority of these are now mature or over mature. Ageing trees cost more to manage, and their environmental value gets less while hazard increases. As trees reach over maturity or die they may will require to be removed for safety reasons.

7.55 The Strategy supports succession planting of trees to retain canopy coverage. Urban tree renewal, however, is not simply a question of replacing trees like-for-like, but as previously discussed, is also about identifying the most resilient and appropriate replacement species. Engaging in a meaningful dialogue with a broad range of stakeholders and community members also ensures support for proposals.

7.56 Inadequate replacement of the large tree species is a threat to future stability of the urban canopy. Succession planting should include for replacement of large species trees with associated ground works to enable space for root growth.

7.57 Uniform, symmetrical avenues and rows of, mainly lime, trees create wonderful vistas in our parks and main streets. When considering succession planting of these it may be seen to be desirable to plant identically aged trees that will maintain visual consistency. However, this would lead to wholescale loss of a feature with related carbon sequestration and townscape effects. Instead we support a managed replacement of individual trees within an avenue as required to ensure continuity of the avenue feature regardless of size.

Council owned urban trees

7.58 The Council owns and proactively manages a substantial tree resource throughout our urban areas. This includes many wooded parks, street trees and areas of woodland. Together these form a major part of the urban forest. More information can be found on the Council's website.

Management of Council Trees

7.59 The Council intend to produce a Tree Management Strategy for trees on our own land. This will set out an integrated approach to tree management including risk management, the need for selective

> **ACTION 19**
> Produce a Tree Management Strategy for trees on our own land

felling, new planting and replanting where required, and species choice to create a resilient tree resource. The Tree Management Strategy will consider the circular economy.

7.60 To start this process a full survey of all council owned and managed trees and woodlands needs to be undertaken to identify and record every tree location, species, age and size, and condition. The survey will be used to inform development of the urban tree canopy in Council owned areas in accordance with the Urban Forest principles.

ACTION 20
Identify funding to carry out an audit/survey of our current tree estate including tree condition etc; management requirements for these trees, including for selective felling where needed

Works to Council Trees

7.61 The Council has a duty of care with regard to the safety of our trees. Sometimes a tree must be removed, in particular when public safety is at risk. The decision to fell a tree is not taken lightly. Where possible we will notify local residents and discuss the issues with them. The Council will not normally fell a healthy tree. Reasons we may remove a tree include:

- To allow certain works to be carried out, such as roadway improvement works or development projects. Often there is consultation on development projects through the planning process or other Council procedures, so people can make representations about projects before a decision is made
- Where an approved planning application or essential development works requires tree removal
- To follow tree management practice and support tree health. Trees that are suppressing or excessively shading other trees may need to be removed to let others grow
- To protect or enhance biodiversity such as alternative habitats as carried out with Sea Buckthorn management along the coast
- Where the inconvenience and detrimental impacts of the tree outweigh its benefits.

7.62 As a major landowner, the Council receives many requests and complaints regarding trees and it is important that they are dealt with consistently and proportionately. Policy 19 identifies works that will not be undertaken by the Council. Where Council owned trees overhang someone else's property, provided the tree is not in a Conservation Area or protected by a Tree Preservation Order or Planning Condition, property owners may cut back branches above their land to their boundary. The work should be carried out to British Standard BS3998:2010 'Tree Work – Recommendations'. For other enquiries please email the Council at trees@eastlothian.gov.uk.

POLICY 19 Management of Council Trees

Unless there are exceptional overriding reasons such as safety, trees owned or managed by the Council will not be cut back or felled, at the expense of the Council, as a result of the following:-

· Being perceived as too large or overgrown

· Shade (unless oppressive)

· Loss of a view

· Dropping aphid honeydew/sap

· Dropping leaves or other seasonal debris

· Interfering with TV reception

· Affecting the efficient working of solar panels

· Touching overhead telecommunication wires

· Overhanging branches

Privately owned urban trees

7.63 Trees within garden ground, factored private housing areas, businesses and institutions form a significant part of the urban canopy. Without these trees our towns and villages would be much less attractive. However, care must be taken when choosing trees – and hedging – to ensure the right sized species for the location. Issues can arise where trees become too large for the garden, and shade or cause nuisance. Trees planted in the wrong location may also risk nuisance or damage to neighbouring property or services. Hedges when not well maintained can have similar issues. Consideration should also be given to appropriate locations for trees to avoid future damage to public infrastructure such as roots disrupting pavements. The council does not support tree planting within road verges. The Strategy encourages appropriate tree planting and care of trees in urban areas.

7.64 The RHS website has information on tree species and sizes as well as information on planting and caring for your trees. Where you can, use trees that are native to your local area so they can provide food and habitats for insects and animals living nearby. Growing of fruit in gardens for home consumption eliminates food miles and is cheap and healthy. The Council's Green Network Strategy encourages local food growing in private gardens. A small fruit tree may be an option where space is limited.

7.65 Trees require care and maintenance to avoid problems developing. Regular inspection can help identify issues before they become a problem. Some trees are protected and require notification or permission from East Lothian Council before carrying out work to them. Larger trees may require professional attention. Advice on tree protection and tree work including questions to ask your tree surgeon can be found on East Lothian Council's website. The Council maintains a list of insured tree

surgeons that can be provided on request. All tree work should be carried out to BS3998:2010 'Tree Work – Recommendations'.

7.66 High hedges can sometimes be a source of dispute between neighbours. There is High Hedge legislation providing a framework to help resolve disputes which the Council applies. However use of the statutory procedures is a last resort and parties concerned are required to try and solve the issue amicably through discussion first. Advice on this can be found on East Lothian Council's website.

Use tree planting to enhance air quality

7.67 Although air quality in East Lothian is generally good, there are some pollutants, including particulates, which are thought to have no safe level. Any reduction of exposure is therefore beneficial. Trees and woodlands can absorb pollutants from the air, gathering them on their leaves and reducing the movement of pollutants through the air. Hedgerows have been shown to significantly reduce air particles on the opposite side from the road when placed alongside residential roads (Kumar et al, 2021). When planted along the road and transport corridors and around industrial developments trees and hedgerows act as a natural barrier to pollutants..

7.68 Tree planting is used extensively along the A1 transport corridor through East Lothian and is particularly effective at mitigating air quality impacts where close to communities. Tree planting of appropriate species around sensitive sites such as schools, care homes, hospitals, and play areas and sports fields could be particularly beneficial for vulnerable groups.

7.69 East Lothian has one Air Quality Management Area, which brings particular focus to improving air quality. The area incorporates High Street, Musselburgh (A199) from its junction with Newbigging and extending westwards to the junction with Bridge Street and Mall Avenue. Tranent High Street is

not an Air Quality Management area but air pollution levels are a concern there so monitoring takes place there. Planned actions for both these areas are being implemented and should improve air quality there.

7.70 We support tree and hedgerow planting where the most benefits for air quality can be achieved. Tree planting should avoid trapping pollutants in places used by people (see Figure 21). Species choice should consider potential for ozone precursor (Fitzky et al, 2019).

> ### ACTION 21
> Where appropriate, plant street trees and hedges in urban areas, including in Air Quality Management Areas and around sensitive sites including hospitals, schools, care homes and play areas and sports fields; woodland expansion along strategic road corridors and adjacent to industrial sites; and hedges along roadside edges

Formal beech hedging and regular hedgerow trees at Markle Mains

Vacant and Derelict Land

7.71 East Lothian's legacy of past industrial development is small. There are, however, a number of vacant and derelict sites here, and where they occur, they can affect nearby communities due to poor visual amenity among other issues. There are a larger than average proportion of properties within the lowest 30% SIMD areas that are within 500m of this land.

7.72 Trees can help provide temporary greening on vacant and derelict sites, and often regenerate naturally in such areas. This often improves amenity value of the area as well as offering climate and biodiversity benefits. Tree planting can also address ground contamination issues, remediating sites.

7.73 The sites on East Lothian's Vacant and Derelict land audits are shown on the Urban tree and woodland opportunities map in the Spatial Guidance Section and in Appendix A. Some of these may have potential for temporary greening or even more long-term tree growth. Target 7A to improve landscapes through structural planting in the Cockenzie / Blindwells areas will help to remediate this area of derelict land (refer to the Landscape Character section).

Community involvement with trees, woodland and orchards

Tree Wardens

7.74 There are many schemes, such as the Woodland Trust's free trees, offering trees to community groups. These trees need appropriate places to be planted and will need ongoing maintenance. With our changing climate trees are taking longer to establish and often require watering for the first five years. Coordination of community groups to ensure the maximum benefit is gained from all this new tree planting is vital. Wider community education and promotion also helps bring a sense of community ownership and involvement. To assist with this the Strategy is looking to set up a Tree Warden Scheme in East Lothian.

7.75 The Tree Wardens scheme is a UK wide network of volunteer tree champions recognised by the Tree Council. Tree wardens give their time to plant, protect and promote trees within their area. You do not need experience in tree management to be a tree warden, just a love of trees. This is a way for individuals to help improve their communities, address climate change, and help implement the East Lothian Climate Forest.

> **TARGET 4C Develop a Tree Warden Scheme in East Lothian and recruit volunteers from each of our main settlements**

> **ACTION 35**
> Involve communities in tree planting and maintenance of new trees, including setting up a Tree Warden Scheme

Community Woodlands

7.76 Community ownership of woodland can support community cohesion, helping galvanise and empower communities, and giving people a sense of belonging and control. Community involvement with woodlands of any sort can help residents appreciate the benefits and need for woodlands. The more people know and understand about trees the more likely they are to welcome them in their surroundings.

7.77 There are two main woods under community ownership in East Lothian – Lochend Woods in Dunbar, and Gifford Community Woodland. In other areas local groups are involved with woodlands either owned by the council or privately. These include North Berwick Country Park, Gilsland Woodland and Glen Woodland in North Berwick, Yellowcraig in Dirleton, John Muir in Dunbar, Levenhall in Musselburgh, Woodhall in Ormiston and Butterdean at Gladsmuir. There may be more and we would love you to get in touch with us if you are involved in community woodland creation and management.

> **Community tree planting funding sources**
>
> The Tree Council
>
> The Woodland Trust

7.78 Funding and trees are available from many sources to carry out tree planting and maintenance. The long-term maintenance of woodlands is vital to their successful establishment. The Tree Council have produced some advice notes on looking after trees in drought conditions and in wet and windy weather.

Orchards

7.79 Community orchards are multi-functional. They help with community cohesion by bringing people together to work on a shared project, help community resilience by providing locally grown food, address climate change by tree planting and improve biodiversity by creating new habitats and bringing nature into urban areas. They can also strengthen links to the past by growing heritage fruit tree varieties.

7.80 The Council's Climate Change Strategy (ELC, 2020) encourages local food growing. This includes the action to plant and manage community orchards in partnership with communities, as well as the planting of apple trees alongside core paths for community benefit. These actions are supported by this Strategy with the ongoing management of these being key to their success. The Council is also intending to produce a Local Food Growing Strategy which will encourage the growing of fruit and nuts.

ACTION 23
Encourage local fruit and nut growing

7.81 A range of fruit trees can be successfully harvested in East Lothian; apples, pears, plums and cherries all do well provided the right variety is chosen. The range may increase as climate changes. There are a number of traditional varieties of these. There are also a number of orchards that form part of the traditional designed landscapes in East Lothian. Where these orchards still exist but are no longer used as productive orchards it may be possible to bring these back into good condition under community management. It may also be possible to take seed or cutting from these to grow on fruit trees in community orchards. These options would be subject to the landowner's agreement.

TARGET 4D Help set up and ensure management for a community orchard in each of our main settlements

ACTION 37
Work with communities to develop and manage community orchards and fruit growing including promotion of heritage varieties.

7.82 There are several community orchards operating in East Lothian that we know about. This includes a recent one created by Sustaining Musselburgh at Lewisvale Park in Musselburgh and a heritage orchard at Preston Road, East Linton managed by the East Linton Horticultural Society. There may be more and we would love you to get in touch with us if you are involved in a community orchard.

ACTION 22
Maintain, map and where appropriate publicise a list of community orchards

7.83 Sometimes too much fruit can be produced in a glut at certain times of year. A local SCIO Roots and Fruits takes excess fruit from local sources to distribute to customers within East Lothian. There may be further such opportunities, including sharing with local communities.

8. Economy

AIM: Trees and woodland contribute towards a Sustainable and Inclusive Economy

8.1 Growing our economy is an objective of the East Lothian Council Plan. This Strategy aims to support this by encouraging forestry and woodland related business and creating an attractive place to encourage investment.

8.2 Productive forestry, sustainable use of woodland and manufacture of wood products support the circular economy and green economy. Direct employment opportunities include planting and management of woodland, and production and processing of timber, while indirect opportunities include creation of products from wood products and businesses which use woodland as a base such as pony trekking and other leisure-based business. Trees and woodlands are also important in maintaining an attractive environment which encourages investment and tourists to the area. Increasing the number of trees and woodlands is expected to increase employment opportunities both directly and indirectly.

8.3 An increase in trees and woodlands and woodland management will lead to more opportunities in woodland management and tree surgery. There is a UK wide shortage of people with forestry skills and training and education to ensure safety of workers will be required.

8.4 This Strategy encourages the development of links between local plant suppliers, timber growers and processors / users to enhance local supply chains and encourage the circular economy. We intend to explore this further through the East Lothian Climate Forest project.

> **ACTION 24**
> Encourage and enable smaller producers to work together in joint marketing, promotion, and equipment sourcing through a local timber forum

Productive Forestry

Timber supply

8.5 The UK is the second largest importer of softwood in the world (FR, 2022). Scotland's Forestry Strategy aims to improve the efficiency and increase the productivity of the forestry sector (Priority 6). Their strategy "Roots for Further Growth" (Scottish Forest and Timber Technologies, 2018) has a vision of doubling Scottish forest and timber technologies sector's present contributions to the sustainable low carbon growth of the Scottish economy. Providing local sources of softwood timber close to end users helps address climate change. The ten thousand new homes in East Lothian are in part being constructed from home grown timber from sustainable forests in Scotland.

8.6 Commercial coniferous woodland within East Lothian accounts for over a third (FR, 2023) of its overall woodlands, (though our overall woodland coverage is low). Most of the commercial coniferous woodland in East Lothian is in the hills and edges of the Lammermuirs. The Strategy supports the sustainable management of these forests and registering of them with a standard such as the UK Woodland Assurance Standard (UKWAS). This will help meet the increasing demand of customers for assurance that products are sustainably sourced.

8.7 Although supported by the Strategy, space for expanding commercial softwood forests is limited. There are significant constraints to woodland expansion in East Lothian overall. This is due to the suitability of the land for other uses including agriculture, urban development, windfarm, peatland restoration and grouse moor, or valued historic and natural heritage. New sustainable softwood forestry with UKWAS certification could be considered in the mapped "preferred" and "potential"

> **POLICY 20 Productive woodland**
>
> Creation of woodlands for production of wood is generally supported in line with the Strategy mapping. Management and registration of these with UKWAS is supported. However:
>
> - Plantation on ancient semi-natural woodland sites (PAWS) should be restored to native woodland
> - New productive woodland should not be solely softwood
> - Restructuring of softwood woodland to improve landscape and biodiversity value is encouraged
> - Improving the recreational value of commercial woodland is encouraged

locations on the sensitivity mapping, outwith the areas identified on the Potential for Native Woodland map.

8.8 Where conifers for timber production are already planted on ancient woodland sites (PAWS) the Strategy supports reversion to native woodland (see the Biodiversity Section). On former peatland, restoration of peatland is preferred to woodland, due to habitat and carbon sequestration benefits.

8.9 Some land has been historically planted for softwood production but left unmanaged. Proper management of these is encouraged, including thinning to improve timber quality. This also brings a range of biodiversity and landscape benefits. Including native hardwood species in softwood forests for sustainable timber and specialist forestry products is encouraged. Where non-native species are used for timber production reasons, preference should be given to European species as they support a wider range of native biodiversity.

8.10 An increase in hardwood production is supported. Productive hardwood woodlands may be suitable in areas identified on the Potential for Native Woodland map for native planting.

Timber processing

8.11 East Lothian has two major sawmills as well as other local sawmills. Maintaining local supply of softwoods and hardwoods would support their continuation. Local processing supports local jobs as well as having the potential to reduce emissions by reducing the transportation distance of both harvested logs and finished timber, which can then be used locally.

8.12 The Association of Scottish Hardwood Sawmillers (ASHS) is an organisation that promotes Scottish hardwoods to the Scottish market. Its members are small to medium sized business who supply hardwoods from sustainable sources grown and milled in Scotland. This enables smaller business such as oak framers, architects, furniture makers, farmers and landowners to access sustainable timber processing. There is not currently an ASHS registered sawmill within East Lothian.

### Ancillary forestry related businesses

8.13 Local production of softwoods and hardwoods enables local wood related businesses. East Lothian is home to the renowned Chippendale school of furniture as well as many other crafting businesses such as Artisan Timber. Ancillary businesses related to woods includes furniture making and smaller crafters are encouraged in appropriate locations.

8.14 An increase in woodlands can lead to an increase in the wood products produced. Such as coppice woods for traditional fencing and other products. An increase in management and timber works leads to an increase in waste. Green waste can be harvested by local companies such as Forth Resource Management and turned into mulch and fertiliser. This supports the local circular economy as well as zero waste targets.

Tree Stock Supply

8.15 This Strategy seeks locally sourced and grown seeds and trees to meet biodiversity and climate aims. This requires a supplier; trees take time, space and labour to grow even to the plug stage.

