

149/04 Interim report arising from the Planning and Environment Commission's Review of the Council's Tree Management Policy

The Council Cabinet considered an interim report from the Planning and Environment Commission regarding the legal responsibility of the Council for trees on its land. The Council, as a landowner, was responsible for the trees on the land that it owns. To avoid liability the Council needed to be able to show that it had taken appropriate action to prevent nuisance, damage or injury caused by its trees.

The Commission recommended that appropriate action would be to have a Policy of systematic inspection of the Council's trees. The only policy relating to tree management was that contained in the Council leaflet entitled 'Tree Management Policy' which allowed for a reactive policy of tree maintenance not a systematic inspection. The Commission considered that the lack of a Council policy for the systematic inspection of its trees posed risks for both the public and the Council. The Council Cabinet also considered a report from the Director of Commercial Services setting out interim action taken to address the concerns of the Commission.

Decision

1. To note the concerns of the Planning and Environment Commission
2. To support the action taken and proposed by the Director of Commercial Services for the inspection of trees and refer the report to the Planning and Environment Commission for information.
3. To consider what further action should be taken following the publication of the final report of the Commission.