

## LEISURE, ENVIRONMENT AND COMMUNITY COMMITTEE - 12 JANUARY 2022

### PART I - DELEGATED

#### 5. THREE RIVERS DISTRICT COUNCIL - TREE STRATEGY 2022 -2027

##### 1. Summary

- 1.1 The purpose of this report is to summarise the content and implications of the Final Tree Strategy for the District, and recommend that the Final version of the Strategy is adopted by Three Rivers District Council (Appendix B – Final Tree Strategy).
- 1.2 The report was presented at the Policy and Resources Committee on 6 December 2021 where the Committee unanimously agreed the tree strategy, subject to any comments at the LEC meeting.
- 1.3 Should the Leisure & Environment Committee also agree the strategy, additional amendments will be made to it, following comments from members at P&R and LEC, and the final version of the strategy will be published.

##### 2. Background

- 2.1 The Tree Strategy is a new document for the Council, which will address the authority's approach to a range of tree issues within the District.
- 2.2 It identifies a number of actions for the Council to achieve over the next five years to ensure it continues to fulfil its duties and responsibilities as a tree owner and Local Planning Authority.
- 2.3 A draft version of the strategy was consulted on during August and September 2021.
- 2.4 A brief summary of the main areas of feedback received is provided (Appendix A), including a response from officers.
- 2.5 The strategy will be reviewed and updated in five years' time and any new actions identified.

##### 3. Public Consultation

- 3.1 A two month period of consultation was held from 2nd August, until 30th September 2021.
- 3.2 A total of 45 responses were received, detailing a wide range of views on the strategy, and broader tree issues in the District.
- 3.3 Appendix A of the report provides a summary of the main issues raised (ranked 1 to 10, from most frequently raised, to least frequently raised).
- 3.4 An officer response to each issue, and how it is addressed in the strategy is also provided.

##### 4. Outcomes/Recommendations

- 4.1 That the Policy & Resources Committee and the Leisure, Environment & Community Committee approve the Final Tree Strategy.

## **5. Options and Reasons for Recommendations**

5.1 Option 1 - Approve the Final Tree Strategy. A final version will then be presented to the Leisure, Environment & Community Committee on 12th January 2022. If the LEC Committee approves the Strategy, it will then be formally adopted by Three Rivers District Council.

5.2 Option 2 - Not approve the Final Tree Strategy. Officers will make further changes to the strategy, before presenting the Final version to a future P&R committee. This may result in a delay to the implementations of some of the actions within the strategy.

## **6. Policy/Budget Reference and Implications**

6.1 The purpose of the Tree Strategy is to clearly set out the Council's approach to a wide range of tree issues, and identify areas for change and improvement according to best practice.

6.2 The proposed policy will impact on the following performance indicators:

1. EP16 - Satisfaction with quality/provision of parks and open spaces;
2. LL34 - To maintain accreditation for Green Flag;
3. LL32 - To manage TRDC woodland estate to an assured standard (Year 1 to achieve UKFS Management Plans for woodland estate);
4. LL35 - To ensure all of our key open spaces have a current management plan in place; and
5. CO02 – Public perception of how well informed they feel about public services.

6.3 The impact of the recommendations on these performance indicator(s) are:

1. To provide more information to the public on management of the Council's trees and woodlands, including new tree planting;
2. To ensure all the Council's trees and woodlands are safe and managed in accordance with best practice;
3. To ensure the Council's trees and woodlands are managed sustainably, in accordance with the UK Forestry Standard;
4. Support the production of new management plans for TRDC owned open space;
5. To enable the public to gain a better understanding of the Council's approach to a wide range of tree issues in the district.

## **7. Financial Implications**

7.1 The cost of implementing some of the actions within the strategy will be dependent on development work and a review of a number of areas of the Trees & Landscape work. The actions within the strategy that would require additional funding are as follows:

- Commission woodland inventory work to obtain data to feed into a district tree ecosystem services survey;
- Organise basic tree safety training for relevant TRDC staff;
- Consult on the findings of the Biodiversity Opportunities Audit and develop a five year plan for new tree planting on minor open spaces;

