

# **Chainsaw massacre**

A review of London's street trees

May 2007



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# Greater London Authority May 2007

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## Chair's foreword



London Planes, Japanese Cherry, even Silver Birch; trees offset the concrete mass of the city sprawl and frame our houses, offices and shops. Trees are the mark of good urban planning with well-established broad leaf trees offering cool shade in the summer and soaking up rainwater during the rest of the year. Crucially, they are our first line of defence in the fight against global warming as broad leaf trees absorb carbon, preventing its harmful release into the wider atmosphere.

Despite their obvious advantages however, our broadleaf street trees are under severe threat. The London Assembly Environment

Committee has investigated the extent to which some species of trees are being lost on London's streets.

Data collected from the boroughs shows that over the past five years 40,000 trees have been lost whilst 48,000 trees have been planted in London. However, there has been a net loss of street trees in a third of London Boroughs, particularly outer London boroughs. Croydon has lost 2,600 trees and Harrow has lost 5,000 trees over the past five years. London has been losing its mature broad leaf tree stock, due largely to trends and practices to plant smaller trees which are easier and cheaper to maintain, limited budgets, subsidence claims from the insurance industry and a failure of the general public to support the extensive benefits of street trees.

Subsidence damage is often blamed on street trees, with some residents and insurance companies pressurising Councils to remove trees on the flimsiest of evidence. About 2,000 trees have been lost over the past five years because of insurance subsidence claims. We discovered that in some London Boroughs, such as Camden, Brent and Hackney, between 10%-40% of those trees removed every year are due to subsidence claims. The insurance industry must provide better quality investigations, ensuring that accurate and reliable tests are used in order to provide evidence showing that a tree is causing subsidence damage to a property. If they cannot provide the required evidence then they should not be requesting that the local authority remove the tree in question.

Londoners need to play their part too. We have been pleased to discover that within London many communities have successfully become involved in the planting and upkeep of street trees. These pockets of good practice need to become the rule rather than the exception.

Our report calls for a broadleaf tree planting strategy across London to help replace those native species we are losing, such as plane, lime and oak. We would particularly like to see more broadleaf tree planting included in the design and planning of new developments such as Thames Gateway.

We believe that our recommendations will help to keep London one of the greenest cities on the planet.

I would like to give thanks to the rest of the Committee and to everyone who contributed their views and comments to this investigation.

**Darren Johnson AM** 

Chair, Environment Committee

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## 1. Introduction

- 1.1 Street trees have been an important part of London's urban planning since Georgian and Victorian times when parks and squares were established in the inner city. It is estimated that there are close to 500,000 street trees across Greater London (among the 7 million trees in total, including woodlands and parks). London is a remarkably green city an estimated 20 per cent of London's land area is under the canopy of individual trees.
- 1.2 Along side their aesthetic qualities street trees have a vital role to play in adapting London to the effects of climate change and London's "urban heat island effect" by providing shade to buildings and people and preventing water run off.

## Why investigate London's street trees?

- 1.3 Many of London's traditional broadleaf street trees (the London Planes for example) are under threat from development pressures, reduced expenditure by some London Boroughs, a peculiar mixture of public apathy and antipathy and an insurance industry risk averse to subsidence claims. Where once there were broadleaf trees providing ample shade, there may now be smaller ornamental trees. This report examines how London's treescape is changing and makes proposals to protect and promote London's arboreal treasures.
- 1.4 In carrying out its review the Committee has received an extensive body of written evidence spanning regional organisations and campaigns, local authorities and resident groups. We held a meeting in public on 8 March and visited a community street trees project in Hackney<sup>2</sup>.



<sup>&</sup>lt;sup>1</sup> Urban heat island effect - <a href="http://www.london.gov.uk/mayor/environment/climate-change/docs/UHI\_summary\_report.pdf">http://www.london.gov.uk/mayor/environment/climate-change/docs/UHI\_summary\_report.pdf</a>

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<sup>&</sup>lt;sup>2</sup> Further information about the scrutiny process is included in annex A.

## 2. Is London losing its street trees?

- 2.1 The short answer is no. Overall London is not losing its street trees. The London Tree Officers Association (LTOA) conducted, on our behalf, a survey of London Borough tree officers and the data reveals there has in actual fact been a net gain of over 8,000 trees planted across the Capital in the past five years, an increase of just 1.66 per cent (see table overleaf).
- 2.2 However, the overall net gain is not evenly reflected across the capital. This may be to do with budget, political interest, subsidence claims or uncontrolled things like excessive storm damage and we will discuss these issues further later in the report.
- 2.3 There has been a net loss of street trees in a third of London Boroughs. Harrow, for example, has lost 5,000 street trees over the last five years and has only replanted about 2,000 street trees, more than a 16% loss. Croydon has lost 2,600 of its trees in the past five years. Croydon Council state that due to the lack of resources, they have only been able to replace 600 of the trees removed, a net 6% loss.
- 2.4 Two thirds of London boroughs have however planted more trees than they have removed over the previous five years. Redbridge planted over 4,850 trees and removed about 2,880 trees. Barnet were also prolific, planting over 3,700 trees and removing just over 2,400 trees. Richmond planted 2,500 trees and removed 1,400. Lambeth planted over 1,300 trees and removed just under 500 and Southwark planted over 1,750 and removed about 250 trees.
- 2.5 The survey also revealed that the bulk of trees are removed for health and safety reasons often following storm damage. Nevertheless about 5% of all trees removed over the past five years have been as a result of subsidence claims from insurance companies, although some boroughs have reported losses of between 10-40% for this reason.
- 2.6 Although there has been a marginal net gain of street trees in London, over the past five years there has been a 10 per cent turn over in street trees and our evidence shows that there has been a loss of mature broad leaf tree stock. Witnesses attending the Committee's meeting on 8 March confirmed that mature trees have either not been replaced or have been replaced with smaller varieties of trees.<sup>3</sup>

