

Tree Management Policy

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PREFACE.....	2
1.0 INTRODUCTION.....	3
2.0 OBJECTIVE OF THE POLICY.....	4
3.0 ISSUES ASSOCIATED WITH TREES.....	4
4.0 TREE MANAGEMENT - PRACTICAL TREE CARE.....	5
4.1 <i>GENERAL TREE MANAGEMENT OBJECTIVES.....</i>	5
4.2 <i>PARKS AND OPEN SPACES OBJECTIVES</i>	8
4.3 <i>PUBLIC OPEN SPACE IN RESIDENTIAL AREAS.....</i>	8
4.4 <i>WOODLAND MANAGEMENT OBJECTIVES.....</i>	8
4.5 <i>INSPECTION FREQUENCIES</i>	9
4.6 <i>RECORD OF INSPECTION AND MAINTENANCE.....</i>	10
4.7 <i>TREE PRUNING</i>	10
4.8 <i>NEW TREE PLANTING AND CLIMATE CHANGE.....</i>	11
4.9 <i>DISEASE CONTINGENCY</i>	12
4.10 <i>CONFLICT - RIGHT OF APPEAL</i>	12

PREFACE

The Tree Management Policy was drafted to set out clearly management and maintenance practice and procedures relating to trees. It was adopted in January 2011.

January 2013 – The policy was revised to include updates that take account of legislation and policy changes, plus the granting of City status to the former Chelmsford Borough Council.

May 2015 – The policy was revised to address typographical errors and take account of the new British Standard on planting.

October 2021 – The policy was revised to create a standalone policy for the City Councils Tree and Woodland management.

I.0 INTRODUCTION

I.1 Trees are one of the few landscape features that cross all the boundaries of modern urban living and play a very important role by adding many benefits to our community, including helping to enhance streetscapes; reduce climatic extremes; improve air quality; and provide a habitat for wildlife. They touch every aspect of our lives, our homes, our work, our journey to work, and our recreational space. The benefits of trees and green spaces in terms of health, well being and environmental enhancement are well documented through much research and should not be underestimated.

The World Health Organisation has stated that; *“health is a state of complete physical, mental and social well being and not merely the absence of disease or infirmity”*, consequently under this definition it is clear to us how important the role trees play towards the health and wellbeing of the residents served by Chelmsford City Council.

I.2 Trees growing in the area served by Chelmsford City Council provide a vital benefit and help to make life more pleasant for residents and visitors. Trees have many benefits, for example, they:

- a) **Provide shelter:** Trees reduce wind speed around buildings, and their dappled shade provides a useful barrier from ultra violet radiation.
- b) **Cool the air:** Trees regulate evaporation, and have an effect on shade and heat reflection. Trees release oxygen into the air.
- c) **Stabilise soil:** Soil erosion on areas where there are no trees can be up to one thousand times greater than for a tree covered area.
- d) **Filter air pollution:** Trees act as filters to remove particulate pollution deposited on leaves. Trees remove carbon dioxide from the air and can help to mitigate against emissions considered harmful to planet earth’s ozone layer
- e) **Reduce noise:** Trees planted close together can absorb noise and provide a visual barrier and acoustic screening.
- f) **Create wildlife habitats:** Trees of varying ages provide homes for wildlife, shelter, food and support a wide range and variety of mammals, birds and insects.
- g) **Improve the landscape:** The presence of trees frequently provide a softening effect to built structures. Trees can form backdrops to urban settings to improve people’s enjoyment of the landscape.

2.0 OBJECTIVE OF THE POLICY

2.1 The objective of the Tree Management policy is to set out the Council's approach to the management of trees on council owned land and to its statutory responsibilities on land owned by others under the Town and Country Planning Act 1990 legislation. The aim of the policy is to:

- a) act as a source of information and reference regarding tree issues in the area served by Chelmsford City Council;
- b) act as a framework for decisions that will affect trees;
- c) support our vision for the area served by Chelmsford City Council to be at the leading edge for economic, social and environmental excellence in the heart of Essex.