8.16 East Lothian has the UK's largest cell-grown tree nursery growing 30 million trees a year, supplying commercial markets with trees for both native woodland creation and timber production. There are also a number of small-scale plant nurseries which sell to the domestic market. To implement the Climate Forest we need to work with these suppliers to ensure supply of sufficient locally sourced tree stock.
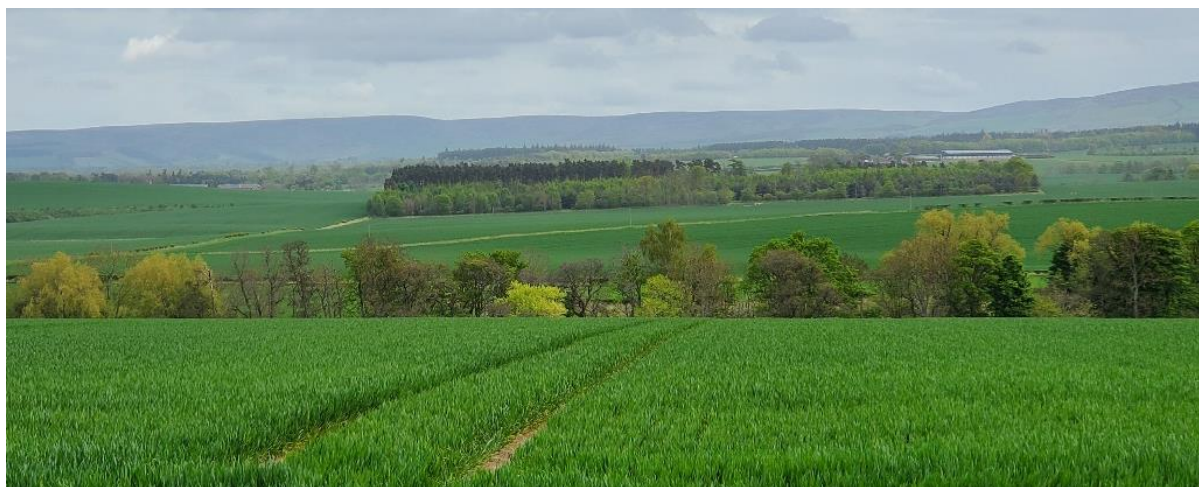
Contribute to sustainable agriculture, rural development and diversification

Sustainable agriculture and agroforestry

8.17 East Lothian has extensive areas of land which are suitable for arable or mixed agriculture. The value of keeping land that is capable of food production available for this use is obvious and this land is protected in National Planning Framework 4 (Scottish Government, 2023 (A)). Tree planting in areas which are capable of growing crops, in particular prime agricultural land Classes 1 – 3.1, should be carefully integrated with the use of farmland for agricultural production. This is also relevant for land suitable for mixed agriculture (Classes 3.2 – 4.2). This land is unlikely to be suitable for large woodlands.

8.18 Climate change is expected to make more land become available for a wider range of crop growing, so land that is not prime now may become so in the future (Brown et al, 2008). Changes in climate may also mean a wider range of fruit can be grown, offering opportunities for farm diversification. Proposals on land suitable for mixed agriculture should therefore consider both current and possible future agricultural potential.

8.19 Climate change may also bring challenges with increased rainfall and droughts. A recent study (Jenkins et al, 2022) looked at options for agriculture to adjust to a changing climate. It found that planting shelterbelts as wind breaks and introducing other agroforestry can reduce erosion, reduce vulnerabilities from flooding and benefit soil structure. It also found that some actions which support mitigation and adaptation in agriculture can also support biodiversity and climate mitigation. This included agroforestry which as well as stabilising soil and providing shelter to livestock, sequesters carbon and supports biodiversity through habitat creation and connectivity. In addition, agroforestry provided diverse income streams.

8.20 East Lothian's trees and woodlands can therefore play an important role in rural development. As well as making farmland more resilient they can increase productivity. Research shows shelterbelts can increase arable crop yields by up to a quarter and improve livestock productivity (SAC consulting, 2010).

8.21 Hedgerows can also provide shelter for crops and stock, as well as reduce erosion. They can be important for agriculture by enabling insects which predate pests to survive the winter and helping pollinating insects by connecting habitats. They take up less space than shelterbelts and may therefore be a more suitable option within the arable farmland. However, they do also need management which can be more expensive and labour intensive than other field boundary treatments.

8.22 Farm hedgerows, parkland and wood pasture are all forms of agroforestry, a land management approach combining trees with crop and livestock farming. Agroforestry also includes newer innovative systems such as silvoarable cropping suitable for use in prime agricultural land. By growing arable crops and fruit trees together more can be produced from the same area over a longer growing season. This also helps to diversify the farming as well as helping address climate change and improve biodiversity. The Woodland Trust have further information on the benefits of agro-forestry. Landowners may seek to maximise their income through diverse use of woodlands. Advice is available from the Council's Biodiversity Officer, the Planning Service and the Game and Wildlife Conservation Trust as appropriate.

> **TARGET 5: Create 300 hectares of new small farm woodlands, shelterbelts, orchards and other agroforestry which align with and support agricultural production**

> **POLICY 21 Woodland creation within farmland**
> Woodland creation in farmland should aim to complement and improve agricultural production. Loss of agricultural production capacity may be acceptable where woodland creation is shown to improve water quality through reducing diffuse pollution and / or reduce flooding including surface water runoff to roads and rivers.

8.23 Funding sources are available for woodland and hedgerow creation and management. This is discussed further under Woodland Creation in the Climate Change Mitigation Section.

8.24 The East Lothian Climate Forest project will aim to continue the work of the Queen's Green Canopy through engaging with the agricultural community, landowners and managers.

Support sustainable tourism

8.25 Tourism is an important sector in the East Lothian economy, and trees and woodlands make a significant contribution to the appeal of East Lothian as a visitor destination. Trees form an important component of many of our Conservation Areas, parks and cultural attractions including designed landscapes such as Newhailes House in Musselburgh. They also provide settings for historic towns and villages as well as individual buildings. Trees can also be the attraction to the area through their historic links, such as the Great Yew at Ormiston.

8.26 Woodland can also be an integral part of the recreational offer including woodland walks and trails such as the sculpture trail in Pressmennan Wood.

8.27 East Lothian woodland-based tourism is less developed than in other areas of Scotland. The main challenge in East Lothian is diversifying the existing tourist market into new areas and extending the season. There is opportunity to further develop the contribution that woodlands make to tourism. New small scale low impact tourism enterprises (excluding accommodation) in appropriate robust woodlands could offer woodland owners and managers and local businesses additional income streams and support local economy.

ACTION 25
Promote woodland based tourism and recreation, where appropriate, including joint marketing campaigns with other visitor attractions, tourism operators and accommodation providers.

ACTION 26
Encourage the development of small-scale low impact tourism enterprises (excluding accommodation) linked to appropriate woodlands

9 Cultural Heritage

AIM: Celebrate the role of trees and woodland as part of our cultural heritage and protect cultural heritage assets from harm from trees

9.1 Trees are an integral part of our heritage. Together with the historic built environment they can provide important links to our past. Some trees have been here longer than most of the buildings, as well as the people, in East Lothian, and some have even played a role in historic events.

9.2 There is also considerable intangible heritage tied up in trees and woodlands. This includes traditional skills and lore. Names of woods can reveal former landcover or remember local people or events. Old orchards remain, sometimes surrounded by houses. Some of these are lost and all that remain are the street names remembering the past use.

9.3 Some traditionally managed trees and woodlands now suffer from the loss of this type of management, though the evidence of it is still there if you know what to look for. There is no current protection for historic woodland features such as banks and coppice trees. We would support management of woodland to retain these features including by the use of traditional skills.

9.4 Trees can enhance views to cultural heritage assets and can be integral to them. Trees, however, also have the potential to damage cultural heritage assets, either physically with roots or branches or by blocking important views. Sensitive management of trees with regard to cultural heritage is therefore required.

Traditional Skills and Knowledge

9.5 Many woodlands have had an economic role which has been superseded or mechanised, such as use for charcoal, the oak bark used in tanning or for coppicing for firewood and / or willow for wicker work and other green woodworking. With this change in economic use of woodlands, skills passed through generations are being lost – hedge laying, charcoal burning, coppicing.

9.6 With fewer people living in or near woods, local knowledge of the properties of trees and woodland plants for food, healing or traditional beliefs are also at risk. As fewer people's lives and livelihoods depend on woodland, there is a risk that they will lose their cultural value. Gardening skills such as managing fruit trees also may not be passed on as previously. The Strategy supports the retention and passing on of traditional skills and methods of woodland and tree management.

9.7 The Strategy supports retention of traditional names of woodlands. These often provide links to past uses, characteristics or ownership of the woodlands. When naming new woodlands consideration could be given to the use of names of local places and people and the use of Gaelic and Scots language. The Strategy supports the passing on of traditional skills and knowledge.

Some woods within East Lothian are being brought back into traditional management techniques including coppicing restoration. One acre of hazel stools has recently been brought back into rotation coppicing at Tyninghame.

Environmental Education

9.8 A large part of protecting trees is enthusing people to care about, and therefore for, them. This should start in childhood. Through consultation it was clear that trees are important to children, and they see the link between them and climate change. Through the Council's Ranger Service, Climate Forest project and our Tree Warden scheme we will share information with and involve our children in tree projects.

9.9 Scotland's Forestry Strategy supports the provision of more trees within school grounds and more opportunities for children to play and learn in forests and woodlands, particularly in urban areas. The Council has had a long-standing commitment to planting of trees and woodland in school grounds and will continue to seek opportunities. The Council also supports Forest Schools programme which provides regular sessions for children learning in an outdoor, preferably woodland setting.

9.10 Education extends beyond school to include all sections of our communities. There are ways to educate and involve communities in trees and woodlands. These include involvement in tree planting, naming new woodlands with links to the local area, growing heritage fruit tree varieties to link with the past. Interpretation at our woodland sites can help educate people on the reasons for and uses of the woodlands. Trails around our towns and villages can provide information on important and historic trees within our settlements.

> ### ACTION **27**
> Develop an interpretation plan highlighting planting for the climate forest, existing woodlands, notable trees, paths within the woodlands and a series of tree trails for our town and villages. Badge using logo to link together.

Heritage Varieties

9.11 Scotland, including East Lothian, has had a rich heritage of fruit growing. This included the development of different varieties of fruit trees, some carefully selected to withstand conditions such as the east coast winds. Industrialisation and imports from overseas led to the loss of many Scottish orchards and the decline and loss of variety. More recently, efforts are being made to save these heritage fruits, notably apples. A community orchard in Lewisvale Park, Musselburgh planted a collection of 21 heritage apples in 2021, some of which were the same varieties grown in the Pinkie House orchard over 250 years ago.

9.12 Action 23, in Community, includes promotion of heritage varieties.

Notable Trees

9.13 NPF4 Policy 6b(ii) states that development proposals will not be supported where they will result in adverse impacts on trees identified for protection in the Forestry and Woodland Strategy. This Strategy identifies Notable Trees for protection and aims to secure succession planting where relevant. These include trees protected by tree preservation orders as well as historic trees, and ancient, veteran and champion trees, and trees with spiritual or cultural value. The Council will consider additional Tree Preservation Orders or imposing conditions on planning consent where relevant to protect these trees.

> **POLICY 22 Notable trees**
>
> The Strategy supports the retention of notable trees.

Tree Preservation Orders

9.14 Tree Preservation Orders are promoted to protect those trees of highest amenity value or those identified as having important historical cultural value. East Lothian has over 135 Tree Preservation orders from large orders covering all the trees in a village to ones covering single trees of merit, dating from the late 1950's to current time. The Council will continue to prioritise trees for protection by Tree Preservation Orders and implement these as funding allows.

9.15 East Lothian Council has information on its web pages on protected trees. Permission must be obtained from East Lothian Council before undertaking any works on a tree protected by a Tree Preservation Order.

Historic Trees

9.16 Well known East Lothian trees valued for their association with historic events include the Great Yew at Ormiston. This ancient yew tree was reputedly a venue for early Protestant preaching, while that at Whittingehame was thought to be the site of the hatching of the plot to murder Lord Darnley, husband of Mary Queen of Scots. A hawthorn to the east of Prestonpans is

The Ormiston Yew, where reputedly George Wishart and John Knox preached

remembered in sculpture as Colonel Gardiner may have crouched under it after the 1745 Battle of Prestonpans. Celebrating this heritage must be done carefully as some such trees are on private land, and it is also important to avoid damage from visitor pressure.

9.17 Individual trees have also been planted to commemorate events. The beech trees on North Berwick Law, visible for miles around, were planted to mark the union of the Scottish and English Parliaments. A horse chestnut commemorating the coronation of Queen Victoria in 1838 was planted at the West Haugh and an oak tree to remember John Knox in the Giffordgate in Haddington. There are numerous others.

9.18 Some of these trees are covered by Tree Protection Orders. However, this only gives protection against felling or poor tree work, it does not secure positive care for these important trees.

Ancient, Veteran and Champion Trees

9.19 There are other individual notable trees that have just been there a very long time. Ancient trees are those that are in the final stage of life – how old this is depends on the species. Some species can live over 1000 years including oaks and yews. Veteran trees are old trees that are in the second stage of life. They have many features of ancient trees although they are not as old. Trees may also be valued as the oldest or tallest of their species in the UK. These are known as Champion trees, and there are a number of these within East Lothian. Citizen Science projects are underway to map these.

9.20 Ancient and Veteran trees are recorded on the Ancient Tree Inventory. There is information on what constitutes and ancient tree and how to record one at Quick recording –guide – Ancient Tree Inventory (woodlandtrust.org.uk). Some ancient trees are also included within the council's Historic Environment Record (HER). Champion trees are recorded on the Champion Trees website.

An example of a notable tree in Haddington, felled recently due to significant decay. There are a number of plaques celebrating the tree at the site. A replacement Scots pine planted a couple of years ago is growing well.

TARGET 6A Improve recognition and protection of trees with cultural heritage value including by encouraging identification of Champion, Veteran and Ancient Trees through Citizen Science

ACTION 28
Encourage identification and recording of important individual historic, ancient veteran and champion trees and where appropriate begin succession planting.

Spiritual Value

9.21 Individual trees can also have symbolic, cultural or religious value. For example, yews are often found in churchyards, usually heavily trimmed to retain a formal shape, to remind the faithful of eternal life. Some of these trees may pre-date Christian worship at these site. Such trees should be retained in re-development proposals for such sites. Churches often contain a 'Green Man' – a head with leaves – another tree-related link to an older religion. More recent traditions include tying ribbons onto particular trees, such as the Wishing Tree in Haddington.

Haddington's Wishing Tree

Memorial trees

9.22 The East Lothian Tree Time scheme aim is to increase and maintain East Lothian's trees by offering a way of commemorating a loved one's life, marking a child's birth, celebrating a special anniversary or just to show how much a person cares about trees and/or East Lothian as a place. Donations can be made online which go towards looking after our existing trees or planting new trees. There is the option to have a personalised, commemorative plaque placed on the tree in recognition of the donation. There is also an online journal where your donation can be recorded.

9.23 East Lothian Council will consider other requests for planting memorial trees on council owned land on a case by case basis. Requests can be made to trees@eastlothian.gov.uk.

9.24 Trees planted as memorials often include plaques. This can be appropriate in urban or formal settings, however plaques within rural areas can affect the naturalness of the appearance of the area and affect others' enjoyment of it. Plaques can also encourage the leaving of floral tributes, which can seed into the surrounding area. The Council's experience is that plaques can draw attention to the tree sometimes unfortunately leading to vandalism.

> ### POLICY 23 Plaques and Memorial Trees
>
> Plaques in association with memorial trees are not supported in the countryside nor natural areas within towns.

Conservation Areas

9.25 Conservation Areas are designated to preserve areas with particular historic or architectural character, to which trees can make a substantial contribution. Notable trees in Conservation Areas include Haddington's nine trades trees at the Haugh by the Tyne, Gifford's lime Avenue approaching Yester House, or the sizable sycamores in Tranent's Parish Churchyard. But there are many, many more. Anyone planning work to or removal of trees within Conservation Areas must give six weeks prior notification to the Council (see website). This allows for protection of trees that contribute to their character.

9.26 There are few controls however over the *planting* of individual trees or hedges – generally people can plant what they wish on their own land. Those looking to plant trees within a Conservation Area

are encouraged to consider its character. In addition to the considerations shown for urban trees in Figure 21, factors for choice of tree and location include:

- Will the chosen species accord with the historic character of the area?
- Would the character be harmed by introducing the tree e.g. where character derives from openness or hard landscaping, as for example North Berwick links or Haddington's High Street.
- Will the tree at its mature size obscure views of important elements of the built heritage, including Listed Buildings?
- Could the tree (including roots) affect historic surfaces such as cobbles?

CASE STUDY: Haddington Town Centre

Haddington's High Street is lined with buildings dating from the 18th century, where the street was open for movement and trade. Trees were never part of this layout.

The wider streetscape at Court Street to its west developed during the 19th century and is defined by its avenue of lime trees, typical species of the Victorian era. This avenue has been reinforced with new succession planting.

9.27 Some trees that are inappropriate in one place may suit another. Within gardens and parks some ornamental species may be suitable even if not native, as they continue the idea of these areas being maintained for interest or beauty. Hedging should also be carefully considered. Leyland cypress is a relatively new hybrid, forming a dense hedge of continuous colour. This homogenous appearance is not traditional and can look out of place.

9.28 The Council has produced Supplementary Planning Guidance on Cultural Heritage and the Built Environment which contains short Conservation Area Character Statements for each of East Lothian's 30 Conservation Areas. This includes information on trees in the area as well as the built environment. Some of these areas have more detailed Character Appraisals. The Council is working towards producing Conservation Area Character Appraisals for all such areas, which will include detailed information and guidance on trees there. This will be referred to in decisions on tree work within Conservation Areas and in planning decisions.

Historic lime avenue in Gifford leading to the gates of the Yester Estate

Gardens and Designed Landscapes

9.29 East Lothian is rich in historic gardens and designed landscapes, of both national and local importance. Nationally important gardens and designed landscapes are described on an [Inventory held by Historic Environment Scotland](#), which sets out the main features of the site. Statements of Significance for the Local Designed Landscapes are currently being prepared as part of the Glorious Gardens of East Lothian Project. Once adopted these will be used to inform planning decisions. This will help protect their important elements from development, and also raise awareness of them.

> ### ACTION 29
> Promote positive management of gardens and designed landscapes and heritage trees to maintain their historic and cultural significance.

9.30 Policy woodlands, orchards, avenues, parkland and feature trees are often significant elements of the design of these landscapes. However in places a lack of management and future planning has led to the loss or degradation of these features. The mapping of these should help to highlight and offer them further protection.

9.31 There may be pressure for tree planting within designed landscapes due to the availability of funding. This Strategy encourages the creation of a Conservation Management Plan to guide appropriate planting within designed landscapes to maintain the interest of the site.

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9.32 Guidance on [managing change in the historic environment: gardens and designed landscapes](#) (HES, 2016) and on [conserving and managing trees and woodlands in Scotland's designed landscapes](#) (FCS, 2011) should be referred to when considering tree planting within designed landscapes.