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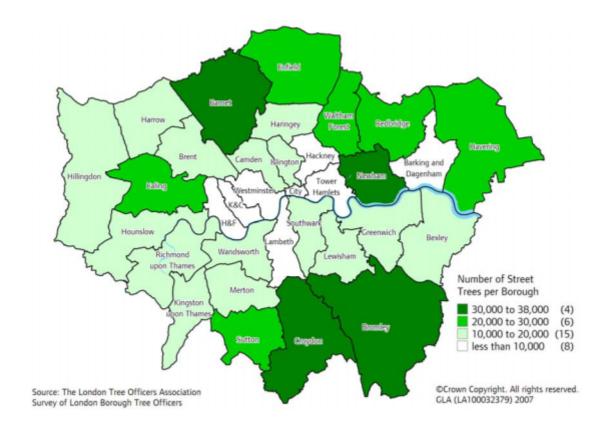
<sup>&</sup>lt;sup>3</sup> Jim Smith, London Tree and Woodland Framework Manager, Environment Committee 8 March 2007

Table 1 – Street Trees - Removals and Planting

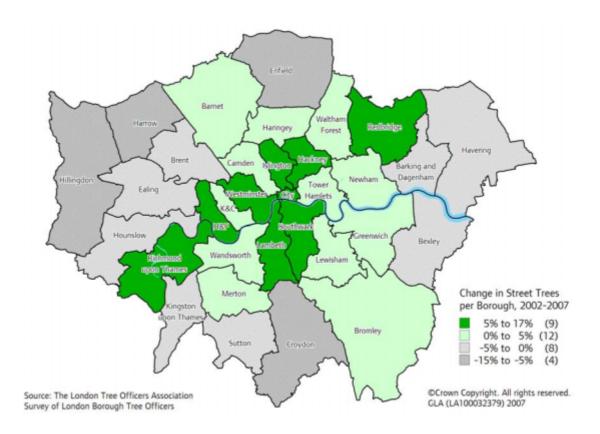
Borough	Total number of trees	Trees removed over past 5 years	Trees planted over past 5 years	Net loss/ gain	Percentage Net loss or gain
Barking & Dagenham	4500	221	133	-88	-1.96
Barnet	36000	2425	3723	1298	3.61
Bexley	11000	1419	1252	-167	-1.52
Bromley	38000	700	1600	900	2.37
City of London	1653	18	147	129	7.80
Croydon	33000	2600	600	-2000	-6.06
Enfield	20000	1950	661	-1289	-6.45
Greenwich	12000	1065	1420	355	2.96
Hackney	7000	325	1350	1025	14.64
Haringey	10000	1229	1617	388	3.88
Hounslow	11275	860	700	-160	-1.42
Islington	10790	1519	2750	1231	11.41
Kensington & Chelsea	7880	310	640	330	4.19
Lambeth	9371	496	1373	877	9.36
Lewisham	12000	808	839	31	0.26
Newham	30000	1200	1600	400	1.33
Redbridge	20872	2884	4871	1987	9.52
Richmond upon Thames	16000	1400	2500	1100	6.88
Southwark	15436	251	1775	1524	9.87
Sutton	22000	1205	600	-605	-2.75
Tower Hamlets	4253	284	345	61	1.43
Wandsworth	14500	1100	1760	660	4.55
Westminster	8400	70	1000	930	11.07
Sub total	328930				
Brent*	18000	1500	1000	-500	-2.78
Camden*	10000	600	1000	400	4.00
Ealing**	26500	3600	3500	-100	-0.38
Hammersmith & Fulham**	8695	612	1100	488	5.61
Harrow*	18000	5000	2000	-3000	-16.67
Havering*	23500	1800	1506	-294	-1.25
Hillingdon***	16000	2000	1000	-1000	-6.25
Kingston upon Thames****	10000	173	102	-71	-0.71
Merton*	14000	300	400	100	0.71
Waltham Forest	22000	N/a	3265	n/a	n/a
Sub total	166695				
Total	495652	39924	48129	8205	1.66

<sup>\*</sup> Estimated figure \*\* Figures are from 2003 \*\*\* Extrapolated from monthly figures to arrive at 5-year figure \*\*\*\* Figure for planting and removal only cover previous year

## Change in the number of street trees per London Borough 2002-2007



## Total number of street trees per London Borough



## **Current protection for street trees**

- 2.7 There are two types of legal protection for street trees available. Firstly, a Tree Preservation Order (TPO) is made by the local planning authority to protect specific trees or a particular woodland from deliberate damage and destruction. TPOs prevent the felling, lopping, topping, uprooting or damaging of trees without the permission of the local planning authority.
- 2.8 Secondly, and carrying less weight than a TPO, protection is afforded to trees within the boundaries of conservation areas. The owner of a tree or anyone that wants to undertake work on a tree within a conservation area must give the local authority six weeks notice of their intentions. If the local authority objects to this work then they can protect the tree by placing a TPO on it. Any tree that is not within a conservation area or covered by a TPO does not have any protection at all.<sup>4</sup>
- 2.9 In practice very few street trees are actually protected by Tree Preservation Orders and the protection is only insofar as the tree does not interfere with the operational aspects of the highway. Local Councils are considered by Central Government to be responsible landowners and therefore making a great many TPOs on street trees would be considered to be an inappropriate use of public funds, but is possible in exceptional circumstances.<sup>5</sup>
- 2.10 This protection consequently appears thin, however, the UK nonetheless has some of the strictest conditions and rules for protecting trees. It is not the protection that is necessarily the issue but the enforcement of this protection. Lack of resources often mean local authorities are unable to enforce the protection measures that are put on planning applications.<sup>6</sup>

## Street tree data collection

- 2.11 Transport for London (TfL) currently does not keep detailed data on street trees but plan to collect data on a regular basis in future. Boroughs do maintain details about the management and maintenance of their street tree stock. However, our review has found that there is not a system in place to collect all of the street tree data held by boroughs to enable analysis and decision making to take place. It is essential that there is better data collection from the boroughs on an annual basis so we can determine the trends in tree planting and loss.<sup>7</sup>
- 2.12 Therefore, boroughs should continue to collect, monitor and analyse their street tree data but this information should also be pooled. We believe that the London Tree Officers Association is best placed to co-ordinate and store the boroughs' street tree data in one central location.

