EAST STAFFORDSHIRE BOROUGH COUNCIL

TREE MANAGEMENT POLICY

2022-25

1.0 Introduction

This Tree Management Policy is intended to act as a point of reference and guide for the public, Councillors, and officers when considering the management of tree stock in East Staffordshire. Furthermore, the policy reflects the standard necessary for East Staffs Borough Council (ESBC) to meet its legal requirements.

The borough council aims to conserve existing tree stock as long as is reasonably practicable with the minimum intervention consistent with our duties to provide public safety and any legal obligations. Additionally, the policy is designed to assist communications around decisions made on trees to help individuals gain further understanding and knowledge.

Furthermore, this Tree Management Policy is designed to set out the Council's approach to planting, retaining, managing and enhancing the tree stock for the benefit for all who live and work in East Staffordshire and to protect trees from unnecessary felling, damage or disfigurement.
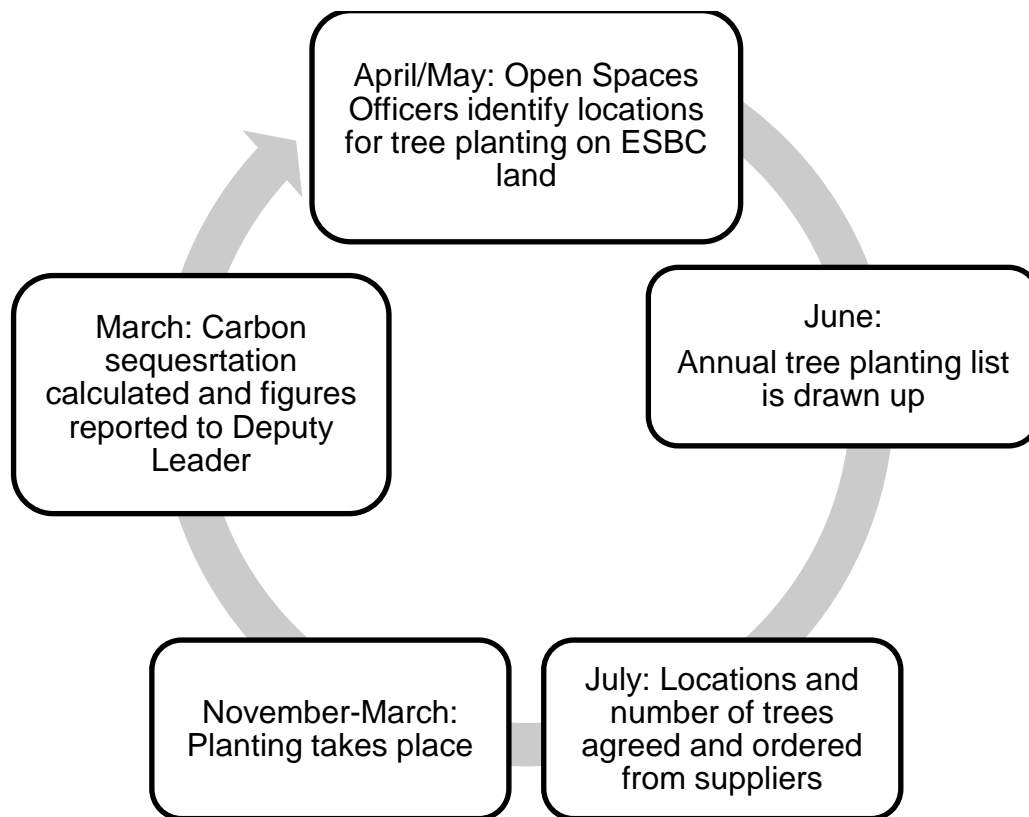
2.0 Tree Policy Commitments

- The Council will adopt a proactive approach to managing trees and undertake regular and routine inspections of all trees on Council managed land within the borough.

- The Council works to create a balance between the needs of the residents, whilst striving to retain the environmental assets of the area.

- Every borough council owned tree that is subject to an enquiry will be inspected on an individual basis. Once an inspection is complete the enquirer will be informed of results and as to what work, if any, will be carried out.

- The Council has developed balanced tree management plans for all publicly owned open space trees to identify areas of risk, maximise safety, encourage bio-diversity and create a varied and sustainable tree population.

