

Charnwood Borough Council - TREE POLICY

Charnwood Borough Council's Tree and Hedgerow Policy was adopted in February 2013 (see appendix 1). This policy is supplemented by the **Tree Protocol**, which sets out how the policy is to be delivered.

Tree Protocol

Trees enrich our environment by providing shelter, shade and colour, by filtering pollutants from the air and by absorbing Carbon Dioxide and producing Oxygen. Most people value the trees and shrubs which grow on our parks and green spaces and enjoy the close contact with nature created by trees and their associated wildlife. Trees are living things, they change with the seasons and grow with the years; this is part of their beauty. Sometimes it is necessary to carry out work on a tree to repair damage or make the tree safe. However ongoing work which aims to unnaturally restrict the size and shape of a tree can be counterproductive, resulting in the tree producing more vigorous growth in response.

Charnwood Borough Council receives numerous enquires each year from members of the public requesting works to be carried out on Council owned trees. Most of these requests are to prune or fell trees which the resident considers to be causing a nuisance.

The main concerns associated with trees are;

- dead, dying and dangerous trees
- dangerous branches
- trees causing damage to property
- obstruction of light to houses or gardens
- overhanging branches
- falling leaves or debris and aphid problems
- branches obscuring signs and street lighting columns
- branches affecting telephone lines
- interference with television reception
- Limbs or growth interfering with access/site lines

While we respond positively to tree matters involving safety, it is not possible, or desirable, to undertake all the works that the Council is asked to carry out. In some cases the work requested will not resolve the problem and in other cases it will provide only a temporary solution, raising expectations that the work will be repeated whenever requested. Pruning works can also have an affect on the health and amenity value of the tree and most trees do not respond well to attempts to restrict their size by continual pruning.

The following list sets out how the Council will evaluate requests for work to be carried out on Council owned trees.

Dead, Dying and Dangerous Trees

The Council will remove dead, dying and dangerous trees.

Dangerous Branches

A dangerous branch is one which is dead, shows signs of decay or damage, or weak attachment to the tree. Where a dangerous branch is identified it will be removed or reduced to a safe point.

Damage to Property

Where it can be demonstrated that a tree is the primary cause of direct or indirect damage to property the Council will act to rectify the problem. Direct damage may include tree roots lifting paving stones, or trunks or branches damaging garden walls or fences. Indirect damage may include subsidence due to soil shrinkage resulting from water extraction by tree roots. In cases of damage to property it must be clearly demonstrated that the tree is the principal cause of the damage.

Obstruction of Light to Houses or Gardens

It is usually very difficult to prune a tree in order to give a lasting improvement in light levels to a property. Often the extent of pruning required to alleviate light obstruction can be damaging to the tree or destroy its amenity value, and thick re-growth following pruning can make shading problems worse. The Council will therefore resist this course of action except in exceptional circumstances.

Overhanging Branches

The Council has a similar responsibility to a private land owner or neighbour in respect of overhanging branches and will only cut them back in circumstances where damage is being caused or the tree is dangerous.

Under common law a property owner has a legal right to cut back overhanging branches **to their boundary**. Ideally this work should be done to a good standard (British Standard 3998:1989 'Recommendations for Treework') by a competent person

Falling Leaves or Debris and Aphid Problems

The Council is not legally responsible for fallen leaves or other tree debris such as cones, seeds, blossom etc. Pruning of trees is not a solution to this occurrence and we would be extremely unlikely to fell a tree as a result of leaf litter etc. The same criterion applies to trees which host aphids with associated stickiness (honeydew) problems or trees that produce large amounts of fruit.

Branches Obscuring Signs or Street Lighting Columns

Where trees are blocking street lights, road signs etc. and jeopardise public safety the Council will consider carrying out work that to alleviate the problem

while retaining the tree. In extreme cases removal of the tree and replacement with a more suitable species may be appropriate.

Branches Affecting Telephone and Power Lines

Effective use of telephone lines and power supplies is the responsibility of the service provider.

Television Reception

The Council will not normally carry out works to trees, or remove trees in order to improve television reception. Aerials and satellite dishes should be carefully sited at the time of installation, with consideration being given to how neighbouring trees may grow in the future.

