

A Strategy for Halton's Trees and Woodlands

DRAFT

OPEN SPACE SERVICES

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PREFACE

This is a draft version of a proposed Tree and Woodland Strategy dated November 2018. Once adopted, this document will be subject to periodic review in response to legislative changes, reviews of Council Strategies and Policies and industry best practice.

Summary

Halton Borough Council is changing the way it manages its trees and is embracing new systems and practices to achieve a more efficient approach.

This new approach will focus resources into the management of trees that are in Council ownership by routinely inspecting trees in accordance with a risk based methodology. If during an inspection, a tree poses an unacceptable risk of harm to people or property, remedial work will be carried out.

This new approach will mean the Council will now only prune or remove trees for sound arboricultural reasons and will no longer be able to routinely respond to requests for tree works for any reasons other than safety, or the prevention of damage. The Council will however seek to act as a ‘good neighbour’; Officers will treat enquiries with diligence and respect, and hopefully in some circumstances the Council may be able to help.

The Council will inspect; undertake remedial works and respond to tree enquiries according to urgency. Timescales are proposed in this document and should be adopted as standard.

1. Introduction

Trees by their nature are dynamic living systems. They have evolved to cope with losing limbs, breaking apart and being wounded and they grow adaptively in response to the environment around them. Trees and woodlands can make a significant contribution to quality of life, the local economy and the environment. Where trees and people co-exist however there is a need to ensure that a tree’s natural processes do not pose a risk to the people and property around them.

Owners of trees have a legal duty of care and are obliged to take all reasonable care to ensure that any foreseeable hazards can be identified and made safe. Although it is not possible to completely eliminate the risk of tree failure, there are often indications that a tree may be in decline, have structural faults or be suffering from decay or pests and diseases. Many of these signs can be recognised by trained inspectors who can then instigate further investigations by a qualified arboriculturalist.

The safe and appropriate management of trees is important to the Council, who want to ensure that a balance is maintained between the safety of the public and sustaining a healthy tree population with the benefits it provides.

Some examples of the many aesthetic, social, economic and health benefits of trees are listed below

- Trees play a vital role in urban and rural ecosystems by helping to support a great variety of wildlife
- A large beech tree can provide enough oxygen for the daily requirements of ten people

- Property in tree lined streets is worth 18% more than in similar streets without trees
- Trees intercept water, store some of it and reduce storm runoff, and the possibility of flooding
- Trees help to lock up the carbon emissions that contribute to global warming. For example, 1 hectare of woodland grown to maturity and looked after forever would absorb the carbon emissions of 100 average family cars driven for one year (Climate Care/Trees for Cities estimate)
- Trees have a positive impact on the incidence of asthma, skin cancer and stress-related illness by filtering out polluted air, reducing smog formation, shading out solar radiation and provide an attractive, calming setting for recreation
- Trees can also save up to 10% of energy consumption through their moderation of the local climate

The importance of trees has been emphasised by a number of recent government reports including a national survey of England’s urban trees and their management entitled *Trees in Towns II*, published in February 2008. More recently, in December 2011, the National Tree Safety Group released its guidance on how tree owners should approach tree safety management ([3.3 refers](#)).

This document is concerned with the management of trees by Halton Borough Council. This includes reducing the risk of harm from trees which are either:

- Within the responsibility of the Council
- Outside the responsibility of the Council, but have the potential to impact upon land, infrastructure and property for which the Council has responsibility.

Trees which present the greatest risk of harm to people and property tend to be in urban locations, such as:

- Trees along roads and pavements
- Trees in pedestrian areas
- Trees in parks and green spaces
- Trees in the grounds of Council properties and buildings

Not only do urban trees provide important benefits, they also present a range of problems. Current issues associated with the management of urban trees include:

- ensuring that the right trees are planted in the right places ([14.1 refers](#)) - in response to directives to plant more trees
- Poor understanding of tree management practices by local residents that can lead to opposition to essential tree works

2. Aims of the Strategy

Sustainability is at the heart of the Council’s long term aims and this Tree and Woodlands Strategy sets out how the benefits provided by trees and woodlands will be maintained and enhanced. This will include positive steps to consolidate tree stocks and address some of the recurring problems associated with Council’s trees.

The primary aims are summarised as follows:

- **To initially survey, inspect and record all trees within Council ownership**
- **To maintain and enhance the tree population of Halton**
- **To increase the tree canopy cover across Halton with particular reference to areas with low canopy cover**
- **To protect, consolidate and, where necessary, restructure the legacy of established trees and woodland**
- **To maintain and maximise the ecosystem services provided by the Council’s trees**
- **To ensure, as far possible, that the Council’s tree stocks are resilient in the light of threats from introduced tree pests and diseases and climate change.**
- **To promote biodiversity and conserve tree and woodland eco-systems**
- **To conserve and protect ancient woodland and ancient trees with significant ecological, historical and amenity value**
- **To work with partners to expand the woodland cover through sustainable external funding**
- **To fulfil the Council’s duty of care in respect of its tree stocks. The systems of health and safety checks on trees that have been implemented; developed and maintained. The aim will be to keep risks presented by trees as low as it is reasonably practical to do so**

3. Context:

Halton Borough Council has adopted the following Plans, Strategies and Guidance in support of this strategy document.

These documents provide a strategic plan to deliver a network of high quality green spaces. They set out to ensure green space will be designed and managed as a multi-functional resource, delivering a wide range of environmental and quality of life benefits. Trees and woodlands are a very important part of this and play a vital role in defining Halton green environment.

Woodlands, especially old trees and ancient woodlands are amongst our richest habitats. The highest levels of biodiversity are often found in woodlands that are actively and sensitively managed. Their diversity is even greater when they form part of a mixed

landscape in close proximity to other features such as ponds, grasslands and even residential gardens. Hedgerows linking woodlands act as wildlife corridors and so greatly promote the extent and range of wildlife. In order to protect this ecological asset an evaluation will be given to the sensitivity of the species and habitats identified to ensure public access remains appropriate, without harming the biodiversity.

The challenge in the future will be to maintain and enhance diversity. Planning and management needs to be aimed at providing a natural environment which is resilient to climate change. Climate change will impact on the range of native wild plants and animals and hence the character of our woods.

Woodlands protect ground water from pollution and lessen the likelihood of flooding by intercepting rain before it reaches watercourses. Strategically planted shelterbelts intercept air pollutants. To realise integrated and multifunctional landscape management the Council will work closely with external partners and a variety of landowners.

The Trees and Woodland Strategy is mutually compatible with these overlapping plans and strategic documents and thus provides a clear direction for the management of the Halton’s Green space and natural environment assets.

3.1 The Local Plan

The Delivery and Allocations Local Plan (DALP) provides a robust and up-to-date policy framework to guide future development within the Borough. This document reviews, replaces or compliments a number of core strategy documents. It is important to note that the Local Plan should be read as a whole as the policies are cross cutting and inter-relate. Specifically, the Local Plan document and accompanying Adopted Policies Map will:

- a) Replace the remaining saved policies of the Halton UDP (adopted April 2005).
- b) Refresh and update, selected policies of the Core Strategy (adopted April 2013).
- c) Include allocations of land for residential, employment, retail, leisure and other land uses.
- d) Identify areas to be designated and protected for landscape, nature conservation, environmental and heritage reasons.
- e) Provide policies to guide decision making in the development management process.
- f) Replace the existing UDP Proposals Map

3.1.1 Section 20 - Key policies in the Local Plan pertinent to this strategy:

HE1: Natural Environment and Nature Conservation

Halton benefits from a broad range of diversity in landscapes and townscapes, which identify the area’s unique and beautiful natural environment. There are also a number of designated areas, identified for their unique landscape or rare habitats and species that require protection from development which would be

damaging and harmful. The Council recognises the importance of these features and assets and the planning policies contained within this document provide the opportunity to ensure that not only are these features and assets protected, but where possible enhanced for the enjoyment of current and future generations.

HE4: Green Infrastructure

Green Infrastructure is a network of multi-functional green spaces, urban and rural, which are capable of delivering a wide range of environmental, economic and quality of life benefits for local communities. Therefore Green Infrastructure is considered a key element similar to water, waste, transport and energy infrastructure.

HE5: Trees and Landscaping - Woodlands, Trees and Hedgerows

Woodlands, Trees and Hedgerows are an important visual and ecological asset; they provide a significant contribution to an area’s distinctiveness as well as playing an important role in mitigating and addressing climate change. Whilst the landscape of Halton encompasses all outdoor space, from town centre squares and pedestrian precincts, to the Green Belt and open countryside, each play a key part in creating a distinct local character.

HE7: Pollution and Nuisance

This policy together with CS23 – Local Plan: Managing Pollution and Risk looks to ensure that development takes into account the potential environmental impacts on people, buildings, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution and nuisance.

3.2 Policy and Performance Board

In June 2012, a Tree Working Group was established by the Environment and Urban Renewal Policy and Performance Board. The Working Group considered issues relating to inspection and liability, insurance claims following alleged damage to property, the management of the Council’s tree stock and neighbour issues such as tree height and maintenance.

On 5 September 2013 the Tree Working Group recommended to the Executive Board that:

- The Council develop a new tree strategy that clearly articulates how the Council manages its tree stock whilst adhering to guidance and recommendations set out in the ‘National Tree Safety Group - Common Sense Risk Management of Trees 2010 ([3.3 refers](#)).
- A post of Open Space Officer who holds portfolio for trees and woodlands should be created to oversee the implementation of work. This post holder would implement and oversee inspection and monitoring systems.

- A tree inspection regime should be implemented at a frequency that is deliverable with the resources available to the Council. This system should be robust enough to defend the Council from potential liabilities.
- That new advice and guidance leaflets and webpages be produced to assist elected members and members of the public to understand how the Council manages its tree stock. This includes explaining the Councils position on right to light, trees interfering with Sky reception, etc.
- That officers should identify a suitable tree management system (database) that allows mobile working and resources be made available to procure such a system or develop one in-house. Issues concerned with systems being able to ‘speak’ with other Council IT systems be investigated and resolved. Members of the Tree Working Party recognised that budgets are tight at this time but that the potential risk of more accidents and claims could be avoided by investment.
- Strengthen the operational tree maintenance team so that more proactive maintenance work can be carried out. This should help reduce complaints and ensure more effective handling of tree issues.
- Officers will explore all opportunities to derive income from the Councils tree stock through the sale of logs or arisings. In particular opportunities relating to biomass energy production should be explored.

The Executive Board resolved that:

- 1) The recommendations of the Environment and Urban Renewal Policy and Performance Board Tree Working Group be adopted; and
- 2) The recommendation for Capital Funding referred to the Budget Working Group for support and approval.

3.3 National Tree Safety Group

The National Tree Safety Group (NTSG) comprises representatives from 20 organisations. These range from tree specialists such as the Arboricultural Association and the Institute of Chartered Foresters, to tree owners and managers such as the Country Land and Business Association, National Farmers Union and the Forestry Commission, to conservation organisations such as the National Trust, Woodland Trust and Ancient Tree Forum.

The aim of the NTSG is to develop a nationally recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees. Its new national guidance document entitled Common Sense Risk Management of Trees was released in December 2011.

