

<b>Report of:</b>	<b>Cabinet Member for Transport &amp; Environment - Cllr Waseem Zaffar</b>
<b>To:</b>	<b>Sustainability &amp; Transport Overview &amp; Scrutiny Committee</b>
<b>Date:</b>	<b>08 November 2018</b>

## **Progress Report on Implementation: Birmingham Tree Policy**

### **Review Information**

Date approved at City Council:	06 February 2018
Member who led the original review:	Councillor Fiona Williams
Lead Officer for the review:	Rose Kiely, Group Overview & Scrutiny Manager
Date progress last tracked:	N/A

1. In approving this Review the City Council asked me, as the appropriate Cabinet Member, to report on progress towards these recommendations to this Overview and Scrutiny Committee.
2. Details of progress with the remaining recommendations are shown in Appendix 2.
3. Members are therefore asked to consider progress against the recommendations and give their view as to how progress is categorized for each.

### **Appendices**

<b>1</b>	<b>Scrutiny Office guidance on the tracking process</b>
<b>2</b>	<b>Recommendations you are tracking today</b>
<b>3</b>	<b>Recommendations tracked previously and concluded</b>

### **For more information about this report, please contact**

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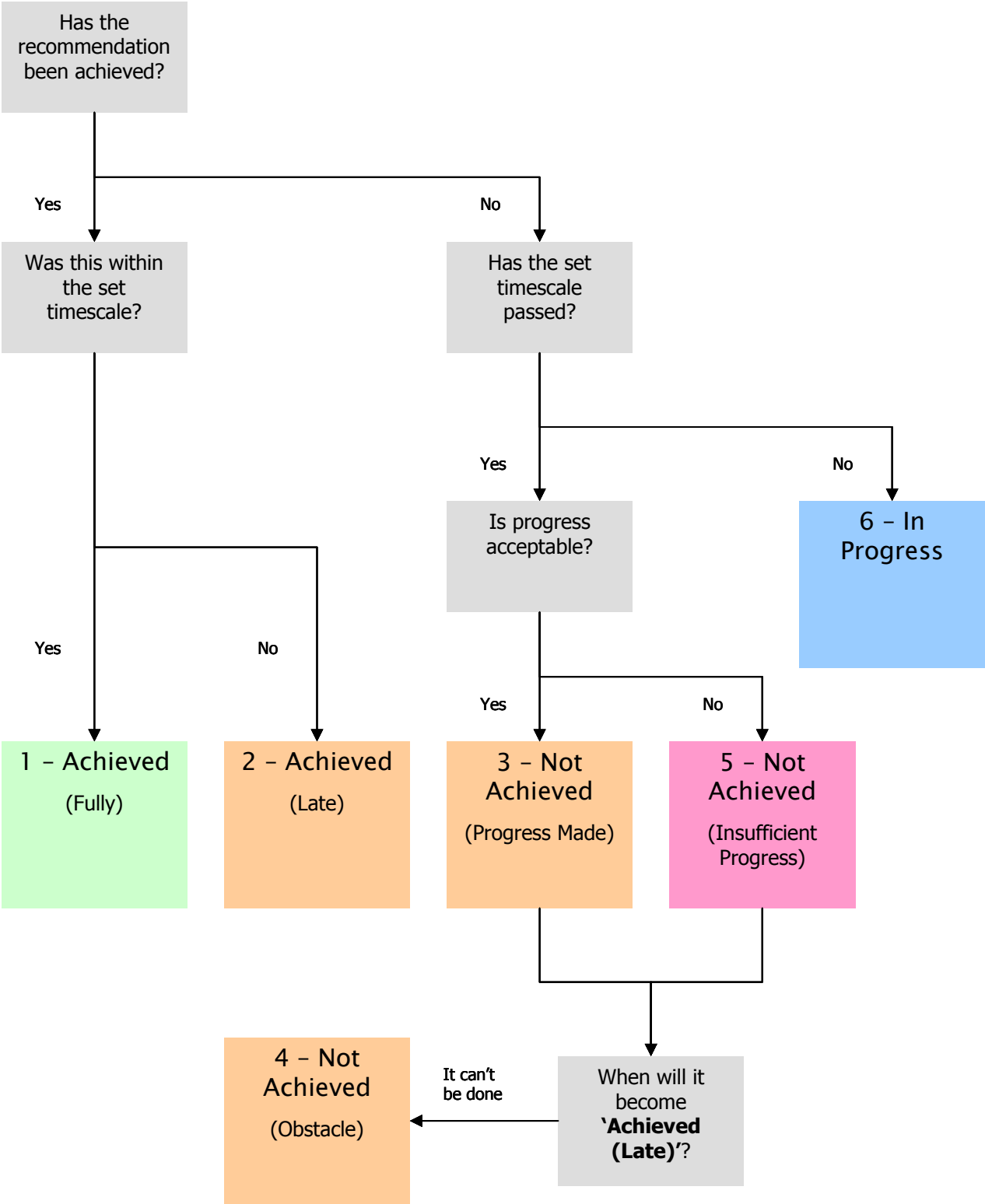
## Appendix 1: The Tracking Process

