

Report to: Communities Scrutiny Committee

Date of Meeting: 18th January 2018

Lead Member/Officer: Lead Member for Housing, Regulation and Environment/
Head of Highways and Environmental Services

Report Author: Countryside and Heritage Services Manager

Title: Dealing with trees – procedural approach, responsibilities and sources of information

1. What is the report about?

A new procedure document entitled 'Dealing with Trees –procedural approach, responsibilities and sources of information' (Appendix 1) has recently been written to enable the Authority to develop a consistent approach to managing all its activities regarding trees, both internally and with the public and third parties. A consistent approach will ensure the Authority fulfils its legal role as a landowner, its regulatory role under the Planning Acts and deliver key elements within the Environment Priority of the new Corporate Plan.

2. What is the reason for making this report?

To provide information to members regarding how the Authority will manage its trees, deal with issues and queries regarding trees; both trees in Council ownership and those owned by third parties and members of the public.

Further, to request feedback from members about the document (Appendix 1) to continue to inform the internal consultation process.

3. What are the Recommendations?

That Members:

- 3.1 comment on the 'Dealing with Trees' procedure document and provide feedback to inform the consultation process; and
- 3.2 support the approach as outlined in the 'Dealing with Trees' procedure document.

4. Report details

This report refers to a new procedure- 'Dealing with Trees – procedural approach, responsibilities and sources of information' written to help officers in dealing with council owned trees or with queries from the public. The full procedures are set out in Appendix 1.

Officers receive numerous and varied queries about trees across the County. Responses are usually robust and authoritative. However, there has also been

cases where advice or action has not been consistent. With a number of services within the Authority having responsibility for trees, information about procedures in various tree-related scenarios is important to help maintain healthy tree stocks, standardise tree care and provide good and consistent customer service.

Trees deliver a number of environmental, economic and social benefits. Maintaining a healthy population of trees is essential for ensuring these benefits continue to be delivered for the future of the County and its residents. Denbighshire's trees provide an enormous asset, shaping the landscape character of our rural areas and within our towns. Trees form local landmarks and landscape features, add to the setting of buildings, village greens and open spaces and can have special cultural, historical, wildlife or rarity value. Trees and woodlands make a significant contribution to the County's landscape by;

- providing a valuable habitat for wildlife;
- filtering air and noise;
- providing shelter from the sun, wind and rain;
- recycling the air that we breath;
- removing harmful particulates from the air
- helping lock up carbon
- providing pleasant green settings in which to live and work;
- softening the impact of development; and
- maintaining a link with the natural environment.

The Council has a dual role regarding tree issues. Firstly, as a landowner it has a legal obligation to manage its tree stock to ensure the safety of the public. Secondly, the Council has a regulatory role under the Planning Acts for the preservation of trees and woodlands and making sure that trees are fully considered when planning for new development.

The overall aims of the Tree Procedure document are to ensure the safety of trees; maintain and encourage biodiversity; maintain and improve landscape quality; and through these elements, improve the quality of life for residents and visitors now and in the future. This will be achieved by:

- maintaining and improving the tree cover for the future;
- encouraging the conservation, positive management and the appropriate planting of trees and woodlands in the countryside, villages and towns;
- promoting the importance of trees and woodlands in shaping the distinctive local character and appearance of the County's urban and rural landscapes;
- recognising the significant aesthetic, landmark, ecological, cultural and historic value that trees provide;
- effectively communicating, educating and engaging with the local community over tree issues;
- proactively manage the Council tree stock;
- providing clarity over why decisions and actions are taken;
- balancing the risk and nuisance to persons and property against the other aims; and
- recognise the value of trees as a tangible asset.

The procedure document should help achieve those aims. It provides guidance on how the Council manages its trees and the way in which it will respond to the most

common enquiries and how they will usually be dealt with. The Council recognise the long term benefits trees provide for the environment so decisions will always be in the long term public interest.

5. How does the decision contribute to the Corporate Priorities?

Supporting an improved procedure for dealing with trees enables the Authority to help deliver the Environment priority in the Corporate Plan. Tree planting is one of the stated activities under the biodiversity theme.

As previously mentioned, green space with trees has a positive effect on the wellbeing of residents and communities, particularly in more urban areas.

6. What will it cost and how will it affect other services?

Currently there are no additional resources required for implementing these procedures.

Implementing a more standardised approach to tree issues should have a positive impact on biodiversity and the natural environment.

These procedures have been developed in conjunction with a number of different services in the Authority and officers have stated that the procedures will help them manage trees more efficiently.

7. What are the main conclusions of the Well-being Impact Assessment?

A Well-being Impact Assessment (WIA) was not completed for this report. The process is not applicable for a document which outlines Council procedures. It is likely there will be cases where the procedures will be applied and those cases might require a WIA because they might be contentious, against community benefit or compromised through development or wider circumstances.

The procedures guide actions. The impacts of those actions may need to be assessed, but not the procedures themselves.

8. What consultations have been carried out with Scrutiny and others?

This report is part of the consultation with members. Lead members have been consulted. Planning officers have been actively involved in the development of the document. Other relevant officers in Highways and Environment, Property, Leisure, Education and Strategy have been consulted and contributed to the development of the procedures.

9. Chief Finance Officer Statement

There are no financial implications associated with this report.

10. What risks are there and is there anything we can do to reduce them?

Poor and/or inconsistent decision-making with regard to trees could lead to noncompliance with legislation and corporate plan priorities, reputational damage, increased complaints from the public and reduced biodiversity value.

The document aims to present a transparent set of procedures and apply a consistent approach when dealing with trees in Denbighshire.

11. Power to make the Decision

Section 7.2.3 of the Council's Constitution stipulates that Scrutiny may consider any matter which affects the Council's area or its inhabitants.

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