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**ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL**

A meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel was held on 8 September 2020.

**PRESENT:** Councillors Saunders, (Chair), Hubbard, (Vice Chair), Arundale, Branson, Coupe, Furness, Lewis and M Storey

**ALSO IN ATTENDANCE:** S Hulse-Raper, BYCA

**OFFICERS:** S Bonner, J Dixon, S Lightwing, A Mace, G Robinson, M Shepherd, P Thwaites, R Ward

**APOLOGIES FOR ABSENCE** None submitted..

**DECLARATIONS OF INTERESTS**

There were no Declarations of Interest at this point in the meeting.

**1 MINUTES - ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL - 15 JULY 2020**

The minutes of the meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel held on 15 July 2020 were taken as read and approved as a correct record.

**2 BORO YOUTH CLIMATE ACTION TEAM**

The Head Co-ordinator of the Boro Youth Climate Action (BYCA) team provided a presentation in relation to the aims and objectives of the team. The BYCA was established in February 2020 to spread the message of the climate crisis. Unfortunately the current Coronavirus pandemic had hampered efforts to date.

The aims of the BYCA were as follows:

- To educate and inspire young people to think about the ongoing climate crisis and take action.
- To educate teachers and adults of how to be more environmentally sustainable.
- To help make Middlesbrough a more environmentally friendly town.
- To ensure that Climate Change is being taught efficiently in schools across Middlesbrough.
- To help local businesses become more environmentally friendly.

The main focus was on education as the primary way to help spread the message to young people and future generations. The BYCA could not achieve its aims without the support of the wider community as it was only a small group of nine at the present time. However, the BYCA was keen to engage with the Council and local businesses to be able to share their thoughts and ideas.

A Panel Member suggested looking at the impact of transport and how more walking and cycling could be encouraged as well as looking at the issues of traffic outside of schools. It was highlighted that the Council had an emerging Green Strategy, which was for the whole town, and an invitation was extended to the BYCA to become involved in the initiative. Another suggestion was for the BYCA to be involved with Friends Groups. There were a number of such Groups throughout the town who were involved in tree planting events among other initiatives.

The BYCA currently used Instagram as its main social media platform to encourage young people to get involved and it was proposed that the Council might be able to promote this on its own website.

The Chair thanked the Head Co-ordinator for the presentation and on behalf of the Panel Members wished the BYCA every success.

**AGREED** that:

1. the information provided was received and noted.
2. the DSO would provide the Head of Environment Services and the Communications Manager with BYCA's contact details to enable the suggestions made at the meeting for links with the Council to be developed.

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**TREE POLICY AND GOOD MANAGEMENT OF TREES**

The Senior Area Care Manager gave a presentation in relation to the Council's Tree Policy and good management of trees. Middlesbrough Council's Tree Policy was introduced in February 2011 and last reviewed in 2016. A further review of the Policy was underway currently and would conclude in February 2021. The Policy was a means of determining what action could be undertaken by the Council to ensure there was a consistent and methodical approach to assessing tree-related issues by all Council Officers.

The Policy provided information, guidance, and criteria relating to when trees owned by the Council could be pruned or felled. The Policy was written in plain, non-arboricultural terms so that it could be easily understood and a copy was available on the Council's website. Paper copies of the document were available on request.

Good tree management was about managing the risk from trees and not necessarily pruning or felling them. Urban trees provided environmental, social and economic benefits. Environmental benefits included air pollution control, bio-diversity, noise reduction, carbon sink (removing carbon dioxide from the atmosphere) and had a positive impact on climate change. Social benefits included improving physical and mental health and wellbeing, reducing crime and providing food and community links. The potential economic benefits were: increased property values, improvement environmental performance of buildings, creating positive perceptions of an area and provision of a long-term renewable energy source.

Complaints in relation to trees received by the Council from residents included the following issues:

- Too large and blocking out sunlight.
- Too tall, too wide and unsafe.
- Interfering with television, CCTV and radio reception.
- Branches overhanging gardens.
- Creating a nuisance such as:
  - falling leaves, sap, fruit, nuts, bird droppings or blossom;
  - reduction or increase of moisture in gardens;
  - suckers or germinating seedlings in gardens;
  - leaves falling into gutters, drains or onto flat roofs;
  - the build-up of algae on fences, paths or other structures.

The Council had taken guidance on trees and the law. There were two types of law: Civil Law and Statutory Law. Civil Law stated that all landowners had a duty of care to ensure that reasonable steps were taken to avoid acts or omissions that caused a reasonable foreseeable risk of injury to persons or property. Statutory Law included the Health and Safety at Work Act 1974 and the Occupier's Liability Acts 1957 and 1984.

