

Armagh City, Banbridge and Craigavon Borough Council Tree Management Policy

January 2019

Armagh City, Banbridge and Craigavon Borough Council

Tree Management Policy

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1.0 Introduction

This policy identifies Armagh City, Banbridge and Craigavon Borough Council's approach to the management of trees. Council accepts that it has a responsibility to manage the trees located on Council lands or those trees located on lands where council have a prior agreement in place. Council has a duty of care and legal public safety obligation in this regard. Trees growing in the Borough are vital and important, yet at the same time can be seen as a highly emotive issue both in terms of nuisance and of the benefit they provide.

Objective of the policy

- The aim of the tree management policy will be to set out Council's approach to managing the trees it has responsibility for.
- Developing and improving the trees located within Armagh City, Banbridge and Craigavon Borough Council's remit.
- Dealing with common complaints.
- Health and Safety
- The management policy is designed to balance the risks with the benefits of the tree stock.
- Conservation will be a key consideration when maintaining Council's tree stock.

The importance of working within an allocated budget is also recognised within this policy document.

2.0 Developing and improving the trees located within Armagh City, Banbridge and Craigavon Borough Council's Estate.

Armagh City, Banbridge and Craigavon Borough Council is committed to developing and improving the Borough's tree stock.

It is recognised that:

- Trees are essential to the creation of a globally sustainable environment.
- Trees add great beauty and character to the Borough's landscape
- Trees absorb atmospheric pollutants thus purifying the air we breathe
- Trees provide invaluable habitat for birds and other wildlife

These benefits all contribute towards making Armagh City, Banbridge and Craigavon a better place in which to live, work and visit. It is further recognised that Armagh City, Banbridge and Craigavon Borough Council should actively:

- Involve the whole community in tree care and management, where appropriate through partnership working.
- Plan the work required, following any necessary consultations.
- Develop and maintain co-operation between statutory agencies and local landowners.
- Involve voluntary groups, private householders and other interested groups when applicable.

- Manage the tree population as a vital resource for shade, wildlife value, visual screening, noise, historical value and pollution reduction, the provision of interest within the landscape and a sense of the changing seasons.
- Plant new or replacement trees in accordance with their suitability to their particular situation. Consideration should be given to the species, eventual size at maturity, local climate, soil-type, environment, potential local difficult conditions and tree availability.
- Only plant memorial trees, where previously approved by Council, in locations where they will contribute to the amenity value of the area, or increase the diversity of the local flora and fauna. Generally, applications for memorial trees will be refused where they lead to potential loss of visual amenity at recognised view points, or lead to an overall saturation of trees in a public area.

3.0 Nature / Conservation

Where trees are identified or suspected as creating an important habitat for important species of wildlife, officers will consult with the conservation section on all proposed tree works. Consideration will always be given to the impact of any tree pruning or felling on local wildlife.

Consideration will be given to minimise the impact upon local wildlife where tree maintenance works are scheduled to take place. Council's conservation section will provide a competent person to assess the site and provide advice.

Dead wood may be left standing or on the ground in habitat piles wherever appropriate.

Trees which are protected by a Tree Preservation Order will require Planning Service consent before any works are considered. Before authorising any tree works contact should be made with the Local Planning Service and if any TPO's do apply then planning consent and permission must be obtained.

4.0 Health and Safety

The aim of the tree management policy will be to set out Council's approach to managing the trees it has responsibility for. This will include a health and safety regime through managing tree associated risk.

Council may appoint contractors to conduct tree services. Contractors will be required to adhere and comply with the Council's code of conduct for contractors.

The management of trees in locations with a large footfall of people will be prioritised for the purposes of health and safety.

4.1 Objective

To provide a management framework whereby managers in Armagh City, Banbridge and Craigavon Borough Council will identify work programs in order to manage the tree stock.

4.2 Strategy

Armagh City, Banbridge, Craigavon Borough Council will manage the risk from trees by creating an annual list of tree works primarily identified by visual inspection and/or the use of externally sourced arboriculture inspections by suitably qualified arboricultural experts.

An annual list of tree works will be compiled for the purposes of maintenance.

5.0 Tree Management

Tree maintenance will be carried out in line with approved budgets. Due to the size of the Council's estate it will not be possible to maintain all of the tree stock to a similar standard. The maintenance of trees will therefore be prioritised to those areas which have a large footfall of people.

5.1 Felling Trees

The Council will not usually cut down healthy trees. However there are the following examples of exceptions:

- The condition or position of the tree means it must be removed for safety reasons.
- The tree's roots have damaged a path or road surface causing potential hazard, but where root pruning would not provide a solution.
- The tree stands in the way of agreed development work.
- Insurance or risk assessments dictate removal.
- A dead or dying tree that is a danger to the public/contractors/employees.

Formal written requests (to fell) should be prioritised by Managers on the basis of:

The danger or threat posed by the tree in relation to the exceptions mentioned above.

In the interest of conservation Council will consider consulting externally to obtain an expert independent opinion before felling is undertaken. Were external reports consider the tree to be in a healthy state Council may refuse the request for felling.

