



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Cabinet**

**4<sup>th</sup> December 2024**

### **Report of the Head of Streetcare Michael Roberts**

#### **Matter for Decision**

#### **Wards Affected:**

All Wards

**Report Title:** Arboricultural Management Plan

#### **Purpose of the Report:**

To consider and approve changes to the updated Arboricultural Management Plan and endorse a new associated Tree Inspection Operational Action Plan; in order to provide a clear guide to stakeholders on how trees on Council land, along with trees on adjacent private land, will be managed.

#### **Executive Summary:**

The management of trees within the County Borough of Neath Port Talbot has been reviewed. Officers currently deliver tree services in line with an Arboricultural Management Plan that was adopted in 2021. This plan has been updated and new processes included in

relation to inspections and general tree management. The reason for the update is to ensure that the Council is compliant with statutory legislation and best practice guidance.

### **Background:**

The Council is responsible for the appropriate management of its tree stock and has a duty of care to both residents and visitors alike.

In March 2021 an Arboricultural Management Plan was presented to the Environment and Streetscene Cabinet Board. The plan provided advice on how the Council would respond to requests for work in relation to trees, both on Council owned and private land. The management plan identified the detail associated with the re-active approach taken to tree management. The plan did not however identify a proactive approach to the management of the Council's tree stock. It is essential that an agreed proactive management plan is in place to ensure public safety, along with all of the other benefits associated with a healthy, well maintained tree stock. As a land owner, the Council has a legal responsibility for the Health & Safety of those who could be affected by trees on its land.

Changes have been made to the Arboricultural Management Plan in order to align the plan with newly updated legislation and Government guidance, as well as providing an overview of the proactive approach that will be taken regarding tree management.

In order to provide a more detailed and dedicated approach to tree management, an Operational Action Plan associated with tree inspections has been produced and included as an appendix to the Arboricultural Management plan.

The updated Arboricultural Management Plan and associated Tree Inspection Operational Action Plan is included as Appendix A to this report. The main policy points are as follows:

- The Zoning of the County Borough's tree stock into high risk, medium risk and low risk areas.
- The inclusion of the Tree Inspection Operational Action Plan, including inspection type and timescale for each zone.
- Amendments to the Arboricultural Management Plan in relation to tree management on both NPTCBC and private land.
- Replanting – updates associated with the replanting of trees in line with Planning Policy Wales.

### Implementation of the Plan

If the updated Arboricultural Management Plan is adopted, it should be noted that it will take circa 12 months before full compliance of the Tree Inspection Operational Action Plan is achieved. An initial in depth, county wide inspection and data recording exercise needs to be undertaken. Within the 12 month period, it is proposed that the Council undertakes a full inspection of its tree stock in Zones A & B (as set out in the operational action plan), in order to identify condition and digitally plot the Council's tree stock.

This initial inspection will be extensive. Officers have set out time frames for each site type, and have suggested that the highway network inspections, woodland areas and verges be carried out externally, giving our internal Tree Surveyor enough time to complete all other site types within zones A & B within the 12 month period.

As the survey is progressed, and certainly upon its completion, it will be necessary to progress any remedial work identified.

## **Financial Impacts:**

The Arboricultural team consists of 8 members of staff. The team includes 1 Arboriculture Officer, 1 Tree Surveyor, 2 x Arboricultural Charge Hands, 2 x Arborists & 2 x Labourers.

At present, there is no proposal to implement any establishment change and therefore, there are no additional revenue implications associated with endorsing this plan. However, in order to address the one-off peak in workload resulting from the initial in-depth survey & data recording exercise, it is proposed to utilise capital funding that has already been allocated to tree management in this financial year.

