

TREE MANAGEMENT POLICY

Updated on the 13 March 2023

Next review by 13 March 2027

1. PURPOSE

This policy defines the Chesham Town Council's (the Council) consistent and structured approach to tree management on its land. This policy sets out a proactive and systematic method of management that will both conserve and enhance our tree population and the amenity value of our land. It is intended to be a point of reference for the public, Councillors and Officers.

For sites of special character, or that have trees of particular significance, this general policy will be supplemented with a site-specific policy that addresses particular management needs.

2. LEGAL REQUIREMENTS AND GUIDANCE

The main pieces of relevant legislation and guidance are:

- *The Occupiers Liability Acts (1957 & 1984)* requires occupiers of land to have a common duty of care to all visitors. The occupiers must take reasonable care to maintain their land such that it does not harm any person or damage any property.
- *The Health & Safety at Work, etc. Act (1974)* and *Management of Health & Safety at Work Regulations (1999)* require the Council to manage trees and undertake work on trees with regard to the health and safety of employees and the public.
- *Natural Environment and Rural Communities Act (2006)* requires every public authority, in exercising its functions, to have regard, so far as it is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.
- *Circular Roads No 52/75* issued by the Department of Environment in 1975 requires local authorities to regularly inspect trees adjacent to highways.
- *Trees in Towns II (2008)* produced by the Department for Communities and Local Government recommends that local authorities should check their tree stock in a systematic way.
- *The Highways Act (1980)* requires the Highway Authority to prevent the obstruction of the highway, which includes ensuring that land owners properly manage the growth of trees and hedges adjacent to the highway.

3. THE VALUE OF TREES

The Council acknowledges the importance of maintaining a healthy tree population that is appropriate to the character of each of its sites and will allocate sufficient resources to ensure that it is able to manage the trees that it owns. Trees have many positive impacts:

- Reduce air pollution.
- Combat climate change.
- Promote biodiversity.
- Stabilise soil.
- Noise reduction.
- Shade.
- Wind shelter.
- Beneficial impacts on human diseases, including asthma, and stress.
- Aesthetic and amenity value of the Council's land.

4. TREE PLANTING

The Council are committed to a scheme of tree planting to ensure a healthy age profile of our tree stock. It is accepted that there will be mortalities of newly-planted trees, in some cases owing to vandalism, but this will not prevent the continuation of the planting scheme.

The majority of trees planted will be native, to maximise indigenous flora and fauna, however, this will be site-dependent. For native trees, specimens grown from British seed will be planted, preferably from local stock to preserve the native genetic make-up of the tree population. However, it is acknowledged that exotic species may be planted at sites with a formal, ornamental character, e.g. the Lower Lowndes Park.

Species will be planted that are appropriate to the specific conditions of each site and will take into consideration the problems that trees or certain species may cause in certain locations, e.g. falling leaves blocking drains and aggressive root growth damaging paths. The Council are committed to choosing species that are likely to be able to cope with our changing climate. The Council will aim to plant a diversity of species to avoid species-specific diseases and pests having a major impact on our tree stock.

New tree planting, including establishment and maintenance will be undertaken to comply with *British Standard 3998 (1989): Recommendations for Tree Work*. The Council are committed to undertaking systematic post-planting maintenance until trees have become established.

5. TREE PROTECTION & INSPECTION

Due care will be taken by Parks and Premises Officers to ensure that damage to trees by mowing and strimming is prevented. Longer grass margins around trees may be left. Protection will be provided for newly planted or young trees where appropriate, e.g. timber-sided planting boxes and strimmer guards.

The Council's trees will be regularly inspected for condition and health, with priority given to those trees which may potentially be hazardous (e.g. over-mature trees or those with signs of disease) and those which are located in the most highly visited areas of the Council's land (e.g. adjacent to major footpaths or in play areas). The results of inspections will be recorded in a database. In line with best practice, the trees will be categorised according to the risk they represent. The period of re-inspection will depend on the level of risk associated with a tree: those rated as high-risk may be inspected annually, whereas a low-risk tree will be inspected once every 5 or more years.

The Council will also consider requests to conduct tree work on the Council's land from members of the public. If the request concerns a potentially dangerous tree, the tree will be inspected on the same or next day. If the request is of a non-urgent nature, an inspection will be undertaken within 30 days. In all cases, the member of the public will be informed of this inspection policy and will be informed of any action to be taken resulting from the inspection.

The Council recognise the importance of mature and ancient trees and will balance safety with our duty to protect the environment. Higher levels of risk will be acceptable in areas of lower footfall (e.g. the middle of a woodland site) as opposed to highly visited areas (e.g. play areas). This will allow the Council to keep veteran trees to encourage biodiversity without creating undue risk.

6. MAINTENANCE

Tree work will be prioritised and carried out according to identified hazard and risk. After inspection the Council will produce a programme of works informed by available budgets. The emphasis will be on planned, rather than reactive, tree maintenance.

