St Edmundsbury BOROUGH COUNCIL

F116

Extraordinary Cabinet 16 September 2014

West Suffolk Tree Management Policy (Sep14/01)

1. Summary and reasons for recommendations

1.1 The main aims of the proposed West Suffolk Tree Management Policy are to:

(a) Provide a clear standardised approach to the way in which both Forest Heath District Council and St Edmundsbury Borough Councils' trees and woodlands are managed in the future and the way in which the authorities communicate their plans to the local communities.

(b) Outline how current service specific issues/problems would be addressed.

(c) Provides clarity around the Councils' responsibilities in maintaining its tree stock in a safe and appropriate manner.

1.2 **St Edmundsbury Borough Council** adopted a Tree and Woodland Strategy in 2009. The strategy proposed a four year cyclical inspection and maintenance regime and this year sees the completion of that first full cycle of inspections. It is proposed that the joint Policy will replace that strategy and see the continuation of the existing inspection and maintenance regimes.

1.3 **Forest Heath District Council's** Overview and Scrutiny Committee requested that a Tree Management Policy be prepared for their consideration. On 19 June 2014, the Overview and Scrutiny Committee received Report No OAS14/452, which that Committee unanimously resolved to recommend to Cabinet for adoption.

2. Recommendation

2.1 It is **RECOMMENDED** that the West Suffolk Tree Management Policy, attached as Appendix A to Report F116, be adopted.

Contact details	Portfolio holder	Lead Officer
Name	Councillor Sarah Stamp	Damien Parker
Title	Portfolio Holder for Leisure, Culture and Heritage	Leisure, Culture & Communities Operations Manager
Telephone	(01284) 769360	(01284) 757090
E-mail	sarah.stamp@stedsbc.gov.uk	damien.parker@westsuffolk.gov.uk

3. Strategic priorities

3.1 The recommendation meets the following, as contained within the West Suffolk Strategic Plan:

Priority 2: Resilient families and communities that are healthy and active

4. Key issues

4.1 Both Councils receive many enquiries each year concerning trees in the public realm. The majority of enquiries relate to requests from members of the public asking that trees in proximity to their property are trimmed. Introducing and maintaining cyclical inspection and maintenance regimes across both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) will help reduce the number of enquires received.

4.2 Both Councils have inherited woodlands and shelter belts which now stand within residential developments. Owing to the overcrowded nature and long term under management of some of these woodlands and their proximity to residential dwellings the work required can appear, of necessity, severe and this can cause upset to some residents. The proposed Policy sets out the procedures officers will follow in providing adequate notice/explanation whenever work risks causing sudden, substantial change to familiar outlooks.

4.3 The Councils are not the only custodian of trees in public areas. The process of identifying the ownership of trees in the public realm has now been made much simpler as a result of the trees and woodlands of both Councils being placed on a computerised mapping system and data base (Arbortrack tree management system).

4.4 By adopting the proposed West Suffolk Tree Management Policy, the approach of FHDC and SEBC to tree management will be standardised.

5. Other options considered

5.1 To not adopt a Tree Policy: this could leave the Councils vulnerable to claims of not managing their tree stock efficiently and effectively.

5.2 Adoption of a separate St Edmundsbury Tree Policy: this could lead to confusion and mistakes being made by officers of West Suffolk were different tree policies adopted by each of the two West Suffolk Councils.

6. Community impact

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 By managing the tree stock in a proper manner the authorities will contribute towards reducing the fear of crime within its communities.

6.2 **Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

6.2.1 Officers are not aware of any negative impacts associated with the adoption of this joint policy.

6.3 **Sustainability impact** *(including completing a Sustainability Impact Assessment)*

6.3.1 Officers are not aware of any negative impacts associated with the adoption of this joint policy.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 In FHDC on 28 June 2012, the Overview and Scrutiny Committee received a scoping document (Report No OAS12/409) for the development of a FHDC Tree Management Strategy. Feedback from that initial draft has helped inform the wording of this joint policy. On 19 June 2014, the FHDC Overview and Scrutiny Committee received a report and draft Policy which it duly considered and unanimously resolved that the West Suffolk Tree Management Policy, attached as Appendix A to Report OAS14/452, be recommended to Cabinet for adoption.

7.2 In SEBC a Tree and Woodland Strategy was adopted in 2009. The strategy, which introduced a four year cyclical inspection and maintenance regime, was considered by the Borough Council's Policy Development Committee prior to formal adoption. The proposed Joint Tree Policy will not significantly change any of the working practices/procedures deployed in SEBC.

8. Financial and resource implications *(including asset management implications)*

8.1 There are no foreseen additional revenue implications associated with implementing this joint policy. The costs will be contained within existing budget estimates.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Increased Costs - associated with dealing with those trees identified as needing work in the initial tranche of inspections. (FHDC only)	Medium	Budgetary spend will be closely monitored. Officers liaise regularly with the relevant Portfolio holder. Should it become apparent that there is a problem it will be reported to members at the earliest convenience.	Low

Constituents' dis-satisfaction - at non urgent enquiries taking longer to be inspected as a consequence of Officers new approach to prioritising a cyclical approach to inspections.	Medium	Policy and approach will be transparent. Enquirers will be informed of estimated time scales of service and this may be subject to season variations. Cyclical inspections will be undertaken during periods when we usually receive fewer tree related enquiries.	Low

10. Legal and policy implications

10.1 The introduction/continuation of cyclical inspection and maintenance regimes will help provide evidence, should it be needed, of the authorities' commitment to comply with its duty of care responsibilities as a land owner.

11. Wards affected

11.1 All

12. Background papers

FHDC

12.1 The FHDC Overview and Scrutiny Committee (OAS) on 28 June 2012 received a Scoping Document (Report No: OAS12/409) for the development of a FHDC Tree Management Strategy.

12.2 The FHDC OAS Committee on 19 June 2014 received a report and draft Policy which it duly considered and unanimously resolved that the West Suffolk Tree Management Policy, attached as Appendix A to Report OAS14/452, be recommended to Cabinet for adoption.

SEBC

12.3 On 4 November 2009, the SEBC Policy Development Committee recommended the adoption of a tree strategy for the Borough (Report A292 refers).

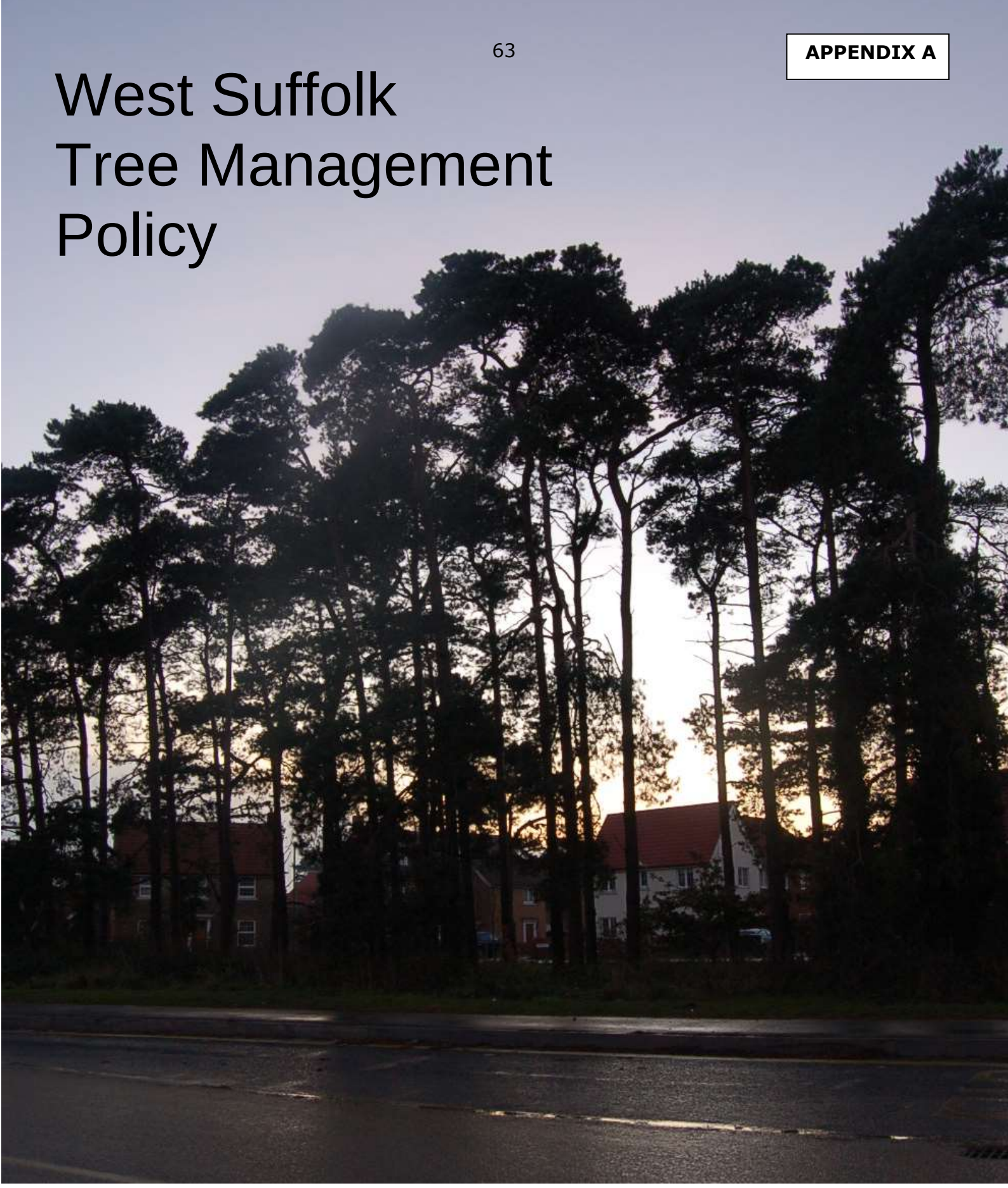
12.4 Upon the recommendation of SEBC's Cabinet on 2 December 2009, SEBC's full Council adopted the Tree and Woodland Strategy on 15 December 2009 (Minutes 83 and 76 (C)(2) respectively refer)

13. Documents attached

13.1 Appendix A - West Suffolk Tree Management Policy and associated appendices.

APPENDIX A

West Suffolk Tree Management Policy



Forest Heath • St Edmundsbury

West Suffolk

working together

Contents

Appendices

1. Introduction

Tree cover is one of West Suffolk's defining features and is a major factor in what makes the area a fine place to live, work and visit. In total, around 10% (6500 hectares) of land within St Edmundsbury is covered by trees and 25% (9500 hectares) of land with Forest Heath is covered by trees. The Forest Heath area also contains part of the largest lowland forest plantation in Europe in the form of Thetford Forest.

Forest Heath is also unusual within the county of Suffolk in having an exceptionally high percentage of its area designated as Sites of Special Scientific Interest. There are also large areas designated as Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

Trees provide a range of benefits upon which our quality of life will continue to depend. By moderating climate, improving air quality, conserving water, offering habitats for wildlife, offering health benefits and conferring a sense of place and season, Appendix 12 explores the full range of benefits that trees confer both socially, environmentally and economically.

This critical environmental resource faces numerous challenges and conflicts that risk its gradual erosion and which need to be comprehensively addressed if it is to be sustained. These problems include: new development and competing infrastructure; climate change, storms and drought; disease, pollution, ignorance and neglect. Appendix 13 explores these threats in more detail.

The high level of tree cover within West Suffolk, while immeasurably beneficial, can also create challenges. Where trees and habitation coincide, the needs of trees and people often clash. People's needs and expectations can make the management of trees intense and costly.

Sustainable management needs to be implemented today if this natural resource is to benefit, and be enjoyed by, future generations. Woodland will need regenerating through carefully selected felling and coppicing and new trees will need to be nurtured to create a diverse age structure. The trees in our parks, open spaces, cemeteries and streets will also need phased removal and replacement programmes to ensure continuity of tree cover as disease, decay and terminal decline inevitably take hold.

All local authorities have legal duties to protect significant trees for their amenity value, to conserve biodiversity and to ensure that the trees they own are properly managed and maintained so that they do not cause damage and/or injury to others.

The West Suffolk Tree Management Policy:

- Underlines the importance that Forest Heath District Council and St Edmundsbury Borough Council place on trees and woodlands in both public and private ownership and spells out its long term commitment to this critical environmental resource.

- Aligns the policies and approach to tree management of both Councils under the banner of West Suffolk.

- Provides a commitment to ensure that data pertaining to the Councils' tree stock is accurately maintained.

- Provides an understanding of the conflicts that can arise when trees and people inhabit the same area and sets out a framework for ensuring.

    - Our tree and woodland cover is managed sustainably and systematically.
    - Tree-related problems and concerns are dealt with appropriately, efficiently and in an accountable manner.

2. Strategic links

This policy has been created with due consideration to current national, regional and corporate policies and legislation, which can be found in Appendices 6 & 7. Through adopting this strategic approach, and aligning the approach of both councils, this policy will ensure both councils fulfil legal and policy requirements.

3. Management of trees

3.1 Structure and Responsibility for trees across West Suffolk

Across West Suffolk there are a number of organisations that manage trees in the public realm. Forest Heath District Council, St Edmundsbury Borough Council and Suffolk County Council manage the majority of these. However, with the historical transfer of housing stock, a number of Housing Associations are responsible for a significant amount of public realm trees. This division of responsibility can cause confusion and frustration for local communities and this policy sets out to provide clarity on how the West Suffolk councils propose to manage the trees and woodland they are responsible for, and how to disseminate this information to residents.

Identifying the type of enquiry and routing it to the correct department is of high priority to reduce confusion and resulting irritation of callers being put through to the wrong department or experiencing an unnecessarily high number of transfers within the customer service system. All departments dealing with customer services, such as front desk and switchboard will be made aware, through this Policy, of the councils division of responsibility to ensure enquiries are routed to the correct department.

Privately owned trees

Enquires about trees on private property are generally not the responsibility of the councils. Disputes relating to private trees are a case for civil action and complainants will be advised of this.

The councils have some limited powers they can exercise concerning trees on privately owned land. Most relevant are issues relating to protected trees within the role of Local Planning Authorities. Local authorities also have some powers concerning dangerous trees on privately owned land and high hedges.

Tree Preservation Orders, Conservation Areas and trees within developments

Within Forest Heath District Council and St Edmundsbury Borough Council, Planning Services is responsible for the administration of trees, predominantly to be found on private land, covered by the Town and Country Planning Acts.

West Suffolk Planning Service is also responsible for matters relating to the hedgerow regulations.

Where council owned trees are protected by Tree Preservation Orders an application must be made for any works proposed. This will be made within the standard planning application process.

Where council owned trees are within a Conservation Area, the councils are exempt from the usual application process to gain permission for carrying out work. However, we will operate a best practice policy to consult with the council's Planning Service where work is proposed on council owned trees within Conservation Areas, and where advisable, full applications will be made. This will ensure transparency, and where appropriate engage and consult with local communities through the existing planning process.

High Hedges

Local Authorities have powers under section 8 of the Anti-social Behaviour Act 2003 to become involved in disputes relating to high hedges.

A high hedge is defined in the Act as a barrier to light or access as is formed wholly or predominately by a line of two or more evergreen or semi-evergreen trees or shrubs and rises to a height of more than 2 metres above ground level. The Act only offers control over hedges that affect domestic properties, which are defined as a dwelling or any associated garden or yard. The legislation is not open for those who wish to complain about a solitary tree.

The councils can only intervene when the complainant has explored (and exhausted) all steps to include, if possible, mediation. The council will charge an administrative fee to process a complaint. That fee is non-returnable. If the complainant has not explored all the alternatives or if the line of trees is not as designated by the legislation then the process will conclude at that stage but the fee will not be refunded. It is therefore in the complainant's best interest to ensure that they have explored all possible alternatives and to ensure that the tree is as designated by the legislation.

Complaints made under the above mentioned act are administered by the West Suffolk Legal Service.

Privately Owned Dangerous Trees

The Councils have discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976 to require trees to be made safe under certain circumstances. Where a tree under private ownership is endangering people or property on public land or private land with public access, the council will always be prepared to use these discretionary powers to serve notice or undertake tree work.

Following the Government advice in Circular 36/78 (DoE, 1978), the councils will only use their discretionary powers as a last resort and will initially approach the owners, advising them of the situation and attempting to obtain an undertaking to carry out the work. If a tree does represent a significant and imminent risk to the public and an undertaking is not received to carry out the work or make the tree safe in a reasonable period, the councils will either carry out the work immediately or serve notice on the owner depending on the level and imminence of risk presented by the tree.

The Local Government Act provides a means for local authorities to carry out emergency arboricultural work and recover the costs over a period from a tree

owner unable to immediately pay for the work. If a tree owner were unable to pay for work to make safe a tree on his or her land the council would usually require that a commercial loan be obtained to finance the work rather than use the Act.

Where it is important to take action immediately due to a severe and imminent threat to public safety, an arboricultural officer within the Councils would make a decision.

Any officer or agent of the Councils entering land to assess any tree in respect of these provisions will do so with written authority from the Councils.

Dangerous trees on privately owned land are administered by the West Suffolk Legal Service.

The Councils can use its discretionary powers in the following situations:

Where the Councils are asked by the owner to deal with his/her dangerous tree. The Councils may be asked to make a dangerous tree safe because the owner is unable to pay the bill. Having established the imminence of the danger, the council may decide to recommend action but repayment in full will be required from the owner, or his or her agents, within an agreed timescale.

Where the Councils are asked to deal with a dangerous tree on land with no known owner. The Councils may need to take immediate action before discovering the owner of the dangerous tree. Where the danger is imminent, the Councils will authorise the necessary safety work and the cost will be placed as a land-charge for later reclamation. If the danger is not imminent, then site notices may still be used to warn the owner or users of the site that action to make the tree safe may be needed in the near future.

Where a dangerous tree is on neighbouring land and the owner is known. The Councils will serve a notice on the owner, allowing not less than 21 days to make their tree safe if found to pose an imminent danger. If the owner fails to act within the designated period, the Council may decide to enter the land to make the tree safe and to recharge the owner.

Where a privately owned dangerous tree threatens nearby Council land. Where the owner is not known, the Councils may decide to take immediate action to make the tree safe and to recharge the owner later, in accordance with the above provision. Where the owner is known, procedures for notifying the owner as detailed above will apply.

Housing association trees

The Councils' have transferred their housing stock to housing associations. The housing associations determine the responsibilities tenants have for trees located in their gardens.

The management and maintenance responsibilities for amenity land, and trees' around the former Council housing stock varies. In St Edmundsbury Borough

these areas and trees tend to be owned and managed directly by a housing association and in Forest Heath District Council the Council have, in most instances, retained that responsibility.

If the Councils receive a call about a possible housing association tree, officers will utilise a GIS system to ascertain ownership. In some cases the tree may be identified as Council owned, and normal enquiry procedures can be utilised relating to council owned tree stock.

If the tree is identified as being within housing association owned property or land, the caller will be advised to contact the appropriate housing association.

Highway trees

Highway trees are often the most prominent of all trees in an area. Where there are few private, highway trees/street trees add particular value, helping to improve and soften the street scene.

Highway trees/Street Trees are defined as trees being "within the highway". Trees "within the highway" are almost always owned by the adopting Highway Authority, and in Suffolk this is Suffolk County Council. As owners Suffolk County Council are responsible for their management.