The NTSG guidance is underpinned by 5 key principals:

- Trees provide a wide variety of benefits to society
- Trees are living organisms that naturally lose branches or fail
- The overall risk to human safety is extremely low
- Tree owners have a legal duty of care
- Tree owners should take a balanced and proportionate approach to tree safety management

The NTSG has produced three documents:

1. Common sense risk management of trees (The main guidance document)
2. A Landowner Summary (for estates and smallholdings)
3. Managing Trees for Safety (for the domestic tree owner)

These are downloadable free from the Forestry Commission’s Publications website <http://www.forestry.gov.uk/forestry/HCOU-4VXJ5B>

4. Stakeholder Involvement

It is very important that stakeholders and residents living in Halton understand the principles set out in this strategy, particularly that cyclical renewal and management of trees is necessary to ensure their long term sustainability. This strategy will be available on the Halton Borough Council web site.

It is hoped residents will be assured that Halton’s trees are being sensitively and professionally managed to achieve long term sustainability. The Council would like residents to feel a sense of involvement and communal ownership and take pride in Halton’s extensive tree cover, woods and greenspaces.

The Council will seek to support community based projects regarding trees, in particular to encourage schools and youth groups to become involved in Halton’s trees and woodland.

Trees and woodlands offer a variety of outdoor opportunities for recreation and learning. The priority will be to provide high quality access near to where people live and work. To ensure trees and woodlands remain valued as a ‘lifelong’ resource appropriate information needs to be freely available. This should include recognition of their historic, archaeological and cultural significance.

Partnership working promotes community involvement, and so links to existing partners should be strengthened and new ones established by providing advice and support to communities with plans to create and maintain their own woodland, or become involved in managing existing blocks of woodland in their neighbourhood. Partnerships can help support funding applications and could qualify for funding from organisations such as The Woodland Trust. The Council will also maintain a dialogue with the Mersey Forest.

5. Service Delivery, Policies and Priorities

5.1 Standards of Service Delivery

Trees are complex organisms with a long natural lifecycle, in order to manage them sustainably, a strategic operational approach is essential. As understanding of the way pruning affects trees has evolved, the basic premise has not changed: all tree surgery is not for the benefit of the tree, other than to enable it to continue to co-exist in an artificial human environment.

The management and maintenance of trees is therefore a complex and skilled task, often requiring different services and organisations to work closely together in order that trees are appropriately managed to minimise the risk they may pose and may be posed to them.

An important part of delivering an effective risk management system is ensuring that the tree managers have the pre-requisite skills, with suitable qualifications and experience to meet the challenges.

The complexity of tree stock within Halton requires well trained Arboriculturists as an integral part of a defensible tree and woodland management service. This has been substantiated by industry best practice, peer review and confirmed in common law precedence.

The breadth of arboricultural knowledge and skill is not only needed by those who undertake the works, pruning, planting and removing trees, but in this highly regulated industry, also those inspecting the trees, responding to service requests and specifying works must be appropriately qualified.

Analysis of tree related enquiries has enabled the Council to monitor customer concerns, prioritise work and the way that it is undertaken. Improved levels of consultation and communication have been developed, which are detailed below. Equally, firmer policies have been developed that inform residents of the Council’s actions in respect to common concerns. These policies are integral to a more proactive level of service delivered within financial constraints.

5.2 Common Law Rights

In the English legal system, Common Law refers to laws that have been developed through precedent set by similar cases as opposed to being created through legislative statutes.

Under English Common Law Rights, you have a right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice with respect to encroaching trees is given for general guidance only. You are advised to obtain independent legal advice before acting:

- a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. You must not go beyond your property boundary without the permission of the tree owner. You have no legal right to cut or remove any part of a tree that does not overhang your property.
- b) You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are trivial meaning you could do the works with hand secateurs or similar.
- c) You are strongly advised to tell the owner of the trees what you plan to do. You can find out if the trees are owned by the Council by telephoning the Halton Direct Link.
- d) Before you consider doing any works to the trees you should find out if they are protected by a Tree Preservation Order or if they are in a Conservation Area. If trees are protected, then you will need to gain consent by making an application / give notice to the Council. For guidance on how to check if the trees are protected and how to make an application please telephone the Contact Centre.
- e) Legally you do not own those parts of the tree that encroach over your property and you should make arrangements to return these to the owner. You are advised to discuss this with your neighbour to agree a mutually acceptable solution.
- f) If your actions render a tree to be unsafe you may be liable for any subsequent damage, or injury that results from tree failure.

5.3 Legal Considerations (meeting the Council’s Duty of Care)

The risk presented by trees is low. For example the Health and Safety Executive estimate the risk of death caused by a failing tree or branch is 1 in 10,000,000, which is much lower than the risks accepted by people on a day to day basis such as using the roads where the risk of death is 1 in 16,800. These low risks must also be balanced with the benefits trees provide.

The Council has a duty of care to employees and members of the public in respect of the safety of trees in its ownership. This does not mean that the Council must maintain all its trees in a safe condition. Trees are dynamic organisms, subject to the forces of nature, which can fail without showing warning symptoms and can never be classed as entirely safe. However, the Council must try to keep risks presented by trees as low as is reasonably practicable.

The most recent guidance in the Tree Health and Safety Group’s “Common Sense Guide to the Management of Tree Safety” published by the Forestry Commission in 2011 sets out how a Local Authority should approach tree safety. This involves zoning areas based on the usage of the ground around the trees, working out a level of tree inspection needed, employing trained and competent staff to complete various levels of survey, and recording and storing all findings on a database.

In support of this Strategy the Council has produced a Tree Risk Management Plan (Appendix 16.4), which includes all the measures recommended in current guidance.

The strategy has been fully implemented with all streets trees checked and their details recorded.

The instigation of the database and a system of inspections will lead to a pro-active system of management complimented by structured systems to respond to service requests. It is anticipated the adoption of this system will delivered greater efficiency and economy savings over the position before this system was in place.

6. General Policies

6.1 Priorities

TP1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.

TP1.1: Implement the regime of periodic tree inspections and data recording as set out in the Tree Risk Management Plan.

TP1.2: Staff employed to manage the Councils tree stock will maintain a high level of training and continued professional development to ensure that tree management decisions are well founded and in line with current industry practice.

TP1.3: To undertake tree works in line with the risk based prioritisation.

TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.

TP2.1: The Council will seek to disseminate information on its tree and woodland activities as widely as possible.

TP2.2: The aim will be to support and maximise community involvement in the Halton’s trees and woodlands.

TP3: The removal of trees and woodlands shall be resisted, unless there is sound Health and Safety or arboricultural reasons supported within this strategy.

TP3.1: The removal of healthy trees in response to complaints shall be resisted unless the complaint has an overriding justification and no alternative management practice can be implemented.

TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.

TP4.1: To provide plans for long term management and development of trees and woodlands as essential components within the landscape.

TP4.2: To ensure the best use of resources is made during the planning of operations.

TP4.3: To supplement the Council’s spending by seeking additional funding from external sources where ever possible.

TP4.4: To realise any economic potential of trees, and woodlands, or materials generated from them, where this does not conflict with the other policies and priorities of the Strategy.

7. Operational Policies

7.1 Bird Droppings

TP5: Council trees will not be pruned or removed to stop or reduce bird droppings from trees, nor will the Council remove bird droppings from private land.

Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act (and other related wildlife law).

TP5.1: Residents will be advised of their powers to exercise your Common Law right to remove the nuisance associated with encroaching trees or alternatively that warm soapy water is usually sufficient in removing bird droppings.

7.2 Blossom

TP6: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.

Blossom is a natural occurrence, which cannot be avoided by pruning.

TP6.1: Roads, streets, foot or cycle paths will be swept of excessive blossom as part of normal cleaning cycles.

TP6.2: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

7.3 Low Tree Branches; Road, Cycle or Footpaths

TP 7: The Council will carry out work to a Council owned tree with the aim to maintain a minimum of:

- Road – 5.5 metre height clearance

- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

TP7.1: These works will be identified and actioned in routine pro-active surveying and as a result of reported breaches of these standards.

7.4 Trees Overhanging Property

TP 8: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches.

TP8.1: All trees (excluding woodland areas) will be inspected every three to five years, depending on how much the area surrounding them is used. Maintenance will be carried out if the tree is considered likely to touch property structures prior to re-inspection.

TP8.2: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

7.5 Drains

TP9: The roots of Council owned trees will not be pruned, removed or cut to prevent roots entering a drain that is already broken or damaged.

TP9.1: Residents will be advised that tree roots typically invade drains that are already broken or damaged.

TP9.2: Trees themselves very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe.

TP9.3: If residents are concerned about the condition of their drains they are advised to contact their Water and Sewerage Company or a drainage expert.

7.6 Fruit, Berries, Nuts and Seeds

TP10: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, nor will the Council remove fallen fruit, seeds or seedlings from private land including gutters.

TP10.1: Should fallen fruit lead to significant anti-social problem residents will be advised to contact the police.

TP10.2: Residents will be advised that the maintenance of gutters is the responsibility of the landowner and that the Council is not obliged to remove fruit/berries/nuts/seeds or seedlings that may have fallen from Council owned trees.

TP10.3: Residents or the Council’s tree team will report a road, street or highway that needs to be cleaned to the Open Space Services.

7.7 Poisonous Berries

TP11: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.

TP11.1: All reported concerns over a tree with poisonous berries that unsupervised young children are exposed to will be investigated promptly.

7.8 Leaves

TP12: Council owned trees will not be pruned or removed to stop or reduce leaf fall nor will the Council remove fallen leaves from private property.

TP12.1: Residents will be advised that the loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.

TP12.2: Residents will be advised that the maintenance of gutters is the responsibility of the landowner and the Council is not obliged to remove leaves that may have fallen from Council owned trees.

TP12.3: Where leaves have been reported to have accumulated on Council owned roads, footpaths these will be reported to Open Space Services.

7.9 Light

TP13: A Council owned tree will not be pruned or removed to improve natural light in or to a property. This includes properties with (or planned to be installed) solar panels.

TP 13.1: Residents will be advised that in law there is no general right to light.

7.10 Suckers from Tree Roots

TP14: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.

TP14.1: Residents will be advised of their rights to remove suckers on their land.

7.11 Personal Medical Condition – Complaint

TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees. Such cases will be investigated, and appropriate action considered.

TP15.1: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

7.12 Pollen

TP16: Council owned trees will not be pruned or removed to stop or reduce the release of pollen.

TP16.1: Residents will be advised that pollen is a natural and seasonal problem.

7.13 Trees Affecting Street Lights, Signs and Traffic View

TP17: Work on Council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.

TP17.1: These works will be identified and actioned in routine pro-active surveying and as a result of reported, breach of these standards.

7.14 Sap and Honeydew

TP18: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.

TP18.1: Residents will be advised that honeydew is a natural and seasonal problem. When new trees are planted we try to choose trees less likely to cause this problem.

7.15 Subsidence Damage to Property (Tree-related)

TP19: The Council has in place active tree management systems to minimise risk of damage being caused to buildings and other structures because of the action of Council owned trees.

TP19.1: Residents will be advised that if they have concerns about tree related subsidence damage to property, that they should contact their insurance provider for advice.

TP19.2: If a residents wishes to make a formal claim for damage they will be advised to contact the Council Insurance Team Direct. Alternatively the case will be investigated by the Council’s Open Spaces Team, once reported.

7.16 Trip Hazards

TP20: The Council will make safe an unacceptable trip hazard caused by the growth of Council owned trees.

TP20.1: All reported cases will be investigated and actioned accordingly.

7.17 Tree Touching Building

TP21: If a Council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.

TP21.1: All reported cases will be investigated and actioned accordingly.

7.18 Tree Too Big / Too Tall

TP22: Council owned trees will not be pruned or removed because they are considered to be too big or tall.

TP22.1: Residents will be advised that a tree may seem too big for where it is, but this doesn’t make it dangerous.

