Stockton-on-Tees
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Crime and Disorder Select Committee

Scrutiny Review of Tree Asset Management

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DRAFT Final Report

February 2023

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Crime and Disorder Select Committee
Stockton-on-Tees Borough Council
Municipal Buildings
Church Road
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Select Committee - Membership

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Councillor Paul Weston (Vice-Chair)
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Acknowledgements

The Committee would like to thank the following people for contributing to its work:

- Dale Rowbotham (Service Manager) – Stockton-on-Tees Borough Council (SBC)
- Mark Nozedar (Principal Tree & Woodlands Officer) – SBC
- Neil Mitchell (Head of Environment, Leisure & Green Infrastructure) – SBC
- James Burrell (Consultation Officer) – SBC
- Officers within Tree Management Services of other Tees Valley Local Authorities for providing information on their existing resources
- All SBC Ward Councillors who completed the SBC Elected Member survey undertaken as part of this review

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Foreword

TBC

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Cllr Pauline Beall
Chair
Crime and Disorder Select Committee

Cllr Paul Weston
Vice-Chair
Crime and Disorder Select Committee

Original Brief

Which of our strategic corporate objectives does this topic address?

The review will contribute to the following aspects of the Council Plan 2022-2025 vision:

- *A place where people are healthy, safe and protected from harm*
  (people live healthy lives)

- *A place that is clean, vibrant and attractive*
  (great places to live and visit, clean and green spaces)

What are the main issues and overall aim of this review?

Stockton-on-Tees Borough Council (SBC) has a legal responsibility to inspect, maintain and manage its tree stock which is located across the Borough. There are currently many thousands of trees within parks, open spaces, woodlands and residential estates, including around 30,000 trees as part of the highway stock for the Council to manage. During 2020-2021, over 2,000 requests for service were received – these ranged from emergency works (e.g. fallen trees or limbs / structural damage to property) through to more routine enquiries (e.g. pruning due to general nuisance factors such as shading, leaf fall, etc., which tends to be of a seasonal nature).

Trees can, at times, be contentious for residents who often express strong and vocal views on their presence, especially those which are in residential locations where concerns about the safety of trees, potential damage and other perceived nuisance factors are a particular issue for officers to deal with. However, as often recognised as part of the ongoing climate change debate, the wider benefits of trees cannot be underestimated and include the removal of air pollution, providing a valuable habitat for insects and birds, and acting as a natural flood defence, as well as the proven mental health benefits that a green environment brings.

SBC operates a three-year inspection cycle where all its tree assets are checked, and any statutory or essential priority works are programmed – this is based upon a range of factors, primarily to ensure compliance with the Local Authority legal duty-of-care, and to ensure a high standard of tree management that delivers maximum benefits to the public in-line with best practice. Resources, though, are currently stretched, with a substantial growing backlog in essential programmed works that have been identified through the ongoing inspection regime. An increasing proportion of reactive work is dominating the work programme (exacerbated by major storm events and the resultant emergency call-out work) and there has been a marked increase in customer complaints due to lack of service and long delays.

One of the key themes within the Council Plan is clean and green spaces, and the recent publication of the Council's Environmental Sustainability and Carbon Reduction Strategy 2022-2032 also has implications for the future levels of tree stock, as do new tree planting schemes and land adoptions / transfers from new developments across the Borough. It is therefore important, and timely, to review the Council's existing operational arrangements and resilience levels to ensure that it is equipped to deal with both existing and planned tree assets.

The main aims of the Committee's work will therefore be to:

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- Ascertain the Council's legal responsibilities and its current policy for the management of public tree stock.
- Examine the inspection and maintenance programme, the pressures contributing to the existing backlog, and the strategy / resources in place to address this.
- Consider future demand (including new developments, land adoptions / transfers, Ash Dieback planning, environmental strategy) and the impact this may have on required operational arrangements.

The Committee will undertake the following key lines of enquiry:

What is the Council's legal duty-of-care regarding its tree stock? What are the 'acceptable levels of risk' associated with the management of trees?

What are the key components of the inspection and maintenance programme? Where are the most significant tree issues / areas of concern within the Borough?

What have been the key contributing factors to the current pressures on the tree management programme, and how is this being addressed?

Allocation of resources to assist in managing tree stock – how has this changed over time, what are the current / future challenges around meeting local need?

Contingency planning around emergencies (i.e. major storms / COVID) and the impact these events have had on existing pressures.

Public engagement – how do people report issues / request service / make a complaint, and how is this advertised? How is the Council managing expectations given the current challenges?

What future developments are likely to impact upon the service? When are these envisaged, and how will they need to be responded to?

Are other Local Authorities experiencing similar issues? What alternative strategies / resources do other Councils have in place to manage their existing, and potentially future, tree stock?

Provide an initial view as to how this review could lead to efficiencies, improvements and/or transformation:

The review will allow Members to understand the current management process, how resources are directed, what the minimum legal responsibilities are for the management of the Council's tree assets, and how this will be managed in the future as existing stock is added to as a result of Council Plan (and other) aspirations.

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1.0 Executive Summary

1.1 This report outlines the findings and recommendations following the Crime and Disorder Select Committee's scrutiny review of Tree Asset Management.

1.2 Stockton-on-Tees Borough Council (SBC) has a legal responsibility to inspect, maintain and manage its tree stock which is located across the Borough. There are currently many thousands of trees within parks, open spaces, woodlands and residential estates, including around 30,000 trees as part of the highway stock, for the Council to manage. During 2020-2021, over 2,000 requests for service were received – these ranged from emergency works (e.g. fallen trees or limbs / structural damage to property) through to more routine enquiries (e.g. pruning due to general nuisance factors such as shading, leaf fall, etc., which tends to be of a seasonal nature).

1.3 Trees can, at times, be contentious for residents who often express strong and vocal views on their presence, especially those which are in residential locations where concerns about the safety of trees, potential damage and other perceived nuisance factors are a particular issue for officers to deal with. However, as often recognised as part of the ongoing climate change debate, the wider benefits of trees cannot be underestimated and include the removal of air pollution, providing a valuable habitat for insects and birds, and acting as a natural flood defence, as well as the proven mental health benefits that a green environment brings.

1.4 SBC aims to operate a three-year inspection cycle where all its tree assets are checked and any routine, statutory or essential priority works are programmed – this is based upon a range of factors, primarily to ensure compliance with the Local Authority legal duty-of-care, and to ensure a high standard of tree management that delivers maximum benefits to the public in-line with best practice. Resources, though, are stretched, with a substantial growing backlog in essential and routine programmed works that have been identified through the ongoing inspection regime. An increasing proportion of reactive work is dominating the work programme (exacerbated by major storm events and the resultant emergency call-out work) and there has been an increase in customer complaints due to lack of service and long delays.

1.5 One of the key themes within the Council Plan is clean and green spaces, and the recent publication of the Council's Environmental Sustainability and Carbon Reduction Strategy 2022-2032 also has implications for the future levels of tree stock, as do new tree planting schemes and land adoptions / transfers from new developments across the Borough. It is therefore important, and timely, to review the Council's existing operational arrangements and resilience levels to ensure that it is equipped to deal with both existing and planned tree assets.

1.6 An internally focused piece of work, the main aims of this review were firstly to ascertain the Council's legal responsibilities and its current policy for the management of public tree stock, before examining the inspection and maintenance programme, the pressures contributing to the existing backlog, and the strategy / resources in place to address this. Importantly, the Committee then considered likely / potential future demand and the impact this may have on required operational arrangements.

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1.7 It was found that Local Authorities have a legal duty of care to ensure they have a defensible system of tree inspection and maintenance for their land and premises. This requires regular inspections (by a qualified person) of all trees and woodlands within a Council's ownership, implementing essential tree maintenance (so there is no danger or unacceptable risk to persons or property), and maintaining adequate records of surveys and inspections. A fundamental aspect behind this review, however, was the fact that the maintenance work required resulting from the three-year SBC survey / inspection cycle was under significant strain, culminating in a substantial growing backlog in essential programmed works that had been identified through the ongoing inspection regime. Unplanned work brought about by storm damage had further exacerbated pressure on the service, leading to increasing delays and frustration with the Council.

1.8 Several pieces of legislation are relevant to the management of tree stock covering matters such as the maintenance of trees adjacent to the highway network (Highways Act 1980), the ability of the Local Authority to make and serve Tree Preservation Orders (TPOs) on private land where it is deemed necessary (Town and Country Planning Act 1990), and, more recently, obligations on Local Authorities to manage their assets in a way which will improve air and water quality, increase biodiversity, whilst targeting resource efficiency and waste (Environment Act 2021). It is also important to stress that, linked to its duty of care outlined in the previous paragraph, a Council is potentially liable for injury or damage caused by trees through claims of nuisance and / or negligence if it fails to comply with this legal duty – this may include damage or injury caused by falling trees and branches.

1.9 Outlined by the SBC Environment, Leisure and Green Infrastructure Team, the Committee was informed about the wide-ranging benefits of trees and of adding to the existing tree canopy. Many of these were, naturally, linked to the overarching environment, though others were associated with helping peoples' mental health, providing sustainable fuel and food sources, and positively impacting an area's affluence and house prices. Indeed, trees were recognised as a significant asset within the Council's Environmental Sustainability and Carbon Reduction Strategy 2022-2032, with around 24,000 new trees planted / intended during this and the previous winter season.

1.10 Whilst it was very important to understand the positive developments around strengthening the Borough's green infrastructure and associated carbon capture, the focus of this review was on the management of the Council's tree stock. Mindful that the current SBC Tree and Woodland Management Service was a very small team with responsibility for managing tens of thousands of trees within the Borough's towns, highways, parks, cemeteries, open spaces and 400 hectares of woodland, the Committee expressed deep reservations over its ability to cope with the Council's additional tree planting commitment that was already underway. The service was clearly under huge pressure already, and attempts to eat into the increasing delays to essential programmed work are always at the mercy of external factors such as adverse weather (creating potential emergency situations) and season-specific activity, as well as resource limitations. The Committee also note the service's view that the Council's existing current tree management arrangements represented minimum service requirements.