If the Councils receive a call about a possible highway/street tree, officers will utilise a GIS system to ascertain ownership. In some cases the tree may be identified as Council owned, and normal enquiry procedures can be utilised relating to council owned tree stock.

If the tree is identified as standing on adopted highway land, the caller will be advised to contact the County Council.

Highway Authorities, such as Suffolk County Council, have certain powers under the Highways Act 1980. These include:

Section 79. The Highways Authority may serve a notice to restrict new planting or remove existing vegetation which is/may cause a danger to road users on a bend or junction.

Section 154. The Highways Authority can serve a notice requiring the pruning of vegetation which obstructs the passage of vehicles, the view of drivers, the light from a street lamp. This section also covers the ordering of the removal of dangerous trees which may threaten users of the highway.

Section 294. Allows the courts to grant an order authorising entry into a private property and allowing works associated with Section 154 to be carried out if access to the property is refused by the owner.

3.2 Tree Risk Management

Assessing the Risk

An owner of land upon which a tree stands has responsibilities for the health and safety of those on or near the land and potential liabilities arising from the fall of the tree (including parts of), under both the civil law and criminal law. The civil law gives rise to duties and potential liabilities to pay damages in the event of a breach of those duties. The criminal law gives rise to the risk of prosecution in the event of an infringement of the criminal law.

When assessing a tree, owners and managers need to judge whether the management measures they adopt will fulfil society's reasonable expectations. 'Reasonableness' is a key legal concept when considering the risks of trees to the public and tree owners' obligations. For more details on trees and legislation please refer to Appendix 7: Legislation.

The National Tree Safety Group commissioned the Centre for Decision Analysis and Risk Management at Middlesex University to quantify the risk to the UK public of fatal and non-fatal injuries from falling or fallen trees and branches:

The research identified 64 deaths during the ten years after 1 January 1994. With a UK population of roughly 60 million, this leads to an overall estimated risk of about one death in 10 million people per year from falling or fallen trees and branches.

So far as non-fatal injuries in the UK are concerned, the number of accident and emergency cases attributable to being struck by trees (about 55 a year) is exceedingly small compared with the roughly 2.9 million leisure-related A&E cases per year. Footballs (262,000), children's swings (10,900) and even wheelie bins (2,200) are involved in many more incidents.
The individual risk of death attributable to trees is TEN TIMES LESS than the threshold of one death in a million per year which the Health and Safety Executive says people regard as insignificant or trivial in their daily lives.

Defendable Practice

This policy takes into account the relative risk from the trees in the councils' ownership, and balances this against the benefits and applies the proportionate resource to managing those risks.

Defendable management is consistent with a duty of care based on reasonable care, reasonable prediction and reasonable practicability.

Reasonable tree management has both reactive and proactive elements. The Councils' will continue to react to events involving dangerous trees as they arise. The Councils' will also maintain forward-looking procedures to keep tree-related risks at an acceptable level. The Councils' proactive procedures will take into consideration the following aspects:

- Zoning: appreciating tree stock in relation to people or property
- Tree inspection: assessing obvious risky tree defects
- Managing risk at an acceptable level: identifying and prioritising safety work according to level of risk
- Maintain records: Providing evidence, should it be needed, of actions taken to mitigate risks.

If reasonably carried out, the above procedures should meet the duty of care required by law.

Zoning

This practice prioritises the most used areas, and by doing so contributes to a cost-effective approach to tree inspection, focussing resources where most effective. Zoning contributes to sensible risk management and a defendable position in the event of an accident. In some cases it may be reasonable to decide that no areas require inspection.

Classifying levels of use in this way only requires a broad assessment of levels of use. Generally a minimum of two zones, high and low use, may be sufficient:

- High use zones are areas used by many people every day, such as busy roads, railways and other well-used routes, car parks and children's playgrounds.

- Low use zones are used by less people or less frequently, such as isolated paths, small roads, or areas not easily accessible such as woodland and shelter belt interiors.

The Councils will utilise the above two zone system when carrying out inspections of trees, which will inform the level of inspection required, and subsequently the level of resource required to carry out the inspections.

3.3 Inspection of Trees

In line with a tree risk management approach, the councils undertake regular planned inspections of their tree stock. The approach to inspection is detailed in Appendix 2. Details of the inspection areas and frequencies are provided in Appendix 3.

The term inspection covers a whole range of activities, from a superficial quick, visual 'check' to a detailed, device-assisted inspection. Inspections are carried out by non-specialists through to specialists trained to different levels of competence and experience. While technology can assist in inspecting important trees under exceptional circumstances, normal, day-to-day observation is the most useful source of information and provides the principal basis of tree assessment.

Inspection will vary according to the circumstances of the site, influenced by levels of use and the importance of the trees (principle of zoning). Even in well used areas, inspecting and recording each tree is not always considered reasonable.

Trees with structural faults, but valued for their habitat or amenity interests, that are retained in frequently used areas may require specific assessment and management.

Informal Inspection

The contribution of informal inspection to sensible maintenance of reasonable safety should not be underrated.

In an informal inspection, owners or managers do not go out of their way to assess the trees, but notice their health and condition as they pass by, identifying structural weakness or actual failure that pose an imminent threat to public safety and that would be patently apparent to a non-expert.

Reports by staff or members of the public of any problems are an integral part of informal inspections and can be acted upon as and when necessary. The councils receive many such reports from members of the public, staff or volunteers who are out and about in the West Suffolk Area.

Although this does not negate the need for more formal and detailed inspections of trees, it is a valuable tool within the councils' risk management of trees. As such it should be recognised as part of its reasonable, balanced and defendable approach to tree management.

Formal Inspection

In a formal inspection, someone visits the tree with the specific purpose of performing an inspection, which is not incidental to other activities. The spectrum of formal inspection ranges from survey work for tree inventories, to health and condition assessments.

Formal inspections may be carried out through 'drive-by' and 'walk-over' inspections, ground-based visual checks, aerial assessment or device-based investigation. Drive-by and walk-over inspections are accepted types of reasonable risk assessment depending on the circumstances.

Drive-by inspections are a reasonably practicable means of tree safety assessment for tree-lined roads and other high use areas with vehicle access. Drive-by inspections can assist in deciding where tree management, walk-over or detailed inspection might be appropriate.

Walk-over inspections may not identify hidden features, such as fungal fruiting bodies tucked in the roots of the tree. However, simple formal inspection through ground level visual checks in the course of walk-over surveys provides a useful, cost effective means of identifying clear and present signs of imminent instability. This is an important means of identifying when pressing action is needed, including further specialist inspection.

Walk over inspections combined with a zoning approach can provide a valuable means for inspection. Trees in a high use or high risk situation within a survey area can receive a simple formal inspection with ground based visual checks, in more detail than a general walkover survey. In this way the surveyor can identify such trees during the walkover survey, and assign a greater time resource where required.

Detailed Inspection

The need for detailed inspection typically only applies to individual, high value trees giving high priority concern in well-used zones. Given that most trees pose an extremely low risk, it is unreasonable to expect that every tree in a given area should receive a detailed inspection; to do so would be grossly disproportionate to the benefit gained in risk reduction.

Detailed inspections are therefore unusual, typically reserved for trees valued for their heritage, amenity or habitat and which are suspected of posing a high level of risk, as already identified through owner interest or a previous formal or informal inspection.

The detailed inspection will normally be prioritised according to the level of safety concern, and will usually entail an initial ground-level, visual assessment by a competent specialist looking at the exterior of the tree for signs of structural failure. In a few special cases, further detailed investigations may be required, involving soil and root condition assessments, aerial inspections of upper trunk and crown, or other procedures to evaluate the nature of suspected decay and defects, including using specialist diagnostic tools.

Inspection Frequency

Informal tree inspections contribute significantly to public safety, being important for deciding when action is needed and when more formal assessment is appropriate. Such informal inspections are ongoing and occur whenever members of the public, staff or volunteers are in any given area.

Guidance relating to inspection frequency varies greatly; there is no uniformly accepted frequency appropriate to all situations. Frequency of inspection will often depend upon the specific hazards presented by a tree, its location and the level of use in the area.

If there is no significant potential for harm, i.e. the trees are remote from access/use; there is no automatic need to check them at all. However, as the potential for harm increases, i.e. more people get closer to the trees more often, the need to inspect the trees emerges.

Currently there is no clearly defined threshold on precisely what level of access/use triggers the above mentioned need or what frequency of inspection should be related to a given level of access or use. However, it is possible to attempt to narrow the range by looking at existing guidance, and a good starting point is the guidance for Highway Maintenance relating to trees. The Department for Transport's publication *Well-maintained Highways – Code of Practice for Highway Maintenance Management* (2005), advises that:

> "*Most trees should ideally have an arboricultural inspection every five years but this period may be reduced on the advice of an arboriculturalist. Default intervals is for arboricultural inspections at least every five years.*"

When assessing the frequency of inspections, the resources available must be considered against the potential risk, to ensure that an appropriate and reasonable allocation of resource is made. Given the relatively low risk from its tree stock, a 5 yearly inspection regime, in line with the Highways Code of Practice would be acceptable. However, given the resource available to the authority, a 4 year inspection cycle is achievable and would strengthen the councils' defendable practice.

While there will be many trees within the councils tree stock which could reasonably be excluded from inspections, due to their low risk or inaccessibility, rather than commit resources to mapping and identifying such trees or areas within West Suffolk, all areas of trees will be formally inspected on a 4 year cycle, but the level of resource placed on the inspection will be varied according to circumstance and risk (in line with the principle of zoning).

Tree Inspectors

People with good local knowledge and familiarity with local trees are often well suited to carrying out informal inspections. Typically this does not require a specialist with knowledge of trees. Reports of problems by staff, volunteers or members of the public are an integral part of informal inspections and can be acted upon.

Formal inspections do not necessarily require specific qualifications but do require general tree knowledge and the ability to recognise normal and anomalous appearance and growth for the locality. Inspectors need the capacity to assess approximate tree height and falling distance from the tree to the area of use. They also need an ability to recognise obviously visible signs of serious ill

health or likely short-term significant structural problems, such as substantial fractured branches or a rocking root plate which, were they to cause tree failure, could result in serious harm.

The Councils will use competent officers to carry out formal inspections of trees within its tree stock. These Officers have a good level of experience and knowledge of trees, or a related qualification. This will form the main approach to the councils' formal regular tree inspection regime.

Detailed inspections require an appropriately competent person, experienced in the field of investigation that is to be carried out. Whoever is commissioning the detailed inspection should satisfy themselves as to the suitability of the inspector's qualifications and experience. A specialist involved in conducting a detailed tree inspection should be able to demonstrate the reasonable basis for allocating risks according to priority, and identify cost-effective ways of managing those tree related risks.

Where a detailed inspection is required, at times a suitably qualified external inspector may be commissioned by the councils on a case by case basis.

3.4 Data Collection

Records, including maps, provide the basis for safety management reviews and, in the extremely rare event of an accident, can be important proof of reasonable tree management. It is not necessary to record every tree inspected; however, records of trees posing a serious risk and requiring treatment are useful, as is a record of how they have been treated.

Both councils use Arbortrack to record and manage their tree stocks. Arbortrack is a GIS based system which can record a large selection of data about the councils' tree stock including location, unique identifier, species, condition and size. In addition the system can record tree health problems, hazards and maintenance requirements.

Arbortrack will continue to be used to record specific tree problems and maintenance requirements generated through formal regular inspections, (proactive work). It will also be used to record details of maintenance requirements resulting from enquiries or reports from the public or other parties, (reactive work).

As the councils' land ownership is often complex, from time to time trees are identified which are not currently recorded on the Arbortrack system, or trees may be on land that is disposed of. When such circumstances arise Arbortrack will be updated with new records. Therefore it must not be assumed that as a tree is not on the Arbortrack system it is not owned by the council and vice versa.

There are also some areas where the councils have responsibility for trees which are not on land under the councils' ownership. Such circumstances arise where there is either a lease or management agreement in place. Generally speaking

such trees are not entered onto the Arbortrack system, but will require some form of inspection. Separate records for these sites will be maintained.

The councils will maintain the Arbortrack system as part of their record keeping process, along with records of its formal regular inspections.

3.5 Proactive Management of Council Maintained Trees

All Council owned trees and woodlands will be managed on a regular, cyclical basis. An overview of both council's tree stock is contained in appendices 4 and 5.

Under this programme all council-maintained trees will be inspected, and maintained as necessary, at least once every four years. The programme incorporates all operations and encompasses all aspects of routine management - risk management, woodland management and ecological works, as well as new and replacement planting. Without such a programme the effective, responsive, equitable and sustainable management of council trees across West Suffolk cannot be achieved.

This proactive approach also enables the councils to manage risk at an acceptable level by identifying, prioritising and undertaking safety work according to level of risk. Work generated by programmed inspections will be prioritised according to urgency, and is a key part of the councils' approach to tree risk management.

When inspecting trees for public safety, the inspection primarily looks for external features indicating mechanical (structural) defects that pose a significant risk to public safety, concentrating on risks that are either immediate or reasonably foreseeable in the near future. The inspection will not normally identify trees that fall outside these categories for action.

The introduction of a planned, proactive cyclical management programme has several advantages:

- The provision of a fair and even-handed service
- Increased efficiency and greater cost-effectiveness. By carrying out a logical, sequential and thorough approach in one geographical location before moving onto the next, this saves time, fuel and overheads spent on preparations and travelling and optimises the use of resources. It also reduces carbon usage.
- Fewer requests for service. Because tree maintenance follows a regular pattern and results in the causes of complaints being pre-empted before they arise.
- A basis for the defensible risk management of trees and woods

- Environmental sustainability. The cyclical management programme is geared to the perpetuation and enhancement of tree cover since it incorporates planting, as well as risk management.

- Improved communications with stakeholders. Cyclical management makes systematic consultation and notification in advance of work programmes that bit easier because stakeholders can readily appreciate when and where work is planned to take place in a given area.

In addition to the four year programme more frequent tree inspections will be carried out on trees in the following categories:

- Trees which have been retained on grounds of their continuing amenity but whose condition has given sufficient cause for concern to merit inspection at increased frequency. Regardless of its geographical inspection area.

Any trees considered, during the course of inspections, to present an imminent danger to the safety of the public or property and which require felling or remedial pruning to alleviate the hazard will be dealt with urgently.

As part of a proactive approach, replacement of trees, and new planting will take place. Appendix 8 lays out the approach to tree planting and aftercare, and Appendix 9 details the “right tree, right place” approach for sustainable tree selection.

3.6 Reactive management of council maintained trees

The Councils' (St Edmundsbury Borough & Forest Heath District) each receive around 700 enquiries per annum concerning requests for services/enquiries about trees.
The majority of these enquiries relate to issues such as seasonal minor nuisance, unfounded fears about safety of trees or issues relating to trees of which the council have no responsibility.

Reactive management is not an efficient or effective use of the Councils' financial and staffing resource.

With the implementation of a proactive tree management system, it is likely there will be a reduction in such reactive tree related issues. However tree related enquiries are not likely to quickly or entirely disappear. Concerns will continue to result from a conflict between the natural growth and development of trees and the built environment within West Suffolk.

It must be acknowledged that such conflicts are often difficult to resolve to everybody's satisfaction. As such it is important for the councils to have a clear set of polices based on tree related nuisance, and to be clear under what circumstances work to trees can and cannot be carried out and this needs to be commutated accordingly.

3.6.1 Major Incidents

A major incident is any event, which leads to a level of tree failure requiring the dedicated efforts of more than just the appointed tree officers to resolve. In real terms this is likely to be a situation in excess of four incidents an hour. The great storms of October 1987 and January 1990 clearly fall within these criteria. Lesser storms, which could result in a major incident classification, occur on average every two years. Appendix 10 details the councils' Major Incident Plan.

3.6.2 Tree Enquiry System

Identifying the type of enquiry and routing it to the correct department is of high priority to reduce confusion and resulting irritation of callers being put through to the wrong department or experiencing an unnecessarily high number of transfers within the Council. All departments dealing with customer services, such as front desk and switchboard, through this Policy, will be made aware of the councils' division of responsibility to ensure enquiries are routed to the correct department.

The councils' utilise an electronic enquiry management system to record and manage enquiries. All tree enquiries are logged using this system. Along with the GIS tree management system it is an integral part of the councils' tree management policy.

When an enquiry is made relating to council-owned or managed trees we will take the following steps:

Enquiry received

Can enquiry be dealt with immediately? **yes/no**

Yes- enquiry closed:

E.g. Non council owned trees; issue/complaint clearly not requiring a site visit or other action; request for information fulfilled over phone/email/letter

No- enquiry open:

Enquiry referred to the Arboricultural Officers for investigation and response. The enquirer is sent a holding reply which specifies an anticipated response date.

When assessing response times to enquiries, the councils will endeavour to meet the following timescales:

Emergency- Issues where there is a well founded fear for **immediate** public safety or damage to property – **within 24 hours**

Urgent-Issues where there is a well founded fear for public safety or damage to property, but not immediately so – **within 48 hours**

Routine- Issues such as potential nuisance from council owned trees, minor seasonal nuisance from council owned trees and any other non-emergency/urgent issues – **within 6 to 8 weeks**

Appropriate Officer visits site or makes contact with enquirer to assess if further action required. If action is required it will be timetabled according to the response timescales detailed in Appendix 1

Response given to enquirer detailing outcome of site visit, planned action (if any) and timescales for action as identified above. If no action required or justifiable, enquirer will be given details of decision based on policies and guidance contained in the West Suffolk Tree Management Policy.
Enquiry Closed

3.6.3 Tree related nuisance

This section deals with the serious nuisance of structural damage caused by trees and the minor nuisances of light obstruction, view obstruction and the dropping of honeydew, bird droppings, leaves, fruit and flowers. Minor 'Nuisance' here refers to nuisance caused to anybody, including the tree owner. This is in contrast to the legal definition whereby nuisance cannot be caused to the tree owner.

The councils' do not generally endorse the felling of trees. Often it is only once a tree is removed that its value becomes apparent. Even after planting with substantial and large trees, the amenity lost can rarely be adequately replaced. However, it is sometimes necessary to remove trees for safety, design or biodiversity in the interest of good management.

This policy will help people understand when and under which circumstances certain work is, or is not, carried out by the councils.

3.6.3.1 Dangerous trees on council-maintained land

When the condition of a tree presents a significant, clear and foreseeable threat to the personal safety of residents, visitors, or to property, action will be taken to minimise that risk, such as removing all or part of the tree.

Any risk that is an indirect consequence of a tree, such as slippery leaves on the pavement in autumn, will not be dealt with through pruning. Other options are available for the management of debris – see Leaves, seeds and fruit below.

Where the amenity/wildlife value of a tree outweighs its risks, the council will seek to retain the tree and monitor its condition.

3.6.3.2 Damage by Tree Roots

Indirect Damage (Subsidence)

This section deals with the councils' response to subsidence claims against its own trees. Subsidence is a complex interaction between the soil, building, climate and vegetation that occurs on highly shrinkable clay soils when the soil supporting all or part of a building dries out and consequently shrinks, resulting in 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 greater depth, critically 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 clay soil rehydrates (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. Care must be taken removing trees as this can be a factor in heave.

However, 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 etc.

