

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR PLACE TO CABINET

Tree Risk Management Framework 2020-25

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval to adopt a risk-based approach to the inspection and maintenance of council-owned trees across the borough.

2. RECOMMENDATIONS

- 2.1 **It is recommended that Cabinet members:-**
- 2.2 **Note and approve the Tree Risk Management Framework 2020-25;**
- 2.3 **Agree to the adoption of a proactive risk-based tree management approach for the tree population residing on council land; and**
- 2.4 **Agree to receive a future report on the first full year of operation of the proactive risk management approach.**

3. INTRODUCTION

- 3.1 Barnsley has approximately 1.2 million trees of various types, ages and sizes in the borough. The tree population is not only confined to rural areas as there are wonderful examples of trees in our urban centres and along our arterial routes into and out of the town. There are also thousands of trees in open residential areas and within the boundaries of private land of various uses, not to mention our many parks, open green spaces and historic sites.
- 3.2 The council are responsible for some 215,000 trees which reside on public land. Tree canopy coverage in the borough equates to around 16% of all the land in Barnsley and in some electoral wards, this extends to nearly a third. There are four trees to every one resident in Barnsley meaning there is a significant population to manage. Experience to-date suggests that the overwhelming majority of the local tree population are strong, healthy and have been at the heart of our communities for decades.
- 3.3 Trees are a significant and essential part of Barnsley's natural landscape and form an integral part of local amenities including our parks, woodlands, countryside and highways network. A healthy and sustainable tree population plays a crucial part in

helping us to create an attractive and vibrant landscape where people want to live, work and visit.

- 3.4 In late 2019, building on the Future Council Improvement Programme, Wakefield Council were commissioned to undertake a peer review of the Arbor Service. The review recommended that the service move away from a reactive approach to a proactive risk-based tree inspection and maintenance regime.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is proposed that the council implements a proactive inspection and maintenance approach in relation to the tree population residing on council-owned land (excluding that leased to third parties). As part of the model, it is accepted that reactive requests for tree inspections and maintenance will be received from various parties, however, these will be addressed within the scope of the Tree Risk Management Framework and parameters outlined therein. The primary purpose of this approach is to ensure that our processes of tree inspection and maintenance are proportionate to the potential risk, in order to ensure our communities, gain maximum benefits and that risks of harm and damage are effectively minimised.

- 4.2 The inspection programme for council-owned trees will be informed using various intelligence sources including the use of national tree mapping data, local asset management data and service-based intelligence. In order to support a risk-based approach to inspection of trees on council-owned land, it is proposed that three zone risk categories of high, medium and low be adopted.

- 4.3 The criteria to define the risk-based zones will be:

- **Highway characteristics** – prioritised according to traffic volume, speed and emergency accessibility;
- **Occupancy** – public areas and buildings prioritised due to occupancy. High priorities will include council owned land around schools, shopping precincts, emergency and medical facilities where large diameter trees and those with key risk characteristics are present; and,
- **Tree population characteristics** – prioritised according to age and species. Discrete populations of trees that are mature to over mature or are known to be inherently prone to failure through their past management and species characteristics.

- 4.4 Proactive tree inspections will not be carried out by the council on trees residing on private land. It is recognised that trees on private land can present a risk to the public. Under the Local Government Miscellaneous Provisions Act 1976, if a tree is considered to pose a danger, this may be dealt with accordingly at the discretion of the local authority pursuant of Section 23 of the Act.

- 4.5 The implementation of the tree risk management framework will ensure the limited council tree team resource is focussed on health and safety issues which will mean that in line with current practice, non-health and safety related matters will not be dealt with including:

- **Sun light** – trees will not be pruned or felled to allow greater access for light;

- **Tree debris** – Falling fruit, leaves and seeds are not considered a sufficient reason to prune or fell trees;
- **TV reception** – pruning or felling trees will not be undertaken to improve reception for televisions;
- **Large trees** – The fact that a tree is large and/or potentially swaying is not sufficient in itself to justify removal and pruning although any health and safety matters will always be addressed in line with the framework.

4.6 It is not possible at this stage, to quantify the anticipated increase in terms of demand placed on the small and limited resource of the council's Tree Maintenance Team. Based on the experience of Wakefield Council, it is clear however that a proactive risk-based approach is likely to generate a significant increase in demand. This will be monitored and measured over the first full year of operation to understand the consequential impact.

4.7 It is proposed that a further report be brought back to cabinet to account for the first full year of operation, identifying the impact in terms of demand, the resources required to continue to maintain mainstream activity and the financial impact in terms of income and operating costs of the service.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

5.1 The only alternative option would be to continue to maintain the current reactive service delivery offer. This presents significant risk to both the public and the council and is not a viable or sustainable option.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 Adopting a proactive risk-based approach to tree inspection and maintenance will minimise the risks posed by trees to local people and communities as far as reasonably practicable and support a thriving, healthy tree population for future generations to enjoy. The natural environment is an important factor to the wellbeing of local people and communities.

7. FINANCIAL IMPLICATIONS

7.1 Consultations on the financial implications have taken place with representatives of the Service Director – Finance (S151 Officer).