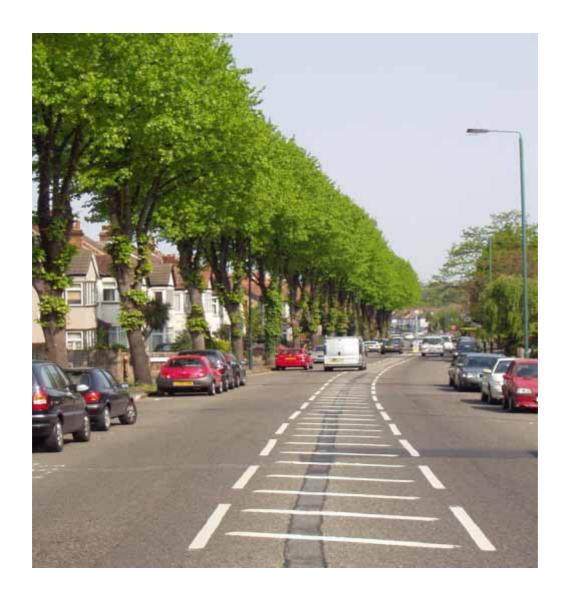
Recommendation 1: The London Tree Officers Association should make public an annual update of Table 1 regarding street tree data to allow for effective monitoring of London's treescape.

<sup>&</sup>lt;sup>4</sup>Environment Committee 8 March 2007

<sup>&</sup>lt;sup>5</sup> Jim Smith, London Tree and Woodland Framework Manager, written submission

<sup>&</sup>lt;sup>6</sup> Environment Committee 8 March 2007

<sup>&</sup>lt;sup>7</sup> London Tree and Woodland Framework Manager's written submission



## 3. Why are street trees cut down?

- 3.1 In March 2005, the Mayor published, "Connecting Londoners with Trees and Woodlands A Tree and Woodland Framework for London". The document sets out actions for maintaining and enhancing trees and woodland in London. It also identified several reasons for the changing treescape in the Capital. These included:
  - the replacing of broadleaf trees with smaller species of trees because of the potential effects of climate change (discussed in chapter 5) and health and safety concerns;
  - the removal of trees because of subsidence related insurance claims; and,
  - inadequate funding for the management and maintenance of trees (discussed in chapter 5).

## **Health and safety**

3.2 The vast majority of trees that are removed are done so for health and safety reasons. These include trees that have been damaged by storms and pose a risk from falling branches; trees that are suffering from disease; and trees that have reached the end of their natural life and could fail structurally. Mature street trees are often replaced with smaller trees because they are cheaper, easier to maintain and, it is believed, are less likely to cause subsidence and damage to neighbouring properties. Boroughs will undertake surveys of trees to see if they pose a health and safety risk before determining if they should be removed.

#### **Subsidence**

- 3.3 A persistent theme to emerge during our review was that insurance companies, solicitors and some home-owners are applying pressure on local authorities to remove trees because of the perceived risk of subsidence to adjacent properties. The LTOA street tree survey revealed that across London about 5 per cent of trees have been removed because of subsidence claims by insurance companies and local residents. However, in some locations in London the problem is more acute, particularly if the soil in these areas is clay based and therefore prone to more movement.
- 3.4 A number of boroughs have seen large numbers of street trees removed due to subsidence related insurance claims. Our survey showed that 40 per cent of the 325 trees removed by Hackney over the past five years was as a result of subsidence claims. Brent has removed 1,500 trees in the past five years, 250 (16%) of these were removed as a result of subsidence claims. Camden has also removed 600 trees with 10% of these due to subsidence claims.
- 3.5 The Mayor's London Tree and Woodland Framework document states that the perceived threat of subsidence is much greater than the actual threat and it is estimated that less than 1% of the total tree population has actually caused damage to properties. This has led to the London Tree and Woodland Framework Manager (LTWF Manager) naturally concluding that insurance industry subsidence statistics should be challenged.
- 3.6 The principle difficulty for managers of street trees is that the supporting information sent in with very many insurance claims is inadequate, often falling below the standards set out in various guidance documents. The lack of sufficient detail does not empower the borough tree officers to make an informed decision about whether to fell a tree because it is believed to be the cause of movement. A number of tests are required to prove conclusively that a tree may be the cause of movement. These tests however are expensive and time consuming which may go some way in explaining the insurance industry's apparent reluctance to provide conclusive and thorough data to local authorities.

<sup>8</sup> "Connecting Londoners with Trees and Woodlands – A Tree and Woodland Framework for London" March 2005 <a href="http://www.london.gov.uk/mayor/environment/forest/docs/ltwf\_full.pdf">http://www.london.gov.uk/mayor/environment/forest/docs/ltwf\_full.pdf</a>

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Table 2 - Proportion of trees removed due to subsidence claims

Borough	Trees removed over past 5 years	Trees removed because of subsidence claims	Trees removed because of Health & safety	% of trees removed due to subsidence claims
Barking & Dagenham	221	0	221	0.00
Barnet	2425	110	2415	4.54
Bexley	1419		1277	N/a
Brent	1500	250	250	16.67
Bromley	700	100	700	14.29
Camden*	600	60	540	10.00
City of London	18	1	4	5.56
Croydon	2600	50	2400	1.92
Ealing	3600	400	2800	11.11
Enfield	1950	50	1900	2.56
Greenwich*	1065	100		9.39
Hackney	325	130	195	40.00
Hammersmith & Fulham	612	21	51	3.43
Haringey**	1229	112	688	9.11
Harrow	5000	50	4500	1.00
Havering	1800	120	500	6.67
Hillingdon	2000	40	1500	2.00
Hounslow	860	5	710	0.58
Islington	1519			N/a
Kensington & Chelsea	310	30	280	9.68
Kingston upon Thames	173	0	173	N/a
Lambeth	496	20	476	4.03
Lewisham***	808	32	388	3.96
Merton	300	40	200	13.33
Newham	1200	5	1200	0.42
Redbridge	2884	38	2826	1.32
Richmond upon Thames	1400	1	1399	0.07
Southwark	251	120	105	47.81
Sutton	1205	33	1155	2.74
Tower Hamlets	284		284	N/a
Waltham Forest				N/a
Wandsworth	1100	100	1000	9.09
Westminster	70	5	20	7.14
Total	39924	2023	30157	5.07

