

Tree Strategy Framework for Council-Owned and Managed Trees

Ipswich Borough Council

March 2019

1.0 INTRODUCTION

- 1.1 This Tree Strategy Framework applies to the management and maintenance of trees owned or managed by Ipswich Borough Council (IBC). IBC currently owns and manages approximately 21,000 individual trees across its parks, cemeteries, allotments, council housing communal and back gardens and other Council land, as well as x wooded areas each of which comprise tens to hundreds of trees. The Council also manages trees on behalf of other organisations such as Suffolk Highways and IBC Schools, under specific agreements.
- 1.2 The Borough of Ipswich comprises a rich and varied urban and rural landscape. The trees, woodlands and hedgerows within this landscape are an irreplaceable asset. They play a vital role in:
- Providing a sense of place, continuity and belonging
 - Providing aesthetic and mental health benefits
 - Supporting the health, biodiversity and resilience of local ecological systems
 - Preventing flooding
 - Combatting climate change and global warming
 - Reducing local air pollution and improving air quality
 - Providing cooler areas for people to shelter during warmer temperatures
- 1.3 This Framework does not apply to privately owned trees in the Borough. Policies and guidance for private trees are available on the IBC website (see section 11 below).

2.0 AIMS

- 2.1 IBC has four primary aims with regards to the management and maintenance of its tree stock:
1. Reduce, and maintain at as lower level as reasonably possible, the risk from the existing tree stock to persons and property.
 2. Preserve the existing tree stock.
 3. Enhance the existing tree stock.
 4. Comply with legal obligations.
- 2.2 Intervention will only be undertaken when there is a genuine and justifiable benefit to be gained from an arboricultural perspective that complies with one or more of the four primary aims.
- 2.3 Further to these aims, this Framework embodies IBC's commitment to the National Charter for Trees, Woods and People and its ten principles, which are to:
- Sustain landscapes rich in wildlife
 - Plant for the future
 - Celebrate the power of trees to inspire
 - Grow forests of opportunity and innovation
 - Protect irreplaceable trees and woods



- Plan greener local landscapes
- Recover health, hope and wellbeing with the help of trees
- Make trees accessible to all
- Combat the threats to our habitats
- Strengthen our landscapes with trees

3.0 TARGETS

3.1 When it is necessary to remove a tree, IBC will plant two new trees for every tree removed, using a Right Place Right Tree approach.

4.0 LEGISLATION AND BEST PRACTICE

4.1 Duty of Care

4.1.1 IBC has a legal “duty of care” to ensure that users and neighbours of its land are reasonably safe (Occupiers Liability Acts 1957 and 1984). The Council will ensure that risks to its employees, contractors and visitors are reduced as far as is “reasonably practicable” (the Health and Safety at Work Act 1974).

4.1.2 Trees are not static objects and they are constantly changing as they grow and vary with the seasons. They can also reach considerable size and can become damaged by the weather or affected by pests and diseases. When trees fail and either fall over or lose branches they have the potential to cause harm where they grow in areas of public access or within falling distance of structures or highways.

4.1.3 The Council will balance this risk with the aesthetic, ecological, environmental and social benefits that trees bring. “Reasonableness” is a key legal concept when considering the risks of trees to the public, and tree owners’ obligations. A comprehensive summary of English Law as it relates to trees can be found in Chapter 3 of the “*National Tree Safety Group (2011) Common Sense Risk Management of Trees*” (item 4.2).

4.2 National Best Practice

4.2.1 This Tree Strategy Framework complies with the National *Tree Safety Group* (NTSG) guidance “*Common Sense Risk Management of Trees*”, published December 2011.

4.2.2 The NTSG was convened in August 2007 to develop a nationally-recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees. “*Common Sense Risk Management of Trees*”, is the first national guidance on tree risk management available to tree owners, and followed extensive industry and government consultation.

4.2.3 The NTSG overall approach is that the evaluation of what is reasonable should be based on a balance between benefits and risks from trees. This position is underpinned by a set of five key principles:

- Trees provide a wide variety of benefits to society.
- Trees are living organisms that naturally lose branches or fall.
- The overall risk to human safety is extremely low.
- Tree owners have a legal duty of care.



- Tree owners should take a balanced and proportionate approach to tree safety management.