In making its assessment, the Committee may wish to consider:

- What progress/ key actions have been made against each recommendation?
- Are these actions pertinent to the measures required in the recommendation?
- Have the actions been undertaken within the time scale allocated?
- Are there any matters in the recommendation where progress is outstanding?
- Is the Committee satisfied that sufficient progress has been made and that the recommendation has been achieved?

Category	Criteria
<b>1: Achieved (Fully)</b>	The evidence provided shows that the recommendation has been fully implemented within the timescale specified.
<b>2: Achieved (Late)</b>	The evidence provided shows that the recommendation has been fully implemented but not within the timescale specified.
<b>3: Not Achieved (Progress Made)</b>	The evidence provided shows that the recommendation has not been fully achieved, but there has been significant progress made towards full achievement. <b>An anticipated date by which the recommendation is expected to become achieved must be advised.</b>
<b>4: Not Achieved (Obstacle)</b>	The evidence provided shows that the recommendation has not been fully achieved, but all possible action has been taken. Outstanding actions are prevented by obstacles beyond the control of the Council (such as passage of enabling legislation).
<b>5: Not Achieved (Insufficient Progress)</b>	The evidence provided shows that the recommendation has not been fully achieved and there has been insufficient progress made towards full achievement. <b>An anticipated date by which the recommendation is expected to become achieved must be advised.</b>
<b>6: In Progress</b>	It is not appropriate to monitor achievement of the recommendation at this time because the timescale specified has not yet expired.

**The Tracking Process**



## Appendix 2: Progress with Recommendations

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R01</b>	That clearer guidance on a range of tree-related matters be included in the Birmingham Design Guide to help applicants with the design process. This should include the matters raised in this review about establishing an aspirational desirable city tree canopy cover increase, trees and health, air quality, Water Sensitive Urban Design, recommended future species and reductions in over-represented species, planting pit design, soils and specifications. These should be produced within appendices to the Birmingham Design Guide or via the City Council website where details should be periodically updated.	Leader in liaison with Members of the Executive where appropriate	Dec 18	6: In Progress

### Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

The Birmingham Design Guide is currently in draft format and undergoing final editing before internal and external consultation (expected spring 2019). Within the Landscape and Green Infrastructure Chapter a significant amount of detail has been included in relation to trees which include valuation and protection of existing trees, designing with trees, tree species, planting and maintenance requirements etc. Consideration is also given to increasing canopy coverage and an assessment of base levels of canopy by land use category have been included with a desire for these to be improved upon within new developments of each type.

The draft text relating to trees is available upon request.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R02</b>	That every major planning application should incorporate consideration of how to improve the natural environment with particular reference to maximising opportunities for greening in a dense urban environment through the use of suitable types of green infrastructure wherever appropriate.	Leader in liaison with Members of the Executive where appropriate	Dec 18	6: In Progress

### Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

The formation of the Design Review Panel through a process of external advertising for interested experts and stakeholders offers the opportunity for early examination of proposals from developers with major projects. This DRP (led by Simon Delahunty-Forrest) would assess the initial proposals against the 5 main themes of the design guide which includes Green Infrastructure and Landscape. Internal expertise (Landscape, Ecology and Arboriculture officers) will be called upon for advice and guidance.

In addition the production of the Birmingham Design Guide will offer designers and developers more clear and detailed guidance on what the City will expect of new developments.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R03</b>	That an urgent review takes place of the new assessment criteria for the evaluation of Planning Conservation Areas - to ensure that any discrepancies around tree protection are properly addressed; in the event of de-designation.	Leader in liaison with Members of the Executive where appropriate	Sept 18	3: Not Achieved (Progress Made)

#### Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

Currently two areas are under consideration for de-designation; these are Austin Village and Ideal Village. Within both of these conservation areas have a significant public realm treescape for which the City is responsible. Therefore there is already increased control over the long term management of these trees. No date or timescale was available for this process at the time of this report.

