

POLICIES FOR TREE MANAGEMENT AND MAINTENANCE WORKS ON COUNTY COUNCIL PROPERTIES & THE PUBLIC HIGHWAY NETWORK.

1. Scope

This document sets out Management Strategies for:

- maintaining, preserving and enhancing the amenity of trees growing on the Council's many properties and Public Highways;
- meeting the County Council's Common Law and statutory obligations relating to trees;
- managing tree related risks; and
- responding to tree-related complaints, incidents and service requests.

It also sets out strategies to deal with tree problems arising on private land, adjoining Public Highways and County Council properties, where the Council has a right or legal duty to intervene.

2. Aim

To set out the Council's policy on retaining, managing and improving the tree stock under its control, on County Council properties and highways, and to encourage the positive and safe management of privately owned trees.

3. Responsibilities

- There are an estimated 800,000 trees situated on or beside the Public Highways in Oxfordshire.
- There are an estimated 80,000 trees growing on properties owned and or managed by the County Council.
- The County Council is ultimately responsible for all trees growing on land under its ownership and/or control.
- Some properties, for example, County Schools, are under local management and financial control. Here the primary responsibility for trees maintenance lies with local management and not OCC (this includes academy schools).

- Trees situated within the boundaries of the public highway are generally the responsibility of the Highway Authority.
- The Highways Agency is responsible for trees growing along motorways and trunk roads.
- The County Council's Highway & Transport section are responsible for trees along County Roads and some Public Rights of Way.
- The County Council's Countryside Service is responsible for dealing with trees on most non-metalled Public Rights of Way.
- Trees on private roads and other private rights of way are the responsibility of the land owner/occupier.
- Trees in hedges and boundaries (normally from the front-side of the ditch back) fronting the Public Highway are usually the responsibility of the land owner/occupier whose property abounds the highway.
- Trees on private property adjoining the Public Highway are the responsibility of the owner/occupier BUT the Highway Authority has a duty, and powers of enforcement, to ensure that such trees do not endanger the Highway or its users.
- The responsibility for cutting back trees and other vegetation that overhangs the Public Highway from neighbouring land and boundary hedges lies with the owners or occupiers of the land on which they are growing. The Highway Authority has powers of enforcement, to ensure that such vegetation does not obstruct the Highway or its users.
- The Forestry Commission and local Planning Authorities have legal obligations, powers and duties, to protect trees, which may limit the County Council's and/or local managers' freedom of action, in some circumstances
- The County Council, as a Planning Authority in its own right, has the same obligations, powers and duties, to protect trees growing on its own land, as do the local Planning Authorities
- Maintenance of trees in parks and public open spaces, which are not part of the Public Highway, is generally a District Council, or Local (Parish or Town) Council responsibility.
- A licence is required to plant trees on the Public Highway or on highway land. Licences may be issued to local councils or to individuals by the Highway Authority. These are subject to certain conditions; usually the licensee is responsible for their ongoing maintenance.

4. Public Safety

As with all living things, the health and condition of trees tends to decline in old age. Eventually, all trees will die.

Trees are vulnerable to damage (which may cause decline and/or ultimately death), from issues such as road traffic accidents, vandalism or when road or construction works are done nearby.

Dead, diseased dying and damaged trees are all more liable to failure than healthy trees. Unstable trees, weakened stems, limbs, branches or roots may fail suddenly, particularly in severe weather, sometimes without apparent reason or warning.

Severe weather may also cause sound trees to fall or fail without any prior warning.

In particular, severe weather may damage previously sound trees, so that they become unstable, broken, and/or weakened. This has the potential to make them more prone to failure at a later date (possibly suddenly and without warning).

Not all damage to trees is readily detectable.

For these reasons, it is impossible to guarantee that any particular tree is, or will be, entirely safe, at all times and in all possible circumstances. It is possible, however, to assess the risks of retaining trees, according to their condition and situation.

Large trees can weigh up to several tonnes, and large branches can easily weigh several hundred kilograms. The failure of large trees and branches is always spectacular and can be potentially dangerous.

