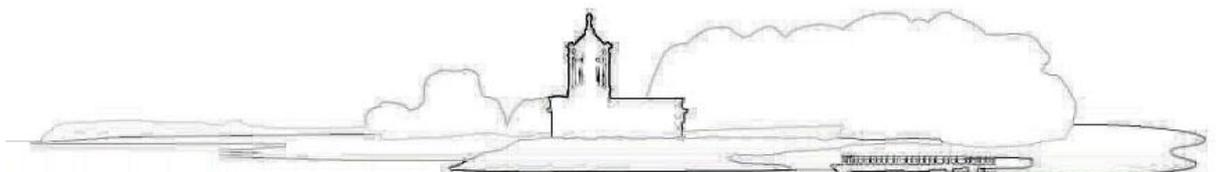


# Rutland County Council

## Rutland Tree Maintenance & Inspection Policy

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## **Summary of document**

This document seeks to find a balance between managing the risks associated with tree management, where the Rutland County Council (the Council) has responsibility, whilst preserving the Council's tree resources.

The primary objectives are to:

- Ensure public safety so far as is reasonably practicable and minimise damage to property;
- Establish an inspection regime using a risk-based approach for all trees on Council land and the Public Highway; and
- Conserve, protect, maintain and enhance the County's tree resources.

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## **1. Purpose of Tree Inspections**

- 1.1. Tree inspections are designed to identify trees that have the potential to cause danger or serious inconvenience to users of the highway network or wider community.
- 1.2. The definition of Highway Tree for the purpose of this policy is any tree within the public highway with the potential to fall or cause damage to the highway or adjacent property.
- 1.3. As a general rule, hedges, trees growing in the hedgerow, and the ditches in front of them, are owned by the adjoining landowner. They are seldom the Council's responsibility. However, trees growing in the highway verge as well as undergrowth on the verge are matters for the Council.

## **2. Public safety and risk management**

- 2.1. The Council places a high priority on public safety and this extends to the management of its tree stock and trees under its regulatory control. All landowners, public or private, have a duty of care to ensure that they have taken reasonable steps to prevent or minimise the risk of personal injury or damage to property arising from the presence of any tree on the land, or from its breakage (falling limbs) or uprooting (falling tree).
- 2.2. A hazard tree has a structural defect that may cause the tree, or portion of the tree, to fail. Alternatively, a hazard tree may be damaging property through the action of its roots or branches. Other hazards could include trip hazards through exposed raised roots, slip hazards from falling leaves, pedestrian injury from low branches, vehicular damage from branches overhanging carriageways or from ingestion of poisonous fruits for children/animals that may not be aware of the danger. However, a defective tree in the middle of the woods or in an open field, away from paths or public use areas does not necessarily have to be considered a hazard.
- 2.3. In order for a tree to become a hazard, there has to be a target that can be affected by the hazard. The target could be an object, structure, person or anything else in the area.
- 2.4. Tree risk management involves the process of inspecting and assessing trees for their potential to cause injury or damage to property. In this respect the assessors need to be able to determine what constitutes an acceptable level of risk. There have been significant advances in decay detection equipment and formulas and guidelines for assessing hazardous trees. Modern techniques and procedures can be used to minimise the risk of damage to property and personal injury associated with tree failure.

Appendix 1

- 2.5. Trees that surpass the level of acceptable risk are hazards from a programmatic viewpoint. An understanding of trees and their biology is an integral component of any tree risk management programme.
- 2.6. The perception of safety of acceptable levels of risk is equally, or sometimes more powerful, than the reality of the condition of a tree and the situation it is growing in. In order to make objective, science-based decisions on the safety of trees, individual trees and site conditions need to be evaluated for the level of risk that they do, or do not, present.
- 2.7. As a target must be present for risk of injury or property damage to occur, the first step is to assess the sites where the Council has tree responsibilities into tree risk zones by target assessment.
- 2.8. Whilst the criteria to define tree risk zones is primarily based on public use and occupancy patterns, it is also important to take account of tree resource characteristics, for instance areas in a moderate hazard category may need a higher inspection rate if it has a high density of problem tree species as the likelihood of incidents increases.
- 2.9. The Target Areas zones are defined as:

Target Area	Definition
Target Zone 1	<ul style="list-style-type: none"> <li>• At least one person within it for &gt;2.5 hours a day or more <b>OR</b></li> <li>• 73 or more pedestrians passing within an hour <b>OR</b></li> <li>• Has over 2,700 cars pass through at 60 mph <b>OR</b></li> <li>• Over 3,300 cars at 50mph <b>OR</b></li> <li>• Over 4,800 cars at 30 mph</li> </ul> <p><b>AND</b></p> <p>Has individual trees with high risk characteristics such as standing dead trees or those with poor condition ratings, severely storm damaged trees, trees that visually obstruct traffic signs or signals, tree roots causing severe pavement buckling.</p> <p>Stretches of road network where there is a high density of large diameter, mature or problem tree species.</p> <p>All target values are worth £150,000 - £1,500,00</p>
Target Zone 2	<ul style="list-style-type: none"> <li>• At least one person within it for 15 minutes - &lt;2.5 hours a day or more <b>OR</b></li> <li>• 73 or more pedestrians passing within an hour <b>OR</b></li> <li>• Has over 2,700 cars pass through at 60 mph <b>OR</b></li> <li>• Over 3,300 cars at 50mph <b>OR</b></li> <li>• Over 4,800 cars at 30 mph</li> </ul>
Target Zone 3	<ul style="list-style-type: none"> <li>• At least one person within it for 2 - &lt;15 minutes a day <b>OR</b></li> <li>• Having at least 2 - 72 people passing within it per hour <b>OR</b></li> <li>• At least 27 cars pass through on a 60 mph limit road <b>OR</b></li> <li>• Over 33 cars at 50mph <b>OR</b></li> <li>• Over 48 cars at 30 mph</li> </ul>
Target Zone 4	<ul style="list-style-type: none"> <li>• All other areas. These are rarely used areas</li> </ul>