It supports the Council's ambitions and priorities as outlined in the following documents:

Chelmsford City Council Corporate Plan

- a) Attracting investment and delivering infrastructure
- b) Facilitating suitable housing for local needs
- c) Providing high quality public spaces
- d) Promoting a more sustainable environment
- e) Promoting healthier and more active lifestyles
- f) Enhancing participation in cultural activities

Chelmsford Community Plan

- a) Our Community is Healthy and Active
- b) Our Community is Socially Inclusive
- c) Our Community is Thriving
- d) Our Community is Nurturing the Environment
- e) Our Community is Well Connected

3.0 ISSUES ASSOCIATED WITH TREES

3.1 Most residents in the area served by Chelmsford City Council live close to trees, especially in urban areas. Trees can create varying degrees of inconvenience to residents. Dilemma and conflict often arise when a tree or groups of trees make an important contribution to the local environment yet cause inconvenience to residents and those living nearby.

All cases with regard to Council owned trees are investigated individually.

4.0 TREE MANAGEMENT - PRACTICAL TREE CARE

The tree management policy has identified four main categories:

- a) General tree management policy (GT)
- b) Parks and open spaces management policy (PO)
- c) Residential housing tree management policy (RH)
- d) Woodland management policy (WM)

It also supports the Council's Climate Change strategies (Task 10) and Biodiversity Action Plan priorities.

4.1 GENERAL TREE MANAGEMENT OBJECTIVES

The Council will seek to:-

GT1 - Develop the tree population. The tree stock will be expanded with new tree planting where appropriate and practicable.

GT2 - Provide and maintain a high quality and sustainable tree stock. Native species will be planted to maximise indigenous flora and fauna, where appropriate.

GT3 - Develop and promote a better understanding and awareness of the value of trees to the community, by way of engaging schools and community groups in tree planting and conservation projects.

GT4 - Provide the highest standards of tree care by stringent adherence to the British standard BS 3998: 2010 Tree Work - Recommendations, as well as adopting relevant arboricultural legislation and research development.

GT5 - Take all reasonable steps to fulfil duties and obligations to ensure tree safety for public and property.

GT6 - Resist the unnecessary removal of trees unless there are justifiable arboricultural or legal reasons.

GT7 - Assess all requests for arboricultural works to trees growing on land owned by the Chelmsford City Council. Work must be authorised by the Council's tree team before being carried out.

The Council will not normally:

GT8 - Undertake any tree pruning works or remove trees in direct response to any natural or seasonal phenomena, for example:

- a) falling leaves;
- b) sap exudation, (honeydew);
- c) falling fruits, nuts or seeds;
- d) bird droppings;
- e) blossom or pollen;
- f) reduction or increased moisture to gardens;
- g) germinating seeds from council owned trees;
- h) blocked or obstructed drains, gutters, flat roofs from tree deposits and leaves; or
- i) presence of algae, moss build up.

GT9 - Undertake any tree pruning work due to:

- a) Loss or interference with TV or satellite signal reception;
- b) Loss of sunlight or man made lighting during any part of the day;
- c) Blocking or obstruction of a view from a residence.

GT9a – Solar Panels - There is no legal requirement to prevent or negate the shading of solar arrays by trees and this not a legal 'nuisance' as defined in law.

The planned installation of, or the presence of an existing array on either a homeowner or third party property presents no justification for the excessive reduction or removal of a tree.

The Council may well agree to tree works that are reasonable and good Arboricultural practice. The Council is unlikely to agree to excessive works that would result in the removal or loss of a tree or trees.

The council will not agree to:

- a) Remove or significantly reduce tree(s) where shading of solar arrays is the sole reason for the works.
- b) Undertake works where there is doubt on the cause of shading.

GT10 - Where birds are found to be nesting in trees, tree works will normally be delayed until the end of the nesting season.

GT11 - Any trees identified and confirmed to be supporting roosting bats will not be worked on until Natural England is consulted. We will then act upon the advice given to us.

GT12 - When investigating claims of subsidence/heave and damage to properties from underground tree roots evidence will be required from claimants by way of a report from an appropriately qualified person. The report should discuss the following.