Serious incidents involving trees failing or falling are rare, with most occurring during, or shortly after, spells of very severe weather. Only a very small percentage of tree failures ever cause, or lead to, injury or death. In Oxfordshire, for example, with a population of over 600,000 people and over 4 million trees, failing trees, on average, might injure someone once in a few years, with fatalities occurring about once in every ten years.

Whilst the chances of being involved in an accident caused by a failing or falling tree are remote, the consequences are likely to be severe.

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The Health & Safety Executive's acceptable level of risk is 1:10,000. The likelihood of being struck by a falling tree is 1:10,000,000 (the same as being struck by lightning).

The County Council will, therefore:

- Take all reasonable steps to avoid damage or injury to growing trees under its control;
- Operate a risk management approach to tree safety management.
- Take all reasonable steps to ensure that all of its officers, agents and others, with responsibilities for tree safety, managing trees and/or working on trees under the Council's control, are adequately trained to understand and to carry out those responsibilities.
- Ensure that trees on or near Public Highways (under its control) are inspected, within a five year period (or as appropriate for the class of highway and level of use), by a competent person, to assess their health and condition and the level of associated risk, to highway users, neighbours and their property.
- Ensure that trees, on all of its properties, whether owned by the Council or leased, are inspected, within a five year period, by a competent person, to assess their health and condition and the level of associated risk, to site users, neighbours, passers-by and property.
- Take all reasonable steps to ensure that, in addition, trees on all of its operational sites are inspected, by a delegated site manager, for signs of obvious damage, as soon as possible after any episode of severe weather, for signs of obvious damage. Any damage noted will be referred, without delay, to a competent person, who will then inspect the tree(s), as soon as reasonably practicable, to assess their health and condition and the level of associated risk.
- Ensure that tree-related problems on County Council properties and Public Highways, reported by neighbours or other members of the public, are referred to a competent person for consideration. The competent person will then normally inspect the tree(s), as above, but may, if circumstances permit and/or require, rely and act on evidence and information which may be available from a recent inspection.

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- Ensure that, where significant tree defects are revealed by inspection, that remedial works are prioritised, according to the levels of assessed risk, and carried out within agreed time limits, appropriate to the degree of risk.
- Minimise the risk of introducing disease, which may weaken trees, by (as a general rule) only undertaking pruning and other tree work which is necessary to remove hazards and obstructions; to avoid damage to property; and/or to permit completion of approved developments.
- Take all reasonable steps to ensure that all tree work, carried out by the County Council, or on the Council's behalf, is done, by suitably qualified and competent persons, in accordance with the relevant British Standards and/or to agreed corporate standards.
- Require that, when planting or replanting trees, on Council land or Public Highways, the Council, and its agents consider, and have regard to, all reasonably foreseeable risks and safety problems, when selecting and specifying planting sites and tree species.
- Require that, when working near trees, the Council, and its agents, will take all reasonable and proper steps to protect vulnerable trees, and their roots, against avoidable damage.

5. Problem Trees on Neighbouring Properties

Site managers and competent persons inspecting trees on County Council properties and Public Highways may also inspect trees on neighbouring properties, for indications of damage and/or defects, which may pose a threat to persons or property on the Council's land.

These inspections will be carried out from the Council's own land, or from the Public Highway, unless the Council has a right of access or the tree inspector is specifically invited onto neighbouring property, by the owner or occupier.

Any problems with trees on neighbouring properties will be reported to site or highway managers (as appropriate), and to the owner(s) of the tree(s), with recommendations for further investigation and/or action.

Wherever possible, the Council will seek to resolve problems with trees on neighbouring properties by agreement.

Enforcement powers, where available, will generally be used only if the matter cannot be resolved by agreement or if the problem is so dangerous or severe that it must be resolved as soon as possible.

6. Public Amenities Provided by Trees

The County Council considers its tree stock to be a valuable asset and it is aware that trees provide many benefits (sociological, environmental and ecological) and that the values of these benefits are quite considerable.