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1.11 Probing possible solutions to address the ongoing maintenance backlog, the Committee was interested to hear about the costs of using external organisations to assist (which were stated as being far higher than those of the Council's own service), as well as thoughts around alternative models of in-house delivery. The concept of an additional resource within the service (i.e. a second team) to undertake routine maintenance, thereby allowing the existing specialist staff to focus on more technical operations, was an intriguing proposal (even if this was on a seasonal rather than annual basis) which should be investigated further. In the meantime, and certainly in the future if existing arrangements do not change, there is an increasing need to manage public expectations about what can realistically be achieved by such a small team.

1.12 The Committee was keen to ascertain how the resources SBC had to manage its tree stock compared with those of its neighbours (albeit acknowledging the geographical differences of other areas). SBCs in-house staffing levels were found to be broadly in-line with all Tees Valley Local Authorities, though available equipment capacity varied across the five Councils.

1.13 To gain an Elected Member perspective (and thereby their Ward constituents) of local tree-related issues, the Committee undertook a survey to identify general themes regarding trees, discover the level of awareness of existing tree management policy / procedures, and experiences of dealing with the SBC Tree and Woodland Management Service. Feedback highlighted that the management of trees was a specific issue in many areas of the Borough, and that whilst Ward Councillors had received a positive service from the Council's in-house team, it was also recognised that resources were limited and impinged on the ability to respond to requests and undertake routine work.

1.14 Aside from the clear concerns regarding capacity to keep-up with demand, let alone address the growing backlog of required work, the Committee heard about the growing spectre of ash dieback, a disease which is likely to have substantial implications for all Local Authorities across the country. Whilst this is yet to become a significant issue within the Borough (though will in the coming years), the Committee fully support the stated need to put a management plan in place which identifies required resources for high-problem areas across Stockton-on-Tees. To this end, the Committee also advocates that an ash tree survey is undertaken to establish the potential extent of this issue.

1.15 On the crucial topic of finance, the Committee was pleased to learn of the various funding streams that SBC had previously tapped into to support the planting of trees, aftercare and associated activities. It is vital that potential routes to help the 'green' drive, as well as the maintenance of this burgeoning canopy, continue to be sought. The importance of not just focusing on tree planting but on the survival and future thriving of new additions to the Borough's tree stock should also be emphasised, as should the key message which was frequently raised during this review of ensuring that tree planting is done in the right places (with the correct species) in order to make future maintenance easier and minimise revenue costs.

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1.16 The management of SBC tree stock is, ultimately, a question of resourcing and is therefore very difficult to address given the existing, and likely future, pressures on Local Authority budgets. The current financial climate makes it hard to justify recommending a spending increase anywhere within the Council, though the Committee observes that tree planting is a SBC priority – should this continue to be the case moving forward, it seems incumbent upon the Council to back this up with an appropriate resource allocation which allows its officers to undertake the required maintenance of an enlarging tree stock, something which not only strengthens the Borough's move to a cleaner and greener future, but also ensures residents and visitors are kept safe. If this cannot happen, then it is imperative that the Council makes it clear to its residents what tree management service it can realistically deliver, and that this remains in-line with its legal duty of care.

Recommendations

The Committee recommend that:

1) Stockton-on-Tees Borough Council (SBC) refreshes its tree and woodland management policy and procedures, and as part of this:

a) Reaffirms its mandatory (minimum) service requirements and where work is prioritised (e.g. high-use public areas).

b) Reflects within it the realistic cycle of essential maintenance of the Borough's tree stock (and that this be updated as and when required).

c) Emphasises a key message throughout this review regarding the planting of the correct species of tree in the right places (helping to minimise future maintenance requirements and revenue costs).

d) Ensures the updated policy and procedures are published on relevant Council platforms, with an appropriate communications plan to ensure the local population can read its content and understand what future service it can expect.

e) Utilises both print (e.g. Stockton News) and electronic mediums to raise awareness of the current issues around tree management within the Borough, including responsibilities in relation to trees on private land.

2) Tree Preservation Order (TPO) planning procedures be reiterated to all SBC Ward Councillors and relayed to residents periodically via the Council's multiple communication mechanisms (emphasising the enforcement action that can be taken if processes are not followed).

3) Regular engagement continues between the SBC Tree and Woodland Management Service and other relevant Council departments (in particular the SBC Environment, Leisure and Green Infrastructure Team) regarding environmental projects and tree planting maintenance.

(continued overleaf…)

Recommendations (continued)

The Committee recommend that:

4) **A detailed business case be produced for consideration by SBC management regarding a potential reinforcement team within Grounds Maintenance to undertake smaller scale routine maintenance, thereby allowing the existing Tree and Woodland Management Service specialist staff to focus on more technical operations.**

5) **Corporate funding be sourced for an ash tree survey to be undertaken as soon as possible to establish the potential extent of the looming arrival of ash dieback within the Borough, along with a plan on how this will be managed (including anticipated resource requirements).**

6) **Consideration be given to strengthening administrative support to the SBC Tree and Woodland Management Service to enhance communications between the team and Ward Councillors / residents regarding tree management enquiries / complaints (particularly around the responses to issues raised and plans / timescales to address them).**

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2.0 Introduction

2.1 This report outlines the findings and recommendations following the Crime and Disorder Select Committee's scrutiny review of Tree Asset Management.

2.2 An internally focused piece of work, the main aims of this review were firstly to ascertain the Council's legal responsibilities and its current policy for the management of public tree stock, before examining the inspection and maintenance programme, the pressures contributing to the existing backlog, and the strategy / resources in place to address this. Importantly, the Committee then considered likely / potential future demand and the impact this may have on required operational arrangements.

2.3 The Committee undertook several key lines of enquiry:

- What is the Council's legal duty-of-care regarding its tree stock? What are the 'acceptable levels of risk' associated with the management of trees?
- What are the key components of the inspection and maintenance programme? Where are the most significant tree issues / areas of concern within the Borough?
- What have been the key contributing factors to the current pressures on the tree management programme, and how is this being addressed?
- Allocation of resources to assist in managing tree stock – how has this changed over time, what are the current / future challenges around meeting local need?
- Contingency planning around emergencies (i.e. major storms / COVID) and the impact these events have had on existing pressures.
- Public engagement – how do people report issues / request service / make a complaint, and how is this advertised? How is the Council managing expectations given the current challenges?
- What future developments are likely to impact upon the service? When are these envisaged, and how will they need to be responded to?
- Are other Local Authorities experiencing similar issues? What alternative strategies / resources do other Councils have in place to manage their existing, and potentially future, tree stock?

2.4 The Committee received several contributions from key officers within the SBC Tree & Woodland Management Service and SBC Environment, Leisure and Green Infrastructure Team. Information was provided by neighbouring Local Authorities, and SBC Ward Councillors were surveyed to ascertain their views, and the thoughts of their constituents, on tree-related matters.

2.5 Recognising the increasing pressure on the Council's finances, it is imperative that in-depth scrutiny reviews promote the Council's policy priorities and, where possible, seek to identify efficiencies and reduce demand for services.

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3.0 Background

3.1 Stockton-on-Tees Borough Council (SBC) has a legal responsibility to inspect, maintain and manage its tree stock which is located across the Borough. There are currently many thousands of trees within parks, open spaces, woodlands and residential estates, including around 30,000 trees as part of the highway stock, for the Council to manage. During 2020-2021, over 2,000 requests for service were received – these ranged from emergency works (e.g. fallen trees or limbs / structural damage to property) through to more routine enquiries (e.g. pruning due to general nuisance factors such as shading, leaf fall, etc., which tends to be of a seasonal nature).

3.2 Trees can, at times, be contentious for residents who often express strong and vocal views on their presence, especially those which are in residential locations where concerns about the safety of trees, potential damage and other perceived nuisance factors are a particular issue for officers to deal with. However, as often recognised as part of the ongoing climate change debate, the wider benefits of trees cannot be underestimated and include the removal of air pollution, providing a valuable habitat for insects and birds, and acting as a natural flood defence, as well as the proven mental health benefits that a green environment brings.

3.3 SBC aims to operate a three-year inspection cycle where all its tree assets are checked and any routine, statutory or essential priority works are programmed – this is based upon a range of factors, primarily to ensure compliance with the Local Authority legal duty-of-care, and to ensure a high standard of tree management that delivers maximum benefits to the public in-line with best practice. Resources, though, are stretched, with a substantial growing backlog in essential and routine programmed works that have been identified through the ongoing inspection regime. An increasing proportion of reactive work is dominating the work programme (exacerbated by major storm events and the resultant emergency call-out work) and there has been an increase in customer complaints due to lack of service and long delays.

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Storm Arwen leaves Stockton Council tree teams stretched

27 February 2022

PA MEDIA

Storm Arwen brought down hundreds of trees, including one in the centre of Norton

The spate of recent winter storms has stretched teams that look after trees to the limit, a local authority said.

Stockton Council said Storm Arwen felled trees in Norton, Billingham, Oxbridge and Roseworth.

3.4 One of the key themes within the Council Plan is clean and green spaces, and the recent publication of the Council's Environmental Sustainability and Carbon Reduction Strategy 2022-2032 also has implications for the future levels of tree stock, as do new tree planting schemes and land adoptions / transfers from new developments across the Borough. It is therefore important, and timely, to review the Council's existing operational arrangements and resilience levels to ensure that it is equipped to deal with both existing and planned tree assets.

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3.5 From a wider perspective, several key bodies promote and support the provision and maintenance of trees across the UK. Central to this is a **UK Government** *The England Trees Action Plan 2021-2024* (May 2021) document (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987432/england-trees-action-plan.pdf) which provides a national vision for England's trees and woodlands in the future, as well as views on expanding, connecting, protecting and improving the nation's trees and woodlands. A specific element of the Action Plan focuses on better regulation of tree management.

3.6 Other notable organisations which have published material relevant to this scrutiny topic include:

- **Association for Public Service Excellence (APSE)**: maintains and develops a network of local government officers, managers and councillors from local authorities across England, Northern Ireland, Scotland and Wales.

    - *Right tree, right place: Meeting climate change targets sustainably* (2020) https://www.apse.org.uk/index.cfm/apse/news/articles/2020/right-tree-right-place-meeting-climate-change-targets-sustainably/

- **The Tree Council**: works across the sector with volunteers, schools, local authorities and partner organisations to deliver a range of innovative planting and research programmes that are having a real impact.

