

## **6.1 Outcome of the Commission's meeting with John Winters, Director of Commercial Services – 2 November 2004.**

- 6.14.1 The Chair welcomed John Winters (JW) to the meeting, gave the background to the review and explained what the Commission had done so far. He mentioned the interim report that had been made to Council Cabinet on 19 October and said that it was hoped to complete the review by early December 2004. The Chair said that the review had all party support within the Planning and Environment Commission. He expressed a hope that Cabinet would accept the Commission's recommendations.
- 6.14.2 Opening the questions, a Commission member asked JW about the level of co-operation between the Highways Inspectors and the Arboricultural Officers. He referred to the problems caused by tree branches that overhang the footways and said he was concerned that the Highways Inspectors did not report these to the Arboricultural Officers.
- 6.14.3 In reply, JW said that two years ago John Booth (JB) the Arboricultural Manager had trained the Highways Inspectors to identify trees that required work. He confirmed that JB was to do some further training with the Highways Inspectors.
- 6.14.4 The Commission member said that he was aware of what was proposed but wanted to know whether the arrangements had worked and if the Highways Inspectors actually did report tree defects to the Arboricultural Officers. JW confirmed that it had worked reasonably well to start with but the Highways Inspectors were now making fewer reports. He said that this was one of the reasons for doing some refresher training.
- 6.14.5 A Commission member asked JW whether he had sought advice from the Council's Legal Officers when he was drafting the Tree Management Policy. JW confirmed that he had not done this because he and the Arboricultural Officers were aware of the Council's legal responsibilities so far as trees were concerned. The Commission member then asked whether JW considered that the Tree Management Policy covered all aspects of tree management. JW confirmed that it did not, but said that it was intended to provide a framework for dealing with requests from the public for work to be carried out on trees. He said it was intended to explain to people what the Council would, or would not, do to the trees in Derby.
- 6.14.6 The Commission member then referred to the figure of £250,000 that had been given in JW's report to Council Cabinet on 19 October 2004 as the cost of implementing a preventative programme of tree inspection. The Commission member asked how this figure had been derived. In reply JW told the Commission that in 2002 he had asked the Arboricultural Officers to look at a sample of trees to see what work

they would need. The Arboricultural Officers looked at 200 trees and found that 66% of them were in need of remedial work. The average cost of this work was £63/tree. JW said that he had adjusted this figure to allow for inflation and had applied it to the 11,000 street trees in the City. This gave the cost of £250,000 that was identified in the report. He agreed that this figure should be treated as a fairly rough estimate. JW pointed out that the figure was based on a three year inspection cycle. He said that the work that would be done to the street trees during these three years would probably mean that the cost during subsequent years could be reduced.

6.14.7 The Commission member then asked JW whether there were currently sufficient staff in the Tree Section to carry out the work programme referred to in his report to Council Cabinet. JW said that there were now three Arboricultural Officers but they would need to reprioritise what they did in order to undertake the planned work programme. He pointed out that at present the Tree Section's work is largely reactive and said that under the work programme they would need to work on an area basis and do any reactive work only within the areas in which they were working.

6.14.8 JW said that once the Commission's final report was available he hoped to look again at the provisional work plan and to prepare some more comprehensive proposals.

6.14.9 A Commission member referred to the Commission's visit to Birmingham City Council and to the problems that occurred when the wrong variety of tree was planted in a location. He said that Hannover Square in Mackworth was an example of this in Derby. The trees there had got too large and needed to be removed and replaced with varieties that were appropriate to the location.

6.14.10 The Commission member then asked if there was provision for replacement trees in the budget. In reply JW said that a sum of £4000/year was allocated for replacement trees. This was mainly used to replace trees that had been damaged by vandalism, but it could also be used to replace inappropriate trees. However he pointed out that the problem being caused by a tree would have to be very serious in order to warrant its removal and replacement with a more appropriate species.