The County Council is the owner of many sites with extensive grounds, such as schools, residential establishments and car parks. The Council also manages trees on highway verges, some of which are also extensive. Many of these sites are important locations, and often the only suitable locations, for growing large trees in developed areas.

Wherever possible, the County Council will manage trees on its own properties' and trees on highways under its control, with a view to maintaining or, if possible, to enhance the value of the amenities those trees provide, for site users and for the general public.

When developing properties, or improving public highways, the County Council will have due regard for the amenities provided by existing trees and for the potential of new and replacement tree planting to provide additional benefits.

The County Council is aware that, in managing trees to provide public amenities that some individuals may suffer some slight inconvenience from particular trees. In the case of new tree planting and replanting, the County Council will use its best endeavours to minimise future inconvenience to neighbours. In the case of difficulties caused by existing trees, the Council will consider what can be done to reduce the problems but will not normally undertake, or agree to, works which would reduce public amenity provided by trees which are in good general condition.

Regardless of the value of the amenities provided by a tree, where the risk to life or property becomes unacceptable, tree work, tree removal or (if possible) other actions, will be undertaken, to reduce or eliminate the risk.

7. Record Keeping

The County Council will continue to develop and maintain permanent records of the location of all trees under its management and control.

These records will include:

- Location, species, age and size of each tree

- Any specific constraints on management (Conservation Areas, Tree Preservation Orders, Planning Conditions, Covenants, agreed management plans, etc.)

- Where possible and relevant, an estimate of the value of the trees, as a provider of public benefits.

- Records of inspection, associated risk assessments and recommendations for work to be done

- Records of work specified and done

In addition, the County Council may keep similar records for trees on neighbouring properties, which may affect Public Highways or properties owned and/or occupied by the Council.

8. Tree Protection Issues and Strategies

Trees may be protected from unnecessary and unreasonable works by a range of legal measures.

There are some situations where the County Council is exempt from some of these provisions, because it is deemed to be a statutory undertaker/Local Authority.

Exemption from normal tree protection measures cannot be assumed. County Council officers and the Council's agents, MUST ensure that tree works are either properly authorised, or exempt from control, before issuing orders for works.

Carrying out unauthorised tree works, on protected trees, is a serious criminal offence, which may attract severe penalties, both for the County Council and for the individuals responsible.

Even where tree works are exempt from normal protection measures, it may be appropriate to discuss the proposals, and the reasons for the work, with the Forestry Authority and/or District Council beforehand.

All tree works over 1.8 meters in height are undertaken by a frameworks of specialist tree contractors who will operate in accordance with the current relevant British Standard for tree work recommendations.

The County Council's Development Control Planners and Arboriculturalists are available to advise and assist other Officers with any tree related matters.

Officers other than competent Arboriculturists specifying and/or ordering any tree work, must be authorised to do so and they MUST seek and obtain all necessary approvals before works commence. It is recommended all works are done through the County Council's Tree Team.

Where proposed tree works appear to be exempt from normal control measures the County Council's Tree Team MUST be consulted, to confirm that this is the case.

Where, in the opinion of the County Council's Development Control Planners and/or Arboriculturists that, but for the exemptions from normal tree protection measures enjoyed by the County Council, as a Local Authority, the proposed works would normally be unacceptable to the District Planning Authority then the (delegated Officer) may issue directions prohibiting or modifying the proposals.

Detailed requirements and procedures for seeking advice on tree management and maintenance are available from the County Arboriculturist.

Detailed requirements and procedures for selecting and appointing contractors to carry out tree management and maintenance works are available from the County Council's Tree Team.

a) Felling Licences

A Felling Licence is normally required if more than 5 cubic metres of timber are felled, or if over 2 cubic metres are to be sold, in any calendar quarter.

The Council will not normally need a Felling Licence from the Forestry Commission because most County Council tree work is exempt. However, it is necessary to check, particularly before any saleable timber is felled.

b) Tree Preservation Orders (TPO)

TPO's prohibit felling or other unauthorised tree work on designated trees.