    - *Working with local authorities to protect trees* (including 'could you set up a volunteer Tree Warden Network in your area?') https://treecouncil.org.uk/partnerships/working-with-local-authorities/

    - *A Trees and Woodland Strategy Toolkit for Local Authorities* (includes links to grant opportunities) https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/#1669729075086-1513832e-9674

- **Association of Tree Officers (ATO)**: represents and promotes UK tree officers at a national and international level and supports the work of the regional tree officer groups (inc. links to tree and woodland strategies / policy) – https://ato.org.uk/

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4.0 Findings

Legal Requirements

4.1 As a landowner, and in compliance with the Occupiers' Liability Act 1957 and Occupiers Liability Act 1984, the Local Authority has a legal duty of care to ensure it has a defensible system of tree inspection and maintenance for its land and premises. This requires regular inspections (by a qualified person) of all trees and woodlands within its ownership, implementing essential tree maintenance (so there is no danger or unacceptable risk to persons or property), and maintaining adequate records of surveys and inspections (until recently, this was a manual record – it is now recorded electronically which officers can update on-site, thereby freeing-up more time and working more efficiently). A survey / inspection cycle of three years has been adopted, but higher frequency (once yearly) inspections are undertaken in other areas of high public use such as schools, parks, main roads, and town centres.

4.2 The Local Authority is potentially liable for injury or damage caused by trees through claims of nuisance and / or negligence if it fails to comply with this legal duty of care – this may include damage or injury caused by falling trees and branches. Negligence may also be due to obstructions or where trees cause direct damage (e.g. to driveways), interference with structures, and building subsidence. Legal nuisance is broadly defined as '*any unreasonable interference with use and enjoyment of land*'.

4.3 The Highways Act 1980 (s.96) states that trees on, or adjacent to, the highway network must be maintained to ensure they do not interfere with its safe use. They are pruned to maintain adequate clearance above roads / carriageways and footpaths so as not to cause obstructions or obscure road signage, street lighting or vehicle sight lines. If trees are not maintained correctly, or specific trees are chosen for planting in that area, it can have an impact on other services within the Council, such as highway maintenance. Tree root damage can have a major impact in footpath repair requests and uneven surfaces.

4.4 Trees in Conservation Areas and trees covered by Tree Preservation Orders (TPOs) are protected in law under the Town and Country Planning Act 1990. The order makes it an offence to cut down, uproot, prune, damage or destroy the tree/s without written consent from the planning department (exemptions apply where trees are dead or imminently dangerous). The Local Authority has powers to make and serve TPOs on private land – this will normally include protection of prominent trees where it is deemed 'expedient in the interests of amenity' (i.e. they contribute with good amenity value towards the character of a landscape). If a tree has a TPO, the tree-owners apply to the planning section prior to undertaking work on protected trees (failure to apply for work is an offence under the Act and the owner or persons undertaking the work may be liable to conviction in a Magistrates Court, leading to prosecution / imposed fines).

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4.5 Following a Committee request for clarification on TPOs, officers confirmed that trees on Council-owned land do not require such an order as they were already under the control of the regulatory authority (i.e. the Local Authority). TPOs were regarded as a planning issue, though Members highlighted concerns that whilst conditions were sometimes placed on an applicant as part of the planning process, Stockton-on-Tees Borough Council (SBC) did not always take action when these conditions were not adhered to. It was noted that the SBC Place Select Committee's recent work on Planning (Development Management) and Adoption of Open Space included a draft recommendation that '*current planning enforcement powers are reviewed*'.

4.6 The Environment Act 2021 sets obligations on Local Authorities to manage their assets in a way which will improve air and water quality, increase biodiversity, whilst targeting resource efficiency and waste. The Office of Environmental Protection is to be established to develop strategies and monitor progress.

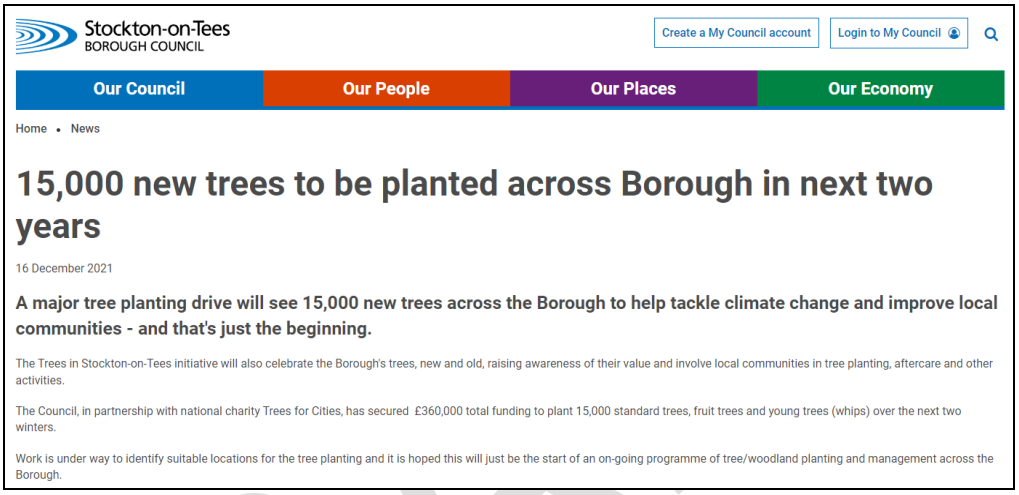
Value of Trees

4.7 Trees are amongst the most important features and assets within the landscape and form a major part of the Borough's 'green infrastructure'. Cultivated for thousands of years to provide timber, fuel, food, shelter, or simply grown for their beauty, they are quintessentially a part of the identity of the United Kingdom and a protection against the harsh elements of climate change.

4.8 Trees enhance the environment and provide benefits in a number of ways; introducing colour and variety into the landscape to bring scenic value and seasonal interest, improving air quality by filtering airborne dust and pollutants, absorbing traffic noise, reducing traffic speed (drivers exercise more caution when trees are nearby), reducing temperature extremes by providing shade and shelter, creating wildlife corridors and enhancing biodiversity, and improving the health and wellbeing of a population by reducing stress, mental fatigue, and facilitating an environment for outdoor activity, exercise and recreation.

Tree Planting

4.9 Stockton-on-Tees Borough Council (SBC) is committed to undertaking planting programmes as part of the Stockton-on-Tees Environmental Sustainability and Green Infrastructure Strategies. The Council had identified potential sites across the Borough where tree planting was likely to provide the greatest benefits or was most needed – this included major routes / gateways, green spaces, parks, and areas where tree cover was notably deficient. Where resources permit, these areas are targeted and prioritised for new and replacement tree planting. SBC also accepts requests for memorial trees to be planted, and this continued to be a popular service to residents.



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15,000 new trees to be planted across Borough in next two years

16 December 2021

A major tree planting drive will see 15,000 new trees across the Borough to help tackle climate change and improve local communities - and that's just the beginning.

The Trees in Stockton-on-Tees initiative will also celebrate the Borough's trees, new and old, raising awareness of their value and involve local communities in tree planting, aftercare and other activities.

The Council, in partnership with national charity Trees for Cities, has secured £360,000 total funding to plant 15,000 standard trees, fruit trees and young trees (whips) over the next two winters.

Work is under way to identify suitable locations for the tree planting and it is hoped this will just be the start of an on-going programme of tree/woodland planting and management across the Borough.

4.10 SBC actively seeks funding for new trees and aims to increase tree cover within the Borough to mitigate against climate change and promote wider environmental benefits. The Council's Green Infrastructure team had successfully bid on tree planting initiatives and were also promoting carbon sequestration schemes in the SBC Environmental Sustainability & Carbon Reduction Strategy – this was bringing a further tree and woodland management programme that requires delivery (which will have future implications for the SBC Tree & Woodland Management Service in completing that work).

SBC Environment, Leisure and Green Infrastructure Team

4.11 SBCs ambition was to increase its canopy cover, therefore mitigating the effects of increasing storms and disease, and reducing the Borough's carbon release. Specific benefits of adding to the tree canopy include:

Trees help to reduce CO2	Excess carbon dioxide (CO2) is building up in our atmosphere, contributing to cli-mate change. Trees absorb CO2, removing and storing the carbon while releasing oxygen back into the air. In one year, an acre of mature trees absorbs the same amount of CO2 produced when you drive your car 26,000 miles.
Trees help prevent soil erosion	Trees help to stabilise slopes and slow run-off, holding soil and water in place.
Trees help to reduce water pollution	Trees reduce run-off by breaking rainfall, thus allowing the water to flow down the trunk and into the earth below the tree. This prevents stormwater from carrying pollutants to the ocean. When mulched, trees act like a sponge that filters this water naturally and uses it to recharge groundwater supplies.
Trees clean the air	Trees absorb odours and pollutant gases (nitrogen oxides, ammonia, sulphur dioxide and ozone) and filter particulates out of the air by trapping them on their leaves and bark.
Trees provide shade and reduce temperatures	Average temperatures have risen significantly in the last 50 years as tree coverage has declined and the number of heat-absorbing roads and buildings has increased. Trees cool the urban areas by up to 12°C, by shading our homes and streets, breaking-up urban 'heat islands', and releasing water vapour into the air through their leaves.
Trees help us with our mental health	Many studies have demonstrated the positive effects of trees and countryside for our mental health. Trees help to beautify our environment, often blocking ugly buildings and reducing dust, noise and glare from busy roads.
Trees can be a source of sustainable fuel and food source	Managed appropriately, trees can be used as a sustainable fuel source and, during their life, provide us with endless supplies of nutritious food.
Trees can have a positive impact upon house prices	Trees can bring a positive look and feel to a community which has an impact on house prices, thus driving-up investment.

4.12 SBC had developed an Environmental Sustainability and Carbon Reduction Strategy 2022-2032 which reflected the structure of the Environment Act 2021 and sets out areas of work which will contribute to the achievement of local and national targets. The strategy sets out an ambitious target to become Net Zero (achieving a balance between the carbon emitted into the atmosphere and the carbon removed from it) as a Council by 2032 and as a Borough by 2050, as well as increasing biodiversity and nature-based solutions.

