

WARDS: ALL

AGENDA ITEM NO 7

DUDLEY METROPOLITAN BOROUGH COUNCIL

SELECT COMMITTEE ON THE ENVIRONMENT – 19TH JANUARY 2005

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

TREE RISK ASSESSMENT – SERVICE UPDATE

1.0 PURPOSE

- 1.1 The purpose of this report is to inform the Committee of progress made in respect of the Council's Tree Risk Assessment and to advise members of the measures taken by Green Care to more effectively manage the Council's tree stock.

2.0 BACKGROUND

- 2.1 At the meeting of this Committee on 27th July 2004, members received a report 'Tree Management Policy' that detailed concerns regarding the management of the Borough's Lime and London Plane trees. In particular, concerns were raised regarding the resources required to undertake the two principle pruning regimes identified for the trees.
- 2.2 The report further identified that in order to introduce a process of proactive tree inspections on all of the Council's tree stock and to undertake the work arising from these inspections an additional £630,000 over three years (£210,000 per annum) would be required.
- 2.3 If approved, the Council would be in a position to more effectively manage its tree stock and develop and introduce a cyclical programme for future maintenance.
- 2.4 Following a number of incidents across the country where people have been killed by falling trees, the issue of tree inspection is being closely examined at both national and local level. As a consequence, the Health and Safety Executive are now insisting that local authorities produce a tree inspection policy that covers all of their Council owned trees.
- 2.5 The policy must demonstrate pro-active monitoring and include tree condition assessment, reporting of on-going incidents/work to the tree and prioritisation of inspections. The inspection process must demonstrate a robust system of recording tree condition and any remedial work that may be required.

- 2.6 The HSE have stated that failure to produce and follow a tree inspection policy will result in individual and corporate prosecutions.
- 2.7 Although a considerable amount of remedial work has already been identified following proactive inspections on high risk trees, Green Care is mostly engaged in undertaking work identified through the reactive inspection process. This is due to the large number of tree enquiries received by the section and the capacity of the resources currently available to undertake this work. This has invariably resulted in teams targeting high priority/emergency work to the detriment of work required to improve lighting, overhang and general neighbourhood nuisance issues, etc. The section is currently reviewing the reactive tree inspection system in order to identify the highest risk trees for priority inspection.
- 2.8 Following receipt of an enquiry from a member of the public/customer, a non visual assessment is made from the information available to determine whether the tree could be considered as high risk. The content of this information is important in determining the priority of inspection and any future work that may be required. Although Green Care was not one of the service lines to be included in the first phase of the Council's Customer Access to Services (CATS), the service line will transfer to CATS in the Summer of 2005. Future training and new procedures will therefore need to be developed and adopted between Green Care and the CATS team to ensure that sufficient information is available for the section to be able to prioritise on site inspections. Following the transfer of the service line, the enquiry number will remain the same (01384 818284).
- 2.9 To introduce improved flexibility of resource, Green Care is actively seeking to train and utilise existing 'grounds maintenance' operatives in the use of chainsaws. This will support ground clearance works and minor lifting operations, maximising the use of qualified arborists climbing skills.
- 2.10 The majority of nuisance work continues to be attributed as low priority. However, there are many cases where residents are particularly sensitive to the consequences of living next door to mature trees but the professional opinion is that neither remedial work nor felling could be justified.
- 2.11 In order to promote a fair, open and intelligible process to deal with these cases, a decision may be taken by the Lead Member through the decision sheet process against specific criteria.
- 2.12 In recognition of the above issues, an additional £50,000 was made available in the service budget for 2004/05. This additional funding has enabled the section to establish a Tree Inspectors post, with the new officer due to commence duties on 17th January 2005. The initial role of this officer will be to undertake a visual inspection of the Borough's trees in order to identify those trees which are in poor condition, starting with those areas/sites which are considered to be of highest risk to public health and property, i.e. main highway routes, etc. The long term role of the Tree Inspector will be to carry out a more in-depth survey of the Borough's trees, logging more specific details for future management and monitoring purposes. The new post and its position in Arboricultural Services, which forms part of Green Care is detailed in Appendix 1.