TP22.2: All trees (excluding woodland areas) will be inspected for safety. We inspect them every three to five years, depending on how much the area surround them is used. Maintenance will be carried out, if necessary.

7.19 Tree and TV / Satellite Reception

TP23: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.

TP23.1: Residents will be advised that their satellite or TV provider may be able to suggest an alternative solution to the problem.

7.20 Vistas and Views

TP24: Council owned trees will not be pruned or removed to improve the view from a private property.

TP24.1: The Council will promote the amenity value offered by trees in their own right.

7.21 Wild Animal / Insect Pest

TP25: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals, unless it is in the national or public safety interest to do so due to a harmful invasive species.

TP25.1: On private land residents will be advised that external companies provide a chargeable service for removing certain pest species.

8. Policies and Priorities for the Management of Council Owned Trees

The Council’s tree stocks can be divided into 6 main categories as follows:

1. **Street Trees and Trees in Residential Areas:** Street trees are planted in pavements or road verges. These help to filter traffic pollution; provide shade for car parking and improve the overall appearance of the street scene. Trees in residential areas are trees growing within and around housing estates to enhance the local environment.
2. **Parks and Open Spaces:** These are frequently the trees of greatest local significance and provide maximum visual amenity for both residents and visitors.
3. **Woodlands:** These are usually dating back to historical local landowners and areas of Halton’s agricultural past. These woodlands are usually a valuable wildlife and amenity resource within the urban fringe and form many of Halton’s Local Nature Reserves.
4. **Highway Structure:** Mostly new plantings alongside major roads to attenuate noise; filter traffic pollution and provide visual amenity and habitat for wildlife corridors.
5. **Village and Rural Trees:** The villages have a unique character, much of which is achieved by their content of historic trees, as well as those growing within the surrounding countryside.
6. **New and Replacement Planting:** policies and priorities in respect of new and replacement planting are a key element of the strategy and decisions made now will have a bearing on the future resilience and sustainability of Halton’s tree cover.

Each category of tree cover is assessed below and the specific policies and priorities that relate to them are detailed.

8.1 Street Trees and Trees in Residential Areas

The trees in streets and residential areas have to survive in difficult environments. Utilities demand space, as do road signs, streetlights and aerial telecommunications. The limited space is made all the more challenging because of polluting car emissions, road salt, oil and other contaminants. Against the odds, trees can and do survive but often with a limited life expectancy.

The character of Halton’s street trees vary considerably, from the older roadside planting in areas like Higher Runcorn and Northern Widnes, to the newer developments of Upton Rocks and Sandymoor.

Many of Halton’s streets have tree populations that are over-mature. Such trees are vulnerable to climatic change, disease and damage. As time progresses this over-mature population of street trees will be removed as individual trees deteriorate. In these areas new trees will be introduced between the mature specimens to ensure that there will be continuous future tree cover.

A large proportion of trees fringe housing estates that enhance the environment and are very important to the quality of life for the residents. However as the trees mature, design faults such as planting trees too close to each other, property and

gardens and selecting inappropriate species for a given situation become evident. Problems of branch and root encroachment are therefore common and make up a high proportion of enquiries to the Council.

TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.

TP26.1: Work with and monitor the activities of utility companies in order to minimise accidental operational damage to trees.

TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.

TP27.1: To plant new and replacement street trees in appropriate sites, giving priority to streets where trees are currently standing or have been in the past.

TP27.2: To consider alternative planting positions and methods of establishment where maintenance of street trees in the same positions of the trees to be replaced will be either unduly difficult or expensive to maintain.

TP28: To renew and restructure tree stocks planted within residential areas;

TP28.1: Consider a phased removal of trees growing too close to buildings and replace with new planting more appropriate to the situation, or relocate planting areas to more suitable sites in the neighbourhood. Replanting will be, as far as is practicable, carried out using a combination of standard trees, whips and bare root transplants.

TP28.2: To thin dense groups of trees to allow full crown development where there is sufficient space.

TP28.3: To ensure that replacement planting is sufficient to retain the existing level of canopy cover in the area.

TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.

TP29.1: To consider the long term development and safe life expectancy of mature avenues and instigate a policy of gradual renewal and replacement in advance of them becoming untenable. Measures could include pruning, total removal and replacement, partial removal and replacement.

TP30: To take action to restructure avenue trees planted with inappropriate species too close to neighbouring properties.

TP30.1: In areas where avenue trees pose a potential threat to adjoining buildings, the council will manage or restructure the avenues to minimise the impact on the properties. Options will include but not be limited to:

- Removing avenue trees and replacing with low water demand species.
- Removing avenue trees adjoining buildings and filling the gaps with smaller low water demand species. As far as possible maintaining regular spacing and the avenue effect.

8.2 Parks and Open Spaces

Trees are fundamental to the structure of parks and very important contributors to the environment of the area. The nature of different parks and green spaces is very variable. For example, Victoria Park has a declining tree population displaying over maturity in comparison to Town Park with younger but neglected stock, which is now in need of management by selective thinning. The latter is now urgently required to prevent very high losses over the next ten years. For this reason management has to be planned on a site by site basis.

Certain newer areas of Halton contain large open spaces of short grass and minimal structural planting. These areas are ideal for enhancement. Research in The Woodland Trust’s report “Trees or Turf” aims to demonstrate that management of woodlands could be markedly cheaper than maintaining some types of grassland. By creating small woodlands on such amenity grassland opportunities for wildlife can be promoted in addition to landscape enhancement.

TP31: To maintain tree cover within Halton’s parks by renewing the tree stocks and increasing the range of age classes present

TP31.1: To commence a replacement programme that incorporates a diverse range of tree species and, where appropriate, to re-establish historic landscapes.

TP31.2: To ensure that management work takes into consideration the sensitivities of the residents who use and care about the parks. In particular, ensure that the reasons for particular operations are explained to the public before commencement.

TP31.3: To carry out tree removal and replanting in a phased way rather than causing large amounts of disturbance and change to the landscape of the park in one operation.

TP31.4: To carry out replacement tree planting in anticipation of the need to replace older tree stocks in the future. Planting of low maintenance bare rooted whips with appropriate guards will be favoured over larger planting stock.

8.3 Woodlands

Woods provide considerable benefits in terms of ecosystem services, biodiversity and landscape amenity however, some woods have a flaw, which is that many trees, including some unsuitable fast growing species are too close to residential properties as illustrated in Image 1 and Image 2. It has been identified that the issue of proximity, particularly encroaching branches, accounts for the majority of enquires received by the Council.



Image 1 - Woodland trees affecting property 1



Image 2 - Woodland trees affecting property 2

TP32: The Council will seek to reduce impact of woodland trees on adjoining properties.

TP32.1: Where necessary, the woodland belts will be restructured cutting trees back from the edge of property boundaries. Following the tree removal new native small trees and woody shrubs will be planted to form a woodland fringe. The replanting will both replace the lost biomass and provide improved wildlife habitat. In addition to the edge clearance some light selective thinning will be carried out in the belts to ensure some of the best trees have room for proper crown development. The aim of the thinning is to slowly reduce the number of trees in some of the belts to achieve the effect of groves of full crowned trees rather than dense woodland conditions. However this process will be done in stages, to maintain stability and to spread the significant financial impact.

TP32.2: High water demand trees within influencing distance of adjoining properties will be progressively removed in thinning.

TP32.3: As part of the tree health and safety strategy, basic level checks will be periodically carried out on boundary trees, looking for obvious defects that present a risk of failure.

TP33: Woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.

TP33.1: In suitable woods, selective thinning will be carried out removing no more than 10% of the trees by number.

TP33.2: Mechanisation such as a tractor mounted tree harvester will be used where it is practicable to reduce the cost of management. Economical mechanised working will help address the problems of proximity to buildings and high water demand trees in a cost efficient way. However, not all areas are suitable for this approach.

TP33.3: Those woodland belts that are unsuitable for either thinning or restructuring with a dense low cover of species such as hawthorn and blackthorn will be managed as non-intervention areas.

TP34: The woods will not be clear felled and management will be on a continuous cover basis.

TP34.1: Natural re-generation within the woodland belts will be managed and encouraged.

TP34.2: Management will endeavour to increase the range of age classes within the woods.

TP34: The Council will encourage community involvement and where practical, advise residents when work is proposed.

TP34.1: The council will try to address the problems of anti-social behaviour in woodlands.

TP34.2: The Council will encourage community involvement in the woods and support projects such as Coppicing and Woodcraft.

8.4 Highway Structure

The Borough of Halton has excellent transport links being part of the region’s transport network. The M56 motorway runs through the south of the Borough and the M62 to the North. These motorways are linked by the local roads network built during the 1960 and 70’s as part of the New Town Development spanning the River Mersey with the Silver Jubilee Bridge and the new Mersey Gateway. This network of high speed roads is heavily planted with pioneer species such as Poplar, Willow, Sycamore, Ash, Alder, Maple, Birch and Elm.

Trees within the road network has predominantly been neglected, but now require urgent intervention to address issues of poor structure of dense shallow crowns that

reduce the value of screening and the removal of species ravaged by disease such as Dutch Elm.

TP35: To maintain formal arboricultural features in the Highway by careful management and timely renewal as required.

TP35.1: To consider the long term development and safe life expectancy of highway tree plantings and instigate a policy of gradual renewal and replacement in advance of them becoming untenable. Measures could include pruning, total removal and replacement, partial removal and replacement.

TP35.2: To thin dense groups of trees to allow full crown development where there is sufficient space. Replanting will be, as far as is practicable, carried out using a combination of standard trees, whips and bare root transplants.

TP35.3: To ensure that replacement planting is sufficient to retain the existing level of screening and canopy cover in the area.

8.5 Village and Rural Trees

Many of the trees in the villages and rural areas are privately owned. In spite of this the Council still has responsibility for a small proportion. These trees include trees up to 200 years old and are amongst the oldest managed by the Authority.

Distinctive village scenes can be maintained and enhanced by planting tree species that originally generated such landscapes. The use of native species will be prioritised within locations where appropriate i.e. rural verges. In certain village locations the use of non-native stock may be considered where site restrictions or the surrounding landscape dictates. For the foreseeable future planting of ash will not be supported.

Many trees have been planted on verges by village communities. Where possible, the Council has helped facilitate these requests by offering suitable planting locations and the commitment to manage those trees planted on Council owned land. The Council will fulfil its duty of care in respect of Council owned trees in villages which will be surveyed in line with the Tree Risk Management Plan.

Policy TP36: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.

TP36.1: To ensure that all Council owned trees in Villages are logged on to the Tree data base and receive periodic inspection in line with the Tree Risk Management Plan.

TP36.2: To replace all trees which are removed in these areas and attempt to expand tree cover where this is appropriate.

TP36.3: To re-plant using suitable native trees except where this would result in loss of familiar vernacular.

8.6 New and Replacement Plantings

A key aim of this strategy is to increase the numbers of trees within Halton by both new and replacement planting. Opportunities to improve wildlife habitats and connectivity between woods and tree groups will be a major consideration in setting out new planting areas.

Trees as living organisms have a finite life expectancy. Whilst relatively long-lived, the stress and strain of the urban environment significantly shortens their life span. Tree surveys and inspections in Halton have revealed a large number which are not suitable for their location in the medium to long term.

The expansion of tree cover will be on a planned basis. To build in resilience to pests and diseases, planting stock will be selected from a wide range of genera and species. The guiding principle for new planting will be using no more than 10% of the same species, no more than 20% of the same genus and no more than 30% from the same plant family. However, this principle must be balanced with other factors such as site conditions and design criteria. There is a limited range of native tree species (approximately 35 species excluding micro species drawn from 21 genera and 11 plant families) therefore where ecological considerations dictate that native species are used it will be more difficult to achieve the desired variation.

