



# NORTH WALSHAM TOWN COUNCIL

## Tree Management Policy

Adopted by the Council at its meeting held on 25.2.20

### Introduction

North Walsham Town Council have the responsibility of three parks namely The War Memorial Park, Woodville Park and Trackside Park, such parks having an abundance of various trees together with the trees in the Cemeteries, St Nicholas Churchyard and Fiske's Wood. In the parks the canopies of the trees provide shade with an array of leaves being a variety of green and rustic colours depending on the type of tree species and season.

The safe and appropriate management of the trees receive the full care and attention of the North Walsham Town Council ground staff who maintain the trees within their remit. They also identify foreseeable hazards which can be made safe and recognise any decay, pests and diseases which may need to be treated. A tree surgeon is employed to remove upper branches and generally look after the trees as necessary, if any, such work is outside the remit of ground staff.

The Town Council have a tree inspection carried out annually so that any problems can be addressed immediately or on a pre-determined date.

Trees play a vital role in our eco system and positive aspects are converting carbon dioxide to oxygen, filtering polluted air, shading and providing an attractive, shaded setting for visitors to enjoy. All the Town Council Parks are enjoyed by many people of all ages.

The trees also provide food and habitat for birds and other wildlife which supports nature, conservation and biodiversity. Any work except in an emergency is taken after the nesting season.

North Walsham Town Council hope that this Policy covers many aspects of tree management which may be raised. However, at the end of this Policy are contact details to report a problem, discuss an issue or obtain further information.

## THE TREE MANAGEMENT POLICY

### Tree Preservation Orders ("TPO") – Legal Document

A TPO is a legal document made, administered and enforced by the Local Planning Authority to protect specified trees and woodlands with public amenity value. North Walsham comes under North Norfolk District Council's Local Planning Authority who hold a tree register.

A TPO prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.

The Town Council recognises and adheres to the trees protected under TPOs.

### Trees in a conservation area

The Town Council recognises its obligations when undertaking works to trees in conservation areas within their ownership and the town.

It is an offence to cut down, prune, top, lop, uproot, damage or destroy a tree in a conservation area without the prior written consent of North Norfolk District Council.

### **Complaints regarding Trees**

If any member of the public should have any concerns about any trees within the ownership of the Town Council with regard to hazards, decay, broken branches etc they should contact the Town Council immediately on the details at the end of this Policy.

### **The Importance of Trees in the Environment**

Trees play a major part in the environment as follows:

- they convert carbon dioxide to oxygen
- reduce the greenhouse effect
- they filter airborne dust, smoke and fumes
- they can absorb noise pollution
- providing shelter in hot weather and insulation in cold weather
- they can be a screen for privacy and shade
- providing food and habitat for birds and wildlife

### **Tree Maintenance - Inspections**

To ensure the trees within the ownership and responsibility of the Town Council receive the appropriate management, the Town Council undertake a tree inspection which is carried out annually with such further considerations as follows :

- Tree inspections are carried out annually by a reputed Tree Consultant
- Certain works will be undertaken by a Tree Consultant such as branch removal, pruning
- Ground staff would carry out their own inspection by recognising if a tree needed attention.
- Reports of any problems by residents, Town Councillors etc are promptly investigated
- Any emergency work (eg resulting from high winds) is carried out immediately

A tree could warrant immediate attention if, for example:

- it has snapped or blown over
- it is rocking (roots are damaged)
- it is uprooted but supported by another tree or building
- a large branch is broken off or hanging off the tree
- a branch or branches are blocking the road or footpath
- if the tree roots are causing damage to pathways, roads etc
- it or a tree branch are blocking access to a property
- it has fallen on to a structure, such as a building or car.

A tree that is considered to be at risk to people or property but does not require immediate attention eg:

- it is dying (few leaves in summer or die back in the Crown)
- the bark is loose and falling off
- mushrooms or fungi are growing on or near the tree
- splits or cracks in the trunk or large branches
- smaller branches or twigs are falling from the tree.

### **Tree obstruction/overhanging branches – Tree Pruning and Felling**

Tree branches can cause obstructions along pavements, footpaths, over signs, streetlights, obstructing CCTV cameras, access to a property where the public require access and open spaces. Pruning will be undertaken to remedy the problem thus eliminating the hazard.

