



COMMITTEE TITLE: Clean & Green Committee

DATE: 11 December 2023

REPORT TITLE:	Tree Strategy
REPORT OF:	Marcus Hotten, Director of Environment

REPORT SUMMARY

The Council has a substantial stock of trees within its ownership, and it is essential for strategy to be adopted by the authority that reflects current best practice. The recent internal audit commissioned by the Council, identifies significant concerns raised with the existing strategy and inadequate levels of resources to deliver.

The Appended draft strategy seeks to address update the existing policy.

The report seeks approval for additional resourcing to deliver the draft strategy.

RECOMMENDATIONS

R1. To approve the updated Council's draft Tree Strategy,

Members are asked to recommend to the Finance, Assets, Investment and Recovery Committee:

R2. To allocate an additional £115,000 over a two-year period to undertake a survey of Council Tree Stock.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 To ensure that adequate resource are provided to undertake a comprehensive tree stock survey, as highlighted by the internal audit report undertaken by BDO.
- 1.2 To ensure that the Council's Tree and Woodland Management Strategy reflects current best practice and provide a robust and defensible policy framework.

2.0 BACKGROUND INFORMATION

- 2.1 Under both civil and criminal law, the owner of land on which a tree stands has responsibilities for the health and safety of those on or near the land and has potential liabilities from the falling tree or branch
- 2.2 Most Council owned trees are in open spaces and include woodland. The Council is responsible for 280 hectares of woodland, country parks and urban greens. In addition, the Council is responsible for trees that fall within its Housing Revenue Account.
- 2.3 An Internal Audit of existing Tree Management practice and policies was undertaken on behalf of the Council by BDO, with the findings presented to the Audit and Scrutiny Committee in September 2023. The audit concluded 'limited' Design Opinion and Effectiveness, and listed a number of 'High Priority' recommendations.
- 2.4 A specific high priority recommendation related highlighted that the Council current Tree and Woodland Strategy is not supported by sufficient resources, preventing effective delivery. Furthermore that the strategy does not include enough detail to adequately outline and direct implementation of the aims of the Tree Management Process.
- 2.5 A review of the existing Tree Management Policy seeking to address the concerns raised by the audit has been undertaken. An updated draft of the policy is appended to this report for consideration.
- 2.6 It is proposed that a 2-year programme of survey work is undertaken of the Council Tree stock, an additional £115,000 will be required to ensure sufficient resource to deliver the short-term high priority works identified within the strategy. This will ensure that the Council has an up to date and complete inventory of tree stock.

3.0 FINANCIAL IMPLICATIONS

Name & Title: Tim Willis, Director – Resources & Section 151 Officer

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- 3.1 An additional annual £115,000 budget over a two year period will be required to fund the recruitment of a suitably qualified tree officer. This budgetary pressure cannot be accommodated in the existing budget allocation, and consideration will be required within budget setting cycle of the medium term strategy against other competing financial priorities.

4.0 LEGAL IMPLICATIONS

Name & Title: Claire Mayhew, Joint Acting Up Director People & Governance & Monitoring Officer

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- 4.1 The Council has a duty of care to ensure that the trees that do belong to the council are kept in an acceptable condition. Legal advice on any particular matter that may arise will be sought as required.

5.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 5.1 An additional member of staff or consultant will be required as a dedicated resource to undertake the tree-stock surveys.

6.0 RELEVANT RISKS

- 6.1 The audit concludes that presently the Council are accepting a high level of risk regarding the absence of a proactive inspection programme, coupled with ineffective management of reactive inspections.

7.0 EQUALITY & HEALTH IMPLICATIONS

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health

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The Public Sector Equality Duty applies to the Council when it make decisions. The duty requires us to have regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act make discrimination etc. on the grounds of a protected characteristic unlawful
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and 'civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The proposals in this report will not have a disproportionate adverse impact on anybody with a protected characteristic.

8.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

Name & Title: Henry Muss, Sustainability Manager
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All detail contained within the report.

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APPENDICES

Appendix A – Draft Tree Policy

BACKGROUND PAPERS

None

SUBJECT HISTORY (last 3 years)

Audit & Scrutiny – 26th September 2023

Environment, Enforcement and Housing – 7th March 2022