

NOTICE OF MEETING

Meeting: ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

Date and Time: THURSDAY, 12 MARCH 2020, AT 2.00 PM*

Place: BRADBURY ROOM - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

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PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Panel's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

Bob Jackson
Chief Executive

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 9 January 2020 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. PORTFOLIO HOLDERS' REPORTS

To receive an oral update from the Portfolio Holders for Environment and Regulatory Services and for Planning and Infrastructure.

5. DEVELOPMENT OF THE PERFORMANCE MANAGEMENT FRAMEWORK
(Pages 5 - 6)

To consider the principles and design of the performance management framework in support of the delivery of the Corporate Plan.

6. WATERSIDE RAIL UPDATE - MOTION FROM COUNCIL

To receive an oral update on the latest position on the transport and railway infrastructure along the waterside and to consider the Motion submitted to Council on this issue. The Panel will then consider the following motion from Council:

That this Council supports wholeheartedly the resumption of a rail link along the Waterside as part of a strategic transport infrastructure in the light of planned development in the south waterside area. Officers will be tasked to work closely with HCC staff to ensure oversight on planning issues and economic and environmental viability are maintained and resolved.

7. CLEAN AIR STRATEGY

To receive an update on the Clean Air Strategy.

8. BEHAVIOURAL CHANGE LITTER INITIATIVE

To receive a presentation on the Behavioural Change Litter Initiative.

9. REVIEW OF STREET CLEANSING ACTIVITIES AND STANDARDS

To consider a review of street cleansing activities and standards.

10. TREE STRATEGIES (Pages 7 - 148)

To consider the proposed draft Tree Strategies and related documents.

11. GUIDANCE ON TREE PROTECTION AND DEVELOPMENT (Pages 149 - 174)

To consider the draft Tree Protection and Development Guidance.

12. LOCAL PLAN REVIEW UPDATE

To receive an update on the Local Plan Review.

13. WORK PROGRAMME (Pages 175 - 176)

To agree the work programme to guide the Panel's activities over the coming months.

14. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

To: **Councillors:**

Steve Rippon-Swaine (Chairman)
Sue Bennison (Vice-Chairman)
Ann Bellows
Geoffrey Blunden
Allan Glass

Councillors:

Andrew Gossage
Stephanie Osborne
Tony Ring
Derek Tipp
Malcolm Wade

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ENVIRONMENT OVERVIEW AND SCRUTINY PANEL – 12 MARCH 2020

DEVELOPMENT OF THE PERFORMANCE MANAGEMENT FRAMEWORK

1. RECOMMENDATION

- 1.1 That the Environment Overview and Scrutiny Panel consider the principles and design of the performance management framework in support of the delivery of the Corporate Plan 'Community Matters' and continuous improvement across the organisation.

2. INTRODUCTION & PURPOSE

- 2.1 Effective performance management is a positive tool in the successful delivery of the corporate plan. It involves understanding the objectives of the organisation, monitoring performance against those objectives and enabling improvement where necessary.

The benefits include:

- Ensuring corporate objectives are prioritised and that resources are allocated effectively;
- Improving service outcomes for local people;
- Motivating and engaging staff by ensuring that individuals are aware of their own targets and goals and how these contribute to achieving the Council's vision;
- Ensuring that significant risks to the achievement of objectives are identified and managed; and
- Providing early warning and rectification of poor performance.

- 2.2 A proportionate performance management framework needs to be developed; monitoring and reporting on specific actions and achievement indicators. The framework will be designed to provide an overview, and allow for scrutiny, of performance against each Portfolio Holder's priorities, with Portfolio Holders providing regular updates to the relevant Overview and Scrutiny Panel. In turn, priorities and actions will filter through to service planning and performance monitoring, sitting alongside the council's financial plans to ensure the resources are available and appropriately directed to deliver the plan.

- 2.3 The purpose of this report is to invite Panel comments on the design of the framework, including content and reporting frequencies, to support a consistent and robust approach to performance management and improvement.

3. PROPOSALS FOR DISCUSSION

- 3.1 Overview and Scrutiny Panels have a key role in driving performance and consequently in designing the new framework; advising on what information they would like to see, how often and in what format. The views of each panel will be canvassed, at their March meetings, to inform the design and reporting frequency of the new framework.

- 3.2 It is proposed that reporting is in the form of portfolio dashboards, structured around the role of the panel, and updating on relevant actions and the strategic achievement indicators contained within the Corporate Plan 'Community Matters'. Further performance information, in support of specific service or project performance, could also be provided at the request of the panel. An example will be shown to panels at the meeting for their consideration.
- 3.3 Updates on performance will be provided by Portfolio Holders as a standing item at Panel, with Portfolio Holders being accountable for their Portfolio's performance in the delivery of the corporate plan. In turn Portfolio Holders will be supported by Executive Heads through the provision of accurate and timely data and updates.
- 3.4 Performance will continue to be reported annually to Cabinet.

4. FINANCIAL AND OTHER IMPLICATIONS

- 4.1 None arising directly from this report.

For Further Information Please Contact: Background Papers

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ENVIRONMENT OVERVIEW AND SCRUTINY PANEL - 12 MARCH 2020

TREE STRATEGIES

1. INTRODUCTION

- 1.1 This report sets out a draft of the Council's revised Tree Strategy (2020) and the Tree Risk Management Strategy as detailed in Appendix 1 and 2 for Environment Overview and Scrutiny consideration.

It is best practice for the Council to have a tree strategy in place, which clearly defines NFDC's approach to the management of potential tree risk within the District. The Strategy ensures we undertake our legal duty of care in an appropriate and reasonable manner. Furthermore, the Strategy also sets out a framework for a proactive management of NFDC's tree resource to maximize the benefits to local communities and manage potential conflicts or future threats.

This Tree Strategy and the agreed maintenance regimes and inspection practices will assist with safeguarding the Council against insurance claims. It will also provide the Council guidance on tree-related enquiries and issues. Furthermore, the Strategy addresses and outlines an optimum tree replacement and planting program, ensuring tree cover within the District is maintained and developed. A separate Planting Specification is attached as Appendix 4. This will produce a positive bearing on the Council's Environment Action Plan.

The new Tree Strategy links to the Council's Corporate Plan with *assisting wellbeing* and *protecting the special and unique character of the New Forest* and outlines the following aims:

- To improve service to the customer;
- To proactively manage all resources efficiently and effectively;
- To maintain excellent performance with service delivery; and
- To develop effective partnerships with other local organizations

2 BACKGROUND

- 2.1 The current Tree Strategy was agreed by the Cabinet in 2014 and is subsequently now due for renewal. A Member Task and Finish Group was established to review the current Tree Management Strategy (2014).

3 MEMBER TASK AND FINISH GROUP

- 3.1 A Member Task and Finish Group was set up to review the Tree Strategy and provide input to its objectives and outcomes. The Members included:

Cllr Neil Tungate (Chair);
Cllr Ann Bellows;
Cllr Sue Bennison;
Cllr Keith Craze;
Cllr Stephanie Osbourne; and
Cllr Ann Sevier.

The Portfolio Holder for Environment and Regulatory Services, Alison Hoare also attended these meetings.

3.2 During meeting sessions, the Task and Finish Group made the following suggestions. These include:

- including a position statement at the beginning of the Strategy;
- updating it with the latest information and legislation;
- including hyperlinks and references to other Council departments, where necessary;
- improving the appearance of the document to look more corporate and make it more accessible;
- including current working practices and remove any redundant sections;
- strengthening particular sections, in particular a more robust policy to protect tree stock;
- having a policy to ensure that other Council departments request approval to remove any Council owned tree;
- including a quick reference section to find information;
- the addition of a new section relating to planning matters (TPO's and new housing / developments); and
- Changing the name of the document from Corporate Tree Strategy to Tree Strategy

Members of the Task and Finish Group also agreed the need to include an Ash Dieback element within the Tree Strategy document. This has proceeded in the production of a separate Action Plan to accompany the Tree Strategy; *Ash Dieback Action Plan* (Appendix 3).

This appendix was agreed further to recommendations published by Government, and in response to the inevitable spread and increased prevalence of Chalara Ash Dieback within the District; this separate action plan has been identified as vital to good management and is subsequently presented as a supplementary document to the Tree Strategy. To summarize, this supplementary document analyzes of the Council's risk exposure and provides steps to mitigate that risk. Action points are required to be completed across various departmental sections of the Council.

4 CONSULTATION

The period of consultation was timetabled to ensure all parties involved were able to provide constructive feedback within the given consultation period. This feedback was appropriately incorporated within the revised Strategy.

Consultation Timetable

Documents sent to consultees	05/02/2020
Consultation responses submitted	19/02/2020
End of consultation period	20/02/2020
Consideration of all responses and revise document if required	02/03/2020

The following consultees were contacted and provided their feedback:

- NFDC Planning Services - Claire.Upton-Brown@NFDC.GOV.UK
- NFDC Housing Services - Grainne.ORourke@NFDC.gov.uk
- Legal – Andrew.Kinghorn@NFDC.gov.uk
- Insurance - James Clarke
- Health & Safety – Antony Whittle
- Forestry England - Rothnie, Bruce (Bruce.Rothnie@forestryengland.uk)
- National Trust – dylan.everett@nationaltrust.org.uk
- New Forest National Park Authority Tree Team - nik.gruber@newforestnpa.gov.uk
- Hampshire County Council Arboricultural Team – Chris Corder chris.corder@hants.gov.uk and Mark Weal Mark.Weal@hants.gov.uk

5 FINANCIAL IMPLICATIONS

- 5.1 All of the revised actions within this Strategy will be contained within the current budgets for tree maintenance. With the revised Tree Strategy, the Council will be able to deal with insurance and compensation claims in a more robust manner if the processes and procedures identified within this strategy are adhered to.

The Ash Dieback Action Plan has a predicted cost of £200,000 to fell infected trees over the next ten years. Currently there is provision of £17,000 for financial year 2020/21. This need will be reviewed for future years as part of the annual budget process.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1 None identified at present.

7. ENVIRONMENTAL IMPLICATIONS

- 7.1 One of the most important aims of the Tree Strategy is to maintain and enhance the environment within the New Forest as a *Special Place*. Improvements to tree care and inspection will all have positive benefits for the local environment. This Strategy therefore aims to take a more proactive approach to the management of our tree stock, focusing on enhancing the biodiversity value of our tree and woodland fauna under Council ownership.

8. EQUALITY IMPLICATIONS AND DIVERSITY

- 8.1 None identified at present.

9. CONCLUSIONS

- 9.1 The Council's original *Tree Strategy* was based on best practice and paid particular reference to good examples of local authority tree management, both locally and nationally. Since 2014, changes in management approach, objectives and legislation have necessitated the formulation of a revised Strategy. This revised Tree Strategy is presented as an accompaniment to this report. The review did not identify any significant changes to the current Strategy, however, during its formulation, the revised version has engendered the production of an additional document covering the management of Ash Dieback in the form of an action plan.

10. EQUALITY & DIVERSITY IMPLICATIONS

10.1 None identified at present.

11. EXECUTIVE MANAGEMENT TEAM (EMT) COMMENTS

11.1 EMT acknowledge the work that had gone into refreshing the Tree Strategy documents and especially the work that had been undertaken in terms of Ash Dieback. This document is very inclusive and whilst EMT supported its approval by the Portfolio Holder a key action would be to see the document returned in 6 months to review the overall layout.

12. RECOMMENDATION

12.1 That the panel discuss the four documents contained within this report and subject to final editing ask the Portfolio Holder for Environment and Regulatory to approve through a Portfolio Holder Decision.

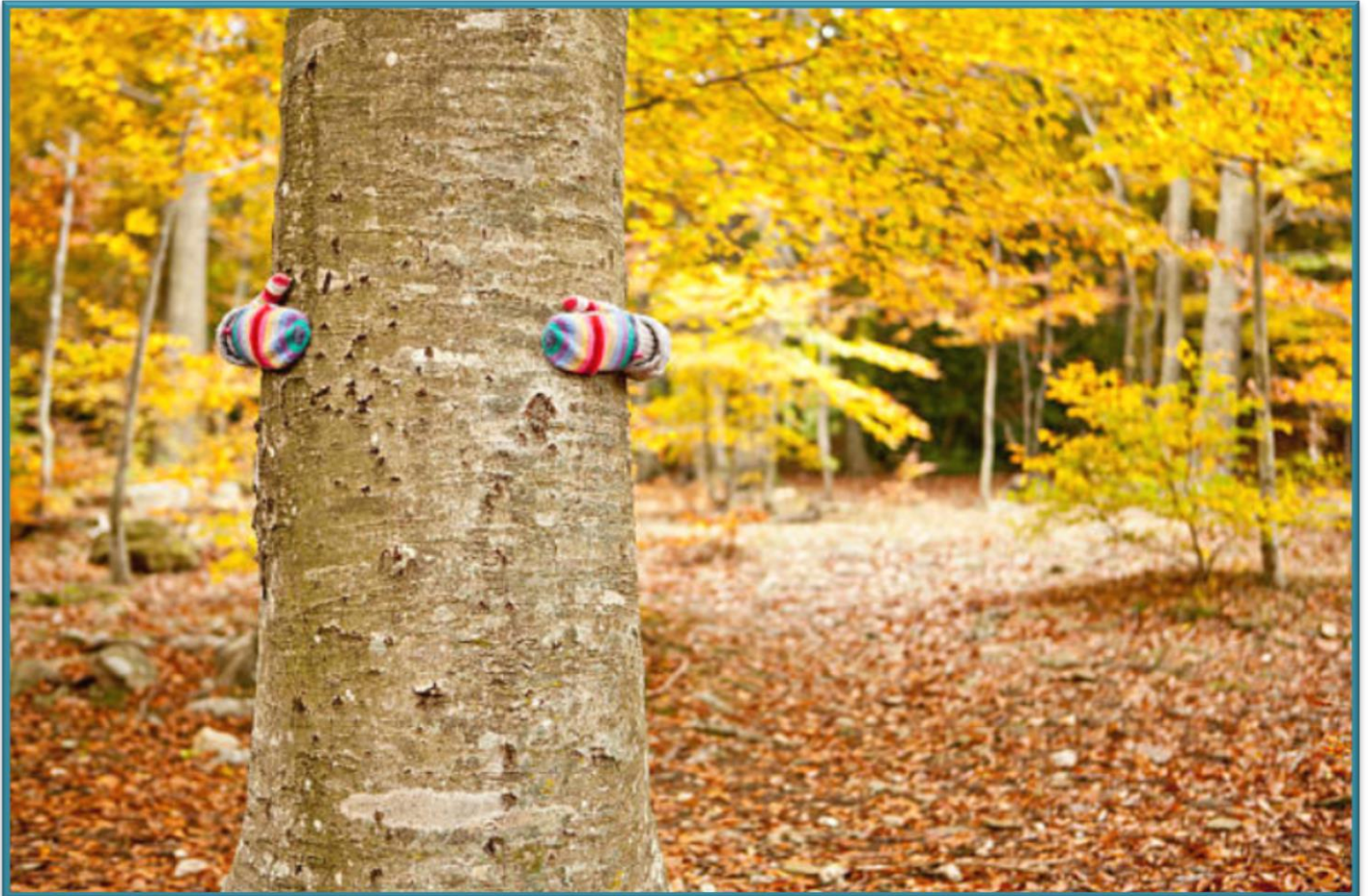
For further information please contact:

Mark Burse - Corporate Tree Officer
E-mail - mark.burse@nfdc.gov.uk

Steve Jones - Service Manager Open Spaces
E-mail - steve.jones@nfdc.gov.uk

APPENDICES

- Appendix 1 Tree Strategy
- Appendix 2 Tree Risk Management Strategy
- Appendix 3 Ash Dieback Action Plan
- Appendix 4 Planting Specification



Tree Strategy

2020 – 2025

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1. Introduction – New Forest District Council

The New Forest District Council manages one of the largest districts in the country and covers an area of approximately 250 square miles with a population of over 170,000 people. It is predominantly rural in nature and is made up of a diverse range of land types ranging from chalk downland, heavily populated flood plains, coastal landscapes, mud flats, salt marshes and low-lying river valleys, which in turn support a diverse range of trees and wildlife.

The Council is in an unusual position as a landowner responsible for land surrounding, and within, the New Forest National Park (including SSSI and Ramsar sites), an area of international importance for biodiversity, particularly associated with trees and woodlands. Council land (and trees) has an important role in connecting habitats with wildlife corridors, buffering impacts on sites of importance and it is essential that the management of green infrastructure reflects its surrounding areas.

In the towns and villages, approximately 80% of trees are in private ownership which reflects the wider situation across the country. Space is often very restricted, and it can be difficult to establish new trees on public land. There is significant pressure on existing trees due to the activities of people and conflicts of interest. The residential population of the district has more than doubled since 1950 (Source: Growing Better Together NFDC). As an example of the increasing landholdings, currently we manage 93ha of public open space this is set to increase by a further 160ha over the next decade.

There is a strong legacy of tree cover within the district. The Council is responsible for many important trees in key locations which provide essential benefits to local people and visitors. While there is no specific information available relating to overall tree cover within the District, The National Forest Inventory noted 22,401 ha (hectares) of woodland within the New forest area representing 29.7% woodland cover; of this more than 70% is broadleaved.

New Forest District Council (NFDC) is responsible for a range of treed areas approximately 5200 housing properties, open spaces, car parks, Sites of alternative natural green spaces (SANGS), woodlands, Leisure centres and cemeteries and was one of the first Councils in the UK to initiate a woodland burial scheme.

2. The Purpose of the Tree Strategy

NFDC has produced this tree strategy to promote, enhance and protect all trees growing on any and all land owned or managed by NFDC, and the areas surrounding. To provide a framework for decision making, ensuring a consistent approach is taken to tree management across all the Council's different departmental business units.

This Strategy will demonstrate that NFDC proactively manages its trees in conjunction with best practice and relevant policies, and will set out how, why and when trees will be managed, and will ensure that there is continuity of tree management throughout New Forest District Council. This includes council officers, planning officers, councillors, policy makers, landscape professionals and property developers.

This document will require to work with any future Action Plans for pest and disease, tree replacements, or invasive plant species. This document will work with the NFDC Climate Action Plan, underneath the overarching NFDC Corporate Plan.

Closely aligned to the Tree Strategy will sit the emerging Supplementary Planning Document (SPD). This will set out developers' responsibilities regarding existing and new trees within planning applications.

This updated strategy will aim to build on the achievements and progress made in the 2014 document. Many of the policies and action points will remain unchanged as are ongoing, or still to be actioned.

This document will also give a snapshot of the current state of the NFDC tree stock along with the identification of areas of concern to allow the implementation of a proportionate response. It will set out the importance of trees to the people who live, work and visit the New Forest District.

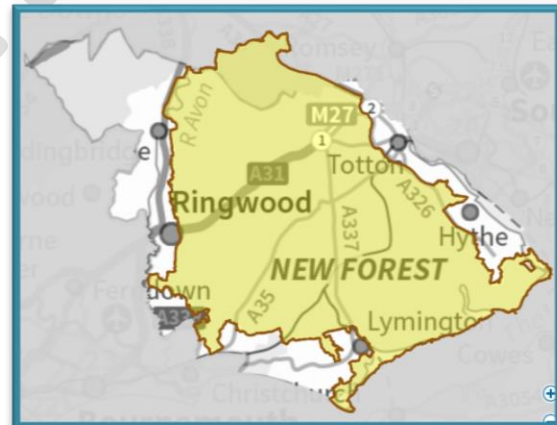
NFDC's trees and woodlands have the capacity to both improve the quality of life for New Forest residents and make a significant contribution towards the Council's environmental targets and aspirations. This strategy recognises the importance of trees, the benefits they provide and the increasingly important role they can play in mitigating the effects of climate change, flood amelioration and pollution control.

3. Scope

This strategy relates to the management of NFDC's owned tree stock (including trees forming hedges) on land for which it is responsible, and also private trees within the surrounding areas.

Set out below is an overview of responsibility for tree related issues.

- The NFDC Open Spaces Corporate Tree Team are responsible for all matters relating to trees on NFDC land and provides a tree management and advisory service to a range of local Parish and Town Councils and other groups responsible for trees. This strategy does not specifically relate to those arrangements, however, the principles set out in this document are generally applied in the delivery of this service.
- The NFDC Planning Tree Team administer the planning related tree services within the New Forest District area.
- The NFDC Planning Department deal with enquiries relating to the Local Government (Miscellaneous Provisions) Act 1976 Section 23 & 24, in relation to dangerous trees in private ownership and enquiries relating to High Hedges (Anti-Social Behaviour Act 2003 Part 8).
- Within the New Forest National Park Tree Preservation Orders, Conservation Areas, Hedgerow Regulations and planning applications relating to trees is administered by the New Forest National Park Authority (NFNPA) (email: trees@newforestnpa.gov.uk. Telephone no. 01590 646600).
- Outside the National Park but within NFDC boundaries Tree Preservation Orders, Conservation Areas, Hedgerow Regulations and planning applications relating to trees is administered by the NFDC planning.
- Trees growing on land which forms part of the adopted highway are the responsibility of the Highways Authority, Hampshire County Council. (Telephone no. 0300 555 1375 Website: www.hants.gov.uk).
- Forestry England are responsible for the management of 13,533 hectares of publicly owned forest and woodland on Crown land within the New Forest area (Telephone no. 0300 067 4960 Email: southern.reception@forestry.gov.uk).
- Forestry Commission administers the Government's forestry regulations, the delivery of key grants and provides independent advice (including to local authorities, for example on the likely impact of development on woodland etc).



The NFDC Tree Teams are happy to give brief informal advice relating to the management of private trees. However private tree owner disputes are directed to the Citizen Advise Bureau or advised or to seek private solicitors. Private tree owners in need of tree works are directed to the Arboricultural Association's list of approved contractors and consultants (www.trees.org.uk).

DRAFT

4. Policy Context

4.1. International

The 1992 Rio Summit resulted in a declaration on the environment and climate change and stated that the protection of the environment must be an integral part of the development process. The summit also produced 'Agenda 21' which outlined the importance of trees and woodlands in relation to benefits to individuals and communities.

In the wake of the 1992 Rio Summit, conventions were established relating to climate change, biodiversity and the management and conservation of trees and forests.



4.2. National

The 2005 UK Strategy for Sustainable Development underpins the requirement to carefully manage natural resources and restrict damaging practices. Specific reference is made to the importance of trees and woodland. A key principle of the strategy is described as:

“Respecting the limits of the planet’s environment, resources and biodiversity – to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations” (<http://sd.defra.gov.uk/what/principles/>).

In 2007 Defra published a ‘Strategy for England’s Trees Woods and Forests’. This document outlined the Government’s aims for the UK’s trees and woodlands as follows:

- Maximise the environmental, economic and social benefits of trees.
- Ensure that trees and woodlands are ‘resilient to the impact of climate change’.
- To protect and enhance the environmental resources (of water, air, soil and biodiversity) along with the amenity and cultural values of trees.
- Increase the influence of trees on the quality of life of people in the UK.
- Develop and promote new markets for sustainable woodland products and ecosystem services.

The Climate Change Act (2008) requires local authorities to promote measures which can help mitigate the effects of climate change which includes the maintenance of existing trees and new tree planting. The Government has published a Natural Environment White Paper, “The Natural Choice: Securing the Value of Nature (2011)”, which sets the case for a robust and interconnected system of ecosystems and networks. It further outlines the importance of trees and woodlands in the UK and sets out goals to increase tree and woodland cover in both urban and rural areas, enhancing the benefits trees can provide, improving the management of trees and the resilience of the UK tree resource to current and future threats.

The 2011 UK Natural Ecosystem Assessment reinforced the principle that a robust natural environment is the key basis for sustained growth benefitting local businesses and people.

The Natural Environment and Rural Communities Act (2006) requires public authorities to conserve biodiversity and restore and enhance habitats.

The National Planning Policy Framework (2012) contains a number of key clauses with relevance to the landscape and trees.

There is specific reference to requirements in relation to:

- Building a strong economy
- Design
- Promoting healthy communities
- Climate change and flooding
- Natural environment

All of which involve the protection and enhancement of green infrastructure and the natural environment of which trees are an integral and essential component.

There is also a requirement to prepare and adopt a Local Plan including reference to enhancing the natural environment, sustainability, landscape character and health and wellbeing, along with a duty to co-operate

across administrative boundaries to achieve objectives.

The Government Forestry and Woodlands Policy Statement (2013) advises that Community Infrastructure Levy and Section 106 agreements can fund green infrastructure, including trees and woodlands, in order to ensure development is sustainable. “New and better managed woodland also has a role in making our rural and urban landscapes more resilient to the effects of climate change.”

In 2019 government announced it would mandate net gains for biodiversity in the upcoming Environment Bill. Biodiversity Net Gain requires developers to ensure habitats for wildlife are enhanced and left in a measurably better state than they were pre-development. They must assess the type of habitat and its condition before submitting plans, and then demonstrate how they are improving biodiversity, such as through the creation of green corridors, planting more trees, or forming local nature spaces.ail

4.3. Local

The New Forest District Council Corporate Plan 2020-2024 outlines the overarching commitments and vision for the council. It sets out how these objectives and corporate priorities will be addresses within each portfolio area. Relevant to this Tree Strategy are the commitments to tackle the accelerating impact of climate change; responding pro-actively to environmental challenges; maintaining the unique and special qualities of the environment; protecting the special character of the New Forest; improving health and wellbeing and economic prosperity for the area both now and for the future.

Planning and Infrastructure:

Priorities include using contributions to deliver projects that mitigate the impact of development on the natural environment and delivering positive environmental outcomes for the district. Committing to deliver a range of green infrastructure projects funded through developer contributions that enhance the special qualities of the environment. Key activities include ensuring that all development within the district is resilient to climate change and creates healthy environments for our residents to live in.

Environment and Regulatory Services:

Priorities include taking actions that address the impact of climate change locally and working with others to protect and enhance our natural environment. Key activities include responding to future challenges through the development of this new Tree Strategy 2020-2024. Recognising concern over the accelerating impact of climate change, habitat erosion and wildlife loss, actions to protect and improve our environment will be at the heart of all decisions. Whilst environmental risks to health will also be prioritised to improve air quality.

This tree Strategy seeks to support these commitments and will set out specific actions to contribute to the vision and key activities.

The New Forest District (outside the National Park) Core Strategy was adopted on 26 October 2009. It covers the areas of the District outside the New Forest National Park and is a key part of the new Local Development Framework. The Core Strategy provides the broad planning strategy for the area up to 2026. Some of the saved policies in the adopted Local Plan have been replaced by policies in the Core Strategy. NFDC Core Strategy objectives which are related to trees and associated benefits include:

- “5.8.2 Minimise the impact of local factors contributing to climate change. Assess the implications on the plan area of climate change and develop appropriate local responses that minimise any harmful local impacts.”
- “5.8.7 Promote a positive future for rural areas securing their economic prosperity and environmental and social wellbeing.”

- “5.8.8 Promote and safeguard biodiversity, protection and enhancement of wildlife and landscape quality.”
- “Promote public education and understanding of the care and quiet enjoyment of the natural environment.”

Policies CS1 and CS2 relate to landscape, ecology and the quality of the environment. Policy CS3 sets out that:

- “Measures will be taken, working with other partners to secure the enhancement, restoration and creation of biodiversity, including measures to adapt to the consequences of climate change.”
- “encouraging land management practices that restore or enhance sites of biodiversity value and which create new sites.”
- “retaining and enhancing the green infrastructure networks within settlements.”

Policy CS6 relating to flood risk refers to an aim to reduce surface water run-off and increase flood resilience and resistance, traits which trees are proven to provide.

Section 6.7 sets out a commitment to provide ‘places for gentle exercise and leisure activities – essential towards maintaining a full and healthy lifestyle – including pleasant places to stroll or walk the dog’.

- “6.7.9 Improving the quality of existing open spaces”.
- “6.7.11 Preserving and enhancing green infrastructure - with specific reference to trees and woodlands in relation to public amenity, health, biodiversity and sustainability.”

This brings opportunities for innovative and strategically planned tree and woodland enhancement. It is essential that trees and woodlands are recognised as an essential part of the design and fabric of growth.

In 2008 the Changing Lives Partnership produced ‘Future Matters, The Sustainable Community Strategy for the New Forest District’. This document sets out a vision for a ‘thriving New Forest where people, the environment and the economy provide an exceptional quality of life’. The strategy aims to engender a stronger sense of place, with a greater recognition of the value of green space and biodiversity.

Objectives include increasing the sustainable management of woodlands, increasing and protecting areas of green space, reducing the impacts of flooding and higher temperatures associated with climate change, ensuring that plants grow that are adapted to the climate and increasing local community involvement. These aims mirror the objectives of the tree strategy to maximise the benefits associated with trees for the District.

4.4. Conclusion

The policies and guidance detailed illustrates the recognised importance of trees and woodlands from an international to a local level. This tree strategy is envisaged to tie in with the aims of other Council policies and strategies (reflecting wider regional, national and international objectives) in promoting and improving green infrastructure of which trees are a principal component.



New Forest National Park

5. Overview of Tree and Woodland Benefits

It is generally accepted that trees are attractive features within our towns, villages and countryside which contribute significantly to the character of the New Forest District area. Beyond purely visual features, trees provide many other benefits which are often overlooked.

5.1. Economic Benefits

Research, guidance and experience show that people prefer to live, work and play in green leafy environments which can in turn lead to economic benefits.

Industrial areas and employment sites with natural green space can have more productive employees and there is research evidence of increased footfall in shopping areas and tourist attractions with trees. Companies are attracted to locations that offer well-designed, well-managed public places and these in turn attract customers, employees and services (Woolley, et al., 2003). These effects can increase levels of investment in these areas. Well-planned improvements to public green spaces in town centres can boost commercial trading by up to 40%. (Commission for Architecture and the Built Environment, 2009)

The very presence of trees can add from 6-18% to the value of property while the value of undeveloped land-which can provide mature trees can be increased by 27% (Wolf 1998 and London Tree Officer's Association).

Trees can reduce fuel costs for heating and cooling our homes, providing shade in the summer and protecting buildings from cooling winds in the winter. Akbari (2002) states that 'Urban tree planting can account for a 25% reduction in net cooling and heating energy usage in urban landscapes.

With the onset of global warming and the potential for an increase in temperatures the value of shade provided by trees is likely to increase, reducing the risk of skin cancers from the harmful ultra-violet rays. Shade provided by trees is claimed to lower temperatures by 8 degrees (Simson 2008). The work of Gill et al (2007) indicates that retail sales suffer when there is only a minor increase in temperatures (0.3%).

Providing parking with shade from trees not only keeps the interior of your car cool it also stops the UV rays from damaging windscreen coatings and degrading rubber tyres and windscreen wipers. Parking cars in the full sun can also evaporate the expensive fuel from your tank.

5.2. Flood Prevention

Research shows that broadleaf trees located in urban/suburban areas can reduce the rate in which rainwater reaches ground level by some 20 %. This rainwater is held within the canopy and branch structure of the trees. This is particularly important in areas where interconnected hard surfaces are being constructed such as roads, roofs and footpaths.

Surface water runoff and flooding is seen on a variety of sites, the most common of which are urban areas where the movement of water is restricted by the construction of impervious surfaces resulting in drainage systems becoming overwhelmed. This results in forming puddles, pools or temporary flows that can lead to extensive flooding in the built environment.

Stovin et al (2008) suggests that urban trees help to intercept and store rainfall, reducing soil erosion and 'run-off' by buffering the impact of raindrops on the soil. Flooding in urban areas currently costs the UK

over £270 million annually with related significant impacts on water quality and the environment associated with over run drainage systems.

Current climate change forecasts indicate an increased likelihood for storm water events; 'Winters will become wetter with more days of rain and greater volume of precipitation. This can lead to an increased flood risk by up to 200%' (Forestry Commission 2010) and trees are likely to become increasingly important as a cost-effective contribution to Sustainable Urban Drainage Solutions (SUDS).

Trees also improve drainage to ground surfaces through enabling water infiltration down through an uncompact soil environment while taking in water through the root system either to be used or re-released through evapotranspiration.

The root systems of trees play a significant role in reducing soil erosion by binding soil together and reducing the displacement of the soils surface.



Cedar tree adjacent building

5.3. Social Benefits

Ulrich (1998) suggests that the presence of trees in hospital grounds can significantly improve recovery times.

The work of Hartig et al (2003) indicates that “trees and woods can have a restorative and therapeutic effect on the mind”.

People who live within 500m of accessible green space are 24% more likely to meet recommended levels of physical activity. (Coombes et. al.)

Encouraging outdoor activity and recreation, with associated improvements in health and wellbeing. Access to woodland is not only important for health benefits through exercise but also makes visitors feel ‘happy’, ‘relaxed’ and ‘close to nature’ (Coles & Bussey, 2000)

From the above physical and psychological benefits, it follows that there would also be a significant reduction in the cost of health care provision, giving a considerable saving to the public purse. Community involvement initiatives aimed at improving urban green spaces is an important and cost-effective opportunity to improve wellness, and for local people to input into transforming their neighbourhoods and improve their quality of life. (Commission for Architecture and the Built Environment, 2010)

Kuo and Sullivan (2001) found that levels of crime were lower in areas where trees featured in the landscape.

Street trees can have a beneficial impact on traffic, giving the impression of road narrowing which can help to slow traffic, reducing driver stress and also in some cases acting as a barrier between pedestrians and cars. Also working to buffer us from the noise dust and light pollutions of busy roads.