> **TARGET 6B Improve recognition and protection of trees with cultural heritage value including by completing mapping of ancient woodland, orchards, parkland and wood pasture**

Battlefields

9.33 Historic Environment Scotland maintains an inventory of [historic battlefields](#) which contain a description of the battle sites. Retaining elements of the landscape is important to understanding the battle as well containing artefacts. Battlefields cover large areas and any tree planting needs to take account of their special characteristics. This should be considered at project level in consultation with Historic Environment Scotland and the Council's Archaeology Service.

9.34 Guidance on "[Managing Change in the Historic Environment: Battlefields](#)" is available from Historic Environment Scotland and should be referred to.

Scheduled Monuments and archaeological sites

9.35 Historic Environment Scotland maintains an inventory of scheduled monuments of national importance. Any damage to a Scheduled Monument is a criminal offence. Planting or felling trees within a Scheduled Monument will require consent from Historic Environment Scotland. Further information can be found on their website: [Scheduled Monument Consent | Historic Environment Scotland | HES.](#)

> **POLICY 24 Scheduled Monuments and Archaeological sites**
>
> Where planting, felling or restructuring might affect any Scheduled Monument or archaeological site (of known or suspected archaeological interest), a professional archaeological assessment and, if necessary, a field evaluation should be undertaken.
>
> The Council will not normally support proposals that would harm a Scheduled Monument, site of regional or local archaeological interest, or its setting. In exceptional circumstances, the Council may accept archaeological advice that the significance of the remains is not sufficient to justify physical preservation in situ when weighed against the benefits of the proposal. In such cases, the Council will seek mitigation measures such as:
>
> - excavation, recording and analysis of the archaeological remains in advance of the commencement of the project
> - reporting of results along with any subsequent post-excavation work undertaken, and if warranted, publication

9.36 The UK Forestry Standard recommends tree planting be set back 20m from archaeological sites whether scheduled or not. However Historic Environment Scotland and the Council's Archaeology Service may recommend different distance which suits depending on the nature of the site and remains. Any proposals should be discussed with them at project level. There may be potential for

woodland creation, management or restructuring to improve the setting of some historic sites. The Strategy encourages this where appropriate.

Protection of the Historic Environment

9.37 Trees have considerable potential to enhance the cultural heritage. However, they may also harm historic environment assets either directly, such as where their roots or branches damage structures, or indirectly, such as when they alter a historic landscape making its understanding difficult. Planting and management of trees and creation of woodland should aim to avoid such harm. Attention should also be paid to the setting of historic assets such as scheduled monuments and listed buildings in forming tree planting proposals. Guidance on "Managing Change in the Historic Environment: Setting" is available from Historic Environment Scotland and should be referred to. Information on historic environment assets can be found on the council's Historic Environment Record (HER).

POLICY 25 Protection of the historic environment

Woodland creation, management, expansion or tree planting, removal or restructuring should aim to enhance and not harm the historic environment including Scheduled Monuments, Battlefields, Gardens and Designed Landscapes (either Inventory or Local), Listed Buildings or Conservation Areas, and where relevant their settings.

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10 Landscape Character

AIM - Use trees to help retain and enhance the distinctiveness of landscape and settlement character within East Lothian

10.1 East Lothian sits on the east coast in central Scotland, with the south of its area in the Southern Uplands. These landscapes have a distinct character within Scotland. The eastern central lowlands are characterised by rolling arable fields, with shelter belts and policy woodlands. Small areas of more natural woodland remain, often on steep or rocky ground. At the coast, wide estuaries, dunes and coastal grasslands are characteristic, with some policy woodland as well as wooded deans. The Southern Uplands are a rolling plateau, much of it managed as grouse moor but with both productive coniferous plantation woodland and some native woodland within cleughs.
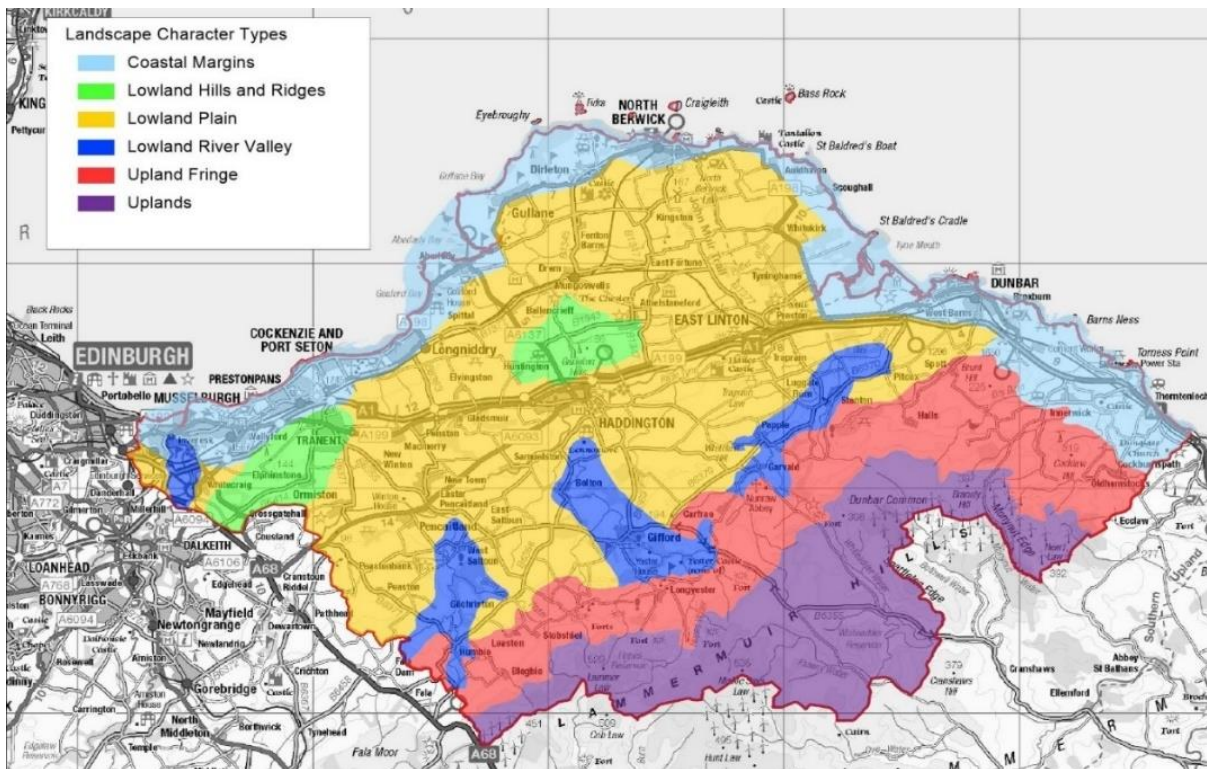

Figure 22 Landscape Character Types of East Lothian

10.2 Our landscapes are also different from each other at a more local scale, with six main landscape character types, shown in figure 22. Each landscape type has a general landscape character and a different pattern of woodland cover. These are detailed within the East Lothian Landscape Review section of the Special Landscape Area SPG (East Lothian Council, 2018 (2)).

10.3 Some landscapes have special qualities that are recognised through designation. East Lothian has no National Scenic Areas, but has locally important designated landscapes, the main ones being Special Landscape Areas. The special qualities and features of these areas are set out in the East Lothian Special Landscape Area SPG (ELC, 2018(2)). The Green Belt has a landscape role in protecting the setting of Edinburgh and other towns, as do some of the Countryside Around Town areas. The

coastal area also has a varied and valued character, recognised in Council policy. Information on these areas can be found in our ['Countryside and Coast SPG'](#) (ELC, 2019).

10.4 The ambition to plant 2 million trees in East Lothian's Climate Forest will bring significant landscape change. Landscape is dynamic, and change, even when significant, is not necessarily bad. Woodland expansion proposals should aim to reinforce the distinctiveness of landscape character types both regionally and locally through appropriately designed and located woodland creation schemes.

Note: tree planting in some areas may have a significant negative effect on the qualifying bird interest of a European site. Habitat Regulation Appraisal for woodland creation on these sites will be required at project level and may limit what is possible.

POLICY 26 Protection and Enhancement of Landscape
Woodland expansion or tree planting, management, removal or restructuring should enhance and not harm landscapes and landscape character. The landscape interest of Special Landscape Areas, the coastal area, Green Belt and Countryside Around Town areas should be taken into account in woodland creation proposals. For forestry proposals that require Environmental Impact Assessment, applicants are encouraged to provide a Design Statement explaining the landscape change.

10.5 The most relevant elements for woodland and tree planting for each landscape character type are summarised in Appendix B together with opportunities and proposals for woodland creation and tree planting within each area.

Landscape Scale Planting

10.6 There are four potential projects where landscape scale planting is considered desirable.

10.7 The first two are areas where landscape impacts from large-scale development could be mitigated for by woodland creation and these are identified in Target 7. The third is planting to address the impact of Ash Dieback disease, which affects those parts of East Lothian where ash woods or trees are significant in the landscape. The fourth is planting in the Riparian Zone. These projects would be best addressed by detailed planning for these areas.

Landscape Structure Planting 1 - Innerwick Coastal Area
10.8 Within the Innerwick Coastal Margin there is already considerable landscape effect arising from quarrying, waste disposal, industrial and transport infrastructure, as well as electricity generation at Torness Power Station. Considerable change is anticipated here with, further large-scale electricity infrastructure to support offshore windfarms and grid strengthening expected, the closure of Torness Power Station, and the eventual end to quarrying. Cumulatively, these developments will impact the rural character of this area. In some cases they limit the potential for woodland creation, for example the area above high voltage electricity cables must be kept clear of tree planting, as must the area around Torness.

10.9 The area is also important for woodland. The mapping in the Spatial Guidance section identifies a route for the Strategic Migration corridor through this area, and parts are within and connected to the Woodland Focus area in the Green Network Strategy (EL, 2018(3)).

10.10 The Strategy therefore encourages the development of a landscape masterplan for this area extending from the southern boundary of East Lothian to the River Tyne identifying constraints and opportunities, including investigation of the potential of strengthening woodland along the A1 / railway corridor. Major landowners and operators of infrastructure are encouraged to work together here to create an overall landscape structure which supports landscape improvement, biodiversity connections and public access. This could include considering offsite woodland and hedgerow creation to mitigate for any onsite losses.

> **TARGET 7 Improve landscapes through woodland creation by:**
>
> **(A) Structural planting in the Innerwick coast area**

> **ACTION 30**
> Develop and implement a landscape masterplan for the Innerwick Coastal Margin and adjacent Upland Fringe area

Landscape Structure Planting 2 – Cockenzie/Blindwells area

10.11 The draft Climate Evolution Vision suggests a high priority short term action to develop a climate resilient habitat creation policy. This would provide a landscape framework to create a multi-functional landscape integrating blue and green infrastructure, providing for biodiversity, managing water and improving active travel.

10.12 A lack of woodland in this area means many properties here do not meet the Woodland Trust's Accessible Woodland Standard as shown in Figure 15. Implementation of a landscape framework including woodland creation here could therefore also help to improve the local communities' access to woodland.

Figure 23 Extract from Climate Evolution showing proposed new planting (Fig 19, Theme 4)

10.13 We therefore support the development of a landscape framework for this area within which other projects including the active travel network and surface water management plans can be coordinated. The framework should comprise increased woodland and tree cover including tree and

> **TARGET 7 Improve landscapes through woodland creation by:**
>
> **(A) Structural planting in the Cockenzie/Blindwells area**

hedgerow planting to create multi-functional active travel corridors, additional woodland creation along the A1 corridor, and tree planting along re-naturalised watercourses.

> **ACTION 31**
> Develop and implement a landscape framework and planting programme for the Cockenzie /Blindwells area.

Landscape Structure Planting 3 – Ash replacement

10.14 There is a significant amount of Ash which is likely to be lost to Ash Dieback disease as discussed in the [Resilience Section](#). Planting at a landscape scale will be required to replace this. Cooperation is encouraged between landowners to plan for the replacement. Athelstaneford is an example of an area where a landscape structure plan would be useful. This will be considered as part of the larger action to develop a plan for the landscape scale replacement of ash trees identified in Action 7 (in the Resilience and Climate Adaptation Section) and Target 7B.

> **TARGET 7 Improve landscapes through woodland creation by:**
>
> **(B) Developing a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease**

Landscape Structure Planting 4 – River Woods

10.15 Riparian planting is sought to improve water quality. However, there are also significant landscape benefits and to fully realise the benefits planting is needed on a landscape scale (see Target 2 in the [Resilience section](#)).

Character and setting of towns and villages

10.16 East Lothian has six main urban settlements together with a number of villages and smaller settlements. Development is more concentrated in the west of the area where there is a risk of settlement coalescence. Green Belt and Countryside Around Town areas have been designated around some of our towns and villages to protect their landscape setting, provide for recreation and prevent this coalescence. Trees can be particularly useful in preventing visual coalescence. They are also important for the setting and visual amenity of many of our settlements. There may be opportunities within some of the Green Belt and Countryside Around Town areas, especially around Blindwells, to use woodland to enhance setting.

10.17 Trees are often an important element of the character within our towns and villages. The type, layout and number of trees helps define the settlement character, and sometimes different parts of the settlement. This varied interplay between trees and built environment is important in giving a distinctive sense of place to our towns and villages.

10.18 Within the agricultural plain large trees associated with the settlements help punctuate the openness of the farmland, such as at Drem and Whitekirk. Within the river valleys large woodlands often surround and conceal villages, such as at Gifford. Many of our towns have areas of trees and woodlands within them including Lochend Woods in Dunbar, the Lodge grounds in North Berwick, Neilson Park and the Tyne walkway in Haddington, the Heugh in Tranent, and Lewisvale Park and the Esk area in Musselburgh.

10.19 Trees enhance settlement character through providing colour, movement, rhythm and variety. Large species specimen tree planting is particularly useful in integrating new development into the wider landscape. However sufficient space must be allowed for such trees. Trees within urban areas can:

- Help reinforce formal urban design, such as the evenly spaced street trees of planned agricultural villages and Victorian town extensions;
- Offer oases of greenery within parks and open spaces as contrast to the hard urban environment;
- Offer a connection to nature;
- Provide local distinctiveness, helping create a sense of place;
- Play an important role in improving the visual amenity of residential areas, including trees in gardens;
- Provide a role in screening, for example of industrial estates, from adjacent housing.

10.20 Hedges are also an important feature of landscape character in urban areas. They can:

- Provide containment;
- Soften the urban form;
- Form green linkages for areas where it is not possible to grow trees;
- Create a sense of place by unity of species, such as beech hedging at Longniddry.

10.21 The more mature, larger trees generally found in gardens, open spaces and on streets within older residential areas usually form an important part of their character. Conversely in new development space for larger species trees to grow to their full potential without creating issues of overshadowing or safety is often lacking. The Urban Tree Canopy part of the Community Section discusses design and siting of trees within urban areas in more detail.

10.22 Some parts of settlements have a historic character that means tree planting would not be appropriate there. For example, some of our historic towns have a treeless older medieval core defined by tightly spaced buildings. More information on the character of each of our towns and main villages and their suitability for tree planting can be found in Appendix A.

> ### ACTION 32
> Support managed programme of replacement of trees important to townscape character

11 Spatial Guidance

11.1 The above sections identify the benefits of trees and woodlands and what the Strategy aims to achieve. The following maps indicate opportunities for tree planting in East Lothian. As digitisation of planning progresses, we hope at some point to produce this information in an interactive and dynamic online form. This can be revised to capture any changes in the information on which these maps are based.


NPF4 Policy 6D

"Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design."

Areas we have identified as suitable for woodland creation that should be given consideration through NPF4 Policy 6D are:

- Preferred and potential locations on the Sensitivity to Woodland Expansion Map (figure 27),
- All woodland creation areas identified on the Potential for Native Woodland map (figure 25)
- Inventory ancient woodland sites including those with no trees currently (see map in Appendix E).

Further detail on requirements for hedge, tree and woodland creation for development proposals can be found in Appendix E.
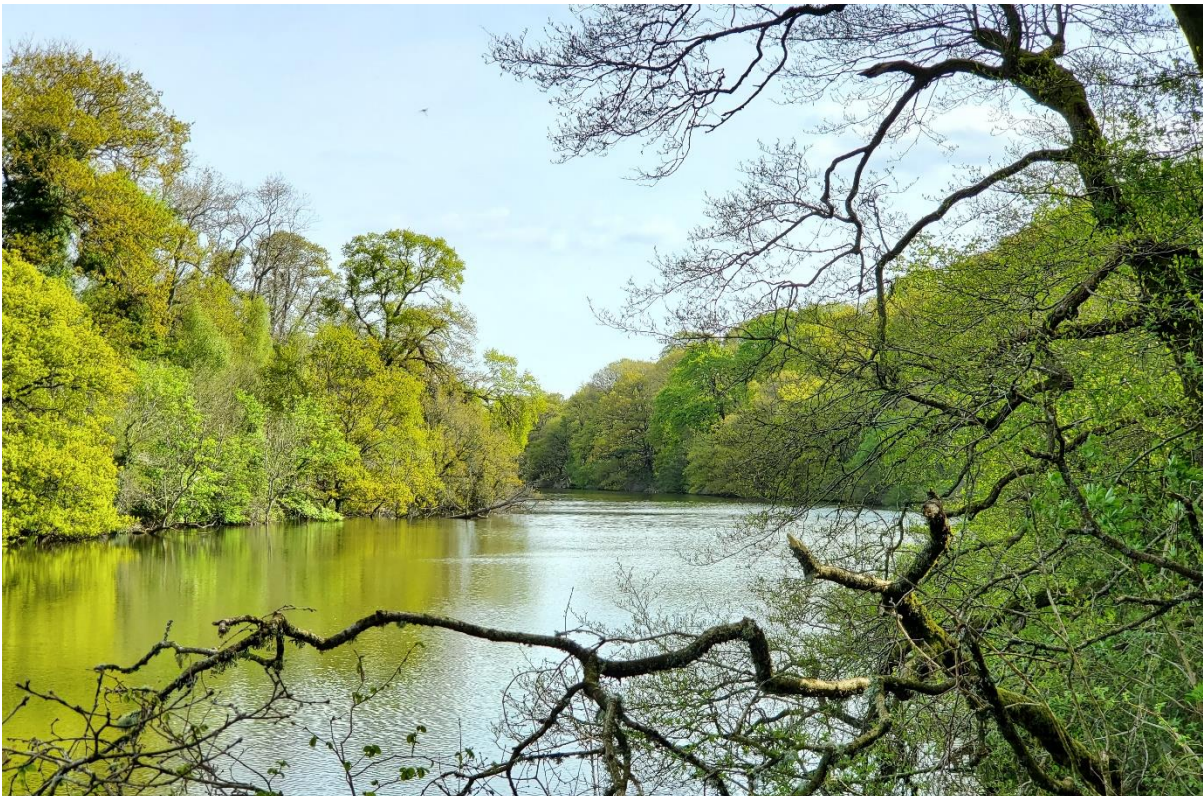
Potential for Native Woodlands

11.2 As set out in the Strategy Vision, we aim to retain, sustainably manage, expand, and connect our native woodlands this includes returning areas of ancient woodland planted with conifers to native woodland. The Potential for Native Woodland map in figure 25 shows where different native woodland types would be most beneficial to meet the aims of the strategy.

