

**Name of meeting: Economy and Neighbourhoods Scrutiny Panel**

**Date: 10<sup>th</sup> October 2019**

**Title of report: Council Owned Tree and Woodland Management Policy and; White Rose Forest update**

**Purpose of report:** To discuss the new Council Owned Tree and Woodland Management Policy, for the implementation of the procedures outlined in the Tree Works Guidance Document and the Tree Risk Management Framework, and the approach to White Rose Forest development.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	Key Decision - No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Karl Battersby 1/10/19
Is it also signed off by the Service Director for Finance IT and Transactional Services?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	N/A
Cabinet member <u>portfolio</u>	Councillor Rob Walker

**Electoral wards affected: All**

**Ward councillors consulted: No**

**Public or private: Public**

**Has GDPR been considered? Yes**

## 1. Summary

The aim of the *Council Owned Tree and Woodland Management Policy* is to set out how the Council will effectively manage and enhance the trees and woodlands for which it is responsible, ensuring that they:

- positively contribute to the area and the achievement of the Council's corporate priorities, helping to create an attractive, healthy environment which maximises the quality of life of our citizens;
- maximising benefits to the wider environment, including contributing towards the Council's response to the climate emergency;
- meet legal obligations; and
- minimise conflict with the public and other land owners.

The accompanying documents *Tree Works on Council Owned Trees Guidance Document* and *Tree Risk Management Framework* provide further detail on how specific tree related issues will be dealt with by the Council, and how it will effectively manage tree related risk.

The White Rose Forest update aims to clarify the planting requirements for the WRF programme and to set out how the council proposes to take the programme forward.

## 2. Information required to take a decision

The total area of woodland within the Kirklees district is approximately 6,199ha or 15.2% of Kirklees district's land area, higher than the national figure of 10.5%. Kirklees Council owned/managed woodlands cover over 600ha (approx. 10% of the woodlands in the district).

Increasing tree cover and effective management of its tree and woodland assets are a key component of the Council delivering its Corporate Plan, in particular *Clean and Green*: enabling both our built and natural environment to contribute to the quality of life of our citizens and making the district a more attractive place in which to live and invest; and helping to connect people and places, improve air quality and be resilient in the face of extreme weather.

There is increasingly strong evidence and a growing consensus that trees, woods and forests have a key role to play in climate change mitigation and adaptation, and in delivery of ecosystem services in both rural and urban areas. As such the Council's commitment to proactive woodland management, increasing tree cover and protection of existing trees is a significant part of its response to the climate emergency. The Council is also committed to contributing towards the 30% increase in canopy cover required by the White Rose Forest programme as part of the wider Northern Forest initiative.

Several previous tree related policies have existed but they have not been comprehensive. A previous version of the Guidance Document has been available on the Kirklees website for some time but some of the information was out of date and it seemed appropriate to review this document in conjunction with the development of the main policy and risk management framework.

The *Council Owned Tree and Woodland Management Policy* sets out a number of policy statements relating to:

- proactive tree and woodland enhancement;
- the protection of existing tree and woodland assets;
- woodland management;
- risk management; and
- conflict and complaints.

The *Tree Works on Council Owned Trees Guidance Document* compliments the main policy by giving more detail on how specific tree related issues and conflicts will be dealt with by the Council, and to clarify the Council's legal obligations in relation to such issues. This includes how

trees will be maintained in different locations and with due regard to the protection of associated wildlife, how decisions relating to tree felling will be taken, and how requests for tree works not required by law will be assessed.

The *Tree Risk Management Framework* focuses specifically on tree related risk. This document aims to assist the Council in exercising its duty of care to both its employees and the public with regard to the safety of trees, and proactively manage risk to its land and property, by maintaining a system of tree inspection and remedial works that is in line with the *Council Owned Tree and Woodland Management Policy* as well as with current nationally accepted standards and industry best practice. A management system is proposed which includes a zone-based inspection regime, both routine and reactive inspections, and a system for prioritising remedial works.

The premise of all three documents is that the Council supports the retention of trees wherever possible and will proactively work to increase tree cover across the district as part of its commitment to the climate emergency and the White Rose Forest programme.

The *White Rose Forest Tree Planting Programme – Scoping Document* proposes an approach to planning White Rose Forest planting which responds both to the climate emergency and to the wider biodiversity crisis, with the following aims:

- To contribute towards an overall increase in tree cover within Kirklees by 30% - including a Council commitment to planting on Council land in the order of 170,000-257,000 trees over 119-180ha.
- To create sustainable and healthy woodlands with good structural diversity supporting a wide range of biodiversity.
- To compliment the diverse use of greenspaces and to visually enhance the natural offer.