While the councils recognise their responsibilities for the trees they manage, it will expect any claim against its own 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. The councils will adopt the following evidence levels for subsidence claims, as contained in the London Tree Officers Association Risk Limitation Strategy for Tree Root Claims contained in Appendix 11:

Where necessary, the councils will obtain expert specialist advice, be that from in-house staff or from an independent expert, to verify submitted evidence and where it demonstrates that the tree is an influencing cause, appropriate action will be taken by the council.

It should be stressed that proven cases of indirect root damage have only been an occasional occurrence across the West Suffolk area. Many of the residential areas have been built on soils that are of a non-shrinkable nature, and when buildings are damaged, it would be unusual for trees to be part of the cause of the problem. The councils will provide clear, concise information on this subject when concerns about indirect root damage (subsidence and heave) are brought to its attention.

Direct Damage

Direct root damage results from the pressure that tree roots and trunks can exert. Lightly loaded structures, such as garden walls, driveways and patios, may be affected but damage to heavily loaded structures, such as houses, is rare. Cases of direct root damage will be investigated and considered on an individual basis, with a balance struck between the nuisance experienced and the tree's benefits to the wider community.

Removal of a tree would not necessarily be an acceptable solution, alternative options such as root pruning and/or the installation of a root barrier may be more suitable.

Surface roots in gardens and areas of grass are a natural occurrence near trees. Neither pruning nor removal of the tree will have any effect on the presence of the roots i.e. in a lawn.

Unless the roots are causing some form of mechanical damage (pushing against a structure, for example) pruning or removal would not be recommended. In fact, pruning or removal may possibly have a detrimental effect on surrounding structures.

Drains and Roots

Whilst tree roots do not actively seek out water contained in underground pipes or drains, if they are growing in close proximity they can gain access to weakened or cracked pipes exploiting them and eventually blocking them if there is enough water, nutrients and oxygen.

It should be noted that tree roots can rarely directly break drains by lifting or girdling them as drains usually fail by other means, such as failed drain collars, old drain piping and differential settlement or movement of soil along the drain length.

The removal of one tree will not prevent other vegetation from exploiting the same opportunity. The presence of roots close to, around, or alongside drains will not be taken as proof that root invasion is or will occur.

The councils' presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight and in good condition.

3.6.3.3 Structural Damage to Property

Where a council owned tree is causing damage to private property, the councils will take action to resolve the problem. This type of damage will usually be in the form of direct physical contact between any part of a council owned tree and any part of a structure. Such an example would be a branch in contact with a roofline which could dislodge tiles, gutters, facia etc.

In such cases the council will look towards established arboricultural techniques such as pruning and crown lifting to alleviate the nuisance and there will be a presumption against felling of the tree.

3.6.3.4 Minor and Seasonal Nuisance

Minor nuisances are generally those that may cause inconvenience to people, but rarely cause significant discomfort or financial loss. Most trees in areas where people live have the capacity to cause nuisance, and it is common to hear that trees are generally appreciated, but not wanted in a particular position because of this.

Action in response to all minor nuisances would lead to the removal or mutilation of many trees, to the detriment of both public amenity and wildlife. The recognition of the value of trees across West Suffolk requires that trees be retained for the benefit of wider society, even where they cause minor inconvenience to immediate residents.

As well as having an environmental cost, action by the councils in response to all the minor nuisance complaints that they receive would be an unsustainable burden on resources.

Leaves, Flowers, Seeds and Fruits

The dropping of leaves, flowers, seeds and fruits is a natural function of a tree's biology, and are not considered to be a legal nuisance and cannot be controlled without damage to the tree's health and appearance.

Activities such as clearing up fallen leaves and seeds, from gutters and pathways, are part of normal household maintenance. While they are clearly a burden or tiresome to deal with for some property owners, they are a part of normal life and the disadvantages should be weighed against the benefits of trees to the area.

Once leaves, flowers or seeds have fallen from trees they belong to no-one. The Law has determined that it is reasonable to expect a householder to clear leaves if they live in an area where there are trees.

All vegetation also produces pollen as part of its life cycle. Everything from grass to trees can have an effect on those members of our community who suffer from sensitivity to pollen. Whilst over 90% of hay-fever sufferers are allergic to grass pollen which is prevalent throughout the summer, only 25% of sufferers are sensitive to birch which is produced for a much shorter period of time. As this is a natural and seasonal process and not one the legal system recognises as a 'legal nuisance', there is nothing the councils can do to alleviate the symptoms and effects on residents.

For these reasons the councils will not carry out tree work or fell or remove trees to control the fall of leaves, seeds and fruit or alleviate the effects of pollen.

Honeydew

Honeydew is a sugary liquid which is the natural secretion of excess sugar by aphids and other sap-sucking insects. Some trees, such as certain lime and maple species are associated with larger amounts of honeydew compared with others types of trees. At peak times in the growing season, the councils receive many complaints about the covering of cars and windows and the sooty mould associated with the honeydew.

Whilst the residue can cause problems, it does not, despite popular perception, damage car paintwork and it is easily removed by washing. It is not readily controlled by pruning of trees. Honeydew is a natural occurrence and is not considered to be a legal nuisance. The councils are unable to undertake any measures, including pruning or felling, to alleviate it.

Roosting Birds and Bird Droppings

Roosting birds are a natural occurrence as is their production of droppings. Generally, felling a tree will not alleviate the problem as birds will relocate to another tree in the locality. Similarly pruning will not resolve the problem as birds will relocate to other branches. Pruning or felling of trees will not be considered as a way of resolving such matters.

Members of the public should also be made aware that contrary to popular belief, bird droppings are not acidic and therefore do not corrode car paintwork. Research has shown that damage is only caused by bird droppings to the clear lacquer layer of modern car paint, where the surface layer heats up and cools down, moulding to the texture of the deposit. This results in an uneven patch. This can easily be avoided by routine cleaning of a car's paintwork with a suitable detergent.

TV and Satellite Reception

The councils often receive requests to carry out work on trees to alleviate TV or satellite reception problems. However, when a member of the public buys a television licence it allows them to operate any equipment to receive a transmission; it is not a guarantee or legal right to a television reception.

Tree owners have no legal obligations to carry out remedial tree works to abate the problem of poor television reception. As such the councils cannot take responsibility for the quality of television reception, as there is no basis in law or policy for that expectation. The councils will not carry out tree work to alleviate TV or satellite reception for these reasons.

Terrestrial televisions operate in a way that will allow for a degree of variation in the reception and that will still allow a viewable image on the screen. If residents have problems with TV signals, advice can be obtained from a number of sources including the Independent Television Commission or specialist TV aerial installation companies. In most cases a suitable engineering solution can be found, such as high gain aerials, longer masts or repositioning/redirecting of aerials.

Satellite-television requires the 'dish' to have a clear line of sight at the broadcasted signal. As such trees, highway signs and buildings can all block a signal. However, as with terrestrial signals, engineering solutions are available such as repositioning the dish or positioning a dish on a mast. When a commercial satellite dish installation company install a dish, they should do so in a location that can receive a signal, which includes anticipating tree growth over time.

Light Obstruction from Trees and Obstruction of Views

The councils often receive requests to carry out work on trees to alleviate light or shade problems from trees. However, the obstruction of light from a tree is not a legal nuisance and there is no legal right to light for a homeowner. This also covers light obstruction to solar panels.

Similarly there is no legal right in law to a view. In addition a view obstructed by the growth of trees cannot legally be regarded as a nuisance in the legal term of the word.

As such the councils are unable to undertake any measures, including pruning or felling, to alleviate problems of light obstruction, shading or obstruction of views.

If there is an issue relating to a High Hedge, reference should be made to the High Hedges section of this document.

Overhanging Branches

The councils have no legal obligation to remove branches back to the point at which they cross property boundaries. Trees close to and growing over walls and fences will be dealt with on a case-by-case basis by the councils.

Members of the public will be advised as to their Common Law rights concerning vegetation growing over their property boundary, but where pruning to the boundary may cause an unacceptable risk to tree health or form, the council will assess the tree to seek a more beneficial solution.

Where overhanging branches are likely to cause an imminent risk of structural damage (ie within one growing season), they may be treated in the same way as branches causing actual physical damage.

3.6.3.5 Perception of a Dangerous Tree

The councils often receive requests to carry out work on trees as a resident has a perception that a tree is dangerous.

Where a report of a dangerous tree is made by a member of the public, Officers will respond by inspecting the tree within the timescales identified in the sections of this document relating to dealing with enquiries. However, the following common misconceptions should be addressed where necessary:

Height/size of trees

The capacity of a tree for long life and an ability to grow to great height and size give trees their importance for humans, providing durable and useful materials, and protection from the elements. However, for some members of the public, a tree's natural ability to grow to great height and size is a cause of concern from a perception that a tree is dangerous merely due to its size.

A large or tall tree does not mean it is dangerous or any more likely to fail than a smaller individual. The relative risk posed by a given tree must be measured solely on its unique condition, health, location and other local factors which may be an influence.

The councils will not undertake tree removal or pruning solely due to a perception that a tree is "too tall" or "too big".

Deadwood

There is often a greater perception of risk from deadwood than is actually the case. While many may think of a dead branch on a tree as a sign of ill health, in a great many cases this is a wrong interpretation. Trees benefit by allowing branches to die and be shed.

Trees, when wounded (such as from storm damage, torn or lost bark or decay), have a highly developed capacity to adapt by protecting the organism as whole. Trees incorporate decay into their roots, trunks and branches, growing and developing healthy tissue around it. This capacity to "compartmentalise" (wall off) decay and grow around dead and decaying wood has evolved to such an extent that old trees can have entirely hollow trunks and enormous branch cavities, with no detriment to their vitality, particularly when the outer living sapwood has not been unduly damaged or compromised.

A mature tree trunk is mostly composed of non-living wood and a small cross-sectional area of living outer sapwood. As long as the roots are able to function and the branches are not too shaded or damaged, it is likely that the life-giving functional sapwood can supply all the tree's needs.

When old and large enough, an array of decay fungi colonises the wood, creating veteran tree habitat. Fungi are the key organisms involved in breaking down the constituents of wood, creating veteran habitat conditions suitable for a succession of organisms to gain entry and interact, each with their specialist life styles.

Deadwood is a vital part of the biodiversity associated with trees, as it supports a large array of wildlife. When allowed to go through their natural life cycle, trees provide habitat supporting a diversity of dependant species, and generally, as trees age, their associated biodiversity increases.

Trees may be thought of as keystone species, in that their importance for biodiversity is such that, when removed from an ecosystem, the entire set of connections between inter-dependant species breaks down and systems collapse.

Wherever possible, the councils will encourage the retention and creation of deadwood. This may be in the form of leaving deadwood within a tree where there is no risk to people or property; leaving tall stumps/trunks to create standing deadwood when tree felling is necessary; creating log piles and habitat piles where tree work is necessary.

The councils will remove deadwood from a tree where it poses a significant risk to people or property. Generally this will only apply to deadwood in excess of 50 mm and will be based on an individual tree risk assessment as part of an inspection.

Crown Retrenchment

When fully mature, the crown's foliar capacity may start to reduce in volume naturally. At this stage, trees naturally diminish their height and spread. Some tree professionals refer to this process as "growing downwards", while others use the term "crown retrenchment" as it describes how trees reduce supply lines (for water, nutrients and sugars) from their roots to upper crown leaves. In this way a tree redirects energy and growth to the formation of a consolidated lower region of the crown.

The onset of crown retrenchment marks the beginning of the ancient phase, when trunks may also increasingly become hollow, producing a very rare habitat. Retrenchment is a survival strategy, which the tree can repeat, enabling the ancient state to be the longest phase of a tree's life.

This process can be perceived by some members of the public as the signs of an unhealthy or declining tree, which in turn can increase the perception of risk from such trees. Good information is vital to address such misconceptions.

Perception of Risk

Unlike man-made structures, it is entirely normal and natural for parts to break and fall from trees. Leaves and twigs are regularly shed. Branches die and live branches may become wind damaged or overextended, occasionally falling to the ground. On rare occasions, roots can snap under wind load causing the entire tree to collapse. These types of structural tree failures are natural and, in rare instances, can cause death, injury and damage to property.

While the actual likelihood of these rare instances occurring is very low, the perception of many members of the public is that they are much more common than they really are. Such issues are often foremost in people's minds where they live in close proximity to trees or have other specific issues with trees, such as suffering from minor seasonal nuisances, or fears of structural damage from trees.

However, the individual risk of death attributable to trees is 10 times less than the threshold of one death in one million per year that the Health and Safety Executive says people regard as insignificant or trivial in their daily lives.

By carefully considering how trees fit into a particular local context, the councils can better identify those areas and situations requiring action. It will also help ensure that any management is proportionate and strikes an appropriate balance between the real risks and benefits.

It is natural for trees to shed branches and ultimately fall down. These events happen all the time and people have learnt how to live with them. However, it is accepted in risk management that it is the perception of risk as well as the actual risk itself that generates problems.

The Health and Safety Executive refers to the role of perception in its sector information minute (guidance for HSE inspectors and local authority enforcement officers) as follows:

"The risk, per tree, of causing fatality is of the order of one in 150 million for all trees in Britain or one in 10 million for those trees in, or adjacent to areas of public use. However, the low level of overall risk may not be perceived in this way by the public, particularly following an incident."

As with other serious incidents involving loss of life or injury, people can become more worried by falling trees after someone has just been killed by one and it has been widely reported in the media.

It is also common that if there has been a serious incident involving a tree, it is likely to be widely reported by the media. This is because unusual events, such as tree-related deaths, are more likely to be newsworthy than commonplace accidents, even though the latter pose a far greater risk and cause much more harm overall.

It should also be remembered that public safety is not the only concern when deciding how to manage trees. Other broader concerns, such as ecological, landscape and aesthetic value, should also be taken into account.

Pruning

Another often held misconception is that trees need pruning. The councils receive many calls from residents stating that trees have not been pruned, and that they need to be pruned to keep them safe.

It should be appreciated that any cutting can weaken a tree and allow decay organisms to enter exposed and vulnerable tissue. Substantial pruning often results in vigorous new growth and can be very damaging, particularly in older trees and in species that are not naturally tolerant of cutting.

It should also be remembered that trees do not need people. Although in some circumstances tree management work may be important for human safety, it would be wrong to believe that all management intervention is necessarily carried out for the tree's benefit. Trees have their own inbuilt mechanisms for dealing with damage and decline.

The councils will not carry out pruning to trees unless specifically required for safety reasons, to abate actual legal nuisance, for genuine arboricultural reasons or any other acknowledged situation within this policy.

Ivy

Contrary to popular belief, Ivy does not generally harm trees and provides a valuable habitat for bird nesting and roosting and is an important source of nectar for insects.

Ivy is a non-parasitic epiphyte. This means that it is a species which grows on another, using it for support, but does not have a negative impact on its host. Rather than a parasitic relationship, it has a commensal relationship. In a parasitic relationship, one organism gains a positive benefit while the other organism suffers a negative impact. In a commensal relationship one organism gains a positive benefit while the other organism has a neutral impact.

However, in some circumstances Ivy may cause a negative impact on a host tree. Particularly large growths of Ivy within the crown of deciduous trees can sometimes have a sail effect during winter months and cause a tree to be prone to wind damage. This is not usually a problem for a healthy tree, but if a tree is in decline, removal of ivy may be beneficial to reduce risks associated with wind effect.

Competition from the roots of Ivy for water and nutrients is not a problem for most healthy trees. However, some veteran trees or trees in decline may benefit from removal or control of ivy to reduce competition for water and nutrients.

The councils will encourage the retention of ivy within trees wherever practicable.

3.6.3.6 Highway and CCTV Obstructions

In line with requirements of the Highways Act 1980, the councils will ensure that street signs and street lights within the highway are clear from obstruction caused by council owned trees. They will not take action to improve the levels of illumination to private property from a street sign.

The councils will also ensure that their trees do not cause an obstruction to a public highway, a right of way or an access right to a property. This includes an obstruction to a highway visibility splay.

Pruning of trees obstructing CCTV cameras will only be considered where it will not cause significant harm to tree health and amenity, and where specific funding for the work is provided. Where new cameras are to be sited which could be affected by council owned trees, it is essential that those responsible for installation involve the councils as early as possible in the scheme's design.

3.6.3.7 Security / Fear of Crime

Occasionally the councils receive complaints about trees due to concerns that trees provide access and/or cover for criminal acts, vandalism and harassment. This can often be the result of a misconception rather than direct evidence of a problem. In such cases, the councils will direct the resident to other measures which may be more appropriate such as contacting the Safer Neighbourhood Team, and involve the council's Community Safety Co-ordinator.

Tree work will only be undertaken if clear evidence exists of a problem, and that some form of tree management would provide a tangible improvement. It is imperative that any such action is carried out as part of a wider police and local authority partnership approach.

3.6.3.8 Pay for Service

Where tree work is not justifiable as the result of a request for service from a resident, some residents may wish to pay for the work themselves. This will often be in relation to minor seasonal nuisance issues.

If the councils were to engage in pay for service agreements, this would create an unfair two tier system. This would fail to deliver an even handed service for residents who are unable to pay for service.

The councils will not enter into any arrangements where members of the public pay for, or contribute towards the cost of tree works. We will also not allow tree

surgeons engaged by members of the public, access to climb trees under our stewardship.

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.

3.7 Emergency Out of Hours Procedure

The councils operate an out of hours service to deal with a range of issues that may arise when the main offices are closed including fallen or dangerous trees. Appropriate publicity of the out of hours contact number is available to ensure members of the public or other organisations can make contact with the right people.

The out of hours number that people should be advised to use is **01284 763252**.

These details are readily available on such places as the council's websites and any printed information relating to council owned land.

Appendix 1: Priority Levels and Response Timescales

Immediate Risk to Public Safety

Immediate risk of serious harm is a risk of such immediacy and consequence that urgent action is required.

In most cases, immediate risks are likely to be clearly observable in the course of informal or formal inspection and must be dealt with immediately.

Such intervention may be in the form of tree work, eg felling, or through site management. For example, where a large tree is found with an obviously lifting root plate or actively separating heavy branch within falling distance of a busy road, this may involve stopping or diverting traffic or felling, crown weight reduction or branch removal.

Most immediate risks have a reasonable likelihood of being identified by non-specialists and specialists.

Non-immediate Risks Posed by Trees to Public Safety

Risk of serious harm in the near future is non-immediate and can be reasonably managed at an acceptable level by a planned, cost-effective response.

Action will be needed when inspections identify trees posing risks in the near future. Once identified, the response may involve prioritised treatment of the tree or site to manage the risk within the near future at an acceptable level, or further specialist assessment to clarify the extent of risk and treatment.

Risks not Requiring a Response in the Near Future

Where trees are identified as not posing a risk in the near future, there is no specific requirement for additional management. Existing informal and/or formal inspection procedures should be sufficient.

However, during a formal inspection, management requirements in line with best silvicultural practice (such as thinning out, crown lifting or crown balancing), or nuisance abatement (such as blocking of street lights and visibility splays), can be programmed in as and when resources allow, and at an appropriate priority level.