- a) A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map.
- b) Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building.
- c) Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be of sufficient detail to show a movement consistent with the presence of the implicated tree(s) and/or any hedges/shrubs.
- d) A profile of a trial/bore hole dug to identify foundation type and depth of soil characteristics
- e) The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index.
- f) The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out.
- g) Proposals and estimated costs of options to repair the damage.
- h) A report from an Arboriculturist to support the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree-related

damage.

In the case of other structural damage to garden walls, drains, paving, drive surfaces, technical evidence should be provided by a relevant engineer, building/drainage surveyor or other appropriate expert.

GT13 - We will explore and develop opportunities to utilise the arisings (woodchip, logs, timber) generated by arboricultural operations towards greater environmental sustainability.

GT14 - Statutory undertakers (gas, electricity, water and telephone) are entitled to carry out works to trees in order to restore service or in the interests of public safety without giving notice. However they are encouraged to liaise with the Council in order to agree any work deemed necessary to affected trees.

4.2 PARKS AND OPEN SPACES OBJECTIVES

PO1 - Trees growing in the Councils parks and open spaces, including Council maintained cemeteries, are amongst the most significant in terms of providing visual amenity. Their benefits will be derived from a sustained high quality management programme.

PO2 - We aim to create a varied and sustainable tree population in parks and open spaces, with long term management plans for trees in parks and open spaces aiming to ensure continuity of tree cover.

Planting will be carried out in parks and open spaces and we will support appropriate planting at other locations.

4.3 PUBLIC OPEN SPACE IN RESIDENTIAL AREAS

RHI - We will only undertake inspections and surveys of trees growing on Council managed open space. Complaints and enquiries received concerning trees growing on land not in Council management will be directed to the relevant Housing Association, landlord or responsible landowner, where known. The Council does not maintain a register of private land ownership and where appropriate complainants may be directed to HM Land Registry Office.

RH2 - We will actively encourage new tree planting of appropriate species in suitable areas.

4.4 WOODLAND MANAGEMENT OBJECTIVES

WM1 - We will take reasonable steps to preserve and enhance woodland trees, particularly those that are indigenous to the area served by Chelmsford City Council.

WM2 - Where possible we will encourage natural regeneration in woodlands.

WM3 - Where possible, subject to public safety assessments, we will retain dead trees in woodlands preferring to prune rather than fell. In situ dead timber and felled trees are left to benefit habitat creation.

WM4 - We will manage woodlands as a long term sustainable resource.

WM5 - Where possible we will offset woodland management costs by marketing saleable timber and other woodland products.

WM6 - We will actively support and encourage community involvement in the planning and operation of woodland management.

WM7 - Where possible we will seek to expand and look for opportunities to create woodlands.

WM8 - We will produce and implement woodland management plans for all our woods.

WM9 - We will not fell a tree growing in woodlands without adequate justification.

WM10 - We will endeavour to manage and maintain all our woodlands in accordance with accepted forestry, arboricultural and nature conservation best practice.

WM11 - Management of our woodlands will take into account landscape and historic features, wildlife habitat and amenity value. This will be reflected in operational as well as managerial aspects.

WM12 - Where possible we will encourage seed collection from sustainable woodland trees aiming to protect provenance.

WM13 - We will actively encourage appropriate access to woodlands and develop pathways within our managed woodlands.

4.5 INSPECTION FREQUENCIES

The Council will, where possible, inspect all trees for which it has responsibility in order to assess whether they represent a risk to life or property. A program of inspection will be undertaken based on:

- a) An assessment of risk;
- b) An assessment of hazard;
- c) A recommendation for work.

Each site will be individually assessed and allocated a zoning in order to identify risk areas based on the frequency and numbers of public use. A tree will be assessed in terms of maturity, vigour, life expectancy, height, trunk girth, crown spread, identified defects (e.g. dead wood, dieback etc) and any proposed arboricultural works.

High Risk:	e.g. close to main public areas, work yards, buildings, roads, car parks, major footpaths, picnic areas etc.
Medium Risk:	other footpaths, bridle ways etc in regular but not intensive public use, quieter areas of parks and gardens etc.
Low Risk:	Parkland, green space and woodland away from paths or only lightly used etc.

