

Tree Maintenance Policy

For Council Owned Trees

Rushmoor Borough Council



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1. **Introduction**

This policy sets out the principals for the maintenance of the Council's tree asset / population giving details of the considerations for decisions relating to tree works, tree planting and (legal) nuisance. This policy is in accord with Hampshire County Council owned trees and protected privately owned trees in relation to applications under the Town & Country Planning Act, Tree Regulations.

Tree Preservation Orders and Conservation Areas provide the means to control works to important privately owned trees through the TPO application process. The principles applied to the determination of such applications accord with the principles in this policy. The Antisocial Behaviour Act (High Hedges) is a separate matter and not covered by this policy. The Arboricultural Officer [Planning] therefore manages these matters, as governed by Planning Law, within Planning Services.

This policy, in conjunction with the Tree Risk Management Plan (TRMP), forms the overall management policy for Council owned trees. The TRMP details how trees are surveyed and works prioritised in relation to the safety of persons and property.

The following Tree Maintenance Policy has been developed by Rushmoor Borough Council with advice from Ben Abbatt BA (Hons), Dip. Arb. (RFS), MICFor, MRICS, CEnv, (Arboricultural Association Registered Consultant) and is subject to review and amendment when appropriate.

Aim - To maintain the green leafy character of the borough and manage the existing tree population by appropriate and sensitive maintenance to ensure a healthy, pleasant and safe environment now, and ensure adequate canopy cover for the future. To lead by example with regards the value we place on our trees and their contribution to environmental quality within the urban landscape, including climate change benefits.

2. **The value of trees**

Trees enhance the quality of life, especially in the urban environment, and form an integral part of its character, form, quality and diversity. 'Trees Matter' produced by the National Urban Forestry Unit (www.treesforcities.org/files_reports/tfc_treesMatter.pdf) provides a comprehensive view of the benefits derived from trees in our towns. These include the benefits to our health by filtering polluted air, providing wildlife habitats, land stabilisation and an enhanced quality of landscape.

3. **Ownership of trees**

There are many different owners of trees within the borough. This policy primarily relates to Rushmoor Borough Council owned trees (Parks, Open Spaces, Estates, Facilities and Cemeteries) but is also relevant as good practice for all trees within the borough.

Trees on the Highway are the responsibility of the Highways Authority (Hampshire County Council) and their policies are in accord with this policy, however, Rushmoor Borough Council does not hold the authority or budget to undertake maintenance for Hampshire owned trees.

4. Objectives for management of the Council tree asset / population

Rushmoor has a high population density (c24 people per hectare) and correspondingly the tree asset provides significant amenity to residents, businesses and visitors to the area.

We consider trees to be of high importance with management, maintenance geared towards the retention and protection of the borough's tree population but with the proviso that safety to persons and property has overriding importance.

Primary objectives

- Safety (persons & property)
- Visual amenity & landscape value
- Healthier lives
- Heritage
- Urban environmental benefits (local climate effects, shade, CO2 and storm water run-off)

Secondary objectives

- Successful local economy
- Sustainable communities
- Wildlife (bio-diversity)
- Useful products

Aim - To manage our trees in a global sense and encourage urban forest with 'continuous cover management' to provide a healthy and diverse tree population. That the amenity provided by the trees is maintained for perpetuity by maintaining and improving tree cover for the future and planting of appropriate trees in appropriate locations.

5. Requests for tree works

When we receive a request to carry out tree works we will record, consider individual merits and prioritise. Our first consideration is public safety, our legal obligations and then the impact upon the community (residents, businesses, visitors to the borough).

We will carry out tree works under the general guidance of dead, dying, diseased or dangerous and specifically where:

- there is a significant risk of harm; or
- damage (for instance subsidence or physical impact from branches); or

- free passage is required (for instance below statutory heights on footways and carriageways); or
- sightlines or views of road signs is required.

This includes removal of dead trees, significant dead wood within crowns of trees, removal of diseased trees, which have exceeded acceptable limits of risk and general lifting of excessively low and obscuring branches causing obstruction.

We will not carry out works, without exceptional reason, that would cause a significant loss to the community or would be contrary to maintaining a healthy tree population. For instance, requests to prune a tree for improved television reception, telephone line clearance, shade (sunlight and daylight, see appendix 1, light / shade), to reduce leaf fall, fruit fall, bird droppings or honeydew from aphids, overhanging branches, unsubstantiated allergic reactions, children climbing trees, blocked drains etc. will not normally be carried out.

