

Application of Tree Policy Guidance

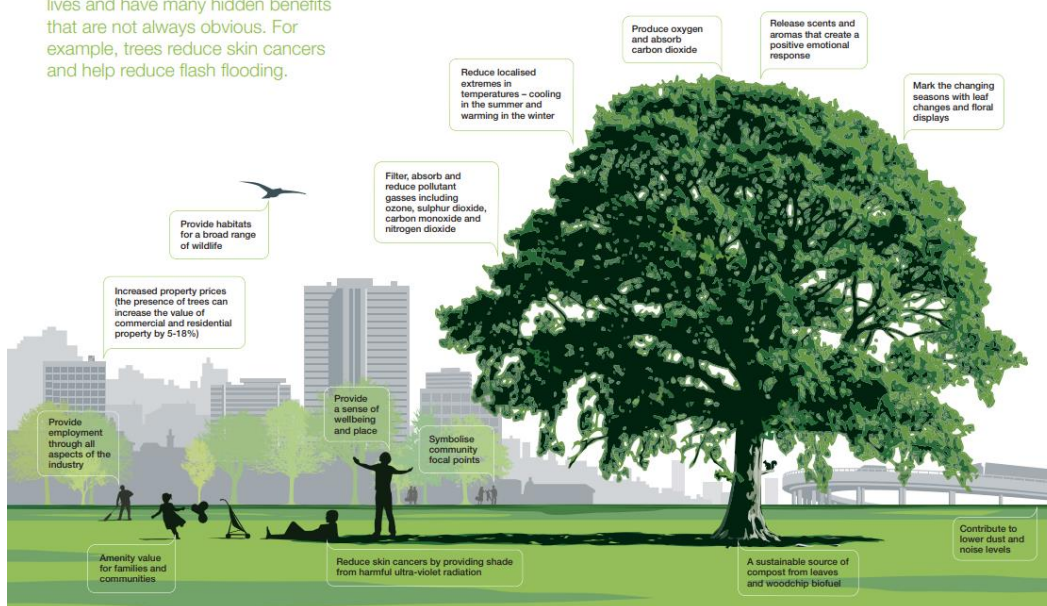
This document outlines additional guidance to ensure delivery of the Tree Policy for Oxfordshire. This document is planned to be a live document which evolves. The Policy is part of a wider group of policy documents related to how the County Council will look to protect, enhance and maintain the environment and deliver climate action and adaptation.

Trees do more than you think:

- a. Climate benefits:
 - i. Reducing urban heat island effect
 - ii. Wind speed reduction
 - iii. Increased surface water absorption
 - iv. Potential source of food for humans and animals
 - v. Carbon sequestration
 - vi. (microclimate modification)
- b. Biodiversity benefits
 - vii. Support wide range of wildlife (lichens, insects, birds)
 - viii. Connectivity between fragmented habitats
- c. Health benefits
 - ix. Reduced mortality and ill health from extreme heat events
 - x. Air Quality improvements
 - xi. Mental health benefits
 - xii. Behavioural benefits
 - xiii. Reduced crime

Why trees are good for us

Trees are an important part of our lives and have many hidden benefits that are not always obvious. For example, trees reduce skin cancers and help reduce flash flooding.



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Tree Planting

Planting trees, as outlined in the Policy and in the section above, provides a multitude of benefits. There are still critical considerations that must be made when selecting a suitable tree for a particular location.

Biosecurity is of extreme importance and eliminating the possibility for importing tree specific pests and diseases mainly or only found outside of the UK is key to ensuring that what is planted in Oxfordshire does not damage our existing treescape and variety of species within the public landscape and historic gardens and estates.