The capital funding allocated to tree management this year is a total of £170,000.00. The breakdown of spend is outlined below:

- £46,300 – to deal with known high risk Ash Dieback areas and other tree species. Tender process complete and contract awarded in line with the Corporate Procurement Rules. Work to be undertaken between Oct 2024 and Feb 2025.
- Circa £120,000 - inspection of trees within falling distances of A&B Class Roads (Zone A), C and Unclassified roads (Zone B), verges and woodland footpaths to be undertaken between April and August 2025. The survey works are timed to meet the need for Ash trees to be inspected when the trees are in leaf. It is proposed to undertake a full procurement exercise for this work. Internal staff will undertake inspections of other A&B zone sites over the next 12 months.
- Any remaining capital funding will be utilised to address high risk trees on Council owned land along the highway network, to be complete by end of 2025.

It is likely that the survey work will identify the need to undertake a significant programme of tree management works for the coming years that will require capital investment. The exact scope of this investment is currently unknown, however, based on experiences elsewhere as much as £500,000 may need to be identified in the capital programme over the next two years or so. The exact requirement will be quantified upon completion of the surveys.

### **Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment as provided in Appendix B has indicated that a more in-depth assessment is not required. The proposal is directly related to tree safety and has no adverse impact on people with protected characteristics.

### **Valleys Communities Impacts:**

The proposed plan will apply to the Council's tree stock located in valley communities as with other areas.

### **Workforce Impacts:**

Changes to how we manage and undertake tree inspections will have a positive impact on operational staff, as they will be able to focus on delivering an efficient and well maintained service.

### **Legal Impacts:**

The Council has a duty of care to protect its staff and the public from the risks posed by trees to highway users and within its land stock.

The endorsement and implementation of this plan will ensure that inspections and associated remedial works are carried out as recommended by the British Standards.

### **Risk Management Impacts:**

Endorsing the updated Arboricultural Management Plan and associated Tree Inspection Operational Action Plan will limit the risk associated with dead, dying or dangerous trees for everyone within Neath Port Talbot. Furthermore, the adoption and implementation of the same will reduce the risk on the Council in terms of litigation.

### **Consultation:**

There is no requirement for external consultation on this item.

### **Recommendations:**

Having had due regard to the first stage Integrated Impact Assessment, it is recommended that Members:

- Endorse the updated Arboricultural Management Plan and the Operational Action Plan associated with tree inspections.
- Acknowledge the 12 month transition period required before full compliance with the plan is achieved.
- Note the use of the in-year allocation of capital funding for tree works included for 24/25 in the capital programme.
- Note the potential scale of future capital needs and that a further report be brought back to Members on completion of the detailed survey work.

## **Reasons for Proposed Decision:**

To ensure the Council fulfils its Duty of Care with respect to public safety in relation to tree management, to minimise associated risks to visitors and the Council, and to appropriately maintain the Council's Tree Stock.

## **Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

## **Appendices:**

Appendix A – Arboricultural Management Plan (including new Tree Inspection Operational Action Plan)

Appendix B – First Stage Integrated Impact Assessment

## **List of Background Papers:**

Arboricultural Management Plan 2021

[ENVIRONMENT AND HIGHWAYS CABINET BOARD/SCRUTINY COMMITTEE \(npt.gov.uk\)](https://www.npt.gov.uk/Environment-and-Highways-Cabinet-Board/Scrutiny-Committee)

Health & Safety at Work Act 1974

<https://www.legislation.gov.uk/ukpga/1974/37/contents>

Environment (Wales) Act 2016

[Environment \(Wales\) Act 2016 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2016/12/contents)

Wildlife & Countryside Act 1981

[Wildlife and Countryside Act 1981 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1981/69/contents)

HSE – Management of the Risk from Falling Trees

[Management of the risk from falling trees or branches - FOI - HSE](https://www.hse.gov.uk/foi/management-of-the-risk-from-falling-trees-or-branches-foi-hse)

British Standards – BS 3998:2010 Tree Works

Volume 4: NJUG Guidelines for the planning, installation and maintenance of utility apparatus in proximity to tress.

[National Joint Utilities Group \(streetworks.org.uk\)](http://streetworks.org.uk)

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