Other Operations

From time to time it may be necessary for the Council to carry out work on trees in response to its development priorities. Development priorities may include site or neighbourhood redesign, or the redevelopment of parks, gardens and other green spaces. Where trees are removed the Council will seek to replace them with species appropriate to the location and site conditions.

Trees in woodlands and other heavily wooded areas may also be thinned out periodically to encourage the growth of the most appropriate specimens and species.

Sponsorship of Tree Works

The Council will not accept offers of sponsorship to carry out tree works which would not be in the interest of the tree. Sponsorship will only be considered where the works would normally form part of the Council's scheduled work programme. No tree works would be considered which did not comply with BS 3998 (see below). In cases where the Council would consider accepting sponsorship the work to be undertaken would be carried out by Council contractors working under the supervision of Council Officers. Except in the case of overhanging branches (see above) any unauthorised works to Council owned trees carried out by any person would be treated as criminal damage.

Bird Nesting Season

Please be aware that the bird nesting season is between 1st March and 30th July and the Council will therefore only carry out emergency tree works during this period.

Standards

All works to Council trees will be carried out in line with British Standard 3998: 1989 'Recommendations for Treework'. All personnel undertaking these works will wear the appropriate Personal Protective Clothing and be adequately trained.

Tree Inspections

Charnwood Borough Council is carrying out a rolling programme of tree inspections by independent experts in order to ensure that its tree stock is safe and in a healthy condition. The survey will record information on all Council owned trees and identify any tree which may pose a risk to health and safety. In the case of unsafe trees remedial actions will be taken within a time scale recommended by inspectors. Other works will be organised in line with the priorities identified by the inspectors. Appropriate re-inspection dates will be set for all trees dependent on their age, condition, location and species. If however you have any concerns regarding the condition of a particular tree please contact us.

Appendix 1

Trees & Hedgerows Policy

Vision

A Borough where trees, and hedgerows are valued for the significant contribution they make to wellbeing and quality of life within the area. Trees, and hedgerows are managed to promote biodiversity, climate mitigation, and visual amenity whilst being safe and healthy.

Objectives

- To ensure that the Council's tree stock is maintained in a safe and healthy condition and minimise associated health and safety risks.
- To provide appropriate levels of information and advice to the public on the Council's tree stock.
- To identify and ensure appropriate management of hedgerows which are important for biodiversity, as wildlife corridors or as landscape features.
- To minimise the health and safety risks of the Council's trees.
- To effectively manage the positive contribution made by trees and hedgerows to open spaces.
- To identify opportunities to create new hedgerows and appropriate tree planting schemes including community orchards.

Policies

a) Charnwood Borough Council will continue to carry out its rolling programme of tree inspections by independent experts together with associated remedial programme of work.

b) The Council will respond positively to tree matters involving safety (including highway safety) and will remove dead, dying (except where biodiversity issues prevail) and dangerous and unsafe trees and branches.

c) Where it can be demonstrated that a tree is the primary cause of direct damage to property the Council will act to rectify the problem. In cases of damage to property it must be clearly demonstrated that the tree is the principal cause of the damage. (The effects of tree litter such as leaves, twigs, fruit etc will not be considered as direct damage).

d) The Council will not prune its tree stock to alleviate the obstruction of light or telecommunication signals or where branches overhang neighbouring properties.

e) The Council may carry out work on trees in response to its development priorities. Development priorities may include site or

neighbourhood redesign, the redevelopment of parks, gardens and other green spaces, or woodland management schemes.

f) The Council will consider accepting sponsorship for tree work only where this has been identified as good arboricultural practice.

g) The Council will work with partners and community groups to identify opportunities to increase its tree stock through appropriate tree planting.

h) There will be a presumption against removal of existing hedgerows and appropriate management systems will be put into place in order to protect and enhance the quality and condition of hedgerows.

i) The Council will consider planting new, species rich, native hedgerows in appropriate locations to meet a variety of objectives, including habitat creation, the screening of unsightly development, the provision of shelter and the enhancement of the landscape.

j) In planting or adopting hedgerows or tree belts, the Council will be sensitive to the potential for damage or inconvenience, or impeding access as they mature caused by planting in close proximity to other structures. In addition, the Council will recognise and take positive action to prevent the potential conflict of interest where developments are proposed in close proximity to existing trees, treebelts and wooded areas.