

Report of: Environment Scrutiny Committee

To: Executive Board

Date: 8th October 2007

Item No:

Title of Report : Tree Management Procedure



Summary and Recommendations



Purpose of report: To present the recommendations from Environment Scrutiny Committee on the Council's tree management procedure to Executive Board.



Key decision: No

Portfolio Holder: Councillor Caroline Van Zyl

Scrutiny Responsibility: Environment Scrutiny Committee



Ward(s) affected: All

Report Approved by: Sid Phelps, Chair of Environment Scrutiny Committee, Emma Griffiths, Legal and Democratic Services, Nichola Stretton, Finance and Asset Management



Policy Framework:



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. Minutes of the Environment Scrutiny Committee – 6th August 2007

24. TREE MANAGEMENT POLICY

The Interim Leisure and Cultural Services Business Manager submitted a report (previously circulated now appended) which gave the Environment Scrutiny Committee the opportunity to comment on the proposed Tree Management Procedure. A member of the public, Andrew Linzey, wanted to address the Committee on this issue but was unable to attend the meeting. His written comments were circulated to the Committee Members.

John Wade attended the meeting and said that the procedure was for staff to use for the inspections etc. of the trees and that this procedure would form the basis of an overarching Tree Management Strategy.

Councillor Pressel felt that the Council did need an overarching strategy as there were many trees in sensitive locations around the City and that it was important that consultation took place before trees were felled. She said that maybe City Officers could consult with County Officers if there was a tree, which might have to be felled.

John Wade in response to questions on consultation said that there had been an open day in Cutteslow Park inviting Ward Councillors and the Friends of Cutteslowe Park to the Park to see what the Officers were intending to do, he also said that notices would be put up prior to the felling of a tree giving details of the reason for felling.

The Committee felt that the written comments from Andrew Linzey had some useful points, which could be built into the procedure. As a result the Committee agreed to recommend to the Executive Board:

- (a) That consultation should take place before the tree management procedure is formally adopted. Invitations to participate should be sent to Ward Councillors and other interested parties, such as Forest of Oxford;*
- (b) That Part 3(b) of the proposed procedure should include local residents and state how far in advance Ward Councillors and local residents would be informed;*
- (c) That the procedure should be resubmitted to the Environment Scrutiny Committee in 3 months after the consultation has taken place.*

2. Background

- 2.1 Environment Scrutiny Committee made the following recommendation to Executive Board in November 2006 following the felling of 11 trees at East Street, Osney Island:

“The Environment Scrutiny Committee recommends that a tree policy be developed as soon as possible, setting out the procedures to be followed in cases such as the Osney Trees, so members of the public and councillors are aware of the process from declaring a tree unsafe, to removing that tree.”

- 2.2 Executive Board approved this recommendation and asked the Parks Manager to draw up a procedure once the investigation into the Osney Trees was completed.

2.3 A tree management procedure has been written and officers have been using the new procedure for a few months. Environment Scrutiny Committee asked the Parks Manager to present the procedure to members so that they could be consulted on its suitability.

3. Consultation

3.1 The Committee felt that the procedure was a good document, but that it would benefit from wider consultation to ensure that it met the needs of the city. The Committee considered comments from Andrew Linzey, a member of the public, who had submitted a written statement on the procedure. This was circulated on the morning of the meeting. The Committee felt that there was merit in the comments made by Mr Linzey, particularly:

- The Council should develop a protocol that ensures that trees are not felled or manipulated without sufficient justification.
- Local residents should be consulted about the trees that are to be affected within a certain radius, unless the matter is urgent.
- There needs to be a 'justification checklist' for each tree. Felling or manipulation should only happen if certain conditions are met:
 - a. The tree poses a danger to public
 - b. For its own health, i.e. it is diseased.
 - c. For its own good, i.e. to help it grow properly or not to interfere with the rights of others.
- The protocol should be drawn up with the help of tree experts, pro-tree organisations, and concerned local conservationists.
- There needs to be a progressive tree policy (as distinct from protocol for tree management) for Oxford which encourages, and gives practical advice to local residents, on how to plant appropriate trees in gardens, etc.

