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Tree Management Policy
August 2016

Introduction

This Tree Management Policy is a revised version of the original Oxford City Council Tree Management Plan agreed in 2008.

Oxford's trees are of immense environmental and aesthetical value to the City and its residents.

Urban trees offer the following benefits:

- They can enhance the character and appearance of urban areas and can add value to surrounding properties.
- They provide a habitat for wildlife and provide a source of food for bees and other pollinators.
- They produce oxygen and improve air quality by absorbing pollutants.
- They help to reduce the rising temperatures caused by climate change and can mitigate the risk of flooding.
- They cool urban areas by providing shade and reducing heat radiating from hard surfaces.
- They deflect, and therefore reduce noise.

Oxford City Council recognises these benefits, seeks to preserve healthy trees and encourages the planting of new trees where possible. Whilst the majority live and grow without incident, a number of trees located in densely populated cities pose challenges and risks that need to be managed.

This revised policy provides the framework within which Oxford City Council will manage its tree stock safely and effectively, how we reduce the risk that certain trees pose to the public and how we intend to increase the number of trees in Oxford.

This tree policy does not cover trees in private ownership which are outside Oxford City Council's control. Trees in private ownership are the responsibility of the private landowner. If a Tree Preservation Order or a Conservation Area protects trees, the Council's Planning Department administers these controls together with high hedge legislation.

Aim of the Tree Management Policy

The overall aim of the Tree Management Policy is to ensure that Oxford's tree stock is retained, enhanced and increased in the most proactive manner whilst ensuring the health, safety and wellbeing of the public and property.

Management of the Council's Trees – Routine Inspections

Oxford City Council undertakes a tree inspection programme based on industry best practice.

Industry guidelines outlined in 'Common Sense Tree Risk Management' by the National Tree Safety Group (*http://www.forestry.gov.uk/pdf/FCMS024.pdf/$FILE/FCMS024.pdf*) states the following management for a City Council with approximately 200,000 residents is the following:

'Street trees are inspected and managed on a three-year cycle. This obviously includes highlighting any trees found in a poor condition. Schools and parks are inspected every two years and housing trees every four. The areas described above are managed proactively throughout the year. The tree officers record all tree inspections and any emergency work carried out. If they remove a street tree, they assess the location for replanting to keep in line with the council's stated strategic increase in its tree stock.'

Accordingly, Oxford City Council undertakes a regular inspection programme of between 2 and 4 years depending on the trees' location and site usage.

It was estimated in 2004 that Oxford City Council has over 100,000 trees. To ensure that we survey these as per this best practice, we will undertake a Zoning* exercise on Council sites to highlight areas where trees are present. This method is now being used by many Local Authorities. The method is to:-

- Identify areas of sites that are high risk and require surveying more frequently
- Identify areas of sites that are low risk therefore reducing the inspection frequency of these areas. We believe a number of our trees will not be classed as high risk and will reduce the frequency of inspection required i.e. Shotover Country Park and Magdalen Wood.

** Zoning – The following extract is copied from the 'Common Sense Tree Risk Management' by the National Tree Safety Group (http://www.forestry.gov.uk/pdf/FCMS024.pdf/$FILE/FCMS024.pdf).*

'Zoning is a practice whereby landowners and managers define areas of land according to levels of use. This practice prioritises the most used areas, and by doing so contributes to a cost-effective approach to tree inspection, focusing resources where most needed. It contributes to sensible risk management and a defendable position in the event of an accident. It may be a reasonable outcome of the zoning

process to decide that no areas require inspection. Classifying levels of use in this way requires only a broad assessment of levels of use. Typically, 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 or where property may be affected. While owners and managers may deem it appropriate to use a more sophisticated approach, designating three or more zones, in the event of an accident whichever system is adopted may require justification according to the standard set.'

Zoning, inspection schedules and the inspections will be undertaken by the Council's own Tree Team. This information is held on a database of trees (Ezytreev) and plotted on a geographical information system (ArcGIS).

Tree Inspection Procedure

The routine inspection programme is designed to assess the tree's condition and health. The inspection highlights any work that may be required on a risk basis to ensure that the tree is retained in the best possible condition.

The decision to prescribe work to a tree is calculated on a risk basis. Risk is assessed using the VTA (Visual Tree Assessment) method outlined in The Body Language of Trees: A handbook for failure analysis – C. Mattheck & H. Breloer.

An evaluation of the tree takes into account factors including:

- Size
- Species and characteristics
- Presence and extent of structural and physiological defects including the relationship to any pathogens present.

All of these factors are considered in relation to the potential target, the damage that could be caused if the tree were to fail and the likelihood of it doing so.

If defects are observed, further detailed examination may be carried out using a range of decay detection equipment before any decision is taken regarding the trees future management.

The inspection, including further examination if required, will determine if any works (i.e. pruning or felling) are required. A tree will only be highlighted for felling through routine inspection if it is identified as:

- Dead
- Dying
- Diseased
- Dangerous and is posing an unacceptable risk to public safety
- Damaging property (e.g. subsidence when confirmed by technical evidence)

Tree works

Following an inspection a priority will be given for the works recommended. This will enable the council to organise a balanced schedule of works.