<sup>\*</sup> Estimate \*\* Since 2004 \*\*\* Covers past 18 months

- 3.7 The Association of British Insurers (ABI) informed us that there about 15,000 subsidence claims in the UK every year and about 70% of these cases will be caused by a combination of shrinking clay and unmanaged vegetation, which may or may not include a tree. They state that the majority of subsidence cases are associated with one or more trees positioned too close to a property. They accept that only a small percentage of urban trees result in such difficulties and have investigated the use of DNA testing as well as root excavations in order to establish which tree is causing the problem.<sup>9</sup>
- 3.8 The LTOA has challenged the figures and stance of the ABI regarding subsidence issues and street trees. The LTOA claims that insurance companies, on behalf of some residents, are putting pressure on local authorities to remove street trees without having the evidence to prove that the tree is to blame for any cracks or subsidence damage to the property. Andy Tipping, Chair of the LTOA said that,

"Normally we deal with insurance companies day in and day out and 100% of the time the tree is asked to be removed in quite farcical circumstances. In a lot of cases the trees can be 20 or 30 metres away from the property. A root has not been found. The soil is not desiccated, it is not even clay, and they will ask for a tree to be removed." <sup>10</sup>

- 3.9 The Committee were also informed that the threat of insurance claims could influence the decision on whether to retain or replace street trees. Southwark's tree officer claims that smaller, shorter living species are planted which expose the local authority to less risk of an insurance claim, leading to a degrading of local amenity and character as street greening is out of scale with the built environment.<sup>11</sup>
- 3.10 In a recent newspaper article, Peter Osborne, an independent chartered insurer, states that Westminster Council had to pay out more than £1m in 2001 after a losing a long legal fight over subsidence caused by one tree. He estimates that there were £25m worth of tree related subsidence claims against London Boroughs in 2003. Local authorities have to protect themselves against this sizeable financial risk.
- 3.11 There are a number of initiatives being developed to try and improve the situation. The LTOA and other organisations have worked together on the recent revision of the "A Risk Limitation Strategy for Tree Root Claims 2007", which addresses the complex issues of tree maintenance, management and subsidence. This strategy includes the development of a new valuation system known as CAVAT (Capital Asset Value for Amenity Trees) to value street trees in the context of insurance claims. It also contains the Joint Mitigation Protocol between the Association of Local Authority Risk Managers (ALARM) and the insurance industry. This welcome development is aimed at ensuring that the insurance industry provides more detailed information so boroughs can process tree root related subsidence claims more quickly.<sup>13</sup>

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<sup>&</sup>lt;sup>9</sup> ABI written submission and meeting between ABI and Chair of the Environment Committee on 5 April 2007

<sup>&</sup>lt;sup>10</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>11</sup> Southwark Council written submission

<sup>&</sup>lt;sup>12</sup> Guardian newspaper article 3 May 2007

<sup>&</sup>lt;sup>13</sup> LTOA written submission

3.12 In support of these good intentions, the Association of British Insurers should inform their members that they must provide a greater burden of proof through accurate and reliable tests which prove a tree is, on the balance of probabilities, the cause of subsidence

Recommendation 2: The insurance industry needs to provide evidence of better quality investigations that comply with nationally recognised guidance ensuring that accurate reliable tests are used in the investigation of tree root related subsidence claims. (Association of British Insurers)

- 3.13 The LTOA has confirmed that boroughs across London are contesting the claims made by insurance companies. 14 Graham Simmonds from Trees for Cities highlighted Westminster has a good example of best practice and competence as they made every reasonable attempt to save a tree wherever possible. He concluded, however, that, "sadly this is not the case with all London boroughs." 15
- 3.14 The Committee recognises that on the whole Boroughs do contest tree root related subsidence claims from insurance companies. However, there are no grounds for complacency. All Boroughs should continue to do everything within their power to prevent the loss of street trees, particularly where there is a lack of evidence for a tree to be causing structural damage to a property. If the removal of a tree is unavoidable, then a replacement should be planted in a suitable location within the area.

Recommendation 3: London Boroughs should do everything within their power to prevent the loss of street trees, but where the removal of a tree is unavoidable, replacement trees should be planted in suitable and agreed locations within the same vicinity.

3.15 The Mayor's Tree and Woodland Framework advocates a "Right Place, Right Tree" approach, which seeks to ensure that new planting and colonisation are appropriately located and designed. The Committee support this approach. However it is hoped that if a greater burden of proof is required of the insurance industry then a better system may begin to operate in dealing with tree claims and replacement. If we can diminish the sense of conflict between the boroughs, homeowners and insurance companies when a tree is at risk of removal for subsidence or health and safety reasons, a suitable replacement could be part of the settlement between the parties. Greater awareness of the issues involved should ensure that it is of a species that provides Londoners with a better looking and more shady defence against the effects of climate change.

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<sup>&</sup>lt;sup>14</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>15</sup> Trees for Cities written submission

## 4. Public call for action

4.1 If a resident can demand that a tree be removed, why can't a resident seek to protect or plant a tree in their own street? One of the conclusions reached by the LTOA was that there was a need for boroughs to engage with communities and provide them with better education about street trees. <sup>16</sup> It is a conclusion based on sound evidence obtained from projects in London which have demonstrated that where the public do become engaged in tree planting and maintenance schemes, homeowners and residents rather than posing a threat to street trees become their sponsors.