Highway Sites

As part of the County Council's commitment to biosecurity and climate resilience, tree species selection for street trees (those planted within the public highway) in both existing streets, adopted streets and streets that may be adopted will be made or approved using the following priorities:

- a. UK grown trees or trees that have been quarantined in line with BS8545;
- b. Species that provide the County with climate resilience (tolerance to flooding and drought);
- c. larger growing shade-providing trees scaling down to smaller ornamental trees where larger trees are not suitable;
- d. native British trees, or those long established in the UK (such as sweet chestnut);
- e. re-establishing species previously lost or have the potential to be lost to disease (eg Elm, Ash, Horse Chestnut), where disease-resistant cultivars are available.

Non-Highway Sites

For tree planting within County Council sites, excluding the highway, additional factors must be considered along with those listed above in order to deliver a broader range of objectives that provide sources of food, increase biodiversity and provide the potential for sustainable building materials by generating potential income:

- f. species that provide sources of food for humans;
- g. species that can provide timber or other products for industry;
- h. trees providing unique habitats.

Green Infrastructure Guidance for Planners and Landscape Architects

Tree planting and other green infrastructure form a critical component of the National Planning Policy Framework (NPPF). They are essential for place-shaping, biodiversity net gain and to address the climate emergency. Where the County Council has a regulatory or planning function, green infrastructure and trees must be an integral and fundamental component of designs. Opportunities that the County Council has identified as beneficial for delivering its strategic ambitions are listed below and should be incorporated into design submissions:

- creation of shelter belts around exposed perimeters;

- tree planting to reduce air and ground temperature by maximising canopy cover;
- prioritising structurally diverse planting to intercept pollutants in priority areas (schools, open spaces, shopping centres and urban dwellings);
- incorporation of flood alleviation, SuDS and natural flood management: wherever possible, trees should be planted in such a way that surface water has access to their rooting area;
- improve, expand, link and create new wildlife corridors;
- incorporation of agroforestry.

Tree Establishment

The establishment of new tree planting is essential to ensure that the public investment delivers the full multitude of benefits provided by trees. All tree planting of 'standard' trees planted within the Highway Maintainable at Public Expense (HMPE) will be afforded a minimum of 3 years aftercare, maintenance and watering from the first growing season. These costs will be included for direct County Council planting or through community volunteer groups (Tree Oxfordshire Community). If the planting is not funded by OCC, the cost will be assumed by the individual, organisation or group funding the tree planting. Alternatively, there will be a commitment to deliver the establishment by a Tree Oxfordshire Community delivery model.

For tree planting in the public highway that is to be adopted or has the potential to be adopted, establishment costs must be incorporated into any adoption agreement that provides the same aftercare that the County Council would require for direct tree planting. This means that all tree planting of 'standard' trees planted within the HMPE which are proposed for adoption or have the potential to be adopted will be afforded a minimum of 3 years aftercare, maintenance and watering from the first growing season of adoption.

The Tree Nursery Supply Chain

The County Council recognises that there is significant gap in the tree supply chain because tree nurseries need to invest in space, staff and infrastructure to grow trees and trees take time (5-6 years) to reach a certain maturity that enables them to best establish in the urban landscape. This gap leads to increased demand against limited supply resulting in increased cost. To help address this gap, the County Council will seek and prioritise opportunities to make long-term financial investments through 'Invest to Save' to generate local tree nursery supply chains.

Tree Care

Trees need to be cared for to ensure they have the opportunity to reach maturity to fully deliver all of the amenity, environmental and direct benefits that they can provide to Oxfordshire. Good tree care begins through regular inspections by tree professionals. In the majority of cases, a professional tree inspection is likely to result in no or limited tree works, other than statutory duties.

Proactive tree management increases the potential for identifying minor defects at an early stage which could then be addressed by arboricultural intervention to reduce the long-term impact of the defect and aid the tree in reaching its full potential.

Proactive management significantly reduces the potential for foreseeable tree failure which may result in damage or injury to persons, property or infrastructure. This strategic approach to tree care enables the County Council to adhere to its statutory duties.

Tree Removal

As with all living organisms, trees have a finite lifespan. The County Council has an aging tree stock which has been managed on a mainly reactive basis. Trees across the County will be removed when they have come to the end of their safe life expectancy, as determined by a tree professional.