- 2.13 The funding has also part financed an additional module for the 'CONFIRM' Grounds Maintenance and Arboricultural Management computer system. This will further assist the section in capturing and holding relevant data.
- 2.14 Arboricultural Asset Management
- 2.14.1 The new module interfaces with the existing system and is designed specifically to manage assets, in this case the Borough's tree stock. In addition to the software and licences, the package includes a hand held data capture unit which will be used on site to capture information about location (graphical mapping), site details, tree species, age and condition of each tree within the responsibility of the Green Care section. Critically, the module incorporates a risk management 'model' which will assist in the prioritisation for immediate and future resource allocation. This will enable the Council to demonstrate that it is effectively managing the risks associated with its tree stock and will provide a robust defence against any claim that may arise.
- 2.14.2 The hand held data capture unit will increase the efficiency in which data can be captured and downloaded/recorded on the main CONFIRM system.
- 2.14.3 The new system is currently being set up for use which will coincide with the appointment of the new Tree Inspector programmed for January 2005. It is likely that it will take up to 24 months to complete the first stage of initial inspections on highway sites with one full time officer, however, the 'risk based' inspection system will at least demonstrate that DMBC is taking a pro-active and logical approach to the inspection and management of its tree stock.
- 2.15 Hazard Tree Inspection Form
- 2.15.1 The report presented to this Committee on 27th July 2004 made reference to the introduction of a Risk Matrix, which was being used to assign risk to tree work identified at the time of inspection. This process has been reviewed over the last 6 months and the section has now fully adopted the system, which is based on the model currently used by Suffolk Coastal District Council. The inspection process requires completion of a Hazard Tree Assessment Form following each inspection and the application of a risk against set criteria detailed in a risk assessment schedule. The eventual hazard rating and priority of work also considers differentiation of work priorities according to hazard/target (Appendix 2).
- 2.15.2 In order to maximise available resource for tree inspection, the Green Care team has been working closely with the Countryside Services section within culture and Community. Where Nature Reserve Wardens are in post, they have been provided with basic guidance for tree inspections and work has taken place to ensure that all inspections/data is co-ordinated through the Green Care CONFIRM system in order to ensure a consistent approach and appropriate resource allocation.
- 2.15.3 Further work has also taken place at Himley Hall, where the Nature Conservation Policy Officer recently approved a survey of part of the Park's tree stock by Bede Howell, an independent Chartered Forester. Whilst the survey identified an initial 17 trees as requiring work for public safety, the impact of this and other independent

surveys directly impacts on overall service priorities and the allocation of resources to effectively manage them.

- 2.16 The 'Tree Management Policy' report presented to this Committee on the 27th July 2004 made Members aware of a funding gap of £630,000 over 3 years, required to maintain existing workloads and to carry out the workload arising from the proactive inspections.
- 2.17 The funding has been identified as a growth item for the service area as part of the budget setting process for 2004/05 and subject to approval will provide for the additional resource required to undertake necessary work. Members will note that whilst it is expected that a large element of this work will be undertaken by Council employees, the specialist nature of part of the work and the time limited funding will require the use of sub-contractor provision.
- 2.18 The service has recently interviewed for a new Arboricultural Manager to replace the previous postholder who left the service in August 2004. The new person is expected to take up their position in January 2005. In addition to taking a key role in further introducing proactive tree inspections and developing the service, the postholder will be tasked with preparing technical specification and tendering documentation in order to appoint a future approved contractor who will work closely with the section in delivering remedial and cyclical work. This approach also supports the recommendations of a recent audit report of the service undertaken by the Council's Audit Services Division.

3.0 PROPOSALS

- 3.1 That the Committee note the contents of this report and the work undertaken by the Arboricultural section in respect of the Borough's tree stock.
- 3.2 That subject to approval of additional funding for 2005/06, the Committee endorse measures proposed by the service to maintain existing workloads and to undertake additional work identified as a result of proactive inspections.