11.3 We appreciate that not all of the areas mapped may be suitable for woodland expansion. The Scottish Government Guidance "The Right Tree in the Right Place: Planning for Forestry and Woodlands" (FCS, 2010) recommends steering new tree planting to less sensitive areas. The Sensitivity to Woodland Expansion map in figure 27 should be read together with the Potential for Native Woodland map in figure 25 to identify sensitivities to woodland creation and places where planting may not be suitable or cannot be carried out. Specific site assessment should also be undertaken.

11.4 The different types of woodland identified in the Potential for Native Woodland map are described below.

Existing native woodland

11.5 Existing native woodland should be retained as per Policy 1. Much of East Lothian's remaining native woodlands can be found in riparian locations where they have been allowed to remain due to the land's reduced suitability for agriculture. In particular the larger river valleys of the Humbie, Gifford and Whittingehame Waters provide strong wooded corridors through the southern part of the agricultural plain. Many of the smaller steeper valleys of the cleughs and deans within the upland fringe are also well wooded, with ancient native sessile upland oak woodland a particular feature at Rammer, Deuchrie and Woodhall and ancient native upland birch woods at the East Lammermuir Deans, where the woodlands are well managed.

11.6 Native woodland identified in the Native Woodland Survey for Scotland (FCS, 2014) is shown on the Map in figure 25. Landowners and managers should consider the type of native woodland when planning woodland management. Appendix F provides species lists for the native woodland types.

Existing Nearly Native Woodland

11.7 Nearly-native woodland identified in the Native Woodland Survey for Scotland (FCS, 2014) is shown on the Map in figure 25. These woodlands have a native component of between 40-50% and are likely to offer the easiest opportunity to restructure, through appropriate management, into native woodland.

Other Existing Mainly Broadleaved Woodland

11.8 There are large areas of broadleaved woodland across East Lothian mapped as the CSGN woodland habitat network. Scottish Forestry has also identified woodland through the National Forest Inventory 2020 including broadleaf. These are all mapped to show the existing woodland coverage.

Existing Coniferous Woodland

11.9 There are many small areas and some larger areas of coniferous woodland throughout East Lothian identified through the National Forest Inventory 2020. Softwoods are important as a crop however where these are within an area defined as preferred for native woodland expansion then the Strategy supports replanting these areas with native woodland after harvesting.

Native Woodland expansion

11.10 Scottish Forestry have identified areas where they will fund expansion of native woodland to offer the most benefit for habitat improvement as it naturally extends and connects to existing native woodland. In places this overlaps with existing non-native woodland that could be restructured. The expansion areas are shown in figure 25.

11.11 When considering woodland creation consideration should be given to the existing native woodland type proposed for expansion. Appendix F provides species lists for the native woodland types to guide planting mixes for new woodland creation.

11.12 The CSGN has mapped areas where grassland, wetlands and heathland habitats could be expanded in ecological terms. These other habitat networks are included on the Sensitivity to Woodland Expansion mapping in figure 27 and should be used to identify where other habitats are the priority when considering native woodland expansion.

Native Woodland Model

11.13 The potential for native woodland in Scotland: the Native Woodland Model shows areas of the uplands where different native woodland mixes and mosaics would be capable of growing. These are included in the Strategy mapping in figure 25. Pine planting is mapped as although pine is not native to East Lothian it is a UK native tree. The model excludes areas where soils have been modified by cultivation and are likely to support many woodland types. There is therefore likely to be potential for Upland Oakwood or Upland Birchwood on somewhat lower slopes than shown here. On the higher slopes of the Lammermuirs, juniper scrub is more characteristic. Appendix F provides species lists for the native woodland types to guide planting mixes for new woodland creation.

Primary and Secondary CSGN connections

11.14 The CSGN has identified a limited number of primary and secondary opportunity areas which are the priority to improve connectivity of the CSGN woodland habitat network. These areas are located within the dispersal zones[6] (500m) of existing woodland where excluding grazing and cultivation would allow expansion of existing woodland by natural seed dispersal. Some opportunity areas have been planted with conifers, and here restructuring of the woodland with native species is sought. The woodland created in these areas should be of the same native woodland type as the woodlands they are connecting.

Coniferous Plantation on Ancient Woodland Sites (ELC CAWS)

11.15 The ELC CAWS layer shows all ancient woodland sites (both those of semi-natural origin and those of long-established plantation origin) currently recorded as being planted with conifers. This Strategy supports reversion to native woodland of these sites. This should ideally be achieved through removal of re-growth of conifers once the mature trees are removed to allow the original native seedbank to regrow to woodland. However supplementary planting may sometimes be required.

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[6] Dispersal zones are predicted based on the distance that a Generic Focal Species from that habitat can travel beyond a patch. Generic Focal Species are commonly used in habitat network modelling to take into account a range of species from each particular habitat.

Riparian

11.16 Woodland in the riparian zone is particularly important for its multiple benefits including biodiversity and climate migration, flood management and water quality, as well as recreation.

11.17 Riparian woodland zones are shown 30m either side of all watercourses. As watercourses generally start in the hills and run through the plain to the sea, over their length different woodland mixes will be appropriate. This ranges from scattered juniper scrub on the upland plateau through upland ash, oak and birch within the cleughs of the upland fringe merging into lowland deciduous woodland or wet woodland in the agricultural plain. As the river approaches the sea, coastal mosaic may be most suitable.

11.18 Woodland creation should ideally be prioritised in the riparian zone for river temperature control. These are areas identified for grant funding by Scottish Forestry and mapped within the riparian zone.

11.19 Riparian woodland should shade no more than half a watercourse and provide an open canopy with dappled shade. The need to maintain this canopy balance into the future must be considered when designing riparian woodland. Woodland in the riparian zone should follow the advice in SEPAs Natural Flood Management Handbook (SEPA, 2015).

Strategic Connections for Climate Migration

11.20 The mapping shows proposed areas of strategic connection. This is intended to provide a framework based on existing woodland, which will create connections across East Lothian from Scottish Borders area in the east to Midlothian in the west to enable species migration northwards. It also shows strategic connections between lowlands and uplands where a transition of woodland types from lowland deciduous to upland woodland and scrub is expected, allowing species to migrate uphill. The intention is to allow for species movement in response to climatic changes.

11.21 The Lammermuir Hills to the south of East Lothian, create a barrier to woodland species migration due to altitude and landcover. The Innerwick coastal area (see Landscape Character Section Landscape Structure Planting 1) is therefore of particular importance for native woodland expansion and connectivity. This area is a Woodland Focus Area in the ELC Green Network Strategy.

11.22 The A1, and in parts the East Coast Rail Line, create significant barriers to woodland connectivity. These barriers must be considered when identifying woodland locations and connection opportunities to ensure continuity of the strategic connections.

11.23 The mapping of climate migration corridors is intended to be flexible; the areas shown are places where connections are thought to be most useful based on location and existing woodland cover including connecting woodland SSSIs. Connections could be achieved in several ways, possibly even taking routes outside the corridors. The aim is to achieve functional connectivity for various species, not to fill the areas shown with woodland.

Figure 24 Key to Potential for Native Woodland map

Woodland Type	Description of information mapped
Existing native woodland	Native woodland identified in the Native Woodland Survey of Scotland

|	
Nearly Native Woodland	Woodland of 40-50% native species identified in the Native Woodland Survey of Scotland
Other Existing mainly broadleaved woodland	CSGN 2021 woodland, which is based on broadleaf and yew habitat (native and non-native species) National Forestry Inventory 2020 woodland areas excluding those identified as felled and coniferous woodland.
Existing Coniferous Woodland	Woodland described as solely coniferous on the National Forestry Inventory 2020
ELC CAWS	East Lothian Conifers on Ancient Woodland. Areas of ancient woodland identified as planted with conifer or mainly conifer on the National Forestry Inventory 2020
Riparian zone	60m wide riparian zone, 30m from OS watercourses.
Priority riparian areas	Priority areas identified by Scottish Forestry for riparian woodland creation with Forestry Grant Scheme funding
Primary Native Woodland Expansion	Primary areas for native woodland expansion identified by Scottish Forestry with Forestry Grant Scheme funding
Native Woodland Expansion Areas – Secondary Zone	Secondary areas for native woodland expansion identified by Scottish Forestry for Forestry Grant Scheme funding
CSGN primary connection opportunities	Priority areas for woodland connectivity identified by Central Scotland Green Network Primary Opportunities
CSGN secondary connections opportunities	Secondary areas for woodland connectivity identified by Central Scotland Green Network
Strategic ELC connections	A flexible migration corridor where connections can best achieve functional connectivity across East Lothian
Native Woodland Model areas	
Upland Oak	Areas where this will grow based on the Native Woodland Model.
Peatland with scattered birch/pine/scrub trees	Areas where this will grow based on the Native Woodland Model. This would be compatible with peatland restoration.
Birch with moor grass and open land	Areas where this will grow based on the Native Woodland Model.
Lowland mixed broadleaf	Areas where this will grow based on the Native Woodland Model.
Scots pine with heather	Areas where this will grow based on the Native Woodland Model.
Alder-ash	Areas where this will grow based on the Native Woodland Model.
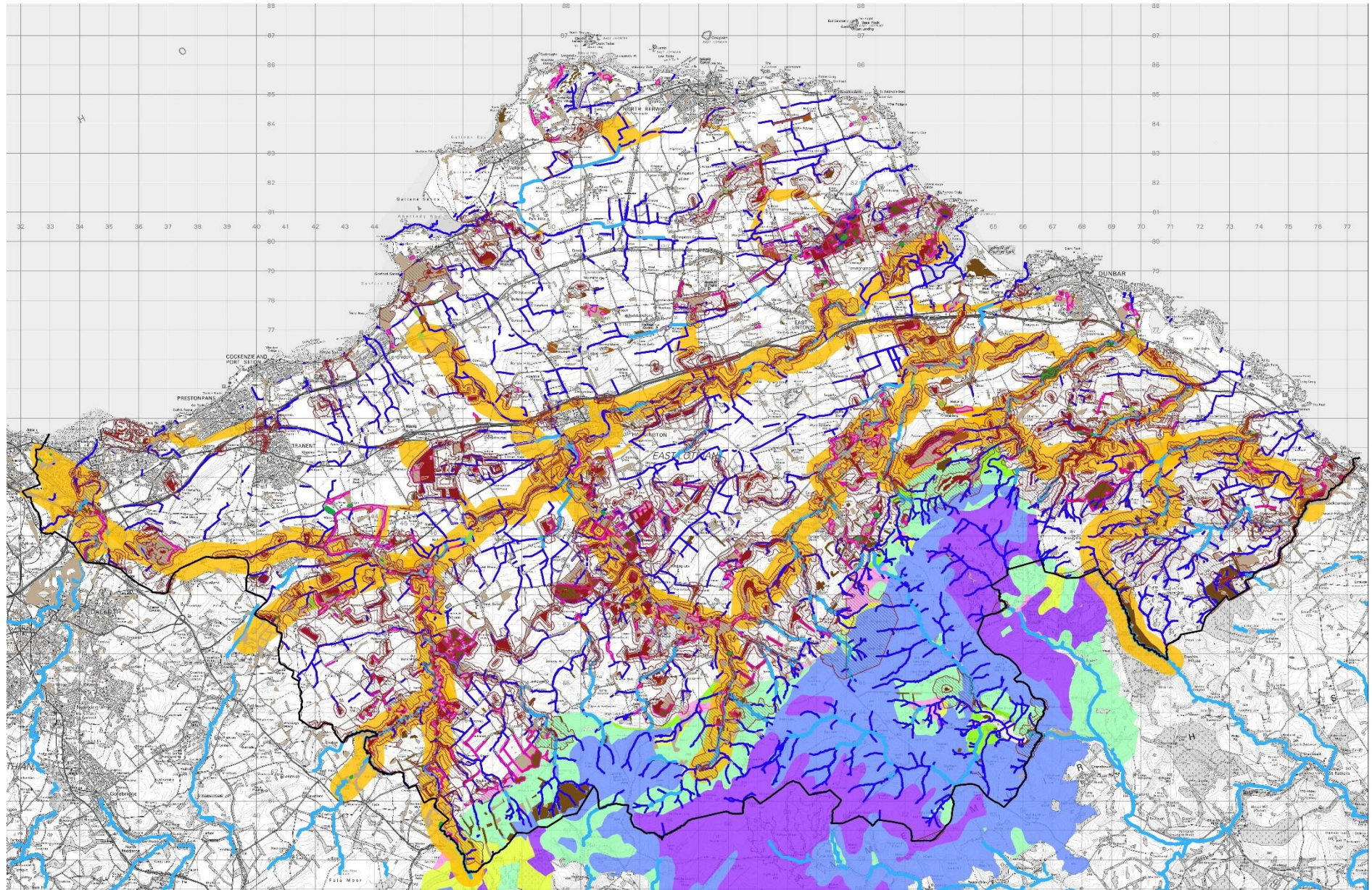
Figure 25 Potential for Native Woodland map

Sensitivities to Woodland Expansion

11.24 To reduce conflict between landuses, the "The Right Tree in the Right Place" guidance (FCS, 2010) recommends steering new tree planting to less sensitive areas. The map in figure 27 categorises land into areas with differing potential to support tree and woodland planting according to land sensitivities. This has been carried out according to the methodology set out in Appendix C. The mapping relies on designations and land categorisation that may change over the life of the plan. Further information on how we see woodland creation within the sensitive, potential and preferred areas shown on the Sensitivity to Woodland Expansion map in figure 27is described below.

11.25

11.26 The Potential for Native Woodland Map in figure 25 shows the most beneficial areas for different types of native woodland. The landscape character areas (see the Landscape Character Section and Appendix B) define the type of woodland most suitable within each area. The Sensitivity mapping should be read together with these.

11.27 The sensitivity mapping gives only a general idea of an area's potential or otherwise for woodland expansion. It is likely that there are small areas that fall into a different category from that shown. In addition, not all sensitivities have been taken into account in drawing up the mapping. Notable designations that haven't been included as sensitive are: Special Landscape Areas, Countryside Around Towns areas and Green Belt, and the Local Nature Reserve. The indirect physical impacts and impacts on settings of the heritage assets have to be assessed at project level and hence are not discussed here. There are some infrastructure related issues which may cause practical constraints for tree planting and woodland creation, in particular wayleaves for electricity and telecom infrastructure (over and underground); windfarms; and private water supply catchments. These will require to be considered at project level.

11.28 The mapping should not be taken as recommending that any specific site should be wooded, or not wooded. The investigation of an area should be guided by this Strategy, but the final decision to create woodland, should be based on site specific assessment, supported by data and site survey. This should include an ecological survey, especially where there is the potential for protected species.

Sensitive Areas

11.29 These are areas where there is limited scope to accommodate woodland expansion. Tree planting and woodland expansion is only likely to be possible in these areas where it does not have a negative impact on the feature, is of a scale and character with the feature, or where it positively enhances the feature. This should be considered at project level.

Non-woodland habitat

11.30 This includes SSSIs, the CSGN grassland, wetlands and heathland habitats as well as non-woodland priority habitats. Retention and protection of species and other habitats is detailed in the Biodiversity Section.

Local Geodiversity Sites

11.31 Tree planting on these sites could negatively impact the integrity of the identified geological features. Any proposals would require site specific assessment at project stage.

Scheduled Monuments

11.32 The site itself as well as the setting of the monument are protected and tree planting close to these will require discussion with Historic Environment Scotland. Further information is provided in the Cultural Heritage Section.

Potential Areas - Designations

11.33 These are areas which have a constraint which is likely to limit the type or extent of woodland expansion but where there may be scope for woodland expansion which supports the interest.

11.34 In line with the UK Forestry Standard Historic Environment section proposals for woodland planting and restructuring should take account of the historical character and cultural values of the landscape and policies associated with historic landscapes, battlefield sites, and gardens and designed landscapes.

Conserving and Enhancing Gardens and Designed Landscapes

11.35 Inventory and Local Gardens and Designed Landscapes fall within the Potential – Designations category. Policy woodlands, wood pasture and parkland, orchards, avenues, and feature trees are often significant elements of the design of these landscapes. This Strategy supports opportunities to manage these landscapes and reinstate lost trees and woodland elements in line with their Statements of Significance and guidance from Historic Environment Scotland and Scottish Forestry. More information on this can be found in Section 9.

Policy Woodlands

11.36 Policy woodland is associated with Gardens and Designed Landscapes offering large areas of woodland within the agricultural plain. Their habitat is mixed mainly broadleaved. Although some have been replaced with coniferous crops over the last century. The potential to restructure these as productive broadleaved and mixed woodlands or native woodlands should be considered. There may also potential for some policy woodlands to be expanded where this fits with the designed

landscape plan. New policy woodland could include a variety of species, including those chosen for their decorative or productive value as well as native species. New woodland sections dominated by a single species are however discouraged.

Wood pasture and parkland

11.37 Succession planting for these elements of designed landscapes and protection from damage from grazing animals is encouraged.

Orchards in designed landscapes

11.38 Orchards are often an integral part of designed landscapes. Those that remain may contain heritage varieties. Restoration and maintenance of orchards as part of the wider restoration and management of gardens and designed landscapes is encouraged.