Trees and woodlands have a measurable impact on air quality by absorbing pollutants such as sulphur dioxide and ozone, intercepting harmful particulates from smoke, pollen and dust, and releasing oxygen through photosynthesis, reducing the incidence of diseases exacerbated by air borne pollutants. (The Centre for Sustainable Healthcare, 2019). Tiwary et al (2009) suggests that: “trees provide a surface area for capture (of pollution) that can be between 2 and 12 times the area of land they cover”.

Researchers at Columbia University (US) found asthma rates among children aged four and five fell by a quarter for every additional 343 trees per square kilometer. (Lovasi et al.)

When one considers the Government estimate that 24,000 people in the UK suffer a premature death due to air pollution (NWDA 2007) (BBC news report on 07/03/13 increased this figure to 26,000) and that hospital admissions linked to air quality could cost as much as £60 million a year (Sustainable Development Commission 2008), the real worth of trees in relation to air quality and health is reinforced.

Gill et al (2007) suggests that a 10% increase in urban tree cover and green space will offset predicted rises in temperature due to global warming.

Shaw et al (2007) argued that more large trees are required due to the greater associated benefits they provide.

5.4. Environmental Benefits

Trees can help sequester or absorb carbon, storing it in the form of wood. Many tree work contractors

(including NFDC's corporate tree contractor) process their arisings to supply wood fuel/biomass as a renewable alternative to fossil fuels.

Carbon is also stored in woodland soils. Poorly planned and managed woodland can severely degrade soil and water resources, increasing vulnerability to climate change. Good management seeks to maintain and enhance the natural protective functions of woodland and the benefits they provide for society, including carbon sequestration, clean water and a reduced flood risk.

Trees provide essential habitat to a wide range of species and can act as a major feature of 'green corridors', particularly in urban areas, providing essential links and transport routes to a range of wildlife. Trees give feeding, nesting and roosting sites for many species of flora and fauna.

The work of Brown and Kodric-Brown (1977) suggests that species in poor quality environments can be supported by neighbouring habitats of higher quality if there is a sufficient avenue of connection. Trees play an important part in this process, providing a link between urban green spaces.

Trees provide a large range of important regulating ecosystem services and contribute towards the sustainable future of the district. More detailed discussion of these services can be found in 8.2 Ecosystem Services.

Trees have a significant role to play in mitigating the affects of a changing climate. This is explored more in 8. Climate Change.

5.5. Cultural Benefits

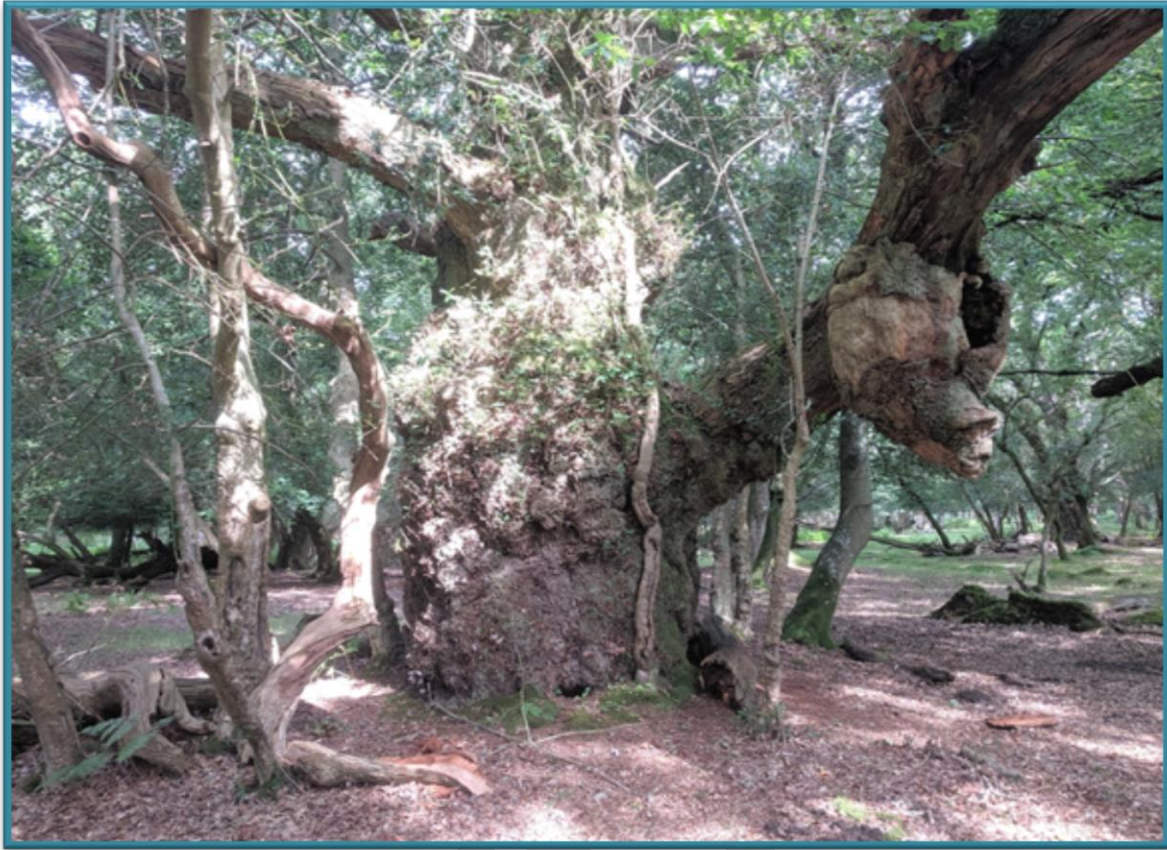
Trees make an important contribution to the character and identity the local area.

Trees can provide a sense of scale and a sense of time in developed landscapes, they can mark the passing of the seasons and stimulate interest with displays of flowers fruit, leaf colour and form.

Kim and Kaplan's (2004) work indicates that green space and natural features can play a significant role in increasing the bond that local people have with their locality and their neighbours.

Newton (2007) states 'Trees bring people together. They contribute to a sense of place and play an important role in fostering social cohesion and reducing negative social behaviours'.

It is important to note that larger species of tree tend to provide correspondingly greater benefits and yet despite this there has been a general trend in the UK to remove larger mature trees and replace them with smaller tree species (if at all) due to competition for space and concerns over safety and nuisance as highlighted by the UK Urban Canopy Initiative and the government publication 'Trees in Towns II' (Britt and Johnston 2008). This process has been described as 'urban deforestation'.



'The Gritnam Oak' Ancient tree

6. Management of Trees

6.1. Council Owned Trees

This section deals with trees owned or managed by NFDC. It contains a snapshot of the tree stock, discussion of the challenges facing NFDC trees and contains action points to address these. An explanation of the general working practices of the NFDC Corporate Tree Department is included, along with guidance on common enquiries about trees made to the department.

6.1.1. NFDC Trees: The Current Situation in 2020

NFDC is responsible for a wide variety of trees growing on NFDC land on a range of sites.

NFDC currently has more than 21,000 assets (trees larger than 30cm diameter at breast height), recorded on its tree specific management system.

(This number should be treated with caution as it reflects only those trees which are specifically recorded and certainly substantially underestimates the total number trees, particularly smaller individuals and trees within large groups. A total estimated figure is currently approaching 92,000 trees).

This information has been collected over the past 15 years via an ongoing survey of Council owned trees, recording data on a tree specific electronic database. Currently, NFDC are half-way through a proactive 4-year survey of all trees on all NFDC land to address previous inconsistencies in the data.

Table 1 illustrates the species of trees which are recorded as individuals or groups of single species. (Mixed groups of trees are not included). Other species with recorded representation lower than 100 is also not included, therefore the table refers to approximately 3 fifths (46470) of recorded NFDC trees. It is not an exact record of the specific numbers of individual species but gives a useful indication of the general distribution.

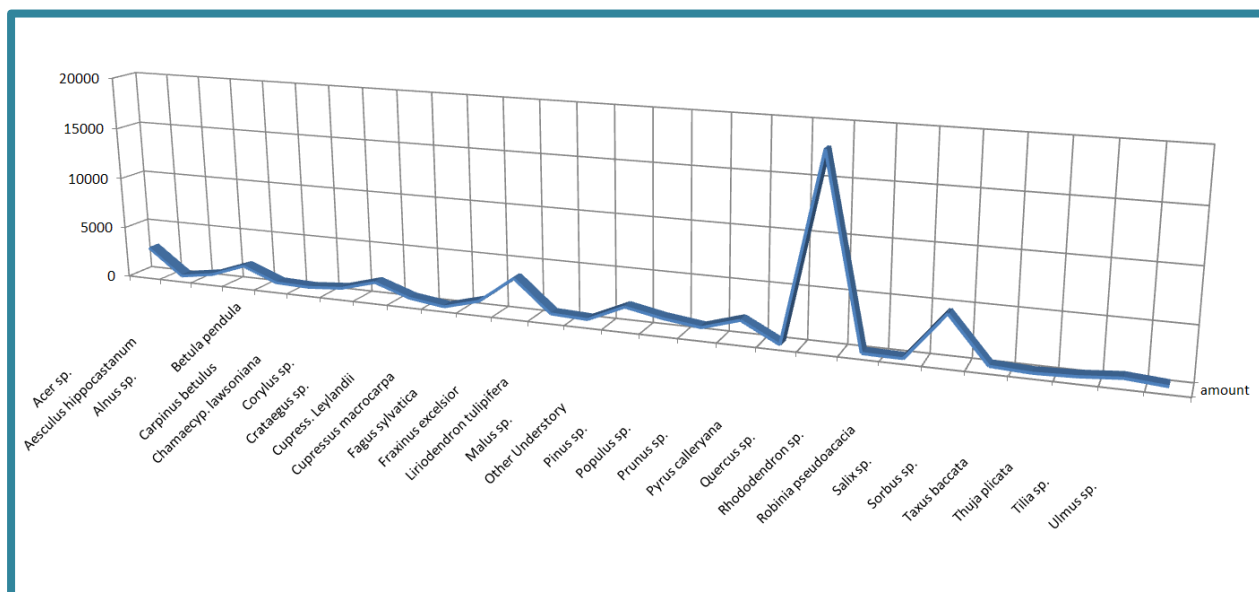


Table 1

This information illustrates that there is a principle reliance on species such as willow, birch, sycamore, ash and English oak which is likely to reflect the wider situation in the local area.

Oak (*Quercus robur*) is present in numbers three times greater than other dominant species. This situation varies from the general picture of tree species distribution in England as established by the Government's 'Trees in Towns II' (Britt and Johnston 2008) report. Across the country 'small' broadleaf trees were most common (42%) and Leyland cypress and hawthorn were the two most frequent species. This suggests that NFDC has strong assets of large broadleaf trees reflecting its less urbanised character.

Oaks are very important ecologically. In 1961 Over 400 different types of invertebrates were recorded associated with the species (Southwood 1961). Oak biodiversity work led by Dr Ruth Mitchell has shed new light; In total 2300 species were listed. 38 bird species, 229 bryophytes, 108 fungi, 1178 invertebrates, 716 lichens and 31 mammals. Bacteria and other micro-organisms that are associated with oak are not included in this, so the true number of species that use oak trees, although unknown, is much greater. Oak provides a higher biodiversity value than any other native tree and hosts more insects than any other tree species in the UK.



Mature oak tree adjacent NFDC properties

Oak is also an iconic tree of the New Forest area which is specifically suited,

integrated and adapted to local conditions and ecology. Older or larger trees are likely to provide a proportionately higher contribution than younger and smaller trees due to their greater mass and higher volume of habitat features.

Several issues can affect this species in the UK, including Acute Oak Decline, and the oak processionary moth (*Thaumetopoea processionea*) (with implications for human health).

Over reliance on a single species is problematic due to the threat of pests and disease with a changing climate among the other factors which could significantly impact upon the tree population.

Ash (*Fraxinus excelsior*) make up approximately 5% of recorded NFDC trees and this species is an important feature in woodlands, gardens and open spaces. This species is considered important for dead wood invertebrates and is the second most important native tree for lichens, filling a niche left by the demise of elm trees due to Dutch elm disease.

Unfortunately, Ash trees are currently now under threat from the fungus *Chalara fraxinea* / *Hymenoscyphus pseudoalbidus* (Ash Dieback). This disease will affect a large proportion of ash trees in the UK and significant tree loss and decline is expected. NFDC Corporate tree officers have instigated an Ash Dieback Action Plan to address the ongoing management of Ash (add link here).

Many self-seeded trees develop in hedgerows, woodlands and open spaces and make an important contribution to the district. This 'natural regeneration' is a useful (and free) alternative to tree planting when trees develop in appropriate locations. This species can cause problems where it establishes in inappropriate locations such as adjacent to fencing or walls with a high potential for future damage as the tree increases in size.

Sycamore (*Acer pseudoplatanus*) is also well renowned for its ability to regenerate in areas of open ground. This species is not considered to be native but naturalised, and as such is of value to biodiversity. It supports a range of epiphytes, herbivores and ground flora, comparable to those of many native species (Binggeli, 1993; Peterken, 2001). Flowering in midsummer when limited numbers of other tree species are, it provides an important source of nectar and pollen. This species can require control where it develops in inappropriate locations or where it suppresses the development of other important trees. Sycamore may become an increasingly important feature if local ash populations are significantly affected by Ash Dieback.

Willow (particularly *Salix caprea*) and birch (*Betula pendula*) are 'pioneer' native trees which readily colonise areas of open ground and support an important range of associated flora and fauna including many species of moths, butterflies and bees. These species have relatively short life spans (typically less than 70 years) and generally do not reach equivalent size of other trees such as oak and ash. They form an important feature across the district and as they regenerate freely they are an excellent source of 'free' trees.

This table illustrates the typical ages of recorded NFDC trees and highlights the low number of young and established trees. This may in part be due to a lack of reporting for these age classes but is also likely to be attributable to a lack of planting historically. These younger trees will be the mature and veteran trees of the future.

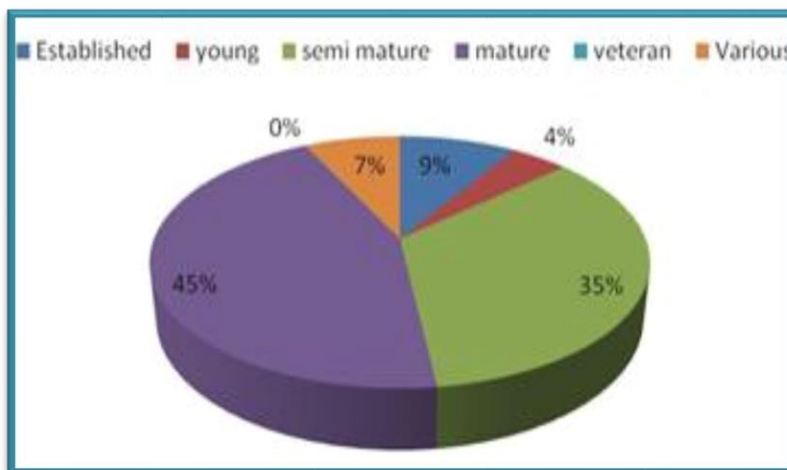


Table 2

Across the county mature trees are far less common (only 17%), however, there are typically twice as many young trees recorded (14%). NFDC must work towards having an increasingly uneven aged profile of trees with a greater balance across age ranges, increasing the number of young, established trees and those trees with veteran features to ensure that there is a continuity of tree cover and habitat for the future.

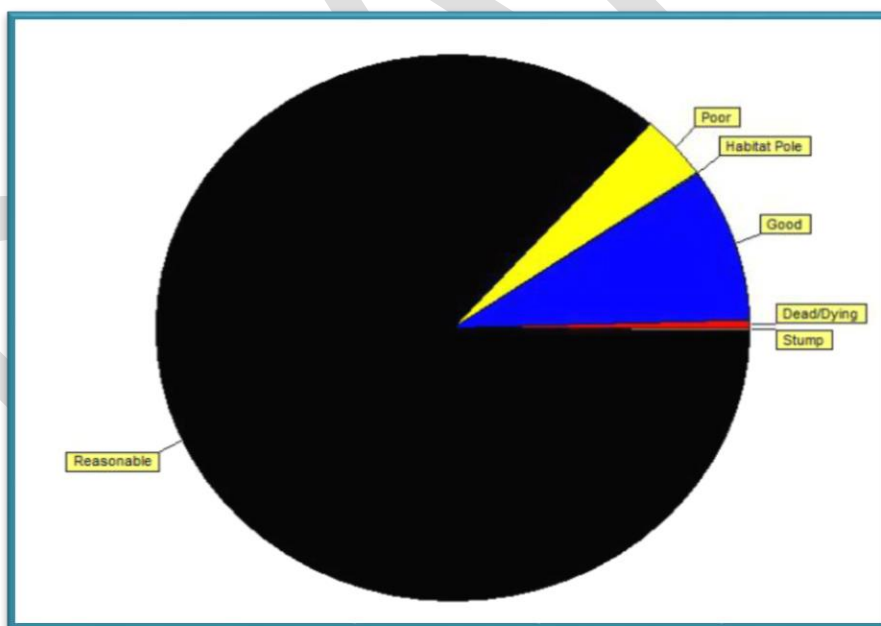


Table 3

This table illustrates that the majority of NFDC trees are classified as being in reasonable or good condition (91%). This is undoubtedly positive and appears to improve upon the average situation for local authority trees in England (only 70% classified as 'good' as opposed to 'poor, dying or dead'). This data is likely to reflect a bias against recording trees of all conditions in low risk areas, however, the information can be used to monitor the situation going forward to identify developing trends and direct the allocation of resources where required.

6.1.2. Key Issues Affecting NFDC Trees

Some of the problems which affect the NFDC tree stock are outlined below. These issues are based on the experiences of the Tree Team over recent years and present the challenges for the management of Council trees. NFDC will take steps to address these issues over the next 5 years when a review will be carried out to identify progress, areas for improvement, and new developments which require attention.

A Gradual Decline of Tree Cover for NFDC and trees throughout the authority

This is predominantly due to:

- Sanctioned removal of inappropriate, damaged or dangerous trees and trees causing damage as part of the Council's ongoing management of the tree stock.
 - To help mitigate this NFDC have adopted a two for one replant policy for every sanctioned tree removal. (see 6.1.11 Tree Planting, for more detail)
- Ongoing pressure to remove trees which cause a perceived nuisance (seasonal blocked light/leaf fall/fruit etc)
 - NFDC Corporate tree team will not remove trees for illegitimate or spurious reasons as defined within this Policy (see 6.1.4 Tree Works Policy).
 - The policy has been strengthened to provide a robust decision making tool for NFDC Tree Officers.
 - NFDC operate a green waste collection service to aid with the clearance of leaf fall that residents can utilise.
- The unsanctioned removal or damage of trees, with a historic failing to consistently provide a robust response.
 - The Corporate Tree Team have strengthened the response to damaged or removed trees and will seek full reimbursement for the costs of replacing damaged or felled trees under NFDC ownership. Approved valuation methods may also be applied, such as CAVAT, and the trees value pre-damage/removal may be sought.
- A lack of replanting and new planting historically.
 - Political and public support and demand for new tree planting is growing daily due in part to the high media attention given to environmental issues. Many planting requests are received by the Corporate Tree Department and is an encouraging sign of change. within this strategy NFDC will provide resource to accomplish this shared ambition by replanting 2 trees for every council owned tree that is lost.
- A historic focus on reactive risk management to the detriment of a broader plan of proactive management of the Council's trees.
 - The Corporate Tree Team have instigated a 4 year cyclical survey and maintenance programme in addition to the zone based survey schedule.
- The unsanctioned removal of trees for new developments, new housing, additional parking bays/driveways, footpaths and roads by separate internal NFDC departments.
 - The Corporate Tree Team have developed a sign off sheet which must be approved and signed before any works are undertaken near trees. The Corporate Tree Team being the final decision maker in all cases will ensure consistency in management.
- Unauthorised removal of trees by tenants.
 - The corporate tree department will seek full replacement and aftercare costs for two replacement trees for each one removed, any any remedial tree work required in the case of damage.
- Disproportionate pressure to remove trees due to concerns about safety, direct and indirect

structural damage to property.

- NFDC Corporate Tree Officers carry out proactive surveys of all NFDC's trees, as well as additional ad hoc visits when required. Trees will not be removed unless they fall within the correct criteria to pose a health and safety risk. This will be determined using the Visual Tree Assessment (VTA) method by qualified staff (see NFDC Risk Strategy for more information).
- Historic planting and lapsed maintenance of hedges in housing property gardens (i.e. Leyland Cypress) which then become overgrown, costly and difficult to manage in the long term, now requiring removal.
 - NFDC will look to replace any hedging removed with suitable alternative native species.



Poorly maintained evergreen hedge

Woodland Management

- Proactive and strategic woodland management (including the formation of management plans) to maximise the potential of individual sites.
 - NFDC will seek to formulate UK Forestry Standard compliant woodland management plans, that when actioned may then give access to grant funding
- A history of fly tipping of household, building and green waste in woodland sites, causing damage to trees, increasing risk of injury to woodland users, soil contamination, degrading the sites and public enjoyment of them. Resources for effective enforcement for fly-tipping offences, has been a contributing factor to litter and waste becoming widespread around the perimeter of nearly all woodlands that border residential properties. Plastic pollution has recognised long-term effects on ecological process.
 - The corporate tree team will formally contact residents, and pass details to the NFDC Open Space Enforcement Department where applicable
 - Resource for litter picking contracts will be explored
 - All NFDC departments with responsibility for the land where flytipping is found will be informed so they may carry out their duty to keep the site generally clear of litter



Litter in NFDC woodland

- Invasive species such as *Rhododendron ponticum* supressing more beneficial native species in woodland areas, resulting in a loss of biodiversity
 - Previous efforts to control rhododendron have been made in certain NFDC areas with great success, however this has been understandably restricted by the sheer scale of the task, This strategy aims to remove 10% rhododendron cover each and every year. Woodland management plans will be devised to remedy this. Parish councils' woodlands suffer from Rhododendron colonisation to a severe degree, and NFDC aspire to offer guidance and support to enable them to resolve this. (See biodiversity section)
- Access to outside funding/resources for management projects
 - Tree Officers will seek to establish written sustainable woodland management plans in accordance with the UK Forestry Standard from which grant funding could be applied for.
- Involvement of local communities in woodland sites, and engagement with volunteer or other groups
 - NFDC has a formal Corporate Health & Safety Policy, Appendix A (5) Corporate Health & Safety Policy and Arrangements document. Volunteers are specified within this document, section 1.2.
 - Woodland volunteer engagement is in its early stages and procedures are underway by the Corporate tree team to enable future volunteers.
- Tree care and new planting
 - Due to the predicted impact associated with Ash dieback on tree numbers, sufficient resource for planting will be made available., NFDC will also offer support for Parish Councils.



Supplemental woodland planting on the outskirts of Netley View

Tree Health

- Over representation of individual tree species and age classes show a lack of diversity, affecting resilience with a potential increased susceptibility to pests and disease and the impacts of a changing climate.
 - Diversify species mix within new planting schemes, and increase planting to address age class.
- Pests and diseases pose an increasing risk to the health of all trees and woodlands.
 - See Pest & Disease Section 6.1.17
- Climate change may bring conditions which are not suitable for long term tree health for all species. Bringing extreme weather conditions with very dry summers and very wet stormy winters.
 - See Climate Change Section 8
- Following best practice to minimise and mitigate the impact of development and infrastructure works including damage to trees, soils and roots.
 - See Private Trees Section 7 for information on Development and Trees
- Lawnmower and strimmer damage to tree roots and stems. Wounds to roots and stems can provide an entry point for decay fungi. The likelihood of the development of dysfunction or decay increases where wounding is regularly repeated over time. This is of increased significance for older trees which are less able to respond to injury.
 - Use of guarding around newly planted trees, retrofitted where necessary. Give training to mower operators. Leave unmown swathes around trees in certain locations
- Car parking and mowing on verges and grass areas in Council housing estates. Vehicles driving and parking on the soil can significantly damage soil structure via compaction which can reduce available water, air and nutrients for tree growth and lead to decline. Tree roots and stems can also be damaged where parking occurs next to trees with long term implications for tree health. These activities also reduce the viability of future planting schemes by damaging the soil and obstructing areas of green space.
 - Bunds will be constructed to restrict vehicle access, specifically to protect trees from damage.

6.1.3. Trees and Risk

The very low risk of harm associated with trees can sometimes cause disproportionate public concern. Trees are dynamic living structures which are often of great size and which move and react to the wind. Furthermore, tree failures and instances of fatalities associated with trees are often subject to a high degree of public attention further engendering a high perception of risk.

The HSE suggests that the risk from trees falls into its lowest category of risk; the Broadly Acceptable Region on the Tolerability of Risk Framework ('Reducing Risks, Protecting People' 2001). Despite this, tree owners have a duty of care under Common Law (the torts of negligence and nuisance), The Occupiers Liability Acts (1957 & 1984) and the Health and Safety at Work Act 1974, to take reasonable steps to prevent foreseeable harm to people or property.

This duty of care can be reasonably fulfilled by undertaking a regular assessment of trees which pose a significant risk due to their location and condition. Remedial works can then be carried out as required. NFDC will manage the low risk posed by its trees as part of its wider management of the tree stock and in line with current best practice. The specific approach is outlined in the separate Tree Risk Management Strategy (attached Appendix 2).

Often the desire of members of the public to want to reduce trees to a certain height or size can in fact make trees more unsafe in the long term. Resulting in structural weaknesses such as a proliferation of dense regrowth with weakly formed branch attachments, and opening entry points for decay, pests and diseases that they would not have been exposed to.



Wood sculpture in Marchwood

6.1.4. Tree Works Policy

NFDC will adopt a consistent and sustainable approach to tree work following the principles of best practice (BS 3998: 2010 - Tree Work Recommendations) to meet its duty of care and maximise the benefits of trees under its ownership.

- Remedial works will be undertaken where trees are likely to cause reasonably foreseeable damage to property or injury to people and where any alternative options are inappropriate.
- In compliance with the Highways Act 1980 tree works will also take place to provide suitable clearances of roads and footpaths (typically a clearance of 5.2m of roads and 2.3m of footpaths) to prevent obstruction and to clear sightlines.
- Where tree branches restrict the reasonable use of gardens, branches will be lifted to provide a suitable clearance (typically of 3m).
- Where trees are touching or nearly touching property with the potential to cause damage before the next inspection date they will be pruned back to achieve a suitable clearance (generally 1-2m).
- During proactive survey and reactive site visits NFDC will consider the long-term suitability of trees and where appropriate may remove trees which are not suited to long term retention (at the discretion of the Corporate Tree Team and applying the principles of good tree management). This will involve a consideration of trees (both age and species) in the context of the resilience and long-term viability of the Council's tree stock in the local area and the amenity value they provide.
- NFDC recognises the important contribution garden hedgerows make to wildlife, alongside other benefits such as screening and buffering. Hedges in housing properties which haven't been managed historically, may be formalised where the condition of the hedge allows, and tenants agree to undertake ongoing future maintenance. Where this is not feasible hedges may be removed and replaced with more suitable species or as a last resort, alternatives such as fencing. Hedge work is carried out by the Grounds Maintenance Team. Contact them directly at grounds.maintenance@NFDC.gov.uk
- Trees will also be pruned or removed, where appropriate, to improve the growth of adjacent NFDC trees which are considered more suitable for the long term, to restrict the spread of pests and disease, to allow the control of invasive species or to remove trees which are not suitable for long term retention.
- Where tree roots are subject to sustained ongoing damage from lawnmowers or strimmer's, the application of 100mm of woodchip mulch (typically in a minimum 1m circle around the stem but sufficient to protect exposed roots) will be considered. In some areas, allowing grass and undergrowth to grow longer around a tree in an unmown swathe, can be a useful alternative with additional benefits for wildlife and the tree (this also reduces the grass cutting requirement for the Grounds Maintenance teams).
- Ivy (*Hedera helix*) is a native species which provides important habitat to a wide range of wildlife,

especially as an important source of food and cover for birds. Ivy often grows on tree stems and branches and can restrict the full structural assessment of a tree, it can also add additional weight and wind sail to the crown. Ivy will be severed at the base of relevant trees where it restricts the full assessment of parts, where a significant defect is suspected, or where ivy growth is so prolific it increases the sail area or affects the growth of the inner crown of a tree to an unacceptable level. Once severed, ivy will be left in situ to die back. This will reduce the impact of any loss of cover/habitat to local biodiversity and will help prevent sun damage to newly exposed parts of the tree.

- All works will be specific to each individual situation and will be dependent on the species and condition of the tree and other relevant factors.
- Section 96A of the upcoming Environment Bill 2019 refers to a requirement for local highways authorities to consult local communities before they fell any street trees. Guidance will be issued about how to discharge the duty in due course. NFDC is not a highways authority, and therefore is currently out of scope of this duty.

All tree work decisions will be taken by the Corporate Tree Officers and carried out by qualified tree contractors.



NFDC garage block in Totton

NFDC will not carry out works to specifically alleviate issues such as:

Overhanging Branches

There is no legal obligation for a tree owner to prevent trees growing over boundaries into air space. The Council inspects its tree stock to ensure that branches that do grow over boundaries are not likely to cause reasonably foreseeable damage to structures or injury to people and where appropriate to provide a reasonable clearance of gardens, driveways, roads and paths.

Occupiers have the right under common law to prune back overhanging growth back to their boundary (subject to consent from the Local Planning Authority for any trees under statutory protection, planning conditions or covenants) however they must not cross the boundary to undertake this work, they must not go beyond the boundary line or reduce the height of the tree, they must not climb the tree without permission from the tree owner.

All arisings technically remain the property of the tree owner and should be offered back to them, however if they decline they should be disposed of responsibly by yourself. Where such works take place to NFDC trees any arisings should be disposed of appropriately and not be deposited over the boundary. Any waste material placed back on the tree owners land without permission or on any open space land could be classed as fly tipping and result in a large fine.

It is not considered appropriate for neighbouring council properties/housing tenants to do works to NFDC owned trees either in adjacent woodlands, or gardens, other than small scale secateurs sized maintenance pruning. Council tenants must not instruct contractors to carry out works to NFDC trees.

It's important to note that if, by their actions, a neighbour leaves trees in a condition which:

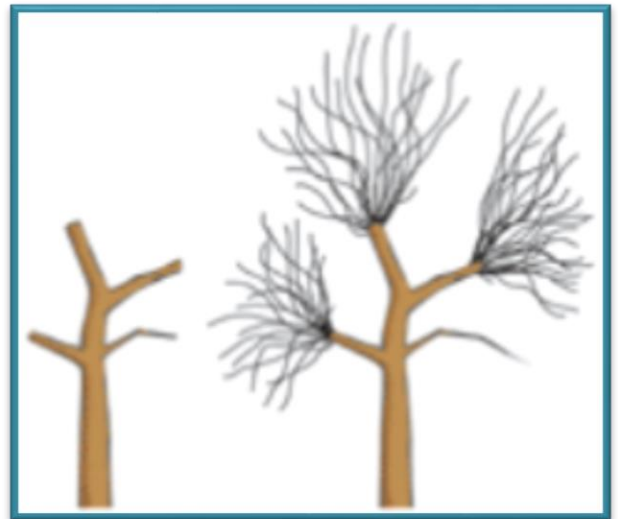
- Requires remedial works to make them safe
- As a result of the works, the tree fails and causes damage or injury

In such circumstances the neighbour is likely to be liable for any resulting damages and/or costs of work.

It is good practice to contact the Corporate Tree Teams to discuss any proposed works. It is also advisable to check that trees are not protected prior to any works taking place.

Blocked Light

As trees grow they can block out sunlight. This is particularly apparent where trees are located beyond the southern boundary of a site. 'The sun rises in an easterly position and tracks through south to set in a westerly direction' (Barlow & Harrison 1999) and as such trees located to the south can cause a high degree of shade, particularly during times of year when the sun is lower in the sky and when leaves are present on deciduous trees. These factors must be considered at the design stage for all proposed structures to minimise future conflicts. There is no proven 'right to light' in law in relation to trees. Pruning trees can negatively affect their visual appearance and has implications for long term tree health and retention. Pruning often results in dense re-growth which can increase issues of shade within a short period of time and therefore doesn't provide a sustainable or cost-effective method of controlling this issue.



Dense regrowth

Considering the concern relating to climate change and the benefits of trees in relation to the mitigation of climate change (i.e. helping to buffer extremes of temperature amongst other benefits – see Ecosystem Services); shade is likely to be of increasing importance to residents in the south of England.

'Sap' or Honeydew

This is a sticky liquid excreted by aphids feeding on trees which can be readily cleaned with warm soapy water. Encouraging insects which predate on aphids such as lacewings or ladybirds may help reduce this issue. Trees will not be pruned to stop sap or honeydew from falling on parked cars instead you will be asked to park away from the tree.

Bird Lime and Other Issues Associated with Wildlife

Trees provide an excellent source of roosting, nesting and feeding sites for a wide range of wildlife including birds and this is largely to be encouraged. The Council will not consider pruning or removing trees to alleviate problems associated with 'wildlife'.

