

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Alice Park Trust Sub Committee	
MEETING/ DECISION DATE:	6 December 2016	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Routine Tree Programmed Works 2016/2017	
WARD:	Lambridge	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 Plan showing trees requiring to be felled		

1 THE ISSUE

1.1 The annual tree inspection was carried out October 2016. The inspection identified essential tree works required including the felling of 4 trees that are over 10m tall. These trees have to be removed due to their poor and deteriorating condition. The risk of branch failure will become unacceptably high if they are not removed. Replacement trees will be planted during the winter in Alice Park.

2 RECOMMENDATION

2.1 The sub-committee is asked to note the recommendations of the Tree Inspector to fell 4 trees.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 Works will be funded by the Council as per the service level agreement and recorded against the Trusts costs of maintaining Alice Park.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Council is sole corporate trustee of the Alice Park Trust. The sub-committee's terms of reference are to undertake the operational management functions in respect of the Alice Park site and its resources, in accordance with Trust's objects and the duties it owes pursuant to the Charities legislation.

4.2 Members in their capacity as Trustee must administer the Trust in good faith, abiding strictly to the objects of the Trust and administering the Trust for the benefit of the public which may at times conflict with the interests of the Council.

4.3 The objects of the trust require the land bequeathed to be used as a public park and children's recreation ground. The committee must consider whether any proposed use falls within the trust's objectives, and if so whether to permit the use requested. If it permits the use then it must decide on what terms, in order to ensure effective use of the park whilst minimising any conflict between the different uses to which the park is subject to under the terms of the trust deed.

4.4 Alice Park is within the conservation area of Bath so notification is required to be submitted to Planning Services of the tree works to be undertaken.

5 THE REPORT

5.1 A tree inspection has resulted in identifying essential works to be carried out during the dormant season, before April 2017.

5.2 Notices will be displayed to inform park users prior to trees being felled.

6 RATIONALE

6.1 Maintaining the quality of the tree stock and in the interest of public safety.

7 OTHER OPTIONS CONSIDERED

7.1 Do nothing – this option would make the Sub Trust vulnerable to litigation should a related accident occur

8 CONSULTATION

8.1 The Council's planning service will be consulted as the park is in a conservation area.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Denise Hart 01225 396898 (Tree Manager)</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	