Battlefields

11.39 There are four battlefield sites within East Lothian. These cover large areas. Any tree planting needs to take account of their special characteristics. This should be considered at project level in consultation with Historic Environment Scotland and the Council's Archaeology Service. Guidance from Historic Environment Scotland should be referred to.

Conservation Areas

11.40 A number of Conservation Areas extend well beyond the settlements they relate to. This is for setting. These are identified on the mapping. Tree planting within these areas should accord with the character of the area and the individual Conservation Area Character Statement.

Golf Courses

11.41 Many golf courses in East Lothian are traditional links courses of open coastal setting with few trees. However, even these can have areas of scrub or woodland that fits with the coastal mosaic. Others occupy a more parkland landscape, often associated with designed landscapes and policy woodlands, with woodland and mature trees. There may be scope for some additional tree planting in golf courses while retaining or even enhancing their playing appeal. Golf courses often contain other priority habitat however which must be considered. They have been shown as potential where there is no other constraint.

Potential Areas – Prime and Mixed Farmland

11.42 This is land which has potential to accommodate some woodland expansion, respecting agricultural production and the qualifying interests of European sites. The woodland types shown below may be suitable.

Small Farm Woodlands and Shelterbelts

11.43 There is some potential for this type of woodland across much of the agricultural area where it can improve agricultural production.

11.44 These woodlands should be designed to offer multiple benefits including shelter for crops and stock, flood and soil management, slope stabilisation and biodiversity connectivity.

11.45 In areas identified in the Potential for Native Woodland map these should be at least 50% native species.

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Wood Pasture

11.46 Wood pasture may exist within agricultural land outwith Garden and Designed Landscapes. Mapping will be carried out to identify areas of ancient wood pasture and funding is available to retain and manage these.

Orchards in farmland and agroforestry

11.47 There may be opportunities within the agricultural land for productive orchards and other forms of agroforestry. Both commercial and community are encouraged. Areas close to or within settlements are most suitable for community growing.

Hedgerows and hedgerow trees

11.48 In agricultural land new hedgerows and hedgerow trees are expected to be a major contributor to achieving East Lothian's Climate Forest target of 2 million trees. There are potential opportunities for hedge planting together with hedgerow trees along many field boundaries, as well as restoration of defunct and gappy hedgerows. They will, in the right places, contribute to habitat connectivity whilst benefitting the agricultural land by providing shelter for crops and stock, and reducing erosion.

11.49 New hedgerow designs should consider the potential for biodiversity connectivity and landscape enhancement, as well as choosing the right species for the function of the hedge. The hedgerow plan will help guide hedgerow creation.

Structural Woodlands

11.50 Structural woodland is created in association with development. It therefore tends to be located at the edge of settlement – or the former edge of settlement – or around larger infrastructure.

11.51 Native species should form a minimum of 50% of the trees within these woodlands where they are located within areas identified in the Potential for Native Woodland map.

Preferred Areas

11.52 The areas identified as 'Preferred' have no strategic constraints or sensitivities and are likely to offer the greatest flexibility for woodland expansion. Site specific issues are likely to be addressed with well-designed proposals.

11.53 The mapping shows that the majority of the preferred areas in East Lothian are within the upland fringe and along riparian corridors. The areas shown offer potential for connectivity with existing woodland and tie in well with the proposals on the Potential for Native Woodland mapping in figure 25. This suggests that woodland creation for native woodland expansion and connectivity should be possible without significant constraint.

11.54 New sustainable softwood forestry with UKWAS certification could be considered in the mapped "preferred" and "potential" locations on the sensitivity mapping, outwith the areas identified for native woodland on the Potential for Native Woodland map.

Vacant and Derelict Land

11.55 Most Vacant and Derelict sites within East Lothian are within or close to settlement. However not all are, and areas of vacant and derelict land with no other constraint outwith urban areas have been included within preferred areas. These sites offer potential for temporary greening or more

permanent tree planting and woodland creation as part of regeneration proposals. The potential for disturbance of ground contaminants should be considered at project level.

Figure 26 Key to Sensitivity to Woodland Expansion

| Land Category	Description of information mapped
Existing Woodland	Areas already wooded Mapped: CSGN Woodland Network 2021 (Habitat areas only); National Forest Inventory 2020 (not including areas identified as felled).
Unsuitable	Areas where the land is unlikely to be physically suitable for trees. Mapped: John Hutton Institute map "Land Suitability for Forestry" category "Land unsuitable for trees"
Water bodies	Based on OS mapping
Urban	Settlements with 50 or more addressable properties. The settlement boundaries include areas allocated for development in the Local Development Plan (ELC, 2018(1)). (Note, the settlement boundaries are drawn solely for this Strategy, and have no other planning status).
Sensitive	Mapped: Special Protection Areas; Scheduled Monuments; SSSIs; Local Geodiversity Sites; CSGN Grassland, Bog Heath and Wetland Habitat; Non-woodland East Lothian Priority Habitat
Potential – designations	Mapped: Geological Conservation Review; Inventory and Local Gardens and Designed Landscapes; Inventory Battlefields; Local Biodiversity Sites; Conservation Areas, Golf Courses.
Potential – Prime Farmland	Mapped: from James Hutton Institute Land capability for agriculture: Class 1-3.1
Potential – Mixed Farmland	Mapped: from James Hutton Institute Land capability for agriculture: Class 3.2-4.2
Preferred	Land with no strategic constraints or sensitivity that offers the greatest flexibility for woodland expansion, and vacant and derelict land.
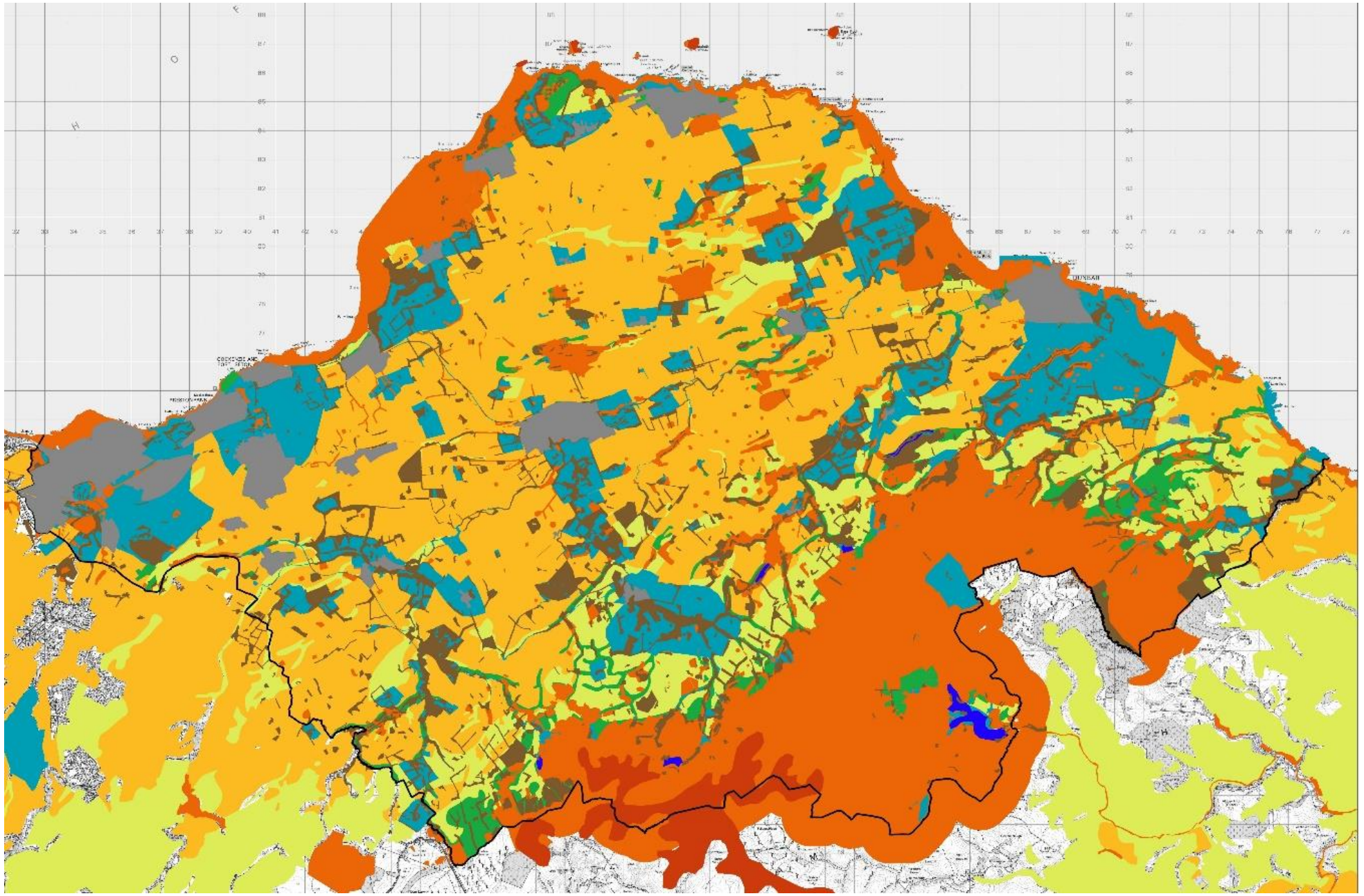
Figure 27 Sensitivity to Woodland Expansion map

Urban Tree and Woodland Planting

11.56 Trees, woodlands and hedges in urban areas are seen as particularly important within this Strategy. They are multi-functional. They can improve resilience to climate change by creating shade as well as addressing flooding. They can improve health and wellbeing by improving amenity value of residential areas, offering access to nature and alternate forms of recreation as well as combatting poor air quality.

11.57 The Strategy supports the retention of existing urban trees, woodlands and hedges.

11.58 The map in figure 29 shows an overview of East Lothian with opportunities within and around urban areas as identified in the table in figure 28. To provide further detail, a map has been provided for each settlement area in Appendix A with information on opportunities and constraints for each settlement.

Existing Woodlands and Recreation

11.59 The mapping shows small woodlands between 2ha and 20ha and large woodlands over 20ha (see Appendix C for further information). Areas of ancient woodland have been overlaid on these woods to identify areas that may be most sensitive to increases in recreation.

11.60 The proximity of properties to woodlands of over 2ha and over 20ha has also been mapped. This identifies those properties where access to woodland is lacking and helps to focus any projects to improve access to woodland or create new woodlands.

11.61 The areas where funding from Scottish Forestry for increasing woodland access and management can apply have also been shown. Used together with the information on lack of access to woodland this can help support woodland creation and management in the best areas for communities.

11.62 Woodland areas close to settlement identified as local biodiversity sites have been identified to help communities identify the areas which already provide access to nature.

Canopy Coverage

11.63 The mapping identifies the lowest 30% SIMD areas where Target 4A aims to retain or increase canopy coverage to at least 30% to help focus tree planting.

Vulnerable Sites

11.64 Some groups in society are more at risk from air pollutants, in particular the young, old and unwell. The Strategy supports appropriate planting to help create barriers to air pollutants. The mapping has identified sites where the most vulnerable groups would be most affected and where tree and hedgerow planting would be most beneficial within urban areas.

11.65 These sites should also have a 100m offset for the planting of allergenic tree species to help reduce the impacts from pollen.

Conservation Area and Town Centres

11.66   Conservation Areas and Town Centres have been identified on the mapping. Tree planting within these areas should accord with the character of the area and the individual Conservation Area Character Statement.

Vacant and Derelict Land

11.67   These sites offer potential for temporary greening or more permanent tree planting and woodland creation as part of regeneration proposals. In particular Target 7A aims to improve landscapes through woodland creation by structural planting in the Cockenzie/Blindwells area.

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Figure 28 Key to urban tree and woodland opportunities

| Woodland Type	Description
Small Woodlands	Woodlands between 2ha and 20ha as identified on the NFI 2021, CSGN woodland network and Green Space mapping
Large Woodlands	Woodlands larger than 20ha as identified on the NFI 2021, CSGN woodland network and Green Space mapping
Ancient Woodlands	Woodlands recorded on the ancient woodland inventory as well as on the East Lothian additional ancient woodland layer
Woodland expansion opportunities	Central Scotland Green Network 2021 500m habitat dispersal zone, Central Scotland Green Network Primary and Secondary Opportunities
Support access to nature locally for those living in urban areas	Existing woodland Local Biodiversity Sites designated for community interest and Community Woodlands
Improve amenity of deprived areas	Lowest 30% SIMD areas
Woodland Trust Access Standard Attainment	
🔴 Properties meeting neither standard	Properties further than 500m from a woodland over 2ha and further than 4km from a woodland over 20ha
🟢 Properties not meeting 4km standard	Properties further than 4km from a woodland over 20ha
🔵 Properties not meeting 500mm standard	Properties further than 500m from a woodland over 2ha
Opportunities for recreation in and around towns	Forestry Grant Scheme Woodland In and Around Towns Eligibility Areas (WIAT)
Opportunities for recreation in and around the lowest 15% SIMD areas	
Vulnerable Sites	Schools, Hospitals, Playing fields, Play areas, Care Homes
Contribute to the character of town centres and Conservation Areas	Local Development Plan (ELC, 2018(1)) defined town centres and Conservation areas
Contribute to temporarily or permanently greening vacant or derelict land within urban areas	Sites on the vacant and derelict land registers 2022
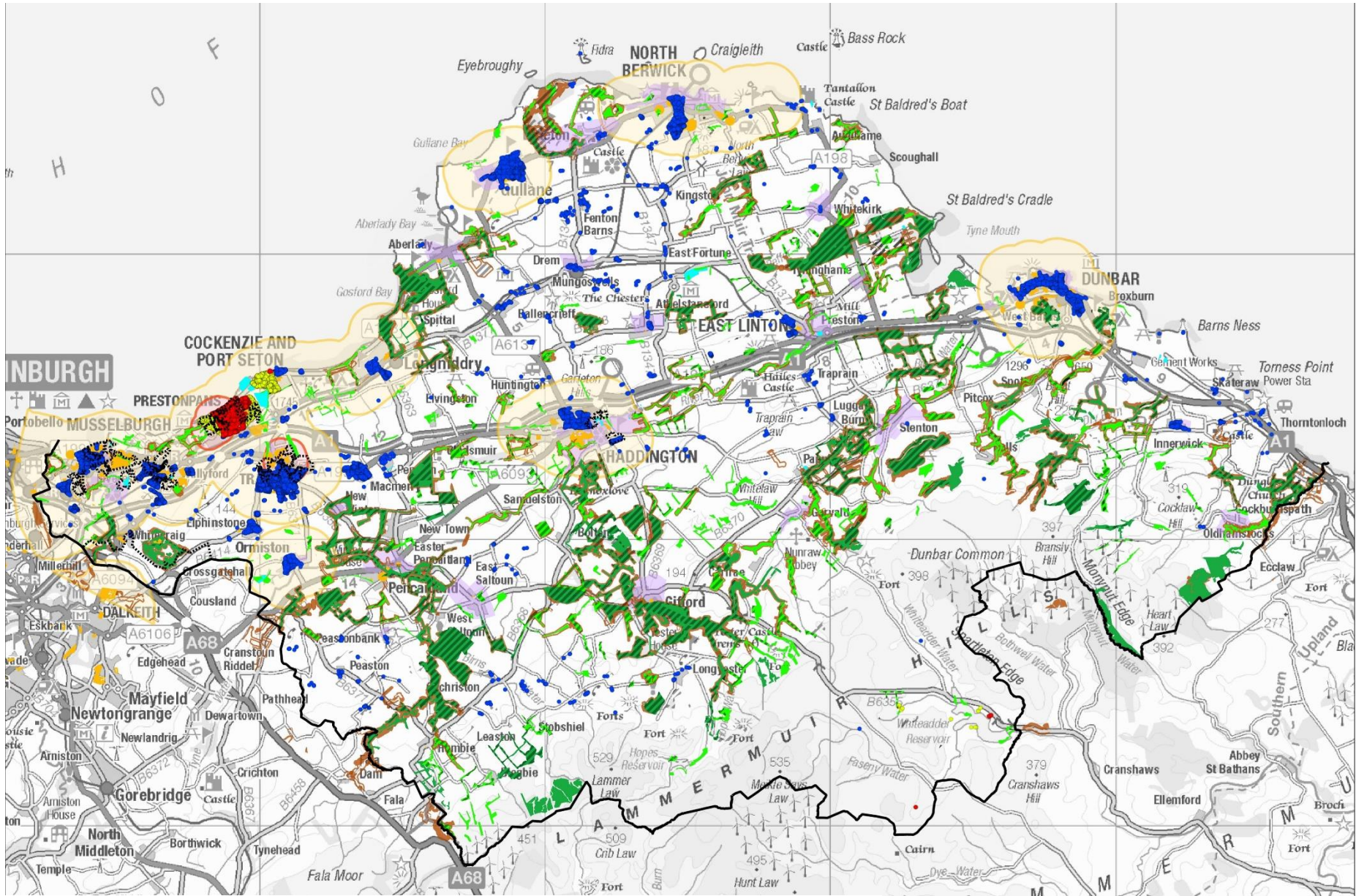
Figure 29 Urban tree and woodland opportunities mapping

12 Delivery and Monitoring

12.1 The Strategy sets out a framework for delivery of the Climate Forest and woodland expansion and creation within East Lothian. The Council has limited land and resources. Collaborative working between many different parties over the long term is therefore vital to achieve the Strategy Vision. Private landowners and businesses will play a significant role in its delivery.

12.2 The Council will play its part in delivery of the Strategy through our role as regulator and as a land manager. These functions are detailed at the end of this section. The Council's internal Tree and Woodland Strategy working group will continue to oversee the implementation of this Strategy.

12.3 Other public bodies have important roles in delivery. Scottish Forestry will continue to provide grants for woodland creation, control of felling, and applying the UK Forestry Standard to proposals for creating or restructuring woodland. SEPA and Scottish Water have an interest in woodland retention and creation through their interest and responsibilities for water management and supply. NatureScot will continue to seek to improve the condition of SSSIs through management agreements with landowners and applying the Operations Requiring Consent Regime.

12.4 The community, volunteers, individuals and families are also very important in helping deliver our Strategy, whether planting trees in their own gardens or suitable public areas or joining with others to look after and celebrate our woodland heritage. Or even just getting out there and enjoying what East Lothian's trees and woodlands have to offer!