Where removal of a tree(s) has been decided, the Parish Council and relevant County Councillors to the location of the tree(s), including the lead member for the Environment, will be informed at least seven days prior to removal. It is critical for the County to be transparent about its decision making and the best way to provide this information is to inform those that are most likely to be impacted directly by our professional decisions.

It is not reasonable nor practical to inform all residents within proximity of a tree planned for removal, although communicating this information is essential to build trust and galvanise support for County Council Officers in the Tree Service, making professional, informed decisions on tree removal based on good arboricultural practice.

As with any policy, Officers do not have the ability to approve tree removal that does not comply with the Tree Policy.

Retention of Tree Material

Decaying or dead tree material provides an essential habitat for invertebrates and wildlife. Therefore, where safe and appropriate to do so, tree material will be left in situ to contribute to the expansion and creation of wildlife corridors, encourage invertebrate and fungal activity and increase biodiversity.

Tree Valuation

The Council recognises trees as assets and as with any other Council asset, trees can be valued. The Council utilises the recognised Capital Asset Valuation of Amenity Trees (CAVAT) to assign value to trees. Further information about CAVAT and how it is calculated is available in the weblinks at the end of this document.

Damaging, Destroying or Removing Trees without Consent

County Council trees are public assets under the management and responsibility of the County Council.

To damage, destroy or remove County Council trees without consent is a criminal offence under the Criminal Damage Act 1971 which if convicted could lead to imprisonment of up to 10 years. Additional legislation that may lead to criminal prosecution and a fine are the Town and Country Planning Act, the Forestry Act, the Environment Act, the Highway Act and the Wildlife and Countryside Act.

The County Council will report any suspected offences to the Police and will support any investigation to identify and prosecute the offender(s).

Private Trees

Trees are the responsibility of the owner on whose land they grow and the County Council will not use public funds to facilitate management or care of private trees. It is the duty of the private tree owner to ensure their trees are cared for and that they do not obstruct the public highway.

The County Council have a duty to ensure the highway provides safe passage for users and the County Council may identify potential issues with private trees in proximity to the highway. Should a private tree be identified as needing potential care, as seen from the highway, the County Council will identify the tree owner and contact them advising of their duty as a tree owner and requesting works are undertaken to mitigate any issue identified. Should the tree owner provide no response or willingness to address the issue outlined, the County Council, under powers of the Highway Act as the Highway Authority, may issue a formal Section 154 Notice to the tree owner to take action.

Should the County Council need to take action to a private tree to remove an obstruction or maintain the safety of the highway and highway users following inaction by a private tree owner, the County Council will seek to recoup all costs incurred from the tree owner.

Oxfordshire County Council Policy / Strategy / Guidance documents

- Fair Deal for Oxfordshire
- The Climate Action Framework
- Local Transport Connectivity Plan (LTCP)
- Street Design Guide
- Full Biodiversity and Planning in Oxfordshire guidance
- Information required for ecology reports
- Community and Parish Guide to Biodiversity
- New Trees and Woods – Ten Steps to Success
- Community Action Group (CAG) Project
- Oxfordshire Together guidance
- Neighbourhood Planning Guide
- Oxfordshire Local Flood Risk Management Strategy
- Minerals and Waste Planning
- Minerals and Waste Core Strategy (Eight component Policies)
 - Sustainable development C1
 - Climate change C2
 - Flooding C3
 - Water environment C4
 - Local environment, amenity and economy C5
 - Agricultural land and soils C6
 - Biodiversity and geodiversity C7
 - Landscape C8
- Public Rights of Way and Countryside Access
- Rights of Way Management Plan 2015-2025
- Transport and Highways Management: Policy and Strategy
- Transport and Highways Management: Development Control
- Oxfordshire Joint Health and Wellbeing Strategy
- Oxford to Cambridge Arc Environmental Principles

Legislation

- Highway Act
- Criminal Damage Act
- Town and Country Planning Act
- Environment Act
- Forestry Act
- Wildlife and Countryside Act