It is not the Town Council's responsibility to prune back tree branches which overhang neighbouring properties unless they are dangerous, causing structural damage to a property (ie buildings, roofs, walls and fences).

All pruning will be carried out at a suitable time of year as not to impact on the health of the tree. All pruning of the Council's trees will be specified and must be carried out in accordance with British Standard BS3998:2010 Tree Work Recommendations unless otherwise directed by the Arboriculture and Woodland Officers.

**Note : Adjacent landowners have a common law right to prune back tree branches to their boundary providing it does not destroy the tree, the tree is protected by a TPO or in a conservation area**

**Felling** – Where a competent officer has determined that the tree should be felled on public safety grounds there will be no public consultation and no right of objection. **Where appropriate, we will replace felled trees with another tree.**

### **Topping**

Trees will only be "topped" for the structural stability of the tree or branch and root decay. Certain trees such as Beech or Birch do not need to be greatly pruned as this could affect their growth.

Please see The International Society of Arboriculture guideline entitled "Why Topping Hurts Trees" for further information.

### **Shading and Loss of Light**

Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden.

A "habitable room" is a dining room, lounge, kitchen, study or bedroom but not a WC, bathroom, utility room, landing or hallway. Consideration is given to elderly, infirm or disabled persons who spend a considerable amount of time within their homes so would be affected by the loss of light.

### **Loss of View**

Trees will only be pruned or removed to restore views when necessary to retain important public viewpoints or there is potential to bring about significant public benefit and/or enhance the local landscape or townscape. Historical records may be used to determine the level of management required. Pruning of trees for highway sight line requirements will be dealt with on a case by case basis by Highways of Norfolk County Council

### **Trees affecting reception (aerials etc)**

Pruning in the short term may help improve television reception. However, in the long term the flush of quick, extra growth associated with pruning can exacerbate the problem. In most cases the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a booster. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances.

Similarly, a tree will not be pruned or felled to improve natural light to a solar panel. Whilst it is recognised the need for renewable energy sources, trees are also important in tackling climate change.

### **Overhead cables and wires**

Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain their apparatus for continuity of supply. This may

sometimes involve the loss of trees. Where works to trees are necessary utility operators should a long-term solution, giving consideration to tree health, local tree cover and visual amenity. Problems caused by branches interfering with privately owned telephone wires can usually be eliminated through appropriate pruning and tree removal would not usually be considered.

We will not prune or fell a tree in our ownership/management to prevent or reduce interference with telephone wires. We would recommend contacting the telephone service provider in such circumstances.

### **General/Minor Nuisances**

There are various general and minor nuisances associated with trees which can be as follows :

- falling leaves, sap, blossom, fruit, nuts, bird and insect droppings
- insects associated with trees (spiders, wasps, flies)
- reduction or increase of moisture to gardens
- suckers or germinating seedlings in gardens
- leaves falling into gutters, drains or footpaths
- build-up of algae on fences, paths or other structures

Clearing of leaves from gutters, pathways and weeding of set seeds are considered to be normal routine maintenance which property owners are expected to carry out. Falling leaves, sap, blossom, fruit etc are not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with these issues alone.

A tree would not normally be pruned or felled under our ownership/management that bears poisonous fruit/foilage (such as Laburnum or Yew).

However, exposure to berries or foliage if eaten that will cause illness to children will be investigated and appropriate action taken.

### **Trees considered too big/too tall**

We will not prune or fell a tree under council ownership/management because it is considered to be “too big” or “too tall” for its surroundings.

### **Constraining work to trees**

Consideration is given to the following when undertaking work to any trees.

#### **Birds**

Under the Wildlife & Conservation Act 1981 (as amended) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Non urgent major tree work involving tree removal/reduction and hedge cutting operations should not normally be undertaken during bird nesting/breeding season, which is considered to be from 1 March to 31 July.

#### **Bats**

Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting/nesting site is a criminal offence which can lead to imprisonment. Trees displaying signs of roosting bats will be referred to an Ecologist before any work commences. Any trees supporting roosting bats will not be worked on until Natural England is consulted.

### **Restrictive Covenants**

Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

## Legalities with reference to trees

### Policy Scope

This policy applies to all trees under North Walsham Town Council ownership/management, regardless of their location. This policy is as comprehensive as is possible but acknowledge that it does not cover every situation. The Town Council reserve the right to exercise discretion in application of this policy and when to do so would be in the best interests of the Council and its residents.