They are generally made by District Councils, as the Local Planning Authority, under the Town and Country Planning Act 1990. (The County Council may also make TPOs in some circumstances.) They may apply to individual trees, to groups of trees or to woodland.

The County Council endorses the use of TPOs to protect trees of high amenity, cultural or environmental value.

Many of the County Council's trees are of high amenity, cultural or environmental value but are not covered by TPOs.

The County Council has powers to make TPOs to protect trees of high amenity, cultural or environmental value on its own land.

The County Council is committed to maintaining high standards of tree care and management. Accordingly, the Council will not normally use these powers, to make TPOs, to protect trees under the Council's own control and management. However, the Council will consider using these powers, in exceptional and appropriate circumstances, where this is considered necessary, to protect trees of high amenity, cultural or environmental value.

Because the County Council is committed to maintaining high standards of tree care and management, it does not consider that it will normally be necessary for District Councils to make TPOs on trees growing on County

Council land or Public Highways under County Council control. However, the County Council does accept that there may be circumstances where making a TPO on its land, or on Public Highways, will be necessary and appropriate and is prepared to discuss any such issues with District Councils. The County Council may also request that a District Council places a protection order on some of its trees or a single tree to help with their/it's protection from vandalism etc.

Because the County Council is likely to have many trees of high amenity, cultural or environmental value, on its land, which are not covered by TPOs, it will always be prepared to discuss the desirability of District Councils making TPOs, to protect such trees, when County Council land is to be sold or a change or responsibility is likely to occur such as Academy Schools.

c). Protected Areas

Some areas of the County have special rules that apply to tree management – these include Conservation Areas and other areas of high amenity value such as the Chilterns AONB (refer to 'Environmental Guidelines for the Management of Roads in the Chilterns'.

9. Tree Management Strategy

The aim of the strategy is to promote the proactive management of all trees on all County Council properties and Highways under the Council's control, within Oxfordshire:

- to control risks to employees, other site users, neighbours, passers-by and property.
- to enhance the overall condition of the Authority's tree stock.
- to produce a range of new and improved environmental benefits and other amenities through programmes of tree management, planting and landscaping.

Trees can provide effective visual screening, as well as generally enhancing the quality of local landscapes. They may also provide screening from noise, help to improve air quality, take up carbon dioxide, reduce energy demands in buildings, provide homes and food for a range of creatures, cast valuable shade and, in some cases, provide a range of other environmental benefits.

The County Council will, *so far as is reasonably practicable*, manage, maintain and extend its tree stock, to maximise these benefits.

As a Planning Authority, the County Council is obliged to consider the whole range of public amenities provided by trees. Accordingly, the Council will not normally fell or prune, or agree to the felling or pruning of, any of its trees, unless:

- they are dead, dying or imminently dangerous
- their removal is essential to permit approved development
- they are creating or contributing to an unsafe situation
- they are causing, or are about to cause damage (direct or indirect) to property
- their removal is planned, as part of a landscape or woodland management scheme
- their removal is necessary to provide a greater environmental benefit (for example, to maintain rare heathland or grassland)
- the Council is otherwise obliged to remove the tree(s)

All pruning work exposes the trees to stress and risk of bacterial or fungal infection, which may lead to safety problems in later years. For this reason, the Council will avoid, and will resist, all unnecessary pruning of its trees.

The County Council will use its best endeavours, to ensure that its trees are regularly inspected, and managed in a safe way.

Where trees are found to be damaged or defective, the risks will be evaluated. Appropriate and timely action will then be taken, according to the assessed level of risk.

It is always possible that a tree may fail, or become unsafe, in the time between inspections. For this reason, the County Council welcomes reports, from neighbours and the public, concerning any of its trees, which appear to have been damaged in some way and/or which may otherwise have become dangerous.

The County Council will investigate all alleged dangerous situations, arising from the presence of trees on its land. Where trees are found to be damaged or defective, the associated risks will be evaluated. Appropriate and timely action will then be taken, according to the assessed level of risk.

