

Report to	Communities Scrutiny Committee
Date of meeting	5 th September 2024
Lead Member / Officer	Barry Mellor, Lead member for Environment and Transport / Thomas Hiles, Lead Officer - Trees and Woodlands
Head of Service	Emlyn Jones; Planning, Public Protection and Countryside Services
Report author	Thomas Hiles
Title	Tree Maintenance and Management

1. What is the report about?

1.1. This report is about the maintenance and management of Trees by Denbighshire County Council's (DCC), including reference to current priorities and relevant policies and resource allocation.

2. What is the reason for making this report?

2.1. To provide Members with an understanding of how DCC's trees are currently managed across the authority, within the context of each service area.

3. What are the Recommendations?

3.1. That the Committee notes the contents of the report and provides comments and suggestions for officers to consider.

4. Report Details.

4.1. As a landowner, the Council has a duty of care to ensure, as far as is reasonably practicable, all the trees on its land are kept in an acceptable condition and do not put persons and property at unreasonable risk.

4.2. Public guidance on how the authority manages its trees can be found on the Council website, including information on the circumstances in which we will take remedial action. (Appendix A).

4.3. Requests from the public or local members for trees to be assessed or maintained are generally raised through the C360 system and assigned to the relevant officers. Such requests are often referred to the Tree Team who inspect the trees and advise accordingly. Other requests may come directly to the team, often through Trees@denbighshire.gov.uk

4.4 Ash Dieback

DCC's Tree Team lead the Council's response to Ash Dieback, which was identified as a corporate risk in 2020. Ash Dieback is a fungal disease, spread by airborne spores, that causes Ash trees to gradually decline and die. First reported in the UK in 2012, it has been present in Denbighshire since at least 2016. There is no known cure or method to stop it spreading. This has significant environmental, and health and safety implications given that Ash is the 3rd most commonly found tree in the UK.

The team carry out annual surveys of Ash trees, on both Council land and along the Highway network. Ash trees on DCC land are retained where possible, but if the risk of them falling is 'Unacceptable' (using the Quantified Tree Risk Assessment methodology), the Tree Team commission and manage the necessary felling works. The owners of private trees along the highway network are notified of any action that is required, as part of DCC's duties as the Highways Authority, under the Highways act 1980. Due to the gradual nature of the disease and the large number of Ash trees in Denbighshire this will be an ongoing programme of work for the foreseeable future. For further information on DCC's response to Ash Dieback please reference appendix B.

4.5 The management of trees by department

Various services have an involvement in the maintenance and management of DCC's tree asset, supported by the tree team who provide expert advice and guidance. Across these services the management of trees (excluding tree planting) cost DCC approximately £130,000 during the financial year 2023/24.

Countryside service manage woodlands and sites with individual trees. Some of these sites are very popular, such as Loggerheads Country Park which is visited by over of 200,000 people annually and has been particularly affected by Ash dieback, with many trees having to be felled. The Ranger teams can undertake some limited tree works themselves as they have the necessary training and equipment. Anything more advanced is contracted out and funded through either site or project budgets. The Climate Change team have provided funding to support the maintenance of trees planted as part of their programme, through additional Ranger posts and equipment.

Education: The responsibility for the management of trees on school sites rests with the School and its Governing Body. There is a requirement for schools to inspect trees on their site on a periodical basis and to act on the findings of the inspection. Where concerns are raised on the impact of trees from school sites on immediate neighbours of school sites, schools are advised of the Denbighshire policy around the management of trees. To support the management of trees on school sites officers from the relevant service teams have identified the need to provide school specific guidance notes to support Headteacher's and School Business Managers in this area.

Highways incorporate the cost of any necessary tree maintenance within the budgets of other projects such as the Capital works programme. As part of their duties under the Highways act 1980 they must ensure the Highways are safe and free from obstruction which includes organising the clearance of trees and branches that have fallen onto the highway. In the event of a severe storm, such as Storm Arwen in 2021, the Welsh Government will sometimes make additional funding available to facilitate the clear up operation. They are also responsible for the maintenance of the paved surfaces around street trees. Their officers assess the overall condition of the footways and commission resurfacing where required

Housing DCC Community Housing recognises the environmental, economic and social benefits that trees and hedgerows deliver and endeavours to maintain them in a

sustainable way. Work is carried out to the gardens of empty properties to make them safe and secure for the new tenants and to provide them with a manageable space that they can maintain as stated in the Tenancy Agreement. Hedges and Trees must only be removed as a last resort. Tree requests that come under the Tree Exemptions Section will be inspected but work will be carried out at our discretion. Where residents are at a disadvantage or vulnerable each case will be assessed on an individual basis using the traffic light system.

Planning All sections of the Planning Team (Enforcement, Development Management, and Strategic Planning and Housing) consult with the Tree Team on a range of matters, including planning applications, for development, works to trees in Conservation Areas, applications for consent for works to trees protected by Tree Preservation Orders (TPO's) and the allocation of sites for development in the emerging Local Development Plan. The Planning Team and Tree Team also work together to investigate potential breaches of legislation in relation to protected trees, and to create new Tree Preservation Orders.

Streetscene manage trees in Denbighshire's streets, parks and cemeteries. They have limited Tree maintenance budgets per Member Area Group (MAG) and for the cemeteries. This is allocated for works that are required where trees may be a risk to public Health and Safety and/or are damaging property. Any additional tree maintenance any additional tree maintenance required represents a budget pressure for Streetscene's limited tree maintenance budget.

4.6 Developing a Tree and Woodland Strategy

An action of Climate and Nature Strategy (2021/22 to 2029/30), to increase the Council's carbon absorption for Years 4 to 6 (2024/25 to 2026/27), is to produce and implement a Tree and Woodland Strategy. This will help ensure good coordination and a standardisation of tree care across all DCC Services, within the different contexts and associated pressures each department operates in.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1 Trees are key to delivering a Greener Denbighshire, and a Net Carbon Zero and Ecologically positive Council by 2030. The existing tree asset should be managed and developed appropriately to help us achieve these goals.

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

6.1. The cost of Developing a Tree Strategy can be covered within existing budgets.

6.2. The relevant services and officers will be consulted during the development of the strategy.

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

7.1. No decision is sought from this report, so no Well-Being Impact Assessment has been undertaken.

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

8.1. Officers from the departments mentioned have been invited to comment and the management of trees has been discussed in various meetings in the lead up to the submission of this report.

8.2. The Lead member has been consulted on the contents of this report.

9. Chief Finance Officer Statement

9.1 Current costs and financial considerations are set out within the report.

9.2 It will be important to consider costs and funding for actions identified during the development of the Tree and Woodland Strategy.

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

10.1. Trees can present a risk to health and safety or to property. The development and implementation of the Tree and Woodland Strategy will help manage this risk by improving coordination across services and the consistency of tree care.

11. Power to make the decision

11.1. No Decision is sought from this report.