De designation is not something that has occurred before and a formalised process flow/check list has not yet been arrived at. However as part of the consultation and notification process it has been agreed that the city's Principal Arboriculturists will be given prior notification and opportunity to assess any trees not in the public realm against the Tree Evaluation Method for Protection Orders (TEMPO) and where these meet the requirements for issuing TPO's these will be raised to run consecutively from the cessation of the Conservation Area status.

No time scale has been given for the commencement of de-designation as yet. A clearer idea of timescales is hoped to be available by Feb 2019

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R04</b>	<p>That in relation to permitted development in Transportation and Highways, a process be developed to ensure that appropriate consultation takes place prior to any improvement or design development where trees are likely to be affected.</p> <p>This will include:</p> <ul style="list-style-type: none"> <li>• A condition survey and/or a tree survey compliant with BS 5837 2012 (Trees in relation to design, demolition and construction) to identify tree constraints;</li> <li>• A valuation of affected trees against the adopted Birmingham City Council process;</li> <li>• Appropriate consideration of retention, mitigation, replacement and compensation for trees; and recommendation(s) by the appropriate City Council arboricultural officer as part of the Council's decision making process</li> </ul>	Cabinet Member for Transport & Roads	Feb 19	6: In Progress

#### Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

Consultation has been ongoing with Transportation in relation to their design and build schemes; as a result of this a draft process for consideration of trees within Design Development and installation has been drawn up. This draft process covers all aspects of the recommendation in sequential order from options appraisal through to implementation.

Two training sessions have been recently delivered to Transportation colleagues covering the tree policy review process, recommendations and draft process. These sessions were well received and the overall feeling was that clearer information/ guidance on the expectations and requirements were welcome.

The draft Transportation works process is available upon request.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R05</b>	That a clear standardised tree impact evaluation process for all footway crossings requests should be urgently developed and agreed. The process should set out a clear methodology for assessing both the value (monetary and/or public amenity) of any removed or affected tree and the levels of demand for parking within any given street. This should be put in place as a new working practice within 6 months but formally adopted as part of a wider urban tree management strategy.	Cabinet Member for Transport & Roads	<p>Step one September 2018;</p> <p>Step two February 2019</p>	<p>1: Achieved (Fully)</p> <p>1: Achieved (Fully)</p>

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

A process for the evaluation of applications for footway crossings has been developed. This process uses a series of weighted assessment criteria for roads and trees.  
The evaluation process was discussed with Kevin Hicks and senior members of the Highways Asset Management Team. Approval was given for trial implementation.

When an application for footway crossing is made an assessment is made of if a tree would be affected by the installation process.

Where this is identified as a constraint the Amey tree inspector is notified and an assessment made against the agreed criteria. This assessment produces a score for both the road and the tree which is uploaded onto the Amey Confirm data base.

Where the road score significantly exceeds the tree score approval is given and a replanting location agreed.  
Where the Tree score significantly exceeds the road score the application is refused.

For marginal scores these are passed to the city's Arboriculturists to consider for approval or rejection. Any appeal in relation to refusal is also referred to the specialist officers. Where Possible amendments to the footway crossing layout are made where this can be done within scope.

This process has been implemented and run for a number of months and seems to be working well and there is no foreseeable need to revoke this process.

The document that sets out this process of assessment is available upon request.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R06</b>	That the feasibility of managing a percentage of tree cover on a citywide basis be explored with Amey to establish a mechanism so that, where options for replacing trees in a ward are limited and prior consultation with relevant ward members, replacement trees can be planted in those areas where an increase in tree cover would be most beneficial. Matters of viability and environmental constraint will need to be investigated.	Cabinet Member for Transport & Roads Cabinet Member for Commercialism, Commissioning & Contract Management	February 2019	6: In Progress

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

This will be investigated as part of that process and the development of a city wide tree strategy as this ties in with the valuation of tree stock and replacement planting values. Where full replacement value cannot be achieved within a given site this presents an opportunity to divert the remaining planting to new locations.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R07</b>	That additional, clear and comprehensive information should be provided to the public about trees incorporating a review of the way that material is presented on the City Council website. This should include improving cross-referencing, making the information easier to navigate and using the available data to improve the promotion of the value of the City's collective tree stock and the role it plays in delivering benefits across the health and well-being agenda and ecosystem services. The over-sight of this information in future could be the responsibility of the new Birmingham Forest Group. (R11)	Leader in liaison with Members of the Executive where appropriate	September 18	3: Not Achieved (Progress Made)

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

This recommendation ties in to the production of the Birmingham Design Guide. The details on trees contained within the guide will be available via the council web pages once published.

A considerable amount of time has been invested in developing this information however as it forms part of a much larger information document publication has been delayed.

Work still needs to be undertaken to cross reference the tree related web pages but this is yet to be commenced. Lack of time due to changes in staff has been a mitigating circumstance.