The Council will maintain a rolling maintenance programme of cyclical works highlighted by the Tree Team. This rolling programme will reduce or remove avoidable tree related issues, for example:

- Vehicle and pedestrian collision
- Identified hazards
- Trees where its relationship to a property causes excessive problems
- Obstructing footpaths or driveways by branches or epicormic growth

All tree works will be carried out according to the British Standard BS3998: 2010 Tree Work – Recommendations.

In accordance with good arboricultural management the removal of trees may be carried out when it will benefit the long-term development of adjacent better quality trees i.e. woodland and copse management. Furthermore, pruning may be carried out following the Tree Team's inspections, for example:

- Crown reduction
- Dead wood removal
- Crown lifting
- Crown thinning including the removal of crossing, weak or competitive branches
- Pollarding
- Coppicing

Management of the Council's Trees – Customer derived Inspections

Oxford City Council receives a high volume of customer requests associated with trees. We aim to provide high quality customer service with all requests for service; however the Tree Team is not resourced to undertake all the work that is requested from the public.

Following an appropriate request, an inspection will be arranged for a member of the Tree Team. The council may undertake a variety of pruning operations to remedy complaints provided that the long-term health, appearance, or potential development of the tree is not affected

Where pruning or felling works are required due to an unacceptable risk (as outlined above), this will be programmed into the work schedule based on that risk.

Work to trees will not normally be undertaken for the list of reasons below:

- Blocking light
- Television or satellite signals
- Residents do not '*like*' the tree
- Leaf or fruit drop
- Unproven allegations of subsidence or direct damage
- Construction of dropped kerbs or new driveways
- Perceived threat
- The tree's size; *'its got too big'*
- The tree *' moves in the wind'*
- Bird droppings
- Aphids
- Perceived to be causing medical issues
- Erection of fencing, walls, play areas and sports pitches

There are other solutions available to a number of these issues. These solutions can be found in the Customer Advice Guide for Trees.

The public may be able to resolve or reduce the issues above by exercising their Common Law Right which is explained in the next section.

Common Law Right

1. Common Law Right – Property owners have a Common Law Right to remove (abate) the nuisance associated with trees encroaching onto their property. The following advice is given if property owners wish to exercise their Common Law Right with respect to encroaching trees:

a) As the property owner you can only consider removing those parts of the tree from the point where they cross the boundary of your property. You have no legal right to access, cut or remove any part of a tree that does not overhang your property;

b) You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are trivial meaning you could do the works with hand secateurs or similar;

c) You are strongly advised to tell the owner of the trees what you plan to do. You can find out if the trees are owned by the Council by contacting the Parks Service Tree Team at trees@oxford.gov.uk.

d) You are strongly advised to find out if the trees you wish to prune are covered by a tree preservation order or are within a conservation area. If they are, you will need to seek permission from the Tree Officer in the Council's Planning Department. You can find this information by following the link below – www.oxford.gov.uk/tpo

Wildlife and Conservation

Trees are essential to the biodiversity and wildlife of Oxford and support other species such as insects, invertebrates, birds and mammals.

Tree works shall be carried out whilst ensuring adherence to all wildlife and conservation laws and regulations including:

- Wildlife and Countryside Act 1981 (amended 1996)
- Wildlife and Countryside (Amendment) Act 1999
- Countryside Rights of Way Act 2000
- Town and Country Planning Act (Trees) Regulations 1999 (amended 2008)
- Conservation (Natural Habitats) Regulations 1994 (amended 2010)
- European Habitats Directive 1992 (amended 2007)
- Biodiversity Act 2005 (amended 2008)

In the case of areas with low access and high biodiversity value risk will be managed in accordance with ecological benefits. Management may include restriction of access, which will allow the retention of veteran trees or standing dead wood which will encourage biodiversity via habitat retention/and or creation.

Conservation Areas

When any works are recommended for trees within a Conservation area, the Tree Team will liaise with the Council's Planning Department, although there is no legal obligation to do this.

Communicating with the Public and Members

The Council will inform Ward Councillors and appropriate 'Friends Groups' of any major tree works such as pollarding or felling before any works are carried out in their ward/park. If there are a large number of trees to fell in one location, the Council may also erect notices to inform the public of the proposed works.

In the event of emergency safety work that must be carried out immediately (e.g. storm conditions), the Council will notify Ward Councillors retrospectively.

Felling is the last resort and will only be carried out when deemed necessary by the Tree Team. However, public safety is paramount and for this reason the public will be informed of tree works, via Ward Councillors and notices, but will not be consulted for approval.

Council Trees affected by Planning Applications

Requests for tree works and/or removal of trees from Council owned land to allow development shall be considered by the elected members as part of the decision as to whether to approve the planning application and any conditions that they think appropriate. Officers will not take this decision, although advice will be provided to the elected members.