4.0 FINANCE

- 4.1 The current budget for the service is £367,000, which includes £50,000 identified for a tree inspectors post and additional IT software for improved asset management.
- 4.2 The report details additional funding of £630,000 (£210,000 per year for 3 years) required to undertake additional work arising from proactive tree inspections.
- 4.3 Members are requested to note that subject to approval of the funding identified above, it will be necessary to make a further detailed analysis of future anticipated costs prior to the end of the funding period. In particular, the extent of remedial work that is identified from the inspections and the introduction of a future cyclical programme of works to maintain the tree stock in good order.

5.0

LAW

- 5.1 The Council carries out its function of providing parks and public open spaces under various statutes, notably the Open Spaces Act 1906 and Part IV of the Public Health Act 1875.
- 5.2 Section III of the Local Government Act 1972 enables the Council to do anything that is calculated to facilitate or is conducive or incidental to the discharge of its functions, the care and maintenance of the tree stock being such an activity.
- 5.3 Part IX of the Highways Act 1980 contains provisions relating to the planting, care and control of trees in or on land adjoining the highway.
- 5.4 In the care and maintenance of its trees, the Council will owe the normal duty of care under the common law principles of nuisance and negligence.

6.0 EQUAL OPPORTUNITIES

- 6.1 The report takes into account the Council's Policy in Equal Opportunities in delivery of the service and recruitment of personnel.

7.0 RECOMMENDATIONS

- 7.1 That the Proposals set out in Section 3.0 of the report be approved subject to future funding.



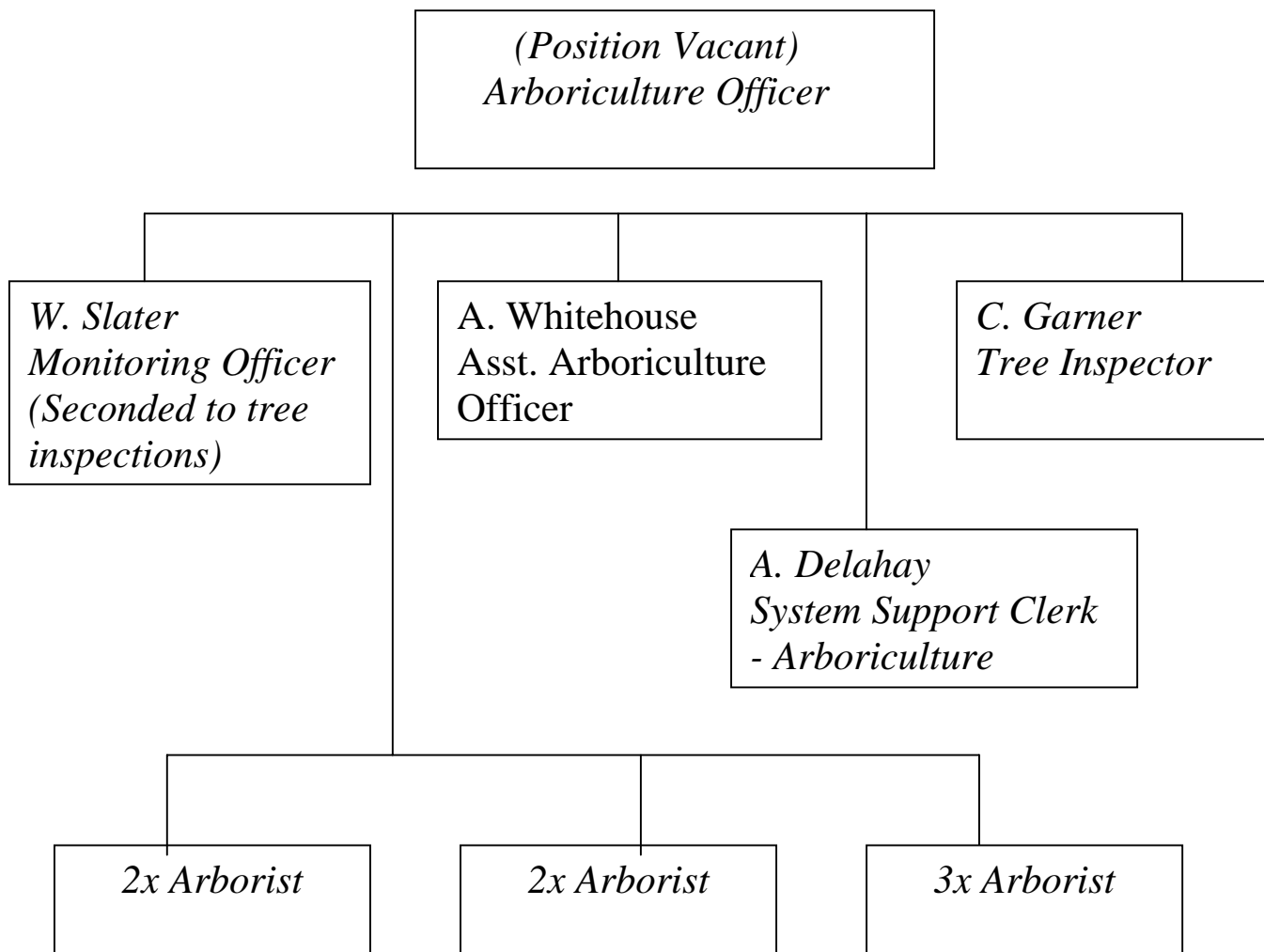
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Background documents used in the preparation of this report:-