Cross referencing should be completed by February 2019 with the additional information being tied in to the finalisation of the Design Guide text.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R08</b>	That the City Council should raise awareness about and promote the fact that Birmingham has committed to becoming one of the world's most environmentally friendly cities by being a member of the Biophilic Cities network and the role that trees play in this.	Cabinet Member for Clean Streets, Recycling & the Environment	September 18	3: Not Achieved (Progress Made)

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

Currently a number of partner organisations together with some council officers promote the fact that Birmingham is a member of the Biophilic Cities Network these organisations and individuals work hard to explain what this means in terms of how this relates to individuals and the development of the city as a whole.

However this status is still not widely known or understood.

For this recommendation to be fully delivered it requires it to be championed at a strategic level with significant political buy in. Therefore it requires promotion through, for example, the executive management team and Cabinet. The Cabinet member for Transportation and the Environment is best placed to champion this.



No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R09</b>	That a new supplementary funding system utilising a grading system which places a monetary value on the visual amenity of trees as well as their replacement cost (such as CAVAT) be adopted; and that in addition the recommendation to establish a Birmingham Tree Bank be urgently explored. Together these would provide an additional source of finance to support the proactive management and development of new planting opportunities and green infrastructure in Birmingham; something that could be overseen by the new Birmingham Forest Group (R11). The tree valuation process agreed on shall be considered for adoption within the Development Plan Document (DPD) and the research undertaken be considered as the evidence base for that emerging policy.	Leader in liaison with Members of the Executive where appropriate	February 19	6: In Progress

#### Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

Discussion between the various sections of the city's arboricultural specialists has taken place to review the various methodologies available to quantify the financial value of individual trees and tree groups. The Capital Asset Valuation of Amenity Trees (CAVAT) has recently undergone a full review and reassessment by an expert panel and the finding published for peer review.

The revised CAVAT process was determined to be the most appropriate valuation system to be used (alongside the BS 5837 classification) to guide design process and indicate those trees that should be retained, show where engineering solutions should be deployed as cost effective and set an expectation for the level of compensatory planting required from the loss of assessed trees.

Discussions are still to be had with the appropriate finance officers to determine the exact mechanisms for accrual of funds into the Birmingham Tree Bank.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R10</b>	That an Urban Tree Management Strategy which reflects the latest evidence from research and current best practice be developed and that adequate safeguards and monitoring measures are put in place for the Birmingham Forest. This could then be used to inform 5 year management plans with each tree related service area deriving annual operating plans from these. Once developed the Tree Management Strategy should be presented to Council for adoption to ensure adherence across all council functions. Progress against agreed targets should be reported to the appropriate Cabinet Member on a 4 yearly basis.	Leader in liaison with Members of the Executive where appropriate	February 19	6: In Progress

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

Much of the basic information required for the development of a city wide tree strategy is available in current adopted documentation and the development of new guidance for other BCC departments such as highways will feed into this proposed overarching document.

However a strategy document such as this should be co designed through engagement with appropriate stakeholders such as those that would form the Birmingham, Forest Group.

It is therefore proposed that this target date be extended to June 2019 allow full and proper consultation and design to take place once the stakeholder group is in place.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R11</b>	That Terms of Reference for a representative, region-wide, independent Birmingham Forest Group be explored. This should comprise experts and interest groups with a focus on trees in the urban landscape with a view to informing the development of an urban tree management strategy and strategic tree related matters across the sub-region.	Leader in liaison with Members of the Executive where appropriate	Step one September 2018  Step two February 2019	1: Achieved (Fully)  6: In Progress

**Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')**

Terms of reference are being gathered from a number of sources to act as a guide for the development of the Birmingham Forest Group ToR's.

Discussion has been had with members of a number of similar organisations such as the White Rose Forest steering Group, The Tree Council, Woodland Trust and the West Midlands Forest and Woods Advisory Council – all of which provide strategic guidance and oversight on a number of tree related matters via a board of interested parties and stakeholders.

A provisional list of stakeholders has been drawn up and will be added to over the coming months and a draft ToR should be available for consideration by the Feb 2019 review period.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
<b>R12</b>	That an assessment of progress against the recommendations in this report be presented to the appropriate Overview & Scrutiny Committee.	Leader	February 19	6: In Progress
Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')				
This document is part of the process for assessment of progress.				

Appendix ③: Concluded Recommendations

These recommendations have been tracked previously and concluded. They are presented here for information only.

concluded

No.	Recommendation	Responsibility	Date Concluded by Overview and Scrutiny Committee	Tracking Assessment