Branches and tree roots may cause damage to nearby structures. Roots may also cause damage to, and/or deterioration of, nearby surfaced areas. Exceptionally, the presence of tree roots may cause, or contribute to, the subsidence of nearby buildings and other structures.

The County Council will investigate all alleged damage to property, arising from the presence of trees on its land. Where trees are found to be causing, or contributing to property damage, and/or are considered likely to cause, or contribute to, future damage to the property, the extent of the damage and future risks will be evaluated.

Where the County Council agrees that its trees are causing damage to property, or that they are likely to do so, appropriate and timely action will be considered and taken, according to the assessed level of risk and, as appropriate, the wishes of affected parties.

Where the Council is unable to agree that the trees are causing, or are likely to cause, a particular problem on neighbouring property, affected parties will be advised as soon as possible.

Fallen leaves, pollen, other debris and honeydew from trees can cause annoyance or inconvenience to some people and may make surfaces slippery. Trees may also cast unwanted shade on neighbouring properties.

County Council funds for tree management are limited to health and safety works. The Council is neither obliged by Law, nor will it carry out, works *solely* to alleviate problems arising from:

- Falling leaves, honeydew, sap, fruit, nuts, seeds, bird droppings or blossom.
- Leaves and other debris falling into gardens, gutters, drains or onto roofs
- Moisture variations in gardens and lawns
- Suckers or germinating seedlings in gardens

Nor will the Council carry out:

Tree Management

- work to alleviate interference with TV or satellite signal disruption; or
- works to increase the amount of sunlight reaching a property or for photovoltaic panels, except as specifically required by Law.

The County Council may undertake works in certain circumstances to alleviate or reduce such problems affecting its neighbours, if it is reasonably convenient to do so, at the same time as other tree works are being done in the area.

Exceptionally, and where there is no conflict with the County Council's duty to maintain public amenity, the County Council may agree to undertake tree works, solely for the benefit of neighbouring properties. In these cases, the cost will normally be met by the neighbours benefiting from the works.

10. Construction, Maintenance and other Works in the Vicinity of Growing Trees

The County Council manages many properties and highways and undertakes a considerable amount of construction and maintenance work.

Building construction, maintenance and related works can cause serious, sometimes fatal, damage to trees on or near the work site. Such damage is easily and cheaply avoided.

It is the developers (of a County Council Site) responsibility to provide the County Council with a full and detailed tree survey (as per BS 5837) which will detail the trees on the site, the arboricultural impacts for the site and to submit a detailed arboricultural method statement for the works prior to any works commencing on site.

The risk of damage to the crowns and stems of trees is usually obvious. Whilst such damage is disfiguring, it is usually far less serious than damage to tree roots.

The County Council will use its best endeavours to ensure that all trees on land under the Council's ownership or control are adequately protected from the effects of any development or maintenance work, in accordance with best practice, and to the relevant British Standard (currently BS 5837:2012).

Furthermore, the Council will require that any work on trees, required to facilitate development, is carried out and specified in accordance with the

current relevant British Standard (BS 3998:2010 Tree work Recommendations).

All trees on site, which:

- are standing within 10 metres (or two thirds the falling distance, if greater than 10m) of any proposed building works, excavation, temporary structure, compound or access road;
- have crowns extending to within 5 metres of any proposed building works or excavation, temporary structure, compound or access road; and/or
- are otherwise likely to be affected by any proposed maintenance or construction works

MUST be identified at the planning stage of any new construction, re-development or maintenance works and, unless they are planned to be removed, for development purposes, MUST be protected, for the duration of the works, by the establishment and maintenance of proper, securely fenced, Tree Root Protection Zones as per BS5837:2012. Failure to undertake this level of planning may result in the designers/contractors undertaking the works having to replace trees on a like for like basis were practicable.

Essentially, tree protection requires the designation of a Tree Root Protection Zone, for each tree. No building construction or maintenance works, nor any related works, should normally be undertaken within recommended Tree Root Protection Zone for any tree without the prior consent of a competent arboriculturist.

