



Clay Cross Parish Council

Tree Management Policy

1. General Statement

- 1.1 This policy details Clay Cross Parish Council's (Council) methods for managing the tree stock owned and maintained by the Council. The policy has been written to:
- Ensure that the Council maintains a safe and viable tree stock.
 - Ensure consistency with regard to requests to prune and maintain trees.
- 1.2 The Council is responsible for numerous trees on land that it owns within parks and open spaces.
- 1.3 The management of Council owned trees should follow relevant national guidance, such as 'Common sense risk management of trees – guidance on trees and public safety in the UK for owners, managers and advisers' published by the National Tree Safety Group.

2. Benefits of Trees

- 2.1 Trees have many benefits, for example, they:
- Provide shelter from the sun, wind and rain.
 - Stabilise soil – particularly important on sites adjacent to water bodies.
 - Filter atmospheric pollution.
 - Provide a barrier to noise and screening poor views.
 - Provide a valuable habitat for wildlife.
 - Provide pleasant green settings in which to live and work.
 - Soften the impact of development.
 - Commemorate or celebrate individuals, events and/or communities.

3. Tree Management – General

- 3.1 Trees will not be removed unless there is a demonstrable arboriculture, safety or legal reason for the removal.
- 3.2 All requests for any arboriculture works to trees growing on Council land will be inspected and authorised by Council Officers/Tree Warden or external arboricultural expert employed by the Council.

- 3.3 If tree works are required in the bird nesting season (March – August) trees will be examined for evidence of nesting. Where a bird’s nest is found, tree works will be delayed until the end of the nesting season.
- 3.4 No tree work will be undertaken on trees where there is potential to impact upon protected species (for example bats or badgers) until consultation has been undertaken with appropriate external consultants.²
- 3.5 The Council are encouraged to consider when dealing with planning applications for privately owned land, whether there are Council owned trees on adjacent land that may be affected by the development before approving the application (e.g. for site access, dropped kerbs or storage of materials).
- 3.6 The Council is committed to explore and develop opportunities to utilise the arising (woodchips, logs, habitat piles and dead standing timber) generated by arboriculture operations towards greater environmental sustainability.

4. Claims for subsidence and damage

- 4.1 When investigating claims of subsidence and damage to properties from tree roots emanating from a tree owned and maintained by the Council, the Council requires the property owner to submit a structural engineers report. This will enable the Council to review the evidence and determine the appropriate course of action. The report must cover:
 - Physical damage.
 - Presence of live roots of a suitable species.
 - Seasonal movement or variation of the damage during different seasons.
- 4.2 All claims regarding subsidence will be referred to the Council’s Insurer along with a brief report detailing the age, type, and condition of the tree and any other factors that may be of importance to the claim.
- 4.3 If evidence is insufficient any claim will be dismissed.

5. Damage to property caused by trees owned by the Council

- 5.1 The Council will cut back trees from properties where they touch windows, walls, roofs or gutters. This will ensure that damage to property such as tiles or gutters is avoided.

6. Obstruction by overhanging branches

- 6.1 Tree branches from Council trees that obstruct footpaths, the carriageway, highway signage, street lighting or CCTV will be inspected and have the necessary pruning work undertaken within the timescale appropriate to the situation.

6.2 Low branches overhanging private gardens will be cleared to a height of 3m maximum when requested by the property owner.

7. Television or satellite signals

7.1 There is no legal right to good television or satellite signals and no legal requirements to rectify a loss of television, satellite or radio service in respect of trees. Interference is not at present a legal nuisance, and in many cases it is possible to resolve issues of poor reception involving trees by finding an engineering solution.

8. Shade or blocking of light

8.1 There is no legal right to light under the law and therefore the Council has no legal obligation to abate this perceived nuisance. The Council will consider applications to prune trees on an individual basis and that the work can be executed within financial resources available.

9. Leaf/fruit fall and secretions

9.1 Tree work will not be carried out solely to alleviate problems caused by natural and or seasonal phenomena as follows:

- Falling leaves.
- Sap exudation (e.g. honeydew).
- Falling fruits and nuts.
- Bird droppings.
- Blossom.
- Reduction or increase moisture to gardens.
- Blocked or obstructed drains, gutters, flat roofs from tree deposits and leaves, presence of algae and moss build up.

10. Highway Tree Management

10.1 Street trees are defined as trees planted or growing in road verges along the town's highway network that are on Parish Council land.

10.2 The Council will undertake, within planned work programmes, the regular removal of basal (epicormic) growth for highway safety reasons.

10.3 Where a highway tree is removed the Council will plant a replacement tree in the same location if possible or close by if not, at the appropriate time of year.

10.4 The Council will prune street trees to ensure free, unobstructed passage for pedestrians, traffic and visibility of all road signs, street lamps and street furniture.

10.5 The Council will not agree to the removal of an existing healthy tree for the purpose of vehicle crossovers.

11. Greenspace Tree Management

11.1 The Council aims to create a varied and sustainable tree population in the parks and open spaces for reasons of aesthetics and for the benefit of the biological diversity of the town to offset the carbon capture and support the Climate Change initiative.

11.2 The Council will maintain the overall number of trees in parks and open spaces through replacement planting programmes.

11.3 Trees on open spaces, which are not blocking the highway or sightline, will be left with a more natural shape where the branches may extend down to the ground.