12.5 This Strategy aims to make the most of the strengths and opportunities identified in figure 30. The green ovals in figure 30 show how the Strategy will help combat the weaknesses and threats identified.
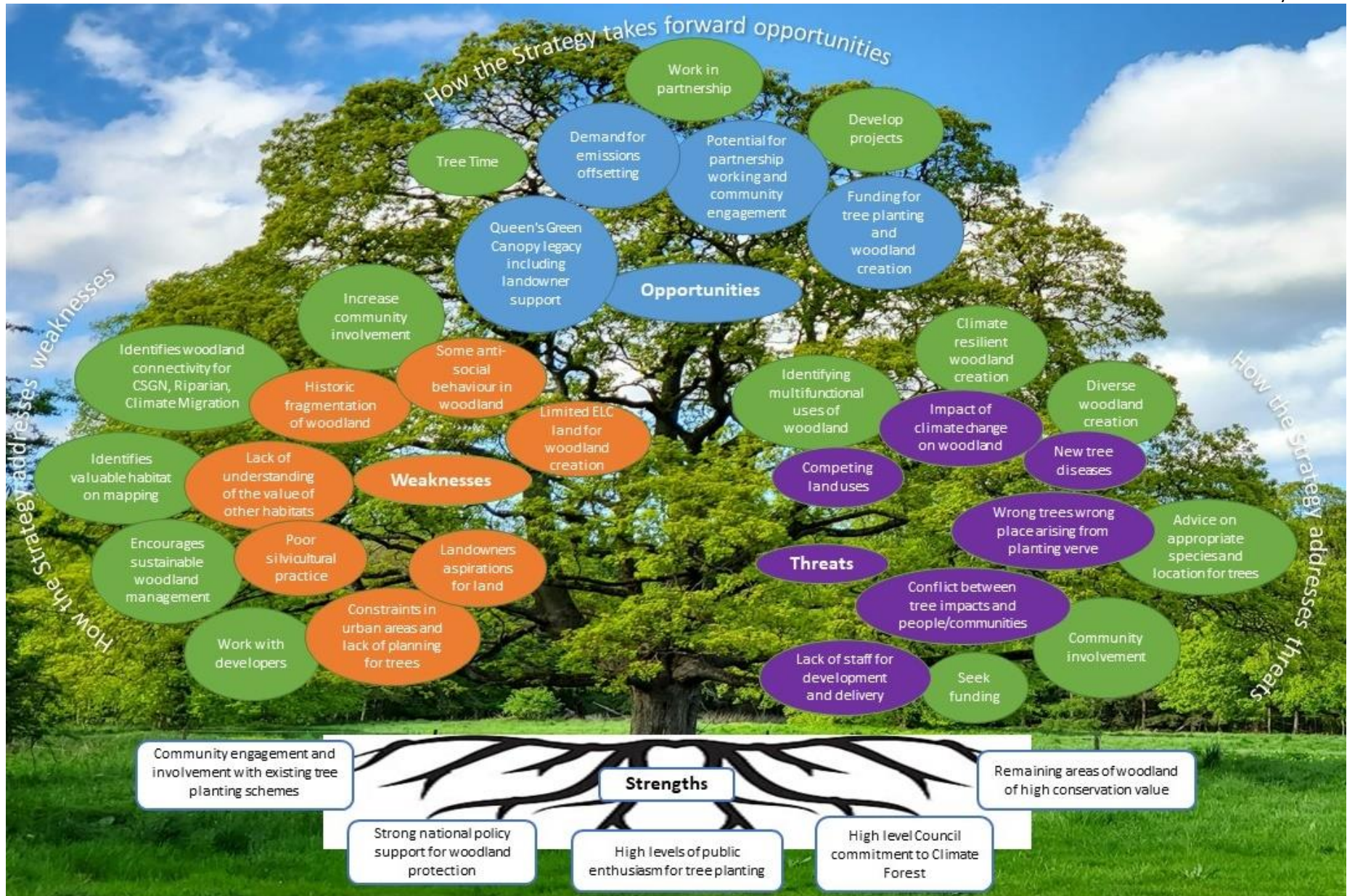
Figure 30 Representation of the strengths, weaknesses, opportunities and threats (SWOT) to trees and woodlands in East Lothian and how the Strategy addresses these

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Achieving the Targets

12.6 Seven targets to help deliver the Tree and Woodland Strategy Vision were identified, one for each theme covered by the Strategy.

Target 1

Creation of the East Lothian Climate Forest of at least 80-125 ha of new woodland annually across East Lothian to provide the 2 million trees in 10 years to achieve increased woodland coverage of 13.45% by 2031

12.7 New tree planting and woodland creation will count towards the creation of the East Lothian Climate Forest. More detail on this can be found in the East Lothian Climate Forest section below. Woodland creation and tree planting that mitigates directly for loss of trees will not be included in these figures. This could include the replacement of ash trees lost to Ash Dieback disease or replacement planting for trees lost to development.

Monitoring

12.8 The numbers of trees planted will be collated by the Council where we are aware of them. This will include information from our own planting, Scottish Forestry Woodland Creation Grants, the Woodland Trust, the Riverwoods Project, community planting schemes, implementation of planning approvals, and the Scottish Government Rural Payments scheme.

12.9 A page on the Climate Forest will be created on the tree pages of the Council's website. There will be an email address contact to allow anyone carrying out woodland creation or tree planting to let us know.

12.10 A report collating the numbers of trees planted through the above schemes will be published at the end of years 3, 6 and 9 to ensure we are on target to achieve the Climate Forest by year 10.

Target 2

Improve resilience of East Lothian's environment including:

(A) Securing functional native woodland connections through East Lothian to support migration of species under climate change
- **A lowland corridor between the eastern boundary with Scottish Borders to the east and Midlothian to the west**
- **corridors between lowland woodland and montane scrub/heathland in the Lammermuirs**

(B) Increasing native riparian woodland by 18%; from 42% of the riparian zone to 60% (with 9% implemented year 5)

12.11 The Potential for Native Woodland map in figure 25 in the Spatial Guidance Section has identified strategic areas within which these functional native woodland connections identified in Target 2A should be made. Action 11 "*the Council will work with others including neighbouring authorities to identify the best areas for connectivity of woodland habitat networks*" will take this work further to a detailed project level both within and beyond East Lothian. Action 30 "*Develop and implement a landscape masterplan for the Innerwick Coastal Margin and adjacent Upland Fringe area*" will also be integral to identifying these functional connections taking on board the significant development this area is currently undergoing.

12.12 Action 10 "*Create and expand native woodlands where there are suitable opportunities, in particular where this will have most benefit for connectivity*" together with Action 30 will help enable implementation of this woodland.

12.13 The Potential for Native Woodland Map in figure 25 in the Spatial Guidance Section has identified all rivers and has shown a 30m wide riparian zone to either side of these within which riparian woodland as identified in Target 2B could be made. The highest priority areas within the riparian zone where Scottish Forestry will fund riparian woodland creation are also shown.

12.14 Action 4 "*Work with SEPA, neighbouring authorities and stakeholders to identify where woodland retention, creation and management could most improve water quality, support reduction in flood risk and help increase slope stability*" will in places identify areas for woodland creation within this riparian zone.

12.15 Action 10 "*Create and expand native woodlands where there are suitable opportunities, in particular where this will have most benefit for connectivity*" will enable implementation of woodland to meet Target 2B. In the riparian areas we anticipate that the Riverwoods Project in collaboration with SEPA will help deliver this woodland.

Monitoring

12.16 A report collating the numbers of trees planted within the climate migration and riparian zones through the schemes noted under Target 1 will be gathered every three years to ensure we are on target to achieve the targets.

Target 3

Improve biodiversity value of East Lothian's woodland habitats in line with the Green Network Strategy SPG Nature Network Green Network Task 1 Woodland including by

(A) Doubling the area of native woodland (1423 ha new native woodland) with 750 hectares by year 5.

(B) Improving connectivity of the CSGN broadleaf and yew habitat network by woodland creation as opportunities arise focussing on the primary and secondary CSGN opportunity areas

(C) Mapping East Lothian's hedgerows and increase the total length by 10%

(D) Retention of ancient woodland

(E) Restoration of 30% (390 hectares) of coniferous plantation on ancient woodland sites (CAWS) to native woodland

12.17 The Potential for Native Woodland map in figure 25 in Section 11 has identified expansion areas for existing native woodland types – broadleaf woodland, upland oak wood, peatland with scattered birch trees, and birch with open ground to meet Target 3A.

12.18 Target 3A can be achieved partly through the planning system. Policy 3 of NPF4 seeks enhancement of biodiversity through development, giving the opportunity to increase native woodland. The Control of Woodland Removal policy (FCS, 2009) limits woodland removal, thereby retaining the native woodland that we have. Policy 1 of this Strategy requires compensatory planting for felled woodland to be of native species. Therefore where non-native woodland is felled compensatory native woodland will be required. Woodland creation schemes also often support native woodland and are likely to be the main way to increase native woodland.

12.19 The Potential for Native Woodland map in figure 25 in Section 12 shows the CSGN primary and secondary connection opportunities identified as offering the best opportunities for improving connectivity of the CSGN broadleaf and yew woodland network to help meet target 3B.

12.20 Woodland creation is encouraged within the CSGN expansion areas and schemes that include these connections are supported by Scottish Forestry. Additional funding is available for proposals within these areas. More information can be found the on [Scottish Forestry website](#).

12.21 Action 12 *"Map locations, species and condition of all hedgerows and hedgerow trees in East Lothian"* will identify what the situation is in East Lothian at the moment to address the first part of Target 3C. This will inform Action 13 *"Develop a Hedgerow Plan for retention, replacement, increase and management of hedgerows and hedgerow trees".* Hedgerows have protection through Policy 6 of NPF4 which will help to reduce loss of existing hedgerows due to development.

12.22 Action 5 *"Work with farmers and landowners to encourage hedgerow and tree planting and woodland creation where appropriate, to help reduce water run-off onto our roads"* will help increase hedgerow planting to address the second part of Target 3C.

12.23 The mapping in figure E1 in Appendix E shows areas of Ancient Woodland as identified by NatureScot over 40 years ago. Areas under 0.5 hectares were not included in this mapping. We are the process of mapping additional ancient woodland for East Lothian as identified in Action 8. Some of the originally mapped ancient woodland areas may have since been affected by a change in land use. To identify the baseline of East Lothian's ancient woodland we will take the NatureScot ancient woodland, minus areas of development, as well as those areas mapped under Action 8. These combined areas will give us a baseline figure for retention to meet Target 3D. These areas will be protected from development by Policy 6 part b of NPF4 (Scottish Government, 2023 (A)) and by our implementation of the Control of Woodland Removal policy (FCS, 2009) and by Scottish Forestry in woodland management and felling permissions.

12.24 Ancient woodland sites that are shown as coniferous plantation on the National Forest Inventory 2019 have been shown as ELC PAWS sites on the Potential for Native Woodland map in figure 25. Their total area is currently 117 hectares. These are the areas identified to be restored to native woodland in target 3E. Through Action 9 *"Promote the restoration to native woodland of Plantation on Ancient Woodland Sites (PAWS)"* we will restore native woodland on sites we own and work with Scottish Forestry and landowners to encourage restoration of ancient woodland on other sites.

Monitoring
12.25 Regular reports will be fed back to the Nature Emergency group on these targets. These will provide progress on reaching these targets.

12.26 The aim for Target 3D is for the measurement to still be 100% of the baseline figure.

Target 4
Increase access to trees and woodland for all by:

(A) Retaining or increasing tree canopy coverage to a working target of 30% in settlements and the areas in the most deprived 30% of SIMD areas

(B) Improve and increase access to woodlands to meet the Woodland Trust's Accessible Woodland Standard so that 99% of properties meet at least one of the Standard's (currently 96%) and increase the number of properties with access to a 2ha wood within 500m from 67% to 80%.

(C) Developing a Tree Warden Scheme in East Lothian and recruit volunteers from each of our main settlements

(D) Helping set up and ensure management for a community orchard in each of our main settlements

12.27 We have identified the existing canopy coverage in all the settlements of over 500 properties and the lowest 30% SIMD areas. This gives us a baseline to work from and identifies those areas with low canopy coverage to address Target 4A.

12.28 The Council is carrying out tree planting in many of our housing areas. These often correlate to the lower SIMD areas. Action 17 *"Encourage those preparing Area Partnership Plans and Local Place Plans to include appropriate proposals for trees and woodlands in their area"* could help to identify opportunities and implement additional tree planting.

12.29 The map in figure 17 identifies properties which currently lack access to a local woodland and identifies areas of priority for creation of new or larger woodlands and/or improving access to address Target 4B.

12.30 Action 14 "*Increase accessible woodland where required to meet the Woodland Trust's Accessible Woodland Standard"*. Woodland creation is encouraged within the Woodland In and Around Towns eligibility areas and schemes that improve woodland management and access are supported by Scottish Forestry. Additional funding is available for proposals within these areas. More information can be found the on Scottish Forestry website.

Monitoring
12.31 Work by the East Lothian Tree Time project will be recorded towards Target 4A, together with other planting within our settlement carried out by the Council.

12.32 Any grant funding through the Woodland Improvement Grant Woodland In and Around Towns will be recorded to show progress towards Target 4B.

Target 5
Create 300 hectares of new small farm woodlands, shelterbelts, orchards and other agroforestry which align with and support agricultural production

12.33 The mapping in figure 27 identifies agricultural land of prime quality and that of land class 3.2 to 4.2 as areas where there is potential for new small farm woodlands and shelterbelts to enhance agricultural productivity. Policy 21 encourages this.

12.34 Target 5 will be partly delivered through Action 2 and the work of the East Lothian Climate Forest. Grants are also available from Scottish Forestry and Rural Payments Schemes to support creation of small scale woodlands on agricultural pasture.

Monitoring

12.35 A report collating the numbers of trees planted on agricultural land through the schemes noted under Target 1 will be gathered every three years to ensure we are on target to achieve Target 5.

Target 6

Improve recognition and protection of trees with cultural heritage value including by:

(A) Encouraging identification of Champion, Veteran and Ancient Trees through Citizen Science
(B) Complete mapping of ancient woodland, orchards, parkland and wood pasture

12.36 Notable trees including champion, veteran and ancient trees are protected from development by Policy 6 of NPF4 as well as policy 23 of this Strategy.

12.37 Target 6A will be undertaken through Action 27 *Encourage identification and recording of important individual historic, ancient, veteran and champion trees and where appropriate begin succession planting*. The Woodland Trust have information on how to record ancient, veteran and notable trees and a site to record these on their [website](). There is also a [website]() of Champion trees where Champion trees can be recorded.

12.38 Target 6B will be undertaken by the Council through Action 8 *Complete the Ancient Woodland Survey for East Lothian including the mapping of wood pasture, parkland and orchards*. Mapping of these may also help identify some of the trees in Target 6A.

12.39 Action 28 *Promote positive management of gardens and designed landscapes and heritage trees to maintain their historic and cultural significance* may also help to identify trees with cultural heritage value.

Monitoring

12.40 6A will be monitored by comparing the number of trees on the ancient tree inventory now and every three years. An increase in trees recorded shows the target is being met.

12.41   6B will be achieved by completing the mapping. This will be monitored every three years to confirm if this has been carried out.

Target 7

Improve landscapes through woodland creation by

(A) Structural planting in the Cockenzie/Blindwells area and Innerwick Coast area

(B) Developing a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease

12.42 Target 7A will be carried out through the implementation of Action 31 *Develop and implement a landscape framework and planting programme for the Cockenzie/Blindwells area* and through Action 30 *Develop and implement a landscape masterplan for the Innerwick Coastal Margin and adjacent Upland Fringe area*. This could come forward through planning approvals for the areas as well as through the Local Development Plan process.

12.43 The woodland creation can be undertaken through Action 2 *Deliver the East Lothian Climate Forest*, together with Action 10 *Create and expand native woodlands where there are suitable opportunities, in particular where this will have most benefit for connectivity*.

12.44 Target 7B will be carried out by the Council through Action 7 *Develop and implement a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease.*

Monitoring
12.45 Three yearly monitoring will be carried out record progress towards these Targets.

Action Plan

12.46 There are Actions identified throughout the Strategy to support implementation of the Targets. These are pulled together in the Action Plan below with details of possible delivery mechanisms.

12.47 Timescales of these are noted as short (within the next three years), medium (four to seven years), or long term (up to ten years).