- Where a tree is removed either due to health and safety or inappropriate planting ESBC will aim to replant.

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

- Tree work will be carried out when one of the problems described below is brought to the borough council's attention. Under these circumstance the borough council will:
    - ❖ Where a tree poses a safety risk, remove dead or dangerous trees or parts of trees.

- ❖ Cut back trees from properties where they pose an "actionable nuisance" where trees touch windows, walls, roofs or gutters and also to avoid structures such as aerials, tiles or gutters being damaged by trees moving in the wind and to prevent property being engulfed.
- ❖ Maintain clearance for pedestrians and vehicles over footways and roads respectively to enable free passage. 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.
- ❖ Take steps to clear a sightline where it is being blocked by low branches to maintain vehicular and pedestrian safety.
- ❖ Cut branches that are touching streetlights, road signs and other street furniture, etc.
- ❖ Give due consideration to the retention and creation of habitats when planning new planting schemes, adopting management regimes or carrying out maintenance to trees.

- Tree work **will not** be carried out solely to alleviate problems caused by natural and or seasonal phenomena as follows:
  - ❖ Falling leaves;
  - ❖ Sap (e.g. honeydew);
  - ❖ Falling fruits, nuts;
  - ❖ Bird droppings;
  - ❖ Blossom;
  - ❖ Reduction or increase in moisture to gardens;
  - ❖ Sucker growth;
  - ❖ Germinating seeds from trees;
  - ❖ Blocked or obstructed drains, gutters, flat roofs from tree deposits and leaves;
  - ❖ Presence of algae, moss builds up;

- Additionally, the council will not carry out tree-pruning or tree removal directly attributable to:
  - ❖ The blocking out of sunlight or man-made lighting during any part of the day (see appendix a)
  - ❖ Blocking or obstruction of a view from a residence
  - ❖ Overhanging trees on neighbouring properties, unless considered dangerous or an actionable nuisance as set out above
  - ❖ TV or satellite signal reception unless and until all forms of alternative technological solutions (fibre connections and 5G) have been evaluated.
  - ❖ Any work required should be consistent with good arboricultural practice and will not unduly affect the amenity or health of the tree.
  - ❖ Any work required can be executed within financial resources available.

3.0 Planting of new trees

The planting of new trees is of equal importance as maintaining existing stocks. Consequently, the Council will annually - through the officer team- identify suitable locations for the planting of trees on ESBC owned land. Only native species are to be planted and determined by a combination of location, species, growing characteristics and climate conditions. Standard sized trees would be planted unless circumstances dictate that the use of whips as a preferred option. Larger strategic tree planting projects will be managed through the Council's existing mechanisms for corporate projects such as the Business Assurance Group. Once planted, these locations are to be designated Carbon Capture areas and the resultant CO_2 offset calculated by the Climate Change & Adaptation Officer and reported annually as part of the Council's wider action plan to reduce carbon emissions.

Figure 1: Operation tree planting annual cycle

April/May: Open Spaces Officers identify locations for tree planting on ESBC land

June:
Annual tree planting list is drawn up

July: Locations and number of trees agreed and ordered from suppliers

November-March: Planting takes place

March: Carbon sequesrtation calculated and figures reported to Deputy Leader

Suitable opportunities for the planting of trees on Council owned land are finite. Therefore, on an operational scale, the Council will seek to work with local partners to identify potential locations for tree planting and provide assistance and guidance as required. Strategically, the Council aims to form an alliance of land owners, public sector organisations and relevant third-sector representatives to provide a joined up collaborative approach to reducing carbon emissions and enhancing biodiversity.

Figure 2 ESBC Tree Planting and Carbon Capture

Internal Strategic: ESBC • e.g. Large scale tree planting works e.g. Woodland creation • Progress against carbon neutrality	**External Strategic: ESBC & Partners** • Environmental Alliance partnership
Internal Operational: ESBC • Annual tree planting schemes • Free tree give away • Biodiversity improvements	**External Operational: ESBC & Partners** • Annual tree planting • Biodiversity improvements

4.0 Tree Risk Management System
The Council has adopted a proactive approach to managing its trees and undertakes regular and routine inspections of all trees on council managed land within East Staffordshire. This utilises the data collection and inventory monitoring system "Otis" to enable cataloguing, auditing and analysis of all tree stock.