6.14.11 A Commission member asked whether there had ever been a tree strategy for Derby. JW said that in 1998 the then Technical Planning Committee had requested a Street Tree Strategy. A draft of this had been produced but there had been no budget to implement it and it had been shelved. He said that since reorganisation there had been insufficient budget to provide any more than just a reactive service.

6.14.12 Another Commission member asked whether any assessment had been made to quantify the level of risk or damage to property

presented by the Council's trees. In reply JW said that this was last done in 2002 when he had looked at the number of tree incidents in preceding years resulting in damage to property or injury to people. He said that on that occasion he had found there were less than two incidents a year. JW said there had been one claim in Alvaston that had involved a tree that had been inspected four weeks prior to the incident and when the defect that caused the damage had not been identified. JW agreed that incidents involving trees could have a high impact but said the probability of them occurring was low.

- 6.14.13 JW told the Commission that he was now going through the risk assessment process again and was looking at insurance claims. He said that these were mainly due to root damage.
- 6.14.14 A Commission member pointed out that there were a lot of large street and highway trees and suggested that there was a need to concentrate on them as they presented the greatest risk. The Commission member also said that £4000 was not enough as a tree replacement budget. JW agreed but pointed out that this figure was just for replacing trees. He said that there was a budget of £60,000 for general tree work and £16,000 for pollarding. He said there was a need to identify trees by species, size and position to see what level of risk they posed.
- 6.14.15 A Commission member said that it was reassuring to hear that JW was aware of the issues. He said that elected members were continually being told that there were problems in getting necessary highway work done and he wondered how the Highways Inspectors would find time to deal with trees as well. The Commission member pointed out that staff would need training to be able to identify trees that were diseased or defective and he wondered how this would be provided.
- 6.14.16 JW responded by saying that JB would be repeating the training he had previously given to the Highways Inspectors and that he would also be training the Park Rangers. The idea was that once trained they would be able to do a preliminary inspection and would report any problems they identified to the Arboricultural Officers.
- 6.14.17 A Commission member said that the Commission had received some conflicting information about the number of trees in the City. He pointed out that JW had told the Commission there were 11,000 street trees, but they had also been told by another witness that there were 15,000 street trees in Derby. He wondered if there were too many trees to inspect with the staff available.
- 6.14.18 In reply JW said that the number of street trees he had given had come from the street tree database that had been compiled in 2001 and this was the best information available. He confirmed that he did not know how many Parks trees there were.

- 6.14.19 A Commission member asked JW if he had considered the possibility of using students to inspect the trees, and he said that this had been done previously in parts of the City, such as Chaddesden Wood. In reply JW said that the significant trees in the parks were documented by species and location, but there was little value in doing a survey in areas such as Allestree Wood.
- 6.14.20 Another Commission member asked JW whether he was happy with the form and content of the Tree Management Policy. JW said that the Tree Management Policy had already been the subject of one review, but this had been carried out by its authors. He said that he recognised that there was some dissatisfaction on the part of the public with the Tree Management Policy, and he said that this was why he had asked for it to be referred to the Overview and Scrutiny Commission.
- 6.14.21 The Commission member then asked whether JW felt that the Tree Management Policy should be rewritten. In response JW said that he would wish to see the Commission's recommendations before deciding what should be done with the Tree Management Policy.
- 6.14.22 Another Commission member suggested that the Tree Management Policy might have been different if JW had consulted the Council's Legal Officers when it was being prepared. JW said that he had not considered this was necessary because he and the Arboricultural Officers were fully aware of the Council's legal responsibilities.
- 6.14.23 A Commission member asked whether in JW's opinion the proposed use of Highways Inspectors and Park Rangers would satisfy the Council's legal obligations in terms of a system for the systematic inspection of its trees. In reply JW said that he believed that training the Highways Inspectors and Parks Rangers would enable the systematic inspection of the Council's trees. He pointed out that the requirement was only for the work to be carried out by 'competent' people.
- 6.14.24 There being no further questions, the Chair thanked then JW for meeting with the Commission and for his contribution to the review.