

BRIGHTON & HOVE CITY COUNCIL

Street Trees Review Scrutiny Panel

Transcript of the meeting held on Tuesday 13 March 2007 at 5.00 p.m. in Council Chamber, Hove Town Hall.

In attendance: Councillors Young (Chair), Edmond-Smith (not on panel), Elgood, Hazelgrove, and Paskins.

Council Officers: Gillian Marston, Assistant Director - Cityclean; Christina Liassides, Highway Operations Manager; Rob Greenland, Arboriculturist; Stuart Wilson, Assistant Engineer; John Heys, Principal Solicitor; Christian Brown, Democratic Support Officer.

Councillor Joyce Edmond-Smith began the discussion by stating that Brighton & Hove was very fortunate because of the high numbers of street trees and that we, as a city, should be proud of what we have. Councillor Edmond-Smith continued by stating that these trees were planted by forward thinking forbearers and had now become part of our heritage and, in addition, deemed raising the issue of street trees a duty of elected members. Councillor Edmond-Smith felt that the procedures for maintaining street trees in the city were, at best, a system of benign neglect or, at worst, a demonstration of an extraordinary contempt for heritage. Her single most important reason for this view was the non-existence of a comprehensive overall strategy for street trees. Councillor Edmond-Smith further stated, that within the city cars were deemed to be more important than trees and that she had received emails from residents in Preston Park who had seen the parking of lorries practically destroy trees.

Councillor Edmond-Smith further stated that no-one was ensuring that contractors were not asphaltting to the base of trees and that the work of contractors, and their neglect of street trees, was not being policed properly.

Councillor Edmond-Smith then showed a number of photos to the panel and officers present (which can be seen in annex 1).

The Chair requested to the Panel that she would like them to visit Wilbury Road to look at some of the trees on the highway, which due to roots protruding through the pavement made it difficult for her constituents,

many of whom were elderly, to navigate the footpath. She also stated that some constituents had to go in the road at times to get round the trees.

Councillor Edmond-Smith then asked for the main focus not to be solely on the present and the problems that are we are encountering today but also to plan for the future. Councillor Edmond-Smith stated that many of the trees planted by our forbearers would not be right to be put in the city now because despite being very beautiful they were too large. Councillor Edmond Smith also noted that there was an existing mentality in the city that "people want to get rid of roots but not trees" and stressed that better management was needed as was a clear delineation around trees. If we were to have longer and dryer summers in the future then trees are important and if we want to keep trees we would need to have a policy that looked to the future and keeps trees alive. Some suggestions she made were that:

- a) Some areas that had been concreted/asphalted over should be returned to grass verges.
- b) That trees should not have a "pocket-stamp" size piece of earth around the trunk
- c) That we needed to educate the public on the benefits of adopting a tree and the benefits of trees to the community.

Rob Greenland, Arboriculturist, stated that a Tree & Woodland Strategy document was being produced. However, due to staff shortages and the need to consult with many external agencies on tree management (so as not to have a blinkered view), the project was moving slowly. The Arboriculture Department had, in the meantime, produced the Supplementary Planning Document Trees and development Sites.

In relation to the photographic evidence, provided by Councillor Edmond-Smith, Mr Greenland stated that in Elm Grove some trees have come to be regarded as destructive in engineering terms. He confirmed that, to tackle long-term issues with regard to pavements, replanting of different species would need to take into account a variety of measures including proximity to flats, gardens etc. A key problem with tree species replanting was that the impact of that type of tree would not be seen now or next year but a good 10 years plus in the future. Information on the potential impact of trees was being extensively researched to find those that were most suitable but only time would tell.

Councillor Young then asked about types and frequencies of surveys of street trees in the city. Mr Greenland replied, and noted that current maintenance was being carried out by 'historical' accepted methods and frequencies set during the time of Brighton and Hove as individual

boroughs. The trees in the east of the city (Brighton) had been pruned on a two and four yearly composite pruning cycle (depending on tree location) with interim pruning carried out midway through each period to remove growth from the main stem, roots and associated buttresses. The trees in the west of the city (Hove) were pruned on a fixed rota every three years, with interim pruning carried out midway as required to remove growth from the main stem, roots and associated buttresses.

Responding to Councillor Edmond-Smith's claims, Mr Greenland acknowledged that many of the trees planted by our forebearers were large. However, there was nothing like our collection of 17,000 elms across the country and we have the national collection, and if we were to remove our elm street trees we would lose a third of the city's street trees.

Councillor Hazelgrove asked if the Panel could see the work in progress Trees and Woodland Strategy. Gillian Marston agreed and asked that the copies to be forwarded be kept confidential as the strategy was not yet completed.

