

Place and Resources Overview Committee

1st June 2021

Management of Council Owned Trees

For Recommendation to Cabinet

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Councillor(s): County Wide

Executive Director: John Sellgren, Executive Director of Place

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Report Status: Public

Recommendation:

Place and Resources Overview Committee consider the contents of the Draft Management of Council Owned Tree's Policy and recommend its final approval to Cabinet.

Reason for Recommendation:

1. Executive Summary

Dorset Council owns and is responsible for approx. 250,000 trees which will be managed against this Policy. The Policy builds upon and combines existing tree policies from the predecessor district and county authorities, and has been written with input and advice from the Health and Safety Executive reflecting the legal obligations of Dorset Council to manage its Tree stock e.g. Occupiers Liability Act 1984 and Highways Act 1980.

2. Financial Implications

Following advice from the Health and Safety Executive the interval between inspections of Council owned Trees has been reduced to 3 years (for A, B and C roads) and 6 years for D and unclassified roads (previously 5 and 10 years). The increased frequency of inspection will create a need for additional resource and as a result an additional Tree Inspector is required at a cost of £40,000 per annum. Permanent funding for this post will be considered as part of the 2022/23 budget setting process, with the post representing an unfunded cost pressure until that time.

3. Climate implications

Trees make a significant contribution to the quality of our environment in a number of ways and play a significant role in carbon sequestration, improving air quality and micro-climate characteristics. Trees have a proven ability to not only provide high quality landscape features, contribute to ecological networks and habitat quality, they also offer carbon storage to offset the effect of climate change. The draft Policy includes a commitment to only remove trees if absolutely necessary and any Tree removed will be replaced with a minimum of two new trees (previously none or one)

4. Risk Assessment

Having considered the risks associated with this report, the level of risk has been identified as:

Current Risk: High

Residual Risk: Low

Trees present an inherent risk which is compounded by the location in which they are growing and how busy the location is. It is considered that the proposed draft Policy and particularly the inspection frequencies and methodologies manage the risk to a low level. As this policy has been developed in line with advice from the Health and Safety Executive there is a reputational and legislative risk to the Council of not following that advice.

5. Equalities Impact Assessment –

There are no equalities implications relating to the content of this report.

6. Appendices

Appendix A – Dorset Council draft Management of Council Owned Trees Policy

7. Background

- 7.1 All of the predecessor Councils owned and managed trees. As a result of Local Government Reorganisation this tree stock has come together under Dorset Council, along with the various policy approaches against which they were managed.
- 7.2 The policy document being considered today consolidates predecessor council policies, but also includes recommendations made by the Health and Safety Executive following a fatality on the B3081 in 2019 caused by a falling Council owned tree. .
- 7.3 The updated policy covers areas such as public safety, arboricultural standards, maintenance and biodiversity considerations, inspection frequency and data recording, tree removal and replacement and procedures when damage is done to or by a council owned tree.

8. Conclusion

- 8.1 This Policy aims to ensure that Dorset Council's tree stock is managed in line with all relevant legislation, takes into account the contribution that trees make to landscape, ecology and climate change and limits Dorset Council's liability to claims for damage caused to private property by Council owned trees.