While the aim is to produce a more even spread of canopy cover over Council owned land it is important that we set targets to achieve this within Council tree planting budgets. As detailed earlier within the strategy, the Council has very high levels of canopy cover on land within its ownership. The aim will be to retain and expand this cover in the following ways:

- Council owned street trees that are removed will be replaced on a one for one basis, using established nursery grown standard trees.
- Trees felled owing to them being inappropriate for their location will typically be replanted on a one for one basis.
- Trees felled within groups, avenues or woodlands will not be replaced, where it is considered appropriate arboricultural or woodland management, to reduce competition between species.

Many of the problems encountered during the daily management of trees can be directly attributed to the inappropriate choice of species at the time of planting. Greatest long term economic savings in tree management can be achieved by ensuring the philosophy of “Right Tree in the Right Place” is followed every time a new or replacement tree is selected and planted.

Deciding which tree species to plant will take account of a range of factors beyond purely ornamental or conservation values. Trees must be selected in the light of the need for resilience to changes caused by climate change in particular drought resistance. Some diseases such as Ash Dieback will be a major limiting factor for the use of certain species or genera.

Planting is only the first stage in the process of planted trees achieving independence in the landscape. Well drafted planting specifications will ensure healthy trees are established, failures minimised, and defects, which could affect the mature condition of the tree, removed at the time which is most cost effective.

A tree requires space in which to grow if it is to thrive and provide its many positive benefits. To achieve this any proposed site should provide adequate space for both the tree and, most importantly, its root system to develop in the long-term. Species selection must be with consideration to the tree's likely ultimate size.

The constraints of the urban environment can make the planting of street trees and avenues impractical. With fore-planning and management of open spaces the addition of trees within the urban environment can be created.

TP37: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.

TP37.1: To implement the planting plan that sustains the tree population, with emphasis on the long term replacement of mature and over mature trees.

TP37.2: Allocate a percentage of the annual budget to fund the replacement and planting of new trees.

TP37.3: As and when the prospect arises, to work with other organisations to secure additional funding streams for the establishment and management of tree stocks.

TP37.4: To pay careful attention to the site conditions in particular providing sufficient space for root development.

TP37.5: To ensure that all planting stock used, of whatever type, is healthy and has a well formed root structure. Imported plants must have spent at least one growing season in the UK and be free from pests and diseases.

TP37.6: To ensure all newly planted trees achieve independence in the landscape by virtue of a sustained programme of maintenance.

TP37.7: As far as is practicable, reduce the tree maintenance commitment by the use of smaller planting stock that will establish quickly and require less attention.

9. Threats and Challenges

9.1 Tree Pests and Diseases

In the last 20 years there has been a steady rise in the number of introduced tree pests and diseases some of which have the potential to cause significant loss of tree cover and the benefits they provide. The reasons for this include increasing levels of world trade particularly in plant material, world travel and changes in the climate making it suitable for pests from warmer environments to establish in the UK.

To illustrate the destructive potential of tree diseases the virulent strain of Dutch elm disease, which was imported into the country in the late 1960’s on elm logs, killed around 23 million trees changing landscapes and reducing tree cover over large areas the UK countryside.

Among the recent introduction or occurrences of pests and diseases the following two examples pose a particular threat to Halton’s trees and landscape:

Ash Dieback (*Hymenoscyphus fraxineus*)

This fungal disease has caused extensive tree losses in continental Europe, for example killing over 90% of the ash population in Sweden. It was first found in the UK in 2012 and has rapidly spread from east to west across the country.

The level of infection is currently low but expected to rise significantly in the next few years. The symptoms are initially browning and dead leaves and diamond shaped stem lesions as illustrated in Image 3. This is followed by a fairly rapid dieback in the crown on larger trees. Typically, an infected tree will have tufts of re-growth that eventually succumb to the disease and illustrated in Image 4. The progress of the disease can be quite rapid with large trees killed in a single growing season where the disease has become well established.



Image 3 - Dead leaves and diamond shape stem lesions are symptomatic of the disease



Image 4 - Typical crown dieback with tufts of regrowth

There is, currently, no proven cure or treatment that can be applied. However, there has been extensive research to try to isolate resistant individuals and indeed, in areas of high infection some trees appear to remain free from infection. It is not clear how the disease will progress in the area so, at this stage, ash should not be pre-emptively removed.

Ash should be excluded from new tree planting schemes and alternative species planted. However, in woodland conditions, natural re-generation of ash should, as far as possible, be retained as it may contain resistant individuals.

Horse Chestnut Leaf Miner (*Cameraria ohridella*)

Horse chestnut leaf miner is an exotic insect pest which lives in horse chestnut trees. It was first reported in the UK in 2002, in the London Borough of Wimbledon, and has since spread north, south and west to most of England and parts of Wales, and there has been one confirmed sighting in Scotland.

Its larvae (Image 6.) mine within the leaves and at high population densities they can destroy most of the leaf tissues (Image 7.). Although it can cause severe damage to horse chestnut leaves on an annual basis, and discolouration and defoliation before normal autumn leaf-fall, on its own the pest does not significantly impair trees' health, and they will usually flush normally the following spring.

However, it is possible that differences in climate, or interactions with other pests and diseases, might lead to greater impact in the UK. Consequently, the effects of the moth and its interaction with other pests and diseases, especially bleeding canker are currently being studied.



Image 5 - Effect of the larvae on the leaf of Horse Chestnut



Image 6 - Larvae of the Horse Chestnut Leaf Miner

Other Pests and Diseases

Species
Ramorum
Disease
(Phytophthora
ramorum)

Images of infected trees



Image 7 - Early symptoms of canker caused by Ramorum Disease

Details
Initially known as “sudden oak death” this disease is currently mainly affecting larch but could affect a wide species range. It can kill larch trees within 12 months. The only control for Ramorum disease is to remove both the infected trees and a buffer of healthy trees to prevent the spread. There are few larch at risk in the urban area where they make up <1% of the population.

Sweet Chestnut
Blight
(Cryphonectria
parasitica)



Image 8 - Lesions on the stem of Sweet Chestnut caused by blight

Recently found in the UK, this disease of sweet chestnut wiped out the entire population of American sweet chestnut on the eastern seaboard of the USA; killing an estimated 3.5 billion trees. Symptoms appear as cankers on the stem with fungal mycelium under the bark. Sweet chestnut makes up less than 1% of the tree stock in Halton.

Pests and diseases not yet established in the UK

There are a number of very serious pests and diseases that have either not yet been found in the UK or have been found, and eradicated such as The Asian Longhorn Beetle; Emerald Ash Borer and Plane Wilt. All have the potential to seriously denude Halton’s tree population.

Species

The Asian Longhorn Beetle, (*Anoplophora glabripennis*)

Images of infected trees



Image 9 - An adult Asian Longhorn Beetle with distinctive white markings and long antenna

Details

Introduced into the USA from Asia the larva of this wood boring insect has killed large areas of urban trees. It is transported around the world in packing timber and by the international plant trade. A small population found in Kent has been eradicated by plant health officials. Any sighting of the large (25 to 30 mm) distinctive beetle must be reported to DEFRA and the Council without delay. It has a large host range encompassing many of the broadleaved species found in Halton including maples that make up a high proportion of the tree stock.

Emerald Ash Borer (*Agrilus planipennis*)



Image 10 - The adult Emerald Ash Borer Beetle on ash foliage

This wood boring insect was introduced into the USA where it has devastated ash populations killing millions of trees. It is now present in Europe with a rapidly expanding population centred on Moscow. The larva of the insect bore into the stems of trees weakening and killing them. Wood boring insects are particularly attracted to trees in a weakened condition and, if it reaches the UK, trees infected with ash dieback would facilitate its rapid spread.

Plane Wilt
(*Ceratocystis platani*)



Image 11 - Effects of Plane Wilt on the crown of a mature tree

This fungal wilt disease is related to Elm disease and works in the same way blocking water carrying vessels in the tree causing rapid decline. It is currently killing large numbers of London plane trees in France and throughout Europe. London plane are important street and amenity trees in Halton.

TP38: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.

TP38.1: The condition of Council owned trees will be monitored as part of the normal health and safety inspections policy and promptly dealt with if they present a significant risk to the public. This does not mean that all infected or dead trees will be removed. The Council’s policy on tree pests will be reviewed on an annual basis.

TP38.2: Where appropriate and advised, simple biosecurity measures such as cleaning boots, shoes and tyres after visiting woodlands will be implemented.

TP38.3: With regard to protected trees, the Council will not grant permission to fell infected ash trees unless the disease has caused the tree to become dangerous or to present a significant health and safety risk.

9.2 Climate Change

The likely effects of climate change, caused by anthropogenic carbon emissions which are enhancing the greenhouse effect of the upper atmosphere include summer drought and more frequent storm events. Measures to both mitigate and adapt to these predicted effects of climate change will be incorporated into the strategy wherever possible, taking full account of the “Climate Change Strategy for Halton”.

10. Privately Owned Trees and Woodland Policies and Priorities

10.1 Trees and Development

The significance and changes to the National Planning Policy Framework (NPPF) and National Planning Practice Guidance means there will be major investment in housing, community facilities and infrastructure. This brings with it opportunities for innovative and strategically planned tree and woodland enhancement. It is essential that trees and woodlands are recognised as an essential part of the design and fabric of growth.

Accommodating the predicted growth in Halton’s population and economy provides significant opportunities for a strategic approach to tree and woodland planting. There are a number of initiatives to enhance the natural environment. They all offer opportunities to increase the tree and woodland cover of Halton as part of the mosaic of green space and habitats. However, as each has its own agenda and priorities, efforts should be made to ensure that they are coordinated and complimentary.

The scale of development which will need to take place in coming decades will facilitate significant funding for the creation of attractive and green residential and business environments. Developers have a valuable role as the key player in the majority of land use changes. They need to respect the existing trees and where appropriate incorporate tree planting within new developments. There is extensive research showing that retained trees and newly planted trees increase the sale value of new properties providing firm financial reasons for developers to consider trees as integral part of their projects.

TP39: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.

TP39.1: To be guided by best practice and local policies for a consistent approach to assessing planning applications.

TP39.2: Trees and woodlands are to be given significant consideration within planning applications, requiring submission of Arboricultural Impact Assessment (AIA) surveys in accordance with British Standard 5837:2012 “Trees in relation to demolition, design and construction – Recommendations”. Where trees are on or within influencing distance of a potential development (within 15m of the development area) an AIA must be prepared and submitted as part of the planning application.

TP39.3: The British Standard sets out a process to protect trees at every stage of a development. The Council will, normally, condition the tree protection measures set out in the AIA. This will include proper provision for arboricultural supervision by a qualified Arboriculturist and a timetable for inspection visits and the method of reporting findings to all parties including Council Open Space Officers.

TP39.4: Producing an AIA is only the first stage in protecting trees during construction. The tree protection measures set out in the AIA are often either disregarded or are poorly implemented once planning permission has been granted. The Council will seek to enforce conditions relating to tree protection

and to consider prosecution when planning conditions are breached or there are breaches of Tree Preservation Orders (TPO) or the requirements of Conservation Area regulations.

TP39.5: It is extremely important that plans for remedial tree planting and green infrastructure submitted as part of planning applications come to fruition. When granting planning permissions the Council will set conditions for the protection, planting and proper maintenance of trees and periodically check on compliance.

TP39.6: Where appropriate, the Council will allocate funds produced from the Community Infrastructure levy for community tree planting projects.