Councillor Edmond-Smith said that tree maintenance could be improved. She suggested that there are lots of trees all over the city with side-shoots thus sapping the energy for upward growth and if these were correctly attended to the overall position would improve. Councillor Edmond-Smith, responding to Mr Greenland, also wanted to see elms remain in the city. However she stressed that longer term management would not cause a problem for pedestrians but could for car owners. She stated that it was not a matter of taking trees down but of better management as it would be political suicide to chop them down. She also noted that local residents are very passionate about street trees judging by the concerns that she had seen posted on the local e-democracy website. Councillor Edmond-Smith asked why the council was not telling contractors to look after street trees better?

Councillor Young then asked the witnesses to explain why contractors asphalted up to the base of the tree trunks. She also sought information about the problem of roots on the highway and any impact they may have on the foundations of properties.

Stuart Wilson replied and stated that the council had a statutory duty to maintain the highway for pedestrians. He advised that when trees became established the roots would lift the slabs. He cited the fact that slabs are more permeable than bituminous pavements and as they allow the rainwater to flow through into the ground and they thus encourage the tree root to stay closer the surface. Once the roots pushed the slabs up and they became uneven, they could not be re-laid and needed to be replaced with bituminous material. The material usually covered an

area larger than the initial slab in order for it to be effective. Further to this, he stated that the asphaltting should not be right up to the tree trunk and it was noted that contractors needed to be advised more clearly together with follow up inspections. However, bituminous material really needed an edge with which to bond in order to be effective otherwise the material would start to break up, over time, and leave a tree pit for pedestrians to fall/trip on. This patching up to the tree trunk may have, therefore, been the result no edging being used.

Councillor Young asked who was assigned to monitor the statutory undertakers of work on the highway and their tendency to patch up to tree trunks. Mr Wilson replied, stating that the Highways Department had three Street Works Officers to monitor the work of statutory undertakers within the city and that it was impossible to cover all works/be everywhere. He said that utilities companies needed to work to the council's guidelines and needed to police adherence themselves. It was suggested by Mr Wilson that the Panel might want to invite the utilities companies to a meeting of the Panel to hear their opinions on this as evidence.

Councillor Elgood asked about the coordination between the two departments as they are under different Assistant Directors, he also asked about the structure of Arboriculture and the budget for street trees. Mr Greenland, stated that the budget was flexible and its allocation varied from year to year because it was dependent on which trees were due to be pruned. There was a fixed amount of money per tree. A sum of £380,000 covered employment of our in house staff, utilities, vehicles and plant, ancillary purchases eg. trees and planting material etc. The salaries element covered (currently as this is likely to alter with the new regime) 1 x Team Leader and 10 x Arborists. This essentially was the working finance. The Arboriculturist, Assistant Arboriculturist and Technical Support Officer (Arboriculture) were funded separately. However, from April 4th These sections and finances would be amalgamated.

Christina Liassides stated that joint working between Highways and Arboriculture tended to be occasional and that when the two departments do work together it can be a difficult balancing act, with successful joint working at times and at other times not so. Ms Liassides then went on to clarify the definition /and use of tree pits – an idea she noted had worked in the past both successfully and unsuccessfully. She stated that the pit would need to be filled with top-soil or barking chips to prevent a physical pit, and thus a trip hazard, existing. She further stated that a tree pit could take up most of the footpath and the installation of them depended on whether the footway was wide enough.

Councillor Edmond-Smith re-emphasised the point of looking to the future

and stated that the present budget was not enough for good maintenance and future care of the city's trees. She also emphasised that distinctions between the posts [within arboriculture] was needed so that each had their own role, as decisions required expertise and not just "chainsaw wielding people". The Panel and public need to be assured that there were the skills.

Mr Greenland said that there is a current review of the costs.

Councillor Edmond-Smith then stated that new trees would outgrow pits and that decisions would need to be made at planting with regard to any pit which might be used. Councillor Edmond-Smith then asked about the planting of trees in the footway and questioned the argument, using Elm Grove as an example, that the council needed to keep the footway clear.

Ms Liassides re-stated that the council needed to ensure that any tree pit in the city does not become a trip hazard and, therefore, either topsoil or bark would be used to fill the pit. Mr Wilson then noted that Elm Grove was one of the widest footpaths in Brighton. He expressed concern about having large tree pits and seeing the width of pedestrian navigable pavements reduced. There was a minimum width desirable for a footway.

Gillian Marston then spoke about the need for a clearer guidance to balance differing priorities on highways ie. trees, cars, pedestrians etc. She also pointed out that competition for pavement space was nothing new and was a historical problem. She said that the council needed to be thinking about where trees fitted in and that in some areas of the city there were problems that could not be resolved fully without removing trees. Ms Marston said that work was being undertaken on the creation of a strategy for street trees in the city – and that the council were reviewing the maintenance budgets regarding the demands of service both now and for the future, including the planting of more trees and the increased pressure in future for maintenance.

