

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy

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| Report to: | Highways and Transport Scrutiny Committee |
| Date: | 26 October 2015 |
| Subject: | Highway Tree Survey - Update |

Summary:

To update the Committee on the continued progress made with the Tree Risk Insection Surveys.

Actions Required:

Members are asked to note the progress made in identifying the level of risk presented by trees on or adjacent to the public highway.

1. Background

The Highway Authority has a duty under section 41 of the Highways Act 1980 to maintain their highway. Generally speaking the authority must ensure the highway is safe for ordinary use (i.e. passage and re passage).

After a number of high profile incidents nationally, concern had been expressed by Senior Highway Managers and Audit and Risk Management about the lack of any data on the condition of trees on or adjacent to the highway and the liability these trees posed to the highway authority as no policy or recorded inspection regime existed to assess the risk these trees may pose.

Following a recommendation from this committee and approval of the Executive Councillor, the 'highway tree survey' commenced In June 2011. The guidance document found at Appendix A, set out a defensible tree inspection policy to address the authority's risk with its own trees and private trees which may fall onto the highway.

The guidance utilises a risk based inspection approach initially assessing the risk posed by trees on or adjacent to some 900km of the principal route network (PRN). This work was completed between June 2011 and March 2012.

To date the project has completed surveys on the following:

Hierarchy 1 & 2 footways (2012-13)

B-roads not part of PRN (2012-13)
Re inspection of PRN (2013-14)
All hierarchy 3 routes (1378km - 2013-14)
All hierarchy 4 routes (495km – 2014-15)
Re inspection of PRN (2014-15)

The overall time taken to resurvey the PRN has been significantly reduced as, by using the Quantified Tree Risk Assessment (QTRA) methodology, we are able to filter out the highest risk trees, and just inspect those high risk trees, rather than re-surveying the whole PRN.

The Health and Safety Executive (HSE) states that 1/10,000 is a 'tolerable' level of risk that can be imposed on the public for the wider good, where the risk is As Low As Reasonably Practicable (ALARP)

As an example of all the trees inspected in Holbeach (104), the QTRA scores range from 1:80,000,000 – 1:36,000, this informs the re-inspection frequency as further inspections of these trees will not need to be carried out as regularly. When we do come to re-inspect we can concentrate the re-inspection on the trees with the highest risk score, i.e. 1:36,000. Further examples of the QTRA are below

1. Ash tree at a Boston Borough Council park, 5000 vehicles passing tree per day, 450mm diameter branch likely to fall, 1:500 chance of failure. QTRA score 1:6,496, this tree has been felled.
 2. Ash tree in LCC highway ownership, 8,800 vehicles passing per day, 250mm diameter branch likely to fall, 1:1000 chance of failure. QTRA score 1:31,273 this tree has been retained.
- Of the trees surveyed we have recorded 9,878 trees, woods and groups, in total 5,568 of these are located within the highway.
 - Of the total of 9878, 280 or 2.8% are classed as high risk. (i.e. 97.2% are of an acceptable risk level)
 - 80 or 0.8% are located within the highway.
 - 200 or 2% located on private land adjacent to the highway.

The currently allocated budget is £160,000, (£200,000 in 11/12), approximately £140,000 is spent annually on the surveys themselves, the remainder is spent on actioning works to highway trees picked up through the survey and legal costs involved with serving notices. For 2015/16 £530,000 has been allocated from the Environmental Maintenance budget to Divisions for the maintenance of highway trees and other vegetation. This can be utilised to supplement the above works element if the risk level dictates more work is necessary.

The survey has identified a quantity of high risk privately owned trees; our contact with private landowners has increased landowner awareness generally of the risk

they are exposed to through their trees. Of those who have been contacted we have had a direct response from about one third confirming that action had been taken, and re-inspections would indicate that a significant proportion of the remainder have had some remedial works undertaken

Data collected from the survey has given a good level of assurance that the potential liability is being managed effectively. It has also been used to good effect in defence against insurance claims made against LCC.

2. Conclusion

The inspections undertaken to date have identified a small number of “high risk” trees within the highway and a slightly larger number of private trees that have potential to affect the highway. We now have a good level of assurance that these risks are being managed effectively and that the Authority is fully cognisant of the condition of overall level of risk that is present on the network.

3. Consultation

a) Policy Proofing Actions Required

n/a

4. Appendices

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| These are listed below and attached at the back of the report | |
| Appendix A | Highway Tree Inspection Policy (Part of HAT 26) |
| Appendix B | Sample Outputs from TreeWise Software |

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Richard Littlewood, who can be contacted on 01522 555209 or richard.littlewood@lincolnshire.gov.uk.

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