

Decision Maker: Portfolio Holder for Sustainability, Green Services and Open Spaces

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: 16th March 2023

Decision Type: Non-Urgent Executive Non-Key

Title: TREE MANAGEMENT STRATEGY 2023 - 2027

Contact Officer: Hugh Chapman, Arboricultural Manager
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Chief Officer: Colin Brand, Executive Director of Environment & Public Protection.

Ward: Borough wide

1. Reason for report

1.1 The Council's Tree Management Strategy has now expired and therefore the strategy has been reviewed and revised for 2023 - 2027, a copy of which is provided at **Appendix 1**. The Strategy document set out the Council's aims and objectives for the management of trees in the borough and highlights the benefits of trees to residents.

2. **RECOMMENDATIONS**

2.1 The Environment and Community Services PDS is asked to review the report and the Strategy at Appendix 1 and provide their comments to the Portfolio Holder for consideration.

2.2 The Portfolio Holder for Sustainability, Green Services & Open Spaces is asked to endorse and adopt the revised Tree Management Strategy and Policies at Appendix 1.

Corporate Policy

1. Policy Status: New Policy: Tree Management Strategy 2023-27
 2. BBB Priority: Excellent Council Quality Environment Safer Bromley Vibrant, Thriving Town Centres
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Financial

1. Cost of proposal: The Strategy informs the approach to arboriculture works undertaken in the borough, for which there is an annual revenue budget of £756k.
 2. Ongoing costs: £756k
 3. Budget head/performance centre: Tree Maintenance and Earmarked Reserve for Member Initiatives
 4. Total current budget for this head: £756k
 5. Source of funding: Existing revenue budget for 2022/23
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Staff

1. Number of staff (current and additional): 7FTEs
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement:
Statutory:
 - Highways Act 1980
 - Occupiers' Liability Act 1957 & 1984.
 - The New Roads and Streetworks Act 1991
 - Health and Safety at Work Act 1974
 - Wildlife and Countryside Act 1981
 - The Town and Country Planning Act 1990
 - The Environment Act 2021

Non-Statutory - Government Guidance Common sense risk management of trees - Guidance on trees and public safety in the UK for owners, managers, and advisers
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 330,000 approximate Bromley residents.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments:

COMMENTARY

- 3.1 The Council is responsible for managing the borough's publicly owned tree stock which comprises of 60,412 registered trees and hundreds of thousands of trees across 552 hectares of publicly owned woodland and conservation sites
- 3.2 Bromley's Tree Management Strategy was originally prepared in response to national, regional, and local policy frameworks that necessitate the creation of borough wide tree management strategies. These policies recognise the importance of protecting, maintaining, and enhancing trees and woodlands.
- 3.3 The existing Tree Management Strategy has now expired and therefore officers have reviewed the strategy and the policies contained therein to produce an updated Strategy for 2023 - 2027 and is included at Appendix 1 of this report. This update to the original strategy includes key legislative and local policy updates and is for the period 2023 – 2027. There are no substantive changes proposed to the existing policies contained within the Strategy which follows best practice within the industry and has been historically effective at achieving the overarching principle that all Bromley's trees and woodlands, both in public and private ownership, should be considered as a single 'urban forest'.
- 3.4 The 2023 - 2027 Strategy considers the benefits that trees provide for our residents and considers the impact of the existing legislative and policy framework influencing tree management. This draws attention to the legal 'duty of care' that requires both Council and private tree owners to minimise the risk to people and property resulting from trees on land in their ownership and/or management.
- 3.5 The Strategy aims to ensure that trees are planted, preserved, and managed in accordance with good arboriculture practice, regarding their contribution to amenity and the landscape, for the benefit of both current and future generations, which will be achieved through the delivery of five strategic objectives:

Strategic Objective 1: To manage the existing tree stock in accordance with good arboricultural practice.

Strategic Objective 2: To maintain a presumption against the removal of trees, allowing felling only in accordance with good arboricultural practice, and ensuring appropriate replacement planting that is desirable, aesthetically necessary, and sustainable.

Strategic Objective 3: To recognise the relationship between trees and the built environment by promoting the 'right tree, right place' philosophy for new and replacement planting.

Strategic Objective 4: To ensure the protection of trees, particularly those subject to TPOs and in Conservation Areas, and to ensure trees on development sites are either retained or that high quality replacement planting is specified and delivered. To initiate prosecution where authorised tree works take place or to take enforcement action where there has been a breach of planning permission and it is expedient to do so.

3.6 Strategic Objective 5: To promote the value of trees to residents, businesses and developers through good management and education, and explore ways for greater involvement, consultation and protection of trees and woodlands. Delivery of these five strategic objectives will be guided by the 25 policies set out in the strategy, which cover:

- Tree maintenance removal and planting
- Street trees
- Trees in parks and open spaces
- Trees in woodlands and conservation sites
- Trees in Local Authority owned and controlled education sites
- Tree management (general)
- Trees in private ownership
- Trees and the environment

3.7 The success of this strategy will be monitored against 13 indicators which are set out in the Strategy. The Council's Arboriculture Team will report annually on these indicators, including through the Portfolio Plan.

4. POLICY IMPLICATIONS

- 4.1 The Tree Management Strategy supports the delivery of the Corporate Strategy: Making Bromley Even Better 2021-2031, with specific reference to Ambition 4 – for residents to live responsibly and prosper in a safe, clean, and green environment great for today and a sustainable future.
- 4.2 The Tree Management Strategy has been drafted following careful review of policy set at the national, regional, and local levels, with key policies identified within the Strategy.
- 4.3 The Strategy sets 25 policies which will guide the Council's approach to tree management in the borough.

5. FINANCIAL IMPLICATIONS

- 5.1 The Strategy will govern the delivery of the council's arboriculture services, with ongoing maintenance costs created by the Strategy contained within existing revenue budgets and any one-off funding that is secured.
- 5.2 Details of actual spend is reported to Members in quarterly budget monitoring reports.

6. LEGAL IMPLICATIONS

- 6.1 Statutory obligations dictate how the Council must manage trees that are within areas of its control; these are principally the Highways Act 1980 and the Occupiers' Liability Act 1957 & 1984. Statutes such as The New Roads and Streetworks Act 1991; Health and Safety at Work Act 1974 and the Wildlife and Countryside Act 1981 govern how contractors working within the Borough must operate. The Town and Country Planning Act 1990 places a duty upon the Council to assess the impact of tree loss within the Borough; where the loss is likely to have a significant impact upon the local and wider landscape the Local Authority must consider protecting trees through the Tree Preservation Order (TPO) process. The Environment Act 2021 places a duty upon the Council to consult on the removal of street trees under specific circumstances.

Non-Applicable Sections:	Personnel Implications, Procurement Implications, Property Implications, IT Considerations
Background Documents: (Access via Contact Officer)	Appendix 1: Tree Management Strategy 2023 - 2027