Members are encouraged to consider when dealing with planning applications for privately owned land, whether there are Council owned trees on adjacent plots that may be affected by the development before approving the application (e.g. for site access, dropped kerbs or storage of materials).

Subsidence & Heave

Subsidence is a complex interaction between the soil, the building (including foundations), 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 can have large root systems and 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. This policy seeks to set out the Council's response to subsidence claims against its own trees.

The opposite of subsidence is a process called 'heave' and this occurs when a shrinkable clay soil re-hydrates (becomes wet again) and begins to increase in volume exerting upward pressure. Heave can also cause damage to buildings but generally occurs less frequently.

All claims regarding subsidence or heave against Council owned trees will be referred to the Council's Insurer along with a brief report from the Council's Tree Team. The report will highlight if the tree(s) is the responsibility of the Council, the age, type and condition of the tree(s) and any other factors that may be of importance to the claim.

The insurers for the claimant or their consultants must provide evidence of ALL the following items before any works will be considered to Council owned trees.

- Evidence of physical damage
- Presence of live roots of a specific species

- Seasonal movement or variation of the damage during different seasons.

If the above evidence is provided, the Council will adhere to the advice supplied by insurers with regard to what, if any, works are required to the trees. If evidence is insufficient the claim will be dismissed.

Where there is a subsidence or heave concern regarding a Council owned property, we must also provide evidence of ALL the following items before any works are carried out to Council owned trees.

- Evidence of physical damage
- Presence of live roots of a specific species
- Seasonal movement or variation of the damage during different seasons.

Arbitration & Review of Decisions

If the decision of the Council's Tree Team is subject to a challenge the decision will be reviewed by the Parks and Open Spaces Manager and/or the Head of Direct Services.

Any challenge to this decision will be dealt with via the Council's Complaints Procedures.

Waste & Recycling

All waste created by working on trees will be recycled. This will be used in a variety of situations, including: mulches for shrub beds, power station fuel, firewood, donated to charities, habitat piles or dead standing timber where suitable, thereby avoiding the use of landfill sites.

Replacement Trees

It is the City Council's policy that every tree felled should be replaced to ensure that over the years the City retains its tree stock for future generations, although it is recognised that it is not always practical or prudent to replace a tree in the same location or with the same species that was previously planted.

The Council will work proactively to manage or facilitate replacement tree planting, which may include but not be limited to, working with the community and friends groups, considering new planting schemes, including memorial trees, community woodlands and by encouraging funding from new developments for tree planting through working with the Planning Department.

The Council will update and publish a programme for planting in the upcoming season that reflects the approved budget for that year.

The Council is committed to planting trees that will benefit pollinating insects e.g. bees, and if possible are native to Britain.

The planting season is from October through to March. This may vary depending on seasonal change and changes in climate. Planting outside these timescales is not generally recommended due to the increase in failure rates.

Definitions

Arboriculture – the management of trees in the urban environment

Cyclical Works – removal or adjustment of stakes and ties from young trees, removal of basal or epicormic growth, crown lifting to clear footpaths or highway vision splays.

Dangerous – a tree can be classified as dangerous, posing a more than acceptable risk to persons or property, having been assessed of its chance of collapse and the potential damage that may result if it collapsed.

Dead, Dying, Diseased – see Dangerous

Decay Detection Equipment – a range of tools specifically designed to measure the extent of decay or remaining healthy timber in an individual tree. Tools currently owned by Oxford City Council include sounding mallet, probe, resistograph micro-drill, core sampler, fractometer, Picus sonic tomograph.

Failure Risk Assessment – An assessment based on:

How could the tree fail, what defects are present, probability of failure?
Followed by
Consequential Damage – what damage would the failure cause?
Followed by
Hazard Reduction – if an acceptable risk is present and the impact can be reduced via tree pruning, removal, or relocation of potential targets appropriate to each situation.

Geographical Information System (G.I.S) – Computer database usually represented as a map with linked tables of data.

Good Arboricultural Practice – tree surgery operations carried out in accordance with industry best practice.

Major Works – works including felling or work concentrated on many trees in a localised area.

Minor Roads – Footpaths, bridleways and ‘urban roads’ that are neither ‘trunk’ nor ‘classified’, usually with a speed limit of 30mph. These roads are the responsibility of the City Council as outlined in the Section 42(Highways Act 1980) agreement with Oxfordshire County Council.

Physical Damage – damage, usually cracking, to structures caused by incremental growth of stems or roots, or soil shrinkage due to water extraction.

Pollarding – the removal of all (or nearly all) branches leaving a trunk from which new branches will grow in successive seasons. Usually on a 5 – 15-year cycle, limited to a small number of species.

Presence of live roots – taken from test boreholes dug in the area adjacent to property damage as evidence towards proving subsidence of a property.

Seasonal Movement – physical damage to structures that increases with annual growth relating to direct damage. If subsidence is present the cracking will increase in summer and reduce in winter. (Deciduous trees extract large volumes of water during summer months and dramatically less in winter when trees are without leaves.)