

SUBJECT:	A POLICY FOR THE MAINTENANCE OF CITY COUNCIL OWNED TREES IN PUBLIC OPEN SPACES
DIRECTORATE:	COMMUNITES AND ENVIRONMENT
REPORT AUTHOR:	STEVE BIRD, ASSISTANT DIRECTOR COMMUNITIES AND STREET SCENE

1. Purpose of Report

- 1.1 To propose a policy for the maintenance of Council owned trees in public open spaces.

2. Executive Summary

- 2.1 The trees in the city are considered to be a major asset. Expanding knowledge about trees in recent years has highlighted their value to the wider environment in terms of biodiversity, but especially to the wider beneficial health contributions they can make for people living in an urban setting.
- 2.2 However, managing trees in close proximity to development and high rates of footfall can be problematic in ways that are not encountered in a more natural setting, and not everyone is as accommodating as those who recognise and accept the compromises often required.
- 2.3 It is therefore right that the Council takes steps now to put in place a clear and transparent policy on how it will care for its tree assets, so as to make sure that resources are properly attributed, that everyone understands the standards that are to be applied, and that ultimately the tree asset is suitably maintained.

3. Background

- 3.1 Lincoln is very fortunate in that many of the city's street scenes and open spaces include trees. It is hard to imagine a cityscape without the valuable contribution they make.
- 3.2 However, an urban setting is not a natural environment for a tree, and not only do trees find growing in cities challenging, but because trees get bigger each year, they can develop in ways that impact people/buildings, meaning that, especially when larger, their presence is not always welcomed by all.
- 3.3 For this reason growing trees in a city usually means compromises at some level, for both residents who are affected, and the trees themselves. Managing these compromises is undertaken by the City Council's arboricultural officers, who handle hundreds of complaints/enquiries each year.

- 3.4 As each complaint/enquiry is different they usually have to use their knowledge of trees to map a route to an outcome that is acceptable to a resident, whilst not adversely impacting the health of the tree. In some circumstances, where a request is excessive, and there is no basis for the extent of work being asked for, the officer may have to refuse a request in part or completely. The potential for conflict is therefore constant and relatively high.
- 3.5 The development of this policy is intended to both aid the public in being able to provide them with clear statements on the Council's corporate position on tree care, but also to assist officers when making judgements.

4. The Policy

- 4.1 The trees in the city have many owners. Private property, businesses, and both tiers of local authorities all have tree assets that are all vital to contributing to the tree canopy we enjoy. This policy relates only to trees growing on land owned by the City Council, or for which it has responsibility (such as parks, gardens, amenity grass areas, and common land).

- 4.2 The premise for the policy is intentionally simple.

To have in place a system that cares for City Council owned trees, so as to:

- prioritise public safety.
- protect property appropriately.
- ensure that all trees are looked after appropriately, having reference to their species, age, condition, and setting.

- 4.3 It makes clear the value of trees, the intention to work to recognised industry standards as a default, to abide by legally required practices, to replant where there are tree losses, the need to educate people that they are an organic asset that has a life cycle, and to promote the importance of trees in the city.

The draft policy document is attached as appendix A.

5. Strategic Priorities

5.1 Let's drive inclusive economic growth

An important part of the Council's agenda for growth is the recognition that it needs to create an environment that ensures that Lincoln is recognised as a great place to live, work or visit. The use of trees can make a location more attractive and desirable, and is often seen, albeit subconsciously, as an indicator of the prosperity of an area.

5.2 Let's enhance our remarkable place

Lincoln's green spaces, including its tree cover, are an asset which has unquantifiable value; they are a key part of the City Council's strategic approach to improving the city for the benefit of all those who live, work or visit this city.

5.3 Let's address the challenge of climate change

The trees in Lincoln's parks and open spaces are often referred to as it's lungs. This policy is intended to support the long term care of the city's trees, underpinning and contributing to biodiversity improvements.

6. Organisational Impacts

6.1 Finance

There are no new direct financial implications arising from this report as the city council has previously increased its budget for the inspection, care and maintenance of trees within its responsibility.

However, long term, as more trees are planted, there is a need to recognise that caring for these trees will ultimately have financial implications

6.2 Legal Implications including Procurement Rules

As trees are assets in the public domain the Council has a legal duty to maintain them, in so far as is reasonably practicable, in a safe condition. This policy supports that requirement.

6.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

There is nothing in this report that negatively impacts this duty.

An EIA is attached as appendix B.

6.4 Land, Property and Accommodation

See legal implications.

6.5 Significant Community Impact &/or Environmental Impact

This policy is intended to aid the long term health of Lincoln's tree stocks, and thereby contribute to the provision of a healthy environment.

6.6 Corporate Health and Safety implications

See legal implications.

6.7 Risk Implications

It might not always be possible to accommodate the wishes of residents without compromising the health of one or more trees. Accordingly there is always the risk of conflict in contentious situations.

This policy is clear on the priority that the council gives to care of the tree stock, but that public safety, and the protection of dwellings from damage, are overriding factors.

6.7.1 Options explored

- a) Adopt the proposed policy
- b) Do not adopt the proposed policy

6.7.2 Key risks associated with the preferred approach

The preferred approach is to adopt the proposed policy.

All policies are developed after consideration and deliberation, however they will rarely be able to cover all possible eventualities, to least in an area of work such as this were every tree and its situation is different. This means that there is always going to be the potential for disagreement/adverse comment if the council does not concede to the wishes of every request.

7. Recommendation

7.1 That Policy Scrutiny Committee make its views known.

Is this a key decision?	Yes
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	2 Draft Policy EIA
List of Background Papers:	None

Lead Officer: Steve Bird, Assistant Director Communities and Street Scene
Email address: steve.bird@lincoln.gov.uk