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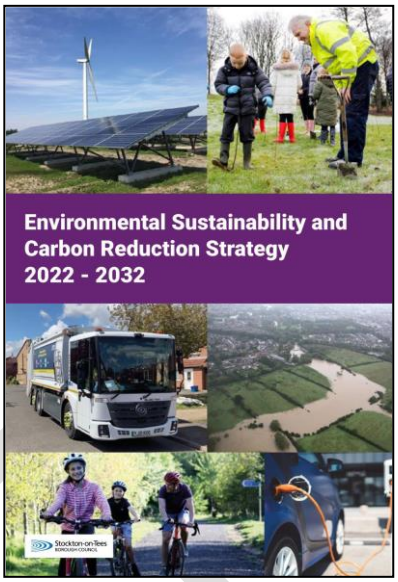
4.13 The SBC Environmental Sustainability and Carbon Reduction Strategy 2022-2032 has four high-level objectives:



1) Achieve net zero greenhouse gases
   - improve energy efficiency to reduce harmful emissions
   - reducing energy demand wherever possible
   - accelerating the shift towards use of sustainable energy
   - capturing and storing carbon in woodlands and other natural habitats)

2) Protect and enhance the natural environment
   - protecting, extending and connecting areas of natural habitat
   - helping to address the decline in native species
   - taking action to improve water quality and reducing local demand for water
   - helping to improve air quality by reducing harmful emissions

3) Use all resources efficiently and minimise waste
   - sustainable purchasing and procurement of goods and services
   - increasing resource productivity and minimising levels of residual waste
   - achieving the highest possible levels of re-use and recycling or resources
   - minimising litter and waste crime and disposing of waste responsibly

4) Adapt to the impacts of climate change
   - ensuring council operations and services are resilient to the likely future impacts of climate change
   - increasing the preparedness and resilience of local communities and businesses
   - planning and adapting the Borough's built and natural environment to withstand the impacts of climate change, e.g. reducing and managing flood risk

4.14 The Committee was provided with several tree-related updates:

- During the winter season of 2021-2022, 12,000 new trees were planted.
- Significant work was undertaken to ensure the species was planted in the most appropriate location.
- During the winter season of 2022-2023, SBC intended to plant another 12,000 trees.
- The arboricultural team fell roughly 200 trees a year.
- Ash dieback could cause the death of 80% of native ash species costing the UK £15m and decimating stock. SBC estimate that the Borough could have 14,000 ash trees.

4.15 Regarding funding, the Council had successfully acquired £393,000 for the planting of trees, aftercare and associated activities – this was for 7,500 tree whips, 225 heavy standards and 125 fruit trees. Funds come from the 'Urban

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Tree Challenge Fund' (UTCF), 'Local Authority Treescapes Fund' (LATF) and 'Trees for Cities'. In addition, £60,000 had been acquired for a Community Tree and Woodland Officer in partnership with Trees for Cities, who had worked with local communities to plant 7,500 tree whips in 2022-2023 and a further 7,500 this winter. UTCF4 funding should be known soon which, if successful, will yield a further 330 heavy standards over the next two winters, worth a further £150,000.

4.16 In terms of cross-directorate working, there is very close co-operation with internal teams around planting locations. Tree planting areas are agreed by the Place Asset Strategy Group which includes the following SBC officers:

- Head of Environment, Leisure and Green Infrastructure
- Place Development Manager
- Principal Place Development Officer
- Senior Place Development Officer
- Asset Strategy Manager
- Strategic Housing Manager
- Valuation and Property Manager
- Finance Manager
- Principal Planning Officer

Other internal activity included engagement with Ward Members and transport co-ordination. All trees were planted and maintained by Horticultural Services, ensuring additional employment opportunities using secured revenue funding. All tree schemes were designed by the Council's arborist and landscape architect – all tree planting programmes and projects were managed by the Council's Green Infrastructure team.

4.17 Regarding external engagement, the Council worked with over 400 volunteers in 2021-2022 to help plant 7,500 trees – this amounted to nearly 1,000 hours of time worth almost £10,000. A similar programme of engagement is anticipated for 2022-2023. A Queens Green Canopy event was held at Barleyfields School last winter, with a second scheduled for Daffodil Park in Billingham to kickstart this winter's tree planting programme. As well as schools, SBC were able to engage organisations such as the Shaw Trust, various care homes, Action Asylum, Thirteen Housing Group, STEPS, and corporate groups such as Balfour Beatty.

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4.18 Several challenges around this issue were highlighted, including:

- SBC needs to be able to manage its existing woodland, as well as planting new trees – this is essential in terms of carbon reduction and biodiversity uplift.
- Ongoing maintenance was a challenge, although the recent funding allocation included a three-year maintenance revenue fund. With the correct species of tree, planted in the right location, SBC will be able to minimise its obligations.
- Although significant work had been completed with schools and the general community, SBC still need to do more.
- The funding for the Council's Community Tree and Woodland Officer runs out in March 2023. However, SBC had managed to secure resources to continue this role for a further year.

Existing SBC Services

4.19 Stockton-on-Tees Borough Council (SBC) is responsible for managing tens of thousands of trees within the Borough's towns, highways, parks, cemeteries, open spaces and 400 hectares of woodland. The quality of the environment is greatly enhanced by trees and woodlands – they make a positive contribution to health and wellbeing, play a vital role in the sustainability of local towns, and provide a variety of functions and benefits that improve quality of life. Although the importance of trees is widely recognised, they can also become a source of conflict in some situations (e.g. as trees mature, they require more space above and below ground which can occasionally result in causing nuisances to people).

Service Structure

4.20 Based within the Community Services, Environment and Culture directorate, the SBC Tree & Woodland Management Service is part of Horticultural Services. Tree work is undertaken by qualified arborists and the small team comprises five full-time staff: a Principal Tree and Woodlands Officer, an Arboricultural Technician, and three qualified Arborists (Tree Surgeons). The team have taken on a new apprentice (to form an operational team of four) from mid-September 2022.

Service Costs

4.21 Prior to 2011, SBC contracted tree works externally – however, due to a number of issues, this was then brought in-house. At present, to provide all services, the Tree & Woodland Management Service (staffing only) was costing the Council around £180,000 per annum. The volume of tree work that the team can undertake would equate to the maintenance of around 20 mature trees in a week – comparatively, if SBC were to employ an external contractor on a business or commercial rate, the Council would be looking at

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paying around £10,000 per week (£500,000 per annum) for the same level of work.

Surveying and Maintenance Work

4.22 The team maintain trees through careful and attentive scheduled and urgent pruning, so that each tree pruned will have a natural form and shape. They are also required to respond to a large number of service requests which stretches the resources of the team from scheduled maintenance.

4.23 The Council's aim is to inspect and maintain its pre-defined survey zones within a three-yearly timescale. However, the consistent demand for service, with only a small number of operatives, means that the team are experiencing delays on the delivery of pruning – as such, the service is now operating on a five-yearly pruning cycle for survey zones. A consequence of works being carried out over a five-year rather than a three-year cycle is that the team are required to carry-out more reactive work in those areas, and this begins to have a negative effect on other work completion timescales. Tree growth typically will occur over a three-year cycle.

4.24 Following a survey, the inspector will identify 'essential' tree work and prepare a maintenance schedule which is added to the maintenance programme. Prioritisation is given to a tree which is considered potentially hazardous, dangerous, or might cause an actionable (legal) nuisance – these become high-priority work requests, and such work would be completed within a one to seven-day timescale (depending on severity).

4.25 Following a tree being felled, tree stumps are removed through external contractors that have a machine to be able to provide a stump grinding facility. SBC request quotes from contractors for this service on a daily rate – as an indication, hiring a stump grinder and its operative's costs approximately £550 per day.

SBC provide a hired contractor with a list and site plans of all its current stumps, and ensure they have a high level of detail to be able to move from one site to another to complete a maximum number of stump removals within the hire period. A contractor is usually hired every quarter of a year (for approximately two days on each occasion) and may be able to attend to twenty stumps in one residential estate. Completion of work can therefore be quite localised.

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To acquire a stump grinder of an equivalent standard to be able to access the range of sites across the Borough would be in the region of £35,000. There are cheaper alternatives, but the level of specification would need to be quite high to deal with the different terrains and weather conditions that would be encountered.

4.26 Tree maintenance is undertaken all year round, except where specific restrictions apply (e.g. in respect of bird-nesting or other habitat regulations). Other operations will be undertaken in the autumn or winter months only – for example, woodland thinning / felling operations, hedge-cutting / laying (by the SBC Grounds Maintenance staff in winter hedge-cutting season), and tree planting (including individual specimen trees, memorial trees, woodlands and hedgerows).

4.27 SBC also provide professional advice and consultancy services on all aspects of tree management to the public and other Council departments (e.g. legal advice, assessment of tree-related insurance claims, planning applications, guidance on tree protection, building works near trees, landscape design, and provision of reports / surveys).

4.28 Reflecting on the existing maintenance challenges, the Committee asked what a quality service would actually cost if the Council could start with a blank sheet of paper, and how additional personnel might help tackle the high service demand. At a subsequent evidence-gathering session, officers suggested that a second maintenance team would help deliver an ideal service but would cost in the region of an extra £120,000 per year; these costs include an initial purchase of a specialist vehicle with ongoing running costs, and the additional three staff required with associated machinery, tools and PPE.

4.29 This cost could be reduced to around £76,000 per annum if a 32-week seasonal ‘assist’ team was introduced to undertake the simpler arboricultural maintenance tasks such as pruning low canopy branches / basal growth and felling small trees, thus relieving pressure from the main team to concentrate on specialised work operations.

4.30 Although not a requirement as part of an ideal service, there may need to be resources available to undertake ash dieback survey work in the future.

4.31 The Committee sought clarification over what was seen as the minimum statutory level for the provision of a Local Authority tree management offer. Officers subsequently reported that the Council’s current tree management arrangements represented minimum service requirements. Alternative internal delivery methods had been considered, as had the use of external organisations to assist in the completion of work – as outlined previously, the latter would be too costly.

4.32 The existing Tree & Woodland Management Service was still improving and was looking at how to share smaller queries / tasks with the Council’s Grounds Maintenance Team. The need to balance public expectation with the reality of available resources was also reiterated (i.e. timeliness of responses to requests).

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4.33 Numerous pictorial examples of the service in action were provided which displayed tree felling / pruning in a variety of locations including residential areas and cemeteries.

The Preston Park graphics (see below) involved specific heavy-duty equipment which had to be hired by the Council in order to carry-out such work. That said, the SBC Highway, Transport and Design Team does have a cherry-picker which can also be hired internally.

4.34 Pictures of the team's apprentice working at height were included to demonstrate the proactive use of this additional resource. A former apprentice had now qualified and was a member of the team, and a further apprentice had joined from a local college – the individuals fulfilling these roles develop quickly due to their hands-on involvement in the required works. The service was keen to retain its staff, though recognised that some may naturally migrate into the private sector once qualified to a certain level.