Persons can contact Rushmoor Borough Council via the following methods:

- Online - Visit <http://www.rushmoor.gov.uk/article/2795/How-we-look-after-our-trees> to access further information.
- Email – customerservices@rushmoor.gov.uk
- Telephone - Customer Services on 01252 398399
- Address – Rushmoor Borough Council,
Customer Services
Farnborough Road
Farnborough
Hants.
GU14 7JU

6. Justifications for tree works

Common justifications for tree works given in Appendix 1 ‘Justifications for tree works’.

We have a limited budget for tree works in relation to maintaining trees in a healthy and safe condition. To manage within our financial means we prioritise works to ensure that the budget provides the most benefit for the money spent and deals with those matters of high importance.

7. Types of tree maintenance works

There are various operations undertaken in the process of maintaining trees, appendix 2 ‘Types of tree works’ gives details of the most common with comments upon where and when they are normally used and the impact they have upon the tree.

We do all necessary tree work in line with the current industry guidance (for instance BS3998 Recommendations for tree works). We will not do any tree works that exceed these recommendations.

8. Common law rights to carry out tree works

Adjacent property owners can exercise their common law right and remove overhanging branches (where they extend across their boundary) so long as the trees are not subject to a tree preservation order, within a conservation area, cause significant damage to the tree or leave the tree in an un-safe condition.

Private individuals should always make their intentions known to the tree owner so that any proposed work is mutually agreed. No work should be carried out which could prove detrimental to the long-term health of the tree. In such an instance, persons can be held liable for the failure of the tree or any damage or harm that occurs because of unauthorised work.

We encourage people to dispose of the arisings / debris themselves if they decide to take such action, otherwise the Council will need to dispose of the debris which may reduce capacity for carrying out priority safety works elsewhere.

9. Woodland Management

We will take reasonable steps to preserve and enhance woodland trees that are indigenous to the borough. Where possible we will encourage natural regeneration in woodlands, aim to protect existing sites and have due regard for the potential impacts of climate change.

Dead trees and deadwood within established woodlands and copse areas, where appropriate, to remain as this can enhance the woodland habitat and improve diversity of species. Management and maintenance of our woodlands and copses will take into account existing landscape features, wildlife habitat and amenity value.

We will ensure that all our woodlands are managed and maintained in accordance with the accepted forestry and arboricultural methods. We actively encourage access to woodlands and we will develop and maintain pathways within our managed areas.

AIM - We will support and encourage community involvement in the planning and operation of woodland management. Where possible we will seek to expand and look for opportunities to create woodland.

10. Tree Planting

To help maintain a continuity of tree cover we will undertake the planting of new trees where suitable opportunities arise. We will endeavour to plant and maintain trees within the borough on our land to help maintain a viable tree population with a range of maturity.

The council supports tree planting within the borough through a variety of schemes. The leaflet 'Sponsor a tree' is available via <http://www.rushmoor.gov.uk/article/2795/How-we-look-after-our-trees> to download or from Customer Services on 01252 398399.

Aim – To plant 50 trees per year within council land to help improve the visual amenity of the borough and provide a tree population for future generations.

If you would like any further information on Rushmoor Borough Council's tree management policies, please visit <http://www.rushmoor.gov.uk/article/2795/How-we-look-after-our-trees> or contact us on 01252 398399.

Appendix 1: Justifications for tree works

Common requests for pruning trees include:

Light / shade

Shading and low light to gardens and property is an emotive issue and we receive frequent enquiries concerning light and shading. In many instances people believe they have, a 'right to light', therefore the following information seeks to clarify both our position and the legal / legislative framework.

Factors that we consider in relation to pruning for light are:

- Condition – the trees overall health, potential lifespan and general crown structure as other works may be necessary and which may also assist with increased light.
- Species – for instance broadleaves allow dappled light through the canopy in winter when not 'with leaf'; certain species have smaller and less frequent leaves, for instance birch which allows dappled shade in summer.
- Impact – the potential impact any such works would have upon the condition of the tree and the amenity that it (they) provides.
- Location – the position of the tree(s) has a bearing upon when shade may occur, for instance trees to the east of a property will cast shade in the morning whereas trees to the west will cast shade in the afternoon. The closer a tree is to the area the greater the amount of shade is likely to be cast.
- Character of the locality – whether an area has a 'woodland' or 'wooded' nature or if the tree is a specific feature in the locality.
- Relative ages of the trees and property – it may be unreasonable to prune trees that were present at the time of construction of a property. The tree landscape evolves over time and the growth of trees is a natural feature that needs consideration when making the decision to occupy a property or not.

Summary of relevant legal and legislative framework

GARDENS - There is no legal 'right to light' or guidance upon the amount of sunlight or skylight for gardens.