4.2.4 The NTSG guidance states that tree owners should take a balanced and proportionate approach to tree management that forms the basis of a tree safety strategy which covers three essential aspects:

- Zoning: appreciating tree stock in relation to people or property.
- Tree inspection: assessing obvious tree defects
- Managing risk at an acceptable level: identifying, prioritising and undertaking safety work according to level of risk.

4.2.5 The NTSG guidance requires that areas of land are defined according to levels of use, prioritising the most used areas. High use zones are areas used by many people every day, such as busy roads, other well-used routes, car parks and children's playgrounds, or where property may be affected. Trees in areas of high public use require an inspection regime. Trees in areas with low public use require less frequent inspection.

5.0 INSPECTION REGIMES

5.1 Systematic Inspections

5.1.1 In compliance with the NTSG guidance, IBC inspects all the trees that it owns or has maintenance responsibility for on a cyclical basis. To ensure that the inspection frequency is proportionate to the site usage, scale and species of trees present, each location that contains Council owned or managed trees has been subjected to a carefully considered risk assessment. The outcome of the risk assessment determines the interval between planned tree inspections (in accordance with item 5.2 below).

5.1.2 Competent and qualified staff undertake the systematic inspections and record their findings on the Council's tree database, including the specification and priority of any works required.

5.2 Tree Risk Zones

5.2.1 The Systematic Inspection Regime is underpinned by a formula which provides a transparent and consistent scoring appraisal of each site, based on the following considerations:

- Accessibility and frequency of use/occupation.
- The presence of trees.
- Targets within failure range.
- Tree species risk.
- Tree height.

5.2.2 The formula can only successfully be applied by visiting each site. Once this has been completed, specific sites are awarded a score of between 0 and 100 and are then Systematically Inspected according to the following bandings:

- 0 = Review after 60 months (5 years) – Normally applied when no trees are present.
- 1-20 = Low Risk Site to be re-inspected between 36 and 60 month intervals.
- 21-49 = Moderate Risk Site to be re-inspected between 18 and 36 month intervals.
- 50-100 = High Risk Site to be re-inspected not longer than 18 month intervals.



- 5.2.3 Each banding provides flexibility in the inspection period as it is beneficial to review the condition of trees both “in” and “out” of leaf.
- 5.2.4 The base Risk Zones for all the sites where there are trees that the Council owns or has maintenance responsibility were banded by a detailed appraisal undertaken in winter 2019.
- 5.2.5 The Risk Zone for each site will be reviewed and updated as necessary as part of the ongoing Systematic Inspection Regime.

5.3 **Ad-Hoc Inspections**

- 5.3.1 The Council also receives requests from a variety of sources to inspect individual trees outside the parameters of the Systematic Inspection regime. The priority of response to such enquiries will be determined by the Tree Inspector, having considered the initial information provided by the enquirer.
- 5.3.2 If the enquiry is judged to be a general request to confirm the health of individual trees, the Council will consult its database and advise the enquirer of both the findings of the most recent Systematic Inspection and inform them of the date of the next scheduled Systematic Inspection.
- 5.3.3 If information is provided that raises health and safety concerns, a more urgent inspection will be carried out by competent and qualified staff who will record their findings on the Council’s tree database and raise orders for any required works.

5.4 **Monitor Trees**

- 5.4.1 Some trees require a more intensive inspection regime than that determined by the Tree Risk Zone for the location. Trees to which this applies are designated as “Monitor Trees” and recorded as such on the Council’s tree database.
- 5.4.2 “Monitor Trees” are important specimens (be this historical, wildlife, visual amenity etc.) that display some imperfections or defects but do not necessarily require work at the time of inspection. Many imperfections remain static for years, develop only very slowly, recover, or become inconsequential. Therefore it is unreasonable and impractical to attempt to remove all defects from individual trees if the risk appraisal (item 6.1.2, below) determines that the issue is not actionable at the time of inspection – to do so would involve unnecessary damage to the wildlife and visual amenity that such important trees provide. Veteran trees for example may contain a number of non-actionable defects, but their historic, visual and habitat benefits determine that substantial intervention is necessary only when fully justified (please see item 8.0 which provides advice on managing veteran trees).
- 5.4.3 If a specimen is confirmed as a “Monitor Tree”, the defects or potential defects will be recorded on the Council’s tree database and the tree regularly re-inspected so that an accurate record of the its condition is maintained. In this way informed decisions will be made. It will be the Tree Inspectors judgment as to the frequency of this more intensive inspection regime, but clearly it must be before the next scheduled Systematic Inspection and realistically is likely to be at either 6 or 12 month intervals.



