

To: Cabinet
Date: 12 June 2024
Report of: Climate and Environment Panel
Title of Report: Tree Management Policy 2024-2032

Summary and recommendations	
Purpose of report:	To present Panel of the Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	Yes
Scrutiny Lead Member:	Councillor Emily Kerr, Panel Chair
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies
Corporate Priority:	Support Thriving Communities
Policy Framework:	Council Strategy 2020-24
Recommendation(s): That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report	

Appendices	
Appendix A	Draft Cabinet response to Scrutiny recommendations

Introduction and overview

1. The Climate and Environment Panel met on 11 June 2024 to consider a report on the Tree Management Policy 2024-2032. The report, which is due for Cabinet consideration on 12 June 2024, recommends that Cabinet adopts the Tree Management Policy 2024-2032 and delegates authority to the Executive Director (Development) in consultation with the Cabinet Member for Citizen Focused Services and Council Companies to make any minor, non-substantive changes to the policy.
2. The Panel would like to thank Councillor Nigel Chapman (Cabinet Member for Citizen Focused Services and Council Companies), Tom Bridgman (Executive Director (Development)), Chris Leyland (Tree Officer), Tina Mould (Environmental Sustainability Lead), Dealga O'Callaghan (External Consultant) and Giles Mercer (External Consultant) for attending the meeting to answer questions.

Summary and recommendations

3. Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies introduced the report. The report set out an updated Tree Management Policy which detailed the Council's policy regarding management of its tree stock and sought to align the Council's approach to tree management with current standards and good practice.
4. The Panel asked a range of questions, including questions relating to recognising the importance of mature trees; the Council's approach in relation to tree stumps and roots; the intersection between the City Council and County Highways in relation to certain tree-related issues; replacement trees when trees were felled; resourcing, particularly in relation to caring for newly planted trees; street trees; how the policy related to previous recommendations made by the Panel; the Urban Forest Strategy; and monitoring and reporting against the proposed policy.
5. The Panel noted that the draft Cabinet response to its recommendation dated 20 March 2024: *'that the Council, when it reviews its policies, explores how it could incentivise, promote and encourage the planting, retention and renewal of trees through those policies – particularly within Planning and Licensing'* was that this recommendation would be considered as part of the Council's review and updating of the Tree Management Policy. In response to questions as to how this recommendation had been addressed in the revised policy, the Panel was informed that this would in fact be considered through the Urban Forest Strategy when it was next updated.
6. During discussion, the Panel raised concerns that when trees were felled, a replacement tree was not necessarily planted in the same location. While noting that sometimes it was not possible to plant a replacement tree in the exact same location as the tree that was felled, the Panel agreed that the Council should state its commitment within the policy to planting replacement trees in the same location wherever possible/practicable to do so.

Recommendation 1: That the Council makes an explicit commitment within Policy ST8 of the Tree Management Policy 2024-2023 that it will plant replacement trees in the same location as the tree that was felled wherever possible and/or practicable to do so.

7. The Panel also noted the importance of tree absorption in terms of roots absorbing water, which helped to alleviate flooding and drainage issues. While the Panel recognised that the policy referenced the need to utilise linear planting pits to enable sustainable urban drainage systems (policy TP6), it felt that the policy would benefit from clarifying why the Council chooses to plant trees in the way that it does – for example if tree planting was to support sustainable urban drainage systems, or if planting trees with a circumference of 16-18cm was due to the fact that they establish much better than more mature trees, then this should be drawn out more clearly within the policy. The Panel understood that some of this was articulated in separate documents, but agreed that cross-referencing between those documents and the policy would be useful for the average reader of the policy as it would add useful context.

Recommendation 2: That the Council ensures clarity within the Tree Management Policy 2024-2032 on why it plants trees in the way that it does – including cross-referencing with other documents to ensure the broad rationale is articulated within the Tree Management Policy 2024-2032 for context.

8. The Panel highlighted that policy TP5 related to management of conflicts between new trees and hard surfaces, but there was no reference within the policy to the management of conflicts between *existing* trees and hard surfaces. Members noted that there were a number of such conflicts between existing trees and hard surfaces across the City which the policy did not address. The Panel agreed that policy TP5 should be expanded to also address conflicts involving existing trees and set out standard proactive methodologies for addressing such conflicts. The Panel was of the view that standard methodologies could be incorporated in such a way that still allowed for a degree of flexibility in the management of conflicts.