Action number	Action	Target	Who	How delivered	Timescale
Theme 1 Climate Mitigation					
1	The Council will investigate opportunities for offsetting its own unavoidable carbon emission through creation of new multifunctional woodland locally		Climate Change Implementation Group	Through the climate change strategy and the climate forest	Long-term
2	Deliver the East Lothian Climate Forest	1, 2A, 3A,3B, 3C, 4, 7A, 7C	ELC together with partners such as ELGST, NatureScot, Scottish Forestry, Woodland Trust and local businesses and landowners	See section below for details Council Planting Community Planting River Woods project Woodland creation schemes	Long-term
3	The Council will explore ways of increasing use of wood and wood products, particularly locally sourced timber		Procurement Architects Planning authority	Procurement policies Project specifications Planning policy and negotiation with developers	Ongoing
Theme 2 Resilience and Climate Adaptation					
5	Work with SEPA, neighbouring authorities and stakeholders to identify where woodland retention, creation and management could most improve water quality, support reduction in flood risk and help increase slope stability	2B, 3A, 3D, 7A, 7C	ELC SEPA Scottish Forestry SBC Midlothian Council	River Woods project Climate forest Flood management proposals Woodland creation schemes	River basin management plan timescales
4	Work with farmers and landowners to encourage hedgerow and tree planting and woodland creation where appropriate, including to help reduce water run-off onto our roads	1, 2A, 3C, 4	ELC roads authority Farmers/landowners	Woodland creation schemes Woodland trust Landowners	Ongoing
6	Adopt the Ash Dieback Action Plan and manage ash trees in accordance with this	7B	ELC	ELC Amenity Services	Short-term

Action number	Action	Target	Who	How delivered	Timescale
7	Develop and implement a plan for the landscape scale replacement of ash trees lost to Ash Dieback disease	7B	ELC	Development by ELC Amenity Services together with ELC Planning	Medium-term
Theme 3 Biodiversity					
8	Complete the Ancient Woodland Survey for East Lothian including the mapping of wood pasture, parkland and orchards	3D, 6B	ELC planning service	Work fitted around existing workloads / Mapping carried out by Planning Service as resources allow	Ongoing
9	Map locations, species and condition of all hedgerows and hedgerow trees in East Lothian	3C	ELC Volunteers	Recording of hedgerow condition alongside ongoing plant recording	Ongoing
10	Promote the restoration to native woodland of Plantation on Ancient Woodland Sites (PAWS)	3A, 3D, 3E	Scottish Forestry NatureScot ELC	Felling permissions Advice from NatureScot Advice from ELC Biodiversity Officer Management of council owned woodland	Ongoing
33	Coordinate local seed collection and tree growing projects and identification of sites for planting	1	ELC in partnership with Alba Trees	Ongoing project with Alba trees to be further developed through the Climate Forest as resources allow	Ongoing
11	Create and expand native woodlands where there are suitable opportunities, in particular where this will have most benefit for connectivity	1, 2A, 3A, 3B, 3E, 7A, 7C	ELC Landowners Community Groups Farmers	River Woods project Woodland creation schemes Community Planting	Long-term
12	The Council will work with others including neighbouring authorities to identify and create cross boundary connectivity of woodland habitat networks	2A, 3B	ELC Neighbouring authorities CSGN	Advice from ELC Biodiversity Officer ELBAP CSGN projects CSGN habitat networks	Long-term

12 Delivery and Monitoring: 117

Action number	Action	Target	Who	How delivered	Timescale
13	Develop a Hedgerow Plan for retention, replacement, increase and management of hedgerows and hedgerow trees	1, 2A, 2B, 3C	ELC Planning Service	A project to be developed as resources / officer time allows	Medium
14	Create and retain a balanced coastal mosaic habitat including reverting plantation woodland to more natural coastal habitat should the opportunity arise, subject to public engagement	3A	ELC Scottish Forestry NatureScot	Woodland Grant Schemes Woodland Management Plans	Long-term
Theme 4 Community					
15	Work with landowners and Scottish Forestry to investigate opportunities for creating woodland where required to meet the Woodland Trust's Accessible Woodland Standard	1, 5B, 7A, 7C	ELC Landowners Scottish Forestry Woodland Trust Community Groups	Woodland Improvement Grants WIAT funding	Long-term
16	Map existing woodland provision for people with reduced mobility and work with disability groups to identify where this could be increased	4B	ELC Community Groups ELCAP Access Forum (?)	Mapping carried out by ELC Planning Service as resources / officer time allows	Short
17	The Council will promote access to and enjoyment of woodland for all, particularly with respect to underrepresented groups, where this can be done in a manner that does not harm the woodland	4B	ELC	ELC through signage at woodlands and promotion on website	Ongoing
18	Encourage those preparing Area Partnership Plans and Local Place Plans to include appropriate proposals for trees and woodlands in their area	1, 5A, 5B, 7A, 7B, 7C	ELC Area Partnerships and Planning Service	Through Area Partnerships and Local Development Plan	Short
34	Map canopy coverage for all settlements not yet mapped	4A	ELC Planning Service	Mapping carried out by ELC as resources / office time allows	Ongoing

12 Delivery and Monitoring: 118

Action number	Action	Target	Who	How delivered	Timescale
19	Produce a Tree Management Strategy for trees on our own land	3D, 3E, 5A, 5B, 6A, 7A, 7C	ELC	Seek external funding to produce this	Medium
20	Identify funding to carry out an audit/survey of our current tree estate including tree condition etc.; management requirements for these trees, including need for selective felling where needed		ELC	Seek external funding to carry this out	Short
21	Where appropriate, plant street trees and hedges in urban areas, including in Air Quality Management Areas and around sensitive sites including hospitals, schools, care homes and play areas and sports fields; woodland expansion along strategic road corridors and adjacent to industrial sites; and hedges along roadside edges	1, 2A, 5A, 7A, 7C	ELC Community groups Developers NHS	East Lothian Tree Time Woodland Grant Schemes Council tree planting	Ongoing
35	Involve communities in tree planting and maintenance of new trees, including setting up a Tree Warden Scheme	4C	ELC Tree Council	As resources allow	Long-term
22	Maintain and map and where appropriate publicise a list of community orchards	4D	ELC	Within the food growing strategy	Medium
23	Encourage local fruit and nut growing	4D	ELC Tree Wardens	Within the food growing strategy	Long-term
37	Work with communities to develop and manage community orchards and fruit growing, including promotion of heritage varieties.	4D	ELC Tree Wardens	Within the food growing strategy	Long-term
Theme 5 Economy					
24	Encourage and enable smaller producers to work together in joint marketing, promotion and equipment sourcing through a local timber forum		ELC	Developed as resources allow	Long-term

Action number	Action	Target	Who	How delivered	Timescale
25	Promote woodland based tourism and recreation, where appropriate including joint marketing campaigns with other visitor attractions, tourism operators and accommodation providers		ELC	ELC Economic Development and Ranger Service department as part of ongoing work	Ongoing
26	Encourage the development of small scale low impact tourism enterprises (excluding accommodation) linked to appropriate woodlands		ELC	Appropriate development supported by Planning Service	Ongoing
Theme 6 Cultural Heritage					
27	Develop an interpretation plan highlighting planting for the climate forest, existing woodlands, notable trees, paths within the woodlands and a series of tree trails for our town and villages. Badge using logo to link together	6A	ELC	Seek external funding to develop the project	Long-term
28	Encourage identification and recording of important individual historic, ancient, veteran and champion trees and where appropriate begin succession planting.	6A	ELC	ELC through promotion on website	Ongoing
29	Promote positive management of gardens and designed landscapes and heritage trees to maintain their historic and cultural significance	3D, 3E, 6A	ELC	ELC through promotion on website	Ongoing
Theme 7 Landscape Character					
30	Develop and implement a landscape masterplan for the Innerwick Coastal Margin and adjacent Upland Fringe area	1, 2A, 3A, 3B, 3C, 3D, 3E, 4, 7A	ELC	Through Planning Guidance	Short

12 Delivery and Monitoring: 120

Action number	Action	Target	Who	How delivered	Timescale
31	Develop and implement a landscape framework and planting programme for the Cockenzie/Blindwells area.	1, 2A, 3A, 3B, 4B, 7A	ELC	Through Climate Evolution project and the development process	Short
32	Create a managed programme of replacement of street trees important to townscape character	5A, 6A, 7B, 7C	ELC	To be included as part of Action 19	Medium
Delivery Section					
36	We will provide clear information to householders on the benefits of planting trees in their gardens		ELC	ELC through promotion on website	Short-term

East Lothian Climate Forest Project

12.48 The planting of 2 million trees to create the East Lothian Climate Forest will be guided by this Strategy. The Climate Forest project would also be a way of helping deliver many of the Actions of this Strategy, subject to funding. This project would:

Carry out tree planting and woodland creation

- Create and expand native woodlands where there are suitable opportunities as shown on the Native Woodland Map, in particular where this will have most benefit for connectivity
- Identify suitable opportunities for woodland connectivity for movement of species northwards and uphill and provide suitable habitat and tree species for migrating species
- Develop a Hedgerow Plan for retention, replacement, increase and management of hedgerows and hedgerow trees
- Encourage local fruit and nut growing and consider a project to supply householders and businesses with a fruit tree
- Identify any areas of amenity open space suitable for tree and woodland planting
- Where appropriate, plant street trees and hedges in urban areas,
- Identify any vacant, derelict, stalled and safeguarded sites with potential for temporary or more long-term greening.
- Seek suitable opportunities for tree planting in our school estate
- Encourage planting and woodland creation to enhance settlement and setting including the use of large specimen trees in appropriate areas
- Support the implementation of the landscape structure planting projects

Work with Others

- Work with SEPA, NatureScot, HES, NHS and other stakeholders to identify where woodland creation can best achieve their objectives
- Work with East Lothian Climate Action Network (ELCAN)
- Work with farmers, landowners and land managers to support delivery of the strategy
- Work with communities to identify appropriate canopy cover targets and identify suitable locations for planting so that targets can be achieved for settlements and urban areas
- Support local nursery, wood and tree businesses to supply sufficient locally sourced stock
- Encourage and support training of tree and forestry sector workers
- Explore the development of links between local plant suppliers, timber growers and processors / users to enhance local supply chains and encourage the circular economy
- Coordinate the Tree Wardens

Promote the importance of trees and woodland

- Promote Woodland Carbon Code accreditation
- Encourage land managers to use the CARBINE Accounting Model
- Consult the public on woodland management plans
- Encourage recording of champion, ancient and veteran trees

12 Delivery and Monitoring: 123

Council Actions as Regulator

12.49 The Council will continue to carry out its functions to protect trees and woodland:

Planning Delivery
- As planning authority, the Council will continue to apply planning policy protecting trees and woodland, and securing new trees and landscaping in association with new development. The planning authority will consider how planning conditions protecting trees or requiring landscaping can be better monitored and/or enforced.
- As planning authority, the Council will apply National Planning Framework 4 (Scottish Government, 2023 (A)) policy on use of materials with the lowest forms of embodied emissions, such as recycled and natural construction materials (such as timber)
- Continue to support farm and forest diversification in appropriate locations through the planning system
- Arbitrate on High Hedge disputes
- Apply the Design Standards for New Housing Areas SPG to secure space for street trees, open spaces suitable for trees, and hedges in new residential development within the masterplanning, planning and design process as well as to provide for the management and expansion of woodland, linked to the development of green networks

Policy
- The Council will consider policy on use and retention of timber (e.g. window frames) as a sustainable construction material in the review of the Local Development Plan (ELC,2018(1)).
- Include guidance on trees in Conservation Area Character Appraisals and refer to this in decisions on tree work in Conservation Areas and planning decisions
- Adopt Statements of Significance currently being prepared for the local designed landscapes.

Protected trees
- Prioritise trees for protection by Tree Preservation Orders and implement these as funding allows.
- Publicise requirements for notification of tree work in Conservation Areas and permission for work to trees with Tree Protection Orders and planning conditions.
- Respond to complaints on unauthorised tree work and where appropriate report unauthorised tree work to protected trees to the Procurator Fiscal

Managing Council Woodland and Trees

12.50 The Council will continue to manage its own woodland and trees including by:
- Planting trees in suitable locations on Council owned/managed land including through the Council's Nature Networks project and [TreeTime](#).
- Carrying out succession planting of important historic and townscape trees in appropriate cases
- Identifying suitable opportunities for woodland connectivity for movement of species northwards and uphill and provide suitable habitat and tree species for migrating species in Council managed woodland
- Adhering to good woodland management practice in Council owned or managed woodland
- Actively managing Council owned trees and woodlands to improve their resilience to climate change, pests and diseases, and wildfires
- Taking appropriate biosecurity actions in the Council's operations
- Carrying out rhododendron and sea buckthorn removal as part of a coordinated approach
- Consulting the public on Council woodland management plans

- Working with others to achieve this Strategy including neighbouring authorities to ensure connectivity of woodland habitat networks
- For the avoidance of doubt East Lothian Council will not be responsible for maintaining the trees planted as part of the Climate Forest where these are not on East Lothian Council land.

Role of the Countryside Ranger Service

12.51 The Countryside Rangers will continue to work to look after East Lothian's countryside and engage the public:

- Publicise woodland biosecurity measures to the public as necessary
- Continue to manage invasive scrub (such as sea buckthorn) on coastal habitat to protect grassland and dune habitat in line with management plans for the coast
- Continue to provide day to day presence and woodland activities through the Countryside Ranger Service
- Support community woodland groups particularly in areas with high levels of multiple deprivation
- Increase awareness of the role of woodlands as an outdoor learning resource and a resource for education, training and lifelong learning, including through play
- Work with schools to facilitate greater use of woodlands as a resource for learning
- Support community involvement in woodland projects, through the East Lothian Countryside Volunteers

Other Council activity

12.52 The Council will continue to:

- Recycle wood products, and use recycled wood products where possible
- Raise awareness of tree diseases and how to identify and report them on the council's web pages

What You Can Do

12.53 Everyone can play a part in delivering the TWSEL. Planting and looking after trees in your own garden – adding to its beauty, attracting wildlife or providing fruit – is the most obvious contribution. However, there are many other ways to get involved, even if you have no garden ground of your own.

> **ACTION 36**
> We will provide clear information to householders on the benefits of planting trees in their gardens

Volunteering

12.54 Opportunities to support trees and woodland through volunteering include:

• Volunteering with the East Lothian Countryside Volunteers – supported by the Council Countryside Service, they offer a range of opportunities including species surveys or controlling invasive species, and have undertaken extensive tree planting particularly at Levenhall Links, Musselburgh;

• Volunteering with local groups: charities including the Woodland Trust and Scottish Wildlife Trust own land in East Lothian and sometimes have volunteering opportunities, as do Borders Forest Trust and Edinburgh and Lothians Greenspace Trust;

• Joining a community group involved with tree planting or woodland management;

• Taking part in Citizen Science projects related to trees such as Observatree. Information about projects can be found from the UK Tree Health Citizen Science Network or The Woodland Trust.

Influencing plans for trees

12.55 People with enthusiasm and local knowledge can help improve planning decisions, plans and policies. If a community is preparing a Local Place Plan, there is the opportunity to get involved and help the community plan for trees.

12.56 There are sometimes opportunities to influence woodland management when woodland owners and managers, including East Lothian Council or the Woodland Trust, consult on reviews of their management plans. Scottish Forestry also have public consultation on Forest Plans and Woodland Management Plans on their Public Registers.

12.57 Through Area Partnerships and Community Councils, community involvement has already contributed to tree planting for the Queen's Green Canopy, which contributes to the East Lothian Climate Forest. Community involvement will be a key aspect of the further development of the East Lothian Climate Forest.

12.58 East Lothian Council often consults about new plans and policies. Some of these may affect trees or woodland in ways the Council has not considered. We are keen to hear everyone's views. Anyone interested can keep up to date at the East Lothian Consultation Hub, where they can view and comment on forthcoming plans and strategies. Planning applications can also sometimes affect trees. These are published at East Lothian Planning Online, where comments can be made. These will be taken into account in making a decision.

Reporting wildlife crime and tree issues

12.59 People can help protect trees by reporting wildlife crime, trees with disease, unauthorised tree work or felling.

12.60 Work to trees or hedges suspected breaching wildlife legislation, for example because it is harming breeding birds, should be reported to Police Scotland on 101 (999 if it is an emergency), or by email to Contactus@scotland.pnn.police.uk .

12.61 Felling permission is usually needed when felling of trees is being carried out. Exemptions include trees in garden ground, some small scale felling (less than 5 cubic metres), felling to implement a planning permission, or emergency work. Further information can be found on Scottish Forestry's website, including a link to a map viewer where felling licences can be checked. Reports of unauthorised felling should be made to Scottish Forestry using their online form, or to their South Scotland Conservancy at southscotland.cons@forestry.gov.scot.

12.62 If planning permission has been granted for a particular site then the trees within the site may be protected by a condition of the consent. In such cases you must obtain written approval from East Lothian Council in advance of any tree work. Before undertaking any tree work you are advised to check with East Lothian Council whether any planning conditions protect trees within the property. Planning permissions can be checked at www.eastlothian.gov.uk/planning. Enquiries or concerns about unauthorised work can be made to environment@eastlothian.gov.uk or by calling the Council on 01620 827827 and asking for Planning Enforcement.

12.63 Potentially unauthorised work to trees in Conservation Areas or subject of a Tree Preservation Order or condition of planning consent should be reported to the Council at landscape@eastlothian.gov.uk. Information on protected trees can be found on the Council's website.

12.64 If you are concerned about utility works being undertaken close to trees contact the council's road department on 01875 824305 or email roadservices@eastlothian.gov.uk.

12.65 Tree diseases can be reported to Scottish Forestry via Tree Alert.

12.66 Trees which could be a danger to the public should be reported to the landowner. Where these are on council land this should be reported to trees@eastlothian.gov.uk. Trees that could cause an issue for road safety can be reported to roadservices@eastlothian.gov.uk. Where these trees are not the Council's responsibility contact will be made with the landowner.

12.67 Report fly tipping including of garden waste at Report fly tipping | Myeastlothian - sign in or continue as guest | East Lothian Council.

Inspiring others

12.68 Inspiring friends and family about nature in general and trees in particular will help secure protection of trees into the future. If people care when trees are lost they are more likely to act to protect them. Many people have had an interest in trees sparked by activities they did as a child, such as leaf dipping or bark rubbing, or taking a walk in the woods.

Consumer power

12.69 As a consumer, buying recycled wood products (such as paper) or second hand helps reduce the rate at which trees are felled. Choosing wood over alternatives (such as wooden rather than uPVC windows) is sustainable and supports the wood economy. Consumers can look for Forest Stewardship Council (FSC) or Programme for the Endorsement of Forest Certification (PEFC) mark to make sure their goods come from sustainably managed forests.

Useful Contacts

East Lothian Council

General Enquiries and East Lothian Council switchboard: 01620 827827

Planning Service

- Prepares the Local Development Plan for the area, and supplementary planning guidance
- Determines planning applications
- Where appropriate, enforce breaches of planning control
- Provides pre-application planning advice
- Advises on whether trees are covered by planning condition

Website:
https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards

Write: Planning Service, Development, East Lothian Council, John Muir House, Haddington, EH41 3HA

Phone: 01620 827216

Enquiries about this Strategy:
policyandprojects@eastlothian.gov.uk

Enquiries about trees and development Email:
environment@eastlothian.gov.uk

Sustainability & Climate Change Officer

- Coordinates the Council's Climate Change Strategy

Email: climatechange@eastlothian.gov.uk

Landscape Team (part of the Planning Service)

- Provide advice to the Planning Service on trees on development sites
- Consider notifications for works to trees in Conservation Areas
- Prepare Tree Preservation Order Notices
- Arbitrate on High Hedge disputes that cannot be resolved by any other means
- Maintain a list of insured tree surgeons working in East Lothian

Website:
https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12249/trees_tpos_and_consent_for_tree_works

Enquiries about work to trees covered by Tree Preservation Orders, planning condition or in Conservation Areas: Email
landscape@eastlothian.gov.uk

Sport, Countryside and Leisure

- Manage Council owned trees and woodland, parks, greenspaces and open spaces, as well as private land where there is a management agreement in place

- Provide biodiversity advice for the planning service
- Provides information to members of the public on local biodiversity matters
- Improve access in the countryside including promoting responsible access, upholding Rights of Way and preparing the Core Path Plan

Advice on Council owned trees: on the Council's website:
https://www.eastlothian.gov.uk/info/210567/your_community/12208/trees_and_woodlands

Enquiries about work to Council owned trees: email trees@eastlothian.gov.uk

Outdoor Access Officer

Advice on access issues: email
landscapeandcountryside@eastlothian.gov.uk

Biodiversity Officer

Advice on biodiversity issues: email
landscapeandcountryside@eastlothian.gov.uk

Archaeological advice

- Provide advice on local heritage issues including potential for unknown archaeology

Email: heritage@eastlothian.gov.uk

Useful Contacts 128

Roads Services

- Responsibility as the Roads Authority for the safety of road users, including in relation to roadside trees. Roadside trees will be considered in accordance with our Policy for Road Inspections.