Response Timescales

Response timescales will be based on the following priority ratings:

	Category	Description	Target Timescale
Immediate risk to public safety	**Emergency**	Response to trees that are perceived as posing an immediate risk to public safety	24 hours
Non-immediate risks posed by trees to public safety	**Urgent**	Response to trees that are perceived as dangerous but not immediately so. Includes urgent work to be carried out at the earliest opportunity.	2 weeks
	Planned Red	Works on hazardous trees identified through routine inspection	Within 12 weeks of inspection
	Planned Amber	Works on trees identified through routine inspection to reduce long term hazards	Within 12 months of inspection
Risks not requiring a response in the near future	**Planned Yellow**	Work to abate or remove actual or potential nuisance caused by council trees if justified.	Within 12 months of inspection
	Planned Green	Work in line with best silvicultural practice and 'Good neighbour' issues such as reducing encroachment over properties, where justified and resources are available	Within 12 months of inspection

Appendix 2: Inspection Methodology

Survey Technique

A walkover technique will be used during the councils' formal regular tree inspection regime. Areas for inspection will be identified using maps and lists generated by the Arbortrak system within locations specified by the cyclical inspection areas.

Where practicable, drive by inspections will also be utilised within a given inspection area in conjunction with walkover inspections, as the inspector moves through a given area.

Whilst inspecting an area of trees, inspectors will apply the zoning approach, whereby trees in a low risk zone will receive the lowest detail of inspection looking for obvious faults and problems.

Where trees are within higher risk zones, or where potential faults and problems may not be readily observable, more detailed inspection will be applied through ground based visual inspection.

Inspections should look to identify features that indicate serious, significant decline in tree health, or structural weakness.

Features that can indicate **imminent** structural failure are few and far between and include the following:

- Actively lifting root plate
- Heavy limb actively splitting or breaking away from the tree
- Stem fractured, moving and opening enough to 'pinch'

Features that may indicate **possible** structural failure include:

- Cracks and splits in main stem or heavy branches
- Decay across large cross-sectional area of trunk or large branch
- Broken or hanging heavy branches
- Weak forks with bark trapped between heavy stems
- Dead trees
- Disease
- Decline in health eg. small or discoloured leaves, die-back of branches
- Damage from construction and development
- Fungal fruiting bodies
- Significant amounts or sizes of deadwood

It is inappropriate to react to tree defects as though they are all imminently hazardous. Growth deformities and other defects do not necessarily indicate structural weakness. When noting features that might indicate **possible** weakness or collapse as detailed above, it is important that concern for risk of failure is restricted to events likely in the near future. Some features persist for many years in a vast number of standing trees:

- Tight forks with bark trapped between the two stems with incipient cracks and splits; while this can indicate a structural weakness, a high proportion of such trees remain intact throughout their lives.

- Old wounds with decay and trunk hollowing may indicate impaired strength; trees often accommodate these with continued growth.

- Decay across a large cross-sectional area, resulting in the circumference of the trunk or large branch being breached, may warrant investigation; often such circumstances are manageable and do not require urgent treatment.

- Heavy broken branches and dead trees; dead trees may in some cases be cost effectively reduced and retained as a habitat feature, even where close to high use areas. Treatment of broken branches should be prioritised according the level of risk.

- Dead wood and fungal fruiting bodies; inspectors automatically interpreting these features as hazards tend to be overreacting. As with other external signs of possible structural weakness, these features are often diagnosed as more risky than they actually are. Both need to be competently assessed, in order to avoid unnecessary and costly intervention.

Management Requirements

As a result of an inspection, it may be necessary to undertake some form of management if a defect or hazard has been identified. Such management is known as pro-active management.

In general, choosing which measures to use to keep the level of risk as low as reasonably practicable while conserving the tree, involves weighing up the costs and benefits involved.

In some circumstances it may be possible to manage the risk posed by a tree by managing the area within which it is a hazard, or manage access to that area. This could be in the form of discouraging access by leaving grass to grow longer, diverting paths, relocating facilities such as play equipment or benches, using mown paths in long grass areas to direct access, using planting, dead hedging or logs to prevent access, change of use of the area or signs.

When all the options for managing the area within falling distance of the tree have been explored or where public exclusion from the area is neither desirable nor practical, remedial tree work will be necessary. Such work can include felling, pollarding, crown thinning, crown reduction, crown lifting, dead wooding and de-suckering/removing epicormic growth. In such circumstances the following principles will be applied:

- Undertake the minimum work necessary to reduce risk to an acceptable level.

- Where biodiversity and habitat have high value, a range of treatment options may be appropriate to retain maximum habitat balanced with the need for adequate safety.

- With high value trees, felling will be a last resort after taking into consideration all other options.

- When felling is specified, upright dead trees will be retained for habitat value as 'monoliths' where possible. Felled trees and trunks will also be left on the ground to provide important deadwood habitat where possible.

In some circumstances it may be necessary to commission a detailed inspection of a tree as a result of possible defects or hazards identified during a formal regular inspection, or in the case of a potential defect which in the inspectors view is outside of their competency to fully assess.

It may also be appropriate to instigate additional or more regular inspections of a given tree as a result of a formal regular inspection, to monitor a tree's condition more closely, such as where a potential defect is found but is not imminently dangerous.

Detailed inspections, or additional more regular inspections, as detailed above, may also be required where a tree of high amenity, historical or biodiversity value is to be retained where there may be potential defects or hazards.

Where trees are identified as not posing a risk in the near future, there is no specific requirement for additional management. Existing informal and/or formal inspection procedures should be sufficient.

Recording of Survey Results

A record of areas surveyed will be kept by the councils using the Arbortrack GIS system. This will record the following information:

Date of survey
Surveyor
Species
Condition
Size
Management requirements

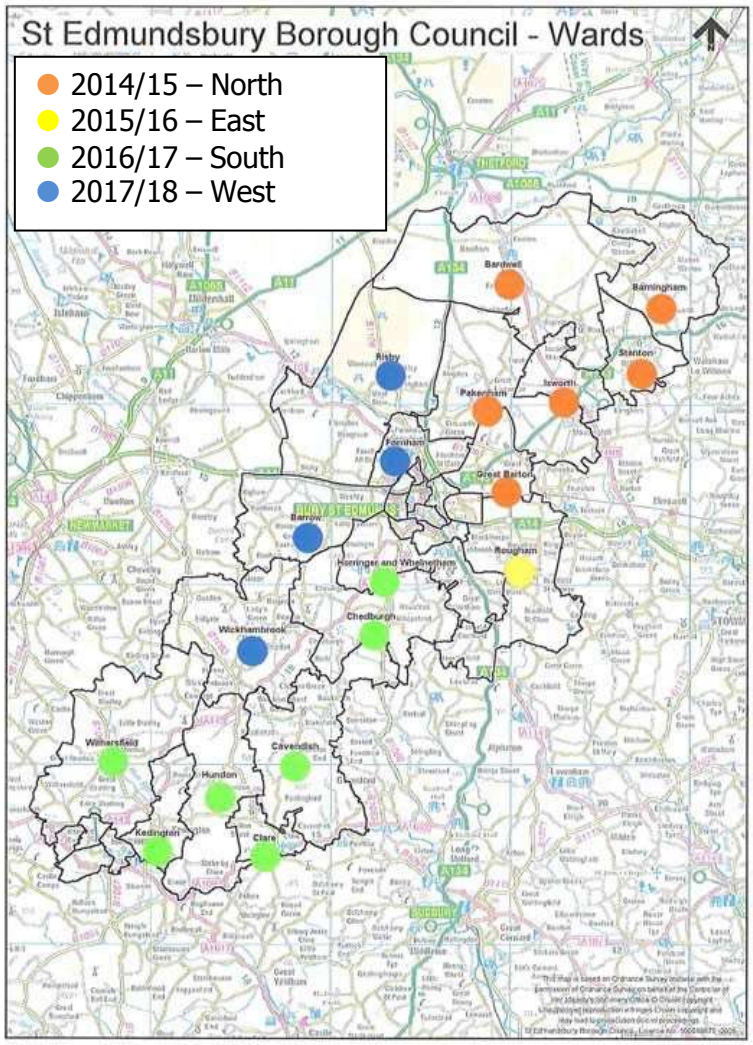
Appendix 3: Cyclical Inspection Areas

West Suffolk has been divided into areas to aid a four year inspection cycle. The areas have been assigned according to the tree stock within them to produce areas which require broadly the same resource to inspect and manage.

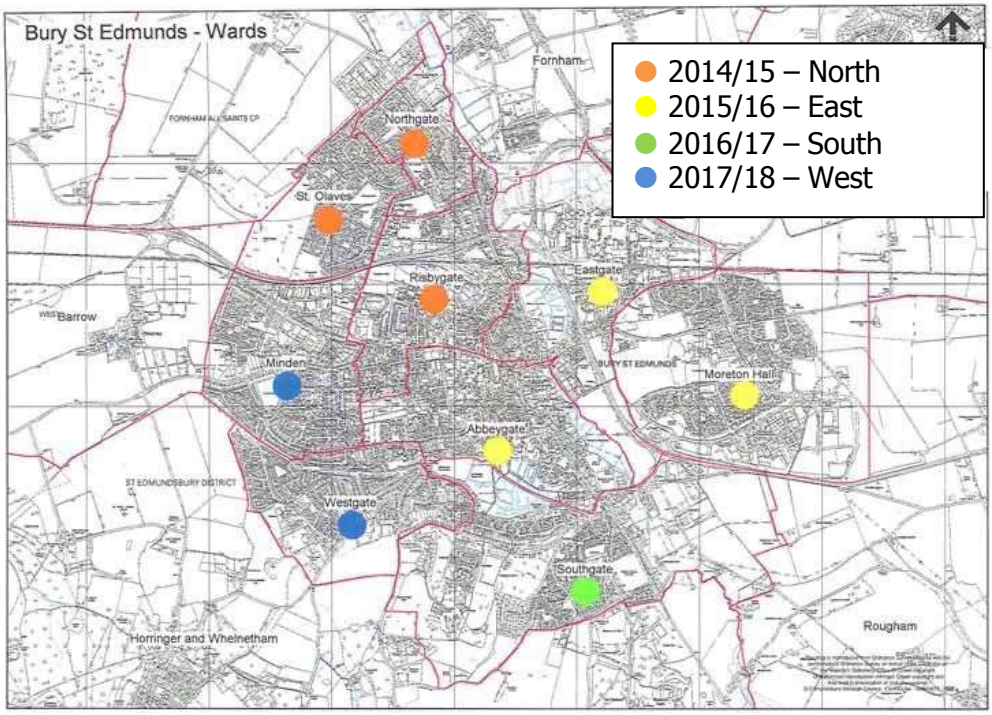
The majority of the tree stock is centred around the towns of Brandon, Mildenhall, Newmarket, Bury St Edmunds and Haverhill. While the rural areas have slightly fewer council owned trees, they are more sparsely spread out over a wider geographical area which will require greater travel time to visit the areas.

The Arbortrak system used by the councils to record its tree stock is based on Parish and Ward boundaries which provide a useful mechanism to break the inspections down by. When an area is due for inspection, the inspector can generate complete spreadsheets for each area including location maps.

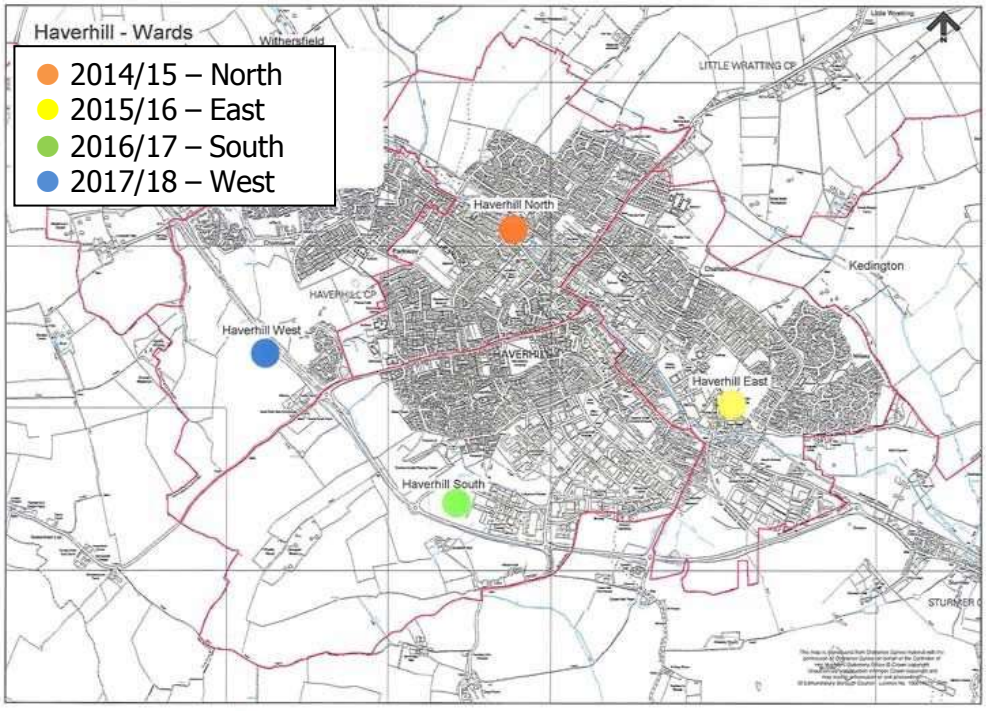
SEBC Inspection Areas



SEBC tree management areas: rural wards

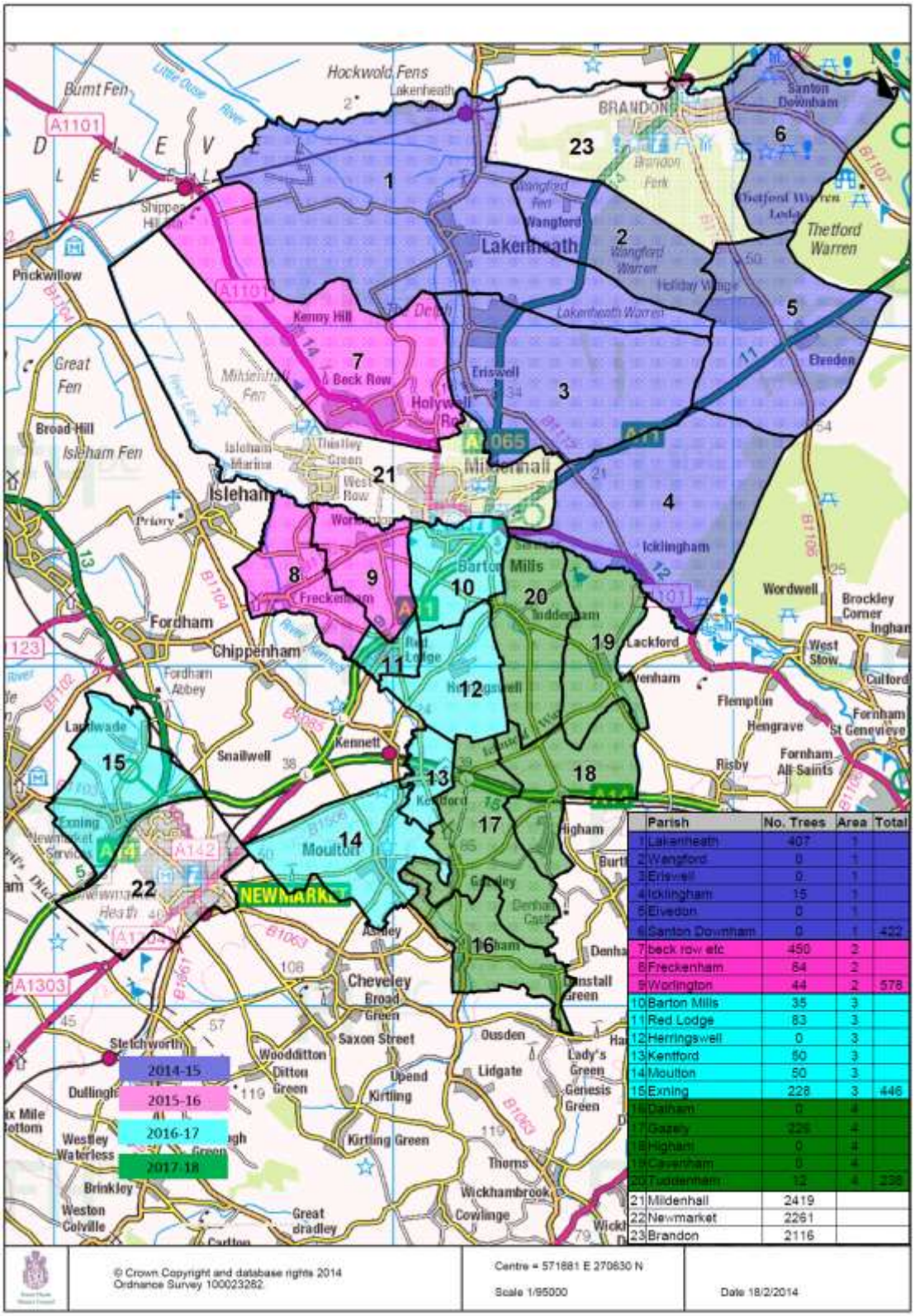


SEBC tree management areas: Bury St Edmunds wards



SEBC tree management areas: Haverhill wards

FHDC Inspection Areas



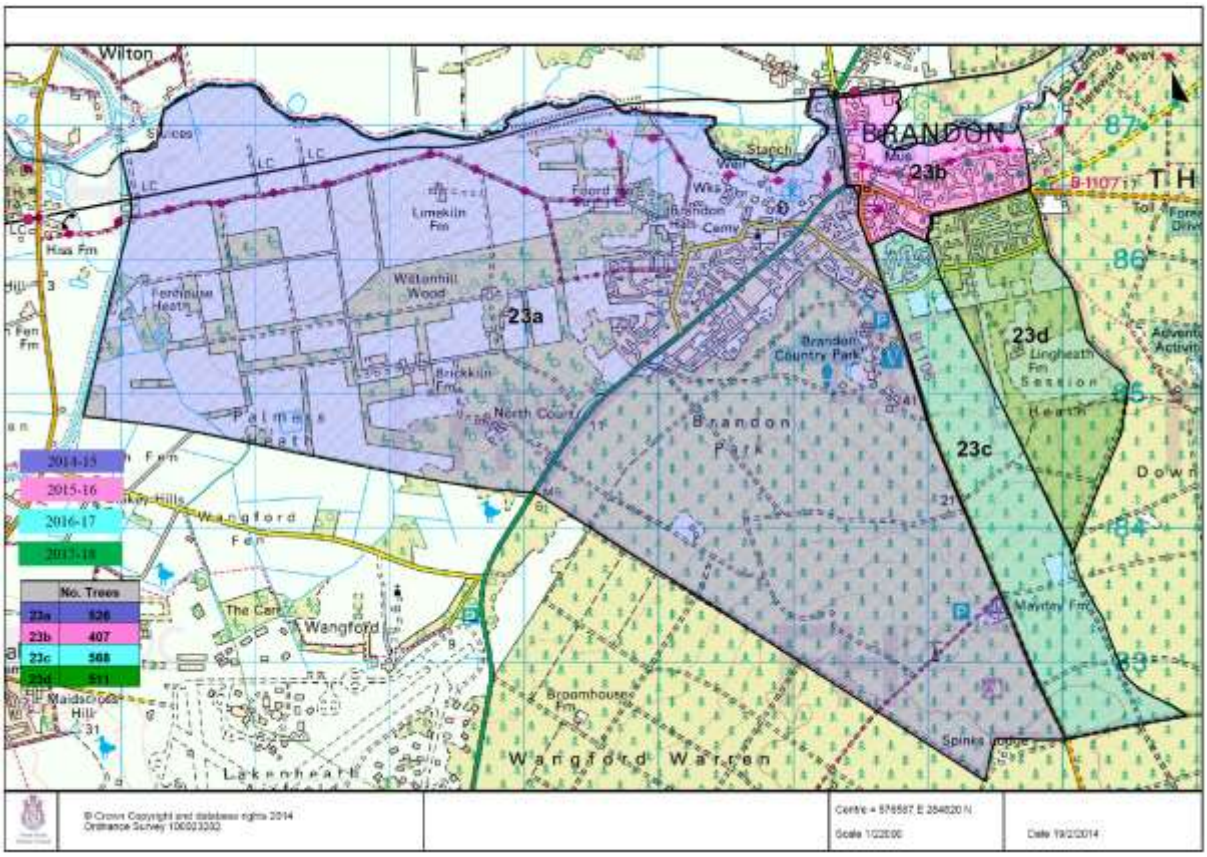
	Parish	No. Trees	Area	Total
1	Lakenheath	407	1	
2	Wangford	0	1	
3	Eriswell	0	1	
4	Icklingham	15	1	
5	Elveden	0	1	
6	Santon Downham	0	1	422
7	beck row etc	450	2	
8	Freckenham	84	2	
9	Worlington	44	2	578
10	Barton Mills	35	3	
11	Red Lodge	83	3	
12	Herringswell	0	3	
13	Kentford	50	3	
14	Moulton	50	3	
15	Exning	228	3	446
16	Dalham	0	4	
17	Gazeley	225	4	
18	Higham	0	4	
19	Cavenham	0	4	
20	Tuddenham	12	4	236
21	Mildenhall	2419		
22	Newmarket	2261		
23	Brandon	2116		

