

REPORT AUDIT TRAIL**CONSULTATION**

*This is important as it shows that consultation has been undertaken in the preparation of the report and provides a quick reference point for specific comments, whilst the report will not be publishable if these areas have not been completed by the named persons below. **You must liaise with and receive sign off from the relevant Cabinet Member(s).***

Name/Position	Portfolio/Ward/ Directorate	Date Sent	Date Received	Comments in para:
Councillor Chris Read	Leader	Click here to enter a date.	Click here to enter a date.	
Councillor David Sheppard	Cabinet Member for Social Inclusion	29/11/23	30/11/23	
<i>Elected Members</i>	Overview & Scrutiny Management Board Member Briefing	Click here to enter a date.	Click here to enter a date.	
<i>Paul Woodcock</i>	Assistant Chief Executive/ Strategic Director for Regeneration and Environment	29/11/23	Click here to enter a date.	
<i>Jon Baggaley,</i> Finance	Finance and Customer Services	30/11/23	30/11/23	
<i>Lesley Tattersall,</i> Legal Services	Legal Services	29/11/23	07/12/23	
<i>Helen Rowe,</i> Human Resources	Assistant Chief Executive's Office	29/11/23	30/11/23	
<i>Karen Middlebrook,</i> Procurement	Finance and Customer Services	29/11/23	30/11/23	

<i>Steve Eling</i> Equalities	Assistant Chief Executive's Office	29/11/23	30/11/23	
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REPORT APPROVAL TRACKING			
Equalities Your report will not be authorised for submission to Cabinet by your Strategic Director if you have not undertaken and included an initial equalities screening. All equalities analysis documents should be included as appendices	Initial Screening completed and included with report	YES	30/11/23
	Full Assessment completed and included with report	NO	Click here to enter a date.
Carbon Impact Assessments Carbon Impact Assessments are to be appended to the associated cabinet reports. Carbon Impact Assessments should be sent to climate@rotherham.gov.uk for feedback prior to your report being sent to your Strategic Director for approval.	Carbon Impact Assessment completed and included with report.	YES	30/11/23
Background information MANDATORY: Insert headings for a few main public documents you have used or referenced to write this report. This is a legal requirement. For Cabinet reports, insert hyperlinks . Do not list private documents.	RMBC Year Ahead Plan, September 2020 RMBC Climate Emergency Action Plan, October 2019 Rotherham Cultural Strategy, July 2019 A full list of Government and Industry reference materials in support of the guidance can be found at Appendix 6 of the Tree Management Protocol & Guidance		
Appendices If appendices are essential to the understanding of the report, list titles here. Equality Analysis documents should be listed as Appendix 1 for all reports. Ensure that appendices have proper titles.	Appendix 1 <i>Tree Management Protocol & Guidance and associated appendices</i>		
Cabinet Member Approval You should retain an email confirming the Cabinet Member approval for your records. Strategic Directors should not authorise reports unless Cabinet Members have given sign off	YES	30/11/23	
Report Authorised by Strategic Director	YES/NO	Click here to enter a date.	
Report Authorised for publication by Chief Executive	YES/NO (delete as appropriate)	Click here to enter a date.	

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 15 December 2023

Report Title

Tree Management Protocol & Guidance Update

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Andy Lee, Green Spaces Manager
01709 822457 or andy.lee@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

This report updates the previous Tree Management Protocol & Guidance adopted in August 2021.

Recommendations

That the Tree Management Protocol and Guidance November 2023 be approved and adopted.

List of Appendices Included

Appendix 1 updated Tree Management Protocol & Guidance and associated appendices

Background Papers

N/A

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Tree Management Protocol & Guidance

1. Background

- 1.1 The Council manages an estimated 50,000-80,000 trees across the borough, not including those in woodland settings.
- 1.2 The Tree Service manages the Council's tree stock across urban parks, highways, housing and residential locations. The service receives a high volume of service requests from residents and elected members, in the region of 1,500 per year.
- 1.3 The proposed updated Tree Management Protocol & Guidance aims to provide a guide for the effective management of the Council's tree stock, the protection of natural resources and the requirement to resolve a number of common issues raised through service requests.
- 1.4 The updated protocol includes woodlands, updated risk management techniques and advice to schools as well as clarifying a number of points within the previous version.

2. Key Issues

- 2.1 The Tree Service needs to strike a fair and reasonable balance between the protection of the natural environment including the vital role that trees play in the environment (including action against Climate Change), and the issues and concerns of residents who live in close proximity to trees.
- 2.2 The proposed Tree Management Protocol & Guidance must also set a clear position for the safe management and maintenance of the Council's tree stock outlining its obligations, priorities and quality standards.
- 2.3 Given the high volume and diversity of service requests the guidance seeks to set a clear position whilst offering support to residents in resolving issues and managing conflict between the natural and urban environments.
- 2.4 A number of updates to the previous protocol have been a direct response to internal and external audits of the Tree Service in 2023.