## **Community Street Tree Projects**

- 4.2 The London Tree and Woodland Framework document advocates tree planting to enhance the street scene. Street trees can improve residential areas and the quality of life of local residents by making a street more pleasant to live in. Community street tree schemes involving local authorities, organisations such as Trees for Cities and Groundwork and local residents can help to improve engagement and encourage communities to get involved with the planting, maintenance and protection of their street trees.
- 4.3 The Lansbury Estate residents group in Poplar, informed us that they had complained about the lack of street trees on their estate. The group had

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<sup>&</sup>lt;sup>16</sup> Environment Committee meeting 8 March 2007

become frustrated at the unwillingness of Tower Hamlets Council to engage with their community regarding street tree issues. They claim that the Council had not consulted properly with them regarding the planting of the trees, so the trees had been planted in the wrong places and there had been unsuitable aftercare.

4.4 However, the situation has been partially remedied after Tower Hamlets Council funded Trees for Cities to engage and work with the community on street tree planting projects. Trees for Cities claim that community tree planting schemes can help to protect the trees and have been successful in reducing vandalism of trees. The Committee undertook a site visit to one such project in Hackney.

## Case Study: Tree 4 Tree Project, Northwold area, Hackney

The Environment Committee visited a tree planting scheme in the Northwold area of Hackney on 28 March 2007. The project was undertaken by the London Borough of Hackney, Groundwork East London and local residents.

The planting in the Northwold Area formed part of a Tree4Tree project which was funded by Single Regeneration Budget (SRB 6) - Places and People - Urban Forest Programme in 2001/2 delivered through Groundwork East London(GWEL) in partnership with the LB Hackney and local community.

The Tree4Tree street tree project comprised of 288 street trees across Hackney, with 100 of these being planted in the Northwold area. It was designed to get local communities together in a street tree planting programme. Hackney said that harsh urban landscapes could be transformed providing environmental, social and economic advantages to large communities. The residents contributed towards the cost of a tree, this was then matched "Tree4Tree". Taking this approach really encouraged residents to want to have trees and respect them.

- £57,902 Overall cost of Tree4Tree Project broken down as follows;
- £5,608 Tree Sponsorship 10%
- £2,788 Tree Officer time (SRB6)
- £5,500 London Borough of Hackney
- £40,614- Capital costs (SRB6)
- £200/per tree Approximately

There were four stages: consultation; survey; street tree planting; and aftercare. Hackney and Groundwork worked in partnership to deliver this project with local residents.

Initially a member from the community would "Champion" the road/area and with guidance would canvass their fellow residents in a basis consultation to see if any resident had an objection to a tree planted outside of their property (these views were taken into account). A more detailed survey's for services and site positions with the Arboriculturist and local authority were undertaken. Tree species selection by the Arboriculturist and discussed with the residents for the appropriate tree for location the Right Tree Right Place.

Tree planting was undertaken by qualified operatives who were under contract

to ensure that the trees were planted correctly and safely.

Residents contributed towards the cost of a tree which was approximately 10% of the overall planting costs and the SRB6 funded the remaining 90%, this total was then matched for another tree "Tree4Tree". Taking this approach really encouraged residents to want to have trees and respect them.

Planting a tree is only the start, keeping involved with the communities means their interest is continued so young trees establish, and they feel they haven't been left to it. Tree maintenance, watering, checking for loose ties stakes and cages also formed part of the aftercare. This is for a minimum of three years; the most critical time for a young tree to establish. The greater the level of resident participation in aftercare ensures the greatest level of establishment, particularly when run in parallel with contracted care.

This project has formed part of a wider developing street tree planting programme across Hackney. Hackney Council and Groundwork East London have planted 1,350 street trees over the past five years and the Mayor of Hackney has a priority commitment to plant 1,000 new trees by 2010. From the Tree4Tree project a Tree Carer's Network scheme has been piloted to engage residents in adopting a tree in its care to aid with watering and monitoring.

- 4.5 The above examples in Hackney and Tower Hamlets illustrate that the use of Trees for Cities, Groundwork London and other environmental organisations by local authorities can help to improve engagement with local communities. These partner bodies can be useful in providing a link between local authorities and communities in supporting local tree planting and maintenance schemes.
- 4.6 However, it is not just about planting new trees but also protecting trees that may be under threat. Effective engagement includes local authorities improving their consultation with residents regarding trees under threat. Residents have the right to know if a tree is to be removed and the reasons for doing this. They should have ample time to have their views on a threatened tree considered by the local authority, in order to try and save the tree wherever possible.
- 4.7 We support more effective community engagement by boroughs and their partner organisations and better education for the public regarding street trees. The public can be encouraged to become involved in projects that plant, protect and maintain trees. The public should also be consulted upon regarding any trees under threat of removal. We would like to see this model of best practice in community street tree planting and community engagement between local authorities, partner organisations and residents shared and practiced across London.

Recommendation 4: The London Tree & Woodland Framework and London Tree Officers Association should disseminate to boroughs and other organisations best practice on street tree community engagement schemes, including consultation on threatened trees, to encourage greater participation by the public in street tree planting, maintenance and protection.



## 5. How are trees managed?

5.1 Street trees need to be properly maintained to ensure that they survive for a long time. The ownership, management and maintenance of street trees depend on which streets they are found. London Boroughs look after street trees on borough controlled roads; Transport for London on the Transport for London Road Network (TLRN); and a small percentage are privately owned. It is important that these organisations and private owners are committed to properly protecting, managing and maintaining the street trees under their responsibility.