Centre = 571681 E 270630 N

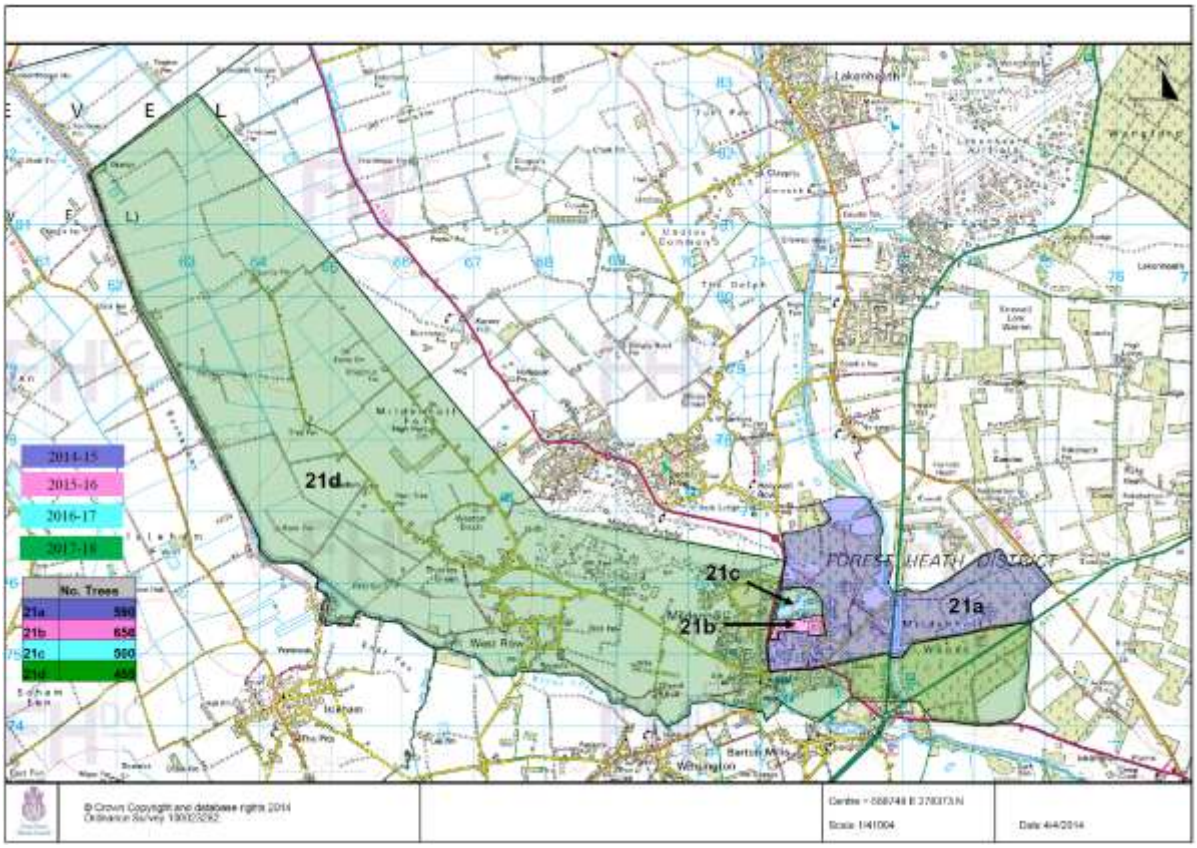
Scale 1/95000

Date 18/2/2014

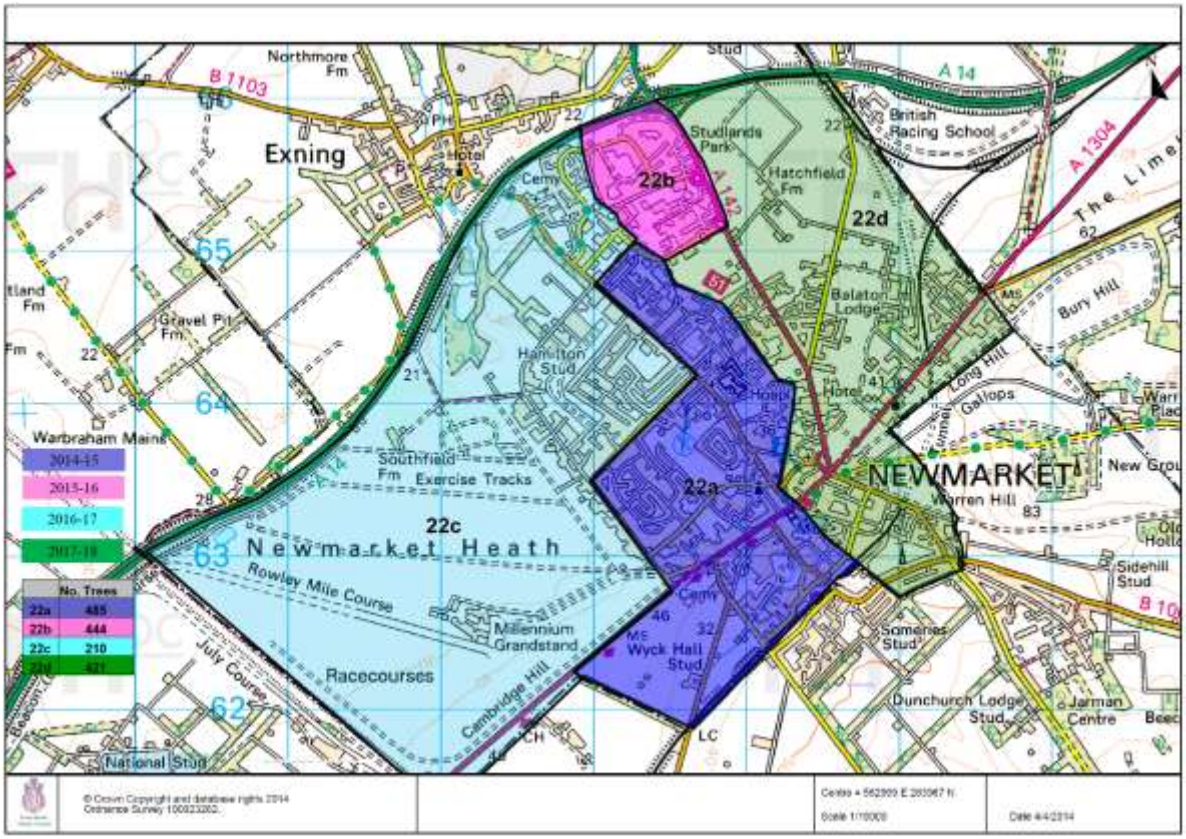
FHDC tree management areas: rural areas



FHDC tree management areas: Brandon



FHDC tree management areas: Mildenhall



FHDC tree management areas: Newmarket

Appendix 4: Current Tree Stock SEBC

Trees under the management of St Edmundsbury Borough Council can be categorised into the following seven areas:

- trees in parks and open spaces
- trees in residential areas
- woodlands and tree belts
- village and rural trees
- trees in cemeteries and churchyards
- car park and estates trees
- veteran trees

Trees in parks and open spaces

The council owns 335 hectares of parks and open spaces. These include: 46 formal parks and recreation grounds; country parks at Nowton (Bury St Edmunds), East Town (Haverhill) and West Stow. There are a number of new parks/open spaces in new developments on the western side of Haverhill and the outskirts of Moreton Hall awaiting adoption. Adoption of these areas will include the management of the trees which stand within them.

There are an estimated 8,000 individual open growing trees and approximately 225,000 woodland trees in council parks and open spaces. The nature of the tree populations at the different parks and open spaces is as variable as is the character of the sites themselves.

Of greatest interest in tree terms are:

- Nowton Park with its 23 hectares of majestic Victorian tree belts, the avenue of some 98 magnificent lime trees, and a developing arboretum containing many unusual species

- Hardwick Heath with its two hundred and fifty year old cedars and other fine, mature specimen trees

- Abbey Gardens with its historically well maintained collection of some 250 individual trees, including several unusual and particularly interesting specimens. These include the Turkish Hazel (*Corylus colurna*), Fern Leaved Beech (*Fagus sylvatica Heterophylla*), False Acacia (*Robinia pseudoacacia*) and Weymouth Pine (*Pinus strobus*) – all planted in the 1830s - and a rare native female black poplar which is even older.

- East Town Park, which, again, has large, mature tree cover, including another fine Lime and Horse Chestnut avenue.

Within the borough there are a number of newer parks and open spaces, which vary considerably in size. Within some of these sites there is scope for additional tree planting.

For the tree population of our parks and open spaces two important factors emerge:

- they are often the most significant trees in an area with many sites containing landmark trees or old and unusual specimens that may also be of exceptional wildlife value.

- the trees are fundamental to each park's structure having a profound effect on their appearance and, consequently, their users' leisure experience.

Trees in residential areas

Individual trees have been planted as part of the designed landscapes of St Edmundsbury's residential areas for many decades.

In June 2002 the council's housing stock and the soft landscaped areas on housing estates transferred to Havebury Housing Partnership. Under the terms of the transfer agreement Havebury Housing became responsible for the management of approximately 1200 trees.

The council, however, still has management responsibilities for those trees which are located on many communal pieces of council owned land. It is estimated that there are approximately 3,000 individual trees in such locations.

Woods and tree belts

Local, well-managed woodland provides many benefits that improve the quality of life for the borough's residents and visitors.

Eight hundred years ago a much greater proportion of the land which today we call St Edmundsbury was covered in woodland. This was an important resource as it provided materials for everyday life, including fuel and timber for buildings. Today, 10% of land within St Edmundsbury is covered by woods. One third of this is coniferous; two thirds is broadleaved.

Although a considerable proportion (23%) of woodland cover within St Edmundsbury is ancient semi-natural woodland most of the woodland, under the council's management, is more recently planted, ranging from 18th and 19th century to modern tree belts. Some grew up spontaneously as past land uses were abandoned.

St Edmundsbury Borough Council is responsible for the management of 134 hectares (74 sites) of mainly broad-leaved woodland and tree belt (79 sites), which amounts to 4% of the council's land. The following table provides an inventory of council-managed woodland. In the list, tree belt is defined as a wooded area of less than 15m depth (and, therefore, unlikely to be eligible for funding under the Forestry Commission's England Woodland Grant Scheme); wood is any woodland site of greater than 15m depth.

Management Quarter	Ward	Site	Management Type	Area (ha)
East	Abbeygate	Cullum Road and Grindle Gardens	Tree belt	0.19
East	Abbeygate	Saxongate Local Nature Reserve (LNR)	Wood	1.56
East	Abbeygate	Tannery Drive	Tree belt	0.10
East	Eastgate	Bury Football Ground	Tree belt	0.64
East	Eastgate	Compeigne Way Open Space	Tree belt	0.21
East	Eastgate	Ram Meadow Car Park	Tree belt	0.03
East	Eastgate	The Crankles	Wood	0.98
East	Eastgate	Unicorn Place	Tree belt	0.21
East	Haverhill East	Chalkstone Way	Tree belt	0.48
East	Haverhill East	East Town Park	Wood	3.14
East	Haverhill East	Osprey Road	Tree belt	0.09
East	Haverhill East	Railway Walk (large area of scrub) (LNR)	Wood	5.20
East	Haverhill East	Railway Walk - Manor Road to Reeds Lane (LNR)	Tree belt	0.83
East	Haverhill East	Shetland Way	Wood	0.70
East	Haverhill East	Sturmer Road	Wood	0.25
East	Haverhill East	Sturmer Road	Wood	2.85
East	Haverhill East	Wratting Road	Tree belt	0.28
East	Moreton Hall	Appledown Road	Wood	4.04
East	Moreton Hall	Barton Road / Orterwell Road junction	Wood	0.30
East	Moreton Hall	Bederic Close (Rear)	Wood	0.52
East	Moreton Hall	Bedingfield Way	Wood	2.07
East	Moreton Hall	Beech Plantation	Tree belt	0.08
East	Moreton Hall	Bluebell Avenue	Wood	1.75
East	Moreton Hall	Carmichael's Clump (LNR)	Wood	0.12
East	Moreton Hall	Home Covert (LNR)	Wood	1.06
East	Moreton Hall	Layhill Covert (LNR)	Wood	1.00
East	Moreton Hall	Mount Road	Wood	1.15
East	Moreton Hall	Mount Road - Oak Plantation	Wood	0.45
East	Moreton Hall	Mount Road Plantation (LNR)	Wood	1.47
East	Moreton Hall	Natterers Wood (LNR)	Wood	6.56
East	Moreton Hall	Orttewell Road	Tree belt	1.57
East	Moreton Hall	Pipestrelle Wood (LNR)	Wood	0.53
East	Moreton Hall	Pond Covert (LNR)	Wood	1.12
East	Moreton Hall	Moreton Hall industrial estate	Wood	4.05
East	Moreton Hall	Skyliner Way	Wood	0.73
East	Moreton Hall	Symonds Road	Tree belt	1.79
East	Moreton Hall	Symonds Road	Wood	1.26

East	Moreton Hall	The Clump (LNR)	Wood	0.14

North	Gt. Barton	Conyers Way	Wood	0.26
North	Gt. Barton	Diomed Drive	Wood	1.28
North	Gt. Barton	Downing Drive	Wood	0.43
North	Haverhill North	Railway Walk - Wratting Road to Howe Road (LNR)	Tree belt	0.33
North	Ixworth	Kettleborrow Close	Tree belt	0.16
North	Ixworth	Thistledown Drive	Tree belt	0.43
North	Risbygate	Bullrush Crescent	Wood	5.89
North	Risbygate	Parkway	Tree belt	0.21
North	Risbygate	Raynham Road	Tree belt	0.07
North	St Olaves	Oakes Road	Wood	2.23
North	Stanton	Parkside	Wood	0.37
South	Clare	March Place	Wood	0.29
South	Clare	The Granary	Tree belt	0.06
South	Haverhill South	Cleves Road	Wood	0.77
South	Haverhill South	Puddlebrooke	Wood	1.31
South	Haverhill South	Railway Walk - Bumpstead Road (LNR)	Tree belt	0.79
South	Horringer and Whelnetham	Nowton Park	Wood	27.83
South	Keddington	Risbridge Drive	Wood	1.41
South	Southgate	Grange Walk	Wood	0.49
South	Southgate	Hardwick Heath	Wood	6.21
South	Southgate	Josh's Wood, Hardwick Lane	Tree belt	0.11
South	Southgate	Mayfield Road	Wood	1.24
South	Southgate	Watson Close	Wood	0.23
West	Fornham	Culford Road	Wood	0.55
West	Fornham	Cumberland Avenue	Wood	1.49
West	Fornham	Larks Gate	Tree belt	0.08
West	Fornham	Northern Way	Wood	2.40
West	Haverhill West	A604	Wood	0.76
West	Haverhill West	Bergamot Road	Wood	1.92
West	Haverhill West	Chimswell Way	Wood	2.07
West	Haverhill West	Hanchett End	Wood	0.09
West	Haverhill West	Hopton Rise	Wood	0.37
West	Haverhill West	Horsham Close	Wood	0.08
West	Haverhill West	Spindle Road	Wood	0.63
West	Haverhill West	Strawberry Fields	Wood	1.05
West	Minden	Maltward Avenue	Wood	1.05
West	Risby	West Stow Park	Wood	16.86
West	Westgate	Horringer Road	Tree belt	0.28
West	Westgate	Lindisfarne Road / Bristol Road	Wood	0.30
West	Westgate	Westgate Tree Belt	Wood	1.90
West	Westgate	Winthrope Road / River Linnet	Tree belt	0.39

			Total	**134.12**

The majority of tree belts are located adjacent to the arterial roads which run through the recent developments in Moreton Hall and Haverhill. These linear woodland strips (Tree belts) were planted up in the 1980s and 1990s. They are now maturing and provide a very valuable resource in terms of visual amenity and, increasingly, as a habitat for wildlife.

The woodland areas of the country parks are being managed primarily for nature conservation, with education, recreation and landscape as other objectives.

The techniques used to manage the woodlands will vary between sites but might well include:

- Thinning - thinning out young trees to allow the best specimens to flourish. Unless some of these areas are thinned-out during the next few years, they will not be able to develop into mature woodland areas that are capable of supporting a variety of flora and fauna.

- Coppicing - coppicing is the art of cutting of trees and shrubs to ground level allowing vigorous re-growth and a sustainable supply of timber for future generations. Many species respond well to coppicing, including willow, sweet chestnut, and hazel.

- Improvements to access for quiet recreation, where appropriate.

- Measures to tackle misuse of sites. The council will vigorously address vandalism, fly tipping and encroachment in woodlands and tree belts and develop a standard approach for cases where any damage can be traced to specific individuals.

- Control of invasive species

- Control of weeds around newly planted or regenerating trees.

- Appropriate management of standing and fallen deadwood - Deadwood is essential to the ecology of woodland. It provides food and a home for numerous fungi, insects, birds, mammals, amphibians and other creatures.

- Group selection - small scale management of this kind – selective felling of mature trees to allow young ones to grow – is vital to helping maintain the delicate balance between woodland and sunny glade, which encourages the richest variety of wildlife.

- New enrichment planting and the encouragement and protection of suitable natural regeneration to ensure continuous tree cover the council will plant more trees where appropriate and will ensure that adequate aftercare maintenance regimes are put in place.

The council will seek opportunities to expand the total area of woodland in appropriate locations.

The council will realise any economic potential of woodlands and tree belts through the marketing of timber and other woodland products where this does not conflict with nature conservation and biodiversity objectives.

Village and rural trees

The rural landscape of St Edmundsbury is characterised by a rich and diverse tree population
from landscape parks with mature exotic trees to ancient woodlands and hedgerows studded with old oak pollards. The villages have unique character, much of which is achieved by the historic tree planting within them and beyond in the surrounding countryside.