TP39.7: The Council will utilise planning powers to retain and protect good quality existing trees threatened by new development including changes to existing properties and enforce the tree protection measures put in place.

TP40: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.

TP40.1: To require developers to submit details of tree species, size of planting stock to be used and numbers to be planted as part of their proposals. Planting should aim to replace any loss of biomass and, where practicable, retain or increase the canopy cover on the site. Where it is difficult to achieve the Council will consider offering alternative planting sites on its own land.

TP40.2: To ensure that provision made for tree planning takes account of industry best practice, in particular, BS 8545:2014 “Trees from nursery to independence in the landscape-Recommendations”. Further guidance is available from the publications of the Trees and Design Action Group (TDAG).

TP40.3: The Council will encourage planting of healthy plant material. In the light of the threat from imported pests and diseases all planting stock used in Halton should be healthy and sourced from reliable sources with appropriate documentation such as plant passports where required. While British grown stock is preferable, if imported stock is used it should have spent at least one year in a UK nursery under observation.

11. Tree Protection

In conjunction with its duty, as set out in the Town and Country Planning Act, the Council will incorporate policies relating to Trees and Woodlands within its Local Development Framework. Policies protecting trees exist within the Core Strategy and Planning Policies Development Plan documents.

11.1 Tree Preservation Orders

There are currently 112 TPOs and 10 Local Authority Conservation Areas in Halton (Under review). The pressure for development sometimes necessitates the pro-active use of Tree Preservation Orders (TPO’s). TPO’s are also used reactively when a threat to the condition or retention of a tree is known. The Council will, as far as funding will allow, review many of its older Tree Preservation Orders.

The work on trees protected by a TPO places a duty on the tree owner to be granted permission from the Council prior to undertaking the work. The Council has a duty to respond to these requests within 8 weeks. In the event that the Council refuse permission for work on, or removal of a protected tree, the owner can appeal to the Planning Inspectorate.

Before carrying out any tree work or felling of trees within a Local Authority Conservation Area the Local Planning Authority must be given six weeks advance notice. During the six week period the Council may decide to protect the trees in question. However, if no response is received from the Council work may proceed.

To carry out work, damage or remove trees which are the subject of Tree Preservation Order or within a Conservation order without permission is a criminal offence that, on conviction, carries fines of up to £20,000 per tree. However, if trees are illegally removed to facilitate development then the fine per tree is unlimited and may reflect the increase in land value that has resulted from the loss of the tree.

11.2 Protection through Advice

Where necessary and appropriate the Council will provide advice on trees in relation to planning TPOs and work in Conservation areas with the aim of making the process more efficient and therefore provide a cost effective service.

There are, unfortunately, many people willing to offer tree advice which is inaccurate, and may have serious consequences for the tree and its owner. Arboriculture is an established technical discipline where qualifications at various levels are available. Research is carried out to further our knowledge of trees and their care, good advice is available and should be sought from reliable sources. Tree owners should be aware that research has resulted in updated and substantially changed tree management in the last 20 years. Consequently, any person offering advice should keep their knowledge up to date, through membership of an appropriate professional body.

Also of concern is the numbers of people who carry out tree surgery work whose technical abilities are poor. This can lead to low standards of work, which are not in the interests of the tree or its owner. Only reputable companies, capable of working to recognised standards of work such as “British Standard 3998: 2010, “Tree work Recommendations”, should be engaged to carry out tree work. Companies or

individuals undertaking tree work should hold Public Liability Insurance cover and proof of cover should be provided before commencement.

As the Local Planning Authority, the Council has a statutory duty to protect trees of greatest amenity value. This section sets out Halton Council's approach to the protection of privately owned trees.

TP41: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment* are protected.

TP41.1: To utilise and enforce planning powers to retain and protect trees through Tree Preservation Orders and Conservation Area status.

TP41.2: To comment and advise on strategy and other initiatives which affect trees and woodlands.

*based on the quality and value categorised using the criteria within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations

TP42: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.

TP42.1: To protect trees of amenity value

TP43: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.

TP43.1 The Council will promote good standards of tree and woodland care.

TP43.2: To, as far as possible, encourage owners of notable trees that are worthy of protection to adopt better practices of tree care.

TP43.3: To support community tree initiatives.

TP43.4: To support the work of national bodies such as the Tree Council.

11.3 Forestry Felling

Statutory protection is afforded to trees under the Forestry Act 1967 (as amended) and permission from the Forestry Commission (FC) to fell growing trees is often required. There are certain exemptions which include trees in gardens, orchards, Churchyards and designated public open spaces. This permission is granted by the FC via a Felling Licence. Typically an application would be required where trees above 8

cm stem diameter at 1.3 m diameter above ground level need to be felled. If the felling is for thinning a plantation the minimum diameter rises to 10 cm and in the case of coppicing the minimum is 15 cm. A licence is not needed to fell up to 5m³ of timber within a given calendar quarter. However, this drops to 2m³ if the timber is sold. Any felling approved as part of a planning permission will not need a felling licence. Felling trees within the scope of the regulations without a felling licence is illegal and subject to prosecution and fines.

12. Memorial Tree Planting

Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.

Any agreed planting will be subject to the conditions of the Memorial Tree Planting in Parks Policy (12.1 refers).

Customer Advice:

Requests for memorial tree planting should be made to the Parks Manager at: Open Space Services, Picow Farm Depot, Runcorn WA7 4UB

There is a cost attached to all memorial plantings. The price is variable and will be based upon the cost of the tree, planting materials and associated labour. However, due to the fact that the tree will be of a species and siting/location of the Council’s choosing, the final cost to the client will represent a percentage of the total cost, the remainder being met by the Council.

12.1 Memorial Tree Planting in Parks

TP44: Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.

In the planning of such works, suitable plots within the park will have been identified in advance by parks management along with a suitable species of tree for that given location.

TP44.1: At the point of request, clients may be invited to select one of these plots (complete with the allocated tree species for that plot), and then invited to contribute towards the establishment of that tree.

TP44.2: Plantings will not be accompanied by a plaque in any case; however accurate maps and records will be kept of all trees which have been planted in conjunction with a request for memorialisation. A copy of this plan may be supplied on request to the contributing party so they may retain a record of where the tree is located, its species and date of planting.

TP44.3: Aspects of the planting procedure will be completed in accordance with the Council’s standard tree planting good practice.

TP44.4: Every stage of the planting process will be completed by parks staff and at a time of the departments choosing. The scheduling of planting may be subject to changes at short notice due to variables such as unsuitable weather conditions.

TP44.5: The time of planting will be communicated to the contributing party, however it is not intended that plantings become a ceremony of any kind.

TP44.6: Where the planting takes place in the absence of the contributing party, they will be contacted shortly afterwards and informed that the planting has been completed.

TP44.7: Except where Civic requirements dictate, Tree plantings will only take place at a suitable time of year (usually mid-winter). This will often lead to a delay between the initial request for memorialisation and the final planting operation, but will give the greatest chance of successful establishment of the tree.

TP44.8: The cost of memorial planting does not entitle the requesting party to ownership of the tree.

TP44.9: The tree will remain the property of the Council and as such the Council assume responsibility for all aspects of maintenance and aftercare of the tree and reserve the right to carry out any form of maintenance necessary to keep the tree in a safe and healthy condition for the duration of its life.

TP44.10: In the case of trees becoming damaged or failing beyond natural recovery during its normal establishment period, the council will replace the tree on a like for like basis.

TP44.11: In cases where a tree successfully establishes, matures and reaches the end of its natural life, the Council reserves the right to remove the tree and not replace it.

TP44.12: No other form of memorials shall be placed on or around the tree or upon the surrounding ground. Any such additional memorial or decoration will be removed and disposed of by Council staff.

13. Summary of the Key Elements to this Strategy

This strategy highlights the immense value of Halton’s trees and woodlands to the wellbeing of its residents and the substantial contribution it makes to Halton’s sustainable future.

The focus of this new strategy is consolidation of the Council’s trees stocks; the majority are even aged and all growing towards maturity at the same time. Up to this point they

have required relatively low maintenance. However, increasing growth rates are causing conflicts with private properties on the boundaries of the woods and close to trees growing within residential areas. Dealing with these problems is taking up a high proportion of the allocated funds and unless positive management steps are put in place the level of service requests will increase exponentially. It is important that the need for this programme is recognised and adequate resources allocated.

Faults of both design and implementation such as planting trees too close to each other and buildings, and allowing deviation from carefully planned species layouts and mixtures need rectifying by restructuring woodlands, and tree and tree groups in residential areas. Where it is necessary to remove trees these will be replaced with more suitable species while retaining or improving the level of canopy cover.

Shallow, narrow crowned and un-thinned trees provide only a fraction of the ecosystem services of healthy full crowned trees. Dense woods prevent light reaching the ground leading to lack ground flora and poor natural re-generation of tree species. It is therefore necessary to instigate a programme of periodic thinning in many of the woods and tree groups.

The tree stock must be carefully managed to provide a degree of resilience to both imported pests and diseases and the climate change.

The expansion of the ‘urban forest’ will be a priority to ensure that the ecosystem services can be maintained to meet the needs of a growing population. However this will be carefully planned and targeted to as far as possible avoid the mistakes of the past.

Development in Halton presents both challenges and opportunities for its tree cover. The Council will seek to ensure suitable trees are retained on development sites and commensurate and appropriate provision is made for new tree planting and green space.

Unless adequate resourcing chains are provided there is a danger that the problems will get progressively worse to the point where the tree stocks become a negative asset.

It is hoped that both stakeholders and residents of Halton will appreciate that the ‘urban forest’ requires careful management to thrive and provide the considerable benefits of which it is capable. The Council’s policies and priorities contained in this strategy represent a commitment to sustainable management of Halton’s trees for both the existing and future generations.

Every effort has been taken to make this Tree and Woodland Strategy as comprehensive as possible. However, we acknowledge that it would not be possible to anticipate every eventuality. The Council therefore reserves the right to exercise discretion in application of policies where this is in the best interests of the Council.

14. References

- Arboricultural Association 2005, “Tree Surveys: Guide to Good practice”
- British Standard 3998:2010 “Tree work. Recommendations”
- British Standard 5837:2012 “Trees in relation to demolition, design and construction - Recommendations”
- British Standard 8545:2014 “Trees from the nursery to independence in the landscape- Recommendations”
- Countryside and Rights of Way Act 2000
- DEFRA 2007, “A Strategy for England’s Trees, Woods and Forests”
- Health and Safety at Work Act 1974
- Health and Safety Executive 2007, SIM 01/2007/05 “Management of Risk from Falling Trees”
- Forestry Commission “The case for trees”.
- Forestry Commission Practice Guide 2003; The Management of Semi-natural Woodlands 8. Wet Woodlands
- Forestry Commission 2011 The UK Forestry Standard the governments’ approach to sustainable forestry
- Management of Health and Safety at Work Regulations 1999
- Natural Environment and Rural Communities Act 2006
- National Tree Safety Group 2011 Common Sense Risk Management of Trees - Guidance on trees and public safety in the UK or owners, managers and advisers
- Halton Borough Council “Climate Change Strategy”
- Halton Borough Council “Local Plan”
- Halton Borough Council “Halton Open Space Strategy”
- Town and Country Planning (Trees) Regulations 1999
- Town and Country Planning Act 1990
- UKCP09 Climate Predictions
- Wildlife and Countryside Act 1981
- Woodland Trust “Space for People”
- Woodland Trust 2002, “Woods for People”
- CABE Space (No date) - The benefits of urban trees

National House Building Council (NHBC) Chapter 4.2

15. Glossary of Terms

Ancient Trees – Trees significantly older, and often larger in girth, than the general tree population providing a rich variety of habitats for wildlife.