## **Borough Trees**

- 5.2 Often local authorities sub-contract their tree maintenance function. This has led to a criticism that in doing so local authorities have sacrificed how and when trees are maintained and that local authorities often lack the expertise to properly audit the contractors' work.<sup>17</sup> The London Forum of Civic Societies is concerned that work was not conducted at suitable intervals and not to BSI standards.
- 5.3 The practice of excessive pollarding and use of chainsaws for tree maintenance by borough sub-contractors has also been challenged by residents across London. For example, pollarding is best done in January or February, but as. Gwyn Calley informed the Committee Waltham Forest practices all year round pollarding:

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<sup>&</sup>lt;sup>17</sup> London Forum of Civic Societies written submission

"When trees are pollarded they are ugly. I would personally prefer the road to be allowed to form a natural canopy of branches. Last year the Council managed to start the pollarding about early June, did the next in late August, finishing off in the Autumn. They made a beautiful road look like a tree massacre scene for the entire Summer." <sup>18</sup>

- 5.4 Martin Wright from Lambeth also challenges the need for boroughs to excessively pollard trees. He informed the Committee that:
  - "large trees such as planes have been ruthlessly lopped: not only are the main trunks cut off about 30 feet from the ground, but every lateral shoot is also stripped away, leaving barren stumps against the skyline. Last year this was done just when the trees should have been coming into leaf." <sup>19</sup>
- 5.5 The LTOA explained that boroughs managed several thousands of trees and it was not possible to confine tree maintenance to a few weeks per year. It was a case of necessity rather than insensitivity that led to all year round pollarding.<sup>20</sup>
- 5.6 Heavy pruning is, however, sometimes taken up by local authorities.

  Government research comparing heavy crown reduction against crown thinning in terms of its effect on controlling water uptake concluded that crown reduction rather than crown thinning had more effect on controlling water uptake by trees.<sup>21</sup>
- 5.7 The sub-contracting process presents an opportunity for best practice to be disseminated across London. A best practice guide for tree maintenance including pollarding should be distributed to all London boroughs and used as part of any tendering requirements for a sub contractor to secure work.

Recommendation 5: The London Tree & Woodland Framework and the London Tree Officers Association should develop and disseminate a best practice template that can be referred to by Borough and their sub-contractors when undertaking tree maintenance, including pollarding.

<sup>&</sup>lt;sup>18</sup> Gwyn Calley written submission

<sup>&</sup>lt;sup>19</sup> Martin Wright written submission

<sup>&</sup>lt;sup>20</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>21</sup> Environment Committee meeting 8 March 2007



## **Funding**

- 5.8 All this work however ultimately requires funding. A lack of adequate funding has led to poor quality maintenance, less planting, inadequate engagement with communities and poor auditing of sub contractors.
- 5.9 A local authority's annual tree management budget is on average about £271k.<sup>22</sup> The level of a budget inevitably affects the ability of boroughs to manage street trees effectively. Pressures to reduce Council Tax could mean that there is less money to spend on tree officers and planting and maintaining trees, especially as tree maintenance is not something measured by the Audit Commission when it arrives at its star rating for a council's overall performance.
- 5.10 Maintenance budgets are also adversely affected should a natural event such as a storm prompt urgent action.<sup>23</sup> In addition, the cost of replacing dead, dying or dangerous trees can be taken out of budgets, although specific funding from Cleaner Greener Safer projects is available depending on priorities expressed by local Community Councils.<sup>24</sup>

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<sup>&</sup>lt;sup>22</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>23</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>24</sup> Southwark Council written submission

5.11 Trees for Cities has suggested that funding for tree planting should be ring fenced in the budget, so even if there is storm damage the money for new planting would not be taken away.<sup>25</sup>

Recommendation 6: London Boroughs should allocate more funding for tree planting and maintenance. They should establish action plans to plant more trees and monitor annual targets to prevent any loss of street trees.

5.12 We also believe that innovative ways such as match funding and sponsorship should be explored. Boroughs already receive \$106 money from private developers, which can be used for tree planting. The problem is that the borough is left with the cost of maintaining the trees. Boroughs should be requesting funding from developers to cover planting and the ongoing maintenance of trees. We have identified Hackney Council's Tree4Tree project in chapter 4 as a successful example of using match funding and sponsorship to fund tree planting.

Recommendation 7: The London Tree & Woodland Framework and London Tree Officers Association should ensure that best practice in obtaining match funding and sponsorship is shared with Boroughs and other organisations across London, including securing maintenance funding through Section 106 planning agreements on new developments.

Recommendation 8: The London Tree Officers Association to produce London Trees - a survival guide which will draw together best practice in terms of community engagement, funding, planting, maintenance and protection.

## **Transport for London**

- 5.13 Transport for London (TfL) is responsible for the management of street trees on London's busiest roads, also known as red routes. The LTOA has criticised TfL for lacking an overall strategy to its tree management which has led to unacceptable practices such as allowing large dead trees to remain standing in high risk situations near busy roads, and employing contractors with questionable working practices regarding health and safety.<sup>26</sup>
- 5.14 TfL rejected these concerns<sup>27</sup> and confirmed that it has set up new Highway Maintenance & Works Contracts with contractors. It is implementing a new Highway Asset Management Plan, which will also include arboricultural, landscape and biodiversity management plans.
- 5.15 Trees for Cities wanted to see greater flexibility introduced by TfL in its planting specifications, thereby increasing the opportunities for tree planting along red routes. Nicola Cheetham from Tfl said that ideally they preferred not to use tree pits but if used they would advocate 1.5m square specifications for tree

<sup>&</sup>lt;sup>25</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>26</sup> LTOA written submission

<sup>&</sup>lt;sup>27</sup> Environment Committee meeting 8 March 2007

<sup>&</sup>lt;sup>28</sup> Environment Committee meeting 8 March 2007

- planting. She said that she would ensure that their sub-contractors were aware of this policy.<sup>29</sup>
- 5.16 We are pleased that TfL are implementing a new Highway Asset Management Plan, which will include their tree management plans. TfL should ensure that best practice on tree management and maintenance is contained within this Plan and that it conforms where practicable to the best practice we expect to see disseminated across boroughs.

Recommendation 9: TfL should conform to best practice on tree planting and maintenance in line with local authority practices into its Highway Asset Management Plan.