PROPERTY - The 1832 Prescription Act and British Standard 8206: Part 2: 2008 – Code of Practice for Day Lighting (BS8206 as updated) both relate to the amount of sunlight and day light appropriate for a building and its use.

These are best summarised as follows;

- An opening into a building (for example a window) acquires a 'right to light' if it has had uninterrupted enjoyment of a given amount of skylight for a period of at least twenty years. However, this takes into consideration trees as the 1832 Act excludes trees and vegetation germinating or growing within this period. In essence this

protects a householder from persons erecting a structure such as a wall directly in front of their window thus blocking light.

- The British Standard states the amount of sunlight and day light that is appropriate for a building and its use. The calculations within this standard are very complex and are best summarised by the following quote from The Royal Institute of Chartered Surveyors:

BS8206 is effectively 'In your home, just over half the room should be lit by natural light. Broadly speaking, the minimum standard is equivalent to the light from one candle, one foot away.'

In summary, we rarely carry out works due to light or shade. Any tree works carried out are normally instructed due to other reasons, for instance the condition of the tree, to reduce the potential for damage to adjacent structures, etc. which may have the associated benefit of reducing the specific light / shade concerns of the individual.

Falling debris (branches, twigs, leaves/ needles, flowers, seed/ fruit, honeydew)

We do remove dead, dying, disease and dangerous branches from our trees where there is a high possibility of harm or damage occurring. We do not prune trees because they shed twigs, leaves / needles, flowers or seed / fruit as part of their natural processes. Where the works necessary to reduce their occurrence would be detrimental to the tree's health and amenity of the area we will not normally carry out these works.

Honeydew is a result of aphids feeding upon the tree. The amount produced can vary depending upon climate and levels of predation. There are no practicable ways of managing such issues reasonably, without removing the trees. As such, honeydew is not normally sufficient reason to prune a tree.

Basal growth (sucker / epicormic growth)

This is the growth at the base of the tree and sometimes up the main trunk and is common with mature Lime trees. Where this growth causes obstruction or blocks sightlines then it will be removed and in some cases it is desirable to remove the re-growth periodically for aesthetic reasons.

Overhanging branches

We do prune low overhanging branches to allow for reasonable access beneath the canopy. We do not normally prune branches that overhang adjacent properties above normal access requirements (see crown lifting in appendix 2)

Size

The height and size of a tree is not normally sufficient reason alone to prune a tree if the tree is in good structural and physiological condition.

Drains

Blocked drains are a significant concern. Trees will access drains through faults in the drain. It is rare that they are the cause of the drain failure. The tree roots that do grow are opportunistic and identify that there is a fault with the drain. This allows the person responsible for the drain to take appropriate action to repair the drain to repair the leak and prevent future tree root growth into the drain.

Transmitted signal reception

We do not prune for transmitted signal as there is no legal right to a transmitted signal and there are a variety of other means to obtain a similar service (sometimes the simplest solution can be to move the position of the aerial or dish to a new location). In the majority of cases the tree would have been an established feature of the landscape prior to its growth causing disturbance to a signal. Any tree works carried out are normally instructed due to other reasons, for instance the condition of the tree, to reduce the potential for damage to adjacent structures, etc. which may have the associated benefit of improving reception.

Allergies

With wind borne pollen and scent it is often difficult to determine where the origin for the trigger to an allergic reaction originates. As it is difficult to determine the cause of the allergic reaction and with the variety of vegetation in the environment it is sometimes not realistic or feasible to carry out tree removals that would significantly alleviate the symptoms. Consequentially we do not normally prune trees to address unsubstantiated allergic reactions.

Children climbing trees

We do not carry out works to prevent children climbing trees unless there is an exceptional circumstance and other factors involved such as access onto roofs etc. We would then only carry out minimal works to prevent easy access into the tree where appropriate.

Research shows that children should be exposed to a certain amount of risk and it is an important part of growing up and learning. It is a normal part of life for children to want to climb trees and we do not wish to hinder this involvement with the environment unless there are specific and exceptional concerns.

Adjacent buildings

Where council trees are adjacent to buildings we will normally maintain a branch clearance of up to 1.5 to 2.0m to prevent the tree branches from damaging the building, for instance dislodging roof tiles. Branches outside this 1.5 to 2.0m distance will normally be retained (this includes branches which overhang a property, i.e. above the roof).

Subsidence and Heave

Subsidence is a complex interaction between the soil, building, climate and vegetation that occurs on highly shrinkable soil (normally clay). When the soil supporting all or part of a building dries out and consequently shrinks it results in the unsupported part of a building moving downwards. Trees lose water from the leaves through transpiration that is replenished by water taken from the soil by the roots. If the tree takes more water from the soil than is replaced by rainfall the soil will gradually dry out. Trees have a large root system and they can dry the soil to a great depth, sometimes below the level of foundations. The amount of water trees can remove from the soil can vary between different species.