Many of the trees in the villages and rural areas are privately owned. The council, nonetheless, does own and have responsibility for a significant number of trees which form a defining part of the landscape in those communities. It owns approximately 3000 open- growing trees in areas outside Bury St Edmunds and Haverhill.

It is important that the distinctive village scenes are maintained and where possible enhanced. New and replacement tree planting should make use of species – usually suitable native species - which will perpetuate this distinctiveness.

All village and rural trees under direct council control will be incorporated into the ongoing four-year management cycle.

Trees in cemeteries and churchyards

Trees in churchyards and cemeteries are an essential part of creating the tranquil and reflective environment expected of such sites. Yew trees have traditionally been planted in and around burial sites as icons of everlasting life. The yew trees were usually planted in a deliberate manner: one beside the path leading from the funeral gateway of the churchyard to the main door of the church, and an other beside the path leading to the lesser doorway. In early times, the priest and clerks would gather under the first yew to await the corpse- bearers.

The council is responsible for 2 cemeteries (12.3 hectares) and 13 closed churchyards (5.2 hectares).

Cemeteries

Both cemeteries contain some fine mature trees, a high percentage of which are evergreen. Many of these trees date from the Victorian era and the early part of the 20th century. Then from around the time of the Second World War until the 1980s there was a noticeable lack of replanting, before a spate of ad hoc planting in the last 20 years.

Cemeteries trees will, like all council-maintained trees, be managed under the council's continuous four-year management cycle. As part of the implementation of this routine system of management in cemeteries, the council will seek to protect historical cemetery structures from damage being caused directly by the action of trees.

Replacement tree planting will be carried out with particular emphasis on retaining the historical nature of the sites and incorporating rare and unusual species where appropriate.

Churchyards

St Edmundsbury Borough Council is responsible for managing trees in the following ten closed churchyards:

Church Name	Location	Size of grounds (Hectares)
The Great Church Yard	Bury St Edmunds	2.3
The Mayors Cemetery	Bury St Edmunds	0.01
St John's	Stoke by Clare	0.46
St Petronillias	Whepstead	0.46
St. Nicholas	Denston	0.24
All Saints	Chedburgh	0.25
St. Peter's	Ousden	0.34
St. Andrews	Barningham	0.25
St Mary's	Haverhill	0.32
St Mary's the Virgin	Cavendish	0.38
St Mary's	Lidgate	0.34
All Saints	Rede	0.24
All Saints	Hopton	0.19
Total Area		**5.2**

Churchyard trees will continue to be managed on a proactive, cyclical basis with continuing emphasis on creating a diverse population of appropriate unusual, attractive trees. The churchyards are currently dominated by trees that are of a similar maturity, and little new planting has taken place for many years.

Car parks and estates trees

St Edmundsbury Borough Council is responsible for managing trees in the following car parks:

Car Park	No of trees
Robert Boby Way (Bury St Edmunds)	28
St Andrews Street North (Bury St Edmunds)	46
Ram Meadow (Bury St Edmunds)	22
Parkway (Bury St Edmunds)	63
Cattle Market (Bury St Edmunds)	27
Vinery Road (Bury St Edmunds)	8
Town Hall (Haverhill)	38
Ehringhausen Way (Haverhill)	33
Lower Downs (Haverhill)	7
Leisure Centre (Haverhill)	21
	293

Management of these trees is incorporated within the council's proactive management and inspection cycles.

Council-owned leased land – Individual lease agreements contain details of responsibility for trees within leased areas of land.

Veteran trees

Natural England defines veteran trees as those:

- That have interest biologically, aesthetically or culturally because of their age.
- Are in the ancient stage of their life.
- That are old relative to others of the same species.

Veteran trees are recognised on the basis of a combination of their size and the presence of certain characteristic attributes, such as rot holes, rot sites, dead wood and hollowing.

St Edmundsbury's veteran trees can be found in a number of locations; there are, for instance, old gnarled former parkland oaks within the adopted highway at Home Farm Lane (Bury St Edmunds), an ancient field maple and oak in residential open space at Downing Drive (Great Barton) and decaying willow pollards along various riverbanks.

Historically these trees are likely to have been vital assets, valued by our ancestors as an important part of their everyday subsistence and economy. Many, if not most, were working trees, providing construction materials, food or firewood. William Cobbett on the road to Bury St Edmunds, in 1825, for instance, writes in Rural Rides:

"Almost every bank of every field is studded with pollards, that is to say, trees that have been beheaded, at from six to twelve feet from the ground. Then send out shoots from the head, which are lopped off once in ten or a dozen years for fuel, or other purposes… I have scarcely seen a single farm of a hundred acres

without pollards sufficient to find the farm-house sufficient in fuel, without any assistance from coals, for several years.”

In today's more urban society, few of these old trees have been retained; some may be known for their historical connections, but the majority that remain have become forgotten and neglected. Long-lived oak pollards, however, remain a defining, if dwindling, feature of the St Edmundsbury landscape which council tree management shall seek to perpetuate.

For all their interest and importance, veteran trees often - by virtue of their age and size - represent a relatively high degree of risk and are potentially very fragile, being especially vulnerable to changes in their growing space. It is therefore important that veteran trees and their environment are managed with expertise and sensitivity.

When managing veteran trees it is essential to consider not just the tree but all other organisms that live on or are associated with them. Many of these species are an integral part of the veteran tree’s ecosystem and a number are protected in their own right under the Wildlife and Countryside Act 1981 or listed in the Red Data Books or in the UK Biodiversity Action Plan because they are considered vulnerable or threatened. This means expert consultation is vital to find out which species are present and to target management activities appropriately.

To provide the veteran trees of 2509, groups of trees and individual specimens that have the potential to achieve veteran status will be planted or identified to establish or encourage a suitable long-term management strategy. The council identify opportunities, for instance, to establish new pollards by pollarding young trees of suitable species, size and location.

Appendix 5: Current Tree Stock FHDC

Arbortrak Records

A total of 8480 trees are recorded on the Arbortrak system on land owned by the council. The majority of these trees are in public open spaces and are individuals or groups. Few are within woodlands as such.

This figure is likely to be higher due to trees as yet not identified on the system, and in conjunction with new planting projects, public open space creation and adoptions, this figure is likely to increase over time.

A clear concentration of these trees can be seen around the main towns of the district, and figures by Parish are as follow:

Parish	Tree records
Mildenhall	2419
Newmarket	2261
Brandon	2116
Beck row etc	450
Lakenheath	407
Exning	228
Gazely	226
Freckenham	84
Red Lodge	83
Kentford	50
Moulton	50
Worlington	44
Barton Mills	35
Icklingham	15
Tuddenham	12
Santon Downham	0
Wangford	0
Elvedon	0
Eriswell	0
Cavenham	0
Herringswell	0
Higham	0
Dalham	0

Other Trees

A number of other sites contain significant amounts of trees within the district that the council has a duty of care or a maintenance requirement for. These trees are generally not included on the Arbortrak record and should be highlighted and included in any formal regular inspection routine and are detailed below:

Aspal Close Local Nature Reserve

While this site is in fact owned by the council and managed as a local nature reserve, not all trees on the site are recorded on the Arbortrak system. Due to the extensive woodland on the site it is not practical to record and pinpoint each tree.

However, over 200 records are kept on the Arbortrak system which comprises the Ancient Veteran Oak population of the site. This population is nationally important and has an extremely high biodiversity value and a separate management plan is maintained for the site including detailed requirements for the Veteran Trees.

The extensive areas of woodland on the site benefit from regular informal inspection, with active local volunteers and volunteer wardens, and regular site work and visits by staff.

In addition to the informal inspections, a walkover survey of this site will be carried out during the formal routine inspections for the area the site falls within and appropriate records kept. The site is within Area 4.

All trees on this site are covered by a group Tree Preservation Order, and the site is subject to County Wildlife Status and Local Nature Reserve Status with a number of protected species present.

Barton Mills Local Nature Reserve

This site is owned by the Forestry Commission but the council has a management agreement to manage it as a Local Nature Reserve. As the trees do not belong to the council they are not recorded on Arbortrak.

The site contains a large number of trees, primarily Willows and Poplars. Some of the Poplars are exceptionally large. Access to the site is along a right of way which follows the river bank, and a small area around a fishing pond.

The majority of trees on the site are well away from accessible areas and the primary management principle for the trees is non intervention, whereby natural tree fall as a result of storm events and natural tree decline provide valuable habitat and ecosystem functions.

As with Aspal Close Local Nature Reserve, the site benefits from regular informal inspection, with active local volunteers in the form of the Lark Angling Preservation Society who actively use the area and make regularly reports of

problems, as well as members of the public who walk the route regularly and are familiar with the area.

Areas of accessibility will be inspected as part of the council's formal routine tree inspections and appropriate records kept. This will focus on trees adjacent to the footpath and pond area, and any trees which may pose a hazard to these areas. The site is within Area 4.

Due to the size and condition of some of these trees adjacent to the footpath, and the ground condition, additional walkover surveys will be carried out after severe storm events.

Old Town Tip County Wildlife Site

This site is a small area of land owned by the Council and is predominately mixed scrub and Breckland grassland. It has a number of trees on the site, but they are limited in number and size.

The site is designated Open Access land under the Countryside and Rights of Way Act 2000, but is little used and out of the way, and has no through route for pedestrian or any form of vehicle. The majority of users are plane spotters as the site is adjacent to the runway of RAF Mildenhall.

This area is also not included on the Arbortrak system. However, during the next formal inspection of the area, records will be transferred onto Arbortrak. The majority of larger trees on the site are not easily accessible, and overall the site poses a relatively low risk from tree related hazards.

The primary management aim of the site is to maintain the open grassland and prevent further scrub encroachment, and current levels of trees would be maintained or reduced.

Areas of accessibility will be inspected as part of the council's formal routine tree inspections and appropriate records kept. The site is within Area 2.

Mildenhall Woods Project

The area known as the Mildenhall Woods Project Area is owned by the Forestry Commission and is part of its Open Access Multi Use Woodland. The Council leases two 1 hectare blocks within this area within which it has installed a BMX track and an adventure play area with associated picnic area.

Part of the scheme includes way marked trails between these two sites and around the wider area, utilising existing rides and tracks within the woods.

The area has relatively high visitor numbers and the sites remain popular as a destination. The BMX track and the adventure play area is included in the councils regular play area inspections.

While the Forestry Commission retain responsibility for the trees in the area, which is designated Open Access land under the Countryside and Rights of Way Act 2000, the council has a duty of care for people using the play area and BMX

track. As such these two sites will be inspected as part of the council's formal routine tree inspections and appropriate records kept. The site is within Area 2.

Land Adjacent to Newmarket College

This area has a number of trees within it and has public access. This area is not recorded on the Arbortrak system. However, during the next formal inspection of the area, records will be transferred onto Arbortrak.

Areas of accessibility will be inspected as part of the council's formal routine tree inspections and appropriate records kept.

George Lambton Recreation Ground

This area has a number of trees within it and has public access. The site is leased by the Council. As such Arbortrak records are not kept for the trees within the site.

Areas of accessibility will be inspected as part of the council's formal routine tree inspections and appropriate records kept.

Council Operated Play Areas

Any trees within Council operated play areas are included on the Arbotrak system, and will therefore be subject to the formal inspection routine as detailed above.

However, it is worth noting that the play areas are also inspected weekly by qualified play area inspectors. As such the sites are subjected to regular informal inspections above and beyond the routine formal inspections. Reports of obvious defects from such informal inspections can be investigated and acted upon.

This informal inspection would also include any trees adjacent to the sites which are not owned by the authority but could pose a threat to users of the play areas.

Appendix 6: Strategic Links

National Context

The Government encourages local authorities to develop long-term strategies for the management and care of trees in their ownership. These strategies should plan for the eventual replacement of old trees, enable authorities to take advantage of new opportunities for tree planting provided by other urban improvement measures, and integrate awareness of the contribution which trees make to the quality of life in urban areas into the full range of local authorities' activities.

There are many national policies and strategies that affect trees and woodlands in the West Suffolk area, which have been taken into account in this Tree Management Policy. Some of these are specific to trees or woodland, and many more deal with wider issues in which trees and woodlands play an important part. The following is a brief summary:

Strategy for England's Trees, Woods and Forests. Produced by DEFRA in 2007, the strategy highlights the contribution that trees make to social, environmental and economic objectives today and sets out a vision for their future role. The goal is that by 2020 more woods will be brought into sustainable woodland management supplying raw materials for use in construction and for woodfuel, and we will have a healthier landscape for wildlife and an increase in people visiting woodlands:

> The Strategy covers the full spectrum - from extensive forests to street trees and hedgerows. Within the West Suffolk context this is of note as the area has a mixture of extensive woodlands, street trees and urban woodland.
>
> An important over arching aim is to provide 'the right tree in the right place' where they can contribute most in terms of social, economic and environmental benefits now and for future generations. This fits in well with the principle of arboriculture as a means to balance interests.

Sustainable Communities Plan. The Sustainable Communities Plan outlines plans for growth and regeneration in England. It includes significant additional housing development in the south-east. The Plan includes the following objectives:

> Encouragement of the role of Community Forests at the urban fringe, citing their benefits as providing access to green spaces and woodlands on the urban doorstep, protecting and improving the countryside.
>
> Greater emphasis on the role of green networks and corridors.

Working with the Grain of Nature - England Biodiversity Strategy. The England Biodiversity Strategy identifies woodland as a key theme and habitat. The Strategy's vision is to ensure 'woodlands and forests are managed and

created to enhance both woodland and non-woodland species and habitats, that at the same time provide sustainable goods, environmental services and recreational benefits enhancing people's quality of life'. The Biodiversity Strategy's actions for achieving this vision include:

> Protect native woodland from further damage.
> Enhance, extend and restore the existing native woodland resource.
> Manage non-native woodland to improve biodiversity in the wide landscape.
> Realise the broader quality of life benefits of woodland biodiversity.
> Address biodiversity within urban settlements. One of the key aims is to 'ensure that biodiversity conservation is integral to sustainable communities, both in the built environment, and in parks and green spaces'.

Biodiversity 2020: A strategy for England's wildlife and ecosystem services. This strategy builds on the previous England Biodiversity Strategy and notable developments include the recognition that biodiversity is vital to ecosystem services such as combating the effects of climate change, water quality management, drought prevention and flood management. The strategy also highlights the importance of people in biodiversity and aims to involve more people and raise a greater understanding of the importance of biodiversity. In addition it places a priority on "taking better account of the values of biodiversity in public and private sector decision-making"

National Planning Policy. Several national Planning Policy Statements and Guidance Notes relate to the protection, management and enhancement of woodlands and trees. This strategy focuses on the Local Authority's role as tree owners and managers, rather than its function as a planning authority, which is dealt with by other strategies and policies currently in place. However, it is important to have regard to Planning Policy particularly in relation to the planning of new green space and woodland areas under the control of the Council to ensure that improvements are kept in line with national policies.

Tackling Health Inequalities Programme for Action. The programme for action sets out priorities for reducing health inequalities and addressing the underlying determinants of health. It identifies the importance of co-ordinated national, regional and local action on a range of issues. These include:

> The need to increase levels of physical activity especially among disadvantaged groups, older people and women.
>
> The need to improve green spaces so that they can be used for exercise and provide children's play areas.
>
> The need for better and safer local environments so people are more able to engage in social and physical activities in public spaces close to where they live and work.

Common Sense Risk Management of Trees. Produced by the National Tree Safety Group in 2011, this guidance sets out key mechanisms for effectively managing risk from trees, including measuring the risk and appropriate inspection regimes. It introduces the concept of risk zoning to identify highest risk areas which in turn allows efficient allocation of resources.

Regional Context

There are various policies and strategies across the East Of England which should inform a successful Tree Management Policy. The most relevant are listed as follows:

The East of England Regional Spatial Strategy sets out policies which address the needs of the region and key sub-regions. These policies provide a development framework for the next 15 to 20 years that will influence the quality of life, the character of places and how they function, and inform other strategies and plans. A major feature of the Plan is that it identifies the significant investment that will be needed in social, environmental, economic and transport facilities ('infrastructure') if it is to achieve its desired results. Of particular note are policies covering biodiversity, woodlands and green infrastructure.

Transforming Suffolk is the Suffolk Community Strategy for 2008 to 2028. It sets out the long term ambition and priorities for the county over the next twenty years. It looks ahead to the issues and challenges facing the area over the coming years and articulates a vision that all partners are committed to achieving. Aims and objectives include:

Promoting healthy lifestyles.
Protecting and improving the natural environment.
Creating green infrastructure.
Promoting stronger communities.

Woodland for Life 2003. The Regional Woodland Strategy for the East of England provides a number of strategies for the enhancement, over a 20 year period, of the benefits that trees and woodlands bring to the people who live and work in the region. The strategy focuses on the following benefits of trees and woodlands:

The social benefits relate to improved physical and mental health, enhanced living environments, increased community pride, recreation, education and community engagement.

Economic benefits, in addition to employment and the value of timber, include positive influences on inward investment, increased property values, reduced energy costs, regeneration of derelict and damaged land, and tourism.

The environmental benefits chiefly comprise biodiversity, pollution abatement, soil conservation and protection of water resources.

Suffolk Biodiversity Action Plan (BAP). The Suffolk BAP consist of a number of species and habitat action plans and reflects those habitats and species listed in the UK BAP and section 41 of the Natural Environment and Rural Communities Act 2006. It applies a specific regional context to action plans with locally identified targets and actions. Of particular note to informing tree management within the district are the following action plans:

Wood Pasture and Parkland
Acid Grassland
Lowland Heathland
Lowland Mixed Deciduous Woodland
Traditional Orchards
Urban
Wet Woodland

Appendix 7: Legislation

There is a well-developed legislative framework which the Councils must consider in regards to the management of trees, the most notable of which include:

Occupiers Liability Act 1957 (revised 1984). This act places a legal duty of care on a tree owner towards visitors and requires them "to take reasonable care" to maintain its trees and woods in a reasonably safe condition.. The 1984 revision deals with liability relating to other persons, including trespassers and it should be noted that occupiers can be held negligent in their duty of care even if injury or damage occurs on land where people do not have access by right or by invitation. The Courts expect occupiers to be prepared for children to behave less carefully than adults. The Courts also expect occupiers to make regular inspections of their trees and to take reasonable steps to reduce risk where appropriate.

Local Government (Miscellaneous Provisions) Act 1976. Sections 23 and 24 give Councils discretionary powers in respect of dangerous trees in private ownership. There are various situations where these powers could be exercised by the Council but only after careful consideration.

The Highways Act 1980. The Highway Authority has a responsibility to keep public highways open and remove obstructions and encroachments which may affect the use and safety of the highway. Section 154 makes provisions for the Highway Authority to deal with such encroachments and obstructions (such as may be caused by trees), which includes dangerous trees which would pose a risk to users of the highway.

The Wildlife and Countryside Act (as Amended). The act provides much of the legislation for the protection and conservation of wildlife and habitats in England and Wales, and as such is a cornerstone piece of legislation. Of particular relevance to this strategy are the following provisions:

It is an offence (subject to exceptions), to kill, injure, or take any wild bird; take, damage or destroy the nest of any wild bird while that nest is in use or being built; take or destroy an egg of any wild bird.