Classification of Risk
The Borough council owns and controls a wide portfolio of open spaces, 224 of which contain a tree population of varied age, species and condition. Each tree is categorised into either category 1, 2, or 3 depending on the potential risk to the public that the tree poses by species, condition and location.

With regard to tree health Tree Inspectors will use their judgement to categorise a tree as Category 1 (High Risk), 2 (Medium Risk) or 3 (Low Risk) by its condition including but not limited to consideration of species, age, health, height, canopy size, disease, defects (see Appendix 1 - 'Hazards from Trees'), infestation, ivy coverage or otherwise identified as notably in decline.

In addition tree inspectors will take account of the location of the tree as follows:

• **Category 1 (High Risk)** Annual Inspection. Areas of high density pedestrian and vehicle use or areas frequented by vulnerable age groups including major roads, areas near to schools, car parks, playgrounds, parks and major woodland paths.
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- **Category 2 (Medium Risk)** Bi-annual Inspection. Areas of medium density pedestrian and vehicle use including estate roads and, green spaces and areas of lower target occupation.

- **Category 3 (Low Risk)** 3-yearly Inspection. Areas of low density pedestrian and vehicle use including isolated woodlands, minor roads, and isolated green spaces.

All trees are inspected on either one, two or three year cycle and recorded on the "Otis" database

5.0 Inspection types

Informal observations- people with a good local knowledge of sites and trees are able to contribute towards tree safety and management through informal observations. No specialist training is required. Typically within the Borough Council this type of observation would be undertaken by a Community and Civil Enforcement Officer as part of their patrol patterns, with any further actions passed on to the Open Spaces team.

Formal inspections- are carried out by Open Spaces Officers, as part of specific formal tree inspection programme. Inspections consider the health of a tree, significant structural issues, abnormal growth, and falling distances in areas of high use.

Detailed inspections- Occasionally, certain trees owned by the borough council will require a more in depth inspection. This would be carried out by an individual qualified with a Certificate of Advanced Tree Inspection and/or qualified to the level of Diploma/Technical Certificate in Arboriculture.

Appendix A

Trees Blocking Light

There is no right to light under the law and therefore the Council has no legal obligation to abate this perceived nuisance. However the Council **will** consider taking action (pruning or felling) in the following circumstances:

- Trees **over 12m** in height –distance between base of the tree and the window of the nearest habitable room is less than 6m.

- Trees **smaller than 12m high** –distance between base of the tree and the window of the nearest habitable room (dining room, lounge, kitchen, study or bedroom) is less than half the height of the tree.

- Where the separation between the edge of the tree canopy and a vertical line through that window is less than 2m.

- The works are financially viable.

Through the preparation of an Equalities Impact Assessment there are exceptional circumstances in which this approach needs to be more flexible. Where it can be established that the presence of trees is causing a detriment to the health of residents, further consideration will be given to the management approach of trees.

This consideration will also take into account the quality and importance of the tree in question. This approach is important as the presence of trees also has a beneficial impact on other residents and the reduction in the number or size of trees may have a greater impact than on just one original enquirer.

Where a situation falls within these guidelines cases will be prioritised according to proximity and account will also be taken of the orientation of the affected window. The results of any consultation exercise may modify decisions if it appears that any work would be by and large unpopular with the rest of the community.

Damage to Property Caused By Trees:

Root Damage

Cases of direct root damage will be considered on an individual basis. A balance will be struck between the nuisance experienced by individuals and the benefits offered by the tree to the wider community. The council will not normally take action in response to complaints that council trees are damaging drains.

Trees do not have the capacity to break into a sound drain, but they will exploit any existing fault. The removal of one tree will not prevent other vegetation from exploiting the same opportunity. The council's presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight.

Subsidence

While the Council recognises its responsibilities for the trees it manages, it will expect any claim against its own trees to be supported by sufficient evidence to show that the tree in question is a contributory factor in the subsidence. In a similar way, where an application to work on a protected tree is received the Council will again expect sufficient evidence to be provided to show that the tree in question is a contributory factor in the subsidence.

Heave

Heave has the opposite effect to shrinkage, when a soil is rehydrated it swells and can lift structures thereby causing physical damage, the occurrence is rare however and happens most often when a tree is removed that predates an adjacent structure and the ground reverts back to its original field capacity.