The opposite of subsidence is a process called 'heave' and this occurs as a shrinkable soil re-hydrates (re-wets) and begins to increase in volume exerting upward pressure. Heave can also cause damage to buildings and is just as undesirable as subsidence.

Trees are not the only factors that can cause building movement. For example natural seasonal soil moisture changes, localised geological variations, lack of flank wall restraint, over loading of internal walls, internal alterations reducing the load bearing capacity of the original building, installation of replacement windows without proper support, loft conversions, settlement and land slip, amongst others. Settlement is common but is frequently unrelated to the presence of nearby trees.

We recognise our responsibilities for the trees we own and manage. We expect any request for removal of our trees to be supported by sufficient evidence to show that the tree in question, on the balance of probabilities, is an influencing cause in the subsidence. Presuming a tree has been identified as a cause we would also look towards engineering solutions that avoid the need to remove trees.

Typical evidence and information that we believe is necessary to assess the influence a tree may have must include:

- A description of the property including, type and depth of foundations, a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map.
- Details of vegetation in the vicinity and its management since discovery of the damage, together with a plan showing the vegetation and affected building.
- Measurement of the extent and distribution of vertical movement using level monitoring. However, where level monitoring is not possible, the applicant should state why and provide crack-monitoring data. The data provided must be sufficient to show a pattern of movement consistent with the presence of the implicated tree(s).
- A profile of a trial/bore hole dug to identify soil characteristics and foundation type and depth.

- The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index.
- The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out.
- Proposals and estimated costs of options to repair the damage.
- In addition, the request should include a report from an arboriculturist to support the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree-related damage.

This evidence and information (as taken from the government guidance <http://www.communities.gov.uk/documents/planningandbuilding/doc/tposguideaddendum.doc> paragraph 6.40C) will help to determine whether the tree is involved and is so whether the amenity provided by the tree outweighs the damage caused (and if appropriate allowing the council to fund the repairs).

Appendix 2: Types of tree works

Types of tree works for individual trees:

Formative pruning

This task is normally carried out on young trees to improve their structure, form and remove parts of a tree that could develop into future weak point (for instance removal of a single stem from a co-dominant pair).

Cleaning out and dead wooding

Cleaning out is the removal of dead, dying or diseased branches, broken and or hung up branches, stubs together with all unwanted objects (for instance fungal fruiting bodies, ivy and / or other climbing plants, nails, redundant cable bracing, rope swings, tree houses, wind blown rubbish).

Dead wooding is the removal of dead, dying or diseased branches, broken and or hung up branches. Different trees species produce and retain deadwood in different ways and can be an important wildlife habitat. The production of dead wood is a normal and constant process and can occasionally help to determine the condition of a tree.

We normally will clean out or dead wood trees in high use areas (for instance in major parks, busy open spaces and principal roads) depending upon the extent of the deadwood in the canopy and in relation to the species characteristics. In lower use areas, we try to retain deadwood to maximise the efficient use of the budget available for tree safety works (greatest benefit for the least cost) and help retain valuable habitat for nature conservation reasons.

Crown lifting

This is the removal of the lowest branches in the tree's canopy to create an appearance of 'lifting' the trees canopy. These works are normally carried out to allow access beneath the canopy of a tree for pedestrians or vehicles on a carriageway and the extent of crown lifting will depend upon the reasonable use of the land beneath the trees canopy.

Crown lifting can be detrimental to a tree through:

- changing the mechanical action upon the tree and can increase the potential for the tree to fail,
- introduction of wounds for pests and diseases to enter the tree which the tree will need to respond to,
- increasing the distances between leaves (energy production) and roots (energy use) with the result that more energy is required to transport the materials around the tree leaving less energy available for other processes (for instance defence against detrimental organisms).

Where we consider that the requests for crown lifting will cause significant detriment to the tree we will not carry out the requested works without good reason. We do not usually crown

lift lower branches to more than 3.0m. However, we may have to crown lift to more than 3.0m to comply with legal requirements (for instance to make a clearance around streetlights and vision splays for the safe use of the highway, to clear adjacent buildings and structures, etc.).

Crown thinning

This involves removing some small secondary branch growth to create a less dense canopy. It is carried out by preferentially removing the dead, dying, diseased and damaged / broken branches first with branches that run parallel or overlapping one another secondly. Crown thinning is normally specified as a percentage (of the foliage area) and is carried out to produce an even canopy of well structured, balanced and good framework of limbs and branches typical of the species or variety of tree.