### Legislation

There is a range of legislation which has been considered throughout this policy as follows :

Tree Preservation Orders (“TPO”) in respect of trees or woodland which is considered to have a significant impact on the amenity of the local area.

Town & Country Planning Act (1990) also makes special provision for trees in conservation area.

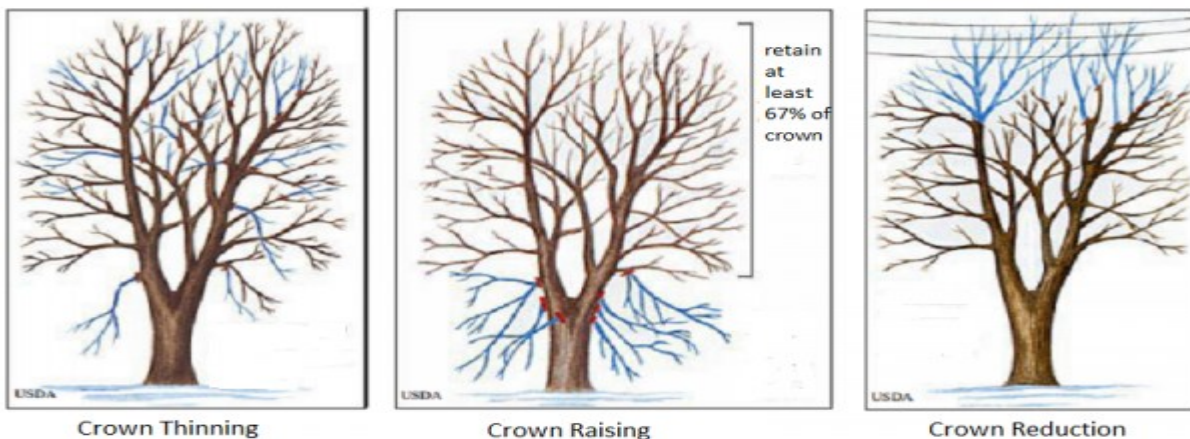
Wildlife and Countryside Act (1981, as amended CROW Act 2000) states that it is illegal to intentionally or recklessly damage or destroy the nest of a wild bird while that nest is in use or being built.

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Hedgerow Regulations (1997) introduced powers allowing important rural native hedgerows to be protected.

## Tree Pruning Techniques – Visual Guide to Tree Management

The following are examples of tree pruning techniques :

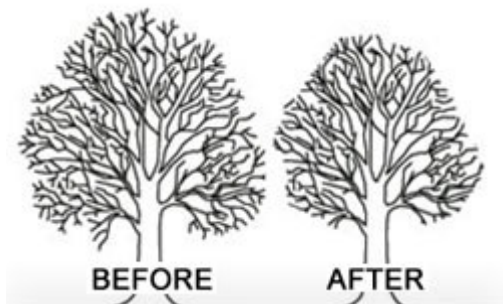


Crown Thinning – Removal of branches within the crown which does not affect the shape of the tree.

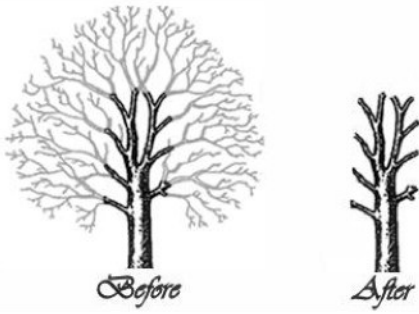
Crown Raising – Removal of the lowest branches of the tree.

Crown Reduction – Removal of branches at the top of the tree.

All methods of pruning will affect the tree keeping it to a high standard of health and enabling it to flourish.



Crown Topping – Removal of the upper branches which reduces the height of the tree. Crown reduction is considered a much-preferred option.



Pollarding – Removal of all the branches of a tree leaving only the trunk which only certain species of tree can withstand this degree of pruning. Pollarding is used in only extreme cases.

“Formative Pruning” means the removal of branches which are a problem or potentially a problem.

“Stump Grinding” means removal of a tree stump to below ground level by mechanical methods. This will avoid any trip hazards.