Recommendation 3: That the Council, within Policy TP5 of the Tree Management Policy 2024-2032, clarifies its approach to managing conflicts between existing trees and hard surfaces (in addition to its approach to managing conflicts between new trees and hard surfaces), including specific reference to standard proactive methodologies used to address those conflicts.

9. The Panel appreciated that the scope of the policy was narrow and focused primarily on trees owned and controlled by the City Council. However, it noted that some tree issues, particularly street tree issues, required an element of partnership working with the County Council and/or Highways which was not currently recognised in the policy. For example, where a City Council owned tree's roots were causing issues with paving, there was an intersection between City and County Council responsibilities that required collaboration. The Panel agreed that this appeared to be a significant omission and it would be beneficial for explicit reference to partnership working to be included within the policy.

Recommendation 4: That the Council explicitly recognises the need to work in partnership with the County Council and/or Highways on street tree issues and includes a reference to this within the Tree Management Policy 2024-2032.

10. During discussion, the Panel was informed that the Council owned very few street trees; the majority of street trees were owned by the County Council. The Panel noted that there were policies within the Tree Management Policy 2024-2032 which related specifically to street trees and was of the view that it would be helpful if the number of street trees owned by the City Council was contextualised within the policy. The Panel did not necessarily think an exact number was required, as it recognised that the number could change and become out of date very quickly, but it agreed that the Council could include a range (e.g. 1-5, 1-20, 1-50, 1-100).

Recommendation 5: That the Council contextualises the number of street trees it owns within the Tree Management Policy 2024-2032.

11. The Panel referenced a recommendation made at its previous meeting on 20 March 2024: 'that the Council, when it reviews its policies, explores how it could incentivise, promote and encourage the planting, retention and renewal of trees through those policies – particularly within Planning and Licensing'. The draft Cabinet response stated that this recommendation would be considered as part of

the Tree Management Policy 2024-2032; but in discussion the Panel was informed that the recommendation would in fact be considered through the next update of the Urban Forest Strategy. The Panel accepted this, however noted that section 6 of the policy related to communication with the public, stakeholders and Members – and recognised that there was an opportunity to expand that section to include explicit information on the Council’s commitment to encouraging local residents and groups to come forward with proposals and the Council’s approach to facilitating and responding to those proposals.

12. In relation to the same recommendation previously made by the Panel on 20 March 2024 (*referenced in paragraph 11 above*), the Panel discussed that the recommendation was made, in part, in relation to HMOs and Selective Licensing as these were policies that the Council had control over. The Panel agreed that it would be useful for the Council to explore how other local authorities had sought to incentivise, promote and encourage the planting, retention and renewal of trees on private land through their policies, particularly in relation to HMOs and Selective Licensing. The Panel was of the view that the findings could usefully feed into the next update of the Urban Forest Strategy.

Recommendation 6: That the Council expands section 6 of the Tree Management Policy 2024-2032 (communication with the public, stakeholders and Members) to set out the Council’s commitment to encouraging local residents and groups to come forward with proposals related to tree planting and maintenance and the Council’s approach to facilitating and responding to such proposals.

Recommendation 7: That the Council explores how other local authorities have sought to incentivise, promote and encourage the planting, retention and renewal of trees on private land through their policies, particularly in relation to HMOs and Selective Licensing, to inform future updates to the Council’s Urban Forest Strategy.

13. The Panel considered that references to Planning appeared to be missing from the policy and was concerned that there was no reference to the importance of mature trees – nor the need for Planning to be sympathetic to mature and existing trees. The Panel recognised that the policy could not supersede other documents (e.g. the Local Plan), but agreed that the policy could address these two points without superseding other documents or shifting the focus of the policy.

Recommendation 8: That the Council explicitly recognises the importance of mature trees within the Tree Management Policy 2024-2032 and highlights the need for the Planning process to be sympathetic to mature and existing trees.

Report author	Alice Courtney
Job title	Scrutiny Officer
Service area or department	Law and Governance
Telephone	07483 010160
e-mail	acourtney@oxford.gov.uk

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