Ancient Woodlands – Woodland thought to have been in existence since at least 1600 and designated on the Natural England register of ancient woodlands.

Biomass – Renewable vegetation that can be used as a carbon neutral fuel source. This includes not only the timber but small branches and foliage.

Carbon neutral fuel - The term carbon neutral fuel is used for wood used for fuel that comes from sustainably managed woodlands where the carbon loss will rapidly be mediated by replacement trees

Canopy Cover – The area of ground occupied (covered) by the overall branch spread of trees normally expressed as a percentage of the total land area.

Coppice and Standards – A traditional woodland management practice of retaining a proportion of single stemmed trees within an area of coppice to grow on for timber production

Coppicing – A method of repeatedly cutting back trees and woody shrubs to the base of the stem on a short cycle to produce small poles or rods. A traditional management technique associated with ancient woodlands which provide an important sequence of habitats for woodland flora and fauna.

Ecosystem disservices – Trees can cause problems in conditions particularly when growing in close association with roads, railways and buildings.

Trees can also have negative effects on the urban atmosphere for example roadside trees trapping polluting gasses under the canopy. However, most researchers see the net effect of trees on the atmosphere as positive.

Ecosystem Services – Services provided by trees and vegetation that contribute to the quality of the environment such as their capacity to sequester carbon from the atmosphere and reduce surface water runoff.

Heat Island Effect – Urbans areas are warmer than the surrounding countryside by virtue of the concentrated activities their population particularly energy use. Hard surfaces store thermal energy and release it slowly keeping up night time temperatures. In heat waves urban conditions can lead to even higher temperatures.

High Water Demand Trees – Trees that take up large amounts of water from the soil in comparison to other species with a lesser capacity to extract water.

Mature trees – Trees in the second third of their life cycle and still growing strongly.

Natural Regeneration – Young self-sown trees derived from naturally distributed seed produced by nearby trees.

Newly planted trees – Trees that require regular maintenance and have yet to become established in the landscape

Over mature trees – Trees in the final third of their life expectancy and beginning to decline with very slow growth rates or signs of natural retrenchment (bare dead branches in the upper crown with a healthy but reduced crown at a lower level)

Pollarding – A traditional management technique often used in deer parks and wood pasture which involves cutting off the tree at a height of around 3 to 4 m on a cyclical basis to provide firewood and small poles; the regrowth is then safe from browsing livestock and deer. In an urban situation pollarding is often used to control the crown spread of trees and reduce the water demand. Cyclically reducing trees to a low framework of branches is a form of pollarding. Some species are particularly tolerant of this treatment such as lime, London plane and willow.

Semi Mature Trees – Trees in the first third of their life cycle and growing strongly.

SUDS – Acronym for Sustainable Urban Drainage Schemes which allow for natural drainage of water runoff from roofs and hard surfaces into the ground, rather than directing runoff into the sewerage and main drainage systems.

Specimen Trees - Largely free standing, Council owned trees in streets or public open spaces.

Structured Soils – Specially formed soils that can be compacted but still allow root growth and water percolation. Normal structural soils have a high percentage of sand and gravels.

Tree Stocks – The total of Council owned trees.

Tree Belt – Narrow belt of trees typically 15 to 20 m often planted for screening and shelter. Tree belts were widely planted by PDC surrounding residential areas and edging roads.

Urban Forest – All trees and woody vegetation which grow within a town or city collectively form the urban forest regardless of ownership.

Veteran Trees – Traditionally, trees with the same characteristics as given for ancient trees. However, more recently, the term has been expanded to include trees of any age that have features that support wildlife such as splits, cracks, holes and dead wood.

Wet Woodlands – Woodland growing on soils subject to seasonal waterlogging, often in river valleys and adjacent to watercourses. Common species in wet woodlands include alder, willow, aspen and birch.

Whips – Transplanted and bare rooted nursery stock 60 cm to 1.2 m.

Young Trees – Recently established trees that have achieved independence in the landscape.

Appendix 1 - The Right Tree in the Right Place Framework

The Right Tree in the Right Place Framework

- Landscape Impact**
- Consider the existing use of the space and question whether the presence of trees would be a positive addition.
 - Identify the landscape type and what constraints this will place on the selection of species.
 - Examine existing habitats so as to assess their compatibility with additional trees and woodlands and therefore the latter’s ability to add value.
 - Establish the history of tree cover to determine whether new additions would be appropriate.
- Site Constraint**
- Maintain local distinctiveness
 - Assess the impact of planting on vistas.
 - Consider the presence of underground and overhead services.
 - Meet the statutory safety requirements of access for pedestrians and vehicles.
 - Assess impact on the nearest buildings to be sure that future potential problems can be minimised, particularly subsidence.
 - Prioritise sites in relation to where greatest public benefit can be realised.
- Species Consideration**
- Select species known to thrive on the soil type, its compaction, nutrients and available water.
 - Consider space available relative to size of tree at maturity unless the tree is destined for controlled management such as coppicing or pollarding.
 - Select the largest growing species the site will reasonably accommodate.
 - Consider use of natural regeneration where appropriate.
 - Where possible use native species.
 - Maintain diversity within the tree population planting no more than 10% of any species, 20% of any genus and 30% of any plant family.
 - Consider the species' tolerance to disease and wind damage.
 - Consider the use of fruit tree planting as a productive and attractive feature.
 - Consider potential nuisance of fruit fall in the autumn, slippery paths and associated requests for service to deal with problems.

Appendix 2 - Consultation Protocol

Consultation Protocol

TREE WORK OPERATIONS - Tree Work Operations are described as follows:

Major Tree Work Operations

These operations are classified as any work that alters the appearance of a tree significantly. These works may include:

- Felling of any live tree over 20cm diameter at 1.5m from ground level.
- Transplanting a tree that, prior to transplantation, does not require the support of a stake or underground guying system.
- Major crown reduction - in excess of 30% of the canopy.
- Pollarding, if the tree has not been pollard before, or has not been pollard within the last 10 years.
- Coppicing, if the tree has not been coppiced before, or has not been coppiced within the last 20 years.
- Schedule of minor works that would have a significant cumulative impact on a landscape character or habitat.

Minor Tree Work Operations

These procedures are good management practice and are carried out in accordance with BS 3998:2010 ‘Tree work-Recommendations’. Some of the operations are undertaken on a regular, cyclical basis. The work should have no adverse impact upon the health of the tree, or significantly change its appearance, such that the amenity of the tree, or the townscape, is diminished. This work includes the following operations:

- Felling of dead trees
- Felling of dying or diseased trees, where 40% of the canopy has died and no recovery is possible.
- Felling of newly planted trees that had been damaged, vandalised, diseased, dead or dying.
- Pollarding, when the tree is under a regular management regime.
- Coppicing, when the tree is under a regular management regime.
- Formative pruning of young trees to promote a well-developed canopy.
- Cleaning out the canopy. This operation includes the removal of dead wood, diseased or dying branches and snags, which may harbour pests and diseases. It also includes the removal of crossing branches, unwanted climbing plants and objects.
- Crown lifting is a procedure which removes the lower branches from the main stem, or branch system, up to a specified height above ground. It is usually carried out to provide sufficient headroom for pedestrians, cyclists and vehicles

to pass under the canopy, or to allow light to reach surrounding plants and buildings.

- Crown thinning is an operation carried out to reduce the density of foliage. This may help to make the tree safer by reducing wind resistance, giving a more balanced weight distribution and removing unsafe branches. It stimulates good growth by admitting more light and air to the crown and encourages good branch development in young trees. Thinning may also be carried out to allow light into buildings.
- The following pruning operations: - The removal, or shortening, of branches which are interfering with overhead public utility wires and lamp heads; The removal, or shortening of branches which would, in time, become excessively long and heavy; Shortening branches so as to manage excessive end weight; Removing, or shortening, branches which are weakly attached, dead, detached but hanging, cracked, seriously decayed or a hazard; Balancing the crowns of storm-damaged trees; Crown reduction and crown thinning to reduce the lever arm or the sail area of hazardous trees and Root pruning to abate minor structural damage, or a trip hazard.

TREE MANAGEMENT PROCEDURES

Tree Management Procedures fall within four categories which are described as follows:

Proactive Works: These are the subject of planned management surveys. These surveys are usually undertaken on a cyclical basis. In some circumstances, the client service may request a survey to be undertaken of a tree(s) on land for which it is responsible. Works set out in the schedules may include tree work operations of a major and minor nature.

Reactive Works: This is reactive work. It is usually scheduled in response to enquiries or notifications to the Council, but may also include work identified as part of an unscheduled inspection. Works may include operations of a major and minor nature.

Emergency Works: These works are required to make a tree safe without delay. Under the Framework Agreement the contractor appointed to deal with such work shall be available 24 hours a day, 365 days a year, and is required to respond to a call out immediately. Occasionally, an event may occur whereby a tree does not present a hazard, but the situation, or circumstance, requires an immediate solution which can only be resolved by pruning or felling. These works may include operations of a major and minor nature.

Urgent Works: These works are required to rectify a hazard and, in accordance with the Framework Agreement, must be undertaken within 7 or less working days. These works may include operations of a major and minor nature.

CONSULTATION PROCESS FOR TREE WORK OPERATIONS

Major Tree Work Operations Consultation will take place in advance of any works being undertaken. The consultation will comprise the following:

1. Relevant Parish and Ward Councillors shall be advised of Major tree work operations that are programmed 14 day in advance of the works.
2. The works will be advertised on the Council’s website.
3. Notices shall be posted on trees stating the nature of the proposals, a brief explanation for the reasons for undertaking the work.

Minor Tree Work Operations Consultation – no formal consultation will take place in advance of the works other than relevant Ward and Parish Council’s notified of the pro-active works commencing in their area.

Emergency Works Consultation - No consultation will be undertaken

Urgent Works Consultation - No consultation will be undertaken.

Appendix 3 - Summary of Tree Policies

TP1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.

TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.

TP3: The removal of trees and woodlands shall be resisted, unless there is sound Health and Safety or arboricultural reasons supported within this strategy.

TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.

TP5: Council trees will not be pruned or removed to stop or reduce bird droppings from trees, nor will the Council remove bird droppings from private land.

TP6: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.

TP 7: Policy: The Council will carry out work to a Council owned tree with the aim to maintain a minimum of:

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

TP 8: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches.

TP9: The roots of Council owned trees will not be pruned, removed or cut to prevent roots entering a drain that is already broken or damaged.

TP10: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, nor will the Council remove fallen fruit, seeds or seedlings from private land including gutters.

TP11: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.

TP12: Council owned trees will not be pruned or removed to stop or reduce leaf fall nor will the Council remove fallen leaves from private property.

TP13: A Council owned tree will not be pruned or removed to improve natural light in or to a property. This includes properties with (or planned to be installed) solar panels.

TP14: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.

TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees. Such cases will be investigated, and appropriate action considered.

TP16: Council owned trees will not be pruned or removed to stop or reduce the release of pollen.

TP17: Work on Council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.

TP18: Policy: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.

TP19: The Council has in place active tree management systems to minimise risk of damage being caused to buildings and other structures because of the action of Council owned trees.

TP20: The Council will make safe an unacceptable trip hazard caused by the growth of Council owned trees.

TP21: If a Council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.

TP22: Council owned trees will not be pruned or removed because they are considered to be too big or tall.

TP23: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.

TP24: Council owned trees will not be pruned or removed to improve the view from a private property.

TP25: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals, unless it is in the national or public safety interest to do so due to a harmful invasive species.

TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.

TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.

