

Committee: Environment Committee

Agenda Item

Date: 8 June 2010

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Title: **Birchanger Wood**

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01799 510 457

Summary

- 1 This report asks Members whether the Committee will make a financial contribution to the Birchanger Wood Trust towards the costs of works required to trees bordering the A120 in the interests of highway safety.

Recommendations

- 2 The Committee determine the request and, if it agrees to make a contribution, to decide the amount;
- 3 The Director of Development be delegated to identify savings in the committee budget to balance the associated unbudgeted costs in 2010/11.

Background Papers

- 4 The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Statement of Accounts of the Trust for the year ending 31 March 2009
Minutes of the meeting of the Trust held on 15 April 2010

Impact

Communication/Consultation	Correspondence with the Trust
Community Safety	None
Equalities	None
Finance	No provision in the budget for any contribution to the Trust. Unbudgeted expenditure will need to be balanced by identified savings elsewhere in the Committee's budget.
Health and Safety	Works to trees required by ECC for safety reasons
Human Rights/Legal	The Council nominates a trustee but is not liable for any actions or omissions on the

Implications	part of the Trust.
Sustainability	The wood is managed for recreation and nature conservation.
Ward-specific impacts	Birchanger
Workforce/Workplace	None

Situation

- 5 As reported to the Committee in March, parts of Birchanger Wood are owned and managed by a Management Trust as an access woodland. The wood lies within Birchanger parish and abuts the built up area of Bishop's Stortford. It is bisected by the A120. The Council appoints one of the trustees. The Council's current nominee was previously Cllr Godwin and is now Cllr Sell following the Annual Council meeting. Other Councils appointing trustees are Birchanger Parish Council, Bishop's Stortford Town Council and Hertfordshire County Council.
- 6 The Trust has been advised by the Woodland Officer, Essex County Council, that immediate action is necessary to make safe trees in the wood bordering the A120 road. The trees in question have been assessed as at risk of falling across the road and thus endangering road users. Failure to carry out this work could result in the Trust being served with a notice under Section 154 of the Highways Act 1980.
- 7 Essex County Council required action by the 28th February. The Trust obtained quotes for the work. The total estimated cost is some £8,554. It has so far authorised work to some £2,440, which is the limit of its resources. The funds in the Trust's bank accounts as at 19 February 2010 totalled £6,707 approximately.
- 8 The Chairman of the Trustees had written to enquire if the Council, as one of the signatories to the Trust deed, can consider making a contribution towards this urgent work. He had also approached the other Councils who are signatories to the Trust to seek contributions.
- 9 The Committee requested a copy of the Trust's accounts. These are appended to this report. These show that the Reserve Account had reduced from £13,698 at 1 April 2008 to £7,460 by the end of 2008/09.
- 10 The Trust has received promises or grants from the following councils:
- | | |
|----------------------|--------|
| Hertfordshire | £2,000 |
| Bishop's Stortford | £2,000 |
| Birchanger | £1,000 |
| Stansted Mountfichet | £ 500 |
- 11 Taking into account the £2,440 met by the Trust from its own resources, and the above contributions, the balance stands at £614.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Trees fall onto the highway	2 Risk identified by Woodland Officer ECC	3 Possibility of trees falling onto the road	Advice to Trust Contribute to necessary works
The Council is asked to contribute to a future work programme for the wood, or for contributions by other local bodies towards their amenities	2 The Trust is likely to seek a service level agreement from the councils party to the Trust deed.	2 Some costs could be expected on an on going basis	

- 1 = Little or no risk or impact
 2 = Some risk or impact – action may be necessary.
 3 = Significant risk or impact – action required
 4 = Near certainty of risk occurring, catastrophic effect or failure of project.