There is a common misconception that crown thinning will help to alleviate concerns of light or transmission signals. The crown thinning works are often unsuccessful to alleviate these concerns because the amount of branch wood we remove without harming the tree (up to 10% of the foliage area) is insufficient to significantly improve light levels passing through the tree's canopy or remove the 'obstruction' to the transmission signal.

Excessive crown thinning can be of detriment to the tree through:

- introduction of wounds for pests and diseases to enter the tree which the tree will need to respond to,
- removal of leaves (energy production parts of the tree) reducing the amount of energy available for the tree,
- removal of stored energy in the branches,
- increased energy expenditure from the tree to recreate the lost canopy reducing the amount of available energy for other tree processes,
- changing the mechanical loading upon the branches increasing the potential for branch failure.

Crown reduction and Tip reduction

Crown reduction is the reduction of the complete outline dimension of the tree from the height and sides towards the centre of the tree. These works are normally carried out to reduce the potential for failure on a tree worthy of being retained (for instance a veteran tree). These works are not normally carried out on a tree in good condition (physiologically and structurally) without good reason as there is a higher probability of branch failure from any re-growth and a crown reduced tree is normally aesthetically less attractive.

Excessive crown reduction can be of detriment to the tree through:

- introduction of wounds for pests and diseases to enter the tree which the tree will need to respond to,
- removal of leaves (energy production parts of the tree) reducing the amount of energy available for the tree,
- removal of stored energy in the branches.
- increased energy expenditure from the tree to recreate the lost canopy reducing the amount of available energy for other tree processes,

- increased potential for branch failure from re-growth due to a weaker branch attachment.

Crown reductions can predispose the tree to a premature decline and therefore, for these reasons, crown reductions are rarely carried out and normally only on significant and important trees where crown reduction is necessary to abate a known structural or physiological feature.

Tip reduction is the localised reduction of a branch. It is frequently carried out to clear an adjacent structure. Normally a clearance of between 1.5 to 2.0m is carried out to prevent damage to the structure (for instance a house or garage) and also to minimise the long term exposure of the tree to damage and infection / colonisation by detrimental organisms. Overhanging branches above / outside this 1.5 to 2.0m distance are normally retained.

Pollarding

This is normally the cyclic removal of new shoots from the pollard head (point where previous pollarding works have pruned back to). Generally the shoots are removed on a 3 to 5 year rotation. These works are not normally carried out unless the tree has previously been managed as such.

Felling

Healthy trees are not normally felled. Reasons for felling a tree can include:

- when it is in a poor structural or physiological condition,
- as part of planned management for the site,
- the tree has caused damage, or is likely to cause imminent damage, to adjacent structures, but where pruning is not an option,
- the tree's roots have damaged the path or road causing potential hazards, but where root pruning is not an option,
- we need to remove a tree to allow other trees nearby to develop,
- the tree is a species which is known to ultimately outgrow where it is planted, and if it will unreasonably restrict the use of this area,
- the benefit or view of the tree is so limited by where it is, that the inconveniences outweigh all arguments in favour of keeping it,
- the tree stands in the way of essential development work (for instance road improvements).

Stump grinding

Stumps are ground out when there is a high probability of them being a trip hazard, to allow grass cutters to pass over the stump or to allow reinstatement of a footway or other made feature. Additionally stumps may be removed where it would be a resource for decay fungi (for instance honey fungus *Armillaria mellea*). Where these reasons are not applicable, the stumps are normally left in place to allow the most effective use of the budget.

Coppicing

Coppicing is the removal of all the growth of a tree or shrub to a point close to the ground with the objective of producing a quantity of vigorous new growth from the retained stool. This is normally carried out on previously coppiced trees (for instance hazel) as part of woodland management.

Root pruning

Occasionally, tree roots can damage footpaths and pavements. In these cases we can prune the roots. However, if root pruning threatens the tree's health or stability, felling may be our only alternative.

Ivy

Ivy is good for wildlife in terms of being a source of nectar in the late summer months and shelter. It does compete with trees for water and nutrients. When ivy grows into the upper canopy, it can shade out leaves and act as a 'wind sail' over the winter months. Ivy also obscures survey of the trees for structural defects. In consideration of these issues we normally will remove ivy from trees in high use areas particularly if the ivy gets to 1/3rd the height of the tree or along primary branches (the first branches that occur from the main stem) or where a detailed assessment of the tree is necessary.

Other

If there is no alternative, we can clear branches that obstruct the view of CCTV cameras or street lighting. However, we expect the design specification and installation engineers to consider any nearby trees and their future growth before installing apparatus.