TP28: To renew and restructure tree stocks planted within residential areas;

TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.

TP30: To take action to restructure avenue trees planted with inappropriate species too close to neighbouring properties.

TP31: To maintain tree cover within Halton’s parks by renewing the tree stocks and increasing the range of age classes present.

TP32: The Council will seek to reduce impact of woodland trees on adjoining properties.

TP33: Woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.

TP34: The woods will not be clear felled and management will be on a continuous cover basis.

TP34: The Council will encourage community involvement and where practical, advise residents when work is proposed.

Policy TP35: To maintain formal arboricultural features in the Highway by careful management and timely renewal as required.

Policy TP36: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.

TP37: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.

TP38: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.

TP39: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development

will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.

TP40: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.

PTP41: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment* are protected.

*based on the quality and value categorised using the criteria within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations

TP42: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.

TP43: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.

TP44: Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.

Appendix 4 – A Strategy for Halton’s Trees and Woodlands Part 2: Tree Risk Assessment

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1. Tree Risk Management

The Local Authority either in its capacity as owner or manager, is responsible for trees located on land for which it manages or has control over under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1999. As such, it has a common law and statutory duty of care in relation to its trees.

Compliance with this duty requires the operation of a reasonable systematic inspection of all its trees and to ensure that members of the public and staff are not put at risk because of a failure by the Council to take all reasonable precautions to ensure their safety.

A Risk Assessment is required under the Management of Health and Safety Regulations 1999 along with a need to inspect trees in or near public places, or adjacent to buildings or working areas. This is to assess whether they represent a risk to life or property, and to take any remedial action as appropriate.

This document sets out minimum standards of inspection; competence and record keeping that Halton Borough Council will commit to and is in accordance with the industry guidelines.

2. The Nature of Tree Risk Failure

Where land is constantly occupied by people or by valuable property, a moderately small tree might, by virtue of its position, represent a significant “Risk of Harm”. On the other hand, a large tree in an area of low access such as a remote woodland or country park will represent only a very low “Risk of Harm” even where its stability is substantially compromised.

In the latter scenario, access to a remote area will be considerably reduced during the high wind events that are most likely to result in failure of trees and as a result the risk from tree failure in these areas is further reduced.

3. The System

Halton Borough Council has adopted a system known as Quantified Tree Risk Assessment (QTRA). This methodology has led the way in the field of tree safety management with a risk assessment approach that is led by the usage and value of the targets having potential to be affected by trees. The target led approach to tree safety management is a considerable shift from the generally accepted wisdom where the tree assessor focuses on identifying defects in trees and then seeks to remove or modify the tree.

One of the greatest benefits of QTRA is that it enables an informed overview of the risks associated with a tree population to be carried out as a desktop exercise before the survey of trees. When the risk overview is complete, the assessment will usually record only the general attributes of groups or collections of trees.

Assessing and recording individual trees will be necessary only where they are likely to be significant in relation to the targets.

3.1 Target

In tree risk assessment, a target is a person/s or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it.

3.2 Definition of Tree Failure Hazards

For a tree-failure hazard to exist, two criteria must be fulfilled. There must be potential for failure of the tree and potential for injury or damage to result. The issue that the inspector must address is the likelihood, or risk, of a combination of factors resulting in harm, and the likely severity of the harm. The starting point of the inspection process is to establish that there is potential for significant harm to occur, and in this regard there must be something of significance (a significant ‘target’) that is exposed to a risk from tree failure. *There cannot be a significant risk of significant harm in the absence of something significant to be harmed.*

At all times hazards are to be assessed in relation to the target. Parts of the tree or group that are not significant in their relationship with targets will not be assessed further for tree failure.

3.3 Hazard

A hazard is the disposition of a thing, a condition or a situation to produce injury (Health and Safety Executive 1995) A tree-failure hazard is present when a tree has potential to cause harm to people or property.

3.4 Probability

Statistical probability is a measure of the likelihood of something happening.

3.5 Risk

Risk is the probability of something adverse happening. The QTRA system is a risk assessment process which uses numerical estimates.

3.6 Reasonable Practicability

The concept of “reasonable practicability” is a central tenet of English law, which is evident throughout the English Health and Safety legislation and guidance (e.g. Health and Safety at Work Act 1974), and in judgements of the higher courts in relation to tree failure.

3.7 Acceptable Risk

The Local Authority is constantly exposed to risk, and accepts or rejects risks of varying degrees.

When evaluating tree-failure hazards, two types of risk will be considered. Consideration is given to the person upon whom a risk is imposed.

With regard to the level of acceptable risk, The British Medical Associations Guide “Living with Risk” (Henderson 1987) states *‘few people would commit their own resources to reduce an annual risk of death that was already as low as 1/10,000’*. It is therefore suggested that a 1/10,000 might be a suitable place to start with the limit of acceptable risk. The Health and Safety Executive identified that ‘For members of the public who have a risk imposed on them ‘in the wider interest’ HSE would set this limit at 1/10,000 per annum.’

3.8 Cost and Benefit

The benefits of trees are always under-estimated; they are essential to our well-being and generally enhance our built and natural environments. It is essential within our management principles to maintain a balance between the benefits of risk reduction and the cost of risk reduction; not only financially but also in terms of the lost amenity and other tree related benefits.

3.9 Assessing the Level of Risk and Zoning

Assessments will be undertaken by the appropriately qualified Council Officer with sufficient local knowledge and with advice from relevant on site staff and colleagues.

Zoning is a practice whereby landowners and managers define areas of land according to levels of use. This practice prioritises the most used areas, and by doing so contributes to a cost-effective approach to tree inspection and focusing resources where most needed. As groups and individual trees are inspected, each area is assigned a refined risk zone which will in turn inform the re-inspection regime for that tree or group of trees.

For a programme of tree inspection to be manageable, most resources need to be directed to areas where there is potentially most risk to people and property. This is initiated by designating a site, or each part of a site to one of three Risk Zones (Table 1 refers).

These zones will reflect typical usage but must be kept under review. The level of risk changes over time. For example, plans to hold an event involving many people in a moderate risk zone will change its status to high risk for the duration of the event; new facilities or activities may change the patterns of public usage permanently and may require a review of the designated risk zone originally associated with the area in which the trees or tree groups are located.

The designation of Risk Zones is a matter of informed judgement and periodic review. It is the responsibility of the Council to ensure that risk is periodically reviewed, realistically assessed and decisions documented within the inspection data.

The criteria to define Halton Council tree risk zones shown in table 1, below, are as follows:

- Highway characteristics are prioritised according to traffic volume, speed and emergency accessibility. Top priority areas include congested junctions, major roads and emergency access routes.
- Public areas and buildings are prioritised according to occupancy. Top priority areas around schools, shopping precincts, emergency and medical facilities.
- Tree population characteristics are primarily prioritised according to age and species. Discrete populations of trees that are mature to over-mature, or key single veteran specimens will be prioritised.

Table 1 - Tree risk zone categories and examples

Hazard Zone Categories	Examples of target criteria
<p>High Hazard</p> <p><i>N.B. All Highway Inspections are undertaken every 6 months as a minimum by virtue of the planned highway inspection. Non-highway related sites are inspected every 18 months</i></p>	<ul style="list-style-type: none"> • <u>Street trees in defined town centre. Inspection areas include Category 1 footways</u> • <u>Street trees on Category 2 footways</u> • <u>Street trees on urban Category 2 & 3 roads (40mph and below)</u> • Public buildings (high use sites)* • Schools and Social Service sites* • Footpaths and cycle ways* • Major play areas* • Parks and public space areas* • Cemeteries • Seating areas • Car park areas adjacent to high use sites* • Sites identified by Open Space Officers as high risk • Trees with high risk characteristics identified by Open Space Officers <p>*High use sites = >36 people per hour</p> <p><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></p>
<p>Medium Hazard</p> <p><i>Inspections every 2½ years</i></p>	<ul style="list-style-type: none"> • <u>Street trees on Category 2 & 3 rural routes (over 40mph)</u> • Public buildings(all other sites with moderate use)** • Schools and Social Services** • Informal play areas, minor paths and grass recreational areas** • Woodlands** • Car parks** • Sites identified by Open Space Officers as moderate risk

	<ul style="list-style-type: none"> • Trees with moderate risk characteristics identified by Open Space Officers <p>**Medium use sites = <36 people per hour</p> <p><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></p>
<p>Low Hazard</p> <p><i>Highway or Level 1 Inspection every 5 years</i></p>	<ul style="list-style-type: none"> • <u>Street trees on remaining roads, detached footways or cycle ways</u> • Low use parks or public areas with dispersed recreation • Open areas, woodland and peripheral areas with limited use or access • Pedestrian rates lower than 1 per hour • Trees with moderate risk characteristics identified by Open Space Officers <p><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></p>

The timing of high and moderate risk inspection is designed to ensure that trees are seen at different times of year, both in the winter and when in leaf. This will give a better overall indication of a tree’s physiological and structural condition. It would be an advantage if the low risk inspections are carried out at different times of the year for the same reason. Sites should be checked for hazardous trees or branches after strong winds.

3.10 Assessing Hazards

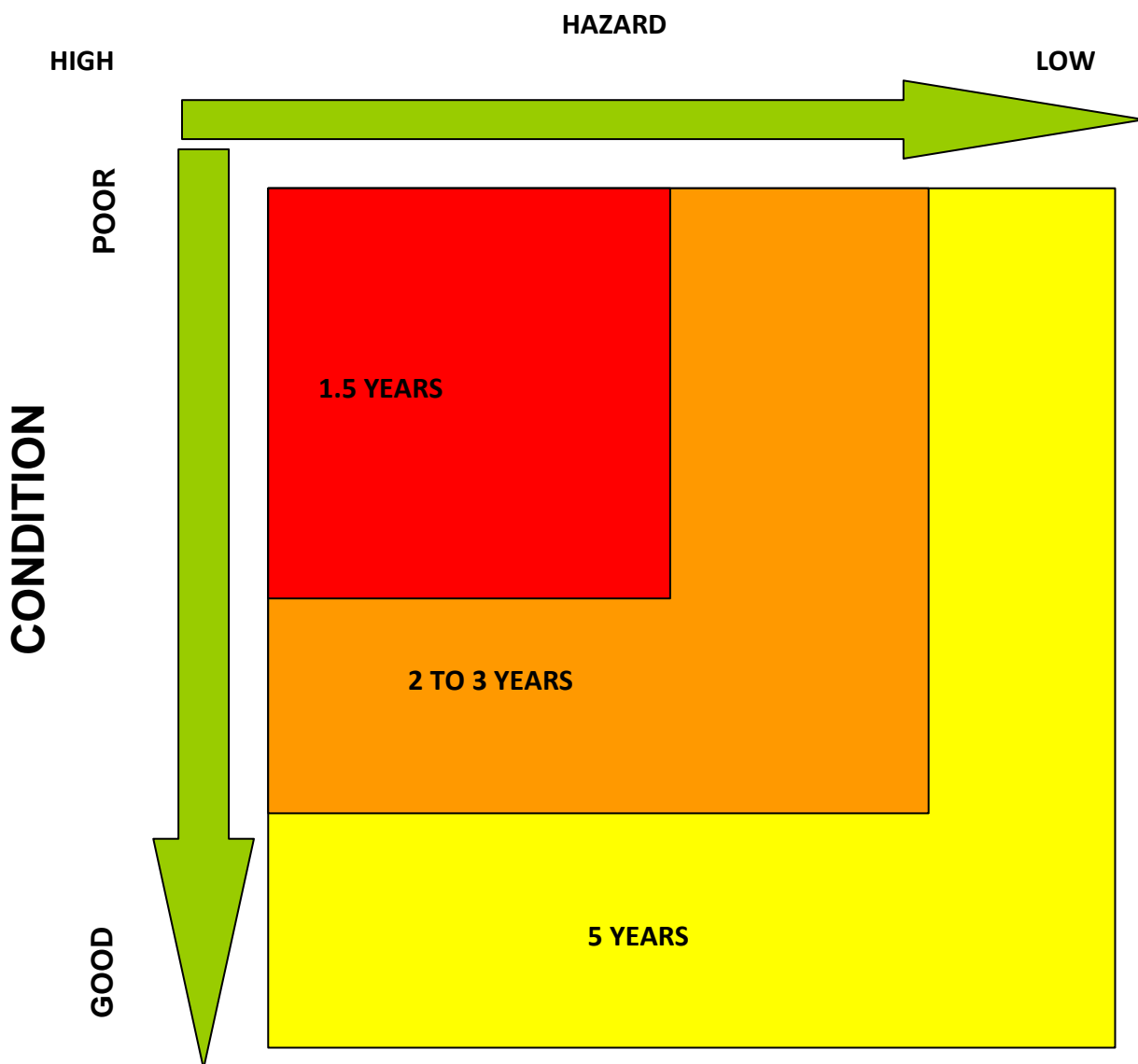
Many trees are potentially hazardous, but only the conditions most likely to lead to injury or damage to people or property can reasonably be addressed by inspectors. In practice only visible defects are likely to be identified during an initial survey unless a more detailed individual inspection is undertaken.