Under Common Law, tree owners had an obligation to abate nuisance, which included dangerous trees or parts of trees and actual damage to property such as direct damage by branches or roots. The six main areas were: ownership, responsibility, overhanging boundaries, blocking light and views, interference with television and radio reception and falling leaves and berries. It was noted that there was no right to light, a view or good reception, in law. When assessing ownership there could be potential boundary issues. Responsibility for ensuring that overhanging trees were not dangerous or causing direct damage generally rested with the tree owner. Falling leaves and berries, although often

troublesome, were not generally a nuisance in legal terms.

Both Statute and Common Law required landowners to have an understanding of their tree stock, undertake risk assessments to identify potential hazards and take reasonable practical steps to manage the risk from their trees.

When carrying out a Tree Survey, the details recorded included: who undertook the survey, how often, the method (digital or paper based), the specification and who owned the land the tree was on. The Council used the Treewise system to collect survey data. Treewise was an established programme and the information gathered included: location, owner, species, planting year, inspection, regime, height, diameter at breast height (Dbh). It was also important to know the age of the tree, the vigour - whether it was growing, struggling or thriving, useful life expectancy, defects, recommended abatement works and potential management issues. Other data that could be collected was in relation to Tree Preservation Orders (TPOs), conservation area and an estimate of the cost of any works required. The Quantified Tree Risk Assessment System (QTRA) was used to provide a numerical basis for a threshold of acceptable and tolerable risk.

In order to attain good tree management the following steps, which the Council had been following for a number of years, were recommended:

- Formulate a Tree Strategy and Policy that is clearly communicated to customers.
- Undertake Tree Surveys.
- Carry out any required works to BS 3998:2020 Tree Works Standards.
- Once hazard abatement works are complete, look at a more proactive approach and on-going management.
- Involve residents from the outset and in projects such as wildlife awareness and tree planting.

In response to a query regarding Ash Dieback disease, the Senior Area Care Manager confirmed that not many cases had been reported to date in the north east but there would be a watching eye on the situation. With regard to diseased cherry trees removed in Stainton and Thornton Ward, the Council was working with the local Friends Group to plant new trees as appropriate.

The Council's initiative to plant ten thousand trees was praised and a request was made to ensure that they were planted in appropriate locations where they would not cause damage to paths and roads. The Officer confirmed that the Council was currently looking at planting plans for 2021 and the locations would be carefully chosen.

With regard to the Tree Policy it was suggested that a more proactive approach to maintenance would help avoid some complaints. Whilst regular tree pruning was not currently included in the Tree Policy, the Council was considering how it could be carried out in a more structured way in future. Another point made was that trees planted on open green spaces often subject to illegal fly-tipping, might help with that particular problem. It was noted however that other methods such as bollards might be used in the first instance to stop vehicles trespassing onto the green space, since tree roots needed protection to enable healthy growth.

It was recognised that trees and bushes planted by pavements often caused tree root issues. The second most popular tree planted in Middlesbrough was the Kanzan Cherry which was notorious for having roots that travelled, rather than anchoring the tree. The Kanzan Cherry tree had now been hybridised, so that the roots generally no longer caused problems. Where there were roots lifting the pavements, they could usually be removed or ramped over, although occasionally the whole tree would need to be removed. Overall, the number of tree root issues on footpaths in Middlesbrough was generally reducing.

A further issue was raised in relation to trees in private gardens that had grown so large that they blocked the sunlight from that area, or there were large overhanging branches. According to the current policy, the Council was not obliged to remove any trees or branches that

blocked light. However, the Council would advise residents to engage qualified and fully insured contractors to assist with tree removal and maintenance. It was reiterated that the Council would only trim or remove trees on land it owned that impacted on property or pavements.

Up until the end of March 2020, 620 standard trees (with guards around them), had been planted and 1550 whips in Middlesbrough. Approximately 90 of the 620 trees, which were planted through the Urban City Tree Fund (UCTF), had failed, and would be re-planted. In Autumn this year another 795 trees, including some fruit trees would be planted in collaboration with Thirteen Housing Group and another 7,500 whips that the Council would plant. In addition there was a further 5,000 whips that would be planted in collaboration with communities and Middlesbrough Environment City (MEC) at community events in October 2020. Advice would be given on appropriate locations for planting. A Panel Member was requested that fruit trees were not planted in areas that suffered with anti-social behaviour.

Whereas previously there had been a separate budget for tree maintenance, this had now been subsumed into the Area Care budget and all costs had to be balanced within that budget. It was explained that the current tree canopy in Middlesbrough was 11.8%, which was 4.2% short of the national average of 16%. Even with the Mayor's initiative of planting 10,000 new trees and the MEC's contribution of another 5,000, the shortfall of 227 hectares was significant - equating to the size of approximately 30 football pitches. However, every effort was being made to protect existing trees and expand the canopy within the available budget.

