



Name of meeting: Environment and Climate Change Scrutiny Panel

Date: 27/10/2023

Title of report: Council Owned Tree and Woodland Management Policy

Purpose of report: For Scrutiny Panel to consider the finalised draft replacement Council Owned Tree and Woodland Management Policy, prior to it progressing to Cabinet.

<p>Key Decision – A key decision is an executive decision to be made by Cabinet which is likely to result in Council spending or saving £500k or more per annum, or to have a significant positive or negative effect on communities living or working in an area compromising two or more electoral wards. Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.</p>	<p>Yes</p> <p>If yes give the reason why affects all wards</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</p>	<p>Key Decision – Yes Private Report/Private Appendix – No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes</p>
<p>Date signed off by <u>Strategic Director</u> & name</p>	<p>11/10/23 David Sheperd Strategic Director for Growth & Regeneration</p>
<p>Cabinet member <u>portfolio</u></p>	<p>Cllr Y Hussain, Culture & Greener</p>

1. Summary

A review of the Council's existing tree and woodland management policy identified that it requires reviewing and updating. This review work resulted in a redevelopment of the existing documents to provide a new progressive policy, reflecting new national policy and better aligned with current Kirklees' commitments and corporate goals.

Engagement has been undertaken, including a presentation to Environment and Neighbourhoods Scrutiny Panel in January 2023, for comments on the early draft, with the new document package now drawn together into a finalised draft. Including Policy Statements, an updated Risk Framework, Management Standards and Service Standards.

2. Information required to take a decision

In 2020 the council adopted a Tree Policy, a Tree Risk Framework, and a Tree Management Guidance document. Which, as a suite of documents, sets out the council's proposed method of managing its tree stock for the district's communities and to discharge its statutory duties.

This document suite now requires reviewing and updating to strengthen its focus on the benefits of trees, to bring it in line with current national policy and best practice, to help focus service delivery and to allow more effective and strategically focused use of resources.

On this basis, officers have been working to re develop the council policy documents. To provide a new progressive policy, better aligned with new national policy, the Council's current commitments, other policy areas and Kirklees' corporate goals. A copy of which is included in the supporting papers.

In general, the emerging draft document is made up of the following key sections:

- Revised policy statements, to provide a scaffold for the wider document and a foundation for the council's management principles and goals, aligned with wider national and local policies.
- A revised and updated risk framework, aligned with current industry best practise, taking account of recent case law and legislation. Setting a system of inspections and operational methods that meet the legal requirement, but which utilise current resources more effectively.
- Management Standards setting the council's detailed position on the maintenance and management of its trees. The situations where the council will undertake work and those areas where it can not undertake works.
- New Service Standards setting out priorities, response times for enquiries received and timeframes for works to be completed in different situations. Along with setting proformas to be used for submitting enquiries, to ensure that they can be processed and prioritised effectively, efficiently in a standardised format.

These revised documents are key to setting consistent principles surrounding the management of council trees and are a messaging opportunity to aid the management of expectations. Allowing clearer information for both officers of the council and members of the public to be signposted to.

If adopted it is intended that the provisions, and information, contained in this new policy document suite are used as the basis of an expanded web facility This will better communicate the council's position, allowing service users to better self-help and engage with the Council's Arboricultural Team, streamlining the enquiry submissions and handling process.

The draft has been through engagement process with colleagues in Climate Change, Risk and Insurance, Planning- Conservation, Design, Trees and Ecology and the Arboricultural Team. It has then subsequently been out for comment with a range of Services areas as interested parties, including Planning Policy, Highways, Homes and Neighbourhoods, Corporate Facilities Management, Kirklees Direct and The White Rose Forest as the regional Community Forest partner.

In January 2023, the initial draft was also taken to the Environment and Neighbourhoods Scrutiny Panel for comment. With the comments received now addressed, as follows:

- 1) "To add to the policy the aim to increase tree numbers and tree cover." *wording has now been clarified and expanded to better reflect the existing council's commitment to the White Rose Forest regional planting targets.*
- 2) "For officers to speak to Councillor enquiries regarding the development of the proforma". *Officers have engaged with enquiry colleagues to further develop the enquiry proforma and processes.*
- 3) "The wording around removing deadwood in the policy be revised to reflect that deadwood would only be removed when deemed hazardous". *Wording has now been amended to better reflect this position.*
- 4) "The wording on point 8.3 be revised to better reflect the procedure in relation to the right to light and the discretion around alleviating problems where funding was available." *Wording has been amended and expanded to better reflect the process around shade issues.*
- 5) "It was important to ensure the diversity of trees when growing and forming woodlands." *Wording has been amended, and text added, to link the current national standards for diversity of trees and woodlands. Specifically clearer links have been made to documents like the UK Forest Standard that governs these areas.*
- 6) "The wording in the policy be amended to make clear that the procurement of trees was sourced locally through Leeds City Council". *Wording has been strengthened and better linked to legislation and national guidance relating to bio security and local provenance of tree material. However, specific reference to Leeds City Council as a supplier has not been included. On consideration of this point, it was seen to be inappropriate to make reference, or commitment, to a specific supply within our policy. This is dealt with via our procurement procedures and may be subject to change within the lifetime of the Policy.*
- 7) "More information relating to Ash Dieback be presented to the Panel at a future meeting in relation to funding streams and resources". *This is being dealt with separately and more information relating to this will be presented at Scrutiny in due course.*
- 8) "The Policy be presented back to Scrutiny prior to Cabinet". *The final draft document is being progressed through to Cabinet via Scrutiny Panel.*

