

DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL		
SUBJECT:	REMOVAL OF FIVE MATURE TREES ALONG SHIRLEY AVENUE		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	CITY SERVICES SENIOR MANAGER		
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STATEMENT OF CONFIDENTIALITY

None.

SUMMARY

The Highway Authority has a responsibility to ensure that the highway users can use the footways. As representatives of the Highways Authority, Balfour Beatty Workplace has requested the removal of five mature trees along Shirley Avenue which restrict the passage of pedestrians.

RECOMMENDATIONS:

- (i) To refuse the removal of four trees but allow the removal of one tree outside 20 Shirley Avenue;
- (ii) To plant a replacement tree in the adjacent area. Replacement tree species, size and location to be agreed with a Senior Tree Officer.

REASONS FOR REPORT RECOMMENDATIONS

- 1 As the evidence in this report shows, all the trees are in good health and provide significant amenity. The removal of four of the trees is considered unnecessary as they allow reasonable passage to most pedestrians and although they restrict this footpath to widths below national guidelines there is an alternative route available on the other side of the road. The lime tree outside no.20 is more problematic in that it also hinders vehicle access/egress to/from the adjacent property and is best removed and replaced with a suitable alternative nearby. See Appendix 1 for location maps.

CONSULTATION

- 2 Highways were consulted on the contents of this report and have offered the following comment:

The highway authority (Southampton City Council) has a duty to maintain the public highway in a safe condition for all users. The current situation on Shirley Avenue does not allow for this. The five trees in question are causing safety issues for pedestrians on two fronts;

1. The available width of footway; between base of trees and boundary walls of properties varies between 600mm and 700mm. The general guideline for minimum width of footway is 1200mm.
2. Safety on the available footway is also compromised by the defective surface area. The profile of the surface area is being lifted by the

large roots from the trees, whilst this problem is evident in other areas of the city; the combination of irregular surface level with unreasonable width availability is a serious concern.

A comparison could be viewed on; what if the width restriction was being compromised from the other direction, that is to say if vegetation was protruding from a property and creating a similar situation on the public highway? The answer is that we would instruct the owner to remove the obstruction, or cut back to achieve a reasonable route for pedestrians.

3 Public consultation.

All 104 residential properties along Shirley Avenue were consulted on the proposed removal of the trees. The consultation period lasted from 24th December 2012 to the 31st January 2013. A detailed analysis of the consultation is included as Appendix 2 and the returned voting papers together with comments and letters are available as a document in the Members' Room.

The result is summarised as follows:

Votes	Option
25	Remove all 5 trees and replace with more suitable species
9	Remove and replace the lime outside 20 and retain the other 4 trees
20	Retain all 5 trees

Number of returns – 54

Percentage returns – 51.9%

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 4 The use of build-outs into the highway, to allow pedestrian passage between the tree and the road, is not possible due to the proximity of the trees to the driveways of adjacent properties.
- 5 No parking areas along the north side of the road adjacent to the trees in question would allow pedestrians, especially wheelchair users, better views . Highways have commented that any alternative solution would require a full consultation, relevant safety audits, revised traffic orders, reduce current on-street parking availability for residents and considerable cost to implement. At this point it would not be possible to confirm if an alternative option would be approved or viable

DETAIL

- 6 The Highway Authority has a responsibility to ensure that the highway users

can safely use the footways. Balfour Beatty Workplace, working in partnership with Southampton City Council to maintain the authority's highways, has requested the removal of five mature trees along Shirley Avenue that are restricting the passage of pedestrians.

7 Shirley Avenue is unique in the ward in having an avenue of 62 trees along its full length. Over the years some of the original planting, mainly of lime, oak and horse chestnuts, have been removed for reasons of health and safety, and the avenue now comprises a greater mixture of tree species, sizes and ages providing significant amenity. If these trees were in private ownership they would be worthy of protection by a tree preservation order.

8 The five trees, probably all original plantings, are positioned within the tarmac surface of the footway along the northern side of Shirley Avenue and comprise:

- Lime outside 20
- Horse chestnut outside 66
- Horse chestnut outside 72
- Lime outside 74
- Lime outside 76.

All five trees have been inspected by a Senior Tree Officer and found to be in good health and with no significant structural defects. The officer considers all five trees to have significant amenity value and life expectancies in excess of 20 years.

9 The trees are positioned in the footway on the road-side but have in time grown in stature such that their trunks now limit the accessible width of the 2.69m wide footway for pedestrians – physical details of the trees together with the width restrictions are detailed in Appendix 3 and the photographs of the trees in Appendix 4. Current Highway recommendations are for a footway width of 1.2m.