Falling Leaves

Leaf fall is a naturally occurring event over which tree owners are not expected to have any reasonable control. This predominantly relates to deciduous trees and occurs over a relatively short period of time each year. Leaves can provide an excellent (and free) source of compost and can be easily collected and mulched with a lawn mower. The Council will not consider pruning or removing trees to alleviate problems associated with a trees natural process.

TV Reception

There is no legal right to television or satellite reception. Such issues will not be grounds for tree pruning or removal and may be best resolved by alternative engineering methods. Service providers should be consulted to discuss viable alternative solutions.

To Allow Increased Sunlight to Solar Panels

Solar panels should not be installed where existing trees will have a significant adverse impact. Whilst we appreciate the need to provide renewable energy resources, trees have an important role in maintaining and improving local amenity, in addition to contributing to local and national targets in tackling climate change. The presence of trees must be fully appreciated when considering a suitable location for the placement of solar panels, with the current and potential future shading effects accounted for. Where pre-installation site surveys have been carried out competently such issues should not develop. Service providers should be consulted to discuss viable alternative engineering solutions, such as separate optimisers on each panel to reduce any shading effect.



Solar panel shading

Because Trees are Deemed to be ‘too big’

Trees grow adaptively to support themselves in relation to their surroundings and the typical loads they can be expected to experience. Trying to contain trees to a specific size is only a suitable management regime for certain species in specific circumstances (i.e. pollarding of street trees). This pollarding process is initiated ‘soon after (a) tree is established’ and ‘larger trees should not normally be treated in this way’ (BS3998: 2010 Treework – Recommendations). ‘Crown reduction’ can also be used to allow the retention of an important tree with structural defects, trees which cause an obstruction or trees which are likely to cause structural damage to property which would otherwise need to be removed. In all other situations, reducing the size of a trees crown is not considered appropriate.

Because Tree Roots have Entered Drains

Tree roots do not generally enter drains which are properly constructed and fit for purpose (i.e. designed for use around trees). Unfortunately, many drainage pipes in the UK are not constructed to this standard. Roots are opportunistic and will grow in areas which meet their requirements for air and water. Condensation on the outer surface of pipework and disturbed ground where pipes have been laid can provide good growing conditions for root development, particularly when surrounding ground has been compacted.

Where roots have entered drains there are reliable engineering solutions (such as relining pipes) which allow tree retention and solve the drainage issue for the long term.

Evidence of drain damage will need to be provided by a reputable company before any investigations will be undertaken by NFDC tree department.

The Impact of Tree Works

Pruning trees creates wounds which are potentially damaging and may allow the ingress of disease or decay. Following pruning, trees generally re-establish their leaf coverage as quickly as possible which can often lead to the development of dense re- growth exacerbating issues such as blocked light and leaf fall. Pruning often initiates the development of latent buds which do not form strongly attached branches and

necessitates ongoing future management.

Pruning can also damage the aesthetic appearance of trees and diminish their amenity contribution. For these reasons the pruning of NFDC trees will be kept to a minimum.

It is also strictly forbidden for Council tenants or anybody working on behalf of tenants to prune or damage council owned trees (other than very small secateurs size pruning from ground level).

Where trees are removed the establishment of a replacement is not always straightforward. Issues such as vandalism, drought stress, transplant shock and aftercare requirements can restrict success rates. Also, it takes a long time for such trees to make a significant amenity contribution to an area.

Our trees are monitored and surveyed regularly, and although they may in some instances appear unmaintained, good arboricultural judgement and practice is used. Often the best thing for the tree, is to leave it alone.

Who Can Carry out tree work?

Where works are due to NFDC trees, the NFDC tree contractor will carry out the work in partnership with councils Environment Services. They are fully vetted, licensed, insured and quality monitored by the NFDC tree department. Tree works carried out by the NFDC tree contractor will follow the principles set out in the British Standard for Tree Work (BS 3998 2010 - Recommendations for Tree Work).

Housing tenants are expected to undertake general management (trimming) of hedges, border maintenance and grass cutting etc.. However, for health and safety and insurance reasons they **must not** undertake any tree works (other than very small secateurs size pruning) within council owned gardens or land.

It is not considered appropriate for neighbouring council properties/housing tenants to do works to NFDC trees or to use their own contractors to carry out works on NFDC trees.

Private owners neighbours can carry out works to NFDC trees where they overhang their boundary as per their rights under common law (subject to consent relating to any statutory designations), they cannot enter NFDC land, reduce the height, climb NFDC trees or go further than their boundary without written NFDC permission to do so and they must also dispose of all waste responsibly themselves.

If you are unsure of the works you can undertake please contact the corporate tree department first for advice.



Minor pruning example

6.1.5. Damage Caused by Trees

Direct Damage to Property

Tree roots, stems and branches get thicker each year via a process called secondary thickening. Over time as they increase in size, they can disrupt or distort adjacent structures and surfaces. This is generally limited to 'lightly loaded' structures such as low walls, fences and paving. Trees roots generally deflect around more 'heavily loaded' structures such as houses that have deeper foundations.

In such circumstances alternatives to tree removal will always be explored first (i.e. engineering solutions). Securing, replacing or rebuilding walls, bridging walls and fences over tree roots, smoothing pathways over or moving paths away from the root protection area of a tree completely.

The asset value of the tree will be considered against the cost of alternatives. (i.e. applying the CAVAT (Capital Asset Valuation of Amenity Trees) system of evaluation) and weighing it up against the cost of alternative engineering solutions.

Indirect Damage to Property (Subsidence)

Throughout the growing season, as part of the growth process, trees extract water from the soil and release it into the atmosphere. On highly shrinkable clay soils this can result in soil shrinkage or movement which, in specific circumstances, can lead to the differential movement of structures with the potential for damage. Such soil movement can also be attributable to a wide range of other factors including the climate, surface vegetation such as grass or shrubs, drainage issues and other factors linked to the design and installation of the structure/building. Careful analysis of a range of evidence is required to determine the cause on the balance of probabilities. As set out in the accepted national guidance document "Subsidence of Low-Rise Buildings" (Institution of Structural Engineer's 2000) other potential influencing factors should be eliminated before the assumption is made that trees are the cause of structural movement.

Incidents of subsidence related damage involving NFDC trees are extremely rare, however there are areas of shrinkable clay soil within the District and the corporate tree department have access to soil mapping systems for NFDC land.

Members of the public who are concerned about tree related subsidence are advised to contact their insurers. To support situations where NFDC trees are implicated in subsidence related damage specific supporting evidence will be required including a subsidence survey by a reputable company before any tree investigation will be undertaken.

The value of the tree will be a material consideration in the process. To determine this, an established valuation system known as CAVAT (Capital Asset Valuation of Amenity Trees) will be applied in each instance. This mirrors the approach applied by signatories to the Joint Mitigation Protocol established by the London Tree Officers' Association to enable a cohesive and proportionate response to insurance claims related to trees and subsidence.

Recent case law (Including Perrin and another v Northampton BC 2007 and Berent vs Family Mosaic and London Borough of Islington 2012) has helped to clarify the court's perspective on the issue of the social and amenity value of trees, and set out that alternative solutions to tree removal should be considered; assessing the reasonably foreseeable 'real risk' of damage, and reasonable action to balance that risk; and also clarified how tree owners should proactively manage the risk from trees on clay soils.

NFDC will review its land holdings where there have been successful claims of damage and review if there are trees in this area which are likely to pose a 'real risk' and will take appropriate action.

Insurance Claims

Where trees are alleged to have caused direct or indirect damage to property and a formal claim is submitted the matter will be referred to the Council's insurers.

NFDC will consider claims directly from property owners. Such claims should be submitted in writing with at least three quotes to cover the cost of repair or replacement along with justification for the claim. Claims for damage which was not reasonably foreseeable are likely to be refused.

All claims should be addressed to:

New Forest District Council
Insurance & Risk Officer
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA



Tree failure in Totton due to historic topping

6.1.6. Protection and Enforcement

- NFDC will adopt a robust approach to damage to its property. Where NFDC trees are felled or damaged without prior consent the matter will be referred to the police, and will undertake a full investigation for criminal damage to property.
- Should anyone witness any damage to council owned trees we encourage you to contact the police on 101 to report it and get in touch with us.
- Civil action will be considered to recover compensation for the loss or damage to the tree and/or any remedial works resulting; including replanting with suitable replacements, and aftercare.
- Accepted tree valuation methods will be applied, where appropriate, to establish a monetary value to the tree/s such a CAVAT, and will be incorporated into any claim.
- Officer time investigating damage may also be incorporated in any claim.
- NFDC will also consider the use of Tree Preservation Orders to increase the legal protection afforded to specific trees or woodlands which are considered to be under threat. Where damage is caused to a tree which is protected by a Tree Preservation Order, the Council will consider prosecution which could result in very large fines.

6.1.7. Enquiries Relating to NFDC Trees

Each year NFDC receives Thousands of enquiries relating to trees which will continue to increase with additional stresses on tree stock such as climate change, increased development, population and pests and diseases.

Requests for works to trees will be considered in line with the Tree Works Policy.

Tree issues quick reference guide

Issue	Background	NFDC Policy
Tree touching my property?	It must be physically touching not just overhanging the building.	NFDC will prune to give a suitable clearance (generally 1-2m) from structures.
Overhanging Branches	There is no legal obligation for a tree owner to prevent trees growing over boundaries.	NFDC will not prune or fell its trees to alleviate the nuisance of overhanging branches other than in exceptional circumstances (low enough to cause obstruction or hazard).
Light.	In law there is no right to light either in buildings or gardens/other open spaces. If natural light is being blocked by the growth of a hedge then action may be taken to reduce the problem under the High Hedges Act, Part 8 of the Anti-Social Behaviour Act, 2003.	NFDC will not prune or remove trees for light related issues.
Sap/honeydew.	Honeydew is caused by greenfly (Aphids) feeding on the tree, which excrete a sugary sap. Pruning the tree may only offer temporary relief.	NFDC will not prune or fell its tree to remove or reduce honeydew or other sticky residue from trees. Honey dew can be readily cleaned from surfaces with warm soapy water. Parked cars will be asked to park away from the trees.
Bird Droppings.	Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law).	NFDC will not prune or fell its trees to remove or reduce bird droppings from trees or clear up/remove bird droppings. Parked cars will be asked to park away from the trees.

Blossom/leaves.		NFDC will not prune or fell its trees to remove or reduce leaf fall, blossom.
TV/satellite reception.	The responsibility for receiving a satellite television signal is with the company that erects the satellite dish or aerial. The company should erect their equipment in a location that receives a clear signal.	NFDC will not prune or fell a Council owned tree to prevent perceived interference with TV/satellite installation/reception.
Trees and solar panels.	The current and future presence of trees must be fully appreciated when considering a suitable location for the placement of solar panels.	NFDC will not prune or fell its owned/managed trees to improve natural light to a solar panel.
Trees too big or too tall.	A big or tall tree is not dangerous just because it may be considered too big for its surroundings.	NFDC will not prune or fell a Council owned tree simply because it is considered 'too big' or 'too tall'.
Drains	Tree roots do not aggressively target drains; however, they may enter through existing cracks.	NFDC will ask that evidence of trees entering drains is provided. If proven, engineering options will be explored.
Pollen.	It is not feasible to prune trees to remove pollen sources. Pollen is ubiquitous in the environment.	NFDC will not prune or fell its trees to remove or reduce the release of pollen.
Fruit/berries/nuts		NFDC will not prune or fell its trees to remove or reduce the nuisance of fruit/berries or nuts or remove such fallen fruit.
Wild animal/insect pests.	Bees, some animals, and many birds are protected species and advice should be taken before considering their removal.	NFDC will not prune or fell its trees to remove or reduce incidence of perceived pests such as bees, wasps, rodents or any other wild animals.
Trees obstructing view.	There is no legal right to a 'view'.	NFDC will not prune or fell its trees to improve the view

		from a council or private property.
Personal medical complaints.	Whilst we can sympathise with conditions we cannot prune or fell a tree because of a personal medical issues.	NFDC will not prune or fell its trees, or restrict new tree planting, because of a personal medical conditions.
The tree is close to a fence wall.	Was the tree in situ before the fence wall? Is the tree causing any damage? Can the fence/wall be bridged over the tree roots? Can a chain link fence be used instead of solid fencing?	Alternative engineering solutions are always explored first, and the value of the tree offset against the value of any works undertaken to remedy the solution. Trees will only ever be removed as a last option when all other avenues are explored, and replacement planting will always be used.
Exceptional circumstances.	We recognise that in some exceptional circumstances the problems caused by a tree are so great that consideration may be given to undertaking remedial works.	NFDC recognises that in some exceptional circumstances the problems of a tree are so great that it will consider undertaking remedial works. Each situation will be assessed individually on its merits. The final decision in these cases will lie with the Corporate Tree Officers only. If trees are removed replacement planting will always be used as part of the mitigation.

NFDC will respond to enquiries from housing tenants and members of the public. Enquiries will be dealt with on a priority basis and the following system will be applied where possible. Due to characteristics of

natural events such as storms, high winds, prolonged wet weather, etc. periods of high demand may be experienced.

Classification	Response Time	Fix Time	Description
Urgent/high	Asap – 1 week	Asap – 1 week	Specific concern about safety and posing an immediate risk (i.e. split branches/stems, fallen trees in high use areas).
Medium Risk	1 month	3 months	General concerns about safety, dead branches, ill health, cavities and fungi. Trees causing actual damage to property. Trees obstructing access (e.g. low branches over paths and roads).
Low Risk	3 months	1 year	Trees thought to be unsuitable for long term retention. Fear of possible damage. For trees defined as ‘too big’, blocking light / causing shade, falling leaves/fruits, overhanging property. Tree works are unlikely to be appropriate in these situations but NFDC typically will visit the site to assess the situation if resources are available.

Enquiries Relating to Private Trees

NFDC Tree Officers will give brief informal advice relating to private trees upon request including outlining relevant best practice and referral to specialists where appropriate.

Enquiries requesting a Council approved list of tree work contractors or consultants will be referred to the Arboricultural Association Approved Contractors scheme and the Registered Consultants scheme (www.trees.org.uk).

Complaints

Formal Complaints should be made in writing to the Council in line with the NFDC Complaints Procedure. http://forestnet/media/1358/Complaints-Procedure/pdf/Complaints_Procedure_Jan_2019.pdf

6.1.8. Tree Works and Wildlife

Tree works may need to be carried out at a particular time of year to minimise the impact on the tree's health or to avoid issues such as the disturbance of wildlife. In particular, bats and nesting birds.

Council tree works will meet criteria and best practice under relevant legislation and guidance including the Wildlife and Countryside Act 1981, Countryside Rights of Way Act 2000, Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (as amended) (Habitat Regulations).

Prior to the commencement of works the wildlife/habitat potential of trees will be considered and appropriate checks will be made as necessary. Further advice and/or relevant licences will be sought when appropriate. In some cases, work may need to be postponed to minimise impacts on protected species.

Wherever possible habitat features such as cavities, dead wood, water pockets, log piles and standing dead trees (among others) will be retained in situ as valuable niche habitats for wildlife. The presence of protected and other species will be a material consideration during the tree inspection process.

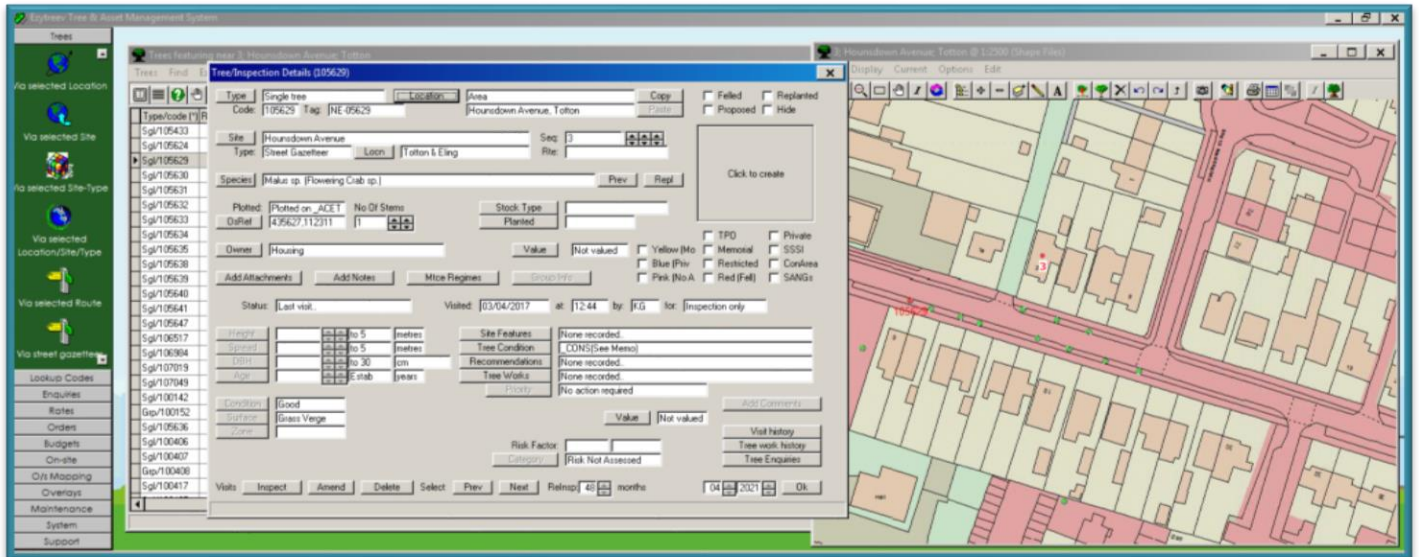
If possible arisings from tree works or felling will be left on site to provide additional habitat.



Standing Dead Wood in the National Park

6.1.9. NFDC Tree Management and Systems

NFDC current operates a tree specific database which keeps an electronic record of trees under Council management along with details of their species, dimensions, age and condition, an audit trail of inspections undertaken and works carried out. This is important to demonstrate how NFDC meets its duty of care in relation to risk management but also acts as an inventory of the Council’s tree stock, informing current and future management.



Tree management system

Local authorities have a general duty under the Local Government Act 1999 to ‘secure continuous improvements in the way in which its functions are exercised’.

NFDC have in-house qualified and experienced tree officers who have in-depth knowledge of local areas and do not have a vested commercial interest to make any money from tree works as a private contractor may. This means they give an overall assessment as to what is best for the trees and the public’s health and safety whilst trying to preserve NFDC’s trees for future generations to enjoy.

NFDC is committed to working towards increasing efficiencies and quality within the management of the Council’s tree stock, including an ongoing review of processes, systems and hardware. Improvements in the quality of data recorded for Council trees will increase the reliability and usefulness of the information and allow the identification of trends, highlighting areas of strength and weakness.

6.1.10. Canopy Cover

The Government sponsored report 'Trees in Towns II' (Britt and Johnston 2008) indicates that the average canopy cover across local authorities in England is 8.2%. In the south of England, the figure is from 11.2-11.8%. There are currently no reliable figures to indicate canopy cover with the NFDC boundary. This is an objective for the future which will allow an informed assessment as to whether NFDC is meeting its aim to sustain and increase canopy cover. Canopy cover information can also be used to identify areas of land that would benefit from new planting.

- ❖ **Action Point 1:** Obtain information on canopy cover within the District.



Mature Cupressus macrocarpa

6.1.11. Tree Planting

'The best time to plant a tree was 20 years ago, the second-best time is now'
- Chinese proverb

The principle aim of new planting will be to maintain and increase tree cover within the district and to achieve a robust and diverse tree population, well suited to the planting location and able to meet the challenges of a changing climate and pests and disease, whilst maximising amenity, biodiversity and other tree related benefits.

All new tree planting will utilise high quality, disease free planting stock from reputable suppliers grown to British Standard 3936 (1992) Specification for Trees and Shrubs (sections 1-5).

Planting will be undertaken following the principles set out in the British Standard 8545 (2014) Trees: From Nursery to Independence in the Landscape – Recommendations.

NFDC recognises the contribution of native species to biodiversity and also to the character of the New Forest, however this must be considered in tandem with the predicted impacts of climate change including projected increases in temperature, changes in the seasonality of rainfall, and an increased frequency of extreme events' (Broadmeadow et al 2010).

The ultimate aim will be a robust tree stock of varied age distribution and a wide range of appropriate species and genetic material.

NFDC will explore options relating to the provenance of trees (both in terms of origin of seed and all parts of the growing process and materials used) and will look for opportunities to support those suppliers who grow high quality, disease free trees sustainably grown in the UK, which are likely to be suitable for the future. This will help to reduce risks associated with the importation of trees and soil which are a significant source of pests and disease which threaten UK trees.

NFDC will investigate the provenance of its tree planting material and will support and work with those suppliers who can help achieve this goal.

- ❖ **Action Point 2:** NFDC will impose planning conditions on all developments within the New Forest District area to ensure high quality tree planting methods are used, using trees sustainably grown in the UK for their full production cycle.

Trees will be selected which will be specifically suited to their location for the long term and will minimise future conflicts.

There will be an overriding bias towards the planting of larger species of tree which provide correspondingly greater benefits, however smaller species will be considered where appropriate, including the potential creation woodland shelter belts where there is local support and suitable sites available. It is also vital to plant the right tree in the right place to minimise pruning works to the tree as it matures.

NFDC is committed to replanting trees following a tree removal. Wherever possible two replacement trees will be planted for each tree removed. Where, due to location or other issue this is not appropriate, NFDC will seek to plant at least one tree on land which it manages in the vicinity, so the tree cover in the local area is not diminished.

‘Areas of trees/woodland can be cheaper to maintain than grass’ (Woodland Trust ‘Trees or Turf’ report 2011).

Planting and establishing trees is not a cheap or low-cost exercise. Budgets will need to be considered along with appropriate business plans to ensure resources where there is a proven need are made available.

There are many areas of incoming development land, Sangs sites that will be adopted by NFDC, which could provide potentially useful planting sites. An increase in inter-departmental co-operation between different sections of the Council will be encouraged to identify new planting schemes. This could include options for obtaining land for the purpose of tree planting to mitigate nearby developments.

NFDC will proactively seek to increase tree canopy cover with new planting initiatives, with the aim of concentrating resources on those areas which would most benefit from tree planting. NFDC housing sites have been highlighted as priority planting areas. In some properties the front or rear garden may be planted with suitably sized trees whilst the property is empty between tenancies. To ensure these new trees will establish and grow to maturity, they will receive appropriate irrigation and aftercare, and be protected by the tree team.



In addition, NFDC is committed to planting new trees in all areas which have previously had little or no tree cover. Where trees are to be planted on open spaces, or as direct replacement there will generally be no consultation however NFDC tenanted properties may be consulted when planting is planned in residential gardens and access is required for aftercare

Requests for new tree planting are actively encouraged from residents and NFDC is keen to hear from people who would like trees to be planted on any Council owned land. Priority will be given to the planting of trees which will be of greatest benefit to the wider community.

Requests for Memorial or Commemorative tree planting are encouraged, whether to remember individuals, celebrate community causes, or to commemorate historic events or anniversaries, NFDC Corporate Tree Team welcome applications from those who would like trees to be planted. The Cemeteries service run a memorial trees service/woodland burial service – Further advice on this will be published in a separate guidance note.

- ❖ **Action Point 3:** Increase canopy cover on NFDC land. Obtain canopy cover information by I-Tree eco

survey to enable future monitoring of tree cover and inform areas to undertake comprehensive planting schemes.

Vehicles and mowers driving on the grass can compact the soil making it inhospitable for root growth and can also cause physical damage to tree trunks and branches. This is a problem in many areas due to increasing car ownership and limited formal parking spaces. NFDC will seek to identify and secure potential planting sites and protect these from damage associated with car parking in tandem with other Council initiatives in relation to car parking. Bunding will be used to prevent parking and areas will be left wild unmowed to deter access.

NFDC will explore opportunities for external funding and support for tree planting schemes and will actively encourage community involvement in planting and aftercare programmes.

- ❖ **Action Point 4:** Explore opportunities to secure outside funding for tree planting.

Good aftercare for 2-3 years after planting is essential to ensure that the investment in trees is not wasted; this is particularly true for larger 'standard' trees. Aftercare of trees can be time consuming and expensive. NFDC will actively seek to involve the local community to help with watering and aftercare of newly planted trees (also giving them a vested interest in the future health of the tree). However, the corporate tree contractor will also be employed to water trees on a regular basis and mulch is used around the base of the trees to help retain moisture.

NFDC will seek to plant smaller sizes of tree stock, where possible, which have a lower aftercare requirement, increasing the cost effectiveness of planting schemes.

NFDC Tree Officers have produced a Tree Planting Specification (Appendix 4) which is to be followed for all standard sized trees on NFDC land, or land due to be adopted by NFDC to help ensure planting scheme success.

6.1.12. NFDC Trees and Council Development or Maintenance Projects

'Root systems stems and canopies, with allowance for future movement and growth need to be considered in all projects, including those which do not require planning permission'. (BS 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations).

Trees are at risk from damage where works are undertaken to demolish or construct buildings and related infrastructure. Wounds to branches, stems and roots can have a significant impact on a tree's future health and stability.

Tree roots, which provide essential support, water and nutrients, are most at risk from damage, as they are generally not visible and often overlooked. Roots are predominantly located in the upper 600mm of the soil and can extend laterally well beyond the 'drip line' or overhang of the crown. The structure of the soil surrounding the roots is also at risk from compaction (such as from vehicle access) and contamination (i.e. spillage of substances toxic to tree roots) which can have further long-term impacts on tree health.

The principles of BS 5837: 2012 (Trees in Relation to Design, Demolition and Construction – Recommendations) will be applied whenever works are planned near to NFDC trees.

The tree team has actively encouraged liaison with other Council departments to ensure that trees are fully considered in the planning stage of projects. Unfortunately, this has not always been successful. Due to historic and continued unsanctioned removal of trees by other NFDC departments, and with recognition of the overwhelming importance placed on trees by the public, enshrined in Policy, a formal 'consultation & approval' process has been formalised.

Other Council departments will now involve the Corporate Tree Team at an early stage when any development or maintenance works are being considered near to or affecting NFDC Trees. This will require consultation in the design phase of projects. All subsequent agreed tree works will be undertaken by the approved corporate contractor only, under strict guidance from NFDC Corporate Tree Officers. To apply to the 'consultation & approval' process please email nfdccorporatetrees@nfdc.gov.uk. A corporate tree approval sign off document will be issued, which should be kept by the department and will list all constraints, methods and approved works.

The value and contribution of trees will be a material consideration in the process. Where appropriate, recognised tree valuation methods (see CAVAT section 10.1) will be applied to inform the process and specify relevant mitigation measures (such as decompaction or replanting) or alternative engineering solutions.

In all circumstances, the full cost of the tree work and replacement trees on a 2 for 1 basis, their planting and 3 years aftercare to ensure establishment will be chargeable. Off-site compensatory planting should not be seen as the default justification for the loss of either existing trees or to overcome design challenges that are needed to provide the above ground space and below ground substrate needed to support large canopy trees within development projects. (LTOA Climate Change Working Party. 2019)

Utilities operations near trees will be managed in line with the guidance set out by the National Joint Utilities Group (Volume 4: Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees. Issue 2, 2007). If utility companies and their contractors fail to carry out works in accordance with this guidance NFDC will seek compensation from the organisation responsible.

6.1.13. Council Procedures for Property Acquisition and Sale of Council Land

There is much incoming opportunity to acquire sites that could be used to provide tree planting or woodland creation as mitigation land for new development. This provision may be funded by a 'conservation covenant' fund, in order to meet the expectations within the Environment Bill 2020.

Inter-departmental co-operation between different sections of NFDC will be encouraged to identify suitable sites, including funding provision, capital, purchase of land, and project management and management in perpetuity.

The Tree Team will be informed by the Council's Estates Team whenever properties are to be purchased or sold off so that trees can be considered. This may be the addition of land with trees to the surveyed or the referral of sites where trees may be at risk to the Planning Tree Team for consideration for Statutory Protection (Tree Preservation Orders).

The Planning Tree Team is responsible for all matters relating to tree protection and trees in relation to the planning system within the New Forest District Council area.

Trees under the Council's ownership are not generally subject to statutory protection in the form of Tree Preservation Orders. This is because such trees are deemed to be under good management. When Council land is sold off there is a potential for tree damage or removal and the most important trees will be considered for protection.

- ❖ Action Point 5: Establish a procedure to ensure that trees are considered when sites are acquired or sold off by the Council.

Ex-Council Houses

All ex-Council housing properties are subject to a covenant which requires that owners contact the NFDC Tree Team to gain prior written consent for any tree works.

Applications for works under the covenant will be considered in line with the NFDC tree works policy and responses will be in writing.

NFDC will liaise with other relevant council departments and the Local Planning Authority to ensure that enquirers relating to tree protection on ex-Council properties are alerted to the presence of the covenant and the restrictions it imposes.

6.1.14. Land Adoption

If any land is to be adopted by NFDC from a development, or SANGS (Suitable Alternative Natural Greenspaces) or Alternative Natural Green Recreational Space (ANGRS) the Corporate Tree Officers will inspect the site before the land is handed over, if trees are within this area, a tree survey will be carried out for health and safety purposes, and the developer will be instructed by Planning Officers to carry out any works which are necessary at their own expense. Any newly planted trees that have failed, should be replaced with heavy standard trees and monies secured for their ongoing establishment costs so the Council does not incur additional costs.

6.1.15. Managing Trees Sustainably

Arisings from NFDC tree works, used within the local authority, are typically left on site as habitat (as a weed suppressant on flower beds, among other uses) or are processed into fuel for biomass boilers. The Council's tree contractor produces approximately 300 tonnes of woodchip for biomass resulting from tree works for NFDC and its partners each year.



Deadwood habitat niche

6.1.16. Woodland Management

NFDC is responsible for several woodland areas (approx. 25 hectares in total) comprising woodland strips and larger areas of woodland. These sites are predominantly used for recreation and through routes/access and are locally important sites for biodiversity (particularly when acting as a corridor - joining other areas of green infrastructure).

Historically tree management has been limited to works to ensure safety and the ad hoc management of invasive species where funds have allowed.

Invasive species such as *Rhododendron ponticum* and Laurel (*Prunus lauroceracus*) have developed extensively, giving rise to a shrub layer monoculture particularly within Parish woodland sites, suppressing the growth of all other ground flora, and most notably, a total prevention of tree seedling regeneration. It causes a massive reduction in the biodiversity value of woodland sites, and disrupts complex ecosystems, insect associations, soil and mycorrhizal fungi associations. *R ponticum* areas are essentially barren (Offwell Woodland & Wildlife Trust, 2004). Once established, it is difficult and costly to eradicate. Its thickly interlaced, impenetrable branches cover many metres of ground and hinders tree inspections, which are a statutory requirement.

The consequences for *Rhododendron* infested land has been seen elsewhere in the UK, and has led to the total dereliction and abandonment of forestry sites. NFDC has been working to control and reduce *Rhododendron* on NFDC woodland sites with some success. *Rhododendron* presents a very real threat to the long term future of woodland cover in those areas afflicted, requiring the Authority to work with partners such as Town and Parish Councils, New Forest National Park and Forestry England.

Larger sites will be the subject of woodland management plans to direct their long-term management and to bring them into line with the UK Forestry Standard (2011), to improve biodiversity, amenity and recreational values and to ensure woodlands are able to meet the challenges posed by a changing climate and by pests and diseases. The same principles of management will be applied to smaller areas of woodland throughout the district when sites are proactively inspected.

There is considerable opportunity to seek alternative sources of funding for woodland improvements. NFDC will actively seek to maximise the benefits from these opportunities.

- ❖ **Action Point 6:** Undertake woodland management plans for principle woodland sites to enable grant funding to be applied for.

NFDC will take steps to increase local community involvement in the management of the woods, with the aim of developing a sense of ownership for local people as stakeholders in the site.

- ❖ **Action Point 7:** Take steps to encourage community involvement in tree and woodland management.

Some woodland areas have been subjected to extensive fly tipping.

Fly tipping will be addressed proactively as a Council wide approach, involving a range of different departments. Reducing the impact of flytipping will have a positive affect on property values, biodiversity gains, the soil and rooting environment, and access for tree inspections. Enforcement action will be taken against people illegally fly tipping on Council land.

- ❖ **Action Point 8:** Address fly tipping on woodland and open space sites.

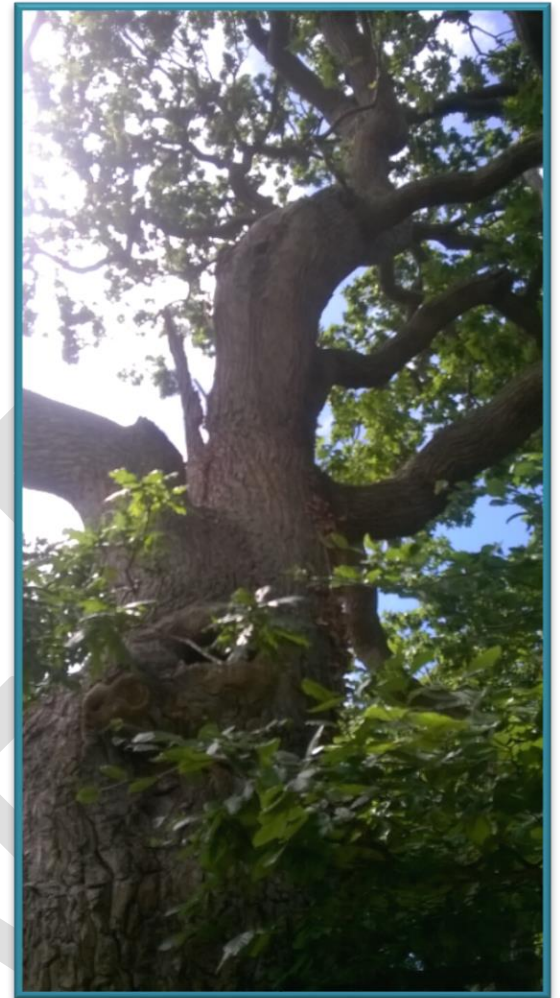
NFDC trees provide key habitat for a wide range of flora and fauna including many priority species as identified by the Hampshire Biodiversity Action Plan and Red Data List.