- Investigate arboricultural training and development for a member of the grounds maintenance team to specialise in tree establishment and early years' maintenance;
  - Develop a capital bid to fund resurveying and serving of replacement TPOs where necessary.
- 7.2 The majority of the development work and review would be carried out by existing Trees & Landscape staff, any additional resources required to implement the findings of this work would be costed and submitted as part of a growth bid or external funding opportunities for consideration as part of the annual budget setting process.
- 7.3 Funding has already been confirmed for the action to:
- *Consider recruiting a community / education officer to work with local communities on biodiversity and tree planting schemes on TRDC owned land.*
- This post will be funded through existing resources and is currently being recruited for.
- 7.4 A growth bid has already been submitted for the action:
- *Investigate arboricultural training and development for a member of the grounds maintenance team to specialize in tree establishment and early years' maintenance.*
  - This growth bid is for a new member of staff within Grounds Maintenance for the above point and to support existing play area inspections and maintenance.
- 7.5 The decision on whether to take other actions forward and allocate additional funding would be made at future committees.

## 8. Legal Implications

- 8.1 The strategy will help ensure that the Council is complying with its duties under the Town and Country Planning Act 1990, as amended, and the Town and Country Planning (Tree Preservation) (England) Regulations 2012, in respect of protected trees and planning.
- 8.2 It will also ensure it is meeting best practice in respect of Health and Safety legislation and its duty of care as a land (and tree) owner.

## 9. Equal Opportunities Implications

- 9.1 Relevance Test

Has a relevance test been completed for Equality Impact?	Yes, Appendix C
Did the relevance test conclude a full impact assessment was required?	No

## 10. Staffing Implications

- 10.1 There are no staff resource implications at present. The strategy will help guide the work of the Trees & Landscape department.
- 10.2 As mentioned in section 7, the findings of the development work and reviews may indicate that additional staff resource is required to implement changes.

## 11. Environmental Implications

- 11.1 The adoption and implementation of the strategy will help ensure the Council's trees and woodlands are managed to the highest environmental standards.
- 11.2 The strategy will ensure that tree protection in the District is maintained and enhanced and that trees are fully considered in the planning process.
- 11.3 The strategy will also help bring focus to the Council's tree planting to enable additional tree planting to be undertaken in the District.

**12. Community Safety Implications**

- 12.1 The modified tree safety processes outlined in the strategy will ensure that the Council has a robust and defensible tree safety strategy to minimise risk to its open space users, neighbours and the general public.

**13. Public Health Implications**

- 13.1 Trees improve the air quality, give us heat-stroke protection, better breathing, stress relief, disease prevention and defence from depression. Trees and greenery may boost lifespan, this has been studied for 8 years by Harvard researchers and published in April Environmental Health Perspectives.  
[\(<https://health.usnews.com/wellness/articles/2016-12-09/the-many-health-benefits-of-trees>\)](https://health.usnews.com/wellness/articles/2016-12-09/the-many-health-benefits-of-trees)

**14. Customer Services Centre (CSC) Implications**

- 14.1 The strategy will assist CSC, providing call centre staff with clear guidance on the Council's policies regarding trees.
- 14.2 Information contained with the strategy will also be placed on the Council's website to enable residents to self-serve, rather than rely on CSC staff to answer queries.

**15. Communications and Website Implications**

- 15.1 See paragraph 14.2 above.

**16. Risk and Health & Safety Implications**

- 16.1 As described in section 12. The strategy sets out clear processes for tree safety.
- 16.2 It also sets out clear processes for dealing with subsidence and damage issues caused by Council-owned trees, so that the financial risk of trees is effectively managed.

<b>Nature of Risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> <i>(tolerate, treat, terminate, transfer)</i>	<b>Risk Rating</b> <i>(combination of likelihood and impact)</i>
Council trees causing harm to people	Death or serious injury	Robust tree safety processes, based on industry best practice	Tolerate	6

Council trees causing subsidence or property damage	Insurance claims and legal / financial cost to the Council	Clear process of timely inspection and remedial action to prevent damage	Tolerate	6
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- a. The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> Remote ↓ <b>Likelihood</b>	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8
	<b>Low</b> 1	<b>Low</b> 2	<b>Low</b> 3	<b>Low</b> 4
	<b>Impact</b>			
	Low -----> Unacceptable			

**Impact Score**

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

**Likelihood Score**

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- b. In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**17. Recommendation**

- 17.1 Following approval of the Final Tree strategy by the Policy & Resources Committee, subject to approval/comments made by the Leisure, Environment & Community Committee on 12 January 2022, the strategy be formally adopted by Three Rivers District Council with any amendments agreed by the Committees included in the final strategy before publication.