# The future for the London Tree and Woodland Framework Effectiveness of the LTWF

- 5.17 The Mayor's 2005 report, "Connecting Londoners with Trees and Woodlands A Tree and Woodland Framework for London" led to the appointment of Jim Smith as the Framework Manager to manage the implementation of the recommendations with input from other key stakeholders.
- 5.18 The effectiveness of the new framework has been called into questions by some of the boroughs; some of whom have argued that the framework underestimates

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<sup>&</sup>lt;sup>29</sup> Environment Committee meeting 8 March 2007

- the value of street trees<sup>30</sup> and places too much emphasis on planting to the detriment of the establishment and maintenance of trees<sup>31</sup>.
- 5.19 Despite some concerns about the Framework, the LTOA and boroughs remain supportive of the introduction of a LTWF manager. They believe that the role is especially important in galvanising groups of stakeholders into working together.
- 5.20 The London Tree & Woodland Framework is important in setting out actions for the management, maintenance and protection of London's trees and woodland. However, after two years since it was launched, we would like to see the document reviewed and evaluated in order to take account of the recommendations we have made in this report. We also see a role for the Framework Manager in helping to take forward the recommendations in this report with members of the LTWF and LTOA.

Recommendation 10: The London Tree and Woodland Framework document should be reviewed in order to take account of the recommendations in this report.

## Boosting the importance of street trees in adapting London to climate change

- 5.21 The Mayor's "London's Urban Heat Island" report states that street trees can be beneficial in mitigating the effects of climate change by providing shade to properties and people when temperatures soar, and attenuating water run-off. It is important to recognise which types of trees will be able to flourish in London in the future when the climate changes and temperatures rise and the weather becomes more unpredictable.
- 5.22 One way of trying to boost the number of trees in the capital is to seek to ensure that more trees are planted in new developments. We understand that the LTWF Manager is stimulating a dialogue between architects, urban designers and tree managers so that the LTWF Right Place Right Tree Initiative is included in the decision-making and planning process for all new developments in London. The GLA has also said that building regulations should insist that new developments are constructed with foundations adequate enough to allow the planting of street trees of sufficient size and scale to adapt to climate change.
- 5.23 We agree with all of this. However, the Green Badge scheme advocated in the Mayor's Climate Change Action Plan makes no specific reference to the maintenance of trees for large offices, factories and other public buildings. It is vital that the Action Plan is amended to include this so that pressure can be brought to bear on current landlords and future developers and urban designers, so that they include tree planting and maintenance in the design and planning of new developments.

Recommendation 11: The London Tree and Woodland Framework and GLA should ensure that tree planting and maintenance is included in the Green Badge Scheme for building and development.

<sup>&</sup>lt;sup>30</sup> Islington Council written submission

<sup>31</sup> Barnet Council written submission

- 5.24 We also believe that there is a need for a specific broadleaf tree strategy in London. Even though there has not been a net loss of street trees in London, it is apparent that there has been a change in the types of trees being planted by boroughs and other organisations. Lovejoy Consultants advocate the need for a long-term strategy by the Mayor for replacing and replanting London's veteran tree stock to mitigate the effects of climate change and higher temperatures by providing shade to buildings and people and preventing water run off.
  - "Greater emphasis needs to be placed on a deliverable phased replacement and replanting programme for London's veteran tree stock. Failure to achieve this now will have a profound impact on London's reputation as an internationally renowned green city." 32
- 5.25 A strategy is required because broad leaf trees cannot be planted everywhere, as some locations will not have adequate space. Also, because they are large this will increase maintenance costs. Any strategy must seek to ensure that there is adequate space for them to be planted and maintained, for example on appropriately wide streets. The Thames Gateway is a perfect example of an opportunity where broad leaf trees can be planted at locations where there is appropriate space for them.
- 5.26 We also have to be mindful of the need for adequate and sustainable watering regimes to ensure the survival of broadleaf trees in future. This will be particularly important with less rainfall and higher temperatures predicted. Also, if water leakages are fixed then street trees will not be able to benefit from this extra water.
- 5.27 We would like to see the LTWF and the GLA be proactive in taking forward our proposal for a broadleaf tree strategy for London so that larger trees like the plane, lime and oak can be planted on our streets and in new developments like Thames Gateway, where there is appropriate space for them to be planted. The provision of sustainable watering regimes should also be included as part of this strategy. We believe that if implemented this strategy will help to adapt London to the effects of climate change on the Capital in the future and help maintain London's status as one of the greenest cities on the planet.

Recommendation 12: The London Tree and Woodland Framework and GLA should provide proposals for including a broadleaf tree planting strategy for London.

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<sup>&</sup>lt;sup>32</sup> Lovejoy Consultants written submission

## **Annex A - Recommendations**

## **London Tree Officers Association and London Boroughs**

**Recommendation 1:** The London Tree Officers Association should make public an annual update of Table 1 regarding street tree data to allow for effective monitoring of London's treescape.

**Recommendation 3:** London Boroughs should do everything within their power to prevent the loss of street trees, but where the removal of a tree is unavoidable, replacement trees should be planted in suitable and agreed locations within the same vicinity.

**Recommendation 6:** London Boroughs should allocate more funding for tree planting and maintenance. They should establish action plans to plant more trees and monitor annual targets to prevent any loss of street trees.

**Recommendation 8:** The London Tree Officers Association to produce London Trees - a survival guide which will draw together best practice in terms of community engagement, funding, planting, maintenance and protection.

#### **London Tree & Woodland Framework**

**Recommendation 10:** The London Tree and Woodland Framework document should be reviewed in order to take account of the recommendations in this report.

#### London Tree & Woodland Framework and London Tree Officers Association

**Recommendation 4:** The London Tree & Woodland Framework and London Tree Officers Association should disseminate to boroughs and other organisations best practice on street tree community engagement schemes, including consultation on threatened trees, to encourage greater participation by the public in street tree planting, maintenance and protection.

