



## **WINSFORD TOWN COUNCIL**

### **DRAFT TREE MANAGEMENT POLICY**

#### **INTRODUCTION**

Trees are a highly valued feature of the town of Winsford. They make an enormous contribution to the character and beauty of the landscape and create/maintain the natural environment.

Winsford Town Council values its trees and recognises the human/environmental benefits of having a healthy and sustainable tree population.

As well as being a positive feature, however, the Council also recognises trees can also be a cause of problems from being a nuisance to potentially causing serious injury. As a tree owner the Town Council has a direct responsibility for ensuring that our trees do not pose a danger to the public and/or property and are managed appropriately.

This policy sets out our approach to tree management.

Therefore, the Town Council aims to inspect our tree stock at an appropriate frequency, depending upon the number of pedestrians; vehicles and other targets either passing beneath or within falling distance of a tree to ensure continued public safety.

Following inspection, trees will be assigned a risk classification which will inform the prioritisation process for tree works.

This policy has been developed alongside the Cheshire West and Chester Tree and Woodland Strategy document.

#### **SCOPE OF POLICY**

This policy applies to all trees which come under Winsford Town Council ownership/management, regardless of their location.

Whilst this policy is designed to be comprehensive, the Town Council recognises that it does not necessarily cover every situation.

Winsford Town Council reserves the right to exercise discretion in application of the policy when to do so is in the best interests of the Town Council and its residents.

## **IMPORTANCE OF TREES**

Trees are important features in the landscape. They help to create an attractive environment and help to improve air quality as well as limiting noise pollution.

## **LEGISLATION**

There are several pieces of legislation which inform this policy and tree management generally.

These include: -

- Forestry Act 1967 – requires certain permissions and licences in the felling of trees (including Tree Preservation Orders (TPOs))
- Town and Country Planning Act 1990 – making special provision for trees in conservation areas
- Wildlife and Countryside Act 1981 – making it illegal to destroy or damage the nest of a wild bird
- Conservation of Habitats and Species Regulations 2010 – protection of certain species

## **INSPECTION**

Winsford Town Council will work on a risk-based approach to tree management including a programme of inspection identifying and prioritising potential hazards.

The cycle of inspection will be set according to the location of trees and the area of risk.

The inspection cycle will be determined by a number of factors including: -

- Highway trees – likely to be the highest priority
- Road category
- Traffic use
- Incident history
- Local knowledge
- Frequency/density of trees

Tree defects likely to cause a hazard will be identified and appropriate work will be carried out to remove the hazard.

## **MAINTENANCE**

At present, the approach by the Town Council to tree management is reactive and conducted according to reports received by the Council concerning specific trees.

In future, a greater level of tree management work will be conducted as a result of information gathered during pro-active tree inspections (although reactive work will always form a part of tree management).

The following categories will be used when prioritising tree works: -

Priority	Response
Priority One – urgent public safety	From within 24 hours to one week depending upon the risk
Priority Two – non-urgent but essential work	Between one to six months depending on risk and time of year
Priority Three – desirable	12 months where possible
Non-priority	No action proposed

A tree could warrant immediate inspection, for example, if it has snapped or blown over; if the roots are damaged; if a branch is blocking a road; or if it has fallen on a building or car.

A tree not requiring immediate attention could be when it is dead; dying; or where bark is loose and falling off.

Trees will be made safe via pruning or felling and the most cost-effective approach will be used. For high value trees, other approaches may be used to reduce the risk.

Works will be publicised depending on the scale of the works being undertaken.

Where a competent officer has determined that a tree be felled on public safety grounds, there will be no consultation and no right of objection.

## TREE CARE

In dealing with issues of tree care, a consistency of approach will be maintained with any decisions balanced against the impact of the tree on the natural environment.

In cases such as tree branches causing obstructions, the Council will seek to prune trees to minimise the risk where possible.

The council will not prune trees that overhang neighbouring properties unless such trees are dangerous or are causing an actionable nuisance (e.g. touching walls; roofs; windows; gutters).

Adjacent landowners to have a common law right to prune trees back to their boundary, providing this does not lead to tree death and providing that the tree in question is not protected by a TPO.

Tree works to improve light levels will not normally be considered.

Trees will only be pruned or removed to restore views to retain important public viewpoints or if there is a potential to enhance the local landscape.

Trees will not be removed or pruned solely to alleviate problems caused by seasonal phenomena (e.g. falling leaves; insects).

Trees considered 'too big/too tall' will not be pruned or felled.

## **DAMAGE AND TREE ROOTS**

Many issues with trees arise due to the presence of tree roots and the perception that they are causing damage.

Where damage is alleged each complaint will be investigated on an individual basis.

The following guidance will be used in assessing levels of nuisance and identifying appropriate action: -

- Gardens – tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning/removal. Landowners have the right under common law to prune back tree roots
- Damage to walls and fences – tree removal will only be considered where fences/walls are irreplaceable and/or of exceptional importance
- Paths – trees will only be removed where there is a danger to public health
- Damage to drains/water pipes – tree removal will not normally be considered
- Trip hazards – the council will make safe any such hazards caused by a tree in its ownership/management
- Installation of drop kerbs – the council will consider removing a tree to allow installation of a drop kerb
- Subsidence – the council expects any claim against its trees to be supported by sufficient evidence to show that the tree in question is a contributory factor in the subsidence including description of the type of damage; levels and distortion survey; and visual evidence of damage

## **PROTECTED TREES**

The Town Council recognises its responsibilities in regard to trees that are protected by TPOs and also trees in conservation areas.

## **OTHER FACTORS**

The Town Council will take into consideration birds and bats when examining trees

**VANDALISM**

WTC will investigate any reports of vandalism which affect trees under its ownership/management.

**PEST AND EPIDEMIC MANAGEMENT**

The Town Council will take precautions against pests and epidemics.

**TREE PRUNING TECHNIQUES**

The Town Council will seek to ensure work is carried out to the highest standard and will employ different approaches depending on the situation, including crown lifting; crown thinning; crown reduction; topping and pollarding.

Policy adopted by Winsford Town Council .....