The Act makes it an offence (subject to exceptions) to kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

It is an offence (subject to exceptions) to intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or to sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

The Act contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9.

The Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSI) and Special Protection Areas. Such designated areas are afforded additional protection, and any activities or operations on such sites must be consented.

Town and Country Planning Act 1990 & Planning (Listed Buildings and Conservation Areas) Act 1990. Provision is made within these acts for Tree Preservation Orders (TPOs) and protection for trees within Conservation Areas. In short permission must be gained from Local Planning Authorities (LPAs) to carry out work to trees in these categories (subject to exemptions). Where trees owned by the Council are covered under such orders or areas, permission must still be sought to carry out certain works. Exemptions include dead or dangerous trees, or branches that are classed as de minimis. Good practice is to still consult the LPA in such exemptions.

The Hedgerow Regulations 1997. If trees are within a hedgerow and the removal of the hedgerow is proposed, permission must be sought for the removal under the Hedgerow Regulations 1997. The local planning authority can grant or refuse permission for removal of hedgerows based on examining the hedge using certain criteria. The criteria identify hedgerows of particular archaeological, historical, wildlife or landscape value.

The Countryside and Rights of Way Act 2000. This act predominantly deals with providing increased access and updates the Rights of Way system. However, as some of the Council's tree stock is now on designated open access land, this must be taken into account when dealing with trees in these areas. The Act also introduced for the first time a statutory duty on Central Government to produce and maintain a list of species and habitats for which conservation steps should be taken or promoted. This list was published under Section 74 of the Act and was identical with the UK BAP list at the time.

Anti-Social Behaviour Act 2003. Part 8 this act creates procedures to enable local authorities in England and Wales to deal with complaints about high hedges. A complaint can be made to the local authority who can assess the case, acting as an independent and impartial third party. If they think it is justified the authority will be able to order the owner to reduce the height of their hedge. But there is no general requirement that all hedges should be kept below a certain height.

The Natural Environment and Rural Communities Act 2006. This act created Natural England and the Commission for Rural Communities and, amongst other measures, it extended the biodiversity duty set out in the Countryside and Rights of Way Act 2000 to public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity. This duty is set out in section 40. Section 41 of the Act requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity. The S41 list replaces the list published under Section 74 of the Countryside and Rights of Way Act 2000. The S41 list must be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 "to have regard" to the conservation of biodiversity in England, when

carrying out their normal functions. Management of the Districts' tree stock and wooded areas is one such function that can benefit biodiversity and ensure the Council complies with this requirement.

Common Law. Common law is based on judgments made by the courts. Most common law relating to tree problems is based around 'duty of care' principles which dictate that the tree owner is responsible for the tree and any actions arising in connection with it. The areas of common law relevant to trees are;

Trees and boundaries: Roots or Overhanging branches. A tree usually belongs to the owner of the land on which the tree stands. It is the position of the centre of the trunk that determines ownership not the branches. A neighbouring landowner has the right to prune the branches of a tree which encroach onto their land. However they may only prune the branches back to the boundary and do not have the right to enter the other property without permission. The timber remains the property of the tree owner and removing it without permission could result in a charge of theft. Throwing it back could also constitute damage to property. The neighbour also needs to consider if the tree has a TPO order on it or if the tree falls into a conservation area. If either apply then the permission of the relevant local authority is required. Tree roots are also liable to the same common law principles. The owner of a tree is also usually liable for any damage to another property as a result of either its branches or roots.

Unsafe Trees. Under common law it is considered that the owner of a tree or trees has a duty of care. This asks whether a reasonable person could have foreseen the potential for the mechanical failure of the tree leading to damage to property or injury to a person. The owner is responsible for the health, safety and maintenance of their trees and is expected to where reasonably practicable to foresee any health and safety issues that could cause damage to property or people. If a tree had a large cavity in the trunk and the tree failed then the owner would have been expected to have foreseen the tree's failure and would be negligent for not sorting out the problem.

Right to light. There is no right to light under British common law. There have been no cases or precedents set. However the Anti-social Behaviour Act 2003 introduced a right to light in respect to high hedges.

Appendix 8: Tree Planting and Aftercare

Tree Planting

To maintain a continuity of tree cover the Councils will undertake the planting of new trees and woodlands on land that they manage where suitable opportunities arise.

Increasing the size and distribution of the resource is an essential part of West Suffolk's sustainable growth. The planting of trees may enhance not only existing open space, and streets but also new developments. Equally, new planting should endeavour to create green links in-between the network of green spaces in the area.

New tree planting can open up opportunities to increase biodiversity, restore or improve the local landscape character or to introduce trees of a different age class to that which already exists.

When undertaking tree planting, the principles of Right Tree Right Place should be followed.

Where appropriate, removed council trees will be replaced by new planting. Often it will not be possible to plant the additional replacement trees within the same area. In these cases the tree will be planted as close as reasonably practical.

Natural regeneration of native species is also to be encouraged so the natural genetic variation will provide a buffer against climatic variation, pests and diseases.

Clump Planting

Where tree planting is to take place, consideration should be given to planting in groups of trees, rather than individual specimens. In many circumstances there are a range of benefits when using this technique.

Groups of trees within an urban setting, such as parks and other open spaces, can have a greater benefit visually, providing a more natural looking environment.

Groups of trees can increase the visual carrying capacity of an open space. This means that more people can use the space, while the impression of a quiet and natural environment can be maintained.

Risks associated with trees can be reduced in terms of how closely people are exposed to hazards. With individual trees in public spaces, people have access to the whole tree, so people walking past and under them are exposed to the risks of branch or tree failure. With trees planted in groups, only the trees around the outer edge pose the same level of risks. In essence the exposure to risk per tree is much less when planted in a group. This is particularly useful in parks and other places where there is open access.

There are benefits to tree establishment in terms of nursery shelter from surrounding species. There may also be cost benefits in terms of tree protection.

Clump planting can also have greater biodiversity value, as clumps of trees can provide more a more diverse habitat structure and ecological niches.

Community Involvement

There are excellent opportunities for meaningful community involvement by involving local people in the care and use of trees and woodlands.

One of the most important indicators of quality of life is the extent to which people feel that they have a stake in the community in which they live and work. Engaged communities are much more likely to take pride in their neighbourhood, which in turn can reduce vandalism and antisocial behaviour.

If a tree just 'appears' on a street or community open space the community is a passive recipient. There is no ownership or responsibility since the local community has no control over the process. For communities to develop a sense of ownership and for tree planting projects to benefit from that ownership, they need to recognise that they have a stake in the project; they need a way of being involved and the capacity to actually then get involved in the process.

Wherever possible, the councils will seek to involve communities in tree planting projects. Sometimes this may not be possible due to resources or the scale of tree planting, for example straightforward replanting of council owned trees that have been removed.

Where opportunities arise for community involvement in tree planting projects, community involvement will be considered in the very earliest stages of the project and opportunities explored.

Aftercare

Whilst the maintenance of mature trees can sometimes be delayed for a year or two without risk to the health of the tree, newly planted trees require much closer attention in the course of systematic post planting maintenance.

Tree replacement and tree planting using natural regeneration will be encouraged where possible to increase the efficiency of tree establishment, reduce aftercare costs, encourage/protect local tree stock providence and increase the longevity/health of trees.

Where natural regeneration may provide replacement or new planting, it may be necessary to use tree protection measures such as rabbit guards, rabbit fencing, mulch mats or area mulching to aid establishment. In many cases this will also be necessary to identify trees for retention and prevent conflict with grass cutting or other maintenance operations.

When undertaking new planting, consideration to aftercare needs, availability of resources and likelihood of successful establishment will be a key factor in

choosing locations and species. In some instances it may not be economically viable to plant trees in certain locations as the aftercare and watering costs would far exceed the cost of planting or the likely cost/benefit of such planting. In such circumstances resources may be better allocated to other options.

The council will undertake appropriate scheduled watering for newly planted trees. Due to the variability of the seasons and conditions in specific locations, it is not possible to define these rates other than to ensure that conditions are monitored closely and requirements produced accordingly. Similarly the council will undertake young tree maintenance in terms of formative pruning on a case by case basis.

Tree protection in terms of tree or shrub guards can often cause problems if left in place too long. Often such guards can restrict growth and cause formative problems if not regularly checked or removed at the appropriate time. Tree guards also produce significant littering issues once they have broken down and can also cause an eye sore which reduces the benefits of newly planted areas. Tree protection will be removed when no longer needed.

Appendix 9: Right Tree Right Place

Alongside objectives to protect and enhance the tree and woodland resource across West Suffolk, recognition needs to be made of other key habitats, land uses and issues that effect the councils' trees.

Management and care for the councils' trees should seek to enhance their significance in terms of value, access and other benefits but also to manage the undesirable impacts they can have (such as damage to property and risk to human safety).

Towards this end, a 'Right Place Right Tree' approach should be followed which seeks to ensure new planting/colonisation are appropriately located and designed and that woodland expansion is not to the detriment of protecting and restoring existing priority native woodlands and other habitats.

In some environments, trees can cause problems. Trees which have been planted or allowed to colonise in inappropriate habitats should be considered for removal. In many cases, woodlands and trees are encroaching and reducing the wildlife value of these habitats. An ecological assessment should be undertaken to identify the suitability or otherwise of a site for new planting. A landscape assessment may also be appropriate to ascertain any potential disruption to important views or vistas. New planting should be considered within the context of an overall landscape plan and as part of a functioning ecological landscape, and should not occur randomly.

Once a site has been deemed appropriate for tree planting or colonisation, the type of tree should then be chosen to fit the environment. The following checklist highlights the principles and issues which need to be considered to achieve the right tree in the right place:

right place - right tree checklist	
appropriate locations	• What is the existing value of the space, and would the impact of trees be positive?
	• Existing habitat and landscape value: establish the habitat and landscape type of the site - shade cast by trees, and their demands on soil, water and nutrients, mean that they can kill or damage valuable wildlife habitats such as wetlands, heathlands, flower rich grasslands and brownfields so check for existing value before committing to planting.
	• Tree cover history: check historical records to see if the site is in an area where there have been trees in the past, to establish whether the creation of new woodland or tree cover would be appropriate.
appropriate species and design	• Development design: trees should not be located where they will experience inappropriate growing conditions e.g. in the shadow of tall buildings.
	• Local character: check if there is a history in the area for the use of particular species that could be a reflected in the planned planting.
	• Work with nature: in natural areas, employ stock of locally native origin. Best of all, work with natural colonisation.
	• Great trees of the future: where the setting allows, take opportunities to plant large species of trees with a long lifespan.
	• Accessibility: new trees and woodlands are most needed where they can provide people with access to nature and natural landscape in areas presently lacking in such access.
	• Infrastructure: consider existing and future infrastructure requirements – do not plant too close to over/underground infrastructure. Replace removed trees in the same pit if appropriate.
	• Highways: meet the statutory safety requirements to maintain a clear route along roads (consider heights of buses, HGVs, cars, cycles and horses).
	• Space: check available space against the final height and spread of the proposed species with a view to minimising frequency and amount of pruning required.
	• Soil condition: the soil in hard landscaped areas is often poor. Soil compaction needs to be limited in the tree pit and adequate nutrients supplied. Use species known to be robust to these limitations.

Appendix 10: Major Incident Plan

Forest Heath • St Edmundsbury
West Suffolk
working together

WEST SUFFOLK MAJOR INCIDENT PLAN
PROCEDURE FOR DEALING WITH TREES/TREE ENQUIRES

Reviewed: May 2014 By: Damien Parker (Operations Manager)

1. BACKGROUND

The purpose of this document is to detail the response of West Suffolk (Forest Heath District Council – FHDC & St Edmundsbury Borough Council - SEBC) to a major incident involving a large number of tree failures. Such trees may be in a dangerous condition; they may be blocking public highways - thus impeding emergency services; they may also be causing an obstruction on Council owned land.

A 'Major incident', for the purposes of this document, is any event which leads to a level of tree failure requiring the dedicated efforts of a number of Officers to resolve. In real terms this is likely to be a situation in excess of four incidents an hour. The great storms of October 1987 and January 1990 fall within these criteria. Lesser storms, which could result in a major incident classification, occur on average every two years.

West Suffolk's responsibilities with regards to trees in these circumstances are restricted to the following:

1) Neither SEBC or FHDC are currently (as of May 2014) agents of the Highways Authority and have not inspected the Highway tree stock for at least two years. That said if Suffolk County Council request the 2nd tier authorities help in dealing with an emergency situation the 2nd tier authorities will help them meet their statutory obligations.

2) SEBC & FHDC has a duty of care responsibility to ensure that it does not expose visitors to any obvious danger. Park Rangers will take the lead in determining whether the sites under their responsibility are closed/not opened. Prior to re-opening a site Officers/Senior Rangers will undertake a visual inspection of the trees along key routes to ensure that there are no obvious dangers.

SEBC & FHDC are not required to:

3) Remove or make safe trees located on private property – unless they obstruct or pose a threat to a dedicated public right of way, or have fallen from Council-owned/maintained land.

4) Provide agreement for removal of trees protected by virtue of a Tree Preservation Order – it is incumbent upon the tree owner to show at a later date (if required) that the tree in question was dangerous and thus outside Tree Preservation Order legislation.

2. ORDER OF OPERATION

Emergency Control Centre:
Activated for the most serious incidents requiring multi agency responses when West Suffolk Emergency Plan is in effect

Line Manager (Parks Operations Manager or similar post)

- Liaise with Emergency Control Centre if West Suffolk Emergency Plan in effect.
- Liaise with other departments and agencies as required (road closures, building damage assessments, media statements).
- Represent the councils at scene of tree related fatalities.

Switchboard

- All tree related telephone calls should be directed to extension 7082.

Dedicated Admin Role (Parks Operations)

- Record details of incidents on 'Major Incident – Trees – Message' Form:
  - A contact name
  - A contact telephone number
  - The location of the tree
  - A brief description of the nature of the incident
- Collate incidents derived from telephone or passed message – giving each incident a unique number.
- Pass reports to the Co-ordinating Officer
- Receive from the Co-ordinating Officer completed works details to file for later settlement.

Note:
If an incident is recognised as being major, a dedicated administrative assistant will be seconded from the staff within the West Suffolk Parks Operation Team. The assistant will have been previously identified and briefed as to their role.

Co-ordinating Officer (Arboricultural Officer)

- Assess scale of incident in relation to a 10 hour period.
- Liaise with Arboricultural Contractors & establish resource requirements.
- Assess reported incidents and compile priority order.
- Communicate with the Field Officer listing incidents received, and suggested order of inspection.
- Issue works orders to Arboricultural Contractors/in house teams.
- Track progress of works orders.
- Update information on incident sheet with inspection details provided by Field Officer, works carried out, status of works.
- Carry out five hour review of the emergency. Consider resources in light of this – including possible stand down times and rest periods.

Field Officer (Assistant Arboricultural Officer)

- Retain contact with the Co-ordinating Officer.
- Inspect & assess incidents as directed by the Co-ordinating Officer.
- Advise the Co-ordinating Officer as to the priority level of each incident and the resource requirements needed to resolve it.

3. Alternate Staffing

In the absence of key staff the most senior officer within the Parks Operations Team (Leisure Culture and Communities), will determine who the Co-ordinating and Field Officers are. Options include:

Line Manager	Co-ordinating Officer	Field Officer
1. Most senior officer within Parks Operations Team	1. Arboricultural Officer 2. Assistant Arboricultural Officer	1. Suitably qualified member of the Arboricultural Contractor's staff (subject to agreement) 2. Parks Infrastructure Officer 3. Park Rangers

4. Prioritisation

Works should be prioritised on the following basis:

1) sites where trees have fallen and trapped members of the public
2) major arterial routes across the area, which link Fire, Police and Ambulance stations and local Hospitals
3) other major arterial routes throughout the area
4) power supplies and blocked waterways
5) buildings
6) private drives and paths affected by Council-maintained trees
7) bus routes
8) other Highways locations
9) rights of way and access routes (including private drives and paths)
10) public open space in residential areas.
11) other parks and open spaces accessible to the public
12) private gardens affected by Council-maintained trees
13) parks, cemeteries and other open spaces closed off to the public or where public access is likely to be very limited (e.g woodland away from paths).

5. Staff Locations

Office based staff can be located in either an SEBC or FHDC office for the duration of the incident. The preferred location will be West Suffolk House within the Parks Operations Team.

Key staff able to undertake role of Co-ordinating Officer are also 'home-enabled' so that in the worst case scenario of them being unable to get into work they can still carry out their co-ordinating function.

6. Out of Hours

West Suffolk out of hours team have lists of contact numbers for key staff and agencies involved in the management of trees during out of hours periods. These officers will make judgement calls as to when to draw in external contractors to help clear fallen trees/hung up branches.

7. Arboricultural Contractors

There are currently three tree work contractors employed by the West Suffolk Councils to undertake technical arboricultural operations in specific geographical areas:

- SEBC: Single Contractor for all areas

- FHDC South: Single contractor for Mildenhall & Newmarket areas
- FHDC North: Single contractor for Lakenheath & Brandon

Issuing Work Orders

The Contractors will carry out works as directed by the Co-ordinating Officer. Works will be issued to each contractor one job at a time with the contractors required to telephone the Co-ordinating Officer to confirm completion and receive their next instruction.

For the duration of a Major Incident all work instructions shall be directed by the Co-ordinating Officer. It is crucial that the contractor is not diverted to other sites by third parties.

Work Standards & Welfare

The Contractor shall be particularly mindful during a major incident that the normal controls and constraints of good working practice continue to apply. The Contractors shall ensure adequate welfare and rest provision is incorporated into any response. This will be assessed during the 5 hour review period.