Target Zones derived from the QTRA Quantified Tree Risk Assessment Tree Safety Management System User Manual (version 5) 2015.

### 3. Tree Inspections

- 3.1. A programme of inspections will be undertaken based on:
  - An assessment of target zones;
  - An assessment of hazard; and
  - And a prescription of remedial action.
- 3.2. All Council maintained trees in Zone 1 to 4 will be routinely inspected by a trained arboriculturist as part of the Council's Tree Inspection regime.
- 3.3. All other trees adjacent to the Highway will be inspected by the Highway Safety Inspectors in line with the Highways Inspection Policy. These inspections will constitute a 'basic' or layman inspection scanning the trees for obvious hazards. The Highway Safety Inspectors are trained to recognise basic tree hazards by a qualified arboriculturist. Any defects found will be passed to the Forestry Officer for assessment.
- 3.4. Where trees are in a position that they could be posing an unacceptable level of risk (Target Zone 1), the Council, where possible, undertakes periodic 'expert' inspections using professionally trained arboriculturists. These inspections will assess the condition of the trees and identify any potential faults, diseases or other problems. Where these are discovered, their effect on the trees health and stability are evaluated, and if deemed necessary, remedial work will be undertaken. All inspections are carried out in accordance with Visual Tree Assessment techniques as described in Mattheck & Boerler 1994.
- 3.5. The areas to be inspected will be reviewed periodically to take into account changes in population and feedback from inspections, as well as recorded data from public and member enquiries. Areas may be added or deleted based on the recommendations of the arboriculturalist staff. Decisions on what areas are to be reviewed and inspected will be made by the Senior Highways Manager, who has responsibility for the arboriculturist and highway safety inspection teams.

3.6. The frequency, competent person and methodology for each Risk Zone are listed in this table:

Target Area	Inspection Type	Inspection Frequency	Inspected by	Method
Target Zone 1	Expert	30 months	Qualified Arboriculturist Individual tree assets recorded	Rapid but thorough searches for clear defects, especially in the crown and around base of tree. Binoculars, microdrill or Picus Sonic tomography used where necessary to assess tree health.
Target Zone 2	Trained Inspector	3 years	Qualified Forestry Officer Individual/group tree assets recorded	Slow driven or walked inspections searching for safety defects, overhead height clearances, overhanging or leaning trees and clear crown or branch defects.
Target Zone 3	Trained Inspector	5 years	Qualified Forestry Officer Individual/group tree assets recorded	Slow driven or walked inspections searching for Safety defects, overhead height clearances, overhanging or leaning trees and clear crown or branch defects.
Target Zone 4	Trained Inspector	5 years	Qualified Forestry Officer Group tree assets recorded	Rapid driven or general walked inspections looking for safety defects or leaning trees that may fall on the Target Zone.

3.7. It is not possible to complete all inspections exactly to program, therefore the maximum period between inspections that is permitted will be:

- Target Zone 1 – 30 months – 950 calendar days
- Target Zone 2 – 3 years – 1200 calendar days
- Target Zone 3 & 4 – 5 years – 2000 calendar days

3.8. Due to the quantity of trees requiring inspection, it is not feasible to inspect all trees in year one, therefore the following programme will be adhered to:

Task	Deadline
• Identify all Target Zones	31/3/2016
• Complete inspections of all Target Zones 1 & 2	31/3/2019
• Complete inspections of all Target Zones 3 & 4	31/3/2021

## 4. Records of inspection and maintenance

- 4.1. All trees in the High Risk Zone will be recorded as assets in the county's tree management system.
- 4.2. At a minimum the following information will be recorded:
  - Inspection area or route;
  - Inspectors name;
  - Date and time of inspection;
  - Tree location;
  - Species;
  - Age class;
  - Assessment of the general health of the tree including identification of significant disease; or
  - Significant defects; and
  - Comments or recommendations for maintenance or treatment.
- 4.3. Trees in Target Zones 3 & 4 will only be recorded as group assets. Records of the inspections will be kept so that there is a record of when each area or inspection route was completed.
- 4.4. All information obtained from tree inspections, together with any corresponding tree maintenance, will be recorded consistently on the Council's tree management system. This provides an auditable trail from inspection, to work request, to completion of works. The data obtained can be interrogated independently and in conjunction with other survey information. It is stored electronically on a server which is backed-up on a daily basis. Service requests, complaints, reports or information from users and other third parties area also recorded, along with the nature of response.