Mr Greenland then spoke about the selection of trees for particular streets and emphasised that they would try to maintain a continuity of tree type within a particular road. However, if a particular type was problematic for a particular area then an alternative type of tree was sought and introduced to that area gradually over a period of time as the existing trees were lost. The width of streets, types of houses and whether there were bus routes along the highway influenced the choice of tree. In addition, trees that didn't need to be maintained on a frequent basis, their tolerance to the saline winds and poor chalky topsoil were also factored in to the equation. He mentioned that they had been experimenting with elms from north America that caused less damage to

kerb lines and slabs. Certain types of elms still met a lot of the criteria for street trees in Brighton & Hove's particular circumstances. On the other hand, there were smaller tree types (eg. flowering cherries) which also tended to cause major problems.

The Chair asked Mr Greenland how the old/cut trees were disposed. He stated that some old trees had been sold, some gifted for use in projects eg. the Mary Rose, while some had been used as bollards on the seafront and others used in the building of breakwaters. Any of the non-usable/saleable material was chipped and used for mulching flower beds in the city's parks. Money raised from any selling of old trees/wood went back into the budget.

Councillor Paskins asked whether trees needed replacing just because of their age? Mr Greenland indicated that this was the case in certain areas of the city such as along roads on the grounds of safety/susceptibility to disease. He also mentioned the notion of an ideal model for highway tree planting/re-planting and this would be to have a tree of 1 year of age and subsequently a further tree for every year up to 99 years ensuring a mixed age tree-scape. In year one hundred the oldest tree would be felled and a new tree planted thus ensuring the cycle remained intact. He advised that the city had 12,000-13,000 elm trees of varying age (one-third of total street trees) and that the council were currently re-planting about 300plus trees a year.

Councillor Hazelgrove asked whether there were Tree Preservation Orders (TPOs) on street trees within the city. Mr Greenland replied that the answer was no and added that in conservation areas prior notification of intent to carry out works was required (not permission) and that the council previously had to make an application/notify the Secretary of State under section: 211 of the relevant Planning Act. However, from 1999 the legislation exempted councils from such responsibility assuming a responsible attitude to tree maintenance.

Councillor Elgood questioned the witnesses and asked why a grille is not placed around the base of trees. Mr Greenland stated that the issue of grilles was subjective and that there were a variety of reasons for not having them. Primarily, it was noted as an issue of cost as the grilles were expensive to purchase, in addition, he also advised that grilles were easily damaged and distorted, for example if a vehicle parked up on the pavement. This distortion could then create a trip hazard. Mr Greenland also noted that the space underneath the grille could become a litter bin as various types of unnatural debris tended to find their way between the grille bars and thus making them look unsightly. It was also difficult to re-soil underneath grilles and that maintenance could be costly. He stated that if we did install any grilles in the future then we should select those

that can be converted.

Councillor Elgood then asked about the large tubs/pots planted with trees that were located along Western Road. Mr Greenland retorted that this scheme, the green mile, was not arboriculturally inspired but noted that similar schemes had been in place in other streets in the city such as Queen's Road and West Street in Regency Ward. He noted that the reasons behind the locating of trees in tubs in these areas was to improve the urban environment by adding a touch of greenery and that the reason for them being planted in tubs was because it was physically impossible to plant the trees in these streets. The impossibility was brought about by a lack of clear space under the public highways because much was already taken up with a variety of underground services including both pipes and cables together coal cellars etc.

Councillor Edmond-Smith asked if the council only undertook replacement planting or did the council want more trees in the city. She also asked whether the council has a strategy for areas that wanted more trees.

Ms Marston stated that the council did need to plant more trees and focus them on particular areas in the future. She stated that there was a progressive side to increasing the number of trees in the city and that the council had recently accommodated planting in areas not previously covered. Ms Marston also stated that we need to look at how we can balance street trees with competing community issues and hoped that this scrutiny would feed issues/recommendations into the wider Tree and Woodland policy. Mr Greenland reinforced the comments, stated by Ms Marston, by noting that there was a lot of replacement planting and that although replacement planting was a key part of the policy, arboriculture had also looked to other areas to plant street trees. However, when they did this they tended to come up against problems. One recent example cited was that during the process of new planting in the Prestonville area they discovered cables that had not been registered and could not then plant. In order to manage any local conflicts of new tree planting, Mr Greenland tried to encourage local ownership of trees. Arboriculture did look at some areas where there has been no previous planting and did undertake some new planting but the department needed enough resources to be able to keep alive and establish what had been planted, so it was only possible to carry out limited new plantings. Mr Greenland stated that it was better to manage the budget (in terms of labour and resources) this way rather plant extensively and have the new trees die through inadequate aftercare. Even with this we could often lose 10% of new planted trees to vandalism or because the stock was not good enough.

