

# Tree Management & Care Policy

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## Change History

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0.1	May 2022	Initial draft for comment
0.2	July 2022	Draft for Exec

NB: Draft versions 0.1 - final published versions 1.0

## Consultees

Internal	External
Tree and Woodland Management Group members	
Chair EAP Climate Change Environment & Growth	

## Distribution List

Internal	External
Tree and Woodlands Management Group members	

## Links to other documents

Document	Link

## Additional Comments to note

A Tree Management Working Group of Officers was established in 2021 with responsibilities for tree management to consider and develop best practice across the new Authority to develop a consistent approach to managing trees, particularly with standards of work, and the future production and adoption of a tree strategy with supporting policies. The group quickly recognised a need for alignment of tree policies from the legacy Council areas to standardise quality of management and tree care across North Northants,

and this initial Tree Management & Care Policy is the first document produced as part of what will become a comprehensive Tree Strategy.

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## **1.0 Introduction**

- 1.1 North Northamptonshire Council, as a major landowner and Highway Authority is responsible for the care and management of its trees and ensuring the safety of its residents.
- 1.2 The Council recognises the many benefits a whole range of public amenities and environmental enhancements provided by trees.
- 1.3 Following a review of existing adopted and emerging tree management policies, this one initial umbrella document will support consistent standards for the care and management of trees on all land that is the responsibility of the Council, and with the administration of the Councils statutory tree protection and planning responsibilities.
- 1.4 The following policies constitute a Tree Management & Care Policy for the Council which is part of a wider developing Tree Strategy.

## 2.0 Scope

- 2.1 This Policy document gives clear unambiguous statements of how the Council will manage its tree stock across all Directorates, with clear responsibility for the management and care of trees to ensure that the Council meets its legal obligations whilst protecting the green environment. All agents, partners and contractors of the council will be requested to comply with these policies.
- 2.2 The policy is set out in six areas:
1. Umbrella Policy
  2. Planting Policies
  3. Maintenance Policies
  4. Protection Policies
  5. Subsidence Policies
  6. Felling and Pruning Policies
- 2.2 This document will be regularly reviewed annually by the Tree and Management Working Group. Any amendment and addition to the Policy will be subject to approval of the Executive and would be presented as part of the future development of a comprehensive Tree Strategy.

## 3.0 Policy outcomes

- 3.1 The Policy outcomes are to align the standards of tree care, protection and management across the services responsible for trees in North Northamptonshire.
- 3.2 This Policy document will assist the Council to meet key priorities including:
- Protect and enhancing the landscape of the towns, villages, countryside, and public open spaces.
  - Enhancing the natural environment and ecology in accordance with the council's Local Nature Recovery Strategy commitments and other relevant council policies such as the Pollinator Policy.
  - Developing a Tree Strategy to increase coverage and improve the long-term care of our tree stock.
  - Realisation of the social, economic, and environmental benefits of trees, including as a means of carbon sequestration
  - The sustainable increase of tree and woodland cover in the NNC area under the principle of 'the right tree in the right place'.
- 3.3 The Policy also seeks to achieve the follow tree management outcomes:
- Increase overall tree and canopy cover.
  - Maintain the tree stock in a safe condition.
  - Maintain the tree stock to ensure maximum life cycles are achieved.
  - Enhance the environment and associated amenity space.
  - Reduce the number of foreseeable tree failures across the Councils landownership.
  - Reduce the overall number of tree related insurance claims raised against the Council.
  - Respond with consistency to requests for work to be undertaken to trees.

## 4.0 Tree Management & Care Policy

### 4.1 Umbrella Policy

#### **Policy: TP1**

The Council will manage trees to ensure that it meets its legal responsibilities, to ensure public safety according to the priority of works and its financial resources. e.g. duty of care, health and safety.

### 4.2 Planting Policies

#### **Policy: TP2**

Planting of individual or groups of trees on Council managed land, including Highways land, should prioritise larger growing shade-providing trees, scaling down to smaller ornamental trees where larger trees are not suitable. The Council will aim to establish a healthy tree stock with diversity of age, genus and species to mitigate as best as possible against pests and disease that can threaten entire species. The Right Tree, Right Place approach is intended to allow any trees planted to reach full height and maturity and remove the requirement for regular pruning programmes, which are very resource intensive, and to minimise any later nuisance impact. In all woodland locations native tree species of local provenance or natural regeneration are likely to take priority over non-native species. However, on other Public land including Highways, Parks and Open spaces, the Council will select species to provide a mixed & sustainable tree stock, and selection will not be limited to a small list of native species.