3.2 The Scrutiny Committee has recommended that a consultation exercise is carried out so that the Council can work with interested parties to develop a tree management procedure that works for Oxford. The Scrutiny Committee would like the results of this exercise reported back in 3 months time.

3.3 In commenting on the current procedure, the Committee felt that members of the public should also be informed if work is to be done on trees within their locality, including outside of conservation areas. Trees are vital features of many areas of Oxford that aren't conservation areas. The Committee feels that informing people within a small radius of effected trees shouldn't be too onerous. The procedure should also

state how far in advance of work beginning local councillors and members of the public will be informed. The current draft procedure is attached at Appendix 1.

4. Conclusions

- 4.1 The Environment Scrutiny Committee asks that the Executive Board considers and approves these recommendations.

5. Comments from the Strategic Director (Sharon Cosgrove)

- 5.1 The Executive Board will recall that the City Council recently commissioned external consultants to undertake a survey of Oxford City Council's street, park and car park trees. This survey has so far covered part of the city and found in those wards that considerable works are needed to ensure the continued health of our tree stock and the safety of the general public.
- 5.2 Environment Scrutiny Committee asked to see the operating procedure for works that the Council undertakes in response to an inspection. I am pleased that Environment Scrutiny welcomed the operating procedure and I wholeheartedly agree that the Council should only be taking intervention steps where trees pose a danger to the public, are diseased or to assist trees to grow properly. The procedure will be amended to reflect those aims.
- 5.3 The Scrutiny Committee also asks the Executive Board to reconsider previous decisions about public consultation on tree works. The Executive Board will recall that they discussed such arrangements previously and instructed officers that information should be provided to the public through Ward Councillors. An exception to these arrangements has been made on a couple of occasions where a large programme of tree works has been necessary; in these cases Parks Officers have made special briefing arrangements appropriate to the situation. All these arrangements have been in place for the last six months and working well.
- 5.4 The Executive Board will note that the Scrutiny Committee has recommended that the operating procedure should contain information for residents on matters such as appropriate tree planting etc across Oxford. This would indeed be useful information for residents that might be provided to residents but it should be separated from an operational procedural note for Council staff.

6. Comments from the Portfolio Holder (Caroline Van Zyl)

None received.

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Environment Scrutiny Committee

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 Background papers:



Appendix 1

Procedure - Arboricultural Works on Trees.

1. Trees must be inspected by the Arboricultural Officer, the Tree Team Supervisor or Bartlett Tree Care (as OCC's independent surveyors 2007 – 2009) prior to any work being undertaken. An inspection sheet must be filled in and filed at time of inspection.
2. If any work is required to any tree(s) the Arboricultural Officer must issue a formal work instruction. This instruction must include the following information:
 - a. Location of tree(s)
 - b. Where the tree is difficult to locate a small dot of paint is to be sprayed on the base of the trunk
 - c. Type of tree(s) (Genus and Species or Common Name)
 - d. Details of the work required to the tree(s)
 - e. Priority of works e.g. One Month
 - f. Site Specific Risk Assessments
 - g. Location Maps from Council's G.I.S mapping system clearly showing the location of the tree(s). Two plans to be produced where necessary a) Close up including ID number and b) a generic site plan to provide easily identifiable locations
3. If the tree(s) require felling then the following tasks must be completed:
 - a. The Arboricultural Officer, prior to any work being carried out, must mark the tree(s) with an 'X' & ID number in paint and attach approved notice.
 - b. Inform Ward Councillors of the felling works and timescales
 - c. If the tree(s) are in a Conservation Area local residents must be informed about the felling and timescales
4. The Tree Team must not carry out any work on any tree(s) without the above procedure being followed with the exception of emergency health and safety work that must be carried out immediately. In this case the Arboricultural Officer must produce a confirmation order at the first opportunity.
5. When the Arboricultural Officer is not available (i.e. Annual Leave) the Tree Team Supervisor will carry out the above duties in consultation with an Assistant Parks Manager or Parks Manager.

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