Where this is not possible, all works within the recommended Tree Root Protection Zone, of any tree, MUST be done using no-dig excavation or minimal excavation methods, using hand tools and under the direction & control of a qualified and experienced arboriculturist, and in strict accordance with an approved and agreed method statement.

The **minimum recommended** dimension of Tree Root Protection Zones, **as a radius, measured from the base of the tree**, should be the **greatest** of:

- 2 metres
- extent of crown spread plus 1 metre
- 1/2 height of tree
- 4 times the **circumference** of the stem, measured at a height of 1.3 m

The County Council's advisory note, "PROTECTING TREES ON CONSTRUCTION SITES" sets out the recommended best practice for avoiding unnecessary damage to trees on Oxfordshire County Council construction sites.

Further details of requirements and procedures for identification and protection of trees on County Council land, from construction damage, can be obtained from the County Arboriculturist.

11. Response to Problems

Once a problem has been identified, action will be taken by the County Council, according to the nature of the problem and the associated risk.

a) Emergency Tree Work

If there is a substantial and immediate threat, to life and or property, work will be carried out as soon as is reasonably practicable.

If necessary, premises or highways may be temporarily closed, or other appropriate measures taken, in the interests of public safety until the danger is removed or the problem is otherwise resolved.

If normal use of the site or premises is prevented by fallen trees, or other debris, the Council will clear the obstruction as soon as is reasonably practicable. Where there is widespread damage, for example, after a period of severe weather, it may be necessary to prioritise such works, according to operational needs.

Less urgent matters will be prioritised according to the assessed level of risk.

Council response times are those that apply to highway tree defects, as set out in current policy, and previously approved by the Cabinet.

b) Routine Tree Work

Minor works may be carried out from time to time and as necessary, and as advised, by non-specialist staff, to maintain amenity, to preserve access and visibility, and to keep areas buildings, signs, lights, streetlights, overhead services, etc free of obstruction.

c) Non-Routine Tree Work

With the exception of fallen and obviously damaged trees that prevent normal operational use of the site, non-specialist officers shall always obtain advice from the County Council's Tree Team regarding any work on trees which need specialist attention or which have advanced signs of disease, damage or injury.

Where trees are in Conservation Areas, or are subject to Tree Preservation Order designation (TPO) or are apparently in need of removal, advice must always be sought *from the County Council's Tree Team*.

Specialist, approved contractors will be used for all non-routine tree works on the County Council properties and Public Highways. This includes all tree works related to development and those necessary for the installation or maintenance of plant and/or services

Contractors are responsible for the signing and guarding of all works and for all other operational health and safety issues.

Contractors are responsible for evaluating risks, before starting any work, and may be asked to provide the arboriculturalist and/or site manager with a method statement, before starting work. All works carried out by the contractor should be in accordance with the method statement.

Particular attention is required when contractors are felling or pruning trees close to buildings, working in the proximity of overhead power lines, and/or when the site is occupied during (all or part of) the period of the works. Contractors may need to make arrangements with utility companies to disconnect supplies for the duration of the works and/or with site managers.

12. Approved Contractors

Contractors/sub-contractors working on County Council highways/properties must be appropriately trained and qualified for the type of tree work to be undertaken. For example, they must be certified in tree climbing methods, the use of mechanical cutting, sawing and lifting equipment and in the implementation of traffic management measures.

Contractors must have adequate public liability insurance (currently £10 million).

Contractors undertaking planned specialist tree surgery work must provide evidence of their competence to carry out such work, supported by generic and site specific risk assessments.

Following an E-Procurement tender process Oxfordshire County Council has appointed a number of specialist arboricultural contractors to carry out tree works within the County. All specialist tree works on County Council land, requiring an operative to work (above 1.8m in height from ground level) must be implemented by one of the appointed contractors.