6.0 WORKS REGIME

6.1 Works Priority Rating – Health & Safety

- 6.1.1 As part of an inspection, the Tree Inspector will use their expert arboricultural knowledge, professional judgement and experience to determine whether a tree contains any potentially actionable defects.
- 6.1.2 If any potentially actionable health and safety defects are identified, the Tree Inspector will take into account the severity of the defect, the location of the tree and the hazard consequences of the defect. They will then ascribe a priority of response to address the matter of concern. The Council has determined its response periods as follows:

Table 1 – Response Time Colour Coding

Score*	Response
5 - 40	No works required at time of inspection
45 - 50	Low priority works to be completed/reviewed within 6 months of inspection
55 - 60	Medium priority works to be completed within 3 months of inspection
65 - 75	High priority works to be completed within 1 month of inspection
80 - 100	Emergency works to be completed within 24 hours of inspection

* NB: the numbers relate to the score recording system in the Council's tree database.

6.2 Works Priority Criteria

- 6.2.1 IBC does not have unlimited financial or expert Tree Inspection personnel resources available to address an indefinite volume of works. Therefore Table 2 below identifies how the Council has determined that arboricultural works will be categorised and prioritised in accordance with the Primary Aims (item 3.0). The implementation of these priorities is detailed at items 6.3 to 6.8 below.

Table 2

Priority	Issue
1	Health and safety and legal obligations
2	Insurance indemnification
3	Necessary maintenance (short term urgency to protect retention of existing tree stock)
4	Non-essential maintenance, planting and ecological provision (long term and sustainable environmental enhancement)
5	Aesthetics
0	Other requests

6.3 Health and Safety and Legal Obligations (Priority 1)



6.3.1 Health and safety and legal obligations must always be addressed as the Council's highest priority. As trees progress through a life cycle they react to outside agencies including intentional human intervention (in the form of surgery or vandalism); unintentional human intervention – damaging trees through lack of knowledge (e.g. contamination or compaction of soil in the rooting zone); climatic conditions (e.g. storm or drought); and biotic factors (pests and diseases). This inevitably leads to a need for regular intervention.

6.3.2 Identified works will be allocated a priority and work completion period in accordance with item 6.1.

6.4 **Insurance Indemnification (Priority 2)**

6.4.1 The Council is also obliged to manage its assets in a manner that reduces and ideally prevents any damage to neighbouring persons or property, including tree-related subsidence. Any potential incidents of tree-related subsidence or other damage to property will be assessed according to relevant arboricultural legislation and best practice. Any tree related issues that affect personal safety will be addressed as first priority (in accordance with 7.3 and Table 2 above). Other matters where an insurance obligation has been identified by the Council or shown to be a genuine issue by a third party will be addressed as second highest priority in terms of investigation (and action – if required).

6.4.2 Identified works will be allocated a priority and work completion period in accordance with item 6.1.

6.5 **Necessary Maintenance (Priority 3)**

6.5.1 Necessary maintenance works are not required to abate a health and safety or legal concern, but are desirable for the long-term retention of an individual tree or cluster of trees. Example works are weed control on newly planted trees, re-staking young trees, formative pruning, thinning out of a dense plantation, pruning out diseased wood or a reversion, respacing and aeration.

6.5.2 Identified works will be allocated a priority and work completion period in accordance with item 6.1.

6.6 **Non-Essential Maintenance, Planting and Ecological Provision (Priority 4)**

6.6.1 These items are unlikely to be specifically identified by the Systematic Inspections, but may occur as the result of Ad-Hoc enquires or be developed as standalone projects.

6.6.2 Such works are important as the life cycle of trees determines that they have a finite longevity and in order for future generations to enjoy the full range of benefits provided by trees and the associated wildlife that they host, ongoing regeneration is essential. By definition however, such works cannot take priority over caring for the existing tree stock.

6.7 **Aesthetics (Priority 5)**

6.7.1 The Council may consider undertaking works that improve the aesthetics of an existing tree or group of trees. This work would not be undertaken as the result of any health and safety or maintenance recommendations, but may in certain limited circumstances be justified by the quality, location or historical association of particular specimens.



6.7.2 Such works are by definition lower priority because of their non-essential nature, and the fact that no long term benefit is likely to be derived. However an example might involve maintaining an historic topiary feature.