#### **Policy: TP3**

For every individual tree felled on North Northamptonshire Council land at least one replacement tree will be planted. This may not include replacements for self-set trees that have established in inappropriate locations, planning thinning and coppicing of woodlands and other wooded areas.

In some cases, it may not be appropriate to replant in the same area as the tree felled. Where this is the case planting will take place elsewhere in the interest of sustainability.

Where trees in a woodland are removed and there is suitable natural regeneration, this regeneration will be managed in an appropriate manner to ensure that it adequately replaces felled trees, rather than introducing new trees. Where successfully managed, regeneration can contribute to tree replacement and planting targets, and the Council is working to achieve a higher number of new trees provided through regeneration than those felled.

#### **Policy TP4**

To strive for the provision of space for planting trees including street trees on new development sites, selecting species in accordance with **TP2**.

This will include supporting Community Groups, Parish and Town Councils by enabling planting projects on North Northamptonshire Land, including Highways. Such planting must adhere to the Right Tree, Right Place principle, with clear responsibility established for ongoing maintenance and care to ensure the trees maximum life cycle is achieved.

#### **Policy TP 5**

All new individually planted staked trees will be watered for two years after planting and young trees will be inspected annually during the first three years and maintenance work undertaken where appropriate. Recyclable materials will be used as part of the planting process where possible. Any newly planted tree that fails to establish and dies within the first five years shall be replaced.

#### **Policy TP 6**

The Council will maximise opportunities for community and partnership involvement in tree planting schemes especially within woodlands and Country Parks.

#### **Policy TP 7**

Where trees are felled on private land the Council will encourage planting of replacement trees wherever possible.

Where trees are on areas of Public land owned by a third party such as one of the local Town or Parish Councils or Housing Associations, it may not be possible to enforce replacement planting unless the trees have the protection of a Tree Preservation Order (TPO), lie within a Conservation Area, or where a felling license is required.

However, all landowners will be encouraged to adopt a policy of replacement planting. Where such trees are within a Conservation Area or subject to a TPO or planning condition the Council can require replanting for the felled trees. Similarly, trees felled with a felling license may be replaced under the control of the Forestry Commission.

### **4.3 Maintenance Policies**

The Council may carry out works to trees for safety reasons to reduce risk and liability, and to allow the reasonable enjoyment of public and private property. The Council may also prune trees to improve the structure and help the future health of the tree. Felling and removal of trees will only be considered where pruning does not offer a reasonable solution. Where risk is an issue a risk assessment of the tree will be undertaken.

Tree work may be required for the benefit of a group of trees. For example, it may be necessary to remove diseased or damaged trees or to thin out a group of closely planted trees to meet long term management objectives to benefit those remaining trees that will grow to maturity.

#### **Policy: TP6**

The Council will maintain all its trees ensuring works are carried out in accordance with current best practice and whenever possible within the scope of the most recent "British Standards for Tree Work" - BS 3998.



**Policy: TP7**

The Council will continue to carry out regular tree inspections on a cyclical basis, at a frequency appropriate to the individual location, and carry out work to trees based on risk to ensure its duty of care is maintained.

**Policy: TP8**

When undertaking Highway or Utility works near to trees, to minimise the risk of harm to tree roots all work must be planned and carried to the standards as set out in the Department for Transport's 'Roots and Routes: Guidelines on Highways Works and Trees' and in conjunction with relevant National Joint Utility Guidance documents.

**4.4 Protection Policies****Policy: TP9**

The Council will enforce and if expedient prosecute tree related contraventions and apply the maximum penalty within their powers. This will include seeking to recoup costs from other tree owners when undertaking works as an emergency or a Highways Section 154 Notice.

**Policy: TP10**

The Council will seek compensation from any organisation or individual responsible for significant damage to or removal of any council owned tree(s) to the value as calculated by Capital Asset Valuation of Amenity Trees (CAVAT).

**Policy: TP11**

On construction sites all work must be in accordance with the most recent version of BS 5837 "Trees in relation to design, demolition and construction. Recommendations" and that foundation details follow the recommendations of the National House Building Councils Standards Chapter 4.2 'Building near trees.