### **3. Implications for the Council**

#### **• Working with People**

The great majority of complaints relating to Council owned trees comprise requests for trees to be removed rather than complaints about unjustified removal. Whilst we appreciate that trees can be a source of nuisance the Council's priority is the retention of trees where their removal is not necessary for statutory, safety or tree/woodland health reasons. It is therefore not always possible to act in accordance with residents' wishes, however the Council will adopt a common sense approach with regards to requests it receives for relevant, justifiable and necessary tree works. All requests will be considered individually and the circumstances of the request will be balanced against any environmental impacts before a decision is made. The reasons for the decision will be fully explained to the customer. Where the decision is not to the satisfaction of the customer, the customer has the right to appeal against the action or decision, to which the Council will respond in writing. Requests received in the form of complaints will be dealt with in accordance with the Council's complaints procedures.

Where street tree felling is required for highways works this will not be undertaken without consultation and agreement with all elected ward members and residents on the street will be consulted as appropriate.

In bringing its woodlands back into active management and in planning tree planting programmes the Council will aim to work with elected members, local communities and partner organisations wherever possible to ensure they fit with local needs and to foster greater positive community engagement with and care for our woodlands.

#### **• Working with Partners**

The intention is for this policy, together with the guidance document and the risk framework, to be peer-reviewed by partner organisations with expertise in tree and woodland management prior to implementation.

We will work collaboratively with ward members and partner organisations wherever possible in implementing the policies and procedures outlined in these documents, in particular where decisions are required about the removal of trees for non-statutory or safety reasons and for significant planning tree planting and woodland management schemes.

- **Place Based Working**

As described above the policy and associated documents allow for ward member, citizen and partner engagement in decision-making about tree related issues where appropriate to ensure that outcomes are appropriate to the geographical area and community in question.

- **Improving outcomes for children**

The Guidance document recognises the value of all green spaces, including woodland, for adventurous play and the vital contribution this makes to children's physical, mental and emotional well-being and development. As such the use of Council woodlands for play is considered, in particular the construction of various home-made items of play equipment such as tree swings, dens and tree houses. It is proposed that such items will be left in woodlands where they are considered to be safe for use. Any items of home-made play equipment encountered in Council woodlands by officers during the course of their work, or reported to the Council by third parties, will be inspected and assessed for safety in terms of their location and construction. If considered dangerous or inappropriate they will be removed within one working day of this decision being made. Structures will only be left in situ if they are considered to be safe for use until the next scheduled inspection of that area in the forestry team's tree inspection programme, as the Council is not able to allocate additional resources to more frequent monitoring of such items. Any decisions made will be documented.

- **Other (eg Legal/Financial or Human Resources)**

All three documents have been reviewed and approved by the Council's insurance team in terms of all content that relates to risk management and potential claims.

#### 4. **Consultees and their opinions**

The three documents presented in this report have been developed by the parks development and forestry teams within Greenspace. They have subsequently been reviewed and amended by the insurance team as well as by Tom Stevenson (Biodiversity Officer) and the planning policy team.

Councillor Rob Walker reviewed the documents on 25<sup>th</sup> September 2019 and proposed amendments which have been incorporated.

#### 5. **Next steps and timelines**

The intention is that the documents will be peer-reviewed by selected expert external organisations as well as reviewed by the following internal teams prior to implementation:

- Highways
- Cemeteries and crematoria
- Kirklees Neighbourhood Housing
- PRP
- Policy and Strategy team

#### 6. **Officer recommendations and reasons**

To endorse the adoption of the *Council Owned Tree and Woodland Management Policy* together with the *Tree Works on Council Owned Trees Guidance Document* and the *Tree Risk Management Framework*, and the approach to White Rose Forest development outlined in the scoping document.

#### 7. **Cabinet Portfolio Holder's recommendations**

Councillor Walker strongly supports the policy and fully recognises the importance of both planting many more trees and managing our trees effectively.

#### 8. **Contact officer**

Rob Dalby, Greenspace Operations Manager, [rob.dalby@kirklees.gov.uk](mailto:rob.dalby@kirklees.gov.uk), ext 77447

**9. Background Papers and History of Decisions**

**10. Service Director responsible**  
Service Director - Environment