Where possible, trees will be managed to promote biodiversity and to provide as large a range of niche habitats as possible. This may include the control of invasive species, the retention of dead trees (standing and fallen) and dead branches wherever feasible (taking the safety of visitors into account). Proactive works will be undertaken to increase the volume of woodland edge habitats and the number and range of species which provide important cover, nectar and food sources to related wildlife.

Natural regeneration of suitable species will be encouraged along with the retention of seed-bearing trees. This process of encouraging balanced woodland succession may in some cases require supplementary planting where natural processes are likely to be insufficient.

Veteran trees, (those trees which exhibit characteristics of ancient trees regardless of age) are of international importance to biodiversity, for saproxylic invertebrates (insects associated with dead wood), fungi, birds, bats and lichens.

The UK and The New Forest has a wealth of ancient and veteran trees. Such trees and the landscape around them require careful management to avoid negative impacts on the habitats of important species and the future health and survival of the tree. Where present, trees with veteran features, and nearby potential future veterans, will be given consideration and where appropriate specific management plans will be produced to ensure a succession of habitat.



Oak with cavities in trunk 1

- ❖ **Action Point 9:** Identify ancient & veteran trees on Council land and prepare individual management plans where appropriate. NFDC will pass on information relating to ancient & veteran trees to the [Hampshire Biodiversity Information Centre \(HBIC\)](#)

6.1.17. Pests and Diseases

‘Changes to climate could have a significant and rapid impact on the distribution and abundance of many pests and diseases.’

Tubby and Webber (2010)

The threat from pests and diseases is a rapidly changing arena which is now firmly imprinted on the public consciousness thanks to historic issues such as Dutch Elm disease (*Ophiostoma novo-ulmi*) and more recent concerns such as Ash Dieback (*Chalara fraxinea* / *Hymenoscyphus pseudoalbidus*).

Trees are relatively slow growing organisms which are slow to adapt to rapid changes in conditions, leaving them particularly vulnerable.

The threat from introduced pests and diseases to trees, forests and woodlands has never been greater. Defra’s Tree Health Management Plan sets out government’s approach to tree health in England which is in line with the Plant Biosecurity Strategy for Great Britain (DEFRA, 2014). It sets out how government and a wide range of other partners are managing new and future threats to the tree population in England in a strategic approach to tree health. NFDC Tree Officers will work in accordance with the recommendations set out in this.

Globalised trade and climate change now present a greater risk to the UK’s trees. Increasing concerns are particularly attributable to the impact of the importation of large rootballed or containerised trees, soil and untreated wood products, which have allowed pests and disease from other countries to develop in the UK.

Public procurement should stipulate standard sized trees to be UK sourced and grown trees to invest in UK tree nurseries and reduce the demand for imported trees. (The Woodland Trust, 2020) NFDC will not use directly imported trees.

The Forest Research maintains an online [Tree Alert reporting tool](#). This important citizen science tool allows users to report suspected pests and diseases and the site contains detailed information on [identification](#). Further to this the [Observatree project](#) is a UK network of over 200 specialist volunteer tree health surveyors trained to collect bark, soil and foliar samples, following biosecurity procedures. Many training and resource materials are available on the website and we would encourage interested persons to join and engage with this project. This work is vital to understand the spread and distribution of tree pests and diseases across the UK.

A rapidly changing climate may also allow new and existing species of pest and disease to develop.

NFDC Tree Officers will follow national guidance and industry best practice in response to all tree pest and disease:

- NFDC will require its suppliers to act in full compliance with plant passport labelling requirements.
- Developer obligations - any trees planted within developments will be subject to a planning condition requiring:
 - Suppliers must be registered with the plant health authorities and be authorised and be able to issue plant passports as required. Plant passporting documentation must be supplied at the time of delivery. All must be grown in the UK for the full duration of the production cycle.

- The use of healthy planting stock is critical to the biosecurity and resilience of the tree population.
- Diversity of tree species and genetics within tree species is at the core of woodland adaptation and ensuring resilience in the future, this will be borne in mind when selecting trees for planting and supplier choice.
- Regular inspection of NFDC tree stock via proactive and reactive surveys by experienced, qualified Tree Officers will highlight any pest or disease on NFDC land.
- The tree team will take part in ongoing training and make use of available resources to keep pace with the rapidly changing situation in the UK.
- The formulation of specific, standalone Action Plans where necessary.
- Proactive steps will be taken to improve the health and robustness of NFDC trees (increasing the diversity of species, age range and general tree health).
- Informal advice or referral to other specialist bodies will be given to the public to assist in the local management of these issues.

NFDC will meet its statutory obligations by immediately notifying relevant bodies (i.e. Food and Environment Research Agency) if notifiable pests or diseases are discovered (i.e. Phytophthora sp, fireblight etc) and will work to assist with the Government's Action Plan for Tree Health and Plant Biosecurity by reporting relevant pests and diseases.

7. Private Trees

7.1. Tree Preservation Orders (TPO's)

The Town and Country Planning (Tree Preservation)(England) Regulations 2012

<http://www.legislation.gov.uk/ukxi/2012/605/contents/made> gives local planning authorities powers to make and serve Tree Preservation Orders (TPO's) to protect trees where it appears that it is expedient in the interests of amenity to do so. In some instances, it may be expedient to make a Tree Preservation Order for future amenity e.g. newly planted trees as part of a conditioned landscape scheme. On average the tree team makes 30 new Tree Preservation Orders every year. The expediency of making a new TPO is determined on a case by case basis by the Tree Officers.

All Tree Preservation Orders, Tree Work Application Decisions and Appeal Decisions may be viewed by the public during normal office opening hours.

The council investigate any breaches made towards trees that are protected by virtue of growing within a Conservation Area or that are subject of a Tree Preservation Order and will prosecute where it is considered in the public interest to do so.

Tree work applications to trees that are subject to a TPO

The council is under a duty to consider and determine tree work applications to trees that are protected by TPO's within 8 weeks from the date of which the application was registered.

While there is no statutory requirement to consult third parties, the council provides 28 days from which the date of the application was registered to make any comments regarding the proposal.

Replacement Tree Planting for trees subject to a TPO

Where consent is granted for the removal of a protected tree and where it is considered suitable, a replacement tree will be specified to be planted in the vicinity of the original tree in accordance with the

specification as detailed within the condition.

7.2. Conservation Areas

Under the Town and Country Planning (Tree Preservation)(England) Regulations 2012

<http://www.legislation.gov.uk/ukxi/2012/605/contents/made> the council is under a duty to consider notifications of works to trees that have a stem diameter of 75 mm or greater when measured at 1.5 m from ground level and which are growing within a designated Conservation Area.

Tree work notifications to trees that are growing within a Conservation Area

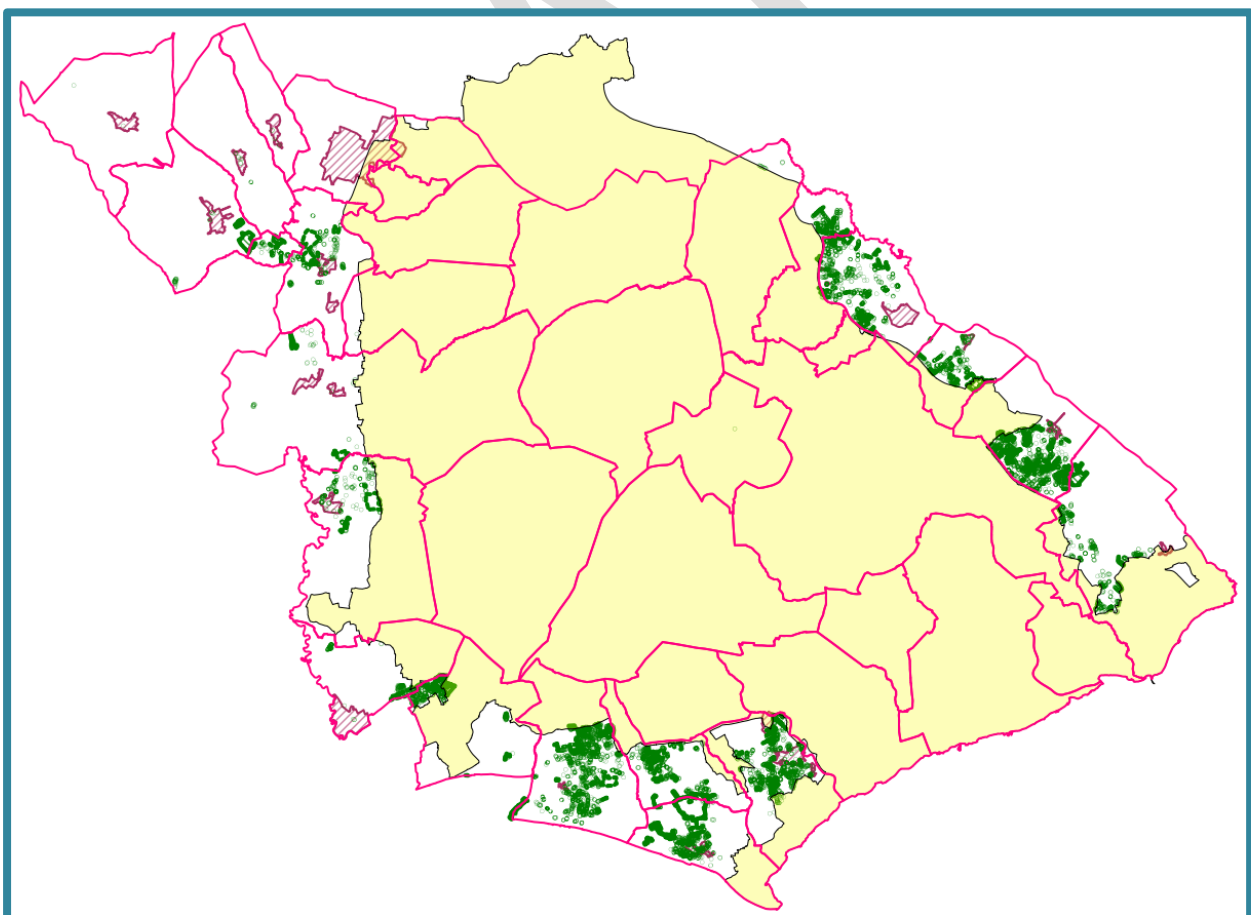
The council has 6 weeks from the date of registration to either have no objections to the proposal or to object by making a Tree Preservation Order.

While there is no statutory requirement to consult third parties, the council provides 28 days from which the date of the notification was registered to make any comments regarding the proposal.

The council takes guidance from British Standard 3998: 2010 when determining tree work applications/notifications.

7.3. Protected Trees in the New Forest

The map below shows the distribution of the districts Conservation Areas and Tree Preservation Orders with a majority of TPO's being found in the more densely populated areas.



In total there are 22 conservation areas and over 1500 Tree Preservation Orders dating from 1950 through to present day. This results in an average of 650 tree work applications/notifications being submitted each year to work on protected trees.

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8. Climate Change

8.1. Overview

“Climate change is the most pressing environmental, social and economic problem facing the planet. The consequences of climate change are global, long-term and in some cases, already irreversible. Government recognises the current and future challenges involved in management of the urban forest and is committed to protecting the nation’s trees and woodlands from increasing threats such as pests, diseases and climate change. Climate change will bring with it new challenges in the form of an increase in pests and diseases that have the potential to damage and degrade the urban forest. Tree selection and management strategies will need to adapt to accommodate new biosecurity threats; increasing resilience to these threats will be essential to secure the urban forest’s contribution to economic growth, improving people’s lives and enhancing nature.”

- Forestry Commission, The Right Trees for Changing Climate



Calshot Cemetery

A changing climate is likely to have a significant impact on trees in the UK. Trees, particularly those in and around the areas where we live and will become increasingly important to help moderate the effects of climate change. Increasing urbanisation combined with a changing climate are leading to more frequent and severe flood, heat and air pollution episodes in Britain's cities. (Davies et al., 2017)

Forecasts suggest that the UK is likely to experience hotter, drier summers (an average warming of 3.9 degrees in the south east of England) and warmer, wetter winters (Defra 2009). There is also likely to be an increase in extreme weather events with a potential increase in flooding and tree failures in high winds.

Reducing wind speeds and regulating temperatures through the provision of shade, slowing the percolation rate of water by interrupting rainfall and releasing it more gradually to ground level, trees can be very effective in reducing the impacts of extreme weather such as high summer temperatures and buffering the impacts of storm water events (See Ecosystem Services).

Changing conditions are likely to increase the growing season for trees and could allow a new range of species to flourish. In contrast, species which are less suited to warmer, drier summer conditions and the potential for drought may decline.

NFDC will face these challenges by promoting and planting those trees which are likely to be best suited to future conditions, with the objective of achieving a diverse tree stock avoiding over-reliance on any single species, or provenance location of tree. A “portfolio approach” (using natural regeneration, local provenance planting stock, and planting stock from appropriate, 2 degrees, and up to 5 degrees more

southerly provenances) could help to spread the risk and increase the likelihood that some trees will thrive for the future.

An early investment in regular watering during the drier summers in the first few years of establishment ensures new trees will survive to provide for future generations. Due to the high rate of tree failures seen in development sites in the District, NFDC tree Officers have written a Tree planting and Establishment specification, based on the success seen by those local authorities using it, which may be specified as part of all planning consents.

NFDC will follow the guidance of the Tree and Design Action Group and take steps to increase overall canopy cover across the District to provide mitigation for the effects of climate change. Just 10% rise in urban canopy cover could cancel out the 4C rise in temperature predicted this century. (Commission for Architecture and the Built Environment, 2009)

Due to increasing recognition of the need for action on climate and the roles that trees can play we have experienced a marked increase in enquiries for more tree planting. Whilst we will do everything possible to accommodate these requests (see Tree Planting), due to the segmented land holdings of NFDC land, and suitability of sites for tree planting, it is not enough to simply over-plant green open spaces to meet canopy cover targets. Parish and Town Councils, private landowners, homeowners, NFDC tenants etc must all be called upon to do the same and plant trees where possible.

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Pollard poplar tree at Calshot

8.2. Ecosystem Services

In Britain, the government's latest Climate Change Risk Assessment reveals the greatest climate change threats to the country to be flood and heat-related risks to communities and businesses (Committee on Climate Change, 2016). Air pollution is also a problem in many densely populated cities, particularly in more deprived areas (Netcen, 2006), and is forecast to be an increasing public health concern.

We are increasingly confronted with news of severe impacts of environmental degradation all over the world through the media. The urgency and importance to integrate nature's diverse values in decisions and actions stand out more than ever, to protect and improve our local environment, as highlighted in the NFDC Corporate Plan 2020-2024.

NFDC's trees provide a range of important regulating ecosystem services and contribute towards the sustainable future of the district.

The ecosystem services model is a powerful tool to communicate the many benefits of trees and support real life decision making. (Jacobs, et al., 2016) The concern about the future impacts of climate change on urban environments has led to a growing interest in the role trees play in providing ecosystem services, as

an effective way to regulate some of the negative impacts of urbanisation (Andersson et al., 2014) and upcoming impacts of climate change.

The benefits people obtain from ecosystems are categorised as:

Provisioning services

- Food
- Timber production

Regulating services

- Air purification - enhancing air quality by intercepting and/or absorbing gaseous pollutants and particulate matter (Escobedo and Nowak, 2009)
- Heat amelioration - alleviating summer heat through evaporation, photosynthesis and shading (Doick and Hutchings, 2013)
- Storm water attenuation - reducing stormwater run-off by intercepting and absorbing water and improving infiltration (Armson et al., 2013) with roots penetrating previously compacted areas (Denman *et al* 2012) and the constant process of transpiration helping to prevent waterlogging

Cultural services

- Public amenity
- Opportunities for recreation

Supporting services

- Soil formation, biodiversity and habitats for wildlife (MEA, 2005).
- Managing erosion along slopes or banks adjacent to rivers or roads



Mature beech at Langdown Lawn

Urban trees, woodlands and forests should be recognised as a ‘nature-based solutions’ for climate change adaptation and sustainable urbanisation (European Commission, 2015) and are now being used to reframe policy debates on biodiversity conservation, climate change adaptation and mitigation strategies, and the sustainable use of natural resources (Potschin et al., 2015). (Davies et al., 2017)

New guidance from government on developing Payments for Ecosystem Services Schemes may offer structure that could be developed in future to assist and encourage practical tree and woodland management operations, or planting schemes (DEFRA, 2013) An example of this in practice is the UK Woodland Management grants scheme by the Forestry Commission.

NFDC Tree Officers will communicate the benefits of trees and the great importance of their ecosystem

services. (See i-Tree Eco section 10.2.1)

Tree valuation will be a part of all decisions where trees may be compromised, or where they are to be integrated into development.

9. Biodiversity

The term biodiversity refers to the variety of life forms within an ecosystem. Trees and hedgerows provide many benefits in terms of biodiversity, giving wildlife shelter for roosts and breeding sites, food and feeding areas, habitat corridors and connectivity.

Older mature trees, particularly of Oak and Beech, are a characteristic of the New Forest. They are a feature not only of the ancient woodlands of the Open Forest, but of the villages and other settlements that have developed over time as an integral part of the Forest landscape. The New Forest as a whole is recognised to be one of the most important sites in north-west Europe for ancient and veteran trees.

Trees are unique in their ability to support a variety of wildlife in many of the most hostile environments within an urban setting.

The New Forest is a **Designated Special Area of Conservation (SAC)** under the EC Habitats Directive.

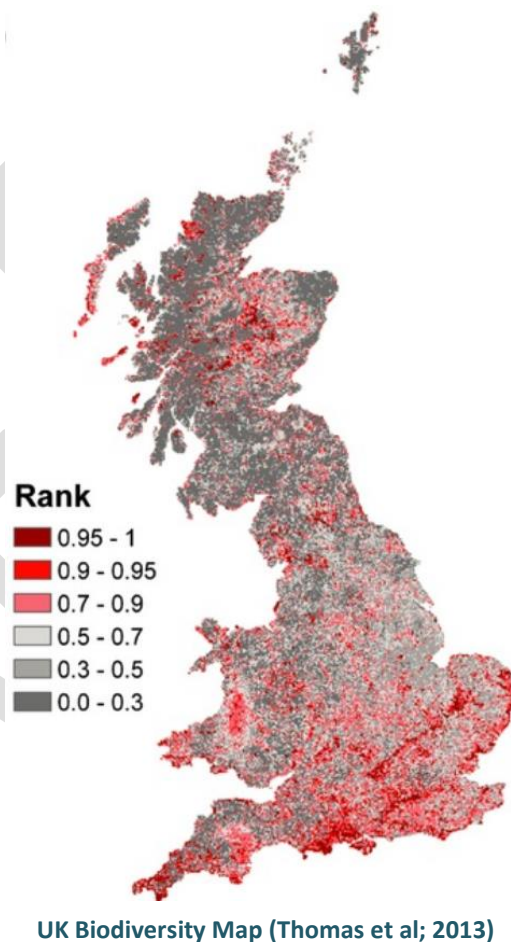
The New Forest has been identified as of potential international importance for its saproxylic invertebrate fauna by the Council of Europe (Speight 1989) and is a major stronghold for the Annex II species stag beetle *Lucanus cervus* in the UK and is one of the most important sites for fauna associated with rotting wood. This deadwood is invaluable for a variety of organisms such as bacteria, lichens, fungi.

Protection is given to species such as bats, badgers and nesting birds under European and UK legislation.

Of 18 British species of bat, 13 are found in the New Forest.

It has been recognised that introduced pests and diseases are a major risk to native biodiversity and ecosystems, including trees in woodlands, commercial forests and in the urban environment. (Tree Health and Plant Biosecurity Expert Taskforce, 2013)

In the National Planning Policy Framework of 2012, the Government stated that local planning authorities should “set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure” (Communities and Local Government 2012).



The NFDC Corporate Plan 2020-2024 recognises concern over the accelerating impact of climate change, habitat erosion and wildlife loss, and actions to protect and improve our environment will be at the heart of all decisions.

The aims within the Governments 25-year Environment Plan 2018 to leave our environment ‘in a better condition than when inherited it’ are reflected in the ambitions in the NFDC Corporate Plan 2020-2024 “We are passionate about leaving things better than we found them”.

To deliver our obligations under the Habitats Directive: Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, The Wildlife and Countryside Act, Natural Environment and Rural Communities Act, 2006 (s40: duty to conserve biodiversity) and the Environmental Protection Act 1990 the following principles will be applied:

- NFDC will retain standing dead trees due to the valuable habitat they provide.
- Retain exposed or heaved root balls in tree belts and woodlands, for habitat niche provision.
- Seek to leave fallen timber and felled trees in situ, depending on site suitability to benefit habitat creation.
- NFDC will leave stumps to rot away naturally wherever possible, due to the deadwood habitat provided
- Seek to retain mature ivy on trees. It will only be removed to aid tree safety inspections, reduce risk of wind throw or reduce shade to more valuable habitats beneath
- Work with our Ground Maintenance Department to select sites that are currently mown grass, to be left unmown underneath and around trees, seeding with wildflower mix to encourage a varied mosaic of habitats, and to protect trees rooting area from compaction and inadvertent damage.
- Hedgerows are acknowledged as an important part of the environmental infrastructure and NFDC will seek to protect and manage existing hedges, and ensure any removed hedges are offset by replacement planting.
- NFDC will actively work to remove invasive species from our woodland sites and engage with partners such as the New Forest Non-Native Plants Project
- To ensure that the land is, so far as is practicable, kept clear of litter and refuse, Tree Officers may erect signage, contact residents, and in all cases will reserve the right to take further action. The potential for a cleansing contract to be drawn up to address litter within woodland sites exists.
- NFDC will seek to expand woodland areas and look for opportunities to create new woodlands
- NFDC will ensure high standards of biosecurity are specified in the procurement of all new planting stock
- NFDC will specify peat-free compost in the procurement of all new planting stock

- NFDC will adhere to the requirements of the Wildlife and Countryside Act 1981 in relation to the protection of wildlife during all its activities.
- NFDC will actively seek out expert advice in relation to work that may affect European designated protected species or sites
- New Forest District Council, through planning and other policies, is committed to conserving the stock of mature trees wherever possible in order to maintain the local character, cultural history and wildlife value of the area.

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10. Tree Valuation

In recent years there has been an increasing interest in the ‘value’ of trees and other natural resources. This is reinforced by the Lawton Report (Making Space for Nature 2010) which outlined how the benefits provided are not fully appreciated or valued. There are several recognised methods for providing a monetary value for individual trees or groups of trees. These take account of the visual or amenity contribution that trees can bring and the ecosystem services (such as controlling storm water, absorbing pollution and carbon sequestration etc) which, without trees, would require alternative expenditure. Trees are assets for the council and should be allocated values.

10.1. CAVAT

Capital Asset Valuation of Amenity Trees is regarded as one of the principal methods of tree valuation in the UK. CAVAT provides a method for managing trees as public assets rather than liabilities. It can be used as a strategic tool to aid to decision-making in relation to the tree stock, and is also applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms to, for example, recover compensation for damage to, or unauthorised removal of council owned trees.

- As part of the i-Tree Eco survey, Southampton’s’ trees were valued using CAVAT to be worth £3,215 million
- Street trees in London have been accredited with an individual average value of £8,000-£10,000 using the CAVAT valuation system.

These figures illustrate the significant monetary value that can be applied to trees and hint at the likely value of the total NFDC tree stock. Trees are a significant asset for the Council and require long term investment and management to maximise their returns.



Silver birch

CAVAT

SPREADSHEET TO CALCULATE VALUE OF INDIVIDUAL TREE STOCK

Denny Close, Fawley

Betula pendula

Only enter data in the green boxes

© Christopher Neilan
Created by Alexandra Sleet

CAVAT	Quantities you measure / look up	Calculated Values
Step One: Basic Value		
Stem Diameter (cm)	40-49.9 <small>Value Bands Table</small>	
Unit Value Factor	15.88	
CTI Rating	100%	
CTI Value		£25,256
Step Two: Functional Value		
Functional Adjustment	100%	
Adjusted Value		£25,256
Step Three: Final Value		
Life Expect. Factor	20 - 40	
FINAL VALUE		£20,205

Silver birch CAVAT valuation

10.2. i-Tree

Torbay, supported by Forest Research and Natural England, were the first authority in the UK to apply the i:Tree Valuation System which was developed by the US Forest Service and has been used to value the trees of New York, and is currently being applied to London's trees. Torbay's trees were valued at £280 million (structural/replacement value).

10.2.1. i-Tree Eco

Southampton City Council conducted an i-Tree Eco survey to value the ecosystem services their trees provided in 2016. These services were valued at more than £1.29 million per year. Key findings of the study were:

Carbon capture

- Each year Southampton's trees remove 2,684 tonnes of carbon from the atmosphere worth £609,327
- 100,583 tonnes of carbon are currently stored in Southampton trees worth £23.4 million

Rainwater Interception

- Southampton's urban forest intercepts 95 million litres of rainfall every year, equivalent to an estimated £142,894 in avoided water treatment costs

Removal of air pollution

- 90 tonnes of airborne pollutants are removed by Southampton' trees per year, worth £533,720

Future recommendations

- Aim to increase canopy cover by 6.5% to 25% canopy cover. Through street planting, mandatory planting of trees on new developments, and by ensuring existing trees are maintained and allowed to grow to maturity. (Mutch, et al., 2017)
- Species mix should be diversified to build resilience to climate change, emerging pests and diseases and to improve ecosystem service provision.

NFDC will take steps to attribute a monetary value to its tree resource. This information will be used to:

- Identify the total value of the Council's tree stock. Which has the future potential to provide additional justification for funding provision.
- Identify the value of individual trees involved in claims of damage or related to proposed developments, to inform and assist decision making.
- Identify the value of trees which have been damaged or felled without consent, to ensure adequate compensation is sought.

10.3. ICT

The upcoming delivery of a new publicly accessible NFDC website will offer much potential for improving information delivery to New Forest residents. Self-service will bring improved efficiencies in dealing with enquiries, and it is hoped online maps will guide service users to the correct owner or department. The enquiry would also be tracked through the website, enabling the enquirer to see when resolved.

A new sufficiently resourced web-based service will publicise any works requiring consultation, required by the upcoming new statutory duty to consult on street tree felling. NFDC tree officers will actively engage with colleagues to bring this service through development to completion.

11. Consultation, Implementation and Review

This document has been produced in liaison with the Tree Strategy Task and Finish Group and has been passed to the following stakeholders for consultation:

NFDC Environment Services

NFDC Planning Services

NFDC Legal Department

NFDC Insurance Department

NFDC Housing Services

Forestry England

Forestry Commission

National Trust

New Forest National Park Authority Tree Team

Hampshire County Council Arboricultural Team

An action plan will be set out to direct the Council's response to meet its objectives within a specific time frame.

Action Plan Points are detailed in Appendix I.

Review

The strategy will be formally reviewed after 5 years to assess its impact, make necessary updates and ensure it is still fit for purpose.

12. Definitions

- Aftercare
 - Management of newly planted trees to avoid mortality and to facilitate establishment. Including watering, installation and maintenance of stakes, ties and guarding and formative pruning.
- Ancient tree
 - All ancient trees are of historic interest, whether as markers along old boundary lines giving insight into historic land divisions, an indication of former landscape management practices, to churchyard yews that pre-date Christianity (Woodland Trust)
- ANGRS
 - Alternative Natural Green Recreational Space (see SANGS)
- Biodiversity Net Gain
 - Biodiversity Net Gain requires developers to ensure habitats for wildlife are enhanced and left in a measurably better state than they were pre-development.
- Biomass
 - Plant material used as a source of renewable energy. In ecology, biomass is the sum of the material in living things.
- Bund
 - A man-made embankment or dam. Bunds may also be used for noise mitigation, to hide an eyesore, or to restrict vehicular access
- Canopy cover
 - In any given area, the proportion to tree canopy cover in relation to the total area when viewed from an aerial perspective.
- Carbon sequestration
 - Living plants, though the process of photosynthesis 'lock up' carbon, especially trees in the form of lignin in wood, until such time as the timber is decayed by fungi and returned to the soil. The mass of woodland soil ensures retention of the majority of the carbon.
- CAVAT - Capital Asset Valuation of Amenity Trees
 - A method for assigning a monetary value to the amenity valuation of trees, intended for publicly owned trees and developed by Christopher Neilan of the London Tree Officers' Association (LTOA).
- Climate change
 - Climate change refers to long term changes in regional and global average of temperature, humidity and rainfall patterns over seasons, years or decades. Global phenomena may include increased temperature, change in sea level through ice mass and glacier loss, shifts in the blooming and subsequent seed production of plants and trees, and extreme weather events.
- Climate change adaptation
 - Adjustments to human activity or the natural environment to moderate the harm (or exploit any benefits) of climate change. The shade cast by trees moderates high ambient temperatures (which may increasingly be a health risk). Trees, with other elements of green space, also reduce the risk of flooding.
- Compaction

- Soil compaction occurs when soil particles are pressed together, reducing pore space between them resulting in, a greater density. A compacted soil has a reduced rate of both water infiltration and drainage with less oxygen available to tree roots making the soil environment inhospitable to growth.
- Corporate Tree
 - Any and all trees situated on land owned by NFDC, managed by NFDC, or that NFDC has a responsibility for.
- Covenant
 - A legal condition tied to the use of land, applying either to one particular owner or to any (future) owner. All ex-NFDC council houses have a covenant which passes to all subsequent owners to restrict tree work without written consent from NFDC. This forms a part of the measures to protect trees and encourage tree ownership in the district.
- Deforestation
 - The destruction of forest and woodland for human purposes. Locally seen as land parcels are developed for housing or other uses. In urban areas, mass tree loss due to changing homeowner preferences has led to the term 'urban deforestation'.
- Defra
 - Department for Environment, Food and Rural Affairs.
- Ecosystem
 - A biological community of interacting organisms and their physical environment.
- Green Infrastructure
 - The network of green space, such as trees, hedges or grassed open space considered as a beneficial element of urban design.
- ICT
 - Information and communications technology
- i-Tree
 - Software in the public domain developed by the US Department of Agriculture (USDA) and introduced in 2006 to facilitate urban tree survey and management.
- i-Tree Eco
 - An i-tree application that gives a monetary value to the environmental benefits of urban trees, including air quality, carbon sequestration, energy usage and rainfall interception.
- Lichen
 - Organisms belonging to the lower plants consisting of a photosynthetic alga or cyanobacterium (blue-green alga) in symbiotic association with a fungus, making crust-like (crustose), leaf-like (foliose) or shrubby (fruticose) forms that are commonly blue-green or orange.
- Mitigate
 - 'To lessen the severity of, to make more easily borne'. For instance, a purpose of tree inspection and pruning works is to mitigate tree risk.
- Native
 - Trees that colonised Britain during the time between the end of the ice age about 10,000 years ago and the formation of the Channel by the gradual expansion of ancient rivers, some thousands of years later, which effectively isolated Britain from new introductions.
- Non-native

- Trees that have been introduced to the UK by humans are known as non-native.
- Natural regeneration
 - Growth from seed which was naturally dispersed. The natural regeneration of trees in a woodland is an alternative to planting.
- Naturalised
 - Introduced as opposed to native trees that have become established in the plant life of a region, Sycamor and Beech trees are examples.
- Nuisance (common law)
 - Common law (private) nuisances are said to be of three kinds: Encroachment on, or direct physical injury to, a neighbour's land, and interference with a neighbour's reasonable use or enjoyment of his property.
- Nuisance (statutory)
 - A nuisance under the Environmental Protection Act 1990, defined as 'unacceptable interference with the personal comfort or amenity' of the public.
- Particulates
 - Matter in the form of minute separate particles, an example being sooty particulate pollution from vehicle emissions
- Photosynthesis
 - The process by which green tissues (containing chlorophyll) manufacture carbohydrate from carbon dioxide (CO₂) from the air and water (H₂O) from the soil, releasing oxygen, The necessary energy is supplied by sunlight
- Pollutants
 - A substance that pollutes something, especially water or the atmosphere.
- Pollution
 - The presence in the environment (whether the air, waters or land) of something that is in some respect harmful.
- SANGS
 - Suitable Alternative Natural Greenspaces (**SANGs**) are existing open spaces that are due to undergo enhancements designed to attract more visitors by providing an enjoyable natural environment for recreation as an alternative, or to relieve visitor numbers on ecologically sensitive sites nearby, eg the New Forest National Park.
- SUDS
 - Sustainable drainage systems are drainage solutions that provide an alternative to the direct channelling of surface water through pipes and sewers to nearby watercourses.
- Swathe
 - A broad, wide strip of grass or wild flower meadow.
- Veteran
 - Veteran trees are trees with some or all of the habitat niche features of ancient trees, specifically crown retrenchment and decay in trunk, branches or roots (Lonsdale, 2013), but caused by wounds or decay, rather than of old age. Reactive growth to physical damage or other abiotic stressors leads to the appearance of veteran features, but veterans may be much younger than ancient trees.
- Wildlife Corridors

- Interconnected vegetation providing unhindered wildlife movement between habitat. Often seen as linear hedgelines connecting individual woodlands amongst human activity such as farmland, or housing development. Of critical importance as development pressures increase and intensify

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13. References

The strategy has been put together with reference to the local and arboricultural knowledge and experience of the Corporate Tree Officers and the approach and practices applied by other organisations involved in tree management in the local area (including the New Forest National Park, Forestry Commission, Forestry England, and Hampshire County Council).

