

**NORTH LINCOLNSHIRE COUNCIL**

**HIGHWAYS AND PLANNING  
CABINET MEMBER**

**POLICY CONTROLLING THE FELLING OF COUNCIL OWNED TREES**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To consider an amendment to the Council's Policy Compendium for tree works through the addition of a separate policy controlling the felling of council owned trees.

**2. BACKGROUND INFORMATION**

- 2.1 On 17 October 2007 the Cabinet adopted as a corporate document a policy compendium to guide the council and its officers on matters relating to tree works. Policies within the compendium therefore, apply in all cases of works to council owned trees and must be adhered to.
- 2.2 It was resolved at that time that the compendium of policy would be reviewed regularly and updated to keep abreast of changes in best practice and circumstances.
- 2.3 It has become apparent that policy in the compendium does not clearly address circumstances in which the council may wish to fell its own trees.

**3. OPTIONS FOR CONSIDERATION**

- 3.1 Option 1: Maintain existing policy arrangements.
- 3.2 Option 2: Provide clarification of the policy position suggesting a set procedure to be followed.

**4. ANALYSIS OF OPTIONS**

- 4.1 Option 1 would maintain a policy and procedural position found to be deficient.

- 4.2 Option 2 would clarify the current position and make clear the need to follow set procedures for tree removal that would be open to public scrutiny. This is the preferred option; the policy proposed as new Section 'K' of the compendium is provided as Appendix 1.

**5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 5.1 The preferred option will have resource implications due to additional procedures to be followed by officers dealing with tree removal. Removal should only be countenanced on the basis of a proper risk assessment taking into consideration the apparent need to remove a tree.
- 5.2 There may be a need across the council therefore, for expertise to be either bought in to fulfil this requirement or, for some additional training of staff to be provided to meet with this policy requirement.
- 5.3 The solution to this would be for each service area to consider. There are within the council, staff able to undertake such work however, their time and expertise is dedicated to existing tree management work.
- 5.4 There is generally therefore, no spare capacity available within the council to assess trees for removal outside of the service areas that manage tree works on a regular basis. It may be necessary therefore, for service areas without access to such "in house" capability to buy in tree assessment from appropriately qualified persons in the private sector or, by arrangement, to pay the costs of "in house" capacity if that can be made available from time to time.

**6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

- 6.1 Statutory - none.
- 6.2 Environmental - enhanced management of the council's existing tree stock ensuring proper considerations given to tree removal within context of a set and open procedure.
- 6.3 Diversity - Established policy/procedure for all to follow.
- 6.4 Section 17 – none.
- 6.5 Risk – Policy/procedure addresses issues in terms of risk management of trees in public places.
- 6.6 Other – Ensures best practice procedures are followed across the council thus resulting in an assured standard of service provision in an often-contentious area of council activity.

## **7. OUTCOMES OF CONSULTATION**

- 7.1 In addition to “normal” internal consultations as listed below, the service directors of all service areas known or, thought to have responsibility for trees, together with managers of staff known to undertake tree works, were consulted.
- 7.2 The outcome of the consultation was: no comments or objections to the amendment: some concerns expressed concerning the need for suitably qualified staff. (See Section 5 above).
- 7.3 One of the council’s tree officers based in the Environment Team tree Group has clarified the position regarding the need for qualified staff. Staff would need to be trained to recognise potential defects in trees, referring such defects to more highly qualified staff for further investigation. Training courses for such qualification are available through recognised training bodies.

## **8. RECOMMENDATIONS**

- 8.1 That the addition ‘K’ to the policy compendium as set out in Appendix 1 be adopted as part of the corporate compendium of council wide tree policy.

### **SERVICE DIRECTOR HIGHWAYS AND PLANNING**

Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ

Author: Ian Goldthorpe (Main) Andrea Brocklebank (Appendix 1)

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### **Background Papers used in the preparation of this report:**

Councils Policy Compendium on Tree Works – Adopted by Cabinet: October 2007

### **K: Felling Council owned trees**

**Policy trees K1 – Council owned trees should be retained wherever possible and only removed if sufficient evidence is available to indicate a tree is no longer viable or is unsafe.**

#### **Policy trees K2 – Reasons for removal could include:**

- Safety – as mentioned at Section A, where a risk assessment<sup>1</sup> /tree report has been undertaken by a suitably qualified Council employee, or by an independent tree report from a qualified/experienced arboriculturist, indicates that a tree cannot be safely retained.
- Subsidence – as mentioned at Section G, where submission of professional report would be required to indicate structural seasonal movement of buildings as part of the consideration process.
- Planning Application/Development, where proper consideration to any trees on or close to the site should be undertaken taking account of the council's publication 'Trees and Development', and BS5837: 2005 will be given, with submission of a tree report from a professional arboriculturist. Information regarding any replacement/ replanting of trees and landscaping would also be required at the application stage to ensure the loss of any trees is sufficiently mitigated.

#### **Policy trees K3 - Replacement of Council owned trees.**

That part of the Council's service provision responsible for the removal of a tree or trees shall:

- Provide a suitable replacement for the tree in the same location planted and thereafter maintained in accordance with current best practice.
- Plant a tree on council owned land elsewhere if for reasons of site condition a new tree would stand little chance of thriving in the land from which the original tree was removed and/or, any new planting stands a high probability of being vandalised.
- Replace the new tree if, within a period of five years from first planting, it dies, becomes a danger or, is seriously damaged.

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<sup>1</sup> A risk assessment procedure and associated pro-forma is available through the Council's Tree Group based in The Environment Team.