7.2 The tree service costs £195k per annum. This includes the £70k 'One-Off' investment approved by Cabinet (Rev GF 069) to employ 2 additional Arborist posts.

7.3 Any additional costs associated with continuing the 2 new posts, pending the annual review report will be contained within the Neighbourhood Services budget using vacancy management.

7.4 The charging policy for arbor related inspection and maintenance works is largely unstructured and lacks consistency. The charging policy will be reviewed at the 6 month point of mobilisation of the Tree Risk Management Framework. This will allow the service to review and confirm the charging parameters, scope and

application applied to all public land owners, resulting in a consistent and standardised process.

7.5 The financial implications of this report are summarised in the attached Appendix A.

8. EMPLOYEE IMPLICATIONS

8.1 There are no immediate implications to the staffing compliment at this stage. However, once the demand modelling has been undertaken and the first full year of operation analysed, there may be a requirement to review the Tree Team capacity.

9. LEGAL IMPLICATIONS

9.1 The council, in common with other land owners has a legal 'duty of care' as outlined in the Occupiers Liability Act 1984 to take reasonable steps to ensure users and neighbours of its land are safe.

9.2 The council must also comply with the Health and Safety at Work Act 1974 by ensuring that so far is reasonably practicable employees and members of the public are not placed at risk. This means that practical and reasonable precautions must be taken to reduce the risk to our employees and members of the public from our property including our tree population.

10. CUSTOMER AND DIGITAL IMPLICATIONS

10.1 The service has purchased data from a digital tree asset mapping solution which enables the GIS mapping and identification of tree populations across the borough.

10.2 Aligned to the Digital First Strategy, as the service continues to evolve and mature, inspection and maintenance works will be recorded digitally on-site and monitored and managed via the in-cab and automated workflow system.

10.3 The tree council web pages will be updated to include details of the tree risk management framework and the approach in relation to risk-based inspection and maintenance. The pages will also include further advice for customers in relation to tree owner responsibilities and how to protect and effectively maintain trees.

11. COMMUNICATIONS IMPLICATIONS

11.1 A communications plan will be devised to support the mobilisation of the Tree Risk Management Framework. This will be integrated into the services' proactive campaigns throughout the course of the year.

12. CONSULTATIONS

12.1 A number of internal stakeholders have been consulted, including Finance, Health and Safety, Asset Management, Culture, Highways, Planning, Biodiversity Officer, Parks, Cemeteries and Crematoria, Parks, Communications and Berneslai Homes.

13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 13.1 The proactive risk-based approach to tree inspection and maintenance aligns strategically to outcome 11 within the corporate plan by protecting the borough for future generations and supports the council's net carbon zero plan to reduce the carbon footprint by maintaining a healthy tree population.

14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 14.1 There are no equality, diversity or social inclusion implications.

15. TACKLING THE IMPACT OF POVERTY

- 15.1 Not applicable.

16. TACKLING HEALTH INEQUALITIES

- 16.1 Nurturing a positive, natural environment where trees continue to grow and thrive will provide the right ingredients to encourage people to be physically active and enjoy a better quality of life.

17. REDUCTION OF CRIME AND DISORDER

- 17.1 Not applicable.

18. RISK MANAGEMENT ISSUES

- 18.1 Adopting a risk-based approach to tree inspection and maintenance will ensure that the council complies with its statutory duties whilst minimising the risks to local people and property through the identification and remedying of high-risk trees defects early across the borough.

- 18.2 It is proposed that the council will adopt the principles of Quantified Tree Risk Assessment (QTRA) for managing the risk from trees on its sites. This approach assesses the target land where a tree could potentially fall and the associated impact.

- 18.3 The QTRA system assesses risk in terms of the following parameters:

- **Targets** – Firstly people or property and their location in relation to the tree.
- **Impact Potential** – Where necessary the tree or part thereof considered most likely to fail is then considered in terms of its size and potential to cause harm.
- **Probability of Failure** – The assessment of the likelihood of the trees or branch failing based on technical knowledge and experience of the inspector.

- 18.4 The adoption of the risk-based approach is heavily reliant on the provision of accurate asset management data in an accessible digital geographical information system (GIS) form. Commitment will be required from all stakeholders to ensure base data is accurate, up-to-date and accessible to compliment the national tree

data purchased by the service. This will enable the identification of risk zones to inform the proactive tree inspection programme.

19. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 As detailed above, the move to a proactive risk-based approach will minimise the risks to local people, property, communities and the council.

20. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The move to a risk-based approach to tree inspection and maintenance is fully compatible with the European convention on human rights.

21. CONSERVATION OF BIODIVERSITY

21.1 The risk-based approach to tree inspection and maintenance will support biodiversity across the borough, by protecting and promoting the healthy growth of the tree population. The Tree Risk Management Framework will consider biodiversity in both the approach to inspection and maintenance regimes and will work collaboratively in order to preserve and protect local environments.

22. GLOSSARY

22.1 Not applicable

23. LIST OF APPENDICES

Appendix 1: Tree Risk Management Framework 2020-25

Appendix A: Financial Implications

24. BACKGROUND PAPERS

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Paul Castle, Service Director Environment and Transportation