Tree strategies produced by the following authorities have also been reviewed:

Christchurch Borough Council
Poole District Council
Test Valley Borough Council
Fareham Borough Council
East Dorset District Council
Hart District Council
Leicester City Council
Rushmoor Borough Council
Basingstoke and Deane Borough Council
Nottingham City Council
Newcastle City Council
Waltham Forest Borough Council
Colas (managing trees on behalf of Portsmouth City Council)

Other specific reference material is detailed below:

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Barlow, J & Harrison, G (1999) Shaded by Trees. Arboricultural Practice Note 5. Arboricultural Advisory and Information Service

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14. Appendixes

14.1. Action Points

Action Point	Action	Officer	Schedule
1	Obtain canopy cover information for NFDC area by i-Tree eco survey. 1.1.10 Canopy Cover	Tree officers	2022-2024
2	NFDC will impose planning conditions on all developments within the New Forest District area to ensure high quality tree planting methods are used, using trees sustainably grown in the UK. Reference to be made to NFDC corporate tree planting specification 1.1.1 Tree Planting	Planning Officers	2020-onwards
3	Increase canopy cover on NFDC land. Obtain canopy cover information by I-Tree eco survey to enable future monitoring of tree cover and inform areas to undertake comprehensive planting schemes. Aim to undertake schemes on 10 separate sites. 1.1.1 Tree Planting	Tree officers	2022-24
4	Explore alternative sources of funding for planting and woodland management. 1.1.1 Tree Planting		
5	Establish a procedure to ensure that trees are considered when sites are acquired or sold off by the Council.	Tree officers	2014/15

6	Undertake woodland plans for principle woodland sites to enable grant funding to be applied for. 1.1.6 Woodland Management	Tree officers	2014-17
7	Take steps to encourage community involvement in tree and woodland management. 1.1.6 Woodland Management	Tree officers / Housing officers	2014-16 ongoing
8	Address fly tipping on woodland and open space sites. 1.1.6 Woodland Management	Tree Officers / Streetscene / Open spaces	2014/15 ongoing
9	Identify veteran trees on Council land and prepare individual management plans where appropriate. See Page 42 20. Woodland Management and Woodland Biodiversity	Tree officers	2016/17

14.2. Tree Risk Management Strategy 2020-25

14.3. Ash dieback Action Plan

14.4. NFDC Tree Planting Specification

14.5. Planning Condition



Tree Risk Management Strategy 2020 - 2025

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1. Mission Statement

The New Forest District is an area rich in trees, which bring considerable benefits to the local community. The risk associated with these trees is extremely low. However, to meet our legal obligations, reassure public concerns, ensure a joined-up approach and to comply with industry best practice. New Forest District Council (NFDC) has a formal policy to outline how and why it manages the risks from trees.

Since 2016 NFDC has used the Ezytreeev tree management system to proactively and reactively survey and manage all its tree stock. This is on a 4-yearly cycle for the majority of our trees and with a more regular yearly inspection on trees with a higher risk factor, as per recommended best practice currently.



The District Council also undertakes proactive tree surveys on behalf of a number of local town and parish councils and offers a tree management service which is up to date, meets or exceeds industry best practice, fulfils legal obligations, is not unnecessarily complex and is proportionate to the actual risks, while providing value for money.

NFDC tree officers manage the safety and inspections for both council tree stock and Parish tree stock. They also address future survival rates through education, new tree planting, diversifying tree stock through responsible sourcing and trying to protect our trees.

Education day for a local school at Apple Tree Court



The requirement to meet an overzealous standard of inspection can reduce the effectiveness of corporate tree management, reducing the time available to focus on other tree management issues, as set out in The Corporate Tree Strategy.

The NFDC's tree stock is a valuable resource and needs to be allocated its recognised industry asset value and managed, not just in relation to risk, but also more widely in terms of maximising the benefits related to trees, and the long-term viability of the tree resource. Risk management must form an integral part of a wider process of strategic tree management.



Silver Birch tree deliberately poisoned and had to be removed.

CAVAT
SPREADSHEET TO CALCULATE VALUE OF INDIVIDUAL TREE STOCK

Only enter data in the green boxes

© Christopher Nalor
Created by Alexandra Sturt

CAVAT	Quantities you measure / look up	Calculated Values
Step One: Basic Value		
Stem Diameter (cm)	40-49.9	Value Bands Table
Unit Value Factor	15.88	
CTI Rating	100%	
CTI Value		£25,256
Step Two: Functional Value		
Functional Adjustment	100%	£25,256
Adjusted Value		
Step Three: Final Value		
Life Expect. Factor	20-40	£20,205
FINAL VALUE		

CAVAT value **£20,205**

Sample tree valuation of tree poisoned in Fawley area which has now been removed.

2. Policy, Service Scope and Standards

This policy relates to those trees which grow on land which is owned or under the responsibility of New Forest District Council. It is not designed to cover trees within private ownership. Private trees are protected through Tree Protection Orders and conservation status which is managed by NFDC planning tree department.

This policy is not intended to cover the risks associated with direct or indirect damage to property (i.e. damage via tree related subsidence or by the physical incremental growth of the tree interacting with property). These issues are addressed in the NFDC Corporate Tree Strategy document. It is however intended to cover the risks posed by the failure of trees, or parts of trees, with the potential to cause damage or injury.

This Corporate Tree Risk Management document is intended to form an integral part of the wider District Council Tree Strategy and will provide part of an audit trail of action taken in response to the potential risks posed by trees and will demonstrate that the Council has met its responsibilities and duty of care as a tree owner in a systematic and reasonable manner.

NFDC will manage its trees in such a way as to meet or exceed the minimum standards outlined by the accepted industry best practice documents; The National Tree Safety Group (2011) (NTSG) and HSE Sector Information Minute (2013) (HSE SIM). UK ROADS LIAISON GROUP (WELL-MANAGED HIGHWAY INFRASTRUCTURE: A CODE OF PRACTICE.) Oct 2016.

The Council will operate a prioritised system for managing the risk from trees whereby those trees which pose the greatest risk will be assessed and managed first.

The NFDC Tree Risk Management Strategy helps to fulfil the Council's objectives for strategic management of the environment and a commitment to managing public safety.

3. The Benefits of Trees

The benefits trees can provide are well documented. These include significant improvements in air quality, mitigation of the effects of climate change, the management of storm water runoff, improving the perception of the local area, reducing crime levels, psychological and physical health benefits and bring about a sense of community. Trees are also essential wildlife habitats, contributing significantly to local biodiversity and creating urban green corridors for wildlife to use.

Trees can help improve health and attract investment to the area and give considerable visual interest throughout the year by their form, colour, leaves and fruits. Trees can help to break up harsh vistas and soften and give a sense of scale to our neighbourhoods. **Which is especially important as we live within the National Park Area which attracts tourism to our local villages improving economy.**



A more detailed consideration of tree related benefits can be found in the District Council's Corporate Tree Strategy document 2020 – 2025.

4. The Risks from Trees

Trees pose a very low risk to people and property. Approximately 6 people a year are killed in tree related incidents. In relation to the number of trees within falling distance of people or property this equates to a very low likelihood of harm occurring. The Health and Safety Executive (HSE) states that such a level of risk is broadly acceptable i.e. 1 in 10,000,000 risk of death.

To put this low risk in context, there is a 1 in 16,000 risk of death associated with driving but we all still drive our cars every day and witness incidents all the time.

Unfortunately, the news reports and sensationalises every tree that fails heightening the concerns from the public, but car incidents barely get a mention in the press.

Despite this low risk, the law requires that the risks from trees are managed in a reasonably practicable manner.



5. Legal Obligations of the Tree Owner/Manager

The key statutory legislation (laws created by an Act of Parliament) relating to a duty of care for tree owners or those responsible for them is the Occupiers Liability Acts 1957 and 1984, the Health and Safety at Work Act 1974 and the Highways Act 1980.

- 5.1 **The Occupiers Liability Act 1957** confers a duty on an occupier to take reasonable care to ensure that visitors to the property are safe from harm. In 1984 the scope of the act was extended to include uninvited visitors including trespassers. This duty to the uninvited is limited to those dangers which the occupier is aware of, those dangers that the uninvited are likely to be foreseeably be exposed to (i.e. they will be in the area near hazardous trees) and those dangers which the occupier could be reasonably expected to take steps to protect visitors (invited or otherwise) from.

The 1957 Act also indicates in section 2(3) (a) that occupiers '*must be prepared for children to be less careful than adults*' and finally it includes a '*consideration of the circumstances of the occupier(s) and the reasonable availability of measure to prevent injury*'. (Julian Forbes-Laird 2009).

Prosecutions under this act are generally restricted to civil law cases and fall under the tort of negligence.

- 5.2 **The Health and Safety at Work Act 1974** This Act places a duty of care on employers to those who are not employees. Employers (when conducting their business) must ensure as far as reasonably practicable that persons not in their employment are not exposed to risks to their health and safety. This legislation is typically used in criminal law cases and Birmingham City Council was successfully prosecuted under this act by the Health and Safety Executive (HSE) following a tree failure which killed three people in 1999.

- 5.3 **The Highways Act 1980** places a statutory obligation on tree owners to prevent trees from causing an obstruction to roads and footpaths.

- 5.4 **The Countryside and Rights of Way (CROW) Act 2000** indicates that those who utilise their right of public access (under the Act) are not deemed to be *'visitors'*, and therefore their protection comes under the 1984 amendment of the Occupiers Liability Act, however, conversely Section 1 (b) of the Act states that there is no duty owed associated with risks from natural features (which includes trees). The Act also infers that the right of access shouldn't place an unreasonable burden on the occupier and identifies that maintaining the character of the countryside is important. In practice this could be interpreted to mean that potentially hazardous trees can be retained as valuable habitat or natural features (i.e. veteran trees). This also suggests that any control measures to mitigate the risk from trees is commensurate with the resources available to the owner (i.e. not an *'unreasonable burden'*).
- 5.5 Another Act which has some limited relevance to tree risk management is the **Compensation Act 2006**. This indicates that risk abatement measures shouldn't lead to the stopping or infringement of a desirable activity taking place. This reinforces the idea that control measures shouldn't be unnecessarily restrictive, and that some exposure to risk is acceptable, particularly when there are associated benefits.

There has been a raft of common law cases which are relevant to the management of the risks from trees. Decisions of the higher courts can set a precedent which is likely to influence future decisions on similar cases. Decisions from the lower courts can still provide a useful insight into the Court's interpretation of the law. (For an overview of relevant case law and best practice see Appendix 3 – Relevant Court Precedent).

5.6 Conclusion

The following conclusions can be drawn from both statute and common law:

- Tree owners and employers have a duty of care to take reasonable steps to protect people from harm.
- What is reasonable is influenced by the level of risk and the level of sacrifice required to control those risks.
- If tree (or limb) failure isn't reasonably foreseeable then the tree owner is unlikely to be found liable for any damages.
- If it's not reasonably foreseeable that persons will be in the vicinity of a tree on private land, the tree owner is unlikely to be found liable for any damages arising from tree failure.
- If it is reasonably foreseeable that people may be in the vicinity of the tree (visitors or trespassers) and if the presence of visible defects renders tree failure foreseeable. The tree owner is likely to be liable for any damages associated with failure if the tree isn't under any form of inspection regime.
- To fulfil their duty of care tree owners should have some form of inspection system in place. This needn't necessarily be carried out by arboricultural specialists, however, judgements in the lower courts indicate that the level and scope of inspection should be commensurate with the means of the tree owner.
- The Courts indicate that it is likely to be acceptable for homeowners to informally assess their own trees providing they can identify obvious defects. It follows that a local authority or large estate owner would be expected to have a more rigorous system of inspection than a private householder. However, all parties should as a minimum have some system in place.
- Lower levels of land use or lower targets will require correspondingly lower levels of inspection.

6. Site Zoning

All trees under the responsibility of the District Council will be zoned according to the risk they could pose to people or property. Zones will be assigned based on two distinct features:



Targets

'Persons' or property, or other things of value, which might be harmed by mechanical failure of the tree, or by objects falling from it (Lonsdale 2010). These could be static (i.e. a house) or mobile (a car/pedestrian).

Frequency of Use/Occupancy

What is the likelihood of damage or injury occurring (how often or for how long is the 'target' within falling distance of the tree?).

This approach follows the recommendations set out in industry guidance (particularly HSE SIM and NTSG documents) and allows a prioritised approach to risk.

Three distinct zones will be identified as Low, Medium and High

Some sites (particularly larger areas) will be attributed to more than one zone to reflect different levels of land use across the site. However, where practical, in the interests of clarity, a site will be allocated to a specific overall zone, individual trees or areas may need additional visits for higher risks posed by trees on the site

Following the initial inspection of each site the zone allocation will be reviewed and if appropriate the site will be reclassified to reflect the actual level of risk.

Zones will be continually reviewed to ensure that they reflect the current situation on the ground and will be updated on an ad hoc basis as site usage changes, or situation change

High Zone: e.g. Main roads (A and B roads), pose significant risk to residential and business properties, Council depots, Leisure centres, high use footpaths, car parks (typically full all day). Trees adjacent to busy railway lines, school playgrounds and play areas.

Inspected formally every one to two years and inspected reactively in response to enquiries. Also subject to informal observation during normal Council activities.

Medium Zone: Lower use roads (C and D roads), open spaces with regular use, cemeteries, regularly used footpaths, intermittently used car parks (rarely full). Trees adjacent to domestic gardens and/or low use outbuildings.

Inspected formally every four to five years and inspected reactively in response to enquiries. Also subject to informal observation during normal Council activities. (This is covered by the 4-yearly rotation of tree stock inspections)

Low Zone: Low use footpaths (Minimal footfall per day), trees alongside waterways, low use open spaces, adjacent to low use outbuilding.

A formal walk or drive by (overview) group inspection, every 5 years, around the perimeter of the site and along any routes of access such as footpaths. Trees only to be assessed individually if the group 'overview' inspection identifies an obvious hazard. Also subject to informal observation during normal Council activities.

This is unlikely to be highly onerous and will also be useful in informing the management decisions for lower use sites - i.e. potential for replanting, pest and disease management etc.

Zones will be recorded on the tree management data base so that inspectors have clear information as to what is to be surveyed and when.

Research from the USA indicates that trees with a diameter greater than 150mm (measured at 1.5m height) are most likely to fail. This also follows the generally accepted understanding that younger trees are less likely to fail, and that if a low diameter tree fails it is likely to have a less significant impact than a tree of larger dimensions. Based on these assumptions it is reasonable to limit resource allocation to the inspection of those trees with a diameter of more than 150mm. This will not remove the ability of the inspector to prescribe remedial works to trees of lower diameter however it will allow resources to be focused on those trees which present the greatest risk.

The inspection of zones will be rotated when feasible to allow trees to be assessed at different seasons of the year when new structural form is more apparent (i.e. in winter), crown condition is visible (mid-summer) and annual fruit bodies of decay (fungi) may be present (generally spring to autumn).

7. Frequency of Inspection

There is little formal guidance on appropriate time scales or intervals for tree inspections. The industry consensus is generally that between 1 and 5 years is appropriate (The Department for Transport's 'Well Maintained Highways' (2016) recommends that highway trees require an arboricultural inspection every 5 years).

Case law suggests that 2 years (Guildford v Payne 2006) or 3 years (Chapman v London Borough of Barking & Dagenham 1998) is a reasonable inspection interval for high use sites and the National Tree Safety Group 2011 (NTSG) suggests that it is likely to be reasonable that high use sites are inspected every 2-3 years, and possibly annually, via a drive by for highway trees. UK ROADS LIAISON GROUP (WELL-MANAGED HIGHWAY INFRASTRUCTURE: A CODE OF PRACTICE.) Oct 2016 (Establishment of an effective regime of inspection, survey and recording is the most crucial component of highway infrastructure maintenance. The characteristics of the regime, including types and frequency of inspection, items to be recorded and nature of response, should be defined following an assessment of the relative risks associated with potential circumstances of location, agreed level of service condition. These should be set in the context of the authorities' overall asset management strategy).

As outlined above, trees within falling distance of people or property within high risk zones will be assessed every 2-3 years and within medium risk zones will be assessed every 4-5 years. Trees within low risk zones will be subject to an overview group inspection (typically walk or drive-by as determined by practicability) every 5 years.

It is clear from guidance that it is not essential for all trees to be proactively inspected. The key to a reasonable system is to prioritise those trees which pose the greatest risk and to focus resources on their management. Because of the very low risk that trees pose, it is reasonable not to individually inspect trees on low use sites. This is also borne out by case law, tree risk guidance (NTSG and HSE SIM) and other industry best practise.

NFDC will however monitor the condition of trees on low use sites both formally and informally and this will be incorporated into the general management of such sites (i.e. consideration of improvement works, replanting etc).

8. Interim Inspections

Where individual trees present a particularly significant risk due to their location, condition or other variable (i.e. veteran trees, neglected pollards etc) and this risk is considered to require a higher level of inspection frequency than the allotted zone prescribes, these will be designated an individual re-inspection interval via a tree risk category. This designation will be maintained on the tree database, to produce a list of individual trees for inspection. It is anticipated that this will not be overly onerous as the majority of trees will be in such a condition (potentially following remedial works) that they will not require an interim inspection but will mimic the risk zone allocated to a site.

It is envisaged that the majority of trees will not stay on the re-inspection register for long periods but, following re-inspection, will either be allocated to the zone associated with the site (potentially following remedial works) or will be removed and replaced as per our policy. This will facilitate a degree of flexibility within the system which will be reasonable and achievable.

The reinspection times for higher risk trees will be given on a case by case decision by the tree officers.



9. Level of Inspection

9.1 Formal Proactive Inspections

These inspections are programmed into the tree management system and an individual site will be visited with the specific intention of carrying out a visual assessment of those trees which pose a risk to a target (i.e. a person or property).

In situations where trees are not within falling distance of areas frequented by people or property (i.e. in woodland, well clear of paths, roads and property), a formal inspection will not be required. However, the trees will be considered by the inspector on site and, if deemed appropriate, (because of their size, condition or the potential for change in frequency of use) they may be included in the formal inspection.

For low use zones, a formal 'group' overview assessment will take place. This will generally be conducted via a walk or drive by survey.

9.2 Formal Reactive Inspections

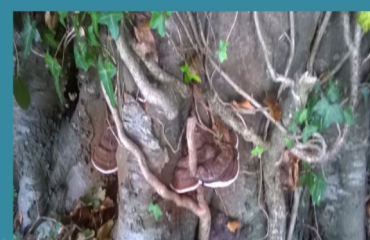
Such work occurs in response to enquiries from the public or other Council staff (resulting from their informal observations). When reactive inspections take place, the inspector will have the opportunity to carry out a brief superficial observation of adjacent trees to observe any obvious defects, this can be recorded on the tree management system as a site inspection.

All enquiries from the public, Council employees or other bodies (i.e. police, highways etc) will be reported to the NFDCCorporatetrees@nfdc.gov outlook box. Tree enquiries will be allocated a priority based on the information obtained at the point of contact and existing site knowledge. If necessary, a follow up call will be made by the Tree Officer to clarify the likely level of risk posed by the tree in question. The assigned priority will determine the maximum time between the initial enquiry and a site visit being made. This is important as it provides a reliable audit trail regarding the response to and resolution of enquiries and reduces the risk of reported tree issues being 'lost in the system' if they are only handled informally. In the event of a tree failure following an enquiry the Council will be able to demonstrate that it the Corporate tree team responded in a reasonable manner.

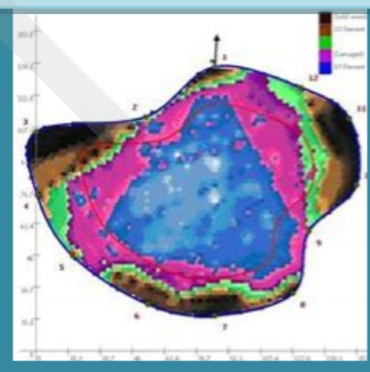
Priorities will be classified as **high** (as soon as reasonably possible, within a maximum of 1 week), **medium** (within 1 month) and **low** (within 3 months).

9.3 Detailed Inspections

Such inspections will be carried out when an individual tree inspection identifies a significant defect which requires further investigation to inform a reasonable management decision. This includes the use of aerial inspections to assess defects such as cavities which cannot be adequately assessed from ground level. An assessment of the roots and lower stem base may be required via hand digging/compressed air or the use of diagnostic decay detection devices in order to establish the extent of decay in the tree. Where further investigation requires equipment unavailable to the Corporate Tree Team, or where the issue requires specific expertise, a suitably qualified consultant, with experience in the relevant field, will be commissioned to inform the decision-making process (i.e. Chartered Forester, AA approved consultant, Level 6 Arboricultural qualification etc).



Beech tree with fungus at base adjacent a road/footpath, a detection scan indicated significant decay within the tree.



9.4 Competency of the Inspector

Formal proactive and reactive inspections will be carried out by Council employees who hold the Lantra Professional Tree Inspection Certificate as a minimum and ideally hold or be working towards an NQF level 3 arboricultural qualification. This level of qualification meets and exceeds industry best practice and case law interpretations of what is reasonable. They are members of the Arboricultural Association and regularly attend training to stay up to date with the latest recommendations and guidance for trees.

9.5 Informal Observation

The vast majority of trees for which NFDC are responsible will be subject to regular informal observation by Council employees as they go about their normal work activities. Many Council staff (Building Works, Open spaces officer, Planning, Refuse Collectors etc) spend a considerable amount of time out on a variety of sites in the course of their work. Such staff are a useful resource to report signs of obvious hazards. Further to this, Grounds maintenance operatives are given information, training and specific instruction to monitor the condition of the tree stock, and any issues of concern will be raised as an enquiry with the Tree Officer and, if deemed appropriate, a formal reactive inspection will take place.

9.6 Raising awareness for informal inspections

The Corporate Tree Officers have prepared a short presentation and handout for Grounds Maintenance staff and others who are regularly out on Council owned land outlining obvious signs of hazard including standing dead trees, decay fungi and root heaved trees. This will help support the process of observation and reporting which is already in place within the authority. Many of these staff arguably already have a reasonable working knowledge of trees and the local area use and are well placed to provide informal inspections. New information on emerging pests, diseases or conditions can be communicated effectively by this method and through the attendance of tree officers to staff meetings.

The use of digital cameras and site visits will help to inform the Tree Officers and will encourage a joined-up approach, promoting an increased shared knowledge of trees, defects and appropriate remedial action. This information will be passed to the Corporate tree email box which is monitored during staff absences.

10. Tree Works

Resulting remedial works will be discussed with and approved by the Corporate Tree Team and arranged with the Corporate Tree Contractor for completion within the following time scale.

- **Urgent**

Immediate or as soon as reasonably practicable (generally within 24 hours)

- **High Priority**

Up to 1 month

- **Medium Priority**

1 month to 3 months

- **Low Priority**

3 months to 12 months

11 Record Keeping

All formal, group or individual tree inspections will be recorded on the tree management database. The date of inspection and the name of the inspector will be updated at each inspection, along with any relevant details relating to the condition of the tree, changes to site usage, or any necessary remedial works.

For woodland sites or large groups of trees, the group as a whole will be plotted using the 'group' outline on the tree management database. A general description of the group, including an estimate of the number of trees present, relevant zone and risk category can be described along with a list of the main species and predominant average estimated dimensions.

In the interests of clarity on such sites only those trees with significant defects will be recorded as individuals, as plotting and recording every tree would result in an incomprehensible plan.

All trees within falling distance of a target will be assessed as prescribed by the allocated zone.

All tree failures are recorded on the tree database and can be searched to highlight any areas of concern or for replanting.

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12 Tree Inspection Process

Trees will be visually assessed from ground level using Visual Tree Assessment (VTA); this involves the systematic assessment of all parts of the tree from the rooting area, base, stem, limbs, branches, twigs to the leaves/buds. VTA is based on an understanding of the '*body language of trees*' (Mattheck Breloer 1994) and has three stages:

- a. A visual inspection of the tree, assessing vitality, defects and other symptoms. If no significant concerns are found the inspection is complete.
- b. If a defect is suspected, it must then be confirmed by further examination.
- c. If a defect is found it must be measured and the strength of the remaining part of the tree must be evaluated.

The VTA system forms the basis of the industry accepted method of tree assessment; it is also an integral part of the Lantra PTI course and has been recognised in court cases across the world.

Information to be Recorded

The survey of all (individual) trees will record the following information, which will be updated as necessary at each subsequent inspection.

- Date of inspection and name of inspector
- Tree species, age class and estimated dimensions (height, spread and stem diameter at 1.5m)
- An overview of tree condition (good, reasonable, poor, dead).
- Any significant defects (if no such defects are visible this will be left blank and can be interpreted to read 'no significant defects recorded').
- Any remedial works required including a time scale (as specified above).
- Remedial works completed (including date).

Some trees will have additional flags as follows:

Red/Fell	Tree to be removed.
Yellow/monitor	Tree has significant structural defects for which remedial works are not considered appropriate at this time to enable further assessment and monitoring.
Blue/private	Uncertain ownership (seek clarification).
Pink/Unable to access tree	Not possible to access the tree during the proactive survey. Alternative arrangements required to facilitate inspection.
SSSI	Site of Special Scientific Interest
Con Area	Tree within a conservation area
SANGs	Tree within sights of alternative natural green space.
Memorial	Tree planted as a memorial.
Restricted	Tree within a back garden or hard to reach area.

It is worth noting that the majority of trees have already been historically plotted on the tree database with only three colours (red - fell, yellow – significant defects and green-no significant defects) as based on the 1992 risk management system. The reclassification of colour coding will take place at all subsequent inspections. It is therefore anticipated that all sites will reflect the above system of coding within 4-5 years.

Tree work orders will be generated via the tree database system and will provide an additional audit trail of works passed to the contractor for completion. The subsequent detailed invoice (including a breakdown of tree work orders) will also provide a proof of completion.

Random sites will be subject to a follow up checks to ensure that the work has been completed to the appropriate standard. The Corporate Tree Team will also conduct at least one recorded site safety audit every month to check the contractor's work on site and compliance with best practice.

13. Review

The risk management system will be reviewed every 5 years by the tree management working group. The zoning system will be refined as sites are assessed and can be updated on an *ad hoc* basis to reflect changes in land use.

Prior to implementation this risk management policy will be compared and contrasted with other local authority risk management policies and will also be passed for consultation with experienced tree managers and other company representatives for their comment.

The five yearly review will involve an assessment of whether the system complies with current industry best practice and consider areas for improvement and the potential re- allocation of resources.

The performance indicators will be reviewed to see if the policy has been implemented successfully and if it has effectively met its aims and objectives. A new suite of performance indicators and objectives will be laid out following the review and this in turn will be assessed at the next period of review.

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14. Audit

An internal or external audit should be carried out to inform the 5-yearly review. This will help to validate the risk management system, highlight any areas for improvement and ensure that it is fit for purpose.

This should be conducted in a checklist format to review the system. Details to assess will include the quality, accuracy and consistency of data recorded, whether the inspection timescales are being met, if works are being completed within their allocated time scales and other objectives set out in the Action Plan (Appendix II). This process will assess whether the system parameters have been adhered to and if key performance indicators (Appendix I) have been met.

Senior management should be advised of the results of this process along with recommendations for improvement. It is important that all parties are aware of the risks of non-compliance with the strategy (i.e. potential liability). Future reviews should consider whether recommendations are being fulfilled.

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15. System Operation and Parameters

The following quantifiable parameters outline the boundaries of the risk management system and must be adhered to. Any failure to follow the strategy will undermine its effectiveness and will reduce its defensibility in court.

- I. 95% of trees will be inspected within their designated inspection times (except with prior approval with the Head of Service).
- II. 95% of high and medium priority tree works will be completed within their allocated time scales.
- III. Comprehensive records will be kept including the date of inspection, the name of the inspector and records of any trees found with significant defects and subsequent action taken.
- IV. All persons formally inspecting trees will be appropriately qualified (LANTRA Professional Tree Inspection qualification as a minimum), training programmes will be followed and suitable records kept including the date of training, qualification achieved, along with copies of any certificates.
- V. Current industry best practice in relation to tree risk management will be adhered to.

16. References

Bennet, L (2010) Trees and Public Liability – Who Really Decides What is Reasonably Safe. Arboricultural Journal 2010, Vol. 33, pp.141-164

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Forbes-Laird, J (2009) Liability for death or injury caused by falling trees or branches: A review of the present position under English law in relation to tree safety inspection. Arboricultural Journal 2009 Vol.3, pp. 233-241.

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Lonsdale, D (2010) Principles of Tree Hazard Assessment and Management. Research for Amenity Trees No. 7. The Stationary Office.

Mattheck, C and Breloer, H (1995) The Body Language of Trees: A handbook for failure analysis.

Mynors, C (2011) The Law of Trees Forests and Hedges. 2nd Edition.

National Tree Safety Group (2011) Common sense risk management of trees. Forestry Commission.

NTSG

17. Appendix 1

Key Performance Indicators

The following Key Performance Indicators are designed to be a measurable tool to illustrate the effectiveness of the risk management system.

- 95% of trees in the high use zone will be inspected within their designated time frame.
- 95% of works specified as 'Urgent' will be completed (or sites made safe) within 7 working days.
- The Failure Log will be completed in full for 95% tree failures.
- The Corporate Tree Risk Strategy (including the system of zoning) will be reviewed every 5 years and following the review action plans will be drawn up and implemented.
- 95% of fields specified as necessary on the Tree Specific Database will be completed for each tree recorded.
- The handout will be compiled and passed to all relevant operatives within 12 months in conjunction with a short presentation.

18. Appendix 2

Action Plan

Year 1-5

- Review the tree specific database system
- Zone all sites (on a priority basis)
- Carry out 50% of high zone inspections every 18 months
- Carry out 25% of medium zone inspections every 15 months
- Reclassify all trees inspected with updated coding and refine zones if appropriate.
- Carry out all remedial works within recommended time frame.
- Produce and distribute guidance relating to tree defects for relevant Council staff.

Year 5

- Audit and 5 yearly review
- Carry out overview survey of low category sites

19. Appendix 3_

Relevant Court

Precedent

Rylands v Fletcher (1868) In this case a landowner employed a private contractor to install a reservoir on his land. The contractor found unused mine shafts in the excavation and failed to seal them properly. When the reservoir was flooded water broke into the mine shaft and made its way into the mine shaft of the neighbouring property causing damage. This case set out the principle that where a person has something on his land which may harm a neighbour, he must keep it within his property. If this isn't maintained and his neighbour is harmed (or his property) then the owner is likely to be liable. The principles set out in this case have been applied to trees, particularly in relation to poisonous foliage (i.e. yew) and livestock (i.e. *Crowhurst v Amersham Burial Board 1878*).

Noble v Harrison (1926) Person injured by a falling branch. The tree had been recently inspected and the failure was not deemed to be foreseeable. Tree owner not liable.

Donoghue v Stevenson (1932) A Scottish woman brought and consumed a bottle of ginger beer in a cafe. A snail was found in the bottle and the woman later became ill and sued the manufacturer. It was found that the producer of the ginger beer had breached his duty of care by failing to ensure that the product didn't cause harm to its consumers. This important case set out the modern understanding of negligence and the duty of care owed by one person to another.

Shirvel v Hackwood Estates Co Ltd (1938) A tree standing in the grounds of a recently acquired large estate, with many dead and dangerous trees present, collapsed and killed an estate worker, who was working in a seldom visited part of the property. The tree owner was found not liable. This Appeal Court judgement indicates that the courts consider both the resources of the tree owner (there were many trees which required attention) and the frequency of use of the location.

Edwards v National Coal Board (1949) This significant case outlined the basis of what is reasonably practicable in relation to reducing risks. The case itself involved a miner who was killed in a rock fall; the claimant's argument was that the employer/landowner should have taken steps to control the risks. The key question in this issue was: Is it reasonable to shore up all tunnels in the mine to remove the risk of collapse. The judgement found that this wouldn't be reasonably practicable and that only those sections of tunnel which posed the highest risk needed remedial action. The judge (Asquith) described a reasonably practicable approach to risk management as follows: *"risk is placed in one scale and the sacrifice involved in the measures necessary for averting the risk (whether in time, trouble or money) is placed in the other"* he went on to suggest that if the sacrifice greatly outweighed the risks then this wouldn't be a reasonable response. This case highlights the requirement to assess the risks and to quantify the necessary control measures before making a balanced decision about what is a reasonably practicable approach.