Tree Management Policy, Select Committee on the Environment 12th July 2002.

Green Care - Arboriculture Section (6.01.05)



HAZARD TREE ASSESSMENT FORM

Site Details	
Site Name	
Location (feature id)	
Contract Area	
Ownership	
Tree Number	
Inspected by	
Job Title	
Date	
Tree Detail (attributes)	
Tree Species	
Height	0-5m; 5-7m; 7-10m; 10-15m; 15-20m; 20+m
DBH (Diameter @ Breast Height)	0-5cm; 5-7.5cm; 7.5-10cm; 10-15cm; 15-20cm; 20-25cm; 25-30cm; 30-35cm; 35-40cm; 40-50cm; 50-60m; 60-70cm; 70-80cm; 80-90cm; 90-100cm; 100-110cm; 110-120cm; 120-130cm; 130-140cm; 140-150cm; 150-200cm
Radial Crown Spread	0-5m; 5-10m; 10-15m; 15-20m; 20+m
Crown Orientation	Balanced; North; South; East; West
Age	Juvenile; Semi Mature; Mature; Over Mature; Veteran
Site Surroundings	Grass; Ground Cover; Hard Surface; Planter or Tub; Woodland
Overhead Cables	Yes; No
Secondary details	
Is tree suitable for setting?	Yes; No
Growth Potential	Excellent; Good; Fair; Poor; Dead

Tree Conditions	
Roots & Base	No Visible Defect; Exposed Roots; Ground Level Changed; Fungal Growth, Root Damage; Bark Damage; Soil Compaction; Insecure Roots
Stem	No Visible Defect; Low Acute Angle Forks; Cracks or Splits Evident; Wounds Or Scars Present; Bracket Present; Bark Damage; Cavity or Hole Present
Scaffolds	No Visible Defect; Subsiding Limbs; Bracket Present; Weak Forks; Included Bark
Crown	No Visible Defect; Low Acute Angle Forks; Included Bark; Crossing or Rubbing Limbs; Wounds Or Scars Present; Pest Infestations; Fungal Growth; Branch Stubs Present;
Tree Condition	Excellent: Good; Fair; Poor; Dead
Wildlife	No Visible Sign Of Occupation; Nesting Birds; Probable Bat Colony; Squirrels; Other.....
Nearby Structures	Garden Wall; Fence; Street light; House/Flat/Garage Wall; Telephone Cable; Path/Drive; High Way; Multiple Structure
Target	No Passing Traffic Or Adjacent Paths; Low use, Little Traffic No Reason To Stop Beneath Traffic; Residential Street With Low Traffic And No Standing Traffic; Principle Road With Frequent Traffic; Standing Occupied Traffic Frequent Use; Play Area Or School With Constant Use Standing Target With Little Appreciation of Risk.
Size of part which may fail	Small; Medium; Large; Extra Large; Whole Tree