It is the responsibility of the inspector to ensure that the hazard is assessed within a level of their competency and recorded accurately. The frequency, condition and method of inspection will reflect the designated Risk Zones shown within the tables below.

Table 2 - Frequency and method of inspection showing the reflection of designated Risk Zones

Hazard Zone Categories	Timing of Inspections	Recommended Inspection Methods	Comments
High Hazard	<1.5 years	Walk-by tree inspections	Trees will be viewed from all sides using a systematic process to look for obvious defects. (4.4 Refers - Competence)
Medium Hazard	2 to 3 years	Walk-by tree inspections	
Low Hazard	5 yearly	Walk-by tree inspections	

Table 3 - Frequency of inspection showing target and tree condition for re-inspections



The timing of inspections is to be led by two components. If for example a tree in good condition in a high hazard area the inspection regime will be 5 years. If a tree is identified as in poor condition and in a low hazard area the inspection will still be 5 years.

3.11 Recording Information

The Council uses the Kaarbontech and Mayrise computer programmes, which enables tree inspectors to record and store all inspections and public enquiries with a clear audit trail.

Information is recorded against individual trees or groups irrespective of whether works are specified or not. Where it is appropriate, photographic evidence will be attached to the tree record for future reference.

3.12 Work Priorities

The priority for implementing remedial action will depend on both the assessment of risk, presented hazards and the subsequent risk score.

In a high risk area trees which show obvious signs of imminent collapse, or are otherwise seriously hazardous should be dealt with immediately on the best advice of the inspector.

Works identified during inspections will be prioritised as follows within Table 4 (below):

Table 4 - Reactionary timescales following inspection

Urgency	Risk of harm	Notes	Time to complete works
Emergency	High	Response to trees where the associated risks are perceived to be imminently dangerous.	Council will attend site and make safe normally within 1 hour and always within 2 hours. The site can be made safe by completing works or by cordoning off area/s at risk until works are completed.

Urgency	Risk of harm	Notes	Time to complete works
Urgent	Medium	Response to trees where the associated risks are perceived as urgent but not imminently dangerous.	7 working days to complete. If resources are not available to complete works within 7 working days then areas at risk will be cordoned off.
Essential	≥1/10,000 per year	Works on trees that are not considered high risk but where remedial work is required.	1 year to complete
Desirable	<1/10,000 per year	Improvement works to enhance streetscene or public space...Work to abate nuisance caused by council trees.	5 years to complete
Private - Urgent	<i>The degree of risk will determine the actions to be taken by the local authority. In the first instance the owner or occupier will be given every opportunity to mitigate the risk posed*</i>	Response to trees where the associated risks are perceived to be imminently dangerous. Site can be made safe by completing work, or by cordoning off areas at risk until work completed	Council will attend site and make safe normally within 1 hour and always within 2 hours. The site can be made safe by completing works or by cordoning off area/s at risk until works are completed.

*the local authority can take action without consent using the Local (Miscellaneous Provisions) Act 1976 (Section 5 refers).

3.13 General Legal Duty

No matter how low the risks, the need remains to consider the safety of trees under the Local Authority control. Halton Borough Council as owners have a duty (under English Law) to ensure, insofar as reasonably practicable, that people and property are not exposed to unreasonable levels of risk from the mechanical failure of trees under the Council’s control.

To achieve this, evaluation of tree hazards are only carried out by trained Council Officers, and experienced or qualified Council Arborists (Section 4.3 refers).

4. The Tree Inspection Procedure

It is the responsibility of the Council to ensure that tree safety inspection procedures are in place and that they are undertaken only by staff or others who meet the requirements of competency (4.4 refers).

Initial assessment; detailed inspection and prescribing remedial action need not be undertaken by the same person.

4.1 Highway Tree Inspections

This type of inspection is restricted to all highways in Halton. The inspection will be carried out by Highway Inspectors as part of their inspection process at frequencies dictated by a risk based code of practice and defects found will be recorded in the Mayrise computerised system. Highway Inspectors will have attained the Level 1 Tree Inspection Certificate. The procedure will ordinarily consist of a walked inspection consistent with current highway inspection procedures. The inspector will observe trees within the highway on both sides on the road systematically looking for obvious defects that are described in the Level 1 Tree Inspection Course (4.4 refers).

Occasionally and where appropriate, drive by inspections will be undertaken by two officers, one a dedicated driver whilst the other person observes. If a defect is seen that requires closer investigation, a more detailed inspection will be undertaken on foot.

It should be noted that reliance on drive-by inspections is not appropriate in busy urban areas. Initial drive-by inspections can, when appropriate, assist in deciding where tree management, walk-over or detailed inspection might be necessary.

Where tree defects are found on the highway, these will be referred to Open Space Officers to inspect in greater detail, who will initiate the remedial action.

4.2 Level 1 Tree Inspections

This inspection procedure will be carried out at all other Council sites, public buildings, parks, woodlands and open spaces. The frequency of inspections will be dictated by the site zoning regime shown in Table 2. The person carrying out the inspection will have attended the Level 1 Tree Inspection Course, passed the assessment and gained the Level 1 Tree Inspection Certificate (4.4 refers).

4.3 Professional Tree Inspections

Halton Borough Council’s Open Space Officers are qualified and can demonstrate competence to undertake systematic expert tree inspection, in order to identify and recommend remediation for hazards arising from impaired condition or structural

integrity in trees. These inspections will be undertaken following identification of significant defects by Highway Tree and Level 1 Inspections. Professional Tree Inspections will also be carried out in response to reactive Level 1 Inspections. Systematic inspections of high risk trees identified by the Council’s Open Space Officers will be carried out at the designated times.

4.4 Competence

The rating of target areas (zoning) must be done in accordance with the guidelines in table 2 above and by suitably qualified members of staff and who may have specific local knowledge.

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.

The authority has finite resources to reasonably meet its duty of care by demonstrating a defensible, proactive tree management regime. Currently, trees will receive initial inspection as per the frequencies shown in Table 2, and by officers who have received, as a minimum the initial basic tree survey training - a Level 1 Tree Inspection Course. Trees identified with defects and consequently posing a medium to high risk to the public are referred to Open Space Officers who have training and experience to undertake a systematic professional tree inspection in order to identify and recommend remediation of hazards arising from impaired condition or structural integrity.

Officers who are undertaking initial inspections, the Council will ensure the provision of a Level 1 Tree Inspection Course based on accredited courses delivered by the Arboricultural Association or LANTRA. This one day course is designed for people with limited, or no arboricultural knowledge. The Level 1 course is also a preliminary qualification for tree surgeons, dedicated tree inspectors, and assistant and principal arboricultural officers wishing to complete a higher level programme. There is an assessment at the end of the day. A certificate is awarded to those candidates who pass the assessment.

The candidates on the course are trained to visually assess a tree for obvious defects, record them, assign a hazard rating and provide a report of their findings. The type of defect that a candidate is trained to look for are detailed below:

- Fungal fruiting bodies (at the base or on the trunk and branches)
- Dieback of the crown – i.e. foliage not dense, foliage not the right colour or size
- Dead branches (especially on species that are not oaks)
- Dead trees
- Detached branches, hanging branches or branches lodged within the canopy
- Compression forks
- Cracks and splits
- Major or numerous cavities

- Dead bark
- Significant bulges
- Evidence of root damage or severance
- Presence of ivy and its significance
- “Bleeding” areas and fluxes

There can be only 3 outcomes of a Level 1 inspection:

- 1) The tree has no observed significant defects and therefore requires no action
- 2) The tree requires a more detailed inspection, or the inspector needs further advice or clarification from an Open Space Officer. The inspectors will be trained to assign a priority of low, medium or high risk so that a professional tree inspection can be programmed accordingly
- 3) The work is an emergency (such as a hanging branch over a highway or footpath, or a tree is in imminent danger of collapse).

Depending on the competence and confidence of individual employees, Level 1 Tree Inspection training may need to be refreshed. However, the skills learnt on the course will be applied regularly through inspection and the employee will learn informally from the Open Space Officers as and when further advice is sought. It is therefore possible that refresher training will be rendered unnecessary.

NB. It is important that Level 1 Tree Inspectors are aware of current legislation relating to trees and wildlife and Halton Borough Council’s Tree Policy when carrying out their inspections.

In emergency situations the Level 1 inspector can order the work directly e.g. for a hung up branch over a busy carriageway.

Although emergency work is exempt from the Tree Preservation Order and Conservation Area legislation the Local Planning Authority must still be notified of works carried out to trees subject to such constraints”.

4.5 Reactive and Emergency Tree Inspections

In addition to the planned inspections, reactive Level 1 Tree Inspections will be carried out as a result of customer complaints, concerns and enquiries, events, storms or as a result of damage to a tree or its root system from accidental or environmental causes.

5. Inspection of Trees in Private Ownership

Trees on private land within falling distance of a highway, or Borough Council land can also present a hazard to the public.

Owners are responsible for trees on their property and have a legal duty of care. “This duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property” (NTSG 2010). Best practice advice on fulfilling this duty is now available from the National Tree Safety Group (NTSG).

It is advisable for Level 1 Tree Inspectors, when looking at trees to give a cursory glance to neighbouring trees within falling distance of the Highway or Council land. They should note any trees that may be of concern to them in the course of their planned inspection. They should follow the procedure for further advice or assistance from the Council’s Open Space Officers

6. Measuring Performance

The following local indicators have been developed to measure the performance of all the key areas of the system.

- Percentage of work required on Council owned trees falling in the emergency category (target annual reduction)
- Percentage of planned work undertaken on time (target annual increase)
- Percentage of re-inspections undertaken within the assigned re-inspection date – target percentage rate is 100%

Performance targets will be further defined as data becomes available from tree inspections.

7. References

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Adams, J. - Arboricultural Journal 2007 Dangerous Trees

Local (Miscellaneous Provisions) Act 1976 c.57 Part 1 GENERAL - Dangerous trees and excavations s23

Highways Act 1980 c.66 Part IX LAWFUL AND UNLAWFUL INTERFERENCE WITH
HIGHWAYS AND STREETS s154