



DERBY CITY COUNCIL

**AUDIT AND ACCOUNTS
COMMITTEE
28 SEPTEMBER 2006**

ITEM 12

Report of the Chair of Audit and
Accounts Committee

TREE MANAGEMENT POLICY

RECOMMENDATION

- 1.1 The Chair of the Environment Commission and the Corporate Director of Environmental Services are asked to follow up the implementation of the recommendations made and provide assurance to the Audit and Accounts Committee that the risk issues are being mitigated.

SUPPORTING INFORMATION

- 2.1 At its meeting on 22 July 2004 the Planning and Environment Commission selected the Council's Tree Management Policy as the subject of its first topic review of 2004/05. The aim was to understand the implications of the Council's current Tree Management Policy and the way in which it was being applied. One of the areas that the Commission considered was the level of any risks associated with the way in which the Council was implementing its Tree Management Policy. The outcome of the review was reported to Cabinet on 21 December 2004.
- 2.2 The Commission concluded that action should be taken to address a number of issues relating to the way in which the Council manages the trees in Derby for which it is responsible. The Commission highlighted that "to reduce the risk of injury or damage to property and to satisfy the Council's legal obligations, any tree work that is found to be necessary should be risk assessed and that presenting a high risk should be carried out as soon as possible after the inspection".
- 2.3 Five recommendations were made for improving tree management. These are shown in Appendix 2. The Director of Commercial Services submitted his responses to each recommendation to Cabinet on 14 June 2005. These are also shown in Appendix 2.
- 2.4 This policy has been brought to the Audit and Accounts Committee because of its implications for risk management.

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Background papers: Review of the Council's Tree Management Policy

List of appendices: Appendix 1 – Implications
Appendix 2 – Recommendations and original responses

IMPLICATIONS

Financial

1. None directly arising.

Legal

2. None directly arising.

Personnel

3. None directly arising.

Equalities impact

4. None directly arising.

Corporate objectives and priorities for change

5. None directly arising.

Planning & Environment Commission Review of Tree Management Policy – Recommendations & Responses

Recommendation 1

The Commission recommends that the Council take action to put in place a programme for the systematic, cyclical, inspection of the trees for which it is responsible. The Commission considers that the inspection programme should include the following key features.

- a) The inspection programme should be prioritised according to the perceived risk. This will depend upon factors including the age, species and location of a tree.
- b) The initial aim should be to inspect all the Council's street trees within three years.
- c) Once the street tree inspection is completed, a similar inspection procedure should be adopted for the Council's trees on Derby Homes land and on parks and open spaces.
- d) The inspections should be carried out either by qualified Arboricultural Officers or by appropriately qualified consultants. The tree inspection programme should be commenced as soon as is possible.

Original Response by John Winters, Director of Commercial Services

A systematic, cyclical inspection of trees by Arboricultural Officers is considered the best course of action. The limited financial resources for tree work had prevented this from taking place. In the budget for 2005/06 resources allowed an inspection programme to be commenced. In the first year, approximately 3,000 of the 11,000+ street trees will be inspected and 2,000 trees on other Council land, works that constitute health and safety risks will be undertaken. The work will be prioritised by starting with the principal traffic routes. It is estimated that the inspection of 5,000 trees will take an Arboricultural Officer 6 months. If undertaken by external consultants this will cost £25,000. It would be more cost effective to directly employ an additional Arboricultural Officer but we would need to generate additional income to cover the remainder of salary and to fully utilise the time of the officer. This is being considered amongst the new trading powers available to Councils. The estimated cost of the works arising from 5,000 inspections is £83,000. This is a speculative estimate and close budget monitoring will be undertaken in the first year. This will enable us to review the estimate and to consider extending the inspection programme into future years. Works to trees on housing land is funded by the Housing Revenue Account. Discussions have been held regarding the implementation of an inspection regime and a decision is awaited about how to proceed. A report is being brought to Cabinet as implementation is estimated to exceed £100,000. £106,000 is available from the Public Priorities Fund.

Recommendation 2

The Council should make funds available:

- a) Either for the employment of the additional Arboricultural Officer who would be needed in order for the Arboricultural Section to conduct a programme for the systematic inspection of the Council's trees, or for the employment of consultants to carry out the tree inspection programme.
- b) To carry out any necessary work that is identified by the tree inspection programme.

- c) For more frequent minor tree pruning to ensure that pavements and footways do not become obstructed by new tree growth.
- d) To enable more cosmetic work to be carried out on the Council's trees.

Original Response by John Winters, Director of Commercial Services

Recommendation a and b are addressed in response to recommendation one.
Recommendation c. It is proposed that we continue to use the Highway Inspectors to report on street trees as part of their routine highway inspections. If the Highway Inspectors identify new tree growth that needs pruning then we should be able to respond to this.
Recommendation d. The allocation of proposed additional funding will enable us to deal with works to trees that constitute health and safety risks. To allocate additional funds to undertake cosmetic works to trees would not be appropriate when considered against other budget pressures.

Recommendation 3

The Council's Tree Management Policy leaflet should be redrafted to clearly explain the Council's responsibilities for its trees and the actions it will, and will not, take in response to requests for cosmetic tree work.

Original Response by John Winters, Director of Commercial Services

We will redraft the Tree Management Policy leaflet to try and be clearer about work that we will not undertake. We will consult the Commission about the changes.

Recommendation 4

The responsibility for prioritising and approving cosmetic tree work and for allocating the financial resources available for it should be transferred from the Arboricultural Section to the Area Panels.

Original Response by John Winters, Director of Commercial Services

The current annual expenditure on trees is £278,000 and is fully committed to health and safety works on trees. There are approximately 5,000 requests made annually for work to be undertaken on Council owned trees. 40% of these requests are declined and relate to loss of daylight. The existing budget for tree maintenance enables health and safety work to be undertaken. There is no provision for cosmetic work such as works to reduce the loss of daylight.

Proposal to Prioritise and Approve Tree Work

A pilot scheme is proposed in Area Panel 5 where a ring fenced budget managed by Commercial Services is made available to Area Panel 5 to commission cosmetic tree work in cases where the Arboricultural Officer has not been prepared to commission work requested by a constituent. The constituent would be advised by the Arboricultural Officer that if the constituent wished to pursue the request for work further that the Area Panel had limited funds to undertake cosmetic tree work. The constituent could make a request to the Area Panel or could request a ward councillor to act on their behalf. If the ward councillor thought that there was merit in the request, the Area Panel Manager would be asked to

include this on the agenda. The Area Panel Manager would get an estimate of the work requested from the Arboricultural Team and this would be made available to the Area Panel. The constituent or the ward councillor could present the case to the Area Panel. The councillors would vote upon approving or declining the request. It is proposed that in the pilot year that £5,000 is ring fenced to Area Panel 5. On average, the cost of pruning a tree is £100 to £150 so approximately 35 to 50 requests could be approved each year by the Area Panel. All work requested would have to comply with the conditions stated in the Tree Management Policy. The pilot scheme would be reviewed after one year. The money for the pilot will be a virement from the grounds maintenance budget for one year. If the scheme is extended, it will form a budget pressure in 2006/07.

Recommendation 5

The Council should put in place a strategy that will cover all aspects of tree management in Derby.

Original Response by John Winters, Director of Commercial Services

Apart from the existing Tree Management Policy, there is a Woodlands Strategy which was developed in 1995 and there are policy aspects in the Parks Strategy and the Local Plan relating to trees. The development of a strategy for comprehensive tree management is not considered a high priority for the service. There are higher priorities on the time of the Arboricultural Manager but we will schedule this into the future workload.