

MEMBERS QUESTIONS AND RESPONSES

COMMUNITIES, PARKS AND LEISURE POLICY COMMITTEE

TUESDAY, 12TH DECEMBER 2023

Name of Questioner	Questions
Cllr Marieanne Elliot	<p>Q1. In the press (BBC News 2 November 2023) it was reported that a number of diseased and healthy trees are being felled at Wyming Brook under the terms of a Statutory Plant Health Notice (SPHN) served by the Forestry Commission. Sheffield City Council commented “the Council is under a legal duty to comply with this notice.”</p> <p>Yes, there is a legal duty to comply. As the Sheffield and Rotherham Wildlife Trust are acting as our agents the notice was served to them as the responsible agents of the land. They are fulfilling the legal duty of the notice from the Forestry Commission. Failure to comply can result in enforcement action and prosecution.</p> <p>(a) What is the duty imposed on the Council?</p> <p>The duty is served to the Sheffield and Rotherham Wildlife Trust as the Council’s agents responsible for managing Wyming Brook on our behalf. The Forestry Commission notice is served under “Regulation 15 of the official controls (plant health and genetically modified organisms) (England) regulations 2019 (“the 2019 regulations”) prescribing measures to prevent the spread of <i>Phytophthora ramorum</i>” . The notice requires the felling of the trees and removal of branches.</p> <p>(b) What steps have been taken to comply with it?</p> <p>The Sheffield and Rotherham Wildlife Trust have undertaken the following steps which include:</p> <ul style="list-style-type: none"> • Meeting with the Forestry Commission on site and throughout to discuss the extent of the works.

- Appropriately programming the works to ensure minimal disruption to site users within the area.
- Communications with the public through a range of channels including on site (face to face) and online.
- Felling and ringbarking the Larch trees within the demarcated area on the Notice.
- Ensuring the timber removed from site is safely processed as per the requirements of the notice.

Q2 There is a petition requesting that the Council challenge the Forestry Commission's approach to controlling the spread of *Phytophthora ramorum*. Has the Council sought relevant expert advice on whether the proposed measures;

(a) Are proportionate, necessary and appropriate?

The Forestry Commission provide detailed plans and zones where the sanitation felling must be completed, landowners are required to work to this plan and discuss the extent of the works in line with the requirements in the Statutory Plant Health Notice. The Council and Sheffield and Rotherham Wildlife Trust regard the Forestry Commission as the experts in plant health and follow their instruction and expertise, at present there is no known cure for the disease.

(b) Will be effective in halting the spread of the disease?

It will help in reduced the outbreak in the area, but will not stop it, by the nature of how the disease spreads it will spread in the valley. The disease impacts other species (other than Larch) and therefore the Forestry Commission's approach incorporates consideration of the wider impact on the environment and ecosystem.