Caminer v Northern & London Investment Trust Ltd (1951) This case related to a person injured by a falling branch. The tree was not under any form of inspection and as such the tree owner was considered negligent, however because the defect which led to the failure of the branch was not judged to be foreseeable the tree owner was found not liable. This case is significant because it highlights the requirement for some form of inspection to meet the tree owners' duty of care and also that if tree failure isn't foreseeable then the owner of the tree is unlikely to be liable for any associated damages, regardless of whether the tree had been inspected.

Brown v Harrison (1947) and Quinn v Scott (1965) The trees in these cases hadn't been inspected and defects which led to tree failure were considered to be foreseeable. The Defendants' were found to be liable. These cases are key because they highlight the importance of foreseeability of harm (i.e. obvious tree defects) and that in these situations failure to assess trees amounted to a failure in the tree owners' duty of care (negligence).

Leaky v National Trust (1980) Established the principle that the owner of land owed a general duty of care to his neighbour in relation to a hazard on his land whether man made or natural (and a requirement to take reasonable steps to prevent foreseeable harm). In this instance it involved unstable cliffs that resulted in a land slip. The owner of the cliff was aware of the instability and failed to take action to stabilise the land which resulted in damage to the claimant's land. The defendant was found to be liable.

Chapman v Barking & Dagenham LBC (1997) A member of the public was injured by a falling branch. The court found that the Local Authority didn't have an appropriate formal inspection process in place which would have identified the hazard and they were found liable for damages.

Tomlinson v Congleton Borough Council (2003) A young man ignored warning signs and dived into a lake which was out of bounds and received severe spinal injuries. The claimant brought an action against the owner of the land under the *1984 Occupiers Liability Act* arguing that the landowner hadn't fulfilled their duty of care to him and that the state of the land led to his injuries. The court found that the Council had acted reasonably by erecting warning notices and patrolling the area. This case is important because it identifies the courts recognition that individuals must be responsible for their own actions. In the broader context this case also indicates that the public can be given access to potentially dangerous natural features at their own discretion. This has similarities to elements of the *Countryside Rights of Way Act 2000* which states that no duty of care is owed in relation to natural features to persons exercising their right of access.

McLellan v Forestry Commission (2005) A tree fell and killed a walker on a low use woodland footpath. The tree was regularly but informally assessed, and no defect was 'obvious'. This level of inspection was deemed to be appropriate in relation to the target and the defendant was found not liable.

Other Case Law from Lower Courts

A weakness of these cases is that they can be misleading and do not set a legal precedent, if treated with caution they can however still act as a useful indicator of the courts' interpretation of events.

Kent v Marquis of Bristol (1940) In this case a large elm fell in a storm and resulted in the death of a motorist. The tree had a foreseeable defect (decay cavity) and had not been inspected. The owner of the tree was found to be liable for damages.

Poll v Bartholomew and Bartholomew (2006) In this case a motorist collided with a fallen ash tree. The tree was multi stemmed and had been subject to a drive by inspection by a forester (not a 'level 2' inspector). The forester failed to appreciate that the multi stemmed ash could pose a risk and should have inspected it more closely (recognising the fact that a multi stemmed ash is likely to have included bark and would need closer inspection). There was a fungal bracket at the base of the tree which may also have been identified by a more competent inspection. This case found that this tree should have been assessed by a 'level 2 inspector' and found the tree owner liable. This case should be treated with caution however as it has been dismissed by some commentators as a misguided judgement which also doesn't constitute a precedent. Bennet (2010) states "*Poll cannot be taken at face value as authoritatively setting a generic requirement for 'Level 2' inspections*".

Corker v Wilson (2006) In this case a motorist was injured by a falling branch. The tree was owned by a private householder who regularly informally assessed his own trees. The failure of the branch was not deemed to be foreseeable and the tree owner was not found to be liable. Interestingly this case refers to the Poll case with descriptions of Level 1 and 2 Inspectors and suggests that the court found the homeowners inspection of his own trees acceptable. This case rests on the fact that the failure wouldn't have been foreseeable even to an expert. The results of this case suggest that for domestic properties an informal inspection by a lay person/householder is acceptable to meet their duty of care.

Atkins v Scott (2008) Involved a motorist who was injured by a falling oak limb. The tree had been inspected informally within the previous 12 months by a person who, though not a trained arboriculturist had a good working knowledge of trees. The defendant was found not liable because the defect/failure wouldn't have been foreseeable and the system of inspection (informal) in place was deemed to be adequate.

Selwyn-Smith v Gompels (2009) An Austrian pine fell onto a garage injuring the occupant and causing damage. The tree had only been subject to an *ad hoc* informal inspection by the defendant (a "mere householder" and lay person). The judge stated that "*the standard of the duty owed by a landowner to act in respect of natural circumstances on his land (and his corresponding duty of care) varies according to his resources*". The judge also commented that "*the law does not then require the landowner to engage an expert unless and until reasonable inspection by the standards of that knowledge discloses or should disclose that the tree might be unsafe*". In this case it was agreed that the failure of the tree wouldn't have been foreseeable to a layperson but may have been detected by an expert. Finally, the judge suggested that the homeowner had acted in a "practical and sensible manner commensurate with the size of his property" and found in the defendants' favour. It is significant that this case indicates that it may be acceptable for homeowners to assess their own trees for obvious signs of failure and thus meet their duty of care. This judgement reiterates the earlier similar judgement in *Corker v Wilson (2006)* adding further weight to the interpretation. This case is also interesting because it clarifies that even if failure may have been foreseeable to an experienced arboriculturist the homeowner may not be liable because they have acted reasonably by assessing the trees themselves with their limited knowledge of tree defects.

Micklewright v Surrey County Council (2010) A man was killed by a fallen oak limb which fell on a car park. The Highways Authority was responsible for the tree and had recently put in place a system of inspection (by competent assessors) which would in time have included the tree. At the time of failure however the tree hadn't been assessed. Even though an 'adequate system' had been put in place, because it had yet to include the tree it was not deemed to be 'adequate' yet. In this case a major feature was the foreseeability of the defect which led to the failure of the limb. The judge heard a detailed discussion of the foreseeability of the defect and found that in this instance it wasn't foreseeable and therefore the authority responsible for the tree was not liable. This case is interesting because of the detailed discussion of foreseeability and because the judge clarified that if a system of inspection is in place but hasn't yet assessed all the trees within its remit it cannot be deemed adequate. It is important to note however that the courts are likely to look more favourably on the tree owner with some system of inspection in place (even if it is incomplete) rather than those with none.

Bowen and Others v National Trust (2011) This High Court case involving a large beech tree which failed onto a woodland path, revolved around the foreseeability of the tree failure, the frequency of inspection (every 2 years) and the competency of the inspector who had last assessed the tree. The Judge ruled that the defect was not reasonably foreseeable and that the inspector was suitably competent to assess the tree (as a forester he had a working knowledge of trees and had also undertaken specific tree inspection training). The National Trust was found not liable.

Much of the case law gives some assessment of whether the level of inspection was adequate, this is often offered regardless of whether the failure was foreseeable and gives some indication of how the lower courts interpret events.

Witey Parish council v Andrew Cavanagh October 2018

The case concerned a large, mature lime tree, leaning over a road, which fell following a storm, causing serious injury to the driver of a bus passing by. It subsequently emerged that the tree had some structural decay, which it was alleged could have been discovered if the tree had been inspected more frequently (it had been inspected on a three-yearly cycle, which was agreed by the experts to be normally adequate for roadside trees).

This case has given rise to concerns that landowners with responsibility for trees may have to undertake more extensive inspections, which may be onerous and in turn lead to pre-emptive felling of trees and deter new plantings. However, it is the view of the NTSG that the case is not a radical departure from standard industry guidance and practice, including that published by the NTSG. It is a case on its own facts. It does, however, highlight that zoning is material in safeguarding against risk to the public, and that some trees in locations with high levels of use (generally to be determined by landowner or agent) may warrant more frequent and thorough inspection than trees in other locations. Decisions will be informed by factors such as tree species, life-stage, condition and size. Whether inspections are two-yearly, or even more frequent, will depend on individual circumstances; equally, three-yearly, or less frequent, inspections may be appropriate in other circumstances. We intend to explore and make comment in our forthcoming revision of the NTSG guidance on certain of the remarks made by court relating to how risk from trees is assessed in the context of the likelihood of harm occurring. ([ref Arb association](#))

Industry Best Practice

Health and Safety Executive Sector Information Minute (HSE SIM) (2013)

This key document was written specifically for HSE enforcement officers to give guidance on the standard of risk management of trees. The remit of the document is to outline the minimum level of risk

management which would be sufficient to meet a tree owner's duty of care under Section 3 of the Health and Safety at Work (HSW) Act 1974. Whilst this guidance isn't intended as a guide to tree owners or employers it does give a useful indication of what the baseline or minimum acceptable level of inspection is likely to be. It's important to note that this guidance is specific to the viewpoint of the HSE in relation to the HSW Act and doesn't necessarily reflect the law in relation to the tree owners' duty of care (more specifically, civil law or the tort of negligence).

This document highlights the very low risk which trees pose (risk of death per person of one in ten million) which falls within the *"broadly acceptable region of the tolerability of risk triangle"*. It suggests that *"control measures that involve inspecting and recording every tree would appear to be grossly disproportionate to the risk"* and continues that tree risk management should form a part of the *"overall approach to tree management"* along with managing a healthy tree stock and environment. The HSE outline the importance of zoning sites in relation to frequency of use (level of target) and recommend that a minimum of two zones is established (high use and low use).

A summary of the HSE outline for an effective risk management system is as follows:

1. Assess the overall risk from trees. Establish a minimum of two zones to identify those areas with the greatest risk.
2. Put in place a *"system for periodic, proactive checks....quick visual checks for obvious signs (of instability)....be carried out by a person with a working knowledge of trees and their defects, but who need not be an arboricultural specialist"*. The system must be applied and monitored.
3. Maintain a simple record to note when a zone has been inspected, records of individual trees is unlikely to be required except under specific circumstances (where trees with significant defects are retained in high use zones).

4. Have in place a system to obtain specialist assistance when issues identified are beyond the scope of the inspector.
5. Procedures to ensure public safety during high winds (such as restricting access to formal open spaces).
6. Have in place a system to allow and record individuals to report tree issues. Monitoring should be in place to ensure that the system is effective.

National Tree Safety Group (NTSG)

This recently published document has the potential to be very significant. It could effectively replace the HSE SIM as the baseline for tree risk management. This will occur if it is widely accepted by the arboricultural industry as the minimum standard and therefore can be used by the courts to reflect the current industry consensus. This document attempts to address the disproportionate response to the very low risk of harm from falling trees. It interprets statute and common law and gives examples of the minimum level of risk management that is expected from those responsible for trees in a range of situations. The guidance suggests (in line with *HSE SIM*) that those carrying out tree inspections do not need to be arboriculturists, but that most hazardous trees are obviously hazardous and that experts do not need to be involved until obvious hazards have been identified or tree defects which require expert opinion are discovered. This document has a greater scope than *HSE SIM* as it encompasses all legal perspectives.

NTSG Case Study Summary

Local Government Organisation

The land holding should be reviewed, and zones established to indicate areas of high and low use. Staff with a good working knowledge of trees should carry out formal inspections of trees within high use zones and keep a record that the zone has been assessed, (low use zones may be assessed on a reactive or *ad hoc* basis when the Council employees are conducting their normal activities). Following this survey, a suitably qualified and insured competent person/arboriculturist (qualified to a minimum of NQF level 3 or equivalent) should be referred to for any assessments which are beyond the experience of the formal inspector. Records should be kept reflecting defects found and any action taken. The frequency of inspection will be commensurate with the level of risk/site usage but every 1 to 5 years is likely to be acceptable.

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Ash Dieback Action Plan

1. Aims

MANAGE HEALTH & SAFETY RISKS

MINIMISE IMPACTS OF ASH TREE LOSS ON BIODIVERSITY, ENVIRONMENT AND PEOPLE

This plan is designed to assess and address the possible likely impact and risks posed by the disease known as Chalara ash dieback. The risks posed cover public safety, council resource, landscape, environmental and biodiversity. To inform action, promote engagement and to provide information and guidance.

This Action Plan is for the attention of all New Forest District Council landholders. The guidance within is also aimed to be of use to Town and Parish Councils, and other private landholders in the district area.

Consultee list:

- NFDC
 - Housing Services
 - Planning Services
 - Car parks
 - Cemeteries
 - Open Space
 - Street Scene
 - Depots and Offices
- External
 - New Forest National Park Authority Tree Team
 - Forestry England
 - National Trust
 - Hampshire County Council Tree Team

2. Background

Ash dieback is a fungal disease of ash trees *Fraxinus excelsior*. First recognised in Poland in 1992, it was named *Chalara fraxineus*, then renamed *Hymenoscyphus pseudoalbidus*, and finally *Hymenoscyphus fraxineus*. Its origin is thought to be from Asia, where it is a harmless endophyte, not a pathogen, whose natural host *Fraxinus mandschurica*.

The fungus spread rapidly across Europe.

First recorded in Britain in 2012 on imported plants, evidence suggests it arrived here perhaps a decade earlier. It is widespread in the wider environment, and now beyond any infection control measures. It is thought possible that it also entered the UK by natural means. These include being carried on the wind or on birds coming across the North Sea and English Channel, or on items such as footwear, clothing or vehicles of people who had been in infected sites in Continental Europe.

In May 2018 the first confirmed case of Chalara in the NFDC area, in Totton, although the symptoms of the disease appear to be evident throughout the New Forest and we should assume total coverage. Further samples are in the process of being collected and sent for testing to confirm the spread. An up-to-date, nationwide map on confirmed reports for the disease, can be found at <http://chalaramap.fera.defra.gov.uk/>

From experience in other European countries and eastern UK regions, it is prudent to assume that the disease will affect most if not all ash trees in the New Forest area. The levels of tree death and damage caused that will require remedial work is uncertain but is likely to be very high.

The disease is fatal for most young ash trees, with others succumbing from pests and other pathogens once weakened by ash dieback. Initially, a small quantity of highly susceptible trees will decline rapidly. Young trees and coppice re-growth decline rapidly as unable to compartmentalise infected areas to prevent their main stems being infected. However, many unstressed, mature trees can apparently survive for many years (Iben Margrete Thomsen, n.d.).

Within 5 to 10 years we expect the disease to be visually present across most of the New Forest, and a high proportion of ashes infected, dead or dying back.

European evidence suggests 10% of trees moderately tolerant whilst 1-2% have high levels of tolerance (Tree Council, 2018) UK ash trees have a greater genetic diversity than those in Europe, which may give some resilience. offering hope that fewer may succumb. However, even highly resilient trees can be re-infected each year, leading to reduced vigour and increased susceptibility to other pathogens such as honey fungus *Armillaria and Inonotus*.

Infection mostly occurs through spores landing on leaves or twigs or at the base of trunks. Root collar infection can, if infected by secondary pathogens, become unstable - occasionally with no obvious dieback symptoms in the canopy. Basal infection occurs mainly in humid forest and woodland situations, including coppice.

3. Overview of NFDC tree stock

Approximately 92,000 trees of all species are recorded on the council's database, with 22,000 recorded assets (trees larger than 30cm dbh within falling distance of a target). *Fraxinus excelsior* accounts for large numbers of these assets due to its self-seeding habit. Responsibility for these trees lies with several different departments within NFDC (detailed in consultee list) full cooperation with the measures listed in this plan is required.

4. General management advice

NFDC Tree Officers will follow national guidance and industry best practice in response to Chalara ash dieback, engaging with a broad coalition of partners in a strategic approach to tree health.

In general terms, a tree owner (the duty holder) has a duty of care in both civil and criminal law to take reasonable management measures to avoid foreseeable injury or harm. Duty holders are expected to consider the risks posed by their trees, taking practical steps to manage those risks in a reasonable and proportionate way.

Practical advice on how to manage affected woodlands and urban trees can be found in guidance documents produced by both Government and Industry. The evidence informing guidance for ash dieback management is under constant review; this guidance will change accordingly to provide current advice. This Action Plan is a live document which will be reviewed and developed on a periodic basis.

Presented here are the main points, and should be used to inform working practices:

4.1. Monitoring

- 4.1.1. Landowners should have appropriate ongoing monitoring of ash trees, focussing on those trees in high or higher risk locations (Forestry Commission, 2019) Higher occupancy areas adjacent to roads, footpaths, buildings etc should be prioritised.

The disease can infect trees through the base of their trunks, or root collars. If further infected with secondary pathogens, such as *Armillaria*, these trees can rapidly become unsafe without obvious signs of infection in the canopy. Basal canker development is a precursor collapse as evidence now suggests anywhere from 9 months – 2 years to complete failure (FISA, 2019) from initial visual basal canker development. This underlines the necessity of a thorough, logical, and consistent inspection and monitoring regime.

- 4.1.2. Landowners should seek advice or guidance by a suitably qualified and experienced tree consultant. For a full list of approved Registered Consultants:

<https://www.trees.org.uk/Registered-Consultant-Directory>

- 4.1.3. Trees are under pressure for a variety of reasons; Chalara is just one more factor to be considered when assessing trees. Because of this, the presence of Ash dieback will not by itself necessarily be considered as a reason for early pruning, felling, or intervention.

- 4.1.4. Prevalence of root collar necrosis in humid and wet sites suggest a site-specific predisposition (Enderle, et al., 2017). Damp or woodland sites will therefore have a higher number of trees that are unable to be retained and will pose a significant risk (depending on public access). Proactive removal of affected trees in, or adjacent to high use areas or property may in some cases be prudent, subject to any statutory protection

- 4.1.5. Wood strength and structural integrity has been shown to be severely affected by decay fungi such as Shaggy bracket (*Inonotus hispidus*) or giant ash bracket (*Perenniporia fraxinea*). These are becoming more prevalent as secondary factors due to the affected trees weakened defence system.

4.2. Management

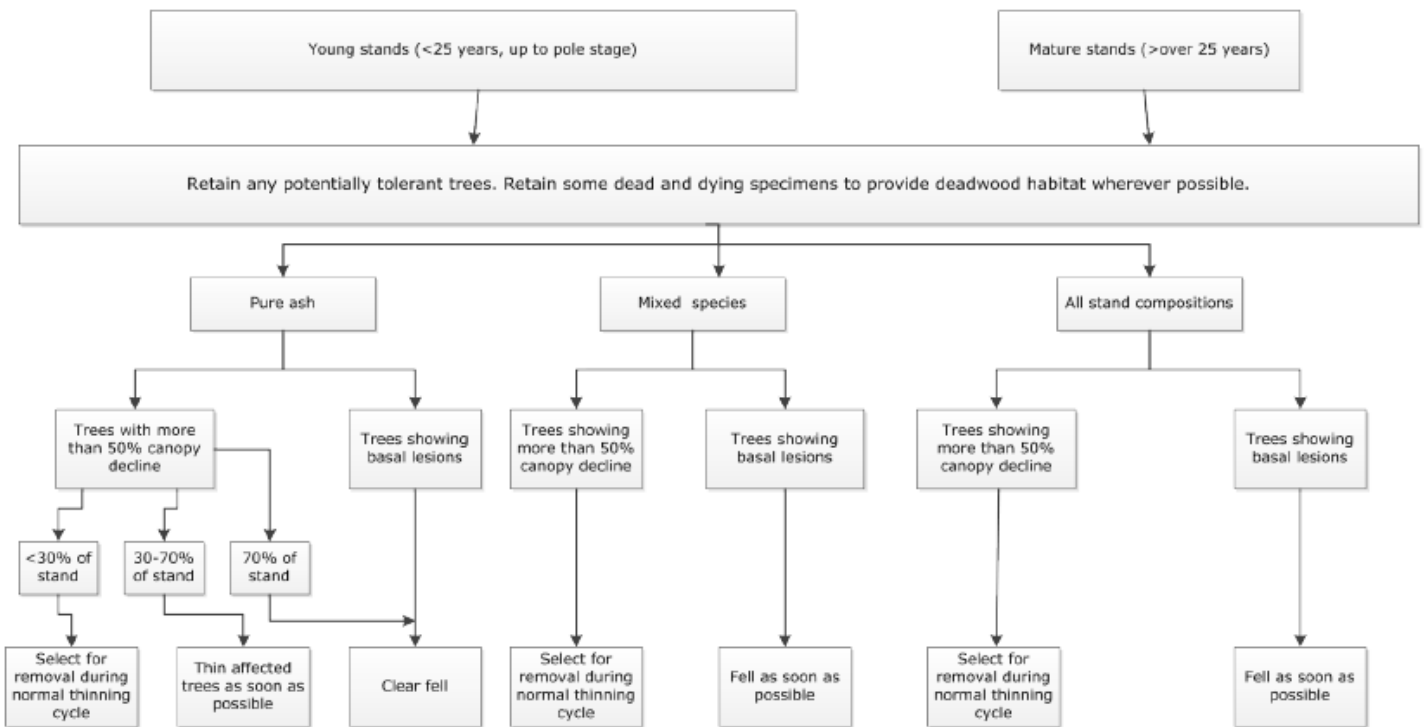
- 4.2.1. Landowners should seek advice or guidance by a suitably qualified and experienced tree contractor. For a full list of ARB Approved Contractors: <https://www.trees.org.uk/ARB-Approved-Contractor-Directory>. We advise a precautionary view is taken as to potential health and safety implications for tree and forestry contractors managing or felling infected ash trees (Forestry Commission, 2019) Thorough planning and a full site-specific risk assessment should be carried out prior to any work commencing.

- 4.2.2. With the exceptions of felling for public safety or timber production, Forest Research advise a general presumption against felling living ash trees, whether infected or not. (Forest Research, 2019) Pre-emptive felling of healthy trees, or those seemingly unaffected, should be exceptional. It is worth keeping as much of the current population of ash trees as possible to maintain a diverse genetic resource and identify and retain those trees (and any of their progeny) showing the highest levels of disease tolerance. (Natural England, Forestry Commission, 2019) Making selective informed

pruning decisions, may in some cases reduce risk to acceptable levels and allow safe retention of trees, and in many cases is recommended.

- 4.2.3. Management of diseased trees should prioritise those in the highest risk locations, to maximise the reduction in risk to the public from structural failure of diseased ash trees (Forestry Commission, 2019). Trees that are dying are more likely to shed limbs, or lean and collapse. Where this is likely to pose a safety hazard (adjacent to roads, footpaths or in heavily used areas etc.) such trees should be felled. (Natural England, Forestry Commission, 2019)
- 4.2.4. Reduced fibre length and vessel diameter (Tulik, et al., 2018) in annual growth rings will reduce the structural strength of affected trees over several years. This will lead to mechanically weaker trunks with an increased risk of uncharacteristic breakages under loading, when felling, or when trees and branches hit the ground. (Sankus, 2019)
- 4.2.5. Evidence of basal instability, rapid decline in crown condition and loss of strength in wood fibre, can result in unsafe conditions for climbing arborists, and may necessitate a more pragmatic approach to tree removal for those affected trees in high target areas, before their condition worsens.
- 4.2.6. Guidance on safety measures to undertake during *felling* can be found on the Forestry Industry Safety Accord (FISA) website. Refer to; Safety Guidance for Managers – Felling Dead Ash
- 4.2.7. Guidance on planning works, and safety measures to take while carrying out *climbing operations* can be found on the Arboricultural Association website; Ash Dieback Guidance for Tree Owners, managers, Contractors and Consultants
- 4.2.8. The decaying wood within dead and dying trees is a valuable wildlife habitat due to the niche ecological functions for saproxylic organisms. It may therefore be appropriate to pollard trees rather than fell them, to encourage standing deadwood habitat. It is worth noting that bats, which are European Protected Species (EPS), are likely to quickly find and utilise dead and dying trees. Full surveys for EPS should always be undertaken when carrying out management works. (Natural England, Forestry Commission, 2019)
- 4.2.9. Take every opportunity to identify and retain trees that are highly resilient. The Living Ash Project, including Defra and Forest Research, is carrying out screening and selection trials to identify individuals with a high degree of tolerance which may in future be cloned or bred for future restocking.
- 4.2.10. Provision of replacement planting of any removed trees should be planned and carried out to.
- 4.2.11. Ash dominated woodland owners are encouraged to refer to - [Forestry Commission ON046 – Managing ash in woodlands in the light of ash dieback](#)
- 4.2.12. SSSI woodland owners are encouraged to refer to - [Managing woodland SSSIs with ash dieback \(*Hymenoscyphus fraxineus*\)](#)

Ash dieback management decision tool



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5. Risk Matrix

We have produced a Management intervention model Risk Matrix to formalise the decision-making process in individual trees (Tree Council, 2018). Used in conjunction with the Risk area Zoning (NFDC, 2014) and Ash Inspection Methodology (Suffolk County Council, n.d.) this will assist decision making.

% of remaining canopy	Likelihood of Branch Failure	Likelihood of Major Limb Failure	Likelihood of Full Tree Failure	Risk	Recommended Inspection Approach	Recommended Management Intervention	Risk to Tree Contractors
Ash Health Class 1 - 100% full canopy	Low	Low	Low		Current inspection interval in line with Corporate Tree strategy	Action unlikely	Assess tree and site specific risks, in line with current risk assessment and safe system of work procedures
Ash Health Class 2 - 75% canopy	Moderate	Moderate	Moderate		Increase monitoring to annual inspections	Action maybe required	Assess tree and site specific risks, in line with current risk assessment and safe system of work procedures
Ash Health Class 3 - 50% canopy	High	High	High		intensive monitoring likely required	Action Likely	Assess tree and site specific risks, in line with current risk assessment and safe system of work procedures
Ash Health Class 4 - 25% canopy	Very High	Very High	Very High		intensive monitoring likely required	Action required	High risk structural failure imminent

High	Medium	Low
High Zone: e.g. Main roads (A and B roads), residential and business properties, Council depots, high use footpaths, car parks (typically full all day). Trees adjacent to railway lines, school playgrounds and play areas. Inspected formally every two years and inspected reactively in response to enquiries. Also subject to informal observation during normal Council activities.	Medium Zone: Lower use roads (C and D roads), open spaces with regular use, cemeteries, regularly used footpaths, intermittently used car parks (rarely full). Trees adjacent to domestic gardens. Inspected formally every four to five years and inspected reactively in response to enquiries. Also subject to informal observation during normal Council activities.	Low Zone: Low use footpaths (<1 person per day), trees alongside waterways, low use open spaces. A formal walk or drive by group (overview) inspection, every 5 years, around the perimeter of the site and along any routes of access such as footpaths.

6. Inspection Methodology

Identifying the symptoms of Ash Dieback in large trees can be difficult, in step with other Local Authorities across the UK, NFDC has reassessed its inspection system and has been labelling its ash health by the parameters set out in the Suffolk County Council Ash Health Assessment System. The Tree Canopy assessment has been widely used across Europe since 1986. In 1990 the Forestry

Commission produced a book 'Assessment of Tree Condition' to enable a standard system for describing the condition of a tree based on the percentage of existing canopy remaining. Individual tree condition can be quantified using this 4-category framework, enabling data to be collected, and informing management interventions.



Ash Health Class 1 - 100% full canopy, Vitality Class 0:

Healthy vigorous trees showing treetop shoots in the exploration phase: both the main axes and part of the lateral twigs consist of long-shoots. For this reason, a regular net-like branching pattern is developed, which reaches deep into the interior of the crown. The crowns are equally closed and domed, and do not show any greater gap unless a stronger intervention has occurred, such as pruning measures, because such a gap is closed quickly by the intensive ramification. In summer, dense foliage arises without any greater gap.



Ash Health Class 2 - 75% canopy, Vitality Class 1:

Weakened trees show treetop shoots in the degeneration phase. Thus, spears/“fox tails” are formed, rising above the canopy. The leaves on these spears are dense and grow all around them (at the top of the lateral short-shoots or shortshoot chains). The crowns make a frazzled impression on the outside, and have a fastigiated appearance, because the airspace between the spears is not completely filled by leaves and twigs, and the crown has a spiky outline. Inside the crown, the branching pattern, and hence the foliage, is quite dense. In this vitality class, straight percurrent main axes of the treetop branches are still dominant, but the crowns no longer look as intact as in class 0 because of the spears shooting out of the canopy.



Ash Health Class 3 - 50% canopy Vitality Class 2:

In obviously less vigorous trees, the treetop shoots begin to build shortshoots in the stagnation phase. The leafless state could be designated as the claw stage, because the short-shoot chains in the outside of the crowns grow longer, are predominant, and stretch claw-like to the light. These short-shoot chains, growing too long, break off in summer in thunderstorms and heavy rains, and strew the forest floor in declining stands. Under normal circumstances, trees get rid of parts of their unimportant twigs in the inner and lower crown parts in this way. However, if the treetop shoots themselves are declining, the self-pruning of twigs progresses into the outskirts of the crown, and the crowns become thin from the inside outwards. The cause for this occurrence is not premature leaf fall, but broken short-shoot chains, a lack of shoots, and dead buds and twigs. The branching pattern shows a bushy and lumpy accumulation in the periphery of the crown. This accumulation causes summer and winter bushy crown structures and greater gaps. The crown periphery still has hardly any straight percurrent branches.



Ash Health Class 4 - 25% canopy Vitality class 3:

In considerably damaged or declining trees, the dieback of whole crown parts is evident, with the crown finally falling apart by breaking off larger branches. The tree seems to consist only of more or less surplus sub-crowns, dispersed randomly in the airspace and forming whip-like structures. The treetop is often dying back or is already dead, because the treetop shoots grew in the retraction phase.

7. Biodiversity

- 7.1. Ash supports a high number of species that exclusively or significantly depend on it as a host or food source. 955 species are known to be associated with ash trees: 12 birds, 28 mammals, 58 bryophytes, 68 fungi, 239 invertebrates and 548 lichens²⁶. 62 are highly associated, and 44 are restricted to ash. Those species which are in the last category or highly associated with ash and already accorded threatened status are at particular risk. There are 69 such species in the UK: 13 fungi, 6 bryophytes, 37 invertebrates and 13 lichens. Assuming the high levels of tree mortality arrive, there is a realistic risk of large population declines.
- 7.2. Historically, In the New Forest ash survived the decline in tree diversity caused by the mass Navy fellings of the 17th and 18th centuries, as occasional old pollards. Combined with the effect of grazing had led to serious declines in Ash, Small Leaved Lime and Hazel, which had survived centuries of grazing previously. Ash has recovered considerably on the most fertile soils, especially in the internationally important old growth flood plain woodlands, an Annex 1 Priority Habitat in the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora, 1992). The oldest Ash trees support important lichen species such as *Wadeana dendrographa* (NT, BAP, IR & NS*), and are important refuge trees for declining *Lobarion* (lichen) species. The abundant younger ash represented a promising future resource of base rich bark for colonisation by rare lichens, however the impact of Chalara and future loss of ash on the New Forest lichen community is significant, and will be in a condition worse than that produced by the Navy fellings (Sanderson, 2012).
- * NT = Near Threatened Red Data Book species, BAP = Biodiversity Action Plan Priority Species, IR = International Rarely species, NR = Nationally Rare & NS = Nationally Scarce
- 7.3. The ecological functioning of ash (rapid rate of decomposition of leaves with a consequent high rate of nutrient recycling, successional processes) is very different from most other tree species within the UK. The loss of ash from ash dominant woodlands will alter the ecological functioning of these woodlands. An increase in light caused by the loss of ash from the canopy or a decrease caused by the replacement of ash with a tree species that casts more shade, will initially notably affect ground flora. A gradual change of woodland composition towards other tree species may result in slower nutrient cycling, greater carbon storage, changes in soil formation, and shifts in soil community with resulting changes in ecosystem function.
- 7.4. Understanding which site-specific species and communities will likely be affected is important for woodland management, so by retaining infected trees for as long as possible, and monitoring changes in woodland ground flora, appropriate management options may be found and replacement trees to plant, to encourage to regenerate, can be selected.
- 7.5. The current choice of trees to plant or encourage as replacements for lost ash is not straightforward. No one native tree or even several species together will fully substitute for the ecological traits, biodiversity or commercial attributes of ash. Instead, replacement planting should focus on a diversity of species, the exact mix being dependent on site-specific characteristics, informed by climate change resilience and ecosystem service delivery.

- 7.6. Ash leaves are nutrient and base rich, decomposing with a fast nutrient turnover producing a higher pH soil, a large factor in soil quality. **Alder** and **lime** leaves have similar qualities, to a lesser extent **sycamore**, **field maple** and **aspen**. **Elm (Dutch elm disease resistant)** is closely matched in terms of pollen and nectar production, flowering time, fruit type and tree height, followed by **birch** and **rowan**. Many generalist animal species that feed on ash can also be found on **oak**, **beech**, **sycamore**, **birch** and **hazel**. For specialist insects, mosses and lichens, **elm** is the best substitute, followed by **sycamore**, **aspen**, **oak** and **hazel**. (MITCHELL, et al., 2014)
- 7.7. By proactively encouraging the growth of replacement trees of several different species, in line with the national recommendations, we will substantially mitigate the impact of the disease on biodiversity.
- 7.8. Natural England and the Forestry Commission have produced a guidance note SSSIs28 for SSSI (Sites of Special Scientific Interest) woodland and other places of nature conservation importance where ash is significant. This guidance note contains many practical examples and advice managers of ash dominated forests. Guidance on coppicing, thinning, stand diversification and promoting resilience, [https://livingashproject.org.uk/pdfs/NE%20FC%20Ash%20dieback%20SSSI%20management%20advice%20April%202015%20\(3\).pdf](https://livingashproject.org.uk/pdfs/NE%20FC%20Ash%20dieback%20SSSI%20management%20advice%20April%202015%20(3).pdf)
- 7.9. There is no straightforward method to conserve ash-associated biodiversity. Suitable management plans that meet the site-specific objectives for individual woodlands should be devised.