4.35 Two fast-motion videos were played to emphasise the complexity of some of the works undertaken by the service – one involved the removal of a tree in Roseworth; the other related to the clearance of debris from a cemetery following storms (entailing delicate site restrictions).

4.36 With reference to the visual examples of work being undertaken, the Committee queried what happened with the cuttings / logs. Officers advised that numerous options exist including a company removing wood for biomass fuel, and the Council chipping the wood and recycling this elsewhere. The service was getting smarter about storing felled / pruned wood and then selling it on (though care was needed around the issue of ash dieback so that diseased wood was not re-used in other areas) – Members felt it would be good to acknowledge this income-generation within the service's business plan.

4.37 Members referred to the previously stated difficulties in managing routine maintenance of the Council's tree stock, specifically the move from a three-year to a five-year cycle. Officers reaffirmed that existing resources and service demand meant that maintenance could not be undertaken within the same timescales as in previous years, and that this may need to be reflected within a revised policy and any resulting communications around this area of Council activity. The Committee commented that this (along with anecdotal

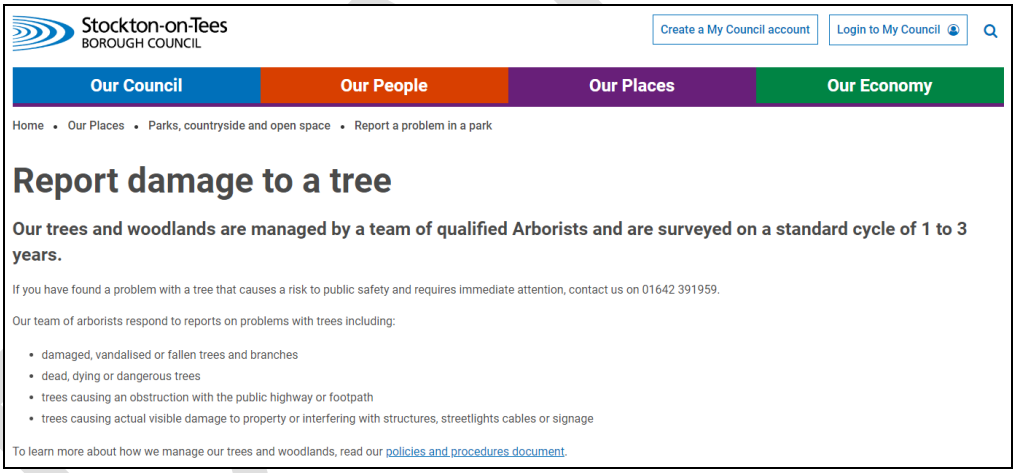
reports of Council quotes being higher than the private sector) may lead to residents taking things into their own hands due to overgrowth.

Policy Document Update

4.38 The internal review of existing documentation was ongoing, with the service keen to ensure that the future policy was modern, relevant and understandable, as well as user-friendly and addressing frequently raised queries / issues. The existing tree management policy-related documents (shared with the Committee during this review) can be accessed via the SBC website – see https://www.stockton.gov.uk/tree-woodland-management-introduction.

Incident Reporting & Managing Expectations

4.39 During normal working hours between 7.30am to 3.30pm, the Stockton-on-Tees Borough Council (SBC) Grounds Maintenance team will respond to incident reports and emergency call-outs via the SBC Customer Services team on 01642 391959. Outside these normal working hours, the Council will respond to incidents reported via the CCTV Security Centre on 01642 528989.



4.40 SBC adopts a priority system for managing enquiries (further detail can be found at **Appendix 1**) as well as standard policies for dealing with the more common types of requests.

- Priority 1: Essential maintenance requirements (e.g. dead / dying / dangerous trees, property damage). Those deemed 'priority 1' will be investigated for action within 1-10 working days (as appropriate).

- Priority 2: Tended to be more seasonal issues (bird nests / leaf fall / 'garden maintenance' for property owners). 'Priority 2' requests will be placed on the inspection waiting list with no pre-determined response timescale (such requests concerning tree work will normally be assessed during the next scheduled survey for the area in question if this is within the same calendar year).

Although this system for prioritising work was in place, SBC continues to use discretion in certain circumstances and also tries to pre-empt problems through the tree surveys it routinely carries-out.

4.41 As well as tree surveying, in 2021, the service received 700 'priority 1' requests via the Council's Customer Services department, but many more were received via email / telephone or through MP and Councillor enquiries. These requests were all in addition to the surveys that were completed across 80 education sites and 40 pre-defined survey zones. As the Council receives many incoming, high-priority requests (often on a daily basis) with one available team to complete this work, delays can occur to pre-arranged working commitments. This can, at times, result in complaints regarding delays or expectations of work coming through from residents to Councillors or to SBC Customer Services staff.

4.42 Several factors continued to influence the ability of the service to manage the level of demand (and public expectation) – these included:

- limited resources and staff absence
- balancing scheduled work programmes whilst having to react to environmental events (i.e. storm damage) / emergency / ad-hoc requests
- additional planting and its associated maintenance
- seasonal issues (e.g. bird-nesting, wet ground)
- access (e.g. lack of vehicular access may require the use of additional vehicles / equipment)
- traffic management (any roadside work where speeds are 40mph or higher requires an independent (private) traffic management solution.

4.43 Members highlighted some areas of the Borough where work was required (e.g. Barwick Lane) and asked where woodland zones (e.g. Bassleton Woods) sat in the list of priorities. The Committee heard that the main focus for the SBC Tree & Woodland Management Service was high-use public areas (schools, roads, parks, etc.), and that whilst woodlands were inspected, work had to be prioritised.

4.44 Procedures for reporting and addressing tree-related concerns were discussed. In response to Committee queries, it was noted that residents were directed to a Council claim form following any damage to property as a result of a tree, and that for any trees on private land that may be impinging the highway, owners were approached (via letter) and a timescale was given for pruning (though the SBC Tree & Woodland Management Service may deal with the situation if this was the common-sense approach).

4.45 Acknowledging the additional challenges arising from last year's extensive storm damage, Members highlighted the prevalence of tree-related enquiries that form a significant part of a Ward Councillors casework. However, it was also felt that it can often be the case that an Elected Member is unable to give a resident the answer they want. To this end, officers were asked if the stated three-year inspection and maintenance cycle was adequate, or whether this should be shorter (to the public, extending this to a five-year cycle may be seen as unpalatable). In response, the Committee was told about difficulties in recruiting appropriately skilled individuals (something which neighbouring Local Authorities had also experienced), particularly since the private sector was more lucrative. Meeting existing, let alone future, service demand was not just about personnel either – it also relied on equipment and transport.

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Annual surveys did already take place in those high-use public areas, and an ability for one part of the service to conduct routine maintenance whilst another part undertakes specialist work would certainly be helpful.

Other Local Authority Approaches / Experiences

4.46 The following summary table shows other Local Authorities within the Tees Valley and their resources towards tree management:

COUNCIL	IN-HOUSE TEAM	EQUIPMENT	ASH DIEBACK
MIDDLESBROUGH	One tree surveyor Three grounds maintenance operatives (they don't work at height) more involved tree work is outsourced to external companies	Ground maintenance vehicles and equipment (not specialised tree equipment)	Monitoring stage / no action plan yet
REDCAR AND CLEVELAND	One tree officer (on long term sick) Role is supported by the Public Rights of Way officer (assessing tree issues and requests for work). Two grounds maintenance operatives They outsource work that is beyond their capability including Ash Dieback Management	Ground maintenance vehicles are used (rather than a specialised arb vehicle) One chipper	Ash dieback is very prolific in Redcar and Cleveland, this year they had a contingency of £200,000 to deal with urgent issues. This involves outsourcing work, but the work is expensive for example to remove 6 large mature trees in Guisborough on one road cost iro £10,000
HARTLEPOOL	One tree officer Four operatives (two teams of two)	One arb van One chipper One cherry picker (mobile elevated platform) Grounds maintenance vehicles available	Monitoring stage: no action plan yet
DARLINGTON	One tree officer Four operatives (Two teams of two)	Two vans Two chippers One telehandler (craned vehicle that can deal with removal of tree stems)	Monitoring stage / no action plan yet
STOCKTON-ON-TEES	One tree officer One technician Three qualified operatives One apprentice	One van One chipper	Monitoring stage / action plan being developed, pre-emptive work being undertaken.

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4.47 The importance of having a robust tree management policy / service in place was not just for aesthetic purposes. As demonstrated in the following two cases, failing to identify and / or deal with required tree maintenance can have tragic consequences:

Wirral Council

- Environment Overview & Scrutiny Committee: Tree Strategy Scrutiny Review (March 2020)
  https://democracy.wirral.gov.uk/documents/s50068773/Tree%20Strategy%20Scrutiny%20Review.pdf

> 'In 2016, the large bough of a horse chestnut tree of around 25 metres in diameter fell onto a busy carriageway from the perimeter of Arrowe Country Park, resulting in the tragic death of a baby girl. Following a full investigation and inquest by the Senior Coroner for Liverpool and Wirral, it was concluded that Wirral Council's lack of a 'proactive, robust tree management system in place for Parks and Countryside', as well as failings in communication and accountability, were a contributing factor to the accident.
>
> A key finding of the inquest into the 2016 incident in Arrowe Country Park was the impact of a lack of funding and failure to recruit and employ specialist staff for tree management, as well as inadequate training of Parks & Countryside staff with regard to tree management and identifying common hazards. At the time of the incident, there was no programme of mandatory, ongoing training and there had been no dedicated arboricultural officer employed within the Parks and Countryside team since 2003. The lack of a collaborative approach to tree risk management has been highlighted as an issue in recent years, with no previous policy in place for tree management within the Parks & Countryside team, as well as a lack of understanding of the risk of trees falling from a park setting onto the highway.'

Newcastle City Council

- BBC Online: Newcastle City Council fined after decaying tree collapsed on girl (January 2023)
  https://www.bbc.co.uk/news/uk-england-tyne-64222170

> 'A council has been fined £280,000 after a six-year-old girl was killed by a falling tree in her school playground… Newcastle City Council admitted breaching safety laws over her death. A court heard that the incident "could have been avoided".
>
> Prosecuting on behalf of the Health and Safety Executive (HSE), James Towey said a "large section" of the rotten tree next to the school playground collapsed in strong winds and injured a number of children… The court heard the tree had been inspected by a team from the council in February 2018 and the need for "further investigation" was identified. But Mr Towey said there was a "lack of further detailed investigation and the extent of decay wasn't known but would have been revealed on closer examination, and no doubt the tree would have been felled".'