13. Nature Conservation and Environmental Issues

a) Tree Habitat and Ecology

The County Council is aware of the many and varied ecological benefits which may be provided by trees and will seek to maximize these benefits, so far as is consistent with requirements to maintain public safety and provide other amenities. In order to achieve this aim, the Council will issue and publish supplementary advice, in accordance with current best practice and legal requirements, from time to time and will require its officers to follow that advice.

When managing trees, shrubs and hedges, on County Council land and public Highways, officers shall have due regard to their importance to local wildlife, as sources of food, nectar and shelter. So far as is reasonably practicable, such works shall be timed to minimize any ill effects on wildlife.

A site specific wildlife risk assessment will be undertaken on all work sites prior to contractors commencing works. This document will be passed on the relevant contractor to inform them of the findings.

As a general rule, no pruning or felling work will be carried out on any tree which has not first been inspected by a qualified (Level 2 or higher) Tree Inspector (who

has been trained to spot potential biological constraints prior to tree work commencing).

Where birds are found nesting in trees, non-emergency and/or non-urgent tree works will be deferred until the end of the nesting season. In hazardous circumstances, where work cannot be deferred, officers will use their best endeavors to reduce the impact on the nesting birds by undertaking the minimum work necessary to reduce the hazard to an acceptable level and will arrange for the work to be completed at an appropriate time.

Trees displaying evidence of roosting bats, and/or the presence or proximity of other protected species, will be referred to the County's Protected Species Officer for advice BEFORE any work is planned or commences. Any trees confirmed as affected by the presence of protected species WILL NOT be worked on until the necessary licenses from Natural England are obtained and all works shall then be carried out in strict accordance with the terms of those licenses.

In managing the County's trees, officers shall give due regard to the potential for creating and/or enhancing habitats: by tree and shrub management techniques; by leaving dead wood and other arisings on site; by planting or additional trees and/or shrubs; and/or by managing ground flora.

The County Council will give sympathetic consideration to requests, from Local Councils, amenity groups and others, to plant trees and shrubs on land and the verges of public Highways under its control, for the creation of habitat or otherwise for the benefit of wildlife. Subject to there being no conflict with highway management, safety, the reasonable convenience of neighbours and/or the requirements of statutory undertakers, the Council will normally give favorable consideration to granting licenses to plant trees on the highway in these circumstances.

b) Veteran Trees

Veteran trees have very high environmental, aesthetical, cultural, and also biological values because of the mature and diverse ecology that they support.

Veteran trees on the highway will be managed as sympathetically as possible and preserved for as long as it is safe and reasonably practicable to do so.

Wherever it is safe and reasonably practicable to do so, old and defective trees on the highway and elsewhere will be reduced and retained, with a view to their developing into veteran trees, rather than their being felled and replanted.

C) Treats by Pest and Diseases

Due to the nationally rising level of pests and diseases that are affecting many trees, shrubs and plants within the United Kingdom. The Council will continually monitor relevant central Government sources for best practice in relation to the control and management of any pests or diseases that are identified to be within the county or directly adjacent to the boundary of the County.

If an outbreak occurs within the County a full Pest Risk Analysis Assessment will be undertaken by the County Arboriculturist to outline the measures to be taken in relation to the issue that has arisen.

13. Recycling

Timber and other arisings from tree works usually becomes the property of the relevant arboricultural contractor. The arisings may be put through a chipper on site then spread back over the ground as a mulch, or processed and sold as fuel. Good quality timber may be salvaged and used for a range of purposes. None of the green material generated from any works on County Council land is allowed to go to landfill.

14. Planting and Replanting

Provided the site is suitable, a replacement tree will usually be planted in place of any tree that has been removed.

Unless climate change, pest and disease issues or local issues dictate otherwise, the replacement will normally be a young tree, or trees, of similar species and size to the original. Replacements will normally be planted as close to the original(s) as possible.

Examples of sites that may be unsuited to re-planting include those with on-going safety, under or above ground services, visibility or clearance issues, or a history of nuisance-related complaints.

