

8/05 - **STRATEGIC TREE RISK MANAGEMENT:** The Head of Parks and Open Spaces and Arboricultural Manager submitted a written report which had been considered by Cabinet at its meeting held on 19 October 2005. A copy of the recommendations of Cabinet in this regard were also circulated for Members' information. It was noted that recommendation (4) required amendment to reflect that "Urgency Committee be requested to delegate with the appropriate Director in consultation with the Cabinet Member for Culture" (and not the Leader of the Council). The Head of Parks and Open Spaces was invited to explain to the Committee why this item had been considered urgent. The Head of Parks and Open Spaces referred to the need to reduce and minimise the risk to the authority which had not as yet introduced a Tree Risk Management Strategy. It was felt that recent events in Birmingham and other parts of the country suggested the need for an effective monitoring system which would help protect residents and visitors to the District and, indeed, protect the Council from legal action in the event of similar occurrences. Members considered the reasons for this particular issue being considered as urgent, and invited the Chief Executive to comment thereon. Mr Walsh advised that Officers had been requested to provide illustrations of the risks that the Council could face in delaying the work to establish a strategy and the Head of Parks and Open Spaces and Arboricultural Manager had been able to provide a large quantity of information in that regard which it was considered Members would sympathise with.

Members then queried issues of liability affecting the Council when compared with the recommendations of Cabinet effectively delaying further action for one month. It was considered that the degree of liability was such that a delay of one month was acceptable, however, any further delay was considered to be unacceptable in terms of risk to residents and visitors to the District.

Despite recommendation (3) of Cabinet to hold in abeyance, for a maximum of four weeks, work to implement a strategy subject to consultation with North Yorkshire County Council, it was agreed that there were elements of this project that could be addressed in the meantime, so as not to lead to any further delay in implementing this risk management strategy. It was agreed that discussions could be held with North Yorkshire County Council without prejudicing work in relation to the strategy, or indeed Cabinet's recommendations.

Members also queried the wording of recommendation (3) in relation to "resourcing issues for highway trees" and why Officers would not take into account risks posed by trees in residential areas particularly those inhabited by Council tenants. The Arboricultural Manager advised that these were issues which would be addressed in addition to other priority areas.

**RESOLVED (UNANIMOUSLY):**

That (1) the Strategic Tree Risk Management system be approved;

(2) pending further liaison with North Yorkshire County Council, the potential costs be noted and considered as a potential growth bid against the 2006/2007 budget, taking into account the implications of funding the work within existing budgets;

(3) the implementation of the strategy be held in abeyance for a maximum of four weeks whilst further consultation be undertaken with the County to try to resolve the resourcing issues for highway trees (but this action will not prejudice work undertaken on this project);

(4) the power be delegated to the Director of Community Services in consultation with the Cabinet Member (Culture) regarding the budgeting for it once the current position with the County Council was known or after the end of the four week period whichever was the sooner; and

(5) where possible, commuted sums be utilised to undertake any work identified on the trees as part of the inspection process.

(6.15 pm – 6.30 pm)

(D)