The following categories will be used to categorise tree works:

- **Emergency:** Dangerous trees requiring immediate attention will be done on the same day or next day wherever possible
- **Category One:** Essential works to mitigate hazard will be done within 12 weeks
- **Category Two:** Desirable works (e.g. to improve tree health) will be done within 6 months
- **Category Three:** Non-essential works (e.g. thinning out) will be done within 12 months

Tree maintenance will be conducted by trained Council Officers, or by contractors, subject to the nature of the work. All tree works will be conducted to comply with *British Standard 3998 (2010): Recommendations for Tree Work*.

Tree pruning will be carried out when deemed necessary following an assessment. Pruning will be carried out:

- for health and safety reasons
- where it benefits the health of the tree
- where it is in-line with site-specific management plans

There may be times when the tree maintenance does not meet the expectations of members of the public requesting works. In this situation, members of the public are advised to follow our *Complaints Policy and Procedure*.

The circumstances when the Council will not undertake tree maintenance works are:

- A natural occurrence that does not pose a health and safety risk, such as falling nuts, bird droppings, falling leaves, or sap exudation.
- Trees that have a negative impact on television reception, where the canopy is blocking lighting (with the exception of street lighting), or where the tree is blocking views from a residence.
- The nesting season (March to August), unless the work is for urgent health and safety reasons. It is an offence to intentionally damage or destroy the nest of any wild bird while it is in use or being built.
- A tree contains roosting bats (it is a criminal offence to recklessly or intentionally disturb bats, or to damage or destroy a roost). If work is required for health and safety reasons, the advice of English Nature will be sought.
- Trees overhanging an adjacent property unless it poses a health and safety risk.
- Trees with dead branches (conduct crown cleaning) where the tree is located in relatively quiet locations due to their ecological value. However, if the dead or diseased branches pose a health and safety risk, or are felt to be impacting upon the tree's health, crown cleaning will be conducted.

7. TREE FELLING

The Council will avoid felling trees unless it is necessary. This will usually be for health and safety purposes, or to prevent the spread of serious tree diseases and pests. However, the Council reserves the right to fell trees to prevent overcrowding, to improve habitats or restore landscapes in line with site management plans (e.g. the Lowndes Park Management Plan), or where a tree is inappropriate to its location and has a significantly detrimental impact on the appearance or amenity of a site. The Council will keep records of tree removals. If a tree dies, or is felled, a tree will usually be planted to replace it, although not necessarily in the same location.

8. COMMUNICATION

The Council will inform Ward Councillors of any major tree works in their ward before these works are carried out. The Council will also erect notices on site to inform the public of major proposed works. Notification in this manner will not take place in the event of emergency works due to time constraints.

9. ARISING – NATURAL AND FROM MAINTENANCE

The Council is committed to disposing of waste from its activities in an environmentally-friendly manner, in accordance with its Environmental Policy.

- Woody Debris - subject to a safety assessment and if appropriate to the specific site, large woody debris will be left in situ for the creation of wildlife habitats. Where possible, the trunks will be left standing, or lying on the ground in habitat piles. Tree stumps will also be left in situ where it is safe to do so as they provide a valuable wildlife habitat whilst they rot down. Hardwood loggery features may be created around tree stumps to encourage organisms such as stag beetles, whilst ensuring the stump is not a trip hazard. Small woody debris will be chipped and applied to gateways and footpaths on Council land.
- Leaves will be collected and brought to yard. These will then go through the bio chopper with any other green waste and turned into compost. This will be kept for 6 months to heat up and then used on council beds. Community groups will also be able to have compost for their projects.

10. HEDGES

The Council acknowledge that hedges are an attractive feature on our sites and provide an important habitat for a wide range of species, offering food, shelter, protection from predators, wintering and nesting sites, and act as transit corridors. It is recognised that trimming hedges too severely can have a detrimental impact on their wildlife value. Where there is no negative impact on health and safety (e.g. visibility for motorists), the Council aim to have taller, bushier hedges. However, the Council will ensure that hedge growth does not impair the safety of highway users nor impede their access.

For long hedges, the Council aim to cut only one section of hedge in any year, leaving the remainder of the hedge uncut. Any given section of hedge will be cut every other year, or on a three-year cycle for slow-growing thorn hedges. Unless for urgent health and safety reasons, cutting will not be conducted between April and August. Cutting times will be varied between autumn (September) and later winter (January to February), as cutting at these times has different effects on wildlife.

Gaps will be filled using a mixture of species to match the existing plants present. The new plants will be of local provenance wherever possible. Grass buffer strips will be developed next to hedges where feasible and appropriate to the particular site, e.g. Lowndes Park, to promote a diverse hedge-base flora. Cutting of hedge-base vegetation, particularly in autumn, will be avoided where possible. If necessary, a rotational approach will be adopted to ensure undisturbed habitat refuges remain.