The frequency and method of inspection will reflect the designated Risk Zones:

Risk Zone	Inspect	Method
High Risk:	At intervals of no more than two years.	Searches for clear defects especially in the crown and around the base of the tree. Binoculars and probe required.
Medium Risk:	At intervals of no more than 5 years	Search for clear defects.

Low Risk:	During normal routine visits	No formal inspection, just observation and awareness of the general condition of the trees.
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4.6 RECORD OF INSPECTION AND MAINTENANCE

All arboricultural inspections will be recorded using appropriate software to maintain a database record.

4.7 Tree Pruning

Chelmsford City Council undertakes all tree works in accordance with relevant British Standard 3998 and 5837.

Chelmsford City Council is responsible for its tree stock. All necessary works will be instructed by the Council's relevant officer to council contractors.

Chelmsford City Council recognises the importance of safeguarding the long-term health of its tree stock, arboricultural intervention should be kept to a minimum in keeping with industry best practice.

4.8 New tree planting

New tree planting including establishment and maintenance will be undertaken in the spirit of good horticultural and arboricultural practice to comply with

a) BS 4428: 1989 Code of practice for general landscape operations (excluding hard surfaces)

b) BS 3998: 2010 Tree Work - Recommendations

c) BS 7370: 1991 Grounds maintenance recommendations for establishing and managing grounds maintenance organizations and for design considerations related to maintenance

d) BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations

e) BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations

In response to the Climate and Ecological Emergency the Council have devised a 10 year tree planting programme which seeks to create a greener and healthier environment for our residents.

The programme recognises the value of trees and the attributes they have in tackling climate change, including;

- a) Increasing biodiversity
- b) Improving an area's soil stabilisation and water holding capacity which mitigates flood risk
- c) Provide shade and improved heat absorption
- d) Improving air quality whilst reducing pollution
- e) Manage and offset carbon emissions
- f) Creating a better, healthier quality of life and attractive environment

The programme commenced in September 2019 and seeks to;

- a) Increase the tree cover of Chelmsford.
- b) Plant a minimum of 175,000 additional native trees to create approximately 53 hectares of woodland
- c) Plant 3 trees for every new home outlined in the adopted Local Plan.
- d) Significantly contribute to the Governments 25-year Environment Plan.
- e) Offset the Council's operations and activities so that it can be net-zero by 2030.

To achieve this, a combination of approaches involving local communities, businesses, developers, public and private landowners amongst other will need used. Led by Council staff, the programme will primarily utilise the Councils existing volunteering groups to plant the trees and provide aftercare in the following areas;

- a) Sites managed and maintained by the Council
- b) Existing woodland plantations
- c) Parks, residential green spaces, communal amenity areas and highways verges
- d) Parish Council and public owned land
- e) Land to be acquired for the purposes of woodland creation
- f) Sites identified in the Local Plan
- g) Areas identified by the Woodland Trust, Eastern Claylands Project, DEFRA, Essex Forestry Partnership and other relevant groups.
- h) Individual households

To prevent the spread of pests and diseases and to ensure a healthy tree stock Chelmsford City Council are unable to receive gifts of seeds, plants or trees from private individuals. This is regardless of their source. All newly planted stock is sourced responsibly.

4.9 DISEASE CONTINGENCY

We have professional links to monitor and identify a programme of preventative and remedial works, advice and notification

- a) The Forestry Commission
- b) The Arboricultural Association
- c) The Tree Advice Trust, (Arboricultural Advisory and Information Service (AAIS))

Working in partnership with these organisations, we can formulate a strategic response approach to combat any particular tree disease.

4.10 CONFLICT - RIGHT OF APPEAL

Each year we receive a number of complaints and enquiries regarding trees growing on land we own. After an investigation and inspection we produce a programme of any works shown to be necessary, having regard to the tree(s) concerned in relation to available budgets.

There are situations when our response does not meet the perceived expectations from the complainant. In an effort to reduce and prevent issues of conflict, opportunities exist for a process of appeal against our action or decision, to which we will respond in writing:

Comments, compliments and complaints can be on our website www.chelmsford.gov.uk

A Councillor or Member of Parliament may contact us on your behalf to let us know about your comment, compliment or complaint. This will still be dealt with under the City Councils procedures.