Hazard *	Risk*
Low (insignificant)	Unlikely; May Occur In Time; Probable In Time; Very likely To Occur Soon; Already Happening Or Happened; Not Applicable
Moderate	Unlikely; May Occur In Time; Probable In Time; Very likely To Occur Soon; Already Happening Or Happened; Not Applicable
Severe	Unlikely; May Occur In Time; Probable In Time; Very likely To Occur Soon; Already Happening Or Happened; Not Applicable
Catastrophic	Unlikely; May Occur In Time; Probable In Time; Very likely To Occur Soon; Already Happening Or Happened; Not Applicable

Hazard is identified by inserting the appropriate Risk against the appropriate Hazard category. (identify one Risk category only - Leave Others Blank)

Other Comments (including quality of life issues)

RISK ASSESSMENT SCHEDULE

	Hazard / Target			
	Insignificant	Moderate	Severe	Catastrophic
Risk	No risk of damage to property and extremely low risk of injury - very infrequent target	Possible damage to property of low monetary value, low risk of injury - infrequent target	Likelihood of damage to property of high monetary value and possible risk of injury - frequent target	High likelihood of damage to property of high monetary value and significant risk of injury or death - constant target
Unlikely to occur	1	2	3	4
No structural/decay abnormalities				
May occur in time	4	8	12	16
Slight structural/decay defects however stability of the tree is not compromised at this time				
Probably will occur in time	9	18	27	36
Structural /decay defects that will render the tree or sections of the tree liable to collapse during severe weather conditions				
Very likely to occur shortly	16	32	48	64
Structural /decay defects that will render the tree or sections of the tree liable to collapse with little or no warning				
Incident already occurred or in the process of occurring	25	50	75	100
Rating Scale of 1 to 100				
1 to 4	No works required at present			
5 to 25	Low priority works - monitor annually			
26 to 40	Medium Low priority works - 6 months			
41 to 50	Medium High priority works - 1 month			
51 to 100	High priority works - 3 days (emergency work)			

NB - Target times are to be reviewed 6 monthly against actual completion / available resource to ensure target times are achievable.

RISK ASSESSMENT ADDITIONAL NOTES - 12TH OCTOBER 2004

Differentiation of work priorities according to Hazard/Target.

Very Infrequent Target

Long periods of time elapse (at least 4 hours on average may pass) with no target beneath the tree. There is no reason to halt beneath the tree, the target will pass beneath the tree in less than 30 seconds.

Examples: Trees in Woodland/informal open space not adjacent to paths, and not in an area of regular use.

Infrequent Target

Long periods of time elapse (greater than 15 minutes and less than 4 hours may pass on average) with no target beneath the tree. There is no reason to halt beneath the tree, the target will pass beneath the tree in less than 30 seconds.

Examples: Trees in Woodland/informal open spaces which are adjacent to paths.

Frequent Target

Target will pass beneath the tree at any time, several minutes may pass on average when no target is beneath the tree, and there is no reason to halt beneath the tree.

Examples: Trees on Minor roads and within formal parks which are adjacent to paths.

Constant Target

Target is, or is likely to be, permanently below the tree, there are reasons to halt below the tree.

Examples: Trees adjacent to Main roads, play areas, car parks, schools, benches, bus stops, etc.

Use of Risk Assessment Schedule

The risk assessment schedule matrix is used to determine a score, that will in turn place the tree into one of the following priorities:

No work
Low
Medium low
Medium high
High

To prioritise trees within the above classifications the target below the tree must be considered.

For example, a high priority tree with a constant target must be made safe before a high priority tree with an infrequent target.

Likewise a medium high priority tree with a constant target may be considered to be more urgent, than a high priority tree with an infrequent target.

The important point to consider at all times is the balance between the risk, the hazard and the target.