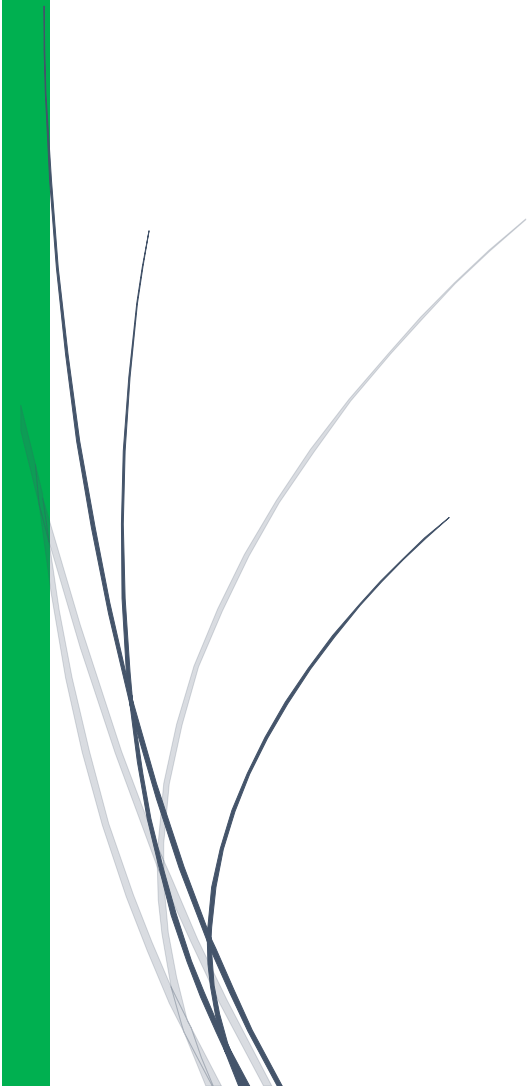


# Winchcombe Town Council Tree Safety Management Policy



Winchcombe



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## Policy Statement

Winchcombe Town Council (hereafter known as the Town Council), as a tree owner, has a responsibility to ensure that its trees do not pose a danger to the public or property. The Town Council has a statutory duty of care to members of the public and its staff not to put them at risk because of any failure by the Council to take all reasonable precautions to ensure their safety. The Forestry Commission publications including the National Tree Safety Group “Common Sense Risk Management of Trees” as well as the “Hazards from trees – A General Guide” offer guidance on tree and public safety for owners, managers and advisers. Further information and guidance can also be obtained from the “Health and Safety Executive” (HSE) website.

Trees, like all living organisms, are subject to decline and the possibility of collapse and can be damaged physically or invaded by pathogenic organisms. As the tree deteriorates it becomes increasingly more likely to shed limbs or even fall in strong winds and the potential or likelihood to cause harm increases.

Ancient and decaying trees can appear beautiful and be uniquely valuable as a wildlife habitat. However poor the tree’s condition, remedial action is only necessary where there is a perceptible risk to life or property. This might mean removing part of the tree or limiting the level of public access in the vicinity.

This Tree Safety Management Policy attempts to address the risk and responsibilities placed on the Town Council for the management of falling trees, branches and limbs which is managed by ensuring that:

- The risk to life and property, as a result of tree deterioration, is kept to a minimum as far as is reasonably practicable.
- That a system of tree inspection is in place in relation to the above risk.
- A record of tree inspections is retained.
- That an appropriately qualified and competent person undertakes the inspection.
- Works identified through the programme of inspections are undertaken by suitably qualified contractors.

## Policy Scope

**This policy only applies to trees in Town Council ownership or management. Trees in the ownership or control of other individuals or organisations are the direct responsibility of those parties.**

The Town Council acknowledges that this policy does not, and cannot, cover every situation or eventuality. We, therefore, reserve the right to exercise discretion in the application of this policy provided doing so is in the best interests of the Town Council and its residents.

## Introduction

Winchcombe Town Council recognises that trees are an important conservation and amenity resource but that they can present a hazard to the public and property if not managed properly.

Owners of trees have a legal duty of care and are obliged to take all reasonable care to ensure that any foreseeable hazards can be identified and made safe. Although it is not possible to completely eliminate the risk of a tree falling, there can often be indications that a tree may be in decline, have physical faults, be suffering from decay or suffering from disease or pests. Many of these signs can be recognised during a periodic inspection by a competent person followed by the instigation of remedial works by a qualified arboriculturist.

The safe and appropriate management of its trees is important to the Town Council who wishes to ensure a balance between public safety and sustaining a healthy tree population with the benefits this can provide. Trees are an integral part of most landbased ecosystems providing a wide-ranging service to humankind including mitigation against the harmful effects of climate change. They can bring communities together playing a part in their cultural and spiritual values as well as aesthetic appreciation. They can also be an important part of the economy providing timber and non-timber forest products. Their importance is clearly recognised in international, national and local government policies as well as many nongovernment organisations that have policies dedicated to the preservation and conservation of tree biodiversity.

This policy seeks to manage the hazards and risks associated with trees using a risk-based approach which looks to identify the risks presented to the public and property by their location and size through periodic inspections. The aim of the inspections of the trees is to assess whether they represent any additional risk to life or property as a result

of structural faults, suffer from decay or the detrimental effects of disease or pests and take remedial action as appropriate.

## **Legislation**

There is a range of legislation to be considered in combination with this policy including:

- A Tree Preservation Order (TPO) is a statutory protection afforded under the provisions of Part VIII of the Town and Country Planning Act 1990 (as amended). These Orders are made by Tewkesbury Borough Council, in their role as the Local Planning Authority.
- Trees in Conservation Areas that are not subject to a formal TPO are also protected under the provisions of Section 211 of the 1990 Act.
- The Hedgerow Regulations 1997 includes powers allowing important native hedgerows to be protected.

## **Periodic Inspections Programme**

The Town Council works to a risk-based approach to tree management. Each and every tree has its own issues so the Town Council will commission an Arboriculture Consultant to undertake a regular full tree survey the frequency of which will be determined according to their location and the consultant's previous risk assessment and recommendations.

The details of the inspections and the significant defects identified will be recorded along with recommendations for further action.

Where further action is required this will be reported by the Clerk to the appropriate Committee.

## **Tree findings reported by the general public**

All tree findings reported to the Town Council will be initially checked for ownership and responsibility. Once Town Council ownership is established the finding should be recorded. A risk assessment should then be undertaken; this may include commissioning an unscheduled, emergency visit by an Arboricultural Consultant.

Any remedial work will then be commissioned with a suitably qualified contractor.

## **Tree Replacements**

Where a tree is felled as a result of the tree inspection programme where possible the tree will be replaced with a tree of an appropriate species. If possible the replacement should be of the same species as the tree removed or an alternative species chosen in consultation with the Conservation Officer at Tewkesbury Borough Council, an Arboricultural Consultant and, where appropriate English Heritage and Gloucestershire Archaeology.

## **Monitoring**

In order to ensure adherence to the Tree Safety Management Policy, adequate tree inspection records must be kept for a minimum of 10 years.