All necessary amendments and revisions identified through the engagement process have now been addressed. With the finalised draft policy in a position to progress to consideration for adoption.

3. Implications for the Council

Officers believe that continuing to rely on the current policy, with the gaps that it now contains, would leave Kirklees out of step with the change in national and public position

surrounding the trees, leaving the council open to challenge, and would result in continued difficulties and inconsistency with service delivery across service areas. Preventing the council from moving forwards with a progressive and strategically lead management of its tree stock.

3.1 Working with People

The Council's management of its trees and woodlands portfolio affects all the communities that the Council serves. The safety of citizens is especially important and the new policy documents put the management of risk from council trees to members of the public as a key factor. Benefiting residents and visitors to the district alike.

The value of the Council's tree stock and the benefits trees bring to the people, in relation to climate change, health benefits, biodiversity value and economic benefits are also key aspects of the new policy. To ensure the Council is managing its trees to increase the benefits they provide for current communities and for generations to come.

The new document suite will also allow for better information to be shared via a new web resource. to facilitate service users being able to access better information to self-help and to access the councils tree services more efficiently.

3.2 Working with Partners

The management of trees within the Kirklees district crosses over multiple service areas. Therefore, involving key interested partners at the early stages of drafting was key to ensuring the Council Owned Tree and Woodland Management Policy is fit for purpose and linked to other Council policies and commitments as necessary. See section 5. Engagement, for further details.

3.3 Place Based Working

The new policy document takes account of the diverse district which the council covers and allows for resources to be utilised in the best way possible to achieve positive outcomes for all communities. By fostering a consistent joined up tree management approach across the Kirklees Services Areas the policy uses intelligence and information to focus on wider community needs

3.4 Climate Change and Air Quality

Tackling the climate emergency, reducing emissions, and improving air quality are key long-term priorities for the Council to improve the quality of life for residents and create a borough that is healthier, more sustainable and fairer for everyone.

These are a key areas of the Council Owned Tree and Woodland Management Policy. Setting management principles that will capitalise on trees' ability to capture and store carbon, absorb and reduce air pollutants, reduce urban heating, slow run off of water there by reducing the risk of flooding and proven benefits around increasing mental and physical health of individuals. All of which will contribute to the Council's goals around tackling climate change.

3.5 Improving outcomes for children

Managing the benefits trees bring to the district, via the new policy documents, will have a positive impact for future generations and children in the district today. Providing them with access to safe and healthy environments to live in, and grow in, now and in to the future.

3.6 Financial Implications for the people living or working in Kirklees

The new policy document will facilitate more efficient use of Council resource, allowing current resources to better delivery services to residents and communities.

4. Consultation

N/A

5. Engagement

From the beginning of drafting the new policy documents engagement was, and has been ongoing with: Risk and Insurance, Planning- Conservation, Design, Trees and Ecology, Energy and Climate Change and The Arboricultural Team.

Further engagement was undertaken with: Highways, Planning Policy, Legal Services, Kirklees Direct, Homes and Neighbourhoods, Corporate Facilities Management, and the White Rose Forest, as the regional Community Forest partner.

Comments received related to rewording, or amendments to specific sections, and addition of text to link the draft tree management policy to other areas, such as Planning Policy.

In January 2023, the initial draft was also taken to the Environment and Neighbourhoods Scrutiny Panel for comment. The Comments provided by the Panel and the actions taken to address them have been detailed in the finalised draft, as above. The comments provided by the Panel, and actions taken to address them have been detailed in the final draft, as above.

6. Next steps and timelines

To progress the new policy documents to Cabinet for consideration and a decision.

7. Officer recommendations and reasons

Officers recommend that Scrutiny note the draft Council Owned Tree and Woodland Management Policy prior to Cabinet.

Contact officer

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8. Background Papers and History of Decisions

- Council Owned Tree and Woodland Management Policy adopted July 2020
- Tree Works on Council Owned trees, Guidance Document revised 2020
- Kirklees Council Tree Risk Management Framework, adopted 2020
- Report to E&N Scrutiny Panel, 10th Jan 2023

9. Service Director responsible

Graham West, Service Director - Highways & Streetscene