4.48 Given the recent publication of the Newcastle City Council case, the Committee asked SBC officers for assurance around the local procedures which would (hopefully) prevent this from happening within the Borough. The SBC Tree & Woodland Management Service provided the following information in response:

- The survey cycles would cover the review of all trees on an appropriate survey interval for that site. The Council offers education establishments a Service Level Agreement (SLA) which provides an annual survey, so this does allow SBC to review and monitor tree condition on a yearly basis. If a tree has a defect or disease then the Council would react very quickly (as a high priority) and remove that risk within one week, 48-hour, or immediate timescale, depending on the possible imminence of a risk.

- A recent example of this was at Harper Terrace. SBC had monitored a tree in summer and autumn, and once the symptoms of stress were examined, it was established that it had a root decay infection – within a short timescale, the service arranged its removal (planning-in appropriate road closure and consulting local shops and business of this possible disruption to their customer flow). Similarly, at St Joseph's School in Norton, SBC had monitored a tree over a number of weeks – when it was established that this was one that posed a risk (which was apparent during a school holiday), the service removed it within a one-week timescale. These cases demonstrate that SBC is very reactive to any trees that have concerns of safety or possible risk of failures, and these are identified and reviewed through continual inspections and surveys.

- The length of time between surveys are shorter in areas of high public frequency (such as parks, main highways, schools) where surveys are undertaken on an annual, but also often six-monthly, basis to carefully check the condition of trees and any concerns of risk on trees in those areas.

- SBC tree management priorities will always focus on such issues, and the service has an internal system (referred to as 'Emergency Call Out' (ECO) for higher priority operations) to be able to reduce risks of anything from low, hanging branches over a road to a whole tree removal.

Views from SBC Elected Members

4.49 Eliciting the views of Stockton-on-Tees Borough Council (SBC) Elected Members around this scrutiny topic was identified as an important part of the Committee's work. As such, a survey for all Ward Councillors was issued on 16 November 2022, and data / emerging themes in relation to the questions posed were as follows (17 responses):

1) Are trees a specific issue in your Ward?: Yes 15; No 2

    - What, if any, are the general themes regarding trees from your constituents?: Lack of routine maintenance, overgrowth, interference of trees on private dwellings (e.g. root damage / impairing light); TPO enforcement

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‘*Lack of maintenance. Inconsistent approach to TPO applications, felling, lopping, pruning. Lack of response by SBC staff from resident queries. Damage to private property caused by trees owned by SBC. Trip hazards from trees growing under pathways.*’

‘*Lack of routine maintenance. Concerns over the safety of trees in terms of height. Overhanging trees into gardens. Blocking sunlight in the garden. Overgrown hedges. Residents report that requests made to the Council are not investigated. Requests for more trees.*’

‘*Trees and bushes that are now too big and require more regular trimming or removal. Often this relates to shade in the garden or leaves / berries dropping into property. Less common are issues related to damage (or perceived damage) to property caused by roots. There is also an issue with agreeing the timescale for work with the arborist - storms can disrupt the timetable as more urgent work takes precedent. The main issue remains the lack of frequency of maintenance work due to capacity issues. Residents are unhappy with the response from customer services and are typically left uncertain as to whether work will be completed or not.*’

‘*Lack of daylight in areas when trees border gardens, etc. Heavy leaf fall in autumn affecting elderly residents. Lack of daylight and the need to put on lights where trees border gardens, including heavy leaf fall in autumn, making problems for elderly residents.*’

‘*General maintenance, need for cutting back of overgrowth on paths, occasional vandalism.*’

2) <u>Are you aware of the Council policy and procedures regarding trees, to be able to inform your constituents further?</u>: Yes 14; No 3

3) <u>If you receive a service request from residents, would you direct them to SBC Customer Services or would you contact the SBC Tree Management Service directly?</u>: Customer Service 1; Tree Management Service 16

   - <u>How do you find your experience when dealing with the SBC Tree Management Service?</u>: Mixed – many good experiences, but also appreciation of the limitations on resources.

‘Over recent months the service has improved in terms of responsiveness but in the past there has been isssues with emails and work requests going unanswered for long periods of time. Work is slow to happen and I often have to chase up emails to find out whether an issue I have raised has been addressed and what was the outcome.’

‘*Some officers are very good at dealing with requests; however, I know the response I will get. That is that all trees are inspected on a certain period. This is never helpful for residents with specific concerns.*’

‘*Acceptable but am finding it hard to reconcile the need to plant more trees and the need to ensure that they do not affect residents or increase the work and finances of a strapped for cash Council.*’

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'*Officers policy is quoted to us and relay this but alters, varies and then maintenance cycle unachievable. Variable/ safety issues dealt with promptly, feel they are firefighting. Have repeated requests for planting and identified locations, sometimes for replacement trees. Always have to follow it up.*'

'*A good service but very slow to respond due to such a small team and large workload, still on catch up from Covid.*'

'*Mixed. Sometimes a quick response and the team are quick to get in touch with residents. Sometimes an initial reply is received but often there's no follow-up action or update. Sometimes I don't get a response.*'

4) Are you aware that Tree Protection Orders (TPOs) are present on trees within your Ward?: Yes 16; No 1

   - Are you able to advise constituents regarding planning procedures for TPOs or would you seek further advice on this issue?: Able to advise constituents 6; Would seek further advice 11

5) Have you ever needed to inform of an emergency call-out situation regarding trees?: Yes 7; No 10

   - How was this service?: Overwhelming majority reported a very good experience

'*I got in touch with the tree management team and they responded quickly.*'

'*Good, quick response.*'

'*Both for TPO question, often need further clarification to help resident. Prompt response, danger of tree falling in playground. Excellent service when large limb on tree, damaged in storm and in danger of falling on cycle path. Care for your Area responded.*'

6) Would you like to see more trees planted within your Ward?: Yes 14; No 3

Emerging / Future Issues

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Ash Dieback

4.50 Ash dieback is quickly becoming a national issue for Local Authorities, and Stockton-on-Tees Borough Council (SBC) will unfortunately see tree stock impacted by this. Ash trees form around 20% of the tree population, and although the disease is obvious but not fully virulent in the Borough, it is only a matter of a few years before this becomes a serious problem that needs to be addressed.

4.51 The inevitability of action to mitigate this problem cannot be avoided and will require a management plan and appropriate resources to survey and arrange work on a priority basis for high problem areas where ash trees could cause damage or harm / injury through failure. At present, there was no Government funding available to deal with ash dieback, despite this being a national problem. It was also apparent that chestnut trees were suffering from a disease, something the extreme summer heat had not helped.

4.52 A short video, courtesy of the Forestry Commission, was subsequently provided to the Committee which explained the signs / effects of ash dieback (see https://www.youtube.com/watch?v=8sI7hgFZ-4g&t=22s).

4.53 Commentary on and guidance around ash dieback is available from multiple authorities with an interest in the management of trees in the UK. This includes:

- GOV.UK: *Managing ash dieback in England: Information for those who own or manage ash trees, including private tree and woodland owners as well as local authorities* (Jun 21) https://www.gov.uk/guidance/managing-ash-dieback-in-england

- The Tree Council: *Ash dieback: The most damaging tree disease since Dutch elm* https://treecouncil.org.uk/what-we-do/science-and-research/ash-dieback/

4.54 The Committee asked if a survey of ash trees had been undertaken within the Borough to establish the current situation in relation to this disease. Officers stated that resource limitations meant this had not been done, but the service was aware that it was not yet prevalent across Stockton-on-Tees – however, it was likely that up to 70% of ash trees would be impacted in the future. Some trees may be more resilient than others, and there were several plans to limit the anticipated effect of the disease, one of which could include stem injections to assist recovery.

4.55 Members articulated grave concerns that the Council did not have the required resource to manage its current tree stock or the anticipated ash dieback disease.

Tree Planting

4.56 Planting of the correct species in the right location would ensure that trees were self-sustaining and minimise the Council's future obligations. Many of the problems currently encountered were due to poor planting decisions in the past.

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4.57 Numerous guidance documents regarding tree planting and the importance of planting the right trees in the appropriate places are available online, some of which include:

- GOV.UK: *Tree planting and woodland creation: funding and advice* (including support for woodland management) (Oct 21; updated Feb 22) https://www.gov.uk/government/collections/tree-planting-and-woodland-creation-funding-and-advice

- The Heart of England Forest: *The right tree in the right place* (Jun 21) https://heartofenglandforest.org/news/right-tree-right-place?gclid=EAIaIQobChMIz9z0_4Dl_AIVxrHtCh07NAQOEAAYAyAAEgJIw_D_BwE

- The Tree Council: *Tree planting guide* (2021) https://treecouncil.org.uk/wp-content/uploads/2021/06/Tree-planting-guide-2021.pdf

- Cornwall Wildlife Trust: *Selection of sites suitable for tree planting* (see **Appendix 2**) https://treecouncil.org.uk/wp-content/uploads/2021/06/Right-tree-in-the-right-place.pdf

4.58 The push for more tree planting to mitigate the impact of climate change created potential challenges around future maintenance of local tree stock, though the SBC Tree & Woodland Management Service was actively working with the SBC Environment, Leisure and Green Infrastructure department to ensure awareness of any maintenance issues. Ensuring the correct species were planted in the correct locations should be the ultimate aim.

4.59 Reflecting on future pressures, in particular the drive for tree-planting schemes, the Committee urged careful planning before initiatives began. A balance between encouraging environmental benefits and understanding the knock-on costs to the Council was therefore essential in future-proofing the SBC Tree & Woodland Management Service. Establishing the minimum requirements of the service and how much that costs to deliver would be a starting point, and it was also important to recognise that trees can be linked to other issues (e.g. anti-social behaviour) and should not be viewed in isolation.

4.60 During the debate on the location of tree planting, the Committee noted that whilst some trees may have been placed in inappropriate areas, many were also established before roads / paths and other infrastructure were subsequently constructed.

