
Subject:	HIGH-RISK TREE WORKS AT CRABBLE ATHLETIC GROUND
Notification Date:	11 January 2024
Implementation Date:	17 January 2024
Decision Taken by:	Councillor Charlotte Zosseder, Portfolio Holder for Community and Corporate Property
Authority:	Paragraph 12 of Section C (General Responsibilities Delegated to all Members of the Executive) of Part 3 (Responsibility for Functions) of the Constitution
Decision Type:	Executive Non-Key Decision
Call-in to apply:	Yes (<i>Call-in will expire at 10.00am on 17 January 2024</i>)

Classification: **Unrestricted**

Reason for the Decision:

1. To seek approval for a budget of £70,000 to undertake works including:
 - Removal of 36 over-mature beech trees at Crabble Athletic Ground that have been identified as a high risk.
 - Replacement of the trees with more manageable species
2. Subject to compliance with any Tree Preservation Order legislation and/or consents required under any land covenants, to authorise the Strategic Director (Place and Environment), in consultation with the Portfolio Holder, to procure the works.

Decision: That the Portfolio Holder for Community and Corporate Property

1. Approves the necessary budget for removal of 36 over-mature beech trees from the Crabble Recreation Ground and their replacement with more manageable species.
2. Authorises the Strategic Director (Place and Environment), in consultation with the Portfolio Holder, to procure the works.

1. Summary

- 1.1 The Council owns and is responsible for the maintenance of trees at the Crabble Athletic Recreation Ground.
- 1.2 There is a large quantity of over-mature trees on the site, predominantly beech species. Recently one of the trees failed and caused damage to a private property adjacent to the ground. Beech trees can be unpredictable and do not tolerate heavy reductions when fully mature which limits the options available to manage this situation.

2. Introduction and Background

- 2.1 The Council has regular condition surveys undertaken by consultants of the trees on

the periphery of the ground. The most recent condition survey in 2023 highlighted minimal works to the trees with only two urgent items raised which the Council dealt with promptly, see details of the survey outcomes at Appendix 1.

- 2.2.1.1 Following the failure of a large tree which occurred approximately two weeks after the condition survey was completed, the Parks & Open Spaces Manager instructed an additional Risk Analysis Survey that considered the potential impact of the trees on the public and surrounding property, considering factors such as footfall below the trees (attached at Appendix 2). The purpose of the report was to assess the risk posed by the trees to person and property should another failure occur, rather than assessing the general condition.
- 2.3 Condition surveys can identify immediate concerns with trees and highlight visible defects or diseases, but they are a snapshot in time. Such surveys are undertaken visually, so it may be difficult to understand the internal mechanics of a tree and therefore a survey would not necessarily identify internal defects unless there were obvious signs.
 - 2.3.1 The Risk Analysis Survey highlighted concerns including the increasing number of failures and the shallow chalk soil which increases risk of windthrow. It concluded that a large number of trees present a high risk and recommended that a total of 36 should be felled. In addition, the report recommended that a prominent tree at the entrance should be reduced and flexibly braced.
 - 2.3.2 The 36 beech trees to be felled are split into two locations; 15 of the trees are on an embankment adjacent to Crabble Avenue, while the remaining 21 trees are adjacent to Kingswood Villa properties. This second group of 21 trees is subject to a Tree Preservation Order (TPO). It is intended that the Council as landowner will fell the trees pursuant to section 198(6)(a) of the Town & Country Planning Act 1990 after giving 5 days' notice to the Council as local planning authority.
 - 2.3.3 The Council will also ascertain whether legal consent is required due to covenants on the land.
 - 2.3.4 A bid has been submitted to the Mid-Term Financial Plan (MTFP) for £70,000 which would cover the cost of works recommended by the Invicta Arboriculture report and also replacement of the felled trees with more manageable species. Removal of the over-mature trees is likely to be controversial, but this would be mitigated by a succession plan.
 - 2.3.5 Due to the sensitive nature of removing mature trees and in this case such a large quantity, the Parks & Open Spaces Team will engage with the Council's Communications and Community Teams to engage with residents and explain the rationale behind the works.

3. Identification of Options

- 3.2.1 Option 1: Continue managing the trees by way of condition surveys.
- 3.2.2 Option 2: Wait until the MTFP budget is decided and, if the bid for £70,000 is approved, proceed with the works post April 2024.
- 3.2.3 Option 3: Undertake the works immediately.

4. Evaluation of Options

- 4.2.1 Option 1: This option is not recommended because of the identified risk to property and person.

4.2.2 Option 2: Considered an option but carries a risk to the authority for an extended period of time through winter weather. This approach is reliant on a successful bid to the MTFP for £70,000 budget during the next financial year.

4.2 Option 3: This is the preferred option and protects the authority from liability in relation to the high-risk trees identified, due to the urgency of these works. Given the risk to the authority the officer recommendation is to complete the felling works with immediate effect from the Council's contingency budget in this current financial year. The replanting could follow next financial year if the MTFP bid is approved.

5. **Resource Implications**

5.1 These works will be funded from the Special Revenue Project Contingency.

6. **Climate Change and Environmental Implications**

6.2.1 Removal of the trees will have a significant impact on the street scene as well as the environment. However, this impact should be weighed against the identified risks.

6.2.2 To mitigate against the environmental impact of removing the over mature trees, they will be replaced as part of the project at a ratio of 2 to 1 minimum. A mixed native planting of smaller species will ensure a legacy of successive planting (different lifespans of tree species) as well as resilience to disease and pests by having a diverse range of species.

7. **Corporate Implications**

7.2.1 Comment from the Director of Finance (linked to the MTFP): Accountancy have been consulted and have no further comment to add. (KW)

7.2.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.2.3 Comment from the Equalities Officer: 'This report seeking to approve a budget to remove 36 over mature beech trees from the Crabble Recreation Ground and their replacement with more manageable species does not specifically highlight any equality implications. However in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

7.3 Other Officers (as appropriate):

8. **Appendices**

Appendix 1 – Dover - Crabble Athletic Ground Condition Survey Outcomes

Appendix 2 – Invicta Arboriculture Crabble Sports Ground Report

Appendix 3 – Tree Location Plan

9. **Background Papers**

As above appendices

Contact Officer: Darran Solley, Parks & Open Spaces Manager