

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	17 November 2021
Subject:	Review of Tree Safety Management Policy
Report of:	Asset Manager
Corporate Lead:	Head of Finance and Asset Management
Lead Member:	Lead Member for Finance and Asset Management
Number of Appendices:	One

Executive Summary:

The Corporate Tree Safety Management Policy was last updated in November 2016 and is now due for review. This policy has been updated in line with the best practice and 'Common Sense Risk Management of Trees' approach laid out in the National Tree Safety Group publication for the safe management of trees owned by an authority and guidance from our insurers. The strategy highlights the benefits of trees as part of an ecosystem and mitigation of climate change. It is an integral part of the safe management of trees in protecting people and property from harm and details the risk management of the trees by maturity, location and likelihood of risk to people or property.

Recommendation:

To APPROVE the updated Tree Safety Management Policy.

Reasons for Recommendation:

The Council has over 5,000 trees on land in its ownership and is required to have a tree safety management plan and inspection regime to ensure the risk of falling trees and branches is managed to reduce the risk of injury or damage to property.

Resource Implications:

The authority uses a software system for the management and recording of tree inspections that is currently contracted to Ubico and overseen by the Environmental Officer and Property Team along with an officer working group the Tree Risk Action Group (TRAG). TRAG consists of officers from Property, Environmental Services Officers, Planning Tree Officer and the Insurance Officer. This is constantly under review to ensure inspections are completed efficiently.

Legal Implications:

As an owner of land on which trees stand, the Council owes a duty of care to those people who might be affected by trees on its land. The duty is to take such care as is reasonable in the circumstances for the safety of those who come within the target area of a tree. Having a risk management plan in place and working in accordance with that plan will ensure reasonable steps are taken to minimise risk.

Risk Management Implications:

The policy is a management plan 'framework' that enables the authority to meet its legal

obligations and reduce the possibility of litigation claims.

Performance Management Follow-up:

The inspections are contracted to Ubico with defined areas of inspection to be completed within specific time scales. The scheduling and monitoring of inspections are completed by the Environmental Services Officer and Property Team primarily during the winter period using the Public Sector Software system (PSS).

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

- 1.1 The 2016 Tree Safety Management Policy (TSMP) was reviewed and updated to ensure the authority met its obligation under a 'duty of care' to ensure the risk of falling trees and branches were managed to minimise the risk.
- 1.2 The current TSMP was last fully approved by Members in November 2016.
- 1.3 The authority has over 5,000 trees upon land that it owns and leases. The responsibility is with the authority to ensure these trees are managed to reduce the risk to properties and the public.
- 1.4 The policy takes into account guidance from the Health and Safety Executive and the National Tree Safety Group and the authority's insurers.

2.0 REVISED TREE SAFETY MANAGEMENT PLAN

- 2.1 Minimal changes have been made to the current tree policy as it is integral part of the safe management of trees owned by the authority, which is continually scrutinised by insurance and loss adjusters through insurance claims against the authority. The comprehensive risk management approach of both the periodic inspections and the remedial works is considered best practice therefore minimal revisions have been made
- 2.2 The draft Tree Safety Management Plan for 2021 onwards is detailed at Appendix A.
- 2.3 Since November 2016 the Council has built a comprehensive record of inspections within the software system which have been used to successfully defend insurance claims by demonstrating the inspections of the trees in line with the policy.

- 2.4** The revised TSMP for completeness includes the ethos of the management of trees to ensure the trees are not unnecessarily crowned, pollarded or felled through public personal choice for the claim of light, tv signals or simply because they are opposed to trees.

As far as possible, Council-owned trees are allowed to grow to their natural form and size, in keeping with the original ideals behind tree planting in and across the Borough. Therefore, the pollarding of trees is not undertaken as a matter of course.

Any necessary pruning works are prioritised by risk and availability of resources, then these works will be undertaken. However, the council does not usually prune trees to allow light, enhance views or to remove seasonal nuisances such as fallen leaves and fruit etc.

- 2.5** The revised TSMP continues to use the scoring matrix to zone all the trees taking into account their maturity and location. Mature trees located next to occupied buildings or high pedestrian/traffic areas are considered higher risk than those located within a wooded area with no access.

The scoring matrix scores the trees within five zones, with zone 1 requiring inspection every five years and zone 5 requiring inspection every year.

3.0 OTHER OPTIONS CONSIDERED

- 3.1** None.

4.0 CONSULTATION

- 4.1** The Tree Risk Advisory Group were consulted about the revised policy.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 5.1** Current Tree Management Plan 2016.

6.0 RELEVANT GOVERNMENT POLICIES

- 6.1** None.

7.0 RESOURCE IMPLICATIONS (Human/Property)

- 7.1** None.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

- 8.1** Whilst the TSMP is a safety policy and not a tree planting strategy it recognises the importance of trees as part of biodiversity in urban areas and aims to protect trees from being felled and commits to replacing trees that are felled.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

9.1 The Tree Safety Management Plan was drafted around current resources whilst ensuring the authority meets its 'duty of care' obligation for the health and safety of its residents.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

Background Papers: None.

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Appendices: A – Tree Management Plan.