Report prepared by: Alex Laurie, Principal Tree & Landscape Officer

Data checked by: Ray Figg, Head of Community Services

Charlotte Gomes, Leisure and Landscapes Manager

Data rating:

<b>1</b>	<b>Poor</b>	
<b>2</b>	<b>Sufficient</b>	✓
<b>3</b>	<b>High</b>	

## **APPENDICES**

**Appendix A - Consultation Summary and Responses**

**Appendix B (Separate document) – Final Tree Strategy**

**Appendix C - Form A – Relevance Test**

## Appendix A

### Consultation Summary and Responses

	Issue	Background	Officer Response
1	New planting	Many requests received for additional new tree planting where possible.	The strategy contains an action to produce a 5 year plan for additional tree planting in the district. The action also hi-lights the Biodiversity Opportunities Audit, currently in production, as a key part in identifying locations for new planting on TRDC land.
2	Enforcement	Ensuring that unauthorised removals or pruning of protected trees are investigated and prosecuted, where appropriate.	The strategy includes a flow chart illustrating how investigations of alleged illegal tree destruction / damage will be investigated, and when legal action may be taken.
3	Greenbelt / new development	Concerns raised over trees being removed for development, and/or being protected by TPO prior to development.	The strategy sets out how the council assesses the impact on trees in relation to development, and the circumstances in which trees may be protected by a TPO. An action is included to review tree & landscape conditions that can be applied to planning applications.
4	TRDC tree work	Desire for the council to allocate sufficient resources to maintain its own trees and ensure work is carried out to a high standard.	The strategy includes actions to; continue checking contractor's credentials on an annual basis, and investigate employing additional grounds maintenance staff to assist with tree maintenance. A growth bid for additional GM support has been submitted for consideration.
5	Community Involvement & education	Desire expressed for volunteers to undertake tree planting and education sessions to be run for children and schools.	The strategy contains an action to employ a Community Biodiversity Officer to engage with the local community in tree planting and wildlife activities.
6	TPO information	Improved public access to information on TPOs and Conservation Areas.	The strategy contains an action to set up a public portal via the Council's Ezytrees database to enable residents to view and download copies of TPOs.
7	Technical amendments	Various comments on the accuracy and interpretation of aspects of legislation and guidance in relation to trees.	Officers will review these points and make amendments where appropriate.

8	Biodiversity	General desire for wildlife and biodiversity to be considered in the management of the council's trees and open spaces.	The strategy contains actions to employ a Community Biodiversity Officer; complete a Biodiversity Opportunities Audit; and develop new plans for tree planting. Plans also are being developed to produce a Biodiversity Strategy for the district.
9	Pests & Diseases	General comments on the need to be aware of existing and emerging tree pests & diseases.	The Council's approach to pest & disease issues is outlined in the strategy.
10	Safety	General comments on the need to ensure the Council's tree stock is maintained in a safe condition.	The strategy includes an action to revise the Council's current approach to tree safety for more frequent, targeted inspections, based on the level of risk.



## Appendix C

### Form A – Relevance Test

Function/Service Being Assessed: TRDC Final Tree Strategy

Officer completing form: Alex Laurie

Date of completion: 10.11.2021

#### 1. Populations served/affected:

Universal (service covering all residents)?

Targeted (service aimed at a section of the community –please indicate which)?

#### 2. Is it relevant to the general equality duty? (see Q and A for definition of ‘general duty’)

Which of these three aspects does the function relate to (if any)?:

1 – Eliminating discrimination, harassment and victimisation

2 – Advancing equality of opportunity

3 – Fostering good relations

Is there any evidence or reason to believe that some groups could be differently affected?

Yes

X No

Which equality categories are affected?

Race

Age

Sexual Orientation

Disability

Gender

Religion

Gender reassignment

Marriage / civil partnership

Maternity / Pregnancy

#### 3. What is the degree of relevance?

In your view, is the information you have on each category adequate to make a decision about relevance?

Yes

Are there any triggers for this review (for example is there any public concern that functions/services are being operated in a discriminatory manner?) If yes please indicate which:

Yes

No

#### **4. Conclusion**

On the basis of the relevance test would you say that there is evidence that a medium or high detrimental impact is likely? (See below for definition)

Yes

No – The strategy aims to promote the highest quality of tree management and site accessibility for the benefit of all groups.