4.61 Members also felt that identifying areas of private land (as well as Council land) for potential future planting of trees should be part of the considerations in making the Borough a better place to live, particularly if there are any open / wasteland areas. SBC officers again stressed the importance of factoring-in longer-term implications around maintenance which may be more difficult to manage for trees on private land.

4.62 The Committee noted past problems with the vandalism of whips (young trees) planting, though also pointed to the respect shown when trees had been planted by schools / youth groups.

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5.0 Conclusion & Recommendations

5.1 It has long been established that trees are a critical environmental asset which are crucial in mitigating the escalating fears in relation to climate change. Indeed, one of the key visions within the Stockton-on-Tees Borough Council (SBC) Plan is 'clean and green spaces', with a linked priority to 'deliver a plan for additional tree planting'. However, whilst few would disagree with such a sentiment, concerns have been raised about the Council's ability to maintain its existing tree stock, a requirement which, given the constant push to foster a brighter environmental future, is likely to be put under further stress as a result of the Council's stated aspirations.

5.2 Local Authorities have a legal duty of care to ensure they have a defensible system of tree inspection and maintenance for their land and premises. This requires regular inspections (by a qualified person) of all trees and woodlands within a Council's ownership, implementing essential tree maintenance (so there is no danger or unacceptable risk to persons or property), and maintaining adequate records of surveys and inspections. A fundamental aspect behind this review, however, was the fact that the maintenance work required resulting from the three-year SBC survey / inspection cycle was under significant strain, culminating in a substantial growing backlog in essential programmed works that had been identified through the ongoing inspection regime. Unplanned work brought about by storm damage had further exacerbated pressure on the service, leading to increasing delays and frustration with the Council.

5.3 Several pieces of legislation are relevant to the management of tree stock covering matters such as the maintenance of trees adjacent to the highway network (Highways Act 1980), the ability of the Local Authority to make and serve Tree Preservation Orders (TPOs) on private land where it is deemed necessary (Town and Country Planning Act 1990), and, more recently, obligations on Local Authorities to manage their assets in a way which will improve air and water quality, increase biodiversity, whilst targeting resource efficiency and waste (Environment Act 2021). It is also important to stress that, linked to its duty of care outlined in the previous paragraph, a Council is potentially liable for injury or damage caused by trees through claims of nuisance and / or negligence if it fails to comply with this legal duty – this may include damage or injury caused by falling trees and branches.

5.4 Outlined by the SBC Environment, Leisure and Green Infrastructure Team, the Committee was informed about the wide-ranging benefits of trees and of adding to the existing tree canopy. Many of these were, naturally, linked to the overarching environment, though others were associated with helping peoples' mental health, providing sustainable fuel and food sources, and positively impacting an area's affluence and house prices. Indeed, trees were recognised as a significant asset within the Council's Environmental Sustainability and Carbon Reduction Strategy 2022-2032, with around 24,000 new trees planted / intended during this and the previous winter season.

5.5 Whilst it was very important to understand the positive developments around strengthening the Borough's green infrastructure and associated carbon capture, the focus of this review was on the management of the Council's tree stock. Mindful that the current SBC Tree and Woodland Management Service was a very small team with responsibility for managing tens of thousands of trees within the Borough's towns, highways, parks, cemeteries, open spaces

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and 400 hectares of woodland, the Committee expressed deep reservations over its ability to cope with the Council's additional tree planting commitment that was already underway. The service was clearly under huge pressure already, and attempts to eat into the increasing delays to essential programmed work are always at the mercy of external factors such as adverse weather (creating potential emergency situations) and season-specific activity, as well as resource limitations. The Committee also note the service's view that the Council's existing current tree management arrangements represented minimum service requirements.

5.6 Probing possible solutions to address the ongoing maintenance backlog, the Committee was interested to hear about the costs of using external organisations to assist (which were stated as being far higher than those of the Council's own service), as well as thoughts around alternative models of in-house delivery. The concept of an additional resource within the service (i.e. a second team) to undertake routine maintenance, thereby allowing the existing specialist staff to focus on more technical operations, was an intriguing proposal (even if this was on a seasonal rather than annual basis) which should be investigated further. In the meantime, and certainly in the future if existing arrangements do not change, there is an increasing need to manage public expectations about what can realistically be achieved by such a small team.

5.7 The Committee was keen to ascertain how the resources SBC had to manage its tree stock compared with those of its neighbours (albeit acknowledging the geographical differences of other areas). SBCs in-house staffing levels were found to be broadly in-line with all Tees Valley Local Authorities, though available equipment capacity varied across the five Councils.

5.8 To gain an Elected Member perspective (and thereby their Ward constituents) of local tree-related issues, the Committee undertook a survey to identify general themes regarding trees, discover the level of awareness of existing tree management policy / procedures, and experiences of dealing with the SBC Tree and Woodland Management Service. Feedback highlighted that the management of trees was a specific issue in many areas of the Borough, and that whilst Ward Councillors had received a positive service from the Council's in-house team, it was also recognised that resources were limited and impinged on the ability to respond to requests and undertake routine work.

5.9 Aside from the clear concerns regarding capacity to keep-up with demand, let alone address the growing backlog of required work, the Committee heard about the growing spectre of ash dieback, a disease which is likely to have substantial implications for all Local Authorities across the country. Whilst this is yet to become a significant issue within the Borough (though will in the coming years), the Committee fully support the stated need to put a management plan in place which identifies required resources for high-problem areas across Stockton-on-Tees. To this end, the Committee also advocates that an ash tree survey is undertaken to establish the potential extent of this issue.

5.10 On the crucial topic of finance, the Committee was pleased to learn of the various funding streams that SBC had previously tapped into to support the planting of trees, aftercare and associated activities. It is vital that potential routes to help the 'green' drive, as well as the maintenance of this burgeoning

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canopy, continue to be sought. The importance of not just focusing on tree planting but on the survival and future thriving of new additions to the Borough's tree stock should also be emphasised, as should the key message which was frequently raised during this review of ensuring that tree planting is done in the right places (with the correct species) in order to make future maintenance easier and minimise revenue costs.

5.11 The management of SBC tree stock is, ultimately, a question of resourcing and is therefore very difficult to address given the existing, and likely future, pressures on Local Authority budgets. The current financial climate makes it hard to justify recommending a spending increase anywhere within the Council, though the Committee observes that tree planting is a SBC priority – should this continue to be the case moving forward, it seems incumbent upon the Council to back this up with an appropriate resource allocation which allows its officers to undertake the required maintenance of an enlarging tree stock, something which not only strengthens the Borough's move to a cleaner and greener future, but also ensures residents and visitors are kept safe. If this cannot happen, then it is imperative that the Council makes it clear to its residents what tree management service it can realistically deliver, and that this remains in-line with its legal duty of care.

Recommendations

The Committee recommend that:

1) Stockton-on-Tees Borough Council (SBC) refreshes its tree and woodland management policy and procedures, and as part of this:

a) Reaffirms its mandatory (minimum) service requirements and where work is prioritised (e.g. high-use public areas).

b) Reflects within it the realistic cycle of essential maintenance of the Borough's tree stock (and that this be updated as and when required).

c) Emphasises a key message throughout this review regarding the planting of the correct species of tree in the right places (helping to minimise future maintenance requirements and revenue costs).

d) Ensures the updated policy and procedures are published on relevant Council platforms, with an appropriate communications plan to ensure the local population can read its content and understand what future service it can expect.

e) Utilises both print (e.g. Stockton News) and electronic mediums to raise awareness of the current issues around tree management within the Borough, including responsibilities in relation to trees on private land.

(continued overleaf…)

Recommendations (continued)

The Committee recommend that:

2) **Tree Preservation Order (TPO) planning procedures be reiterated to all SBC Ward Councillors and relayed to residents periodically via the Council's multiple communication mechanisms (emphasising the enforcement action that can be taken if processes are not followed).**

3) **Regular engagement continues between the SBC Tree and Woodland Management Service and other relevant Council departments (in particular the SBC Environment, Leisure and Green Infrastructure Team) regarding environmental projects and tree planting maintenance.**

4) **A detailed business case be produced for consideration by SBC management regarding a potential reinforcement team within Grounds Maintenance to undertake smaller scale routine maintenance, thereby allowing the existing Tree and Woodland Management Service specialist staff to focus on more technical operations.**

5) **Corporate funding be sourced for an ash tree survey to be undertaken as soon as possible to establish the potential extent of the looming arrival of ash dieback within the Borough, along with a plan on how this will be managed (including anticipated resource requirements).**

6) **Consideration be given to strengthening administrative support to the SBC Tree and Woodland Management Service to enhance communications between the team and Ward Councillors / residents regarding tree management enquiries / complaints (particularly around the responses to issues raised and plans / timescales to address them).**

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APPENDIX 1: Explanation of Priority 1 and 2 Service Requests

PROCEDURES FOR DEALING WITH SERVICE REQUESTS FOR TREE WORK & ADVICE ON COUNCIL LAND.

The Council receives several hundred requests from members of the public and outside agencies each year, requesting advice or for work to be undertaken to trees, hedgerows, & woodlands. To ensure that requests for works to trees are dealt with efficiently, consistently and fairly, the Council will adopt a priority system for dealing with enquiries as well as standard policies for dealing with the more common types of request:

PRIORITY 1 SERVICE REQUEST – STATUTORY OR ESSENTIAL SERVICES

The Council will prioritise dealing with enquiries where, based on the information provided, considers there to be significant health & safety issue, legal (actionable) nuisance or incident relating to trees.

The Council will respond to enquiries of this nature in accord with the Council's **'Customer Services Charter'** and ensure appropriate action or response is given within the required timescales e.g. **within 1-10 working days** as appropriate.

PRIORITY 1 SERVICE REQUESTS will include, for example, dealing with dead, dying or dangerous trees, storm damage, trees causing actual damage or direct interference with private property/structures, highway obstructions, street lighting, reports of vandalism or other incidents (examples are given in later section)

All other enquiries will be categorised as PRIORITY 2 SERVICE REQUESTS:

PRIORITY 2 SERVICE REQUEST – NON-STATUTORY OR NON ESSENTIAL SERVICES

All other enquiries and requests for service classed as PRIORITY 2 will be placed on a **'INSPECTION WAITING LIST'** and dealt with by officers only once any outstanding Priority 1 service requests have been resolved. These will not be allocated a pre-determined response timescale and will be dealt with as and when available staff and resources permit. Enquiries of this nature may include for example, requests to prune trees causing shade or complaints about leaf fall or other minor nuisances.

