

# TONBRIDGE & MALLING BOROUGH COUNCIL

## LEISURE and ARTS ADVISORY BOARD

23 May 2011

### Report of the Chief Leisure Officer

#### Part 1- Public

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

#### 1 TREE INSPECTION REPORT

##### Summary

**This report outlines tree inspections undertaken in 2010/11 and recommends works be progressed in accordance with the Council's existing policy.**

#### 1.1 Background

- 1.1.1 On 13 October 2010 Cabinet approved (Decision Notice D100100MEM) the Council's new Tree Safety Strategy. The Strategy provides formal policies that enable the Council to conform with best practice in the management of its tree stock and details the specific approach that will be taken in regard to tree inspections.
- 1.1.2 The Strategy identifies that all mature trees in the Council's ownership will be inspected on a phased programme every tree years by an external expert (Expert Inspection). In addition to Expert Inspections, Basic Inspections will be undertaken on an annual basis at key sites, which have relatively high public use. The Basic Inspections are undertaken in-house by appropriately qualified Council staff.

#### 1.2 Introduction

- 1.2.1 In accordance with the adopted Tree Safety Strategy, in 2010/11 Expert Inspections have been undertaken on Public Open Spaces as detailed at 1.2.2, and Basic Inspections have been undertaken at Leybourne Lakes Country Park and Haysden Country Park.
- 1.2.2 The areas covered by the Expert Inspections for Public Open Spaces include Tonbridge Racecourse Sportsground; Tonbridge Castle Grounds; Swanmead Sportsground; Frog Bridge Sportsground; Tonbridge Farm Sportsground; St Stephens Churchyard, Tonbridge; Tonbridge Cemetery and St Peter and St Paul's Churchyard, Tonbridge.

1.2.3 Expert Inspections are currently undertaken by the Council's Ground Maintenance Contractor (Kent County Council Landscape Services) as specified in the Ground Maintenance Contract.

### 1.3 2010/11 Expert Inspection Report

1.3.1 Expert Inspections identify the tree work required under four priorities:

Priority 1 – immediate action required

Priority 2 – high priority with action required in 6-12 months

Priority 3 – medium priority with action required within 12-24 months

Priority 4 – no action required until next scheduled inspection

1.3.2 The 2010/11 Public Open Space tree inspection report undertaken in October 2010 has been received and this supersedes all previous reports. A summary of the present position, which is further detailed at **[Annex 1]**, is as follows:

| Priority                      | Number of Trees Identified | Approximate Cost (£) |
|-------------------------------|----------------------------|----------------------|
| Priority 1                    | 0                          | 0                    |
| Priority 2                    | 35                         | 4,405                |
| Priority 3                    | 166                        | 15,125               |
| Priority 4                    | 75                         | 6,190                |
| <b>Total approximate cost</b> |                            | <b><u>25,720</u></b> |

1.3.3 It is the Council's existing policy that Priority 1 works should always be progressed on an urgent basis, and that Priority 3 works should only be progressed once Priority 2 works have been completed, and then only if the work can be funded from existing resources. It is encouraging to note that no Priority 1 trees have been identified from the reports, reflecting the responsible approach taken by the Council in addressing tree safety over a number of years. The total cost for Priority 2 trees is £4,405 and I can confirm that all of these works have been completed.

### 1.4 2010/11 Basic Inspections

1.4.1 In accordance with the adopted Tree Safety Strategy, Basic Inspections have been undertaken at Leybourne Lakes Country Park and Haysden Country Park, with tree work identified under two priorities:

Priority 1 – immediate action required

Priority 2 – high priority with action required in 6-12 months

1.4.2 The Basic Inspections identified only one priority 1 at each site and these works were undertaken immediately. Works to Priority 2 trees will be undertaken within the required timeframe and within existing revenue budgets.

## 1.5 Legal Implications

- 1.5.1 Under the Occupiers Liability Act the Council has a duty to ensure that visitors to its premises are kept reasonably safe. As far as Open Spaces are concerned this includes a requirement for the Council to inspect and carry out work to any trees that may be regarded as a risk to safety.

## 1.6 Financial and Value for Money Considerations

- 1.6.1 In accordance with the Council's policy, it is anticipated that the financial implications of progressing the tree works resulting from the 2010/11 tree inspection reports can be met from the agreed revenue budgets.

## 1.7 Risk Assessment

- 1.7.1 The risk implications of having inadequate management systems for dealing with dangerous or diseased trees are highlighted in the Outdoor Leisure Risk Register and the inspections are being undertaken in accordance with the Council's adopted Tree Safety Strategy.

## 1.8 Equality Impact Assessment

- 1.8.1 See 'Screening for equality impacts' table at end of report.

## 1.9 Policy Considerations

- 1.9.1 Biodiversity & Sustainability, Asset Management.

## 1.10 Recommendations

- 1.10.1 It is **RECOMMENDED TO CABINET** that the tree works on the Council's outdoor leisure sites identified in the 2010/11 tree inspection reports be progressed in accordance with the Council's existing policy.

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

Background papers:

contact: Darren Lanes

Nil

Robert Styles  
Chief Leisure Officer

| <b>Screening for equality impacts:</b>  |               |   |
|---|---------------|---|
| <b>Question</b>   | <b>Answer</b> | <b>Explanation of impacts</b>   |
| a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? | No            | N/A   |
| b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?   | Yes           | The report relates to the health and safety of the users to public open spaces that have free access for all. |
| c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?   | N/A           |   |

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*