Waste Handling

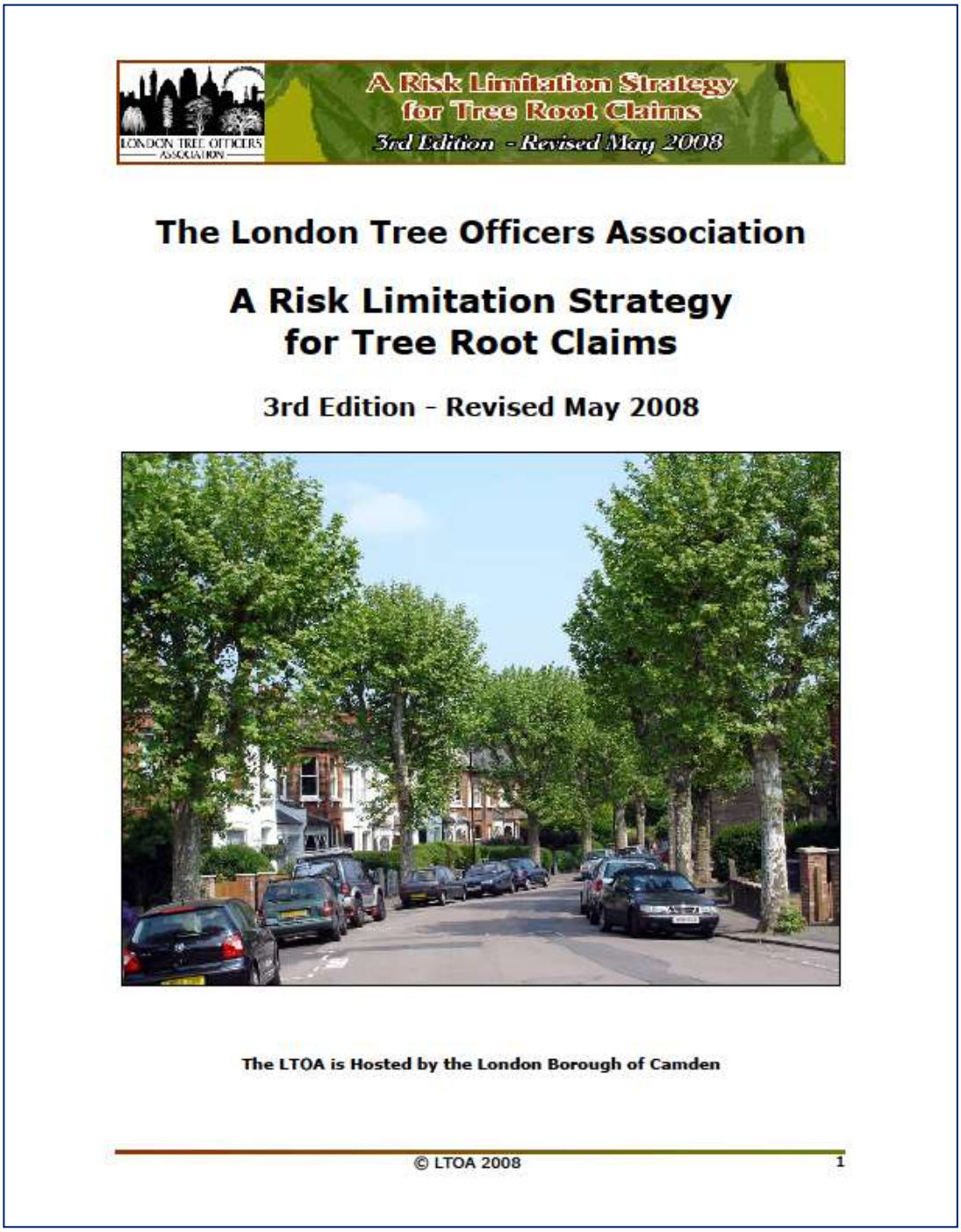
Timber and arisings requiring removal shall be taken to the contractors own compound/s. Within SEBC areas, if necessary, timber and arisings may also be taken to pre-arranged sites at Nowton Park, Hardwick Heath and East Town Park. FHDC contractors (north and south lots), have sufficient capacity at their compounds for major incidents.

10. SEBC Landscapes Team

Prior agreement will be made with the Council's Landscapes section to have on standby equipment and staff to assist with the arboricultural response when required. The staff will come under the control of the Co-ordinating Officer for the duration of the incident.

Appendix 11: London Tree Officers Association Risk Limitation Strategy for Tree Root Claims

In electronic version double click the image below to open in PDF



A Risk Limitation Strategy for Tree Root Claims
3rd Edition - Revised May 2008

The London Tree Officers Association

A Risk Limitation Strategy for Tree Root Claims

3rd Edition - Revised May 2008

The LTOA is Hosted by the London Borough of Camden

Appendix 12: Benefits of Trees

Trees and woodland should be widely recognised as bringing high quality sustainable benefits to all who live and work in the West Suffolk area. Increasing these benefits and raising the awareness of them should be an integral part of a successful Tree Management Policy.

These benefits can be categorised into three broad groups as trees and woodland play vital roles in the social, economic and environmental fabric of the West Suffolk area.

Social Benefits

The social benefits relate to improved physical and mental health, enhanced living environments, increased community pride, recreation, education and community engagement;

Being near trees and woodlands is 'good for your health' and a vital component of a healthy life. Being around trees, even for a short while, is known to reduce stress levels, which in turn benefits our health generally as well as our psychological well being. Even travelling through a treed landscape can reduce states of stress and anxiety.

Regular amounts of walking also has well-known health benefits, including reducing the risk of diabetes and Alzheimer's Disease, reducing the risk of Coronary Heart Disease reducing the risk of osteoporosis (brittle bone disease), reducing the risk of contracting colon cancer by half, help with chronic pain, arthritis and asthma. In addition, walking can help with all sorts of mental health problems such as depression and anxiety.

Walking in pleasant surroundings can have marked effects on well-being, a concept now known as 'the Biophilia effect'. This theory suggests that quality of life in the largest sense is dependent upon the richness of our connections with nature.

Regular moderate exercise in well designed, accessible woods can lead to a reduction in heart disease and other physical illnesses. Strenuous exercise, such as mountain biking and orienteering, can have greater beneficial health effects.

There is also evidence for improved postoperative recovery rates in hospital wards overlooking wooded settings.

Trees can also bring about improvements in air quality as they filter pollutants and the provision of shade in urban areas reduces ultraviolet radiation exposure.

Dense block planting of trees along roads has a sound reducing effect, enabling a better quality of life for nearby residents, and is a less intrusive than expensive methods of reducing noise. Visually there is an economic value, as people would generally far rather gaze at trees than the harsh lines on a grassed

embankment. Areas of trees are cheaper per m² to maintain than grass and lawns.

Trees add great beauty and character to the landscape, offering a variety of form, texture, colour, size, shape and seasonal change. They also complement the built environment by providing screening, a sense of scale, focal points, privacy and seclusion. They also define, link and separate open space. This enhances the structure and layout of the landscape and is essential to our sense of place.

Trees and woods are increasingly important as an inspirational educational resource. They enable the study of a wide variety of living organisms and processes in 'a living laboratory'.

Trees and Woodlands provide great opportunities for children to create their own play environments. Enabling children to make their own choices in a natural setting helps to deepen their engagement with, and understanding and appreciation of, those settings, and has been proven beneficial to children's all round mental wellbeing.

Environmental Benefits

The environmental benefits chiefly comprise biodiversity, pollution abatement, soil conservation and protection of water resources.

Trees make a major contribution to biodiversity, particularly in an urban context, with large and mature trees, many native species and most ancient trees having the greatest value. Tree foliage, decaying wood and bark provide habitats for numerous invertebrate species, which in turn provides an important food resource for insectivorous birds, bats and animals. The trunk and canopy of larger trees also provide nest sites for birds, including several declining species, and roosts for bats.

Trees also offer a sustainable, cost-effective way of managing storm water and reducing the risk of flash flooding by trapping rain water on their leaves and slowing down urban run-off following heavy storms. This reduces drainage costs, sewer overflows and downstream damage.

Trees help to create more pleasant and comfortable microclimates by providing shelter from wind and rain; providing shade from excessive sunshine and harmful ultra-violet rays; cooling the air on hot days through evaporation of moisture from leaves; slowing down heat loss at night.

Trees must take water through their root system and transpire through the leaves. During this it filters out pollutants and releases back clean water into the atmosphere.

Trees act as a "carbon sink" that is, they absorb CO2 throughout their lives but usually reaching their maximum absorption after 10 years of growth. Much media attention has also been given to carbon offsetting using trees, however,

we need to be clear about the benefits that trees provide in terms of CO2 absorption and carbon offsetting:

Most trees absorb between 6kg to 12kg of CO2 per year. It is estimated that for every ton of timber produced 1 ton of CO2 is removed from the atmosphere.

However, most of this carbon is stored within the structure of the timber itself and it must be remembered that this is only a temporary store, as the carbon is released back into the atmosphere once the timber begins to decompose naturally or burnt as a fuel. Oliver Rackham, a botanist and landscape historian at Cambridge University has stated that "Telling people to plant trees is like telling them to drink more water to keep down rising sea levels."

The process where trees sequester carbon from the atmosphere is one of the components of the Carbon Cycle. The carbon cycle is the set of biogeochemical processes by which carbon undergoes chemical reactions, changes form, and moves through different reservoirs on earth, including living organisms. The geological component of the carbon cycle is driven by plate tectonics and includes processes like volcanic eruptions and burial of carbon-rich sediments on the ocean floor. The biological component of the carbon cycle is driven by respiration and photosynthesis by living organisms, which includes trees.

Humans influence the global carbon cycle in several ways, but primarily through burning fossil fuels. As fossil fuels can be seen as carbon stores that are not normally available within the Carbon Cycle in a relatively short timescale, then burning fossil fuels leads to a net increase in the carbon within the Carbon Cycle.

Carbon storage in plant biomass (of which trees are only one group), is a relatively small proportion of the total stored in the entire Carbon Cycle. Approximately 70 times more is stored in the oceans and 4 times more is stored within the soil. Both these stores are also much longer term and stable stores compared to plant biomass.

Carbon is stored within the soil as the product of leaf fall and the effects of soil micro-organisms. To maximise the carbon sink effect of trees this process should be allowed to take place. Therefore, trees within paved areas, or with regularly mown grass underneath, and where leaves are collected will have a much reduced carbon offsetting capacity. To maximise carbon offsetting, planting of new trees and management of existing trees should take into account these factors wherever possible

The production of Oxygen (O2) by trees, whilst removing Carbon Dioxide (CO2) from the atmosphere is often overlooked. It is due to the worldwide production of oxygen by trees (and other vegetation) that we are able to survive but on a local level we often never give this a thought.

Economic Benefits

There are many economic benefits of trees and woods. In addition to employment and the value of timber, they include positive influences on inward investment, increased property values, reduced energy costs, regeneration of derelict and damaged land, and tourism.

Trees create an amenable, healthy environment that is favourable for economic development. There is ample evidence that 'greening projects' are highly effective in kick-starting inward investment and encouraging commercial enterprises.

The 2003 regional woodland strategy estimated the economic value of woodland to the East of England Economy is in the region of £680 million per year. The majority of this however accrues from the value of the green infrastructure that trees, and woodlands provide (or capital value of woodlands in the landscape). For example, increases in house prices, inward business investment, recreation and tourism activity which generate real spend in the region but for which there is no market transaction with the woodland owner.

It has been estimated that woodland contributes significantly to about 20% of the region's "out of town" attractions, as well as contributing more generally to the visitors' experiences of a day out or holiday in the region. Some wooded areas are already major tourism magnets: Thetford Forest is the third most visited attraction in the East of England region.

The use of woodlands as a setting for art is becoming increasingly common and includes such events as concerts, plays and sculpture. Where possible the opportunities for including sculpture within tree planting or as a result of management work should be explored.

Appendix 13: Threats to trees

Anyone who plants and cares for trees knows they do so not solely for their own enjoyment, but for the enjoyment and enrichment of the lives of those who come after them: trees can live to a considerable age (200+ years). Trees, however, rarely do fulfil that initial promise, particularly in the rapidly changing urban environment. Here tree life expectancy is greatly curtailed with most trees living only a few decades, and many lasting nothing like that long. Even those trees which, through good fortune or sound management, do become large and established specimens can be damaged permanently by a single thoughtless act unless duly cared for and defended. Factors which can adversely affect the longevity of trees are discussed below.

Pests and disease

Pests and disease are a constant threat to trees and woodland cover. Nothing illustrates the point better than the loss of 20 million mature elms to the Dutch Elm Disease epidemic of the 1970s and 1980s (taking with it the home for countless other important but less conspicuous species). For centuries heavy, fulsome towering elms were key components in the hedgerows and copses of West Suffolk, as throughout the English lowlands. It is difficult today to appreciate the huge presence that elms once had or the scale and impact of their loss, except perhaps from old photographs or in helping to account for the 'gappyness' of so many hedgerows. The virulent form of the disease which emerged in the 1960s, however, has left behind a dramatically changed landscape.

The Elm population still exists albeit mainly as young suckers, found in hedgerows. Though these are not without benefit for wildlife, they are certainly an ongoing maintenance problem and, potentially, a risk management problem as well: where root systems have not been exhumed or killed off, suckers continue to grow, only to inevitably succumb to the disease, die and become unstable.

There are an increasing number of tree diseases prevalent in the UK. *Chalara fraxinea* is a relatively new threat and has potential to cause significant damage among the UK's ash population. It has caused widespread damage to ash populations in continental Europe, including estimated losses of between 60 and 90 per cent of Denmark's ash trees. Experience in other parts of Europe indicates that it can kill young ash trees very quickly (within one growing season of symptoms becoming visible) while older trees tend to resist it for some time until prolonged exposure, or another pest or pathogen attacking them in their weakened state, eventually causes them to succumb.

Decline and dieback of common oak (conditions caused by interaction of specific insect damage, weather and disease) is causing the deterioration and occasional premature death of some our most characteristic native trees. Some pines are suffering premature needle loss and occasional death as a result of Red Band Needle Blight, caused by the fungus *Dothistroma septosporum*. Meanwhile there is plenty of anecdotal evidence of local increases in the number of beech trees

succumbing to established fungal pathogens such as *Ustulina deusta* and *Meripilus giganteus* – a pattern that seems likely to persist in light of predicted dryer, warmer summers and milder winters. Horse chestnut trees nationwide are severely affected by the dramatic rise of cases of bleeding canker and leaf miner. It is rare now to see trees not affected by at least one of these problems, which very sadly makes 'conker trees' a far poorer choice for planting.

The future seems particularly uncertain. Climate change and global trade means that breaches of national bio-security could lead to the spread of alien pests and diseases, with a serious and possibly catastrophic impact on individual tree species and genera. Some, indeed, such as infestations of Oak Processionary Moth can be a serious issue for human health also. The discovery and spread of phytophthera species that are new to this country is similarly of great concern. Furthermore, as pests and diseases respond to climate change so will their impact on trees and woodlands: mammal damage, for instance, seems set to rise, as deer, squirrel and rabbit populations increase as hard winters become less frequent.

Development pressure

The increasing pressure to find more development space in West Suffolk threatens the extent and condition of our tree and woodland cover. Central government guidance on housing densities means that there are reduced planting opportunities. Similarly, the sale and sub-division of large properties reduces the land available for planting.

A number of built up areas in West Suffolk are already characterised by high density housing, with small gardens and little public open space. The closeness of the houses to the street may leave few opportunities for street tree planting. The conversion of front gardens to hard standing and built development in rear gardens, likewise, may have led to significant reduction in planting opportunities. (Such loss of space also contributes to water run-off and has a negative impact on storm water capacity).

Vast increases in traffic have been particularly damaging, especially to street trees. Emission of noxious fumes, compaction of roots zones, caused by cars parking on verges – plus damage caused by impact, driveway construction and highway repairs and use of rock salt on our highway verges and footpaths each winter, have all contributed to the steady decline in the health of urban trees.

The drive to change often focuses on targets associated with homes and jobs and can forget the essential ingredients that make West Suffolk special for those already living and working in the area. Tree and woodland cover is one such essential ingredient.

Outside of specialist circles, there is general ignorance of just how sensitive tree roots systems can be to direct physical damage and changes in their environment, and, therefore, how easily trees can be irreparably damaged and lost to inconsiderate construction. Planning, management and operations all needs to be conscious of providing and safeguarding the natural environment.

Tree preservation orders (TPOs) can be used as part of the planning process to protect established trees on development land. While adequately enforced planning conditions can help to ensure that anyone planning, supervising or undertaking works near trees uses special building methods and protects trees with robust fencing as necessary.

To counter the threat to sustainable tree cover, planting opportunities should be taken wherever appropriate through the planning process. Many planning applications represent a planting opportunity and section 106 planning agreements can be used to secure money for tree planting and aftercare.

Trees in dispute

People often live in close proximity to trees. These trees may be their own or their neighbours', or, quite commonly, they belong to the councils. Trees can cause inconvenience to residents when they grow near dwellings. A dilemma often occurs when a tree makes an important contribution to the local environment but also causes inconvenience to those living nearby.

Disputes with neighbours often occur because of the strong emotions attached to trees.
Some people are fiercely protective of trees, regardless of whether they own them or not. While others may feel equally heartfelt antipathy towards a particular tree and be determined to have it removed or substantially reduced in size.

Many disputes relate to tree size. For example, few people realise that Leyland cypress hedges, if left unchecked, can grow to 30m in height within 50 years.

Complaints about overhanging branches; loss of light; leaf, fruit and seed litter; birds fouling, honeydew deposits from aphids; potential damage to property; blocked drains; cracked surfaces; absence of TV reception; and so on, are common with any tree population located amongst habitation. Such problems are often seasonal, lasting only a short time, and usually a small inconvenience compared with the enormous benefits that trees provide. In some instances, these problems can be dealt with by careful pruning. Sometimes the problem, however, is a result of inappropriate species selection in the past and the tree, therefore, may require removal. On other occasions the problem may be difficult or impossible to resolve in all parties' favour. In the long-term, attention should be paid to wise species selection and planting, encouraging greater awareness and education, such as using leaf litter for home composting and growing shade-loving plants where a tree casts its shadow.

Climate change

Climate change is likely to be particularly acute in the east of England, particularly in built-up areas because of the 'urban heat island' effect. Predicted climate change impacts for habitats in the East of England include:

an overall rise in temperature of 2 to 4.5 degrees;
a longer growing season, advancing spring flushing of trees by up to 30 days;

a fall of up to 60% in soil moisture levels in summer;
an increase of up to 20% in winter rainfall – with more frequent winter storms;
a fall in humidity of up to 15% and less cloud cover.

The magnitude and rate of predicted climate change means trees and woodland will be significantly affected.

These changes will have a direct impact on the growth of trees and woodland in the region.
Key physiological differences exist between species, resulting in species-specific responses to changes in environmental conditions so growth rates may be enhanced or reduced. The reduction in summer moisture could prevent tree growth on very thin, free-draining soils and the increasing soil moisture deficit may limit species choice.

Some tree species displacement could occur in as little as 30 years as rising temperatures and drought-related stress affects growth and, potentially, the fulfilment of winter chilling requirements. The Woodland Trust says that many important beech woods in the south may start to die out in the next 30 years as a result of extreme warm years and drier soils. Suffolk's Biodiversity Action Plan, similarly, comments that climate change may have a significant impact on the hydrology and biology of 'wet woodland'.

We can expect to see changes in the natural range of native wild plants and animals, which will alter the character of our woods. Some wildlife, particularly invasive, non-native species will need to be managed if they are not to have a detrimental effect on our woods.

Climate change appears to be already affecting the range of pests and diseases. Non-native invertebrate pests – such as Gypsy Moths or Asian longhorn beetles – may colonise the UK. Longer summer breeding seasons will probably result in more insect generations being produced each year. Over-wintering insect populations are likely to have reduced mortality rates. Population densities of mammalian pests, such as Grey Squirrels and Muntjac Deer are likely to increase due to milder winters and increased forage availability during spring. Warmer and wetter winters could also lead to more active root diseases.

Adaptation is an important issue and should be addressed at the earliest opportunity. This is particularly important, because of the long time-frame associated with any management decisions made in tree and wood management for example by the 2080's, an oak tree planted now will be less than half-way through its anticipated life, whilst as a component of semi-natural woodland, it would still be at a juvenile stage. The difficulty is ensuring that decisions made now, particularly over planting material, are appropriate to both the current and future climate.

Over-anxiety about risk and liability

Trees, particularly if left unchecked, may become hazardous and fall apart, damaging property or causing personal injury. Their roots can, on occasion, lift low walls and paths, creating trip hazards, or indirectly contribute to subsidence. The fear of litigation and insurance claims that accompanies these concerns and

occurrences should not lead, however, to over-zealous felling or over-restriction on where new trees may be planted. Without certain trees, life, perhaps, would be a lot simpler, but it may also be far poorer. A reasonable balance, informed by expert judgment and, where appropriate, community opinion, needs to be struck between safety and manageability on the one hand and amenity and conservation on the other.