The two lime trees, in particular the tree outside 20 Shirley Avenue are prone to annual basal (epicormic) growth, which can block the footway if left. However, this is readily resolved by arranging for the basal growth to be removed in May and again in July/August at modest cost.

The base of the lime tree outside 20 Shirley Avenue also protrudes across the drive of the adjacent property by 500mm, hindering the access/egress of vehicles to/from the property. This is also the tree with the greatest width restriction and its retention would cause the greatest inconvenience to pedestrians and the residents of the adjacent property

10 Shirley Avenue is a moderately busy road with two way traffic. Both sides of the road are used for parking, especially the section of road closest to Shirley High Street, i.e the westernmost section. The easternmost section, from no.50 upwards, tends to be quieter with more gaps along the roadside for

pedestrians to assess traffic flow and cross the road. Currently, crossing facilities, i.e. dropped kerbs and island sanctuary, are only provided at the eastern end of Shirley Avenue.

The Tree Team has received 72 enquiries/requests/complaints about the trees in Shirley Avenue since 2004, when comprehensive records were kept. Of these records 13 have been about the basal growth and only 2 have complained about the footway restriction.

The available widths will allow the passage of most single pushchairs but will not allow the passage of double-pushchairs or larger wheelchairs. The low frequency of complaints about the trees may be due to the local residents knowing the tree restrictions and taking an alternative route.

- 11 The rate of stem growth on mature trees is small, in the order of 2-5mm radial increment per year. This suggests the existing gaps will narrow by up to 50mm in 10 years. Whilst narrowing the gap this will still allow reasonable access for pedestrians and narrow pushchairs.
- 12 Taking into consideration the low volume of complaints, the allowable access and the amenity of the trees it is considered appropriate to retain the four easternmost trees for the foreseeable future. However, the lime tree outside 20 Shirley Avenue is more problematic in that in addition to the pedestrian access it also hinders the vehicle access/egress to the adjacent property and for these combined reasons is best removed and replaced with a more suitable species.
- 13 A valuation of all five trees was carried out using the 'Capital Asset Value for Amenity Trees' (CAVAT) method. CAVAT has been designed for use by local authorities and provides a basis for managing trees as public assets rather than liabilities. CAVAT allows for the contribution of factors of location, relative contribution to amenity social value and appropriateness, and an assessment of functionality and life expectancy. CAVAT aims to calculate a value for a tree that realistically reflects the contribution of the tree to public welfare through tangible and intangible benefits.

The full CAVAT analysis is detailed in Appendix 5 and the following summarises the value for each tree and all five trees:

Lime outside 20	£44,398
Horse chestnut outside 66	£54,800
Horse chestnut outside 72	£42,529
Lime outside 74	£53,721
Lime outside 74	£52,335
Total	£306,971

FINANCIAL/RESOURCE IMPLICATIONS

Capital

14 The cost to fell one Lime tree outside 20, remove stump and replace = c.£1,000

The cost to reinstate the highway and create one new tree pit = £500

The cost to fell all five trees, remove stumps and replace = c.£5,800

The cost to reinstate the highway and create 5 new pits = £2500

Revenue

15 The trees are inspected every two years and total maintenance costs on the five trees over twenty years will be in the region of £500-£1000. However, as the trees will be replaced if felled then this figure will not change. There is therefore no implications for tree revenue budgets.

Property

16 The Council has a duty to maintain its tree stock and highways in a safe condition.

Other

17 Tree removal would require the temporary closure of the northernmost lane and traffic management for periods ranging from one day for the removal of one tree to five days for the removal of five trees.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

18 In accordance with the Constitution any decision relating to council trees, unless delegated, will be determined by the Planning Panel.

Other Legal Implications:

19 Highways comment it is recommended that footpaths should have a minimal width availability of 1200mm.

POLICY FRAMEWORK IMPLICATIONS

20 None.

SUPPORTING DOCUMENTATION

Appendices

1	Location map.
2	Public consultation summary.
3	Details of trees and footway width restrictions.
4	Photographs.
5	CAVAT valuation of the trees.

Documents In Members' Rooms

1.	Public consultation details.
2.	CAVAT document.

Background Documents

Title of Background Paper(s)

Relevant Paragraph of the
Access to Information
Procedure Rules / Schedule
12A allowing document to be
Exempt/Confidential (if
applicable)

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Background documents available for inspection at:

FORWARD PLAN No:

KEY DECISION?

NO

WARDS/COMMUNITIES AFFECTED:	Shirley ward.
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