

Report of: Environment Scrutiny Committee**To: Executive Board****Date: 29th January 2007****Item No:****Title of Report : Environment Scrutiny Committee Recommendation on the Osney Trees****Summary and Recommendations**

Purpose of report: To report to Executive Board, one of the recommendations made by the Environment Scrutiny Committee on the trees at East Street. This recommendation is time critical and so the Scrutiny Committee asks that it is considered by Executive Board as soon as possible.

Key decision: No

Portfolio Holder: Councillor Alan Armitage, Healthier Environment Portfolio Holder



Scrutiny Responsibility: Environment Scrutiny Committee

Ward(s) affected: Jericho and Osney



Report Approved by: Emma Griffiths, Legal and Democratic Services



Policy Framework: None

Recommendation(s): The Executive Board is asked to respond to the Scrutiny Committee's recommendations:



1. If it agrees or disagrees with the recommendations outlined

2. If it agrees when will the recommendations be implemented and who will take the lead



3. If it disagrees why



4. If more information is required from other officers when that will be considered

1. Draft Minutes

60. OSNEY TREES

The Chief Executive, the Scrutiny Manager and the Osney Island Residents Association (OIRA), each submitted a report (previously circulated, now appended).

Richard Thurston, the Chair of OIRA, gave a presentation based on the findings of their report, which was before the Committee. The Committee also considered the outcome of the review into the felling of the trees on Osney Island undertaken by the Corporate Secretariat Manager as set out in the Chief Executive's report.

The OIRA report stated that the City Council:

- Failed to manage the trees in accordance within an agreed and adopted Tree Management Plan;
- Failed to maintain adequate records – officers were unaware of the existence of the Tree Management Plan;
- Failed to consider protected wildlife, by not initially commissioning a bat survey;
- Failed to consult with residents despite there being no urgency to fell the trees.

The findings of the review carried out by Mike Newman drew four main conclusions;

- The extent of decay (in the trees) – There was no evidence to suggest that the Council was wrong to cut down the trees. The trees were no longer available, but the photographic evidence appeared to bear out the conclusions of the initial inspection.
- Inspection Process – The inspection was undertaken in accordance with Government guidelines.
- Communication – It was a failure of the Council that the decision to fell the trees was not communicated to local people and ward councillors until five days before they were due to be cut down. Communication should have been conducted more widely involving ward councillors, City Council and County Council Planning Officers and the Local Residents Association.
- Tree Policy – The lack of an overall tree management strategy meant that clear guidelines weren't available to officers or the public alike on the management of trees. A written procedure to outline the process followed would be extremely helpful in ensuring that the problems that have arisen would not be repeated.

The residents believed that between 4 and 7 of the trees were not dangerous and could have been pollarded. There was a difference of opinion between the City Council's Tree Officer and the residents' arboriculturalist. It was difficult for the Committee to come to a conclusion on this because the Council's tree officer did not attend.

As Osney Island is a conservation area, the residents maintained that the environment and aesthetics of the street has been damaged by removing the trees.

In concluding the debate, the Scrutiny Committee agreed the following recommendation should be passed to the Executive Board for consideration on 29th January 2007. Further recommendations will follow in February:

1) The City Council should replace the trees at East Street in consultation with the local residents, Ward Councillors, Central South and West Area Committee and the County Council. The trees should be replaced in line with the resident's wishes, which the Scrutiny Committee believes is for crack willows (*Salix fragilis*) to be planted. If indeed there is good reason *not* to carry out the residents' wishes, then this should be communicated to the local residents.

2. Background

2.1 The Scrutiny Committee considered two reports at its meeting on 15th January 2007 on the trees at East Street. The first was prepared by Mike Newman (at the request of the former Chief Executive), which considered the process followed when the decision was taken to fell 11 of the trees. The second report was prepared by Richard Thurston of the Osney Island Residents Association, setting out the concerns that the residents had with the decision to fell the trees.

2.2 The Scrutiny Committee had a substantial debate on the issues presented to them and have made a number of recommendations which will be on the next Executive Board agenda in February 2007. However, one of the recommendations the Committee made was considered time critical and so has been submitted for consideration at the first possible opportunity.

2.3 The Committee discussed the issue of replacement trees. Replacing the trees was considered crucial given that East Street is in the Osney Island conservation area and the street had been damaged environmentally and aesthetically. Members were told that a planting day was to be held on 27th January 2007, where the crack willows (*Salix fragilis*), felled by the City Council, would be replaced with white willows (*Salix alba*). This, the Scrutiny Committee believed, was against the wishes of the majority of the residents present at the Scrutiny Committee. They would prefer the trees to be replaced with crack willows.

3. Recommendation

- 3.1 The City Council should replace the trees at East Street in consultation with the local residents, Ward Councillors, Central South and West Area Committee and the County Council. The trees should be replaced in line with the resident's wishes, which the Scrutiny Committee believes is for crack willows (*Salix fragilis*) to be planted. If indeed there is good reason *not* to carry out the residents' wishes, then this should be communicated to the local residents.

4. Comments from the Portfolio Holder (Councillor Alan Armitage)

- 4.1 Councillor Armitage has commented that the planting day is unlikely to go ahead on 27 January and that another attempt will be made to gain agreement between the tree officers and the residents.
- 4.2 John Wade (Parks Manager) has confirmed that the planting day has now been cancelled and that residents have been informed.

Name and Contact Details of Report Author:

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