8. Future Resilience

- 8.1. The main objective will be to ensure tree population resilience; this is likely to be achieved most successfully by introducing a high level of species diversity. Diversity of tree species, and diverse genetics within those tree species, is central to adaptation and ensuring tree population resilience in the future
- 8.2. The use of healthy planting stock is critical to the biosecurity and resilience of our tree population. NFDC's Corporate Tree Team select high quality, disease free planting stock, grown strictly in accordance with BS3936 (1992) Specification for Trees and Shrubs. Due to the pests and disease risks associated with the importation of trees, we feel it is important to support and work with high quality suppliers that can meet these specifications and select trees of known provenance.
- 8.3. NFDC has a 2 for 1 tree replanting policy.

9. Impacts to Ecosystem Services

The impact to the climate through a loss of associated ecosystem regulation services currently provided by ash trees may result in the following:

- 9.1. Regulating services - Air quality & Water
- Reductions in local air quality due to loss of physical screening and particulate absorption - *Potential negative affect on public health*
 - Increases in noise levels adjacent to roads - *Potential negative affect on public health & loss of amenity*
 - Increased heat island effect - *Potential negative affect on public health*

- Water infiltration into the soil is aided by tree roots, therefore the future potential for an increase in localised flooding exists. As water extraction by these trees is also lost this runoff effect may be exaggerated. - *potential for damage to property*
- Potential for increased flooding due to dyke-killer effect as bankside roots die, and become a translocation vector from water sources - *potential for damage to property*
- Potential for future bank instability and erosion as tree roots rot and cease to provide structural support - *potential for damage to property*

9.2. Cultural services - Streetscape/Community

- Loss of visual screens between residents – *Loss of amenity*
- Changes to streetscene and local character - *Loss of amenity*

9.3. Supporting services – Biodiversity/carbon

- Risks to protected species/sites through alteration of habitat structure, stability and composition – *Potential biodiversity net losses*
- Release of stored carbon and loss of sequestration – *Tree loss will result in loss of carbon take up & storage potential, with carbon released as the wood is processed for biomass or decomposes on site. Replanting schemes should be devised to mitigate this.*

These impacts will be mitigated on NFDC land by a comprehensive replanting program, based on the current 2 for 1 strategy, to ensure no overall loss of canopy cover. Additional new woodland whip planting will also be necessary to address loss of habitat.

10. Landscape

Discussion of the impact on wider landscape character is outside the scope of this plan, due to the segmented land holdings of NFDC. However, an initial brief NFDC land specific appraisal is offered here.

- 10.1. The eventual loss of mature ash trees in town centre Car Parks and Open Spaces will have a significant visual effect in those communities. Trees with large canopies will take generations to replace, and in many cases due to site use and available planting space, soil volume and condition, establishment into maturity may be uncertain.
- 10.2. The loss of mature ash trees in Housing areas, and adjacent Open Spaces will have a significant visual effect in those communities. This will require a proactive program of planting within open spaces in ash dominant areas, whilst also within the larger housing properties, and individual council owned houses, to replace those garden trees.
- 10.3. The long-term impact on woodlands may not be so apparent from afar with other species opportunistically filling the voids where ground conditions are favourable. However woodland edges adjacent to housing areas are generally not ideal for encouraging natural regeneration; in many sites an accumulation of litter, plastic detritus and fly tipped garden waste, has affected soil conditions often raising levels significantly. This combined with usage pressure from desire line footpaths and rear access gates may require whole site management plans to establish new trees. The formulation of woodland management plans will allow application for restocking grant funding.
- 10.4. The eventual loss of mature ash trees in Cemeteries will have some visual impact however space for replanting is available within the older cemetery sections and opportunities for structural planting around each site will offset losses.
- 10.5. The decline of isolated ash trees from hedges will be obvious, requiring new trees to be selected and allowed to grow into trees by protecting them from the annual maintenance cut.

Due to the wide effects of the disease, this plan requires all NFDC landholders to fully collaborate for the measures outlined to be effective, it is required that each NFDC department fully engages with the actions placed upon them, and with the Corporate Tree Team.

11. Expenditure

This action plan considers the likely costs of responding to the disease, and so attempts to identify where extra resources are likely to be needed. The NFDC Corporate Tree Team have been proactively engaged with inspections and good management of the tree stock, as a responsible local authority. This vast inventory database has been used to model budget forecasts and we will actively engage with those department responsible, highlighting necessary budgetary implications. The additional budgets required to enable NFDC to fulfil their statutory tree safety functions, will require full cooperation from all departments, to ensure this resource is available.

12. Action Plan v1

Set out in the table below are specific actions that are required to be undertaken. This will involve a collaborate approach across many council departments, and cooperation at all levels is required. The actions are broadly organised under the following headings:

1. Policy

Primary high-level action points to be outlined, and formalised into NFDC Policy

2. Media

Communication of this action plan to all stakeholders

3. Assessment of tree stock

Further data analysis will inform the resources required, for both inspection and tree work, with reference also to Town/Parish council SLA partners

4. Training

Training will be required for operational staff to enable a timely internal reporting procedure, and ensure awareness throughout council at all levels

5. Preparedness/Operational resilience

Resources for surveying will be in high demand, the action points listed will enable the council to perform its statutory function

6. Review of corporate risk assessments

Review of this document by Corporate Health & Safety

7. Recovery

Actions to ensure budgets will be available for replanting schemes and steps to ensure no overall loss of tree cover.

	Action	Lead by	Priority	Forecast completion date
Policy [1]	Produce and adopt an Action Plan document and update as required	TO		Jan 2020
Policy [1]	Update Tree policy & Risk Strategy	TO		Jan 2020
Policy [1]	Ensure Ash dieback is a feature of any emerging NFDC Climate/Environmental (Coles, 2019) Action Plan through engagement with Cllrs/ responsible officers/panel	SM/TO		2020/21
Policy [1]	Update guidance to inform TPO decisions/ replant conditions in relation to ash dieback	TO		2020/21
Policy [1]	Standalone dedicated Planning conditions to ensure enhanced biosecurity & provenance in tree sourcing to be devised and implemented on all new developments across the entire NFDC area	TO/CPO/Planning Officers		August 2020
Policy [1]	Develop a tree purchasing standard to ensure high levels of biosecurity / provenance in trees purchased by NFDC.	Corporate trees		November 2020
Policy [1]	Development monitoring procedure to ensure compliance with conditions	Planning officers/TO /Planning Enforcement		2020/21
Policy [1]	Private landowners may be unable/unwilling to meet costs of undertaking works to affected trees. Costs of carrying out works will be prohibitively high without reclamation of costs. Request Cabinet to give Delegated powers under the Misc Provisions Act S.23 & 24 to be given to Corporate Tree Officers & Planning Tree Officers & right of entry to enable essential safety works to be carried out swiftly in these situations	TO/SM/EH		July 2020

Policy [1]	Change Tenancy conditions to further restrict tree work by Council Housing Tenants due to increased risk	Housing/Le gal		Jan 2020
Policy [1]	Review of corporate risk assessments & all Policies where Ash Dieback is likely to have an effect	All		Jan 2020
Media [2]	Hold meetings with NPA to form cohesive media & communication strategy	TO / Comms		Oct 2019
Media [2]	Hold meetings with HCC to form cohesive media & communication strategy	TO / Comms		Oct 2019
Media [2]	Release initial Ash dieback identified in area notice	TO / Comms		May 2019
Media [2]	Inform Parishes within SLA of Ash dieback	TO / Comms		May 2019
Media [2]	Inform all Parishes of Ash dieback, within Executive Head Information Bulletin	TO / Comms/ BJ		2020
Media [2]	Engagement with local tree contractors to highlight hazard	TO / Comms /PTO /NPA		Ongoing
Media [2]	Produce no tradesmen window stickers to counter rogue traders	TO / Comms		Sep 2019
Media [2]	Alert Trading Standards to any reports of rogue tree contractors linked to Ash dieback	TO / Comms		ongoing
Media [2]	Work with partners to prepare media to local land/home owners to highlight importance of inspection of trees (ongoing)	TO / Comms		ongoing
Media [2]	Produce Ash Dieback FAQ's and publish on the NFDC website.	TO		2021
Assessment of tree stock [3]	Monitoring of tree stock using revised inspection methodology	TO		ongoing
Assessment of tree stock [3]	Identification of affected trees likely to require proactive removal due to position, access etc.	TO		ongoing

Assessment of tree stock [3]	Analysis of ash tree numbers to produce forecast for parish councils under the SLA	TO		Sep 2019
Assessment of tree stock [3]	NFDC Accounts Dept to analyse financial forecast including parish councils and feedback to Tree Officers	ACC		ongoing
Assessment of tree stock [3]	Communicate financial forecast to parish councils under the SLA with advice from Accounts ref precepts etc	TO		awaiting
Training [4]	Produce training material	TO		Dec 2019
Training [4]	Hold engagement sessions with relevant service managers	TO/ SM/relevant Service managers		Jan 2019
Training [4]	Inform/train Corporate Tree Contractors of hazard	TO		April 2019 Aug 2019
Training [4]	Keep up to date with national position and latest research, attending industry seminars where possible	TO		TBA
Training [4]	Train in house ground staff	TO		Dec 2019
Training [4]	Hold training/awareness sessions with all relevant departmental heads of staff	TO/ Department Heads		asap
Training [4]	Opportunities for information sharing and collaboration with external partners will be explored	TO		ongoing
Preparedness /operational resilience [5]	Build business case & additional capacity/resource. Budgets, and work streams	TO /SM		asap
Preparedness /operational resilience [5]	Recruit additional in-house surveyor/resource	TO /SM		Start date June 2020
Preparedness /operational resilience [5]	Procure additional surveying equipment for additional surveyor	TO		May 2020
Preparedness /operational resilience [5]	Procure Additional Exytreev software license for additional surveyor	TO		May 2020

Preparedness /operational resilience [5]	Procure Additional Exytreev software licenses and tablets etc for Planning Tree Officers to update & improve data efficiency	TO		April 2020
Preparedness /operational resilience [5]	Additional demands on Grounds Maintenance staff for miscellaneous tasks. Budget for & recruit extra staff/equipment	SOS		asap
Review of corporate risk assessments [6]	Ash Dieback Action Plan to be reviewed by Corporate Health & Safety Dept	AW		April 2020
Recovery [7]	Tree replacement schemes to be planned and funded to offset expected loss of tree cover. Funding to be discussed – options may include a central (non-departmental) planting specific budget, or S.106 contributions			Ongoing
Recovery [7]	Explore available grant funding for tree planting/ replacement schemes to offset expected loss of tree cover	TO		ongoing
Recovery [7]	Increase availability of additional tree planting/ new woodland/ mitigation land through planning process. Areas identified in local plan, and other new development/ Sangs/Angs	PTO		ongoing
Recovery [7]	Increase availability of additional tree planting/ new woodland/ mitigation land. Discuss and consider viability of purchasing suitable land.	PTO		ongoing
Recovery [7]	Investigate opportunities for the development of a tree replacement scheme to provide free / low cost trees to landowners to mitigate tree loss due to ash dieback			ongoing

References

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NFDC TREE STRATEGY
APPENDIX 4
POLICY AND PROCEDURES

ENVIRONMENTAL SERVICES

1. Persons Responsible

Corporate & Planning Tree Officers
 Planning Officers
 Grounds Maintenance Staff

2. Introduction

This document aims to provide guidance to be followed for specifying tree stock during procurement phase. Included are approved methods for successful tree planting, and also background information to give context to the specifications.

3. Scope

All development projects within NFDC area that contain either tree planting or landscaping works that may involve an element of tree planting should be issued with this document and comply fully with the steps outlined.

This guidance may be issued as a planning condition.

NFDC's nominated tree planting contractors will adhere to this guidance

4. Stock Specification

- Suppliers must be registered with the plant health authorities and be authorised and be able to issue plant passports as required. Plant passporting documentation must be supplied at the time of delivery. All trees must be grown in the UK for the full duration of the production cycle.
- All whips and standard sized tree planting stock, and all other nursery stock is to be specified as sustainably grown, without peat or peat-based compost. This is in recognition that extraction of peat for horticulture is unsustainable, contributing to greenhouse gas emissions and damaging to rare habitat and archaeology, complying with the UK Governments pledge for local authorities to go peat free by 2015 in relation to the direct procurement in contracts for plants in Government and the public sector (new contracts)
- NFDC will only use suppliers who can comply with these conditions and will encourage others to document stated aims within a formal strategy that will ensure compliance in the near future.

5. Procedure

This addresses unpaved sites and is relevant to a range of standard tree sizes. For more detailed information please consult **BS8545:2014 Trees: from nursery to independence in the landscape – Recommendations.**

Site constraints check

When an area is identified for tree planting there are a number of check procedures that must be undertaken. An initial visual survey for site constraints, such as nearby street lighting, overhead lines, road signs, and sight lines at the approach to any junctions or turnings. The presence of any of these may not prevent tree planting but should be taken into account.

- Underground services – Check mapping data of all underground services. Tree planting shall not take place directly over live services unless they are in excess of 3m deep, or in the case of mains water and drains, 5m deep. CAT scan must be carried out before the commencement of any excavation works
- Aerial services – trees must not be planted where, as they increase in size, they may foul overhead cables, interfere with street lighting or CCTV cameras.
- Existing trees will affect the growth of the new trees due to shading and competition and will affect the proposed planting location. New trees will not thrive or grow evenly under the canopy of existing trees.
- Planting time - The planting season for trees runs from **mid-November to mid-March**, when deciduous trees remain dormant.

Rootballing, cold storage and containerisation can extend this period, to an extent. Any tree planted after early March will be on the verge of coming into leaf, a critical period when additional stress, through root damage or drought, can lead to poor development from which the tree may never recover. Any planting beyond the March deadline must only be carried out if a comprehensive and regular irrigation programme can be guaranteed.

Transportation to site

- All bare root trees should have their root systems covered and fully protected to prevent desiccation. Co-extruded bags, which are black inside and white outside, should be used for bare root trees. The white outer covering prevents roots from overheating and drying out while the black inner covering prevents light penetration.
- Ideally transportation to site is to be on closed covered lorry, ensuring that the trees remain cool and moist at all times. On open lorries, the trees should be completely covered with opaque sheeting (through which light cannot pass) which has been firmly secured to protect the trees from desiccation due to wind. This is a particularly important step if trees are in leaf.

Pre-planting

- Operatives must carry out a risk assessment
- Site must be surveyed before digging with a Cat Scan by an experienced operative to ensure no un-mapped services will be struck as the planting pit is dug
- Excavation work should be carried out carefully and follow recognised safe digging practices

- Trees must be healthy, true to type and of good form with no growth defects that will cause future developmental or safety problems. Any trees of poor quality must be rejected and replaced.

The Planting Pit

- Adjacent surfaces must **always** be protected during the course of the works by laying timber sheeting or heavy gauge polythene onto which arisings can be temporarily placed
- Planting pits shall be a minimum of 600 mm wider than the diameter of the rootball with a **minimum size of 900 x 900 mm**
- The pit must always be **square** in shape rather than round as this helps to stop root girdling as the tree establishes
- **Minimum depth of pit is to be 600mm.** Where necessary the depth shall be increased to accommodate the depth of the rootball, and to obtain the correct planting level
- Break up bottom of pit to **150mm deep** and create a domed profile to the bottom of the planting pit. Scarify the sides of the pit with a fork, this step will stop the typical glazing of the pit walls and allows roots to penetrate, aiding establishment
- Remove any moisture-retentive material or co-extruded polythene bagging used to prevent the roots drying out during transport from the nursery, ensuring roots remain protected from sun and wind during the planting operation. Move the wire mesh support and root packing away from the trunk of the tree if necessary, but do not cut away from the main rootball - the integrity of the wire mesh must not be damaged.
- Planting depth - The depth must be measured against the tree, by measuring from the base of the rootball to the 'collar' where the trunk starts to thicken out above the roots. The natural thickening between the trunk and the root collar shall be at the finished top surface of the planting medium.

A straight edge laid horizontally over the pit, edge to edge, will provide a gauge by which to judge the correct depth. Traditionally trees have been planted at a depth indicated by the 'nursery mark', a dark area of stem extending above the root zone. This is not a reliable indicator, and must not be used as a method of establishing the correct planting depth, the collar should be used instead.

- Plant tree upright and in the centre of the pit. A straight edge placed across the pit at finished surface level will assist in gauging the correct level. If necessary the depth of the pit must be adjusted to ensure the correct planting level.
- Backfilling - The planting pit containing the new tree shall be backfilled only when the weather is dry and the soil in a relatively dry condition. The pits should be backfilled in layers not exceeding 300mm and lightly 'settled' rather than compacted between each layer. As long as the soil is not wet or heavy this is best achieved by light treading.

Tree support

The purpose of staking is to anchor the tree and stabilise the rootball until new roots are established into the surrounding soil, not as a method of protecting from vandalism or physical damage. Support is required until the roots, damaged during the lifting process, have made sufficient new growth. In reasonable growing conditions this should be achieved within three seasons after planting.

- Staking should consist of **three** untreated softwood timber stakes, of **75-100mm diameter**, driven at least **300mm into the base of the pit**. Stakes shall be peeled, free of stubs or large knots and untreated with preservative.
- Stakes shall be set at an equal distance apart (**approx. 1000mm**) and clear of the rootball, to form an **equilateral triangle**. Use a 'pinch' bar or similar to produce a vertical guide hole then drive the stake until firm and at least 300mm below the base of the tree pit. The final height of the stake shall be approximately one third the clear stem height of the tree, approximately 600mm high.
- Ties shall be of proprietary rubber strapping 25 – 50mm wide. Attached to the tree at approximately 600mm above ground level, each of the 3 individual ties to be looped around the tree and one stake.

The height at which the stake is attached to the tree has a direct bearing on the subsequent growth and establishment of the tree. A tree will establish anchor roots and increase stem girth more quickly if it is allowed to move with the wind (while remaining firmly fixed at ground level). This is best achieved by using low stakes which are attached to the tree at approximately 600 mm above ground level. A further advantage of low stakes is that snapping a young tree is much more difficult when the lever point is low as opposed to a rigid point higher up.

- Watering - Immediately after planting the tree shall be watered over the soil surface with approximately 25 litres of water to ensure that the contact of soil between the rootball and backfill material is uniformly moist. A comprehensive and regular irrigation programme should be in place for a minimum of the following two summers between end of May – end of September to ensure successful establishment. Allow for 12 waterings of 40 litres each time, from end of May to the end of September. This requirement shall not relieve the general responsibility to take such precautions, including additional watering if necessary, to ensure the establishment of strong and healthy trees.
- Galvanised weld mesh roll, 12.5mm x 12.5mm aperture, 0.61m in height should be wrapped around the perimeter of the tree posts at ground level and attached with heavy duty staples or equivalent. This adds additional protection to the tree, and act to hold the mulch layer in place.
- Mulch - Top up with medium grade woodchip mulch to maintain a mulch layer of 75mm, within the triangle mesh. Do not leave mulch piled up against the stem.

Removal of supports - Above ground supports must be removed as soon as the tree is growing strongly, an indication that the roots are re-established, thus allowing movement in the wind which leads to increased thickening of the trunk. Trees where the removal of the stakes has been delayed may display reduced girth, therefore a weakened stem relative to the crown that may result in stem failure. In reasonable growing conditions support should be removed within three seasons after planting. The ties are to be removed, with posts cut down to just above the wire guard approx. 250-300mm. The Mower guard must remain in place.

Reinstatement of plantings

Remove and replace dead and damaged trees, and those that have not developed full foliage throughout their branches or are not fully healthy for whatever reason before adoption. Replacements will be at developer's expense, using methods, materials and plants which comply in every respect with the original NFDC approved specification.

Detail drawings

3 stake, 3 ties and wire mesh method

The tree should be fixed to the stakes using 3 individual lengths of proprietary rubber strapping. The strapping is attached to the stake with a nail, looped around the tree, and firmly fixed to the stake. This is repeated for the second and third tie. This configuration allows the tree to move freely, thus promoting root growth with no risk of chafing.



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ENVIRONMENT OVERVIEW AND SCRUTINY PANEL - 20 MARCH 2020

GUIDANCE ON TREE PROTECTION AND DEVELOPMENT

1. INTRODUCTION

2. The purpose of this report is to give the Environment Overview and Scrutiny Panel the opportunity to comment on a draft guidance document that has been prepared to give advice and information about the protection of trees on private land and in the context of development proposals before it is considered for approval by the Portfolio Holder for Planning and Infrastructure. The guidance explains the way the Council, as the Local Planning Authority, can protect important trees through its powers to make Tree Preservation Orders, and how it works to retain and maintain important trees when they are potentially affected by development proposals. It provides information for those involved in the management of trees and sets out the standard that New Forest District Council expects from new development proposals and works to protected trees with specific reference to the retention, protection and provision of trees.

3. BACKGROUND

- 3.1 This document is separate from the Corporate Tree Strategies which deal with the management of trees within the Council's ownership and control. A separate report to the Panel deals with the review of the Corporate Tree Strategies. However, there is obviously an overlap in terms of good practice advice that both documents address and promote.
- 3.2 The Tree Service dealing with tree protection and tree-related planning matters is now provided in-house within the Planning Service following the ending of the previous Service Level Agreement with the New Forest National Park Authority.
- 3.3 The guidance produced (as set out in Appendix 1) sets out:
 1. The different ways important trees can be protected:
 2. How the design of new development needs to consider the relationship between buildings and trees and protection of important trees: and
 3. Measures needed as part of the development process to ensure trees are protected during development and new tree planting is successful
- 3.4 Further guidance on tree Work Applications is available on the Planning Portal at: https://ecab.planningportal.co.uk/uploads/1app/guidance/guidance_note-works_to_trees.pdf

4. CONCLUSIONS

- 4.1 The document provides useful information which will assist developers, the public and officers in improving the consideration of trees in relation to planning matters. Comments of the Panel are invited prior to consideration of the guidance document by the Portfolio Holder for Planning and Infrastructure for approval.

5. FINANCIAL IMPLICATIONS

- 5.1 There are none.

6. CRIME & DISORDER IMPLICATIONS

- 6.1 There are none.

7. ENVIRONMENTAL IMPLICATIONS

7.1 Improvements to the protection of trees.

8. EQUALITY & DIVERSITY IMPLICATION

8.1 There are none.

9. DATA PROTECTION IMPLICATIONS

9.1 There are none.

10. RECOMMENDATION

10.1 That the Environment Overview and Scrutiny Panel consider the Tree Protection and Development Guidance, as set out in Appendix 1 to this report.

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Background Papers:

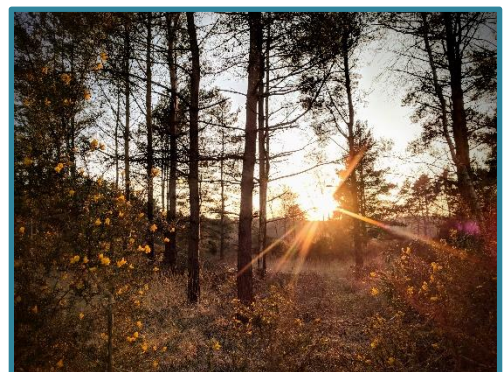
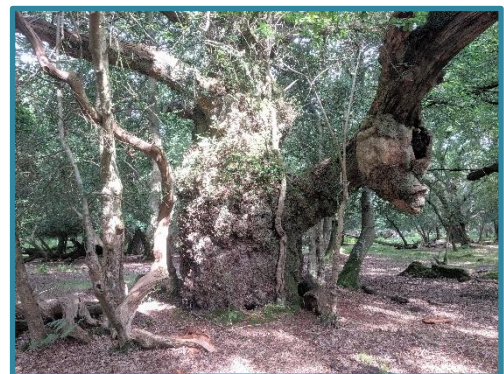
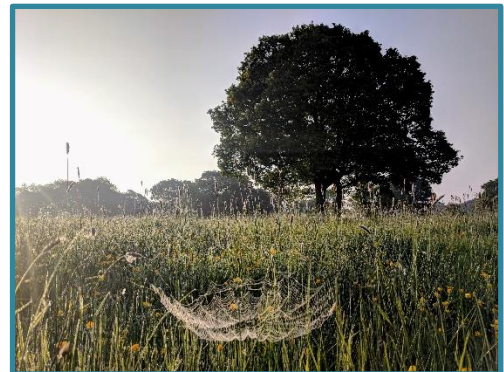
Published documents

APPENDIX 1



Tree Protection and Development Guidance

New Forest District outside the
National Park 2020



1. Introduction

This guidance document aims to provide information to all those involved in the management of trees, especially as affected by development process. It sets out the standards that New Forest District Council expects for new development proposals and works to protected trees with specific reference to the retention, protection and provision of trees.

Trees are a significant and highly visual component in the landscape, and there is an increasing need to focus attention on trees and their role in providing not only a pleasant environment, but the many benefits that trees provide such as reducing the impacts of climate change, helping in the management of stormwater runoff, improving biodiversity through the retention and creation of new habitats, removing pollution particulates from the environment in which we live and regulating the temperature through shading and evapotranspiration. Trees can be used to offset the adverse impacts that development and environmental change can have in both rural and urban settings.



Figure 1. A mature Oak tree successfully retained in a newly completed development

2. Policy Background

Tree Preservation Orders and Conservation Areas

All trees, regardless of their protected status, are a material consideration in the planning process, and consequently the Local Planning Authority will take them into account when assessing an application.

Trees on development sites can be protected by a Tree Preservation Order (TPO) or may be protected by virtue of being situated within a Conservation Area (CA) and by relevant planning conditions that are attached to a planning permission. A planning condition may also require trees to be planted as part of a landscape scheme, which may subsequently be protected by a TPO.



Figure 2. Plan showing trees that are protected by TPO's and successfully retained and incorporated into a newly completed development

Trees protected by a TPO require consent from the local planning authority before they can be pruned or removed.

Trees with a stem diameter of 75 mm or greater when measured at 1.5 m from ground level and growing within a designated Conservation Area are automatically protected and require a notification to be submitted and be considered by the local planning authority before works are undertaken.

For further information on Tree Preservation Orders and Conservation Area legislation please see the following link -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/244528/2127793.pdf

The Town and Country Planning Act

Planning legislation places a specific duty on local authorities to ensure, when granting planning permission for any development, that adequate provision is made for the

preservation and planting of trees ([The Town and Country Planning Act 1990 \(Part VIII, Section 197\)](#)) and recognises the importance of trees and charges local planning authorities with a specific 'duty' in relation to their preservation and planting. Subsequent sections (up to and including Section 214) provide the powers and details surrounding Tree Preservation Orders (TPO), and Trees in Conservation Areas (CA).

The National Planning Policy Framework

[National Planning Policy Framework \(NPPF\) and Planning Practice Guidance \(PPG\)](#) sets out the government requirements for the planning system, this includes protection for ancient woodlands and veteran trees, and protection for trees that provide visual or noise damping qualities alongside improvement of air quality.

New Forest District Council Local Plan

The Local Plan is in two parts. The Local Plan 2016-2036 Part One: Planning Strategy sets out strategic policies, including strategic site allocations capable of accommodating 100 or more homes. It replaces and updates parts of the adopted 2009 Core Strategy, and a small number of the more strategic policies in the Local Plan Part 2: Sites and Development Management adopted in 2014 (to be reviewed). Some of the remaining policies of the adopted 2009 Core Strategy and 2014 Local Plan Part 2 are saved for continued use pending review as part of the Local Plan Review 2016-2036 Part Two.

The Local Plan sets out New Forest District Council's strategy for the future planning of the area outside the National Park for the period up to 2036. The strategy contains key policies that relate to trees therefore planning applications should be designed and steered by both this strategy and the Local Plan., The main tree related points within the adopted policies are:

["Policy 14 Landscape character and quality \(Local Plan – Part One\)](#)

Where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the landscape:

i. Features that contribute to a green infrastructure and distinctive character within settlements including the locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodlands, meadows, field boundaries, coastal margins, water courses and water bodies; ... "

"5.55 The creation of a robust Green Infrastructure framework of spaces, trees, planted features, links, watercourses and corridors will be of fundamental importance to the character, quality and sustainability of new developments that take place the Plan Area."

["Policy DM9: Green Infrastructure linkages \(Local Plan Part Two – adopted 2014\)](#)

Development proposals should maintain, and where possible enhance, the integrity of the network of green infrastructure within settlements. In designing new development, even where the loss of some trees and hedgerows or other existing green infrastructure is unavoidable, developers should seek to:

- retain identified ‘Landscape features’;
- minimise the loss of existing ‘green’ features on a site;
- maximise the potential to create links with adjoining green infrastructure;
- provide natural green spaces within a development; and
- maintain or create wildlife corridors through a site.”

The Local Plan Part 1: Planning Strategy also sets out policies for strategic housing sites accommodating 100 or more homes, and where relevant these include criteria for enhancements to the natural environment including the protection and/or provision of trees.

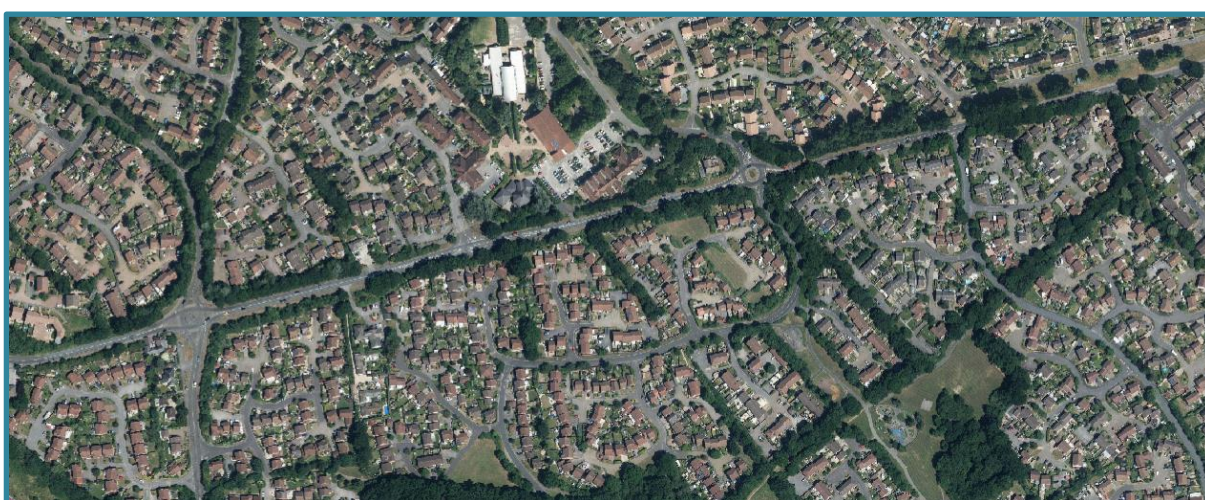


Figure 3. Aerial image showing and area of the districts canopy cover (West Totton)

3. Tree Protection

a. Tree Preservation Orders (TPO's)

The Town and Country Planning (Tree Preservation)(England) Regulations 2012 <http://www.legislation.gov.uk/ukxi/2012/605/contents/made> gives local planning authorities powers to make and serve Tree Preservation Orders (TPO's) to protect trees where it appears that it is expedient in the interest of amenity to do so. In some instances, it may be expedient to make a Tree Preservation Order for future amenity e.g. newly planted trees as part of a conditioned landscape scheme. On average the tree team makes 30 new Tree Preservation Orders every year. The expediency of making a new TPO is determined on a case by case basis by the Tree Officers.

All tree preservation orders, tree work application decisions and appeal decisions may be viewed by the public during normal office opening hours and through the council's website.

The council investigates unauthorised works that are carried out on trees that are protected by virtue of growing within a Conservation Area or that are subject of a Tree Preservation Order and will pursue legal action when it is considered in the public interest to do so.

Tree work applications to trees that are subject to a TPO

The council is under a duty to consider and determine tree work applications to trees that are protected by TPO's within 8 weeks from the date of which the application is registered.

While there is no statutory requirement to consult third parties, the council provides 28 days from the date of which the application was registered to make any comments regarding the proposal.

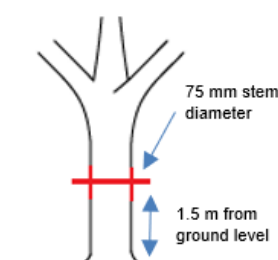
Replacement Tree Planting for trees subject to a TPO

Where consent is granted for the removal of a protected tree and where it is considered appropriate, a replacement tree will be specified to be planted in the vicinity of the original tree in accordance with the specification as detailed within the condition.

Tree Preservation Orders are not intended to prevent reasonable and sound management of trees.

b. Conservation Areas (CA)

Under [section 211 of the Town and Country Planning Act 1990](#) the council is under a duty to consider notifications ('section 211 notice') of works to trees that have a stem diameter of 75 mm or greater when measured at 1.5 m from ground level and which are growing within a designated conservation area.



Tree work notifications to trees that are growing within a Conservation Area

The council has 6 weeks from the date of which the notification is registered to either have no objections to the proposal or to object by making a Tree Preservation Order.

While there is no statutory requirement to consult third parties, the council provides 28 days from the date of which the notification is registered to make any comments regarding the proposal.