Councillor Hazelgrove then posed a question on large developments within the city and asked whether they provided any funding for increasing/replacing or maintaining street trees. He also asked whether the role of the arboriculturists was taken seriously when these big developments were planned. He cited the redevelopment of the New England Quarter as an example.

Mr Greenland commented that the arboriculturists acted as consultants to the city's Planning Department and that one of the officers from Arboriculture worked on issues relating to large redevelopment sites across the city. Mr Greenland said that, as far as he was aware, the developers of the New England Quarter did not offer any street trees because of the fact that there were none on the land before it was redeveloped. However, a site development that was cited as an example of providing funding was that of the Waste Transfer Station at Hollingdean. In order to create the Transfer Station the developers would have to remove four trees. In order to offset their removal of trees they had agreed to fund the planting and maintenance costs for 5 years of 50 replacement trees. Mr Greenland said that historically new developments had not affected street trees very often so we had not gained new trees/funding from the developers.

The council formerly had a landscape architect but, as there was no longer that position, the assessment of landscaping schemes, including new tree provision, was currently carried out by the Arboriculturist.

Councillor Edmond-Smith mentioned the benefits that street trees brought to communities and wanted to know more about how we would sustain trees under conditions of strict water usage. Mr Greenland stated that much could be done and that the council was thinking about using/storing grey water for usage together with the need for planting mediums made of more fibrous materials which would hold water for longer periods ie. mulching. Another key factor in this forward planning strategy would be species selection, and the fact that the council would have to look at planting more resilient trees. He stated that elms would continue to be a good choice because they could store a lot of energy, although, he noted, not wych elms as they tended to lift pavements.

Councillor Edmond-Smith asked again about contractor issues and stated that from her experience contractors used by the council did not see trees as anything that they should really bother about. She went on to mention that tighter conditions should be put into the contracts and that they should be monitored. Mr Greenland replied and stated that the arboriculturists already have put into place better methods of liaising with contractors and that they wanted to start putting into action as soon as possible some of the points that had been raised by the Panel/Councillor

Edmond-Smith.

However, Ms Marston pointed out that the overall strategy document on trees was still a long way off completion and that any recommendations that the Panel suggested would need to be given time to feed into the document in budgetary terms to reduce any major financial repercussions. Ms Liassides also noted that there were not many highway policies that incorporate the street trees – and that they needed to ensure that there were strategies. The Highways team were now working with the Arboriculturalist team to put in place more systematic joint working, and new policies will be drafted based on the items arising out of the Scrutiny. However, there were already working guidelines for all of the department's staff.

Councillor Young asked for the specific classification or definition of a street tree and that was provided by Mr Greenland as “those lining thoroughfares and those on the highway”.

Councillor Young said that she understood that Hove Borough Council had introduced a tree strategy. Mr Greenland confirmed this but went on to state that this policy was outdated as it was specific to Hove and that a new policy was needed to reflect the needs of the city.

Councillor Hazelgrove asked questions on EB4U and environmental improvements on council estates to which it was retorted that the finance for tree works was held by housing managers.

Ideas for future meetings were put forward together with the inviting of other officers, external experts and members of the community who have an interest in the issue.

Mr Greenland stated that he believed we did not really need many external experts just yet and that we should focus more in-house, perhaps by looking at the placing of street lighting and location of raised kerbs for buses which all having an impact on street trees due to the loss of aesthetics due to the required maintenance cutting back the canopy.

Councillor Elgood also mentioned the possibility of going on a site visit to Lansdowne Road and mentioned that the Organisation for Street Trees would like to have closer links with Brighton & Hove. In addition, Councillor Edmond-Smith mentioned inviting a representative from Urban Realm.

Councillor Edmond-Smith mentioned that an overall corporate strategy for street trees was needed that was inclusive of all departments. She noted that for this to be successful a variety of departments would need to be consulted and stressed that what the council would decide as its street policy today would have an impact over the next 50-100 years.

Councillor Young expressed interest in finding out what other cities had been undertaking and mentioned the pledge made by Birmingham City Council to “have more trees than people”.

Mr Scott, a local resident, was permitted to speak by the Chair before the close of the meeting. Mr Scott mentioned several documents that may be helpful for the Panel to use in the formation of a report including the Department for Transport’s Inclusive Mobility document and the Hove Borough Tree Strategy. He also posed the question as to what the council was using as its street design manual. He felt that it would be useful to see the planting and maintenance schedule for the next five years including costs. Mr Scott also suggested that representatives from DAAG (perhaps John Stevens who is on the Planning Applications Sub-Committee) and CAAG would be helpful in the process.

The meeting concluded at 6.55pm