## 5. Routine Maintenance

- 5.1. Ultimately risk rating a tree allows the Council to make effective decisions and to plan tree maintenance in order to reduce hazards. Eliminating the actual hazards is perhaps the most crucial part of tree risk management. Under normal circumstances established trees require little in the way of routine maintenance, however, there may be situations where pruning operations, or removal are necessary to prevent encroachment of branches onto buildings or to provide adequate clearance over a road or footpath, or to reduce the risk of falling branches.
- 5.2. People may feel apprehensive about the size or position of a tree and consider it dangerous, however, these factors do not make a tree dangerous and the Council would not sanction or support the unnecessary removal of trees. Such action would only be allowed if it were clearly demonstrated that a tree poses an unacceptable risk to property or persons.
- 5.3. The Council will also inform owners of trees or hedges that are a danger to the public or affect visibility, to ensure that their vegetation is properly managed. Buses need 5.2m (17 feet) clearance and owners of trees are legally obliged to ensure this is provided. Owners may encounter some liability in the event of an accident if they fail to fulfil their obligations.
- 5.4. The Council has certain powers to act in the interest of safety, where trees situated on private property are in a dangerous condition and constitute a risk. Section 154 of the Highways Act 1980 empowers the county to deal with hedges, trees and shrubs growing on adjacent land which overhang the highway, and to recover costs. The county would normally only take action where it was clear that the risk of harm was significant and immediate. The county would expect individual property owners to attempt to resolve issues of dangerous trees as private matters.
- 5.5. The Council does not automatically clear undergrowth on verges. It provides cover for wildlife and a varied and natural landscape. But where visibility is seriously affected, or where pedestrians need the verge to escape from the traffic the county will endeavour to remove vegetation. Where the Council has to carry out tree maintenance it will endeavour to do so using sound arboricultural maintenance practices. A qualified arboricultural tree surgeon will be sourced and instructed to undertake the necessary works.
- 5.6. Where a highway tree(s) is alleged to be causing damage to a property, the property owner should contact their buildings insurance company. The Council would normally only remove a highway tree or trees in cases where it is clearly demonstrated that damage was attributed to the tree or trees.
- 5.7. The Council will endeavour to work with bus operators to ensure that bus routes have sufficient clearance. This may include the development of a system for the bus companies to submit reports on problems with trees on

bus routes. However, it is important to note that the Council does not have the resources to cut back every tree that could potentially brush against a bus. There will be many situations where light branches/twigs may brush a bus or high-sided vehicle without causing damage, particularly after heavy rainfall. Whilst this maybe noisy it is not a safety risk and the county would not normally carry out pruning work.

## **6. Landscape issues**

- 6.1. When it is necessary to remove a tree, the county's arboriculturist officers will select an appropriate tree species to be replanted, taking into account the long-term maintenance concerns, location and surrounding properties/amenities. Officers will make every effort to take into account both consultation with residents as well as consideration for the heritage and conservation of the local area.
- 6.2. Carrying out regular inspections, maintenance and proper management of street trees cost the county a significant amount of annual revenue funding. Where possible the county will work to recover costs from landowners and developers. This also includes seeking commuted sums from developers for street trees prior to adoption.
- 6.3. Commuted sums can be obtained from developers for new trees to be adopted and added to the asset schedule. The commuted sum calculation takes into account the proposed inspection and maintenance regime based on risk the zone the newly adopted area is likely to fall in, both at the time of adoption and over the longer term. Additional sums may be charged for areas around traffic signals and street lighting where more regular maintenance may be required to maintain visibilities. The formula for the calculating the commuted sum can be found in the Highway Requirements for Developers documents\*.

## 7. Works to Protected Trees

- 7.1. Works to trees that are protected by a Tree Preservation Order (TPO), or are within a conservation area, require the permission of the Planning Authority.
- 7.2. To find out if a tree is protected, in the first instance, contact the Planning Support Team on 01572 758400 or email [planning@rutland.gov.uk](mailto:planning@rutland.gov.uk)
- 7.3. Any proposed works to a protected tree (either within a conservation area or covered by a Tree Preservation Order) would require a notification/application to the Local Planning Authority.
- 7.4. For advice on trees, please see the following links:

[http://www.rutland.gov.uk/development\\_control/tree\\_management\\_preservation.aspx](http://www.rutland.gov.uk/development_control/tree_management_preservation.aspx)

<http://www.planningportal.gov.uk/permission/commonprojects/treeshedges/>

## 8. Reference Documents

Well-maintained Highways, Code of Practice for Highway Maintenance Management, Roads Liaison Group, July 2005.

Updated field guide for Visual Tree Assessment, Mattheck & Boeroler 1994.

QTRA Quantified Tree Risk Assessment Tree Safety Management System User Manual (version 5) 2015

National Tree Safety Group, Common Sense Risk Management of Trees (Dec 2011)

BS3998 Tree Work Recommendations (2010)

**A large print version of this document is available on request**



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