6.8 Other Requests (Priority 0)

6.8.1 The Council has no obligation and no resource to address other perceived issues and associated work requests. Typical individual requests often involve the following:

- Blocking light to a neighbouring structure or neighbouring land
- Issues associated from roosting bird droppings
- Intense shading of a neighbouring structure or neighbouring land (excluding obligations under the High Hedges legislation)
- Leaves falling within private land or affecting structures (gutters)
- Fruit falling within private land
- Perceived negative effects of Aphid drip (honeydew)
- Interference with television reception (terrestrial, digital, satellite, etc.) or telephone wires
- Perception that trees are too large or dominant
- Views from a private property
- Tree retention, maintenance or new planting schemes to provide “privacy”
- Roots entering a drain
- Obscuring of renewable energy or private CCTV security systems
- Disturbance to pavements or kerbs (an engineering solution will be found)
- Allergies associated with trees, for example pollen and seed dispersal

6.8.2 The list at item 6.8.1 is not exhaustive and should not be treated as such.

6.8.3 Works to abate the above issues will not be undertaken by the Council unless they coincide with either the routine planned maintenance programme or any legal obligations as defined in the four primary aims. This remains valid irrespective of any willingness to pay.

6.9 Tree Removals

6.9.1 IBC will only fell trees for sound and justifiable arboricultural reasons that comply with the primary aims detailed at item 3.0. Typical permissible reasons to permit felling would be:

- Dead, dying or dangerous trees,
- Trees causing significant structural damage,
- Specimens considered by the Tree Service to be inappropriate species for the location.

6.10 Standards of Work

6.10.1 IBC will not undertake, permit or encourage the lopping and topping of trees to reduce the height or undertake any tree works deemed to be arboriculturally unacceptable and not conforming to best practice, unless there is an overriding and acceptable reason to do so.

6.11 Protected Trees

6.11.1 Any tree works subject to legal constraints i.e. Tree Preservation Orders, Conservation Areas or Felling License will be subject to approval under relevant legislation (see appendix).

6.12 Community Safety



6.12.1 Additional surgery will be considered on a case by case basis where serious obstruction of community CCTV coverage by trees has occurred. The welfare of trees and the maintenance of the Council's tree stock will be of paramount importance when considering the extent of any additional tree works for CCTV coverage.

7.0 VETERAN TREES

7.1 Veteran trees form an important part of Ipswich's natural and cultural heritage and are highly valued by the community for historical, aesthetic, cultural and ecological assets. IBC currently has over 120 Veteran trees either on our land or under our management and we are committed to achieving a naturally developing veteran tree stock for the future. The primary objectives of our management of veteran trees are to:

- To protect the tree from foreseeable and avoidable harm
- To preserve and prolong a living veteran and dependant wildlife for as long as possible
- To retain dead veteran trees in a safe state as an enduring monument and source of biodiversity
- To retain as much of the visual amenity as possible while managing any risk within tolerable levels
- To identify causes of any deterioration in the veteran tree stock and manage accordingly
- To identify opportunities to improve the health or condition of a veteran tree
- To create a detailed record of the condition and management of the tree
- To create a naturally developing veteran tree stock into the future

7.2 Managing and working with veteran trees requires long-term vision and a great deal of expertise. We will individually assess each veteran tree and formulate a tree-specific management plan, with appropriate consideration and balance given to arboricultural best practice for veteran trees, health and safety obligations, habitat preservation and biological sustainability and continuity.

8.0 DONATION TREES

8.1 The Council is pleased to receive donation trees and can advise on suitable species and locations.

8.2 For practical reasons it will not always be possible to guarantee donors' preferred locations. In these instances the Council will suggest other locations nearby or areas of the Borough with low tree canopy cover.

8.3 The Council can only accommodate replacement trees in Christchurch Park due to tree saturation and competing needs of park users.

9.0 DAMAGE TO COUNCIL TREES

9.1 The Council will seek compensation for significant damage or removal of council trees, using the Capital Asset Value for Amenity Trees (CAVAT) method.

9.2 CAVAT is a nationally accepted methodology for valuing trees and has successfully been applied in insurance and court cases.

10.0 REFERENCES



Legislation

- See Appendix.

