

Stockport Metropolitan Borough Council

Services to Place Public Realm

Tree Management Policy

This policy details Stockport Council's methods for managing the tree stock owned and maintained by the Council, excluding trees managed by Stockport Homes. The policy has been written to:-

- Ensure that the Council maintains a safe tree stock.
- Ensure consistency with regards to requests to prune and maintain trees.

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1.0 Benefits of Trees

1.1 Trees have many benefits, for example, they:

- Provide shelter - Dappled shade from trees provides a useful barrier from ultra violet radiation and trees reduce wind speed around buildings.
- Cool the air - trees help to regulate evaporation.
- Stabilise soil – particularly important on sites adjacent to water bodies.
- Filter air pollution - acting as filters to remove particulate pollution deposited on leaves. Trees also remove carbon dioxide from the air releasing oxygen as a by-product.
- Reduce noise - trees planted close together can absorb noise and provide a barrier.
- Benefit wildlife - trees provide a habitat and food source for a broad range of mammals, birds and insects.
- Improve the landscape - Trees form a backdrop to the urban setting and help to improve people’s enjoyment of the cityscape.
- Commemoration or celebration of individuals and/or communities.

1.2 The Council wants to create a GREEN Stockport and is committed to explore and develop opportunities to utilise the arising (woodchips, logs and standing timber) generated by arboriculture operations towards greater environmental sustainability.

2.0 Tree Management - General

2.1 Trees will not be removed unless there is a demonstrable arboriculture, safety or legal reason for the removal.

2.2 All requests for arboriculture works to trees growing on Council land will be inspected and authorised by Council officers.

2.3 If tree works are required in the bird nesting season (March – August) trees will be examined for evidence of nesting. Where a bird’s nest is found, tree works will be delayed until the end of the nesting season.

- 2.4 No tree work will be undertaken on trees where there is potential to impact upon any protected species (for example bats or badgers) until consultation has been undertaken with the Council ecologist and/or appropriate external consultants. Any work that is subsequently undertaken will be in accordance with current legislation, policy and best practice guidance.
- 2.5 All tree pruning and arboriculture works are undertaken in accordance with the British Standard for Arboriculture BS3998 and will follow guidance from the Arboriculture Association's Guidance Note – An introduction to trees and their management.

3.0 Claims of subsidence and damage

3.1 When investigating claims of subsidence and damage to properties from tree roots emanating from a tree owned and maintained by the Council, the Council requires the property owner to submit a structural engineers report. This will enable the Council to review the evidence and determine the appropriate course of action. The report should include the following:

- Age of the property
- Depth of foundations
- History of any modification (extensions) to the building
- Condition of the drains
- Spatial arrangement and amplitude of damage
- Data of tree roots
- Soil tests
- Seasonal monitoring
- Survey of level distortion

4.0 Obstruction by overhanging branches

- 4.1 Tree branches from Council trees that obstruct footpaths, the carriageway, highway signage, street lighting or CCTV will be inspected and have the necessary pruning work undertaken within a timescale appropriate to the situation.
- 4.2 Tree branches from privately owned trees that obstruct footpaths, the carriageway, highway signage, street lighting or CCTV will be inspected and dealt with by exercising delegated powers under the Highways Act 1980. The Council will serve 14 days statutory notice on the land owner after which time, if the works have not been completed, the Council will undertake the work and re-charge the land owner at full cost.

5.0 Television reception

5.1 There is currently no legal right to good television reception, and no legal requirements to rectify a loss of television or radio service in respect of trees. Interference is not at present a legal nuisance, and in many cases it is possible to resolve issues of poor reception involving trees by finding an engineering solution.

5.2 Stockport Council will only consider requests to prune trees to improve reception where the following conditions have been met:

- It can be demonstrated that the householder has taken every effort to find an engineering solution to the problem and has not been successful.
- The work required is consistent with good arboriculture practice and will not unduly affect the amenity or health of the tree.

5.3 If the above conditions are met the Council will offer a chargeable service to undertake the necessary work.

6.0 Shade or blocking of light

6.1 There is no legal right to light in an open space or in a garden. The Council will consider applications to its prune trees for right to light on an individual basis; the Council will offer a chargeable service to undertake the necessary work.

7.0 Leaf/fruit fall and secretions

7.1 Clearing of leaves from gutters and pathways and weeding of set seeds are normal routine seasonal maintenance which property owners should arranged to be undertaken within their property boundary. Honeydew is not readily controllable by pruning and cleaning of affected surfaces is also considered to be routine maintenance by the property owner.

7.2 As fallen leaves, blossom and berries are uncontrollable the Council will not prune trees to reduce the amount of leaf litter, blossom or berries which fall from the trees onto private land.

8.0 Interference with utilities

8.1 The Council will not fell trees which have roots that have entered drainage systems. Tree roots do not have the capacity to break into good condition drainage systems, but they will exploit any

existing leaks or faults in drains. The removal of one tree will not prevent other vegetation from exploiting the same opportunity and so the Council's presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight.