Officers were thanked for the presentation and input to the meeting.

**AGREED** that:

1. The information provided was received and noted.
2. The Panel would receive an update on the revised Tree Policy in 2021.

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#### **TEESSIDE CREMATORIUM**

The Head of Property and Commercial Services and Operational Manager provided the Panel with a presentation in relation to Teesside Crematorium.

The services currently offered by Teesside Crematorium included:

- Cremation Services five days a week.
- Two Chapels - St Bede's and St Hilda's.
- Chapel of Rest.
- Flexible time slots for services, with longer slots available if required.
- Cremation on the same day as the service.
- Streaming facility for services.

The streaming service was provided free of charge and was particularly useful at the current time, since attendance at services was restricted to 30 persons due to the Covid-19 pandemic restrictions. A copy of the streamed service was also made available to families.

Recent improvements to the Crematorium were listed as:

- Refurbishment of St Bede's Chapel at a cost of £150,000.
- Major refurbishment and remodelling of St Hilda's Chapel at a cost of £300,000.
- External and internal refurbishment of the Chapel of Rest, including a new roof, at a cost of £160,000.
- Installation of a canopy structure at the entrance to both chapels to provide additional shelter for mourners, costing £72,000.
- Extensive re-planting to the landscape around the Crematorium.
- An extensive drainage scheme at the back of the site, which would enable an

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additional 10 years burial capacity. The scheme had cost around £300,000.

Further improvements were proposed as follows:

- Improved streaming offer.
- Increased digital offer in terms of accessing and managing the service in line with the Council's digitisation strategy.
- Review of digitisation of paper records.
- Digital mapping and recording of graves.
- Offer of direct cremations.

Over the period from 2015/2016 through to 2019/2020 there had been a drop in the total number of burials and cremations carried out by Middlesbrough Council's Bereavement Services of 420. Over the period from 2008 up to 2019, there had been a reduction of around 1200 cremations. A price comparison of cremations and burials across the Tees Valley illustrated that there was not a huge amount of difference in the cost of cremations. Burial prices varied slightly more and this was mainly due to the availability of land. Kirkleatham and Stockton also offered direct cremations at a cost of £500 or £465 respectively. In the current financial year, actual numbers for cremations for April to July showed a reduction of 64 cremations in comparison to 2019/2020. However, due to the current Covid-19 pandemic it was impossible to provide accurate estimates for the remainder of the year. Therefore there was no clear picture of the full impact of Stockton Crematorium at the present time.

In terms of mitigation, £490,000 had been allocated in the Council's Medium Term Financial Plan for 2020/2021 and this figure would be reviewed at Quarter 4. As part of current savings, a reduced headcount in the service had provided £80,000 savings in 2019/2020 and £53,000 in the current financial year. The operating model was under review to explore further efficiencies and consider how income could be increased. The pricing structure was also being reviewed. It was envisaged that further digitisation would improve efficiency and reduce costs.

A Panel member paid tribute to the Officers and all those working in Bereavement Services for their efforts during the difficult circumstances presented by the pandemic.

In response to a query about the digitisation of records, Officers were exploring whether all the graves could be linked to records via the Council's GIS system.

In relation to direct cremations, it was explained that they would take place with all the professional care, dignity and respect of a regular funeral service. The coffin would still enter the chapel and be placed on the catafalque but perhaps only within the presence of immediate family and without music or a full service. Following cremation, the ashes would be returned to the family. All fees and charges for Middlesbrough Council Bereavement Services were detailed on the Council website.

It was confirmed that the new drainage scheme would allow another ten years' worth of burial space and additional land at the back of the crematorium could provide another ten to twenty years. In addition, a further ten years' space was available at Thorntree Cemetery.

Finally, a Panel Member referred to earlier discussions around including a recommendation in the Panel's Final Report regarding the installation of a voile curtain around the catafalques in St Bede's and St Hilda's Chapels.

The Chair thanked the Officers for their presentation.

**AGREED** that:

1. The information was received and noted.
2. A draft Final Report on Teesside Crematorium would be presented to the next Panel meeting for consideration.

5            **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided a verbal update on the Overview and Scrutiny Board meeting held on 23 July and the Vice Chair updated the Panel in relation to the meeting held on 3 September 2020.

6            **DATE OF NEXT MEETING - WEDNESDAY 7 OCTOBER 2020 AT 10.30 AM**

The next meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel would be held at 10.30 am on Wednesday 7 October 2020.