Best Practice

- National Tree Safety Group (NTSG) guidance “*Common Sense Risk Management of Trees*”, December 2011; Health and Safety Executive Sim Report “*Management of the risk from falling trees or branches*” (March 2013)
- BS 3998:2010 – Tree Work Recommendations
- BS 5837:2012 – Trees in relation to design Demolition and Construction
- BS 8545:2014 – Young trees from Nursery through to independence in the landscape

Useful websites

- The Woodland Trust: <https://www.woodlandtrust.org.uk/>
- Charter for Trees, Woods and People: <https://treecharter.uk/>
- Forestry Commission: <https://www.forestry.gov.uk/>
- The Tree Council: <https://www.treecouncil.org.uk/>
- National Tree Safety Group: <http://ntsgroup.org.uk/>
- CAVAT: www.ltoa.org.uk/documents-1/capital-asset-value-for-amenity-trees-cavat

11.0 CONTACT DETAILS

IBC owned or managed trees

Visit: [webpage](#)
Email: Trees@ipswich.gov.uk
Call: 01473 433516

Privately owned trees

Visit: <https://www.ipswich.gov.uk/content/works-to-protected-trees>
Email: development.management@ipswich.gov.uk
Call: 01473 432913

ENDS



Appendix: Legislative Framework

- Town and Country Planning Act 1990
- Town and Country Planning Act (General Development Order) 1988 (Statutory Instrument 1988 No. 1813)
- Town and Country Planning (trees) Regulations 1999
- Town and Country Planning (Tree Preservation Order Regulations 1969)(As Amended)
- Town and Country Planning (trees and Conservation Area Regulations 1975)(As Amended)
- Town and Country Planning (General Permitted Development) Order 1995 (GPDO) (SI 1995 No 418);
- Town and Country Planning (General Development Procedure) Order 1995 (GDPO) (SI 1995 No 419);
- Town and Country Planning (Use Classes) Order 1987 (the Use Classes Order) (SI 1987 No 764);
- Town and Country Planning (Development Plan) Regulations 1991 (SI 1991 No 2794);
- Town and Country Planning General Regulations 1992 (SI 1992 No 1492).
- Planning and Compulsory Purchase Act 2004
- The Hedgerow Regulations 1997 ((SI 1997/1160)
- High Hedge Regulations under Part 8 (High Hedges) of the Anti-Social Behaviour Act 2003.
- Wildlife and Countryside Act 1981
- Countryside and Rights of Way Act 2000
- EU Habitats Directive 1992
- Conservation (Natural Habitats, &c.) Regulations 1994
- Protection of Badgers Act 1992
- Forestry Act 1967
- Forestry Act 1967 (Part II) as amended by the trees Act 1970 and the Forestry Acts 1979 and 1986.
- Forestry (Felling of trees) Regulations 1979 (SI 1979 No 791) as amended by the Forestry (Felling of trees) (Amendment) Regulations 1987 (SI 1987 No 632).
- Forestry (Exceptions from Restriction of Felling) Regulations 1979 (SI 1979 No 792) as amended by the Forestry (Exceptions from Restriction of Felling) (Amendments) Regulations 1985 (SI 1985 No 1572) and by the Forestry (Exceptions from Restriction of Felling) (Amendment) Regulations 1988 (SI 1988 No 970).
- Forestry (Modifications of Felling Restriction) Regulations 1985 (SI 1985 No 1958).
Proposal for the draft Regulatory reform (Forestry) order 2006
- Commons Act 1899
- Environmental Impact Assessment (Forestry)(England and Wales) Regulation 1999 [1999/2228]
- Plant Health Act 1967 (c.8)
- The Plant Health (Forestry) (Great Britain) Order 1993 (SI 1993 No 1283, as amended by SI 1994 No 3094, SI 1995 No 1989, SI 1996 No 751, SI 1998 No 2206, SI 1998 No 3109, SI 2001 No 299, SI 2002 No 295).
- The Plant Health (Forestry) Order 2005 (SI 2005 No. 2517)
- The Watermark Disease Local Authorities Order 1974 (SI 1974 No 768, as amended by SI 1984 No 688, SI 1986 No 1342 and SI 1992 No 44).
- The Dutch elm disease (Local Authorities) Order 1984 (SI 1984 No 687, as amended by SI 1988 No 604
- European Community Council Directive 2000/29/EC, which consolidates and repeals Council Directive 77/93/EEC and its various amendments.
- Environment Act 1994
- The Construction (Design and Management) Regulations 1994 (CDM),



- Health and safety at Work Regulation 1992, and the Provision and Use of Work Equipment Regulation 1992.
- The Human Rights Act
- NERC Act 2006 (Natural Environment and Rural Communities Act 2006)