METHOD OF RESPONSE TO SERVICE REQUESTS

Initial standard response or holding replies will be given by SBC call centre staff to acknowledge receipt of all incoming service requests, including call reference number.

APPENDIX 1: Explanation of Priority 1 and 2 Service Requests

All Service Requests will be logged to the Council's Customer Services database (FLARE system) and allocated a priority 1 or 2. These will then be assigned to the Council's Tree & Woodland Officers who will respond as follows:.

PRIORITY 1 SERVICE REQUESTS will be actioned within **1-10 working days**, as appropriate.

PRIORITY 2 SERVICE REQUESTS will be placed on the **inspection waiting list** with no predetermined response timescale – this will be dependant on the current volume and status of service requests at the time when the service request is logged.

PRIORITY 2 Service Requests, concerning tree work will normally be assessed during the next scheduled survey for the area in question if this is within the same calendar year. All tree surveys zones are listed on an annual TREE SURVEY PROGRAMME

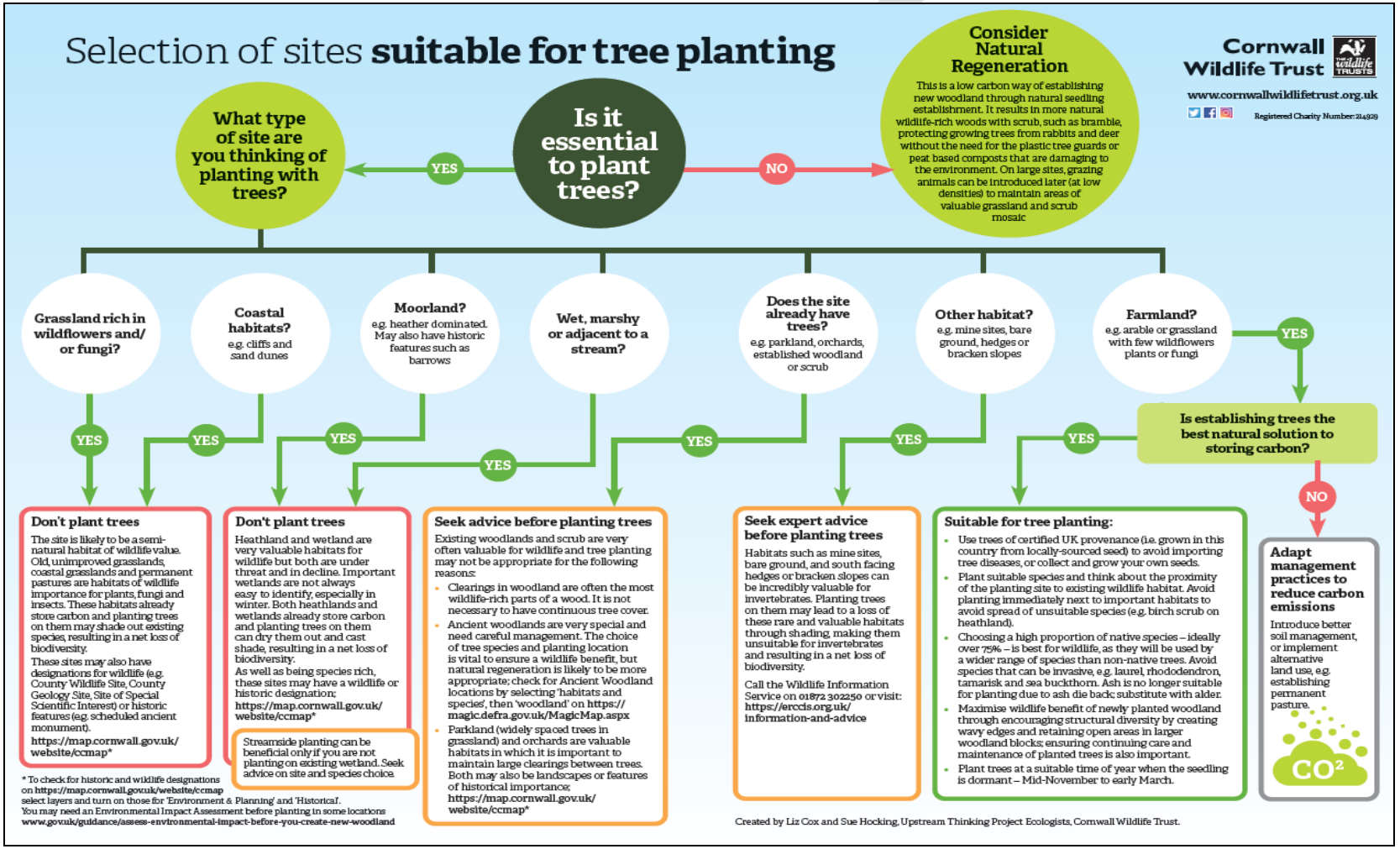
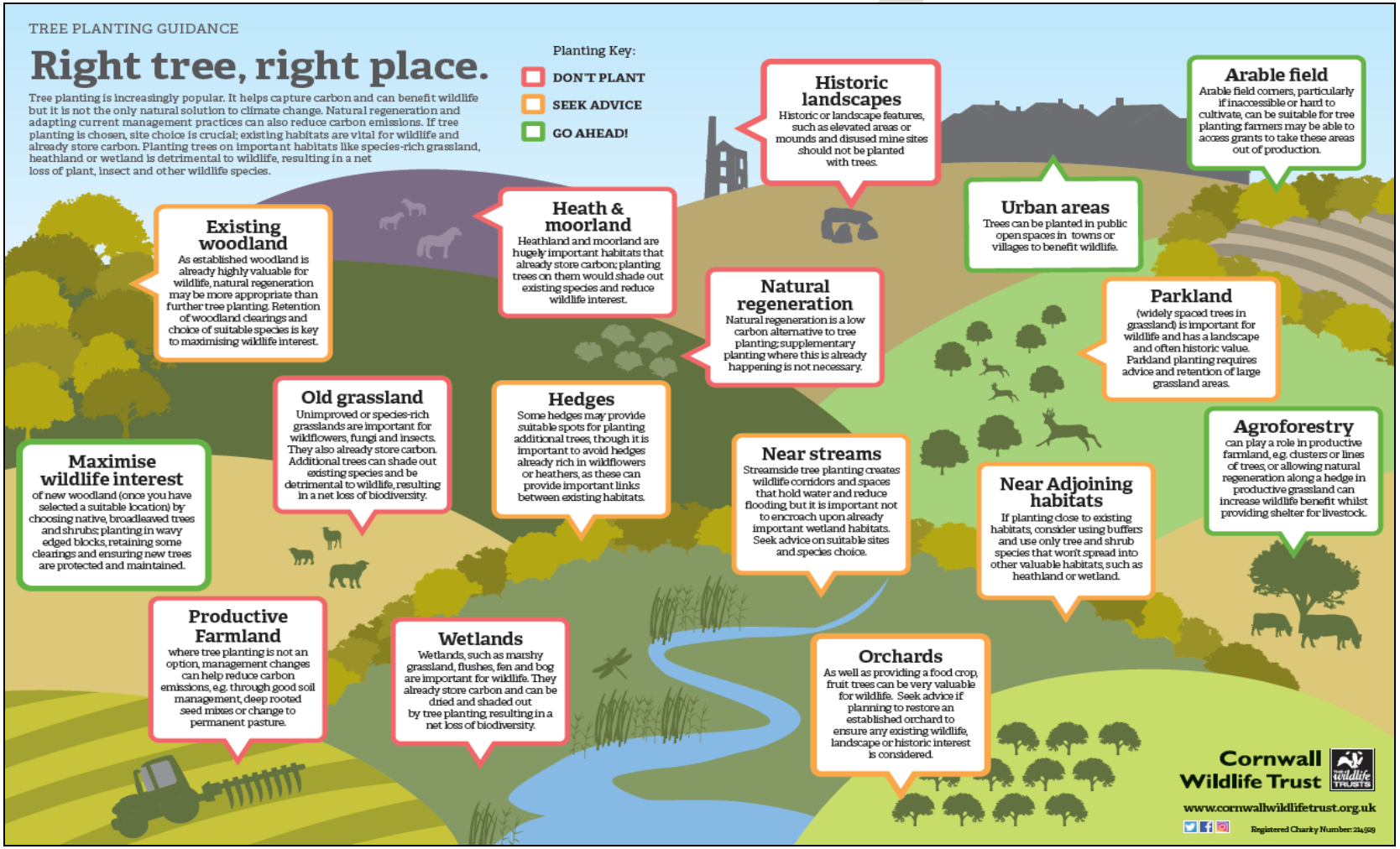
Examples of Common Service Requests under each category

SERVICE REQUEST CATEGORY	PRIORITY 1	PRIORITY 2
Incident reporting	Vandalism to trees, snapped trees, ring barked, fire damage	
	Storm damaged or fallen trees/ branches	
	Dead, dying or dangerous trees	
	Vehicle accident, grass cutter damage	
	Actual Damage to property caused by falling trees or branches	
Tree work & tree inspection Requests	Tree Causing direct obstructions in public Highway	Tree shading house or garden / blocking sunlight

APPENDIX 1: Explanation of Priority 1 and 2 Service Requests

SERVICE REQUEST CATEGORY	PRIORITY 1	PRIORITY 2
	Blocking public path or road access	Overhanging branches
	Blocking driveway	Trees blocking view
	Obstructing road sign or signals	Tree interfering with TV or Satellite reception
	Obstructing street lighting	Tree too big / overgrown
	Tree causing actual visible damage to property, e.g. wall, driveway, subsidence to house	Tree shedding leaves, debris, flowers, fruit, twigs, seeds, bird mess,
	Trees touching house, buildings other structures that need cut back	Management of hedges, bushes other vegetation inc private
Tree Advice (verbal advice via telephone only)	Legal advice / Neighbour disputes / Private trees	Requests for Advice on site are Priority 2
	General advice about trees	Requests for Advice on site are Priority 2
	General Concern about tree safety or possible damage to property	Requests for Advice on site are Priority 2
	Tree Preservation Orders / Trees in Conservation Areas	Requests for Advice on site are Priority 2
Tree Planting (verbal advice)		Memorial trees (application form required)
		New / replacement trees
		woodlands
		hedges

APPENDIX 2: Cornwall Wildlife Trust: Selection of sites suitable for tree planting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