



City of Westminster

Harvey Flinder

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Our ref: 7808134

Your ref:

Date: 15 August 2018

Dear Harvey Flinder

Freedom of Information Act 2000

Thank you for your recent Freedom of Information request. You asked to be provided with the following information:

1. Please provide the total number and type of trees in the borough for which the council are responsible. Please distinguish between (for eg) street trees, park trees, trees on council properties. If available, please provide the numbers of epicormic and non-epicormic trees.

Number of trees as follows:

Highways 18759

Housing 4825

Parks 5199

2. For each year since 2010 how many trees have the council felled / removed?

2016/17 77

2015/16 106

2010 – 2015 Approximately 100 trees per year

3. For each year since 2010 how many trees have been planted? Please provide the survival rate for these newly planted trees.

2010 – 276

2011 – 453

2012 – 256

2013 – 248

2014 – 276

2015 – 159

2016 – 78

Survival rates generally above 95%

4. Does the council replace a tree on a like for like basis?

If not what is the policy?

In general yes. But the opportunity is taken to review species selection and whether it is still appropriate or viable to plant in the same location.

5. Please provide information on street tree leaf canopy.

6. Please provide a calculation of how this has changed since 2010, ideally though not necessarily on an annual basis.

Information not held. For the purposes of section 1 (4) of the Freedom of Information Act 2000 this information is not held and the council is therefore unable to provide it.

7. Please provide a statement explaining whether and how the tree management programme is integrated with plans and commitments to improve air quality.

Tree planting, where possible, in areas where air quality is poor

8. Please provide a statement of the methods used to calculate the individual carbon sequestration rates and carbon storage amounts of trees in public areas. If available, please provide the data arising from these calculations.

Not currently done. Information not held. For the purposes of section 1 (4) of the Freedom of Information Act 2000 this information is not held and the council is therefore unable to provide it.

9. *Please provide details of your maintenance programme for newly planted trees.*

Regular watering during first growing season. Water if following season is particularly dry, as is the case this summer. Support stake removed after three years.

10. *Please explain the process by which trees are individually inspected, and the way in which maintenance is planned. Specifically, please explain whether the maintenance regime is specific to each individual tree.*

Council owned trees inspected individually on a three yearly cycle. Maintenance programme is on a ward by ward basis. Other programmes include a street tree winter pollarding regime on a two year cycle. Mature plane trees in parks are inspected annually.

11. *Please outline the circumstances in which the maintenance regime would (a) pollard or (b) crown reduce non-epicormic trees.*

Long- standing programme of annual or biennial pollarding of avenues of mature plane trees in those areas of the borough that are on clay and where there is a history of tree related subsidence claims.

12. *Please provide a statement explaining how the Council follows the London Tree Officer's Association recommendations on the management of trees with regard to Mitigation against claims of subsidence caused by tree roots.*

We follow the London Tree Officers Joint Mitigation Protocol in relation to tree related subsidence claims.

13. *In a claim against the Council for damage caused by tree roots does the Council use the Joint Mitigation Protocol? Please provide information on how often the protocol has been used, for each year since 2010.*

See response to question 12

14. *Does the Council have insurance cover for subsidence claims made against it? If so, with which company?*

Yes, cover held with Protector Insurance

15. *For each year since 2010 please provide details of the number of claims against the council a) for subsidence, and b) for subsidence shown to have been caused by tree roots?*

16. *For each of the years since 2010 please provide details of the value of claims paid out each year for subsidence caused by tree roots*

Year	Number of claims received	Payments made
2010	18	£ 204,680.50
2011	25	£ 211,690.75
2012	23	£ 117,924.97
2013	12	£ 65,485.75
2014	15	£ 25,450.00
2015	14	£ 68,337.06
2016	3	£ 5,525.00
2017	1	x
2018	1	x

Please note that the above payments include all legal costs associated as our claims handling system does not produce separate figures for damage. Also our claims system does not differentiate between 'subsidence damage' and 'subsidence shown to have been caused by tree roots'. All such claims are recorded as 'Subsidence/Tree Root Trespass' on our claims system.

For the years where claim payment has been marked with 'x', The Council cannot provide this information as the payments relate to 2 or less claims. Section 41 of the FOIA provides an exemption for information that if disclosed would constitute a breach of confidence. Individuals that WCC compensate have a reasonable expectation that information about any payments that they may have received will not be placed into the public domain. Annual totals are permissible if there have been at least two claims settled.

We consider that the absolute exemption set out in Section 41 (Information provided in confidence) applies to the information requested. Therefore, we have decided to withhold the information.

Under section 17 of the Act this response therefore constitutes a Refusal Notice in respect of the requested information.

17. Please provide the criteria by which the Council benchmarks 'best practice' for tree maintenance and management. Please explain how the council ensures that it and its contractors achieve this.

Contractor required to work to the detailed specification, appropriate British Standards for Trees works. Council benchmarks best practice against similar London boroughs.

18. Are utility companies required to move or relocate their utility to facilitate the replanting of a tree in an existing tree pit? How is this paid for?

No

19. Please provide a detailed breakdown of the annual budget for the management and maintenance of trees, for each year since 2010, detailing in particular the budget for maintenance, replanting, and for settling insurance claims related to tree roots.

Annual tree maintenance and planting budget is 360k per year

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Information Management Team
5 Strand
London
WC2N 5HR
xxxx@xxxxxxxxxxx.xxx.xx

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information is also available from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 or 01625 54 57 45
Fax: 01625 524510
Web: www.ico.org.uk

I will now close your request as of this date.

Yours faithfully

Westminster City Council