The planting of new trees and shrubs will be encouraged and promoted on suitable sites. Species selection will be dictated by location, the scale and type of development and with due regard for such issues as the effects of climate change, etc.

a) Highways

Decisions not to replant, or to provide alternative species or locations, rest with the County Arboriculturist.

The Council will licence and encourage new planting on the public highway wherever it is feasible and appropriate to do so.

Annual programmes of landscape maintenance and planting (where resources allow) will be undertaken Countywide to enhance and replenish the roadside soft landscape estate.

Wherever possible and appropriate, tree planting will be included in new road schemes and road improvement schemes. Tree species used will be appropriate for the site and circumstances and proper provision will be made for the successful establishment and growth of the trees.

Planting proposals on new Highway sites must be approved by the County Arboriculturist, where they will form part of the adopted highway. The Council's Development Control team should arrange commuted sums in respect of the ongoing tree and landscape maintenance.

b) County Council Properties

Where trees are lost because of development, or for any other reason, replacement trees will be planted wherever possible. Decisions not to replant or to provide alternative species or locations, rest with the County Council's Development Control Planners and the County Arboriculturist.

For new developments, where there are few existing trees, it will usually be appropriate to include tree planting within the landscape scheme for the property.

The Council will generally encourage the planting of new trees on County Council Properties, wherever it is feasible and appropriate to do so. It is important, however, that the trees planted do not cause avoidable problems in managing the site or for the Council's neighbours. For these reasons all proposals for new tree planting and their future maintenance must be considered & approved by the County Arboriculturist.

Annual programmes of tree maintenance, planting and re-planting will be undertaken Countywide to enhance and replenish the County's tree stocks (where funds permit).

Where possible and appropriate, the Council may work in partnership with Local Councils, amenity groups and others, to plant, establish and maintain new trees and woodlands on its land.

15. Subsidence

Trees situated close to property do not normally cause subsidence problems. However, each site is different, and the reasons for subsidence damage may be complex.

The Council will carefully consider any relevant claims for subsidence damage, but does not accept as a matter of course that nearby trees are likely to cause or contribute to a subsidence problem.

Early investigation is recommended, since early action can limit the potential for damage.

Subsidence claims relating to the County Council's trees are administered by the Council's Insurance Officer. The claimant must provide positive evidence to demonstrate that the Council's trees have caused, or contributed to, the subsidence. Where appropriate, the Council will obtain an independent third party opinion.

The following information is required:

- Plan, showing location of property and trees
- Age of property
- Depth and type of foundations
- Details of relevant property extensions
- Drainage details and location of other services
- Extent of damage
- Tree root data
- Soil and subsoil analysis
- Seasonal movement monitoring
- Level distortion survey

All claims for potential subsidence claims must be directed to the County Council's Insurances Team.

16. Publication of Policies

The County Council will publish these policies, and any amendments, on its public website, so that they are freely available for consultation by Council Tax payers and others.

17. Supplementary Advice

Tree management is a complex field. Legislation, British Standards and recognised best practices all vary, as knowledge and understanding increase.

From time to time, the County Council will publish detailed supplementary guidance on various tree management and related issues referred to in this policy document.

Such guidance will inform Officers and others of relevant best practices and, generally, Officers and others will be obliged to follow that guidance as if it were part of these policies.

As for the main policies, the County Council will publish current versions of these supplementary guidance documents on its public website.

Tim Shickle – County Arboriculturist
April 2013

Appendix ...

Subsidence Claims

Trees situated close to property do not normally cause subsidence problems unless there is a presence of a shrinkable clay soil. However, each site is different, and the reasons for subsidence damage may be complex.

The Council will carefully consider any relevant claims for subsidence damage, but does not accept as a matter of course that nearby trees are likely to cause or contribute to a subsidence problem.

Early investigation is recommended, since early action can limit the potential for damage.

Subsidence claims relating to the County Council's trees are administered by the Council's Insurance Team. The claimant must provide positive evidence to demonstrate that the Council's trees have caused, or contributed to, the subsidence. Where appropriate, the Council will obtain an independent third party opinion.

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