**Recommendation 5:** The London Tree & Woodland Framework and the London Tree Officers Association should develop and disseminate a best practice template that can be referred to by Borough and their sub-contractors when undertaking tree maintenance, including pollarding.

**Recommendation 7:** The London Tree & Woodland Framework and London Tree Officers Association should ensure that best practice in obtaining match funding and sponsorship is shared with Boroughs and other organisations across London, including securing maintenance funding through Section 106 planning agreements on new developments.

## **London Tree & Woodland Framework and Greater London Authority**

**Recommendation 11:** The London Tree and Woodland Framework and GLA should ensure that tree planting and maintenance is included in the Green Badge Scheme for building and development.

**Recommendation 12:** The London Tree and Woodland Framework and GLA should provide proposals for including a broadleaf tree planting strategy for London.

## The Association of British Insurers

**Recommendation 2:** The insurance industry needs to provide evidence of better quality investigations that comply with nationally recognised guidance ensuring that accurate reliable tests are used in the investigation of tree root related subsidence claims.

## **Transport for London**

**Recommendation 9:** TfL should conform to best practice on tree planting and maintenance in line with local authority practices into its Highway Asset Management Plan.

## Annex B – Environment Committee Members

Darren Johnson, Chair Green

Tony Arbour Conservative Angie Bray Conservative Peter Hulme Cross One London Murad Qureshi, Deputy Chair Labour Labour

Valerie Shawcross

Mike Tuffrey Liberal Democrat

The terms of reference for the loss of street trees in London review were:

To assess how effective the Tree and Woodland Framework has been regarding the protection, maintenance and management of London's street trees.

The investigation posed the following questions:

- Has there been a loss of street trees in London? If so, what are the reasons and what is the impact of this loss?
- What types of trees have been planted to replace street trees and which types have proved most suitable for London's street environment? Which types of trees will need to be planted in the future to mitigate any effects from climate change?
- What are the social, environmental and economic benefits of street trees?
- What best practice exists in the management of street trees?
- How are the Mayor's policies regarding street trees taken into account when planning developments, such as the Thames Gateway?
- How effective has the Tree and Woodland Framework been regarding the protection, maintenance and management of London's street trees?
- What improvements, if any, could be made to policies regarding street trees?

#### Contact:

Richard Davies, Assistant Scrutiny Manager Richard. Davies@london.gov.uk

Tel: 020 7983 4199

## **Annex C - Scrutiny Process**

## Information gathering

This included:

- obtaining written views and information from the key stakeholders and members of the public;
- placing an advertisement in local media and environmental trade magazines requesting the views of local residents and professionals; and,
- Including an item on the Assembly home page to encourage people to send us their views.

## **Written information**

01	Trees for Cities	36	Haringey Council
02	Council of Mortgage Lenders	37	Camden Council
03	Forestry Commission	38	Transport for London
04	Government Office for London	39	London Development Agency
05	Newcastle City Council	40	Brent Council
06	Canary Wharf Management Ltd	41	London Tree Officers Association
07	Duramen Tree Care	42	Croydon Council
80	Birmingham City Council	43	Tequila London
09	Finchley resident	44	Enfield Council
10	Barnsley resident	45	London resident
11	Hounslow Council	46	Kensal Rise resident
12	Corporation of London	47	Peckham resident
13	City of Westminster Council	48	Harrow resident
14	Groundwork London	49	Leytonstone resident
15	Manchester City Council	50	Wandsworth resident
16	Lewisham Council	51	Greenwich resident
17	Street Trees Limited	52	Association of British Insurers
18	Havering Council	53	London resident
19	The Royal Parks Agency	54	Tottenham resident
20	Hackney Council	55	Bexley Civic Society
21	Islington Council	56	Ruislip resident
22	Natural England	57	Merton & Sutton Mediation
23	Redbridge Council	58	Lambeth resident
24	Outdoor Advertising Association	59	Poplar resident
25	Greenwich Council	60	London resident
26	Lovejoy Consultancy	61	Croydon resident
27	Hillingdon Council	62	London Forum of Civic Societies
28	EnviroScience	63	Drivas Jonas
29	English Heritage	64	Stratford resident
30	London Tree & Woodland	65	Wandsworth resident
	Framework Manager	66	Bexley resident
31	Barnet Council	67	Landscape Planning Ltd
32	Greater London Authority	68	Hoxton resident
33	Bromley Council	69	Knightsbridge association
34	Liverpool City Council	70	Hammersmith resident
35	Ealing Council		

## **Evidentiary hearing**

Experts attended the evidentiary hearing of the Environment Committee on 8 March 2007 to provide further verbal evidence to the Committee. These were in alphabetical order:

Nicola Cheetham – Environmental Manager, Transport for London

Martin Kelly – Managing Director, Lovejoy Urban Design and Architects

Graham Simmonds – Chief Executive, Trees for Cities

Jim Smith – London Tree and Woodland Framework Manager

Andy Tipping – Chair, London Tree Officers' Association

## Site visit

The Committee met with representatives from the London Borough of Hackney, Groundwork East London and residents on a visit to a local community street tree-planting scheme in Stoke Newington on 28 March 2007.

## **Annex D – Principles of London Assembly scrutiny**

## An aim for action

An Assembly scrutiny is not an end in itself. It aims for action to achieve improvement.

#### Independence

An Assembly scrutiny is conducted with objectivity; nothing should be done that could impair the independence of the process.

## Holding the Mayor to account

The Assembly rigorously examines all aspects of the Mayor's strategies.

#### **Inclusiveness**

An Assembly scrutiny consults widely, having regard to issues of timeliness and cost.

## Constructiveness

The Assembly conducts its scrutinies and investigations in a positive manner, recognising the need to work with stakeholders and the Mayor to achieve improvement.

## **Value for money**

When conducting a scrutiny the Assembly is conscious of the need to spend public money effectively.

## Annex E – Orders and translations

#### How to Order

For further information on this report or to order a copy, please contact Richard Davies, Assistant Scrutiny Manager, on 020 7983 4199 or email Richard.davies@london.gov.uk

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