5.2 Tree Pruning

Trees may require pruning, any cutting can weaken a tree and allow decay organisms to enter exposed tissue. Pruning often causes a tree to respond by producing vigorous new growth, often undoing the purpose of the original pruning. An exception to this will be trees requiring formative pruning to shape or train them during the early years.

Older trees do not tolerate pruning as well as younger ones and substantial pruning can be damaging, particularly in species that are not naturally tolerant of cutting.

Tree pruning will only be undertaken where there is sound justification for the work.

The following are examples where pruning will be considered:

- For the purposes of health and safety.
 - A tree that is obstructing a public highway, public right of way, paths or vehicle routes.
 - Trees interfering with street lighting, highway signage or affecting other statutory services.
 - Trees needing formative pruning to shape or train them during the early years.
 - Removal of dead and diseased branches.

When statutory agencies request permissions to conduct works. The impact of the works on the tree stock must be taken into consideration and permissions sought from Council before the commencement of works.

5.3 Timber Disposal

All of the council's timber will be removed by external contractors and/or employees to an agreed storage location where it will be securely stored and disposed of annually by public advertisement. Any material left on site for the purpose of biodiversity will be agreed and approved by the manager responsible for that location.

5.4 Tree Planting

The Council will actively maintain the tree stock by planting additional trees when required. This will assist the council to maintain a healthy age profile across the estate.

5.5 Scope

The procedure shall apply to the management of trees which are located on Council lands or those trees located on lands where council have a prior agreement in place.

5.6 Records

The site manager shall retain the following documentation relevant to their area of control.

- Maintenance records.
- Records of information, instruction and training to employees.
- Register of competent persons to inspect trees.
- Register of competent persons to carry out arboricultural works.
- Safe systems of work and risk assessments for arboriculture works.
- Register of arboricultural contractors who fulfill Council requirements for external contractual works.

5.7 Review

This policy shall be reviewed periodically every 5 years or more frequently if required.

5.8 Audit

This policy shall be audited as part of the internal audit system.

5.9 Procedure

Tree inspections will be carried out in accordance with the following guidelines:

- Individual inspections will be carried out by suitably qualified staff.
- All internal data will be recorded and retained.
- All necessary remedial work will be carried out as soon as is reasonably practicable.
- Records of all external survey work, inspections and recommendations, etc., will be recorded and monitored.
- All emergency situations shall be considered individually, assessed and actioned appropriately.
- Should Council require the services of an external arboricultural expert they must be procured through the Council's procurement process.

Work Undertaken by other Statutory Agencies:

Statutory Agencies will only be permitted to carry out arboriculture work on Council managed lands following approval from the Council Lands and Properties Office.

6.0 Dealing with common complaints

Common complaints relating to trees include the following examples;

- Overhanging or obstructing branches
- Loss of light
- Loss of landscape views
- Interference with television and satellite reception
- Littering by leaves and fruit
- Potential risk to property
- Heave

The aforementioned neighbour related complaints are dealt with in the policy on overhanging branches as detailed in appendices 1 and 2.

Appendix 1: POLICY ON 'OVERHANGING BRANCHES'

The Council accepts that this is a complicated area of law which is further complicated in practice by the potential management implications for Council's large estate of lands. Council has a clear responsibility for trees on its own land and has a 'duty of care' in this regard. Council have a programme of regular visual inspections of trees within its' parks and other public places.

Where branches from trees on Council land overhang adjoining gardens or properties, normal practice allows land-owners to trim or remove such branches as far back as their boundary if so desired. Council staff should inform owners of this right when appropriate or when asked.

However, when a request is received from a landowner for Council to trim back any overhanging branches, the following criteria should be considered:

- In the case of healthy trees, Council position is more 'discretionary' (although from a purely legal perspective Council do have a responsibility but with no obvious sanctions).
- The underlying logistical concern is that we should exercise such discretionary responsibilities in a controlled but reasonable fashion.
- Such formal requests (to cut overhanging branches) should be prioritised by Managers on the basis of:
 1. the risk posed by overhanging branches;
 2. the degree of loss of amenity to the residents concerned with respect to light, falling leaves, etc, and
 3. their ability or otherwise to do the work themselves.
- Where Council undertake such work officers should agree the involvement in writing and should seek permission and indemnity for Council workers or contractors working on the property from the owner(s) of that property.

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Appendix 2: FORM OF INDEMNITY – For work carried out by Council staff/contractors on neighbouring properties

I,being the owner / tenant (*delete*) of

.....,

hereby give permission for Armagh City, Banbridge and Craigavon Borough Council to enter and use the grounds of this property for the purposes of agreed tree-cutting works.

Accepting that those staff so instructed will take all reasonable precautions to prevent any damage to my property, including lawns, flowerbeds, green houses, etc., I undertake not to claim for costs or any other expenses arising out of these operations mindful that such works are considered to be of benefit to myself, the property and my amenity.

I also certify that my house insurance covers my liability for any negligence on my part leading to injury to persons or damage to Council property whilst such works are being undertaken.

Signed..... Date:

PRINT NAME:

Signed on behalf of Council:

Position:Date:

For the purposes of record, such works are scheduled to take place on:

..... or at a time and date otherwise agreed.