The council takes guidance from British Standard 3998: 2010 when determining both tree work applications and notifications.

The map below shows the distribution of NFDC's Conservation Areas and Tree Preservation Orders with a majority of TPO's being found in the more densely populated areas.

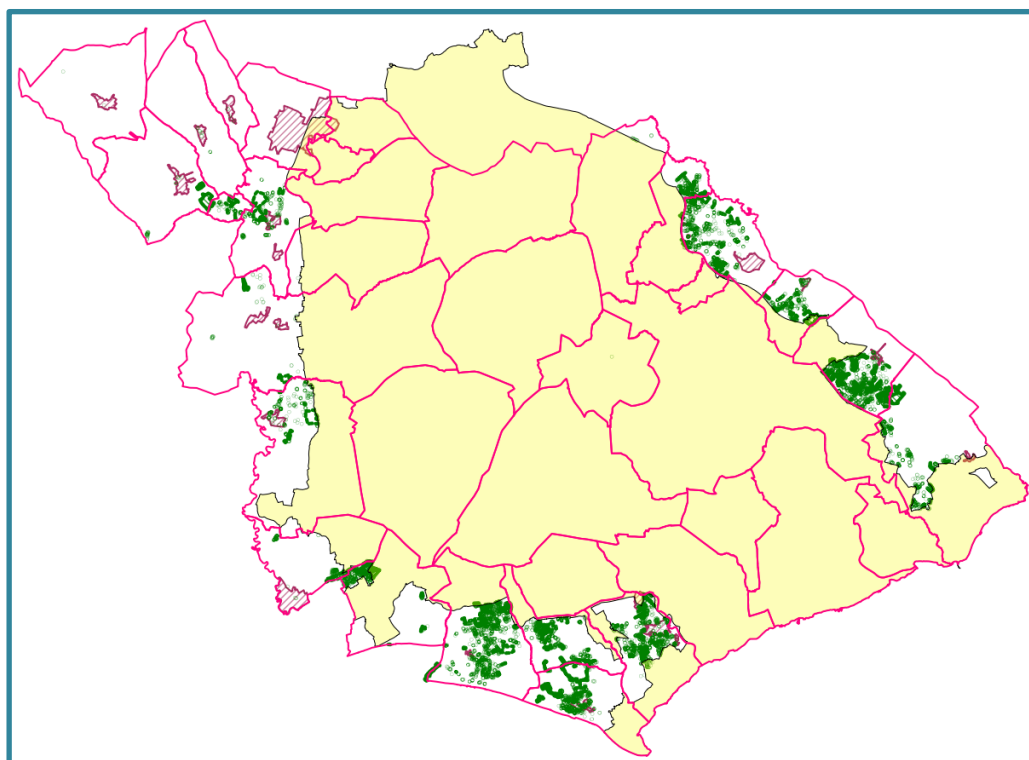


Figure 4. Plan showing the distribution of TPO's (green) and Conservation Areas (pink hash) and the extent of the NFNPA boundary (yellow)

In total there are 22 conservation areas and over 1500 Tree Preservation Orders dating from 1950 through to present day. This results in an average of 650 tree work applications/notifications being submitted each year to work on protected trees.

c. Forestry Act 1967

The Forestry Commission through Forest England have the power to control the felling of trees through Part II of the Forestry Act 1967 (<http://www.legislation.gov.uk/ukpga/1967/10/contents>) by specifying the requirement for a felling license. Further information on when you may need to apply for a license can be found through the following link. <https://www.gov.uk/guidance/tree-felling-licence-when-you-need-to-apply>

d. Ancient and Veteran Trees

Older, mature, Ancient and Veteran trees, particularly of Oak and Beech, are a particular characteristic of the New Forest. They are a feature not only of the ancient woodlands of the open forest, but of the villages and other settlements that have developed over time as an integral part of the forest landscape. The New Forest as a whole is recognised to be one of

the most important sites in north-west Europe for ancient and veteran trees. The New Forest District Council, through planning and other policies, is committed to conserving the stock of mature trees wherever possible in order to maintain the local character, cultural history and wildlife value of the area. Such trees are therefore a significant material consideration during the design and planning process.

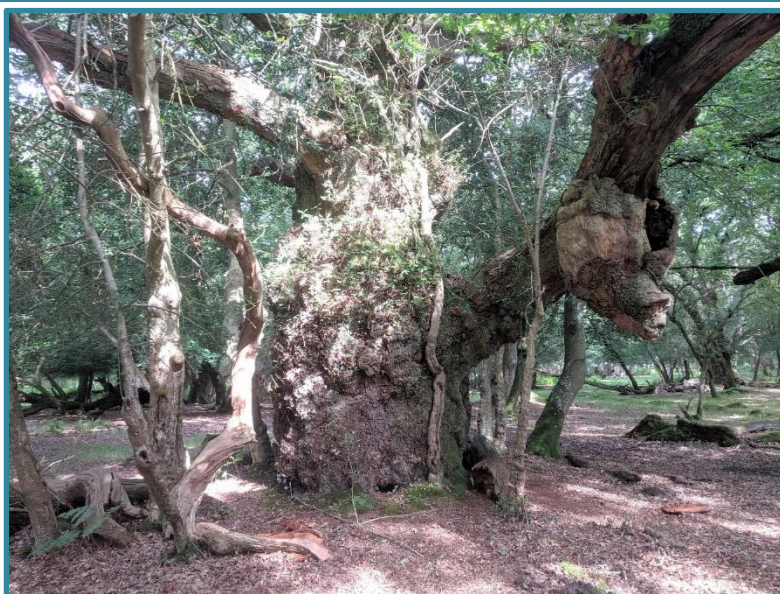
e. National Policy and Standards

Guidance for tree protection is given in the National Planning Policy Framework and technical standards are set out in BS 5837:2012 Trees in relation to design, demolition and construction. In particular:

“NPPF - 175 (2019) - (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;..”

“BS 5837: 2012 - 4.5.11 *‘The implications of their presence on the use of the surrounding land should be assessed at the earliest possible stage of the design process. Where such trees are to be retained, particular care should be taken in the design to accommodate them in a setting that aids their long-term retention.’*

The definition for Veteran and Ancient trees as taken from BS 3998: 2010 is as follows.



‘Trees that, by recognized criteria, show features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned
NOTE: These characteristics might typically include a large girth, signs of crown retrenchment and hollowing of the stem.’ (BS 3998:2010)

Figure 5. A veteran Oak tree 'The Gritnam Oak' in the New Forest

f. Hedgerows

A good hedge has many benefits. A hedge is a useful weather and dust filter, can be inexpensive to create and long lasting, be a feature and point of interest in its own right while linking and creating wildlife habitats. It can also offer privacy, enclosure and security to a property.

The Hedgerows Regulations 1997

The Hedgerow Regulations mean that consideration should be given to hedgerows before certain works are carried out. A hedgerow is protected, meaning you cannot remove it, if it meets the criteria as specified within the regulation. This criteria and further information can be found through the following link- <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>

Before carrying out work on trees that may be growing within a hedgerow you must check if you need a felling license, that the trees are not subject to a Tree Preservation Order or that they are situated within a designated Conservation Area.

High Hedges

[Part 8 of the Anti-social Behaviour Act 2003](#) allows local councils to deal with complaints about high hedges whose area contains the land on which the hedge is situated.

When councils are determining a complaint they must first decide whether the height of the high hedge is having an adverse effect on a neighbour's enjoyment of their home and/or its garden or yard. If it is, then councils can order the owner of a high hedge to take action to put right the problem and stop it from happening again.

The legislation also allows councils to set and charge fees for handling these complaints, these charges can be found through the council's website.

4. Trees in relation to design, demolition and construction

Successfully establishing and incorporating new tree planting into new and existing development schemes is a crucial part of the planning and development process. There are many benefits of trees within the built environment one of which is the visual amenity that they provide. The images below show new planting which has established within the landscape and now providing a significant positive contribution to the wider landscape and immediate street scene while providing an important green infrastructure service through habitat corridors and storm water management.



Figure 6. Visual comparison - before tree planting establishment (Amey Gardens, Totton)



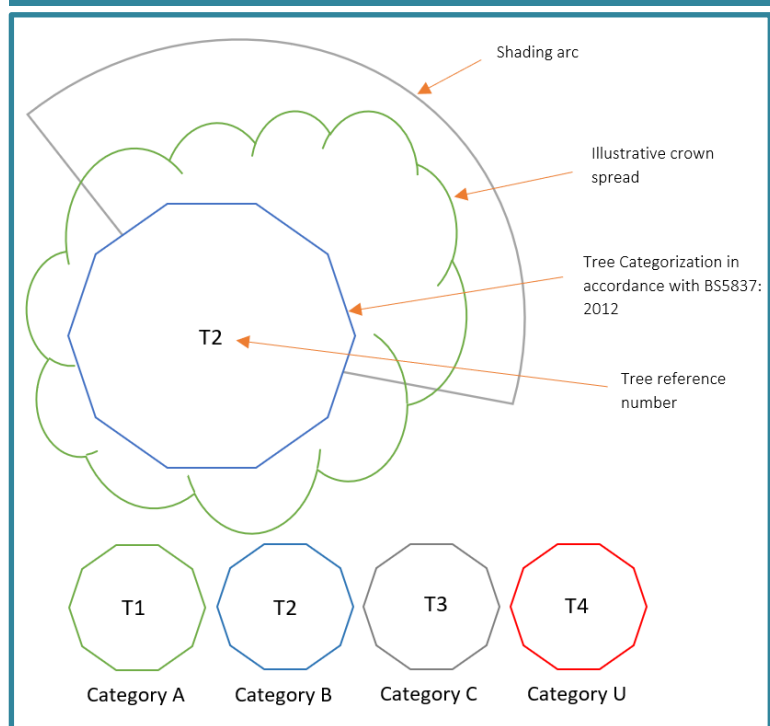
Figure 7. Visual comparison - several years after tree planting establishment (Amey Gardens, Totton)

Trees should be a primary consideration at the beginning of any development proposal. In approaching schemes in such a way, it can avoid a delay in both the registration of a planning application through lack of specific arboricultural information and potentially avoid the need to significantly alter a scheme once an application has been submitted.

NFDC will be guided by the recommendations contained within BS5837: 2012. This document provides essential advice. However, in some instances NFDC will consider new methods or

processes where these can be shown to improve the likelihood of tree retention on the site where agreed with a Tree Officer.

The three most important aspects to consider for trees in relation to a proposal are:



- i. Deciding what trees are to be removed and retained
- ii. Ensuring that all trees to be retained will be protected effectively during the development/demolition process
- iii. Consideration for the immediate and future relationship between the trees to be retained and all above/below ground structures

Figure 8. An example of the detail to be included in a tree survey in accordance with BS 5837: 2012

Tree related advice when submitting a planning application

It is important to get appropriate arboricultural advice for your proposal as the council will need this information to be able to fully assess the proposals potential impact on important protected trees. Failure to provide such information can lead to potential delays in registering planning applications and can result in a planning application being refused due to the potential impact a proposal may have on such trees.

In order to gain an understanding of a site's tree related constraints and the feasibility of a scheme, it is recommended that you take guidance from a suitably qualified tree consultant from the initial stages of the design process and follow this advice through to completion of the proposal.

The feasibility of tree related matters on development sites can in some instances be established by homeowners and/or other professionals outside of the arboricultural industry

If in doubt, please contact a Tree Officer for further informal guidance.

Things to consider during the design process

Consideration needs to be given to not only how trees will be successfully protected and retained during the development but also how the trees will sit within the new development. The change of use on a piece of land will inevitably affect how a tree is managed and what works will be required or wanted. For instance, an Oak tree situated on agricultural land sees little in the way of pressure towards pruning and removal when compared to the same tree that is situated within the built environment.

Trees and their proximity to structures

The relationship trees have with the built environment should be a positive one. However, if consideration has not been given to this relationship this can lead to future pressure to fell or excessively prune trees. A poor relationship between buildings and trees may give rise to concerns about excessive shading, continual falling natural debris, blocked drains and concern of potential damage to property. In some instances, small changes to the layout of a scheme can improve the situation significantly and avoid potential conflicts.

The use of the property and the location of certain rooms within a dwelling can change the impact trees may have on a property, for instance trees situated close to outbuildings, sheds and garages are less likely to come under undue future pressure when compared to habitable rooms.



Figure 9. A mature Yew tree situated in close proximity to the dwelling

Tree Species and characteristics

Where trees are to be retained or planted as part of a development they need to be given space to grow and mature. Consideration should be given to the trees species and characteristics when designing a layout. The trees final height and crown spread, form, habit, water demand, environmental tolerance and general characteristics e.g. susceptible to branch failure, laden with cones/fruit, honeydew etc are key aspects that should steer the design of a proposal to avoid the above-mentioned pressures and issues from arising. The same consideration needs to be given to any new tree planting.

Trees and hard surfacing

The installation of hard surfacing near trees that are to be retained should be a consideration of the proposed layout during the initial stages of the design process. The existing ground

levels, construction method, surface finish and location in relation to trees needs to be considered. An often-overlooked aspect of new surfacing is marrying existing ground levels to the level of the proposed surfacing without the need for excavation or a change in soil levels.



Figure 12. A new access and driveway situated in close proximity to protected, mature Oak and Beech trees through the use of a 3D cellular confinement-based surfacing system



Figure 10. Mature trees successfully retained



Figure 11. A cellular confinement system awaiting infill



Figure 13. Block paving displacement through root growth and expansion

New surfacing within the rooting environment of trees needs to take future root growth and expansion into account and the impact such growth can have on surfaces. Block paving displacement and tarmac deformation can occur where such aspects have not been fully considered. New planting should also take such future relationships into account to avoid premature tree removal that can occur with such pressures.

Planning Conditions

When assessing a planning proposal, the council will consider the need to retain and protect trees which may be affected by a scheme.

In instances where the council considers the trees to be of importance and where it is expedient to do so, such trees will be protected and secured through the use of TPO's and planning conditions.

Several examples of such planning conditions can be seen below.

'The trees on site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted JP Arboricultural Method Statement and JP Tree Protection Plan dated 21/11/19 while in accordance with the recommendations as set out in BS5837:2012.'

'Prior to the commencement of any works (including site clearance, demolition and construction works) 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend the/a pre-commencement site meeting as set out in JP Arboricultural Method statement dated 21/11/19'

Planning conditions may also be used to secure new tree planting through a detailed landscape scheme and tree planting schedule.

A trees root system and Root Protection Areas (RPA's)

It is a general misconception that a trees root system grows deep into the ground and only grows to the edge of the crown (drip line). In fact, ordinarily a trees root system will extend well beyond the trees crown spread with a majority of roots being found within the top 600 mm of soil. The images below help demonstrate this.

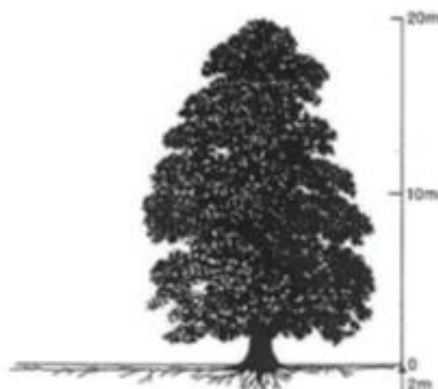


Figure 15. Typical root distribution



Figure 14. Inaccurate root distribution

Root Protection Areas (RPA's)

BS 5837: 2012 produces an industry accepted method for calculating the minimum rooting area that is required to maintain the tree's viability.

'layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority' (BS 5837:2012)

This theoretical calculation and designated area is therefore a major consideration. Section 5.3 of BS 5837: 2012 states –

'The default position should be that structures (see 3.10) are located outside the RPAs of trees to be retained. However, where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to the tree(s)'

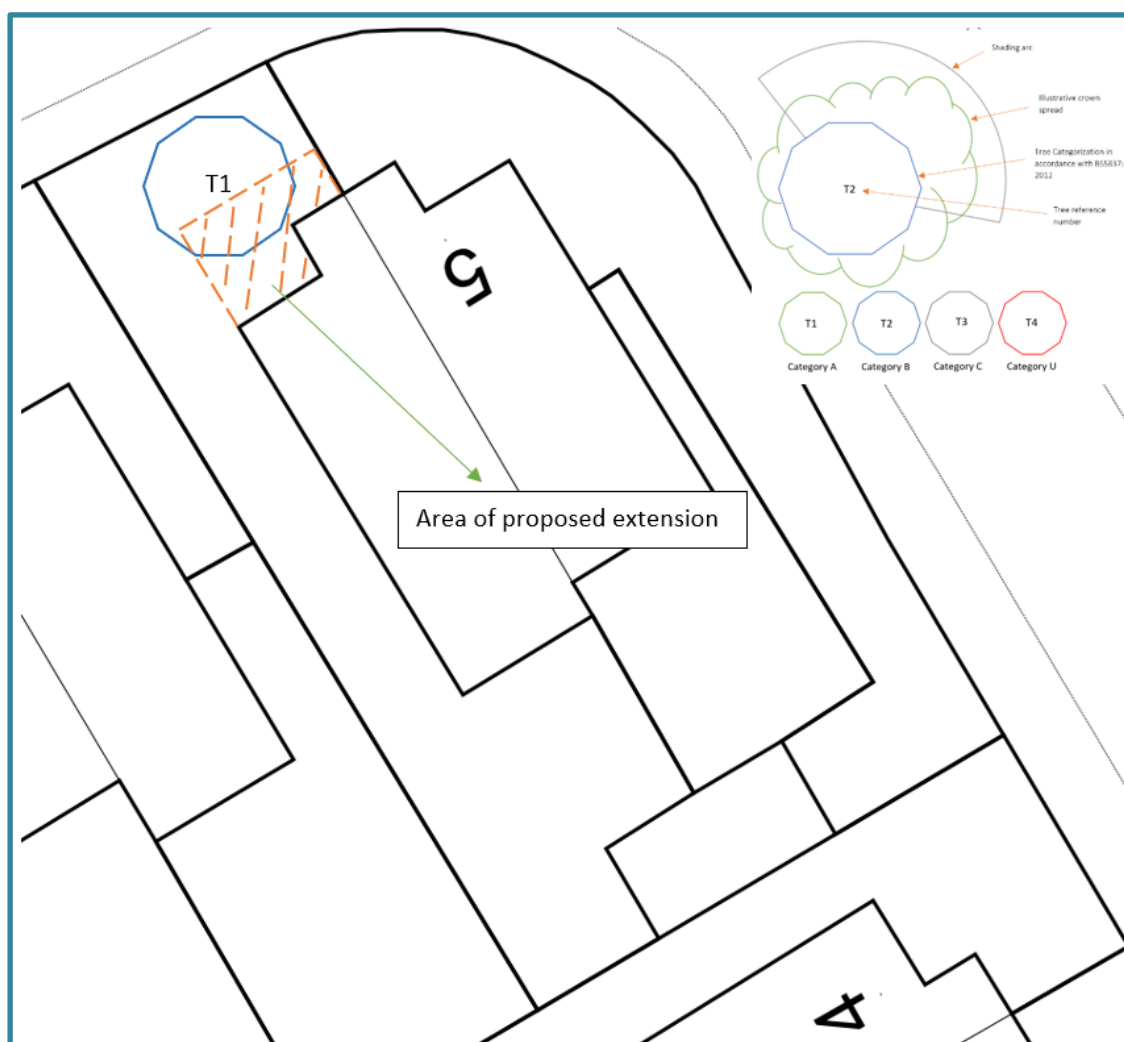


Figure 16. An example of a scheme that has not considered the tree constraints on a site and which would result in an unsustainable relationship between the crown and the proposed structure.

This, as with other site constraints may reduce the area that is suitable for development and should steer the design to be able to accommodate both the above and below ground tree constraints.

RPA calculation

For single stem trees, the RPA should be calculated as an area equivalent to a circle with a radius 12 times the stem diameter.

NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees

In instances where utility apparatus is to be installed near trees, guidance should be taken from the National Joint Utilities Group guidelines as stated above. Advice from an appropriately qualified arboriculturalist should be sought before undertaking any works.

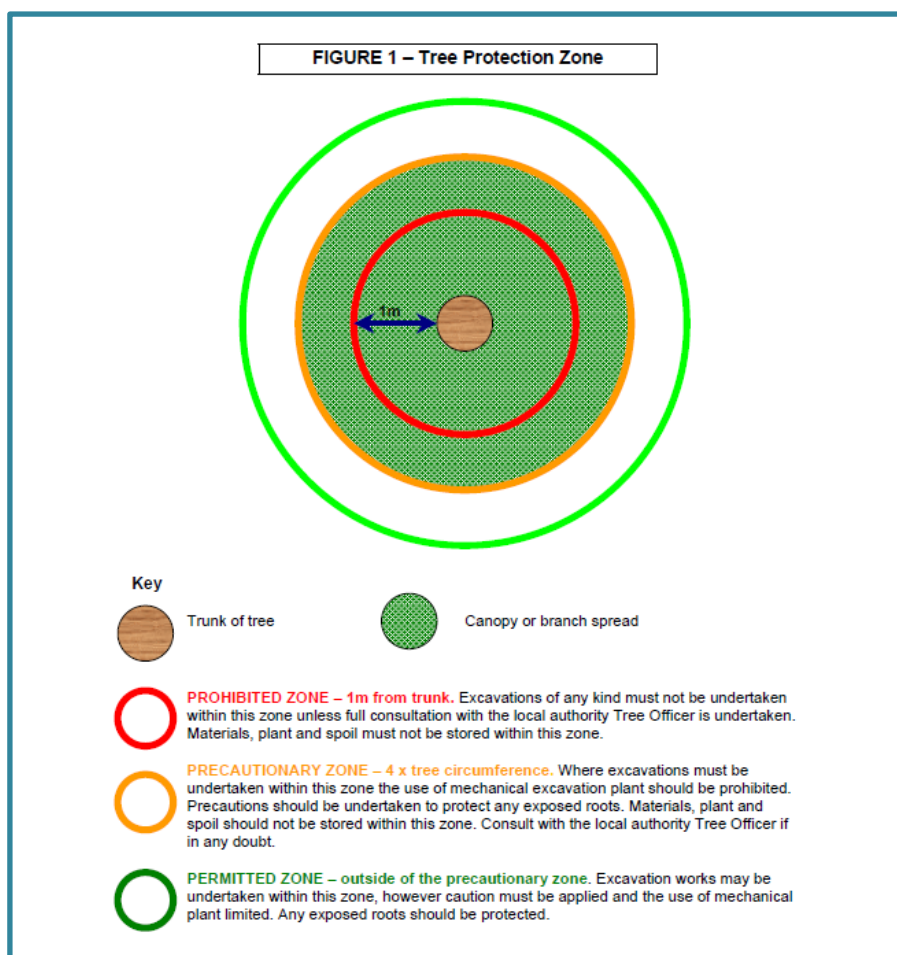


Figure 17. NJUG Tree Protection Zone

For further information on NJUG please see the following link - <http://streetworks.org.uk/wp-content/uploads/V4-Trees-Issue-2-16-11-2007.pdf>

Tree Protection during construction

The level of tree protection measures that may be required is very much site specific. The exact specification of such protection measures should be provided by an appropriately qualified arboriculturalist and should be accompanied by an Arboricultural Method Statement. The council takes guidance from BS 5837: 2012 therefore all submitted plans would be expected to be in accordance with this. In some instances, less substantial protection measures may be undertaken where agreed with the Tree Officer.



Figure 19. HERRIS fencing braced and secured with weighted boots



Figure 18. A 3D cellular confinement system, laid and secured with road pins and awaiting infill with washed angular stone to complete the ground protection and later to base the new driveway upon

Failure to protect trees during development

Failure to protect trees during development can have a significant impact on the health and condition of trees to be retained and in many instances will compromise their long-term retention and successful incorporation into a development. Exposed areas of the trees rooting environment and more specifically the trees RPA to construction activity can result in soil compaction and soil contamination which reduces gaseous exchange and water percolation and in time can result in the decline and loss of a tree.



Figure 20. A dead Scots Pine tree post completion of development



Figure 21. Failure to protect trees to be retained

5. Tree Planting

The correct planting of good quality tree stock is essential for ensuring that approved landscape schemes are fully implemented and completed in accordance with what has been agreed within the planning permission. Failure to establish healthy well-formed trees can significantly alter the look and feel of a new development and in time can result in 'completed' developments that are void of new tree planting. The procurement of nursery stock that is free from pest and disease, suitable planting methods and effective future maintenance is key to in their successful independence in the landscape.

Planting method

In general, all new tree planting to be undertaken within a development should aim to conform to NFDC's tree planting specifications as detailed within NFDC's Tree Strategy and in accordance with recommendations as made within *BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations*.

Where tree planting is proposed in areas of land that will be adopted by New Forest District the planting should be aimed to conform to NFDC's Tree Strategy.

3 stake, 3 ties and wire mesh method

The tree should be fixed to the stakes using 3 individual lengths of proprietary rubber strapping. The strapping is attached to the stake with a nail, looped around the tree, and firmly fixed to the stake. This is repeated for the second and third tie. This configuration allows the tree to move freely, thus promoting root growth with no risk of chafing.



Figure 22. A well-executed tree planting within hardstanding



Figure 23. NFDC standard tree planting method

Galvanised weld mesh roll, 12.5mm x 12.5mm aperture, 0.61m in height should be wrapped around the perimeter of the tree posts at ground level and attached with heavy duty staples

or equivalent. This adds additional protection to the tree, and acts to hold the mulch layer in place which in turn aids in the retention of moisture.

Obtaining professional advice and the permission of the Corporate Tree Officer (for planting on public land) is essential. Obtaining advice from a Tree Consultant and Landscape Architect is also recommended when considering new tree planting into a development scheme.



Figure 24. NFDC standard tree planting method

Failure to establish

Providing sufficient space and soil volume for new tree planting is crucial in establishing newly planted trees. This importance is highlighted further when trees are planted within hard landscaping and areas that are susceptible to ground compaction and waterlogging. Planting in such conditions can result in stunted growth, poor form and ultimately failure. The main points to consider when planting new trees within the landscape are:

- **Choice of species** – Select a tree species that will grow within the environment in which it is planted e.g. wet soil conditions, exposed sites, street trees
- **Landscape character** – Select species that sit well within its surroundings and landscape
- **Size and form** – Select species/varieties that will not outgrow the location in which they are planted, this is especially important when considering the trees proximity to above and below ground structures
- **Ultimate height and spread** – Select species that will positively contribute to the visual amenity of the area while being realistic as to the suitability given the ultimate size of tree in that location
- **Nursery stock** – Select trees that will provide the most immediate impact and that have the greatest likelihood of successful establishment



Figure 25. Poorly planned tree planting next to a lamp column

- **Tree Protection** – Select appropriate tree protection that is suitable for the location in which it is planted e.g. street furniture may be required for trees that are situated in an area where vandalism and damage through vehicle contact may occur or rabbit/deer guards/shelters
- **Aftercare and maintenance** – Ensure a robust aftercare and maintenance plan is in place to avoid tree failure through lack of watering and lack of maintenance
- **Procurement** – Select tree stock that has come from a reliable, competent nursery to ensure the trees that are to be planted are of high quality and in good health
- **Biosecurity** – Ensure that all trees to be ordered have come from a nursery where appropriate biosecurity measures are in place in accordance with best practice



Figure 26. A replacement tree still struggling to establish due to limited access to uncompact soil and water



Figure 27. A poorly planted tree which is unlikely to establish successfully

Engineering Solutions

In instances where a development or part of a development could have a detrimental impact when using conventional building methods specific, specialist engineering solutions can be adopted where appropriate. These solutions can range from the use of specialist building foundations, the use of cellular confinement based surfacing and minor alterations to existing structures to accommodate existing trees that are growing near structures. It is recommended that you consider the cost and feasibility of such solutions prior to submitting a planning application.



Figure 30. A simple non-invasive engineering solution to accommodate an existing mature tree



Figure 31. Less invasive screw piles being installed inside the RPA's of protected trees to support new structures



Figure 28. A cellular confinement-based driveway, awaiting infill with washed stone

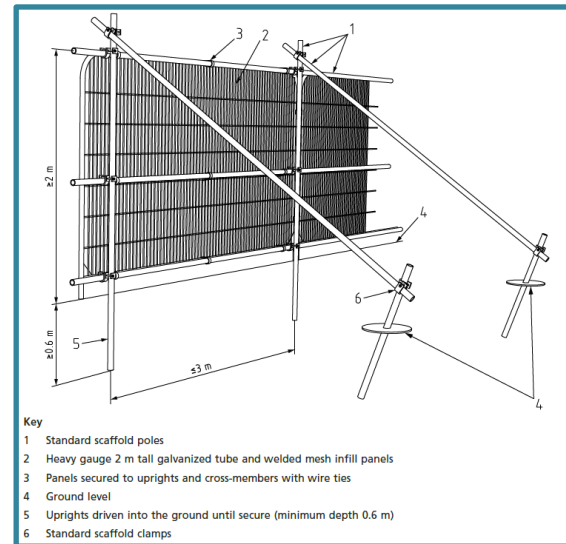
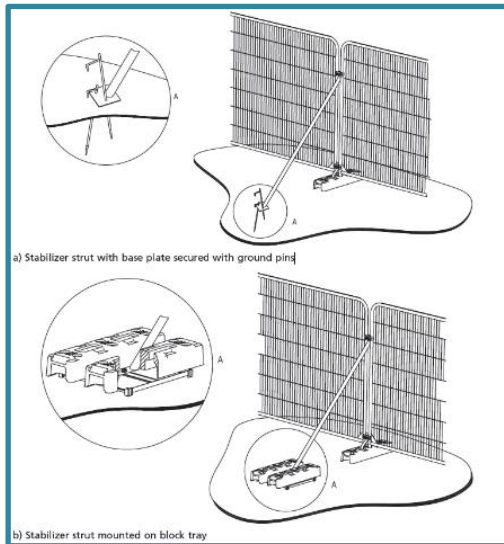


Figure 29. A newly planted avenue of street trees that have been successfully incorporated into the sites SUDS



WHAT NOT TO DO!

- DON'T use machinery within the root protection areas of trees to be retained. The use of machinery can lead to soil compaction and root disturbance, such damage can lead to the trees decline in health and subsequent tree loss
- DON'T store building materials within RPA's of trees to be retained as this can lead to soil compaction and contamination.
- DON'T dig trenches or carry out any excavation within the RPA's of trees to be retained unless specified within an agreed Arboricultural Method Statement
- DON'T remove tree protection fencing without consulting with an appropriately qualified arboriculturalist
- DON'T carry out tree works unless specified within the submitted arboricultural information or otherwise agreed



WHAT SHOULD I BE DOING?

- DO carry out works in accordance with the submitted and agreed Arboricultural information
- DO contact the councils Tree Officer and/or an appropriately qualified arboriculturalist if you are unsure of any tree related aspects of the development
- DO brief members of staff and third-party contractors on the tree constraints on each site
- DO works in accordance with BS 3998: 2010 and BS 5837: 2012

Figures (above) show the BS 5837: 2012 specification for protective fencing

Who to contact?

NFDC Tree Team (Planning)

Within New Forest District outside of the National Park: For trees that are subject to Tree Preservation Orders, situated within a Conservation Area and in relation to trees near development.

Contact/enquiry details - trees@nfdc.gov.uk

Interactive tree map -

<https://maps.newforest.gov.uk/publicmap/map.aspx?mapname=tpo>

NFDC Corporate Tree Team

Trees growing on New Forest District Council land.

Enquiries regarding trees that are growing on NFDC land should be directed to NFDC Corporate trees.

Contact/enquiry details – NFDCCorporateTrees@NFDC.gov.uk

The New Forest National Park Authority Tree Team

Within the National Park: Trees that are subject to Tree Preservation Orders, situated within a Conservation Area and in relation to trees near development.

Contact/enquiry details - trees@newforestnpa.gov.uk

Interactive tree map -

<https://gismaps.newforestnpa.gov.uk/WebMap/Map.aspx?mapName=TP>
[O](#)

Hampshire County Council

Trees growing on a highway verge (adjacent to a highway outside of a private property)

These trees may be owned/managed by Hampshire Highways Authority.

Contact/enquiry details – Hampshire County Council main website is -

<https://www.hants.gov.uk/>

HCC provide an interactive map to report issues surrounding trees and hedges affecting a highway through the following link:

<https://roadenquiries.hants.gov.uk/roadproblems/highwaydefect/othertree.aspx>

Trees blocking street lights

To report a problem with overgrown trees blocking light from a street light, it may be that you need to contact

hampshirepfi@ssecontracting.com

Trees growing on Parish/Town Council Land

Enquiries regarding trees that are growing on Town or Parish land should be directed to the relevant Town/Parish.

Arboricultural Association

For further information on tree surgery and best practice and to help find a tree contractor/consultant- <https://www.trees.org.uk/>

Forest England – The New Forest

<https://www.forestryengland.uk/new-forest>

ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

WORK PROGRAMME 2020/21

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
11 JUNE 2020			
Waste Strategy update	To receive an update on the work of the working group	Oral update	Chris Noble
Environment Action Plan	To receive an update on the work the Council is doing to address environmental issues, in particular climate change and how the Council will reduce its carbon footprint	Officer report	Colin Read
Food Safety	To receive a report on food safety	Officer report	Joanne McClay / Ben Stockley
10 SEPTEMBER 2020			
On Street Car