**Policy: TP12**

In the processing of planning applications, to aim for retention of trees of high amenity/environmental value taking consideration of both their individual merit and their interaction as part of a group or broader landscape features.

**4.5 Subsidence Policy****Policy: TP13**

In order to protect the Councils interests and speed up the processing of claims, the Council will manage and process subsidence claims for trees in accordance with the London Tree Officers Association (LTOA) Risk Limitation Strategy, as well as the Joint Mitigation Protocol, where appropriate.

## 4.6 Felling and Pruning Policies

### Policy: TP14

The Council will only fell/remove trees for sound arboricultural reasons.

These may include:

- Dead, dying or dangerous;
- Proven to be causing significant structural damage;
- In accordance with any statutory duties and or plant health orders;
- Considered by an Arboriculturalist to be an inappropriate species for the location, or to have structural or physiological defects making removal the only sensible management option.

In locations where it is safe to do so and desirable for site management, standing dead trees may be left for the benefit of ecosystems services.

Tree Removal will also be considered where required as part of an agreed management programme or as a strategic improvement project.

### Policy: TP15

The following reasons will not constitute grounds for the pruning or removal of trees on Council land by the Council:

- Interference with satellite dish or TV aerial reception telephone cables.
- Leaf seed and fruit fall.
- Where the tree is perceived to be too large.
- Obstruction of view or causing shade.
- Mess caused by insects or birds, or trees home to mammals including squirrels.
- Problems associated with fruit.
- Problems associated with pollen.
- Healthy mature trees will not be removed to create space to plant new trees.
- Someone is willing to pay for the removal and replacement of a tree.
- The perceived risk that it may cause subsidence in the future.
- Causing disruption to pavements, kerbs, garden paths and walls. In these cases, engineering solutions will be sought where possible.

Selective minor pruning may be undertaken to trees on Council land if deemed justified by the Council on the following grounds:

- Overhanging neighbour's land
- Excessive blockage of light
- To facilitate community safety CCTV cameras

### Policy: TP 16

In accordance with the requirement in section 115 of the Environment Act 2021 the Council will consult members of the public before felling a tree on an urban road (a street tree).

## 4.7 Referencing and Supporting Documents

- BS 3998:2010 – Tree Work: Recommendations
- BS 5837:2012 – Trees in relation to design, demolition and construction
- LTOA Joint Mitigation Protocol
- National House Building Councils Standards Chapter 4.2
- LTOA Risk Limitation Strategy
- Capital Asset Valuation of Amenity Trees (CAVAT)
- Environment Act 2021
- England Trees Action Plan 2021-2024

## 5.0 Next steps

- 5.1 The next steps toward the production of a comprehensive Tree Strategy will be to collate and analyse existing tree data including canopy cover and tree inspection surveys across the four legacy Council areas and Highways ownership. Where no data exists sample surveys may need to be carried out to establish to extent of the resource to be managed. This is vital before any meaningful management plans can be developed.
- 5.2 At the same time Tree management Working Group are looking at reducing the division of responsibility for Council trees by integrating tree management, focusing on Highways trees in the former East Area where the standards for tree management are different to the other three legacy Council Areas as part of the new Highways Contract.
- 5.3 An action plan setting out what the Council hopes to achieve in the coming years will also be produced divided into main objectives linked to existing Council Priorities and Policies and the necessary harmonisation work across different Council departments, covering protection of existing trees, care of existing trees and planting and establishment of new trees. Some of the action plan subjects will include:
- Development of a Council wide computerised record of Council owned trees and a prioritised regime of re-inspection based on the level of risk. Geographical Information System (GIS) support will be required, and resources will need to be identified to support this task.
  - Identify large scale natural regeneration and tree planting locations to enable to maximisation of the use of grant schemes and partnership working.
  - Develop and approval process and minimum standards for tree planting on NNC land, including Highways.
  - Develop harmonised tree inspection and record keeping standards and a Council wide team for service delivery, bringing together Highways Street trees and open space tree management together.
  - Providing advice and support to community groups wishing to plant trees.
  - Development of a Local Nature Recovery Strategy by end of 2023, to meet national timescales
  - Harmonising all Statutory Planning Tree functions, decisions, conditions from the four legacy Planning Authorities.
  - Reviewing all Council Tree Preservation Orders
  - Produce new Supplementary Planning Documents for Tree Replacement Standards, and Trees and Development.
  - Scope and develop a plan to respond to the threat from Ash Dieback.