3. Options considered and recommended proposal

- 3.1 Option 1 - To continue to use the Tree Management Protocol & Guidance adopted in August 2021 without change. This document has proved fit for purpose but limited in scope and inconsistent with some good practice elsewhere within the industry.
- 3.2 Option 2 - Creation of an updated Tree Management Protocol & Guidance – the updated guidance will provide a clear Council position on a wider range of issues such as trees in school ground, trees in Housing tenants gardens as well as bringing woodland trees within the scope to the guidance. This is the recommended option.

4. Consultation on proposal

- 4.1 The Tree Management & Guidance Protocol as adopted in August 2021 has been assessed by industry consultants, Treeconomics, and found to be fit for purpose but could be improved.
- 4.2 Internal Audit undertook a review of the Tree Management & Guidance Protocol document, as adopted in August 2022, as part of a wider audit of the service and found some minor issues or inconsistencies with other policies which required either further explanation or updating.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Should the proposed Tree Management Protocol & Guidance update be adopted it will be implemented with immediate effect.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 There are no direct implications arising from the recommendations detailed in this report.
- 6.2 Council on the 2nd March 2022 approved a £50,000 ongoing revenue investment for Tree Planting – Engagement Programme and £100,000 for Tree Service casework. In addition, within the Trees and Woodlands approved revenue budget there is a £304,000 budget for tree maintenance. A £350,000 total capital investment was approved to cover the period 2021/22 and 2022/23 to support a borough-wide tree planting programme, of which a total of £307,471 has been spent, the remainder was rolled forward and combined with a £245,000 grant from the Forestry Commission. As of 2023/2024 the budget for the year is £287,529. A dedicated engagement officer has been appointed to facilitate this programme. This will support the delivery of this Tree Management Protocol.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

- 7.1 There are no material legal implications arising from the content of this report. Legal Services endorses the need for a formally adopted Protocol & Guidance as it promotes fairness and transparency and will be easier to defend in the event of challenges. The Tree Service can of course continue to consult with Legal Services on a case-by-case basis as required and Legal Services will take into account the new Protocol & Guidance if adopted.

8. Human Resources Advice and Implications

8.1 There are no direct human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Beyond safeguarding the natural environment for future generations there are no direct implications for children and young people. As part of the Tree Planting Strategy which will follow the adoption of the guidance, it is intended that schools and youth groups will be invited to take part in tree planting schemes across the borough.

9.2 The proposed guidance recognises there are vulnerabilities experienced by some members of the community e.g., age or physical disability which prevent them being able to undertake some elements of the guidance such as pruning under a Common Law right or approaching a neighbour to settle a dispute. The guidance makes provision to support the most vulnerable residents in exercising their rights including a level of mediation and signposting to support from Citizen's Advice Bureau.

10. Equalities and Human Rights Advice and Implications

10.1 An Equalities Impact Screening has been completed for the proposed guidance.

10.2 As the policy is to be adopted and implemented without prejudice across the borough there is no direct and adverse impact upon members of the community with protected characteristics. As outlined above a provision has been made to support vulnerable residents but outside of this the protocol and guidance will be universally applied.

11. Implications for CO2 Emissions and Climate Change

11.1 Trees play a vital role in supporting action against Climate Change through sequestration of carbon and harmful emissions.

11.2 The commitments outlined in the guidance to increase the net total of the Council's tree stock by 250 trees per year over the next ten years and to dedicate a minimum of 5 hectares of land to new woodland creation are clear and measurable contributions to reducing the impact of CO2 emissions.

12. Implications for Partners

12.1. The Tree Management Protocol & Guidance relates only to the trees within Council ownership within urban settings, it does not relate to trees in private or third-party ownership.

12.2 It is intended that a Tree Planting Strategy will follow the adoption of this guidance, which will encompass a broader range of partners.

13. Risks and Mitigation

- 13.1 The risks of not adopting the updates to the protocol and guidance for the management of the Council's tree stock are in:
- a) Not including woodlands within scope
 - b) Not enshrining industry standard Quantified Tree Risk Assessment (QTRA) methodology as part of the protocol.
 - c) Continuing to accept inconsistencies in tree management, picked up by internal audit regarding Housing tenants.
- 13.2 These risks will be mitigated through the adoption of the proposed updated Tree Management Protocol & Guidance.

14. Accountable Officers

Zoe Oxley, Head of Operations & Business Transformation
 Andy Lee, Green Spaces Manager

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Head of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.

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