12. Woodland Tree Management

12.1 The Council will:

- Take reasonable steps to preserve and enhance woodland trees that are native to the town.
- Encourage natural regeneration in woodlands.
- Retain dead trees in woodlands preferring to prune rather than fell, subject to public safety assessments.
- Leave standing dead timber and felled trees in situ for the benefit of biological diversity, subject to public safety assessments.
- Manage woodlands as a long term sustainable resource.
- Actively support and encourage community involvement in the planning and operation of woodland management.

13. Replacement Planting

13.1 The Council will select trees that are appropriate for their location and the anticipated maintenance needs throughout the life of the tree.

13.2 To help maintain a continuity of tree cover the Council will undertake the planting of new trees where suitable opportunities arise.

14. Tree Risk Management System

14.1. General Statement

The risk of being killed by a falling tree is extremely low:

“Each year between 5 and 6 people in the UK are killed when trees fall on them. Thus the risk of being struck and killed by a tree falling is extremely low – the risk of being struck and killed by a tree growing in a public space is even lower. Up to 3 people are killed each year by trees in public spaces, but as almost the entire population of the UK is exposed, the risk is about one in 20 million.” (HSE, 2007)

Although the actual risk is low it is not generally perceived in this way by the public, often because when incidents do occur they often attract a lot of public attention. It is important that an appropriate balance is reached which minimises risk but ensures that large trees are not lost from the landscape.

15. General Approach

15.1 Tree inspections are generated in a variety of ways; the majority of inspections are reactive and in response to a request or enquiry usually from the public. The identification of hazardous trees or those requiring inspection also arise from the Council’s Tree Warden, arboricultural staff from Derbyshire County Council and North East Derbyshire District Council. Their Maintenance Team’s will report any concerns about trees that they see whilst working in the town.

16. Scheduled Surveys

16.1 Proactive inspections of trees are now undertaken in the recreation areas managed by the Council. Re-inspection of individual trees will depend on the level of risk associated with them.

16.2 Trees that are identified as high risk (either by virtue of location size/age or both) will be inspected on a frequent basis.

17. Recording Tree Related Risk

17.1 When a tree on Parish Council land poses a significant risk, work to make the tree safe or fell the tree will be undertaken as appropriate. In some cases, however an identified risk may not be sufficiently severe to warrant immediate action but the tree will require ongoing monitoring, for example a reassessment of the tree may be required in the summer to assess the vigour of the tree. In these cases where the tree is not within an area currently part of a proactive inspection regime it will be recorded separately on a register of ongoing tree risk assessments.

17.2 The tree inspection procedures take into account the following criteria:

- Species.
- Height.
- Age category.
- Physical condition.
- Recommended action required.

- Priority of work required.
- Usage zone.

18. Method of Risk Assessment

18.1 At present when the Council undertakes a risk assessment of a tree or group of trees some basic risk management principles are applied. The assessment of tree risk is made up of the following three components:

Usage Zone:

- Red – High – Inspection annually and immediately after severe weather events.
- Blue – Medium – Inspection every 2 years and immediately after severe weather events.
- Green – Low inspection – During normal routine visits.

18.2 The use of Tree Evaluation Method for Preservation Orders (TEMPO) to be used when applying a systematised assessment tool for TPO suitability.

19. Acceptable Level of Risk

19.1 Once the level of risk has been established the action required will be dependent on how to reduce the risk to an acceptable level. The legal framework does not require the elimination of risk altogether, but that the risk is minimised to an acceptable level.

19.2 It may be possible to reduce the risk associated with a tree by pruning or moving the target e.g. rerouting a footpath.

19.3 There may be exceptional occasions when a higher risk may be acceptable for example if there is a tree of particular additional value or for reasons of heritage. In these circumstances the advice from an independent consultant and where appropriate an officer from one of the principle councils will be sought. In addition to this further arboricultural advice or investigations into the condition of the tree may be sought.

20. Types of Risk Assessment Inspection

20.1 At present three levels of inspection are used to identify the level of risk associated with trees dependent on the circumstances. Not all trees require individual assessment by an arboriculturalist. The HSE (2007) considers that someone to be competent requires a working knowledge of trees and their defects, but need not be an arboricultural specialist.

- Non-specialist Survey** – Reports about trees that are observed through daily work activities or by Members as needing more of a detailed inspection.

- ii) **Walking Survey** - Site inspections include a walking survey of trees. Those trees with defects are noted and recorded. Particular attention is given to trees in high risk areas, e.g. by high occupancy areas, roads and buildings. If a defect in a tree is noted an assessment will be made. Staff required (or Tree Warden) to undertake this survey will be trained to the Basic Tree Survey and Inspection level approved by the Arboricultural Association to identify common signs and symptoms that may lead to tree or limb failure and methods of reporting this information.
- iii) **Detailed Inspection** - a comprehensive inspection by an independent consultant of a tree in question with all relevant details recorded and specific management recommendations made. This type of inspection will only be undertaken by an experienced and qualified inspector trained to Professional Tree Inspection level approved by the Arboricultural Association.⁷

21. Summary

- The risk associated with trees is generally relatively low.
- The identification of risk associated with trees is always considered when a tree is inspected.
- A strategy of pro-actively surveying trees in areas under the responsibility of the Parish Council is in place.