

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**LEISURE and ARTS ADVISORY BOARD**

**22 May 2007**

**Report of the Chief Leisure Officer and the  
Cabinet Member for Leisure, Youth and Arts**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken  
by the Cabinet Member)**

**1 ANNUAL TREE INSPECTION FOR PUBLIC OPEN SPACES**

**Summary**

**The report outlines the tree inspection report recently completed by the Council's Ground Maintenance Contractor, which identifies tree work required on areas of Public Open Space (POS) on a prioritised basis.**

**1.1 Background**

1.1.1 Trees on POS are inspected annually by the Council's Ground Maintenance Contractor (KCC Landscape Services) as specified in the Ground Maintenance Contract.

1.1.2 The areas covered by the tree inspection report include Tonbridge Racecourse Sportsground; Tonbridge Castle Grounds; Swanmead Sportsground; Frogbridge Sportsground; Tonbridge Farm Sportsground; St Stephens Churchyard, Tonbridge; Tonbridge Cemetery and St Peter and St Paul's Church Ground, Tonbridge; as well as other POS throughout the borough.

1.1.3 The annual inspection is received as a written report, which identifies the tree work required under four priorities:

Priority 1 – immediate action required

Priority 2 – high priority with action required in six months

Priority 3 – medium priority with action required within twelve months

Priority 4 – low priority with action required within four years.

**1.2 2007 Tree Inspection Report**

1.2.1 The 2007 tree inspection survey undertaken in January 2007 has been received from the Ground Maintenance Contractor, and this supersedes all previous reports. The summary of the present position, which is detailed at **[Annex 1]** is as follows:

		(£)
Priority 1 (0 trees)	- Cost	0.00
Priority 2 (32 trees)	- Approximate cost	5,685.00
Priority 3 (89 trees)	- Approximate cost	21,252.00
Priority 4 (25 trees)	- Approximate cost	3,670.00
	<b>Total approximate cost</b>	<b><u>30,607.00</u></b>

1.2.2 It has been agreed previously that Priority 1 works should always be progressed on an urgent basis. However, it has been policy that Priority 3 and 4 works should only be progressed once Priority 2 works have been completed, and then only if the work can be funded from existing resources.

### 1.3 Legal Implications

1.3.1 The Occupiers' Liability Act 1957 is relevant for all public leisure services, since nearly all are occupiers of property to which visitors resort throughout the year. It states 'The common duty of care is a duty to take such care as in all the circumstances of the case is reasonable, to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there.'

### 1.4 Financial and Value for Money Considerations

1.4.1 It is anticipated that the financial implications of the 2007 tree inspection survey can be met from the agreed revenue budgets for 2007/08.

### 1.5 Risk Assessment

1.5.1 The risk implications of having inadequate management systems for dealing with dangerous or diseased trees are highlighted in the Outdoor Leisure Risk Register.

### 1.6 Conclusion and Recommendations

1.6.1 The outcome of the 2007 tree inspection survey for POS is encouraging in terms of the number of priority 1 and 2 trees requiring attention, and it is **RECOMMENDED** that tree works be progressed as outlined in the report and be funded from within the agreed revenue budgets.

The Chief Leisure Officer confirms that the proposals contained in the recommendation, if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

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Cabinet Member for Leisure, Youth and Arts