

6.16 Outcome of the Commission's meeting with Councillor Lucy Care, Council Cabinet Member for Planning, Transportation and the Environment – 2 November 2004.

- 6.16.1 The Chair welcomed Councillor Care (LC) to the meeting.
- 6.16.2 A Commission member asked LC whether she thought that the Council needed a tree inspection procedure to meet its statutory obligations as a landowner. In reply LC said that this seemed to be the advice of the Council's Chief Legal Officer, and she added that this was the responsibility of any landowner.
- 6.16.3 Another Commission member referred to the proposal to use the Highways Inspectors and the Parks Rangers to carry out a preliminary inspection of the Council's trees. He pointed out that for this to work effectively they would have to work closely with the Arboricultural Officers and he asked LC whether she thought that the level of training being done was acceptable.
- 6.16.4 Replying to the question LC said that there was a tendency for anyone who did a multi-faceted job to concentrate on one particular aspect. She said that for the Highways Inspectors their priority was likely to be the condition of the highway and they might have a tendency to concentrate on this. LC suggested that the way of resolving this was by retraining and regular refresher training. She pointed out that during his interview JW had said that the best level of response from the Highways had occurred shortly after the previous training sessions.
- 6.16.5 The Commission member said that in his experience the Highways Inspectors tended to solve tree problems by removing any displaced paving slabs and replacing them with tarmac, whereas what actually need to be done was for the tree to be removed and replaced with one of an appropriate species.
- 6.16.6 In response to this comment LC pointed out that the maintenance of Highways trees is funded from the Highways budget and she said that there was a need to balance the value of the tree against what was causing the problem. She said that the solution should relate to the situation.
- 6.16.7 Another Commission member commented that he thought that Highways Inspectors would be likely to concentrate on the highway and not on the trees. He said that there would need to be some level of accountability, otherwise the Arboricultural Officers would get complaints and claims associated with inspections which had been carried out by the Highways Inspectors.
- 6.16.8 A Commission member suggested that the Highways Inspectors would need a detailed instructions for resolving any problems associated with trees. He said if trees were replaced they should be planted as far

away from the footway edge as possible. LC agreed that replacement trees should not be planted up against footways. She also agreed that some existing street trees were diseased, too big, or of the wrong species for their location.

- 6.16.9 A Commission member confirmed that whilst the Commission did not welcome tree removal it recognised that there were circumstances where the removal of a problem tree and its replacement with a more appropriate species was the only solution.
- 6.16.10 LC said that this was covered in the current Tree Management Policy, although she agreed that at present action was only taken when the situation was particularly poor. She said that someone would have to have a very dark house before the removal of the shadowing tree was considered, but she recognised that there was a need for a budget to do this sort of work. LC also pointed out that the response of people to this sort of situation varied. Some people would accept reduced levels of sunlight because they placed a high value on the tree.
- 6.16.11 A Commission member commented that in his experience people only complained about those trees that were significantly affecting their lives.
- 6.16.12 A Commission member asked LC whether she felt that in its present form the Tree Management Policy could be seen as misleading because it appears to suggest the Council will respond to complaints from the public and will prune or remove trees. He asked if she thought that this had been the cause of dissatisfaction because the Council does not do what the Tree Management Policy seems to imply that it will.
- 6.16.13 LC agreed that parts of the Tree Management Policy were not perfect.
- 6.16.14 The Commission member then asked whether LC thought the Tree Management Policy should be redrafted to state clearly how and when the Council would respond to complaints and enquiries about trees and to explain the pressures and constraints, such as the limited budget, under which it was operating. In reply LC said that she thought it would be difficult to rewrite the Tree Management Policy to achieve these objectives. She said that for example it would be difficult to say when a tree should be removed because this was such a subjective issue. She said that the Tree Management Policy needed to balance the need to value and protect trees against the need to protect the public and respond to their complaints.
- 6.16.15 A Commission member asked LC whether she thought that in addition to a policy that covers the way in which it responds to complaints and enquiries from the public about trees, the Council needed an overarching Tree Management Strategy that could include a range of policies covering the different aspects of tree management in Derby.

- 6.16.16 LC said that so far as the Tree Management Policy was concerned the problems were not caused because the Council did not know what to do. They were caused because the Council did not have enough money to respond in the way that it and the public would wish.
- 6.16.17 With regard to a Tree Management Strategy, LC said that she would like to do more for trees in Derby but without the necessary finance, there was no point in having a strategy. She pointed out that it was the Council's decision to decide on budget priorities and how the money was allocated.
- 6.16.18 A Commission member agreed that there was a need for more money to be made available. LC said that if the Commission would like to look at the costs of the different tree management options that would be very useful.
- 6.16.19 LC told the Commission that if it were possible she would like more money put into tree management and a Commission member pointed out that this was in accord with what JW and PH had told the Commission. LC said that the money required would be more than £250,000 because this was just what was required to carry out the street tree inspection.
- 6.16.20 A Commission member reiterated his previous remarks and said that £4000 was not enough to provide replacement trees.
- 6.16.21 LC said that the other thing that needed to be done was to look at the long term effects of tree planting. She said that there was a need to look at the areas that were being planted now in order to make sure that the wrong species were not being planted and that the trees were not being planted too close to buildings. She accepted that this could be covered by a Tree Management Strategy and she agreed that there would be value in having such a strategy.
- 6.16.22 A Commission member referred to the number of complaints about the way in which the Council is managing its trees that had been made in the past two years at Area Panel meetings. He also said it had been reported that the Tree Section received around 4000 complaints each year about trees and he asked how much importance the Council Cabinet attributed to these complaints and to the introduction of a procedure for the systematic inspection of the Council's trees.
- 6.16.23 In reply LC said that she thought the current proposals to extend the systematic inspection of the trees were a move in the right direction, but she was aware that the use of non-specialists was not the only way of doing this. LC told the Commission that Cabinet were aware of the level of complaints about trees. She felt that in all cases there were likely to be issues for and against action by the Council in response to

the complaints and said that was something that would need to be covered in any revised Tree Management Policy.

6.16.24 A Commission member referred to the risk assessment that JW was now carrying out and asked how Cabinet might respond to the outcome. LC commented that with any risk assessment there were a lot of different factors to consider and she said that it would be necessary to balance any proposals against the Council's other priorities and responsibilities. The Commission member noted that JW had not had the resources needed to carry out the work he had identified from his 2002 risk assessment exercise and went on to say that doing nothing was not now an option.

6.16.25 LC confirmed that the problem was essentially one of resources and said that she felt the Council should spend more on trees and tree management.

6.16.26 There being no further questions the Chair thanked LC for her contribution to the Commission's review and closed the meeting.