9.0 Trees Management – Highway Trees

- 9.1 Street trees are defined as trees planted or growing in pavements and road verges along the town's highway network.
- 9.2 The Council will undertake, within planned work programmes, the regular removal of basal (epicormic) growth for highway safety reasons.
- 9.3 The Council will comply with the Highways Act 1980 code of practice and the Disability Discrimination Act regarding any replacement of highway trees i.e. recommending clearances will be maintained along both the footway and the carriageway.
- 9.4 When tree roots from a highway tree is shown to be causing a demonstrable safety issue on the footway (and/or carriageway) and root pruning would make the tree unsafe a cost benefit analysis of removal v's redesign the footway to remedy the safety issue must be undertaken. The Head of Service has discretion in considering the circumstances presented in the cost benefit analysis of each individual case.
- 9.5 Where a highway tree is removed the Council will plant a replacement tree in the same location if possible or close by if not, at the appropriate time of year. The Head of Service has discretion in waiving this replacement tree considering any extenuating circumstances presented in an individual case.
- 9.6 The Council will prune street trees to ensure free, unobstructed passage for pedestrians, traffic and visibility of all road signs, street lamps and street furniture.
- 9.7 Where adequate illumination of the highway is present the Council will not take action to improve the levels of illumination of private property through the pruning of trees.
- 9.8 The Council will not agree to the remove an existing healthy tree for the purpose of vehicle crossovers.

10.0 Trees Management - Greenspace

- 10.1 The Council aim to create a varied and sustainable tree population in parks and open spaces for reasons of aesthetics and for the benefit of the biological diversity of the Borough.
- 10.2 The Council will maintain the overall number of trees in parks and open spaces through replacement planting programmes.

11.0 Tree Management - Woodland

11.1 The Council will:

- Take reasonable steps to preserve and enhance woodland trees that are native to the borough.
- Encourage natural regeneration in woodlands.
- Retain dead trees in woodlands preferring to prune rather than fell, subject to public safety assessments.
- Leave standing dead timber and felled trees in situ for the benefit of biological diversity, subject to public safety assessments.
- Manage woodlands as a long term sustainable resource.
- Actively support and encourage community involvement (friends groups) in the planning and operation of woodland management.
- Seek opportunities to expand and create new woodlands.

11.2 The Council aim to produce and maintain woodland management plans that are in accordance with the accepted forestry and arboriculture methods of traditional woodland management.

11.3 The Council will actively encourage access to woodlands and develop pathways within managed woodlands, where appropriate.

11.4 The Council will liaise with the Pennine Edge Forest, Red Rose Forest and the Forestry Commission amongst others to determine best practice regarding woodland management.

12.0 Tree Management - Private Land

12.1 The Council is not responsible for trees and woodlands on privately owned land.

- 12.2 In cases of tree disease outbreaks, for example, Dutch elm disease, Poplar Scab or Ash die back the Council will provide advice and information regarding control and prevention methods to private land owners.
- 12.3 Trees growing on private land may cause a nuisance or obstruct the highway. In dealing with such issues the Council can exercise delegated powers granted e.g. the Highways Act 1980 and serve notice on the land owner in accordance with the powers.
- 12.4 The Council does not provide a service to arbitrate in disputes caused by privately owned trees, unless the issue directly affects Council land, as agreed by the Head of Service.

13.0 Tree Management - Private Land – Emergencies

- 13.1 The Council has powers to respond to reported dangerous trees growing on private land under the Local Government, Miscellaneous Provisions Act 1976.
- 13.2 If the Council is required to respond a tree related emergency on private land, work will be undertaken to make the tree safe, leaving the cuttings as they remain the property of the owner. An invoice for the work undertaken will be issued to the tree owner within ninety days.

14.0 Evergreen hedges over two metres high

- 14.1 The Council's Planning Service has delegated powers under the Anti-Social Behaviour Act 2003, (Part 8) and the High Hedges (appeals England) Regulations 2005.
- 14.2 The Council's Planning Service deals with complaints from properties adversely affected by evergreen hedges over two metres high.

15.0 Tree Preservation Orders

- 15.1 The Council can issue a Tree Preservation Order to protect trees from felling, uprooting, topping, lopping and wilful damage, where the trees have been identified as having amenity value in accordance with current Government set assessment criteria to warrant protection, regardless of their ownership.
- 15.2 Any work to trees protected by a Tree Preservation Order will require written consent from the Planning Authority. It is a criminal offence to carry out work to a protected tree without prior consent.

- 15.3 Trees that are growing within a conservation area are also protected under the Town and Country Planning Act 1990. Under the Act anyone wishing to undertake any arboriculture works on a tree growing in a conservation area, is required to gain consent from the Planning Authority.
- 15.4 Whether or not a tree is protected by a tree preservation order or is within a conservation area, a felling licence, issued by the Forestry Commission, would be required under the Forestry Act 1967 if the affected trees are in excess of five cubic metres.

16.0 Replacement Planting

- 16.1 The Council will select trees that are appropriate for their location and the anticipated maintenance needs throughout the life of the tree.
- 16.2 New tree planting, including the establishment and maintenance of the trees, will be undertaken following sound horticultural and arboriculture practice to comply with the relevant British Standards, i.e. BS4428: 1989; BS3998: 1989; BS7370: 1991.
- 16.3 Both native and non-native tree species will be planted dependent upon the appropriateness of the intended location and the purpose of the planting scheme.

17.0 Contact and Further Information

- 17.1 Enquiries about trees should be directed through the Stockport Direct Contact Centre on 0161 217 6111, stockportdirect@stockport.gov.uk
- 17.2 Additional, related information can be viewed on the Council's website: www.stockport.gov.uk.