  Concern over the safety of roadside trees email: roadservices@eastlothian.gov.uk

Scottish Forestry

- Prepare national forestry policy including the Scottish Forestry Strategy
- Licence felling and woodland creation
- Provide grants and loans for some forestry/woodland activities

Felling Permission:
Website: https://forestry.gov.scot/

Felling Permissions:
https://forestry.gov.scot/support-regulations/felling-permissions

Questions and applications should be submitted to the local office, the Central Scotland Conservancy:

Bothwell House
Hamilton Business Park, Caird Park
Hamilton
ML3 0QA

Email: centralscotland.cons@forestry.gov.scot

Phone: 0300 067 6006

NatureScot

- Provide advice on biodiversity and outdoor access
- Consider applications for Operations Requiring Consent in SSSIs
- Carry out species licencing
- Maintain the Ancient Woodland Inventory and Semi-Natural Woodland Inventory.

Website:
https://www.nature.scot/professional-advice/protected-areas-and-species/licensing

Information on trees and planning and development:
https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/habitats/planning-and-development-trees-and-woodland

Forth Area Office: Silvan House, 3rd Floor East, 231 Corstorphine Road, EDINBURGH EH12 7AT

Phone 0131 316 2600

Email: forth@nature.scot

Scottish Rural Development Programme

- Provides information on grant funding including for woodland creation and management and hedgerow management

More information can be found here Scottish Rural Development Programme - mygov.scot

The Woodland Trust

- Plant trees and manage woodlands
- Provide funding and trees for new woodlands and hedgerows.
- Provide advice on trees and woodlands

More information can be found at What We Do - Our Work - Woodland Trust

Historic Environment Scotland

- Contact for information about Scheduled Monument Consent

Website: Historic Environment Scotland | Àrainneachd Eachdraidheil Alba

Phone: 0131 668 8600

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East Lothian Council

REPORT TO:	Cabinet	
MEETING DATE:	14 May 2024	
BY:	Executive Director for Place	**9**
SUBJECT:	The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024	

1   PURPOSE

1.1   Cabinet is asked to approve the making of an Order under Section 11 of the Land Reform (Scotland) Act 2003, to facilitate the holding of the Genesis Scottish Open 2024 Golf Championship, to be held at The Renaissance Club, Dirleton, East Lothian.

2   RECOMMENDATIONS

2.1   That Cabinet approves the making of The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024.

3   BACKGROUND

3.1   The Genesis Scottish Open 2024 Golf Championship is being held at The Renaissance Club, Dirleton, East Lothian in July 2024.

3.2   The Championship organisers the DP World Tour have applied to East Lothian Council for an Order under Section 11 of the Land Reform (Scotland) Act 2003 to exempt areas of The Renaissance Club from the access rights which would otherwise be exercisable there.

3.3   **The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024:** The purpose of this Order is to enable the Genesis Scottish Open 2024 Golf Championship to be held, with the land being exempted temporarily from access rights (1) in the interests of the safety and security of players and the safety of the public during the Championship; and (2) to permit an entrance fee to be levied on spectators during the Championship.

3.4   It is proposed that this Order will take effect at 00.01 hours on Tuesday 9th July 2024 and will expire at 23.59 hours on Sunday 14th July 2024.

3.5   Consultation on this proposed Order has taken place with East Lothian Local Access Forum. In addition, Gullane Area Community Council, NatureScot, North Berwick Coastal Area Partnership, Dirleton Village Association, The Honourable Company of Edinburgh Golfers, Archerfield Estates and Archerfield Advisory Group have also been advised. No concerns have been raised by these organisations.

4   POLICY IMPLICATIONS

4.1   This Order is consistent with the provisions of the Land Reform (Scotland) Act 2003, and with policy and good practice set out in the Scottish Government Guidance for Local Authorities and National Park Authorities on Part 1 Land Reform (Scotland) Act 2003.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6   RESOURCE IMPLICATIONS

6.1   Financial – None.

6.2   Personnel – None.

6.3   Other – None.

7   BACKGROUND PAPERS

7.1   None

Appendix 1: Proposed Order to exempt land from access rights for the 2024 Scottish Open: "The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024".

Appendix 2: Map showing the area of land "The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024" will cover.

AUTHOR'S NAME	Nick Morgan
DESIGNATION	Outdoor Access Officer
CONTACT INFO	nmorgan@eastlothian.gov.uk ; 01620 827671
DATE	19/04/2024

Appendix 1: Proposed Order to exempt land from access rights for the 2024 Scottish Open

EAST LOTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE EAST LOTHIAN COUNCIL (SCOTTISH OPEN, THE RENAISSANCE CLUB) (EXEMPTION) ORDER 2024

EAST LOTHIAN COUNCIL, in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and all other powers enabling them in that behalf, HEREBY MAKE the following Order:-
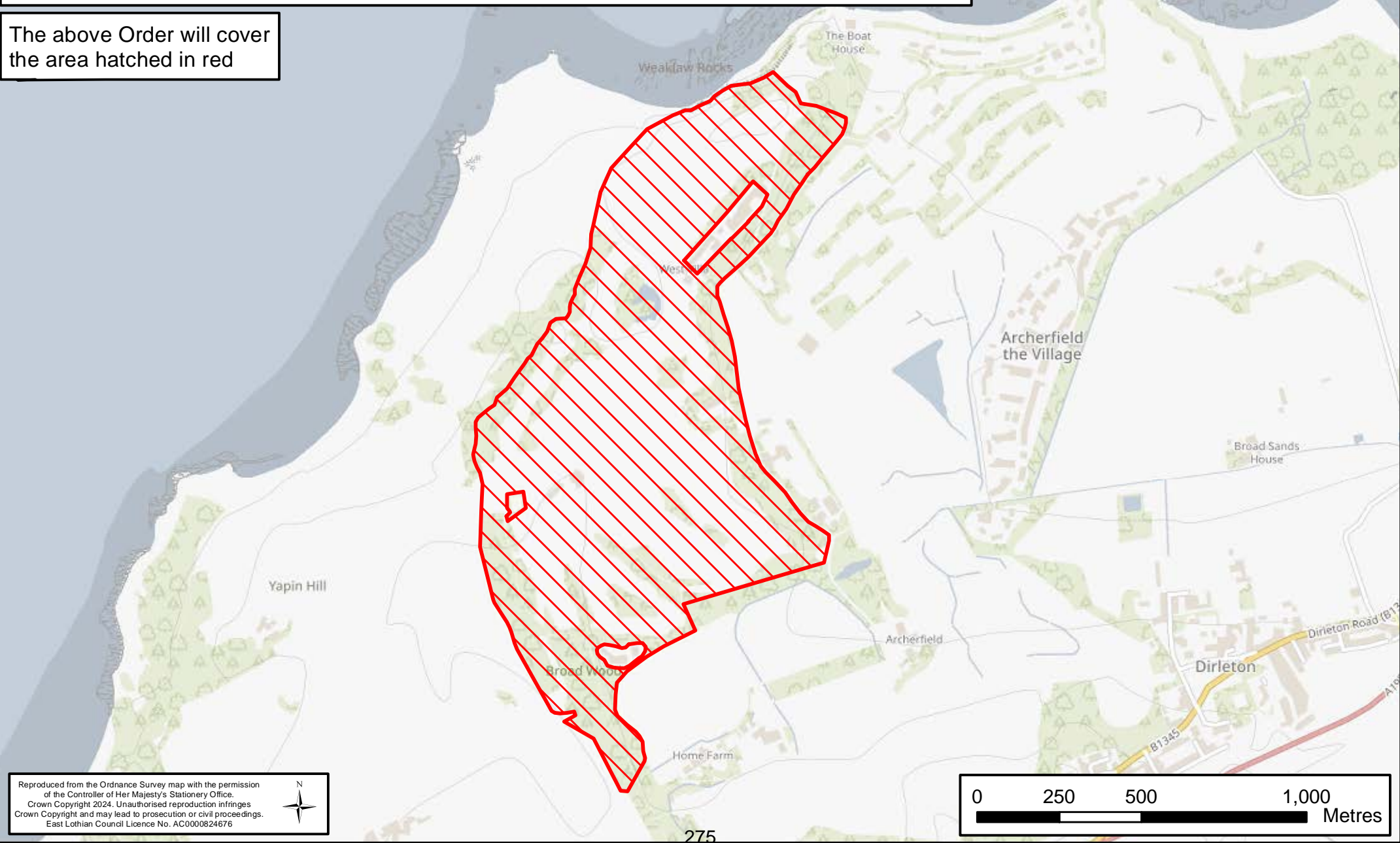
1. The Order may be cited as "The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024" and shall come into effect at 00.01 hours on 9 July 2024 and will expire at 23.59 hours on 14 July 2024, unless revoked earlier.

2. The effect of the Order is to exempt the area of land at The Renaissance Club, Dirleton, which area is shown hatched red on the plan thereof annexed and executed as relative hereto, from the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.

3. The purposes for which the Order are made are:

   (a) to permit an entrance fee to be levied on spectators for admission to the Scottish Open Golf Championship; and

   (b) to secure the safety and security of players and the safety of the public during the Championship.

The foregoing Order typewritten on this page is, together with the plan annexed hereto, sealed with the Common Seal of East Lothian Council and subscribed for and on their behalf by _____, an authorised signatory and as such a "Proper Officer" for the purposes of Section 194 of the Local Government (Scotland) Act 1973 as amended, at HADDINGTON on the _____ day of _____ TWO THOUSAND and TWENTY FOUR.

Plan referred to in The East Lothian Council (Scottish Open, The Renaissance Club) (Exemption) Order 2024

The above Order will cover the area hatched in red

N

0	250	500	1,000

Metres

East Lothian
Council

REPORT TO:	Cabinet
MEETING DATE:	14 May 2024
BY:	Executive Director for Place
SUBJECT:	The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024

10

1   PURPOSE

1.1   Cabinet is asked to approve the making of an Order under Section 11 of the Land Reform (Scotland) Act 2003, to facilitate the holding of the Besieged 2024 mediaeval re-enactment, to be held at Yellowcraig, Dirleton, East Lothian.

2   RECOMMENDATIONS

2.1   That Cabinet approves the making of The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024.

3   BACKGROUND

3.1   The Besieged 2024 mediaeval re-enactment is proposed to be held at Yellowcraig, Dirleton, East Lothian in September 2024.

3.2   This two-day event will commemorate the 1298 Siege of Dirleton Castle. Actors will be dressed in period costumes, demonstrating archery, sword fighting, crafts, songs and dance.

3.3   The event organiser, Mr Allen Muir, has applied to East Lothian Council for an Order under Section 11 of the Land Reform (Scotland) Act 2003 to exempt areas of Yellowcraig overflow car park from the access rights which would otherwise be exercisable there.

3.4   **The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024:** The purpose of this Order is to enable the Besieged 2024 mediaeval re-enactment event to be held, with the land being exempted temporarily from access rights (1) in the interests of the safety and security of participants and the safety of the public during the event; and (2) to permit an entrance fee to be levied on spectators during the event.

3.5   It is proposed that this Order will take effect at 00.01 hours on Wednesday 4th September 2024 and will expire at 23.59 hours on Monday 9th September 2024.

3.6   Consultation on this proposed Order has taken place with East Lothian Local Access Forum. In addition, Gullane Area Community Council, NatureScot, Dirleton Village Association and Yellowcraig Caravan Park have also been advised. No concerns have been raised by these organisations regarding the exemption Order.

4   POLICY IMPLICATIONS

4.1   This Order is consistent with the provisions of the Land Reform (Scotland) Act 2003, and with policy and good practice set out in the Scottish Government Guidance for Local Authorities and National Park Authorities on Part 1 Land Reform (Scotland) Act 2003

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6   RESOURCE IMPLICATIONS

6.1   Financial - None

6.2   Personnel - None

6.3   Other - None

7   BACKGROUND PAPERS

7.1   None

Appendix 1: Proposed Order to exempt land from access rights for the Besieged mediaeval re-enactment 2024: "The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024".

Appendix 2: Map showing the area of land "The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024" will cover.

Appendix 3: Map showing a wider view of the location for the area of land "The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024" will cover.

AUTHOR'S NAME	Nick Morgan
DESIGNATION	Outdoor Access Officer
CONTACT INFO	nmorgan@eastlothian.gov.uk ; 01620 827671
DATE	19/04/2024

Appendix 1: Proposed Order to exempt land from access rights for the 2024 Mediaeval Re-enactment event.

EAST LOTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE EAST LOTHIAN COUNCIL (BESIEGED, YELLOWCRAIG) (EXEMPTION) ORDER 2024

EAST LOTHIAN COUNCIL, in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and all other powers enabling them in that behalf, HEREBY MAKE the following Order:-
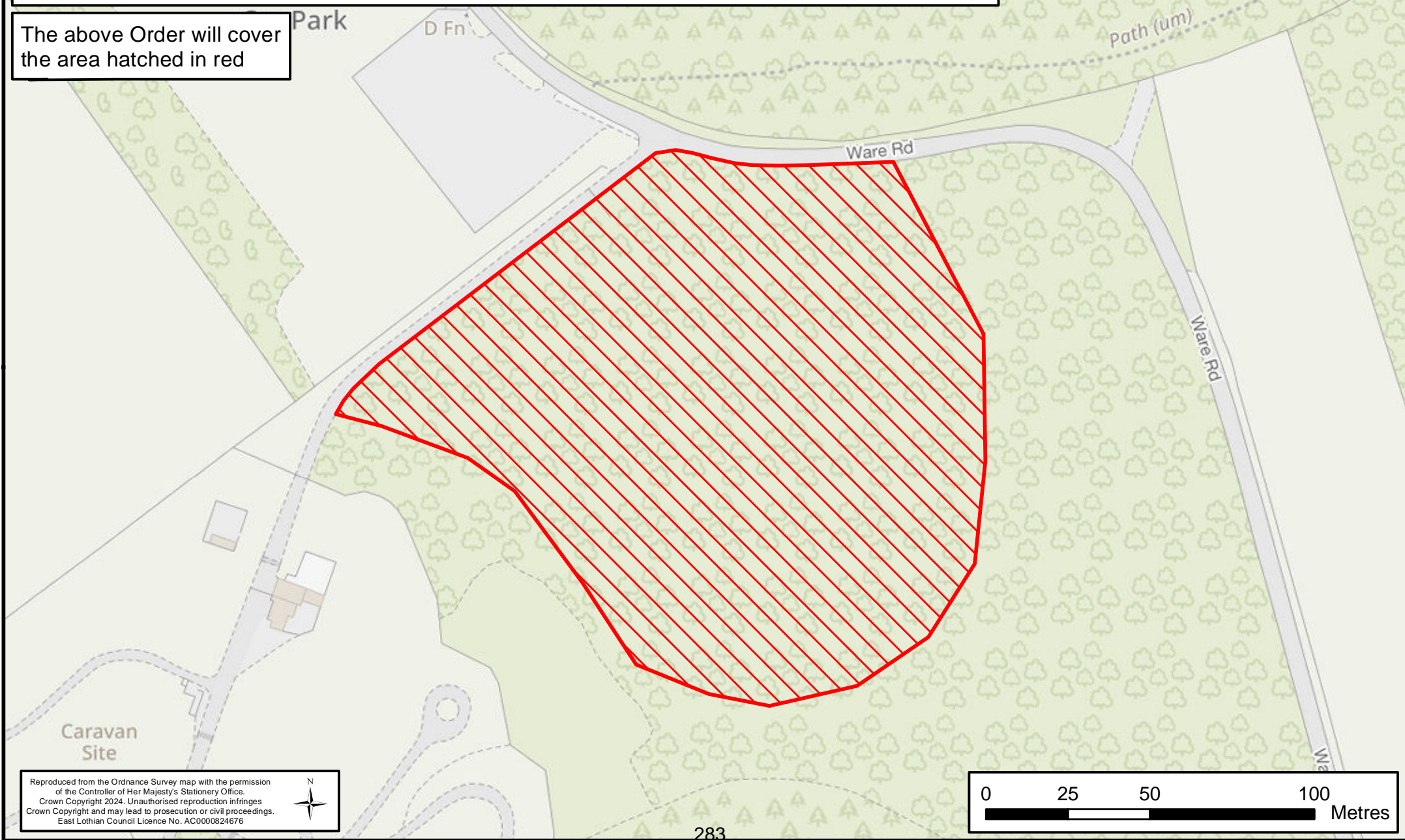
1. The Order may be cited as "The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024" and shall come into effect at 00.01 hours on 4 September 2024 and will expire at 23.59 hours on 9 September 2024, unless revoked earlier.

2. The effect of the Order is to exempt the area of land at Yellowcraig, Dirleton, which area is shown hatched red on the plan thereof annexed and executed as relative hereto, from the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.

3. The purposes for which the Order are made are:

   (a) to permit an entrance fee to be levied on spectators for admission to the Besieged 2024 mediaeval re-enactment event; and

   (b) to secure the safety and security of participants and the safety of the public during the event.

The foregoing Order typewritten on this page is, together with the plan annexed hereto, sealed with the Common Seal of East Lothian Council and subscribed for and on their behalf by   , an authorised signatory and as such a "Proper Officer" for the purposes of Section 194 of the Local Government (Scotland) Act 1973 as amended, at HADDINGTON on the   day of   TWO THOUSAND and TWENTY FOUR.

Plan referred to in The East Lothian Council (Besieged, Yellowcraig) (Exemption) Order 2024

The above Order will cover the area hatched in red

Park

D Fn

Path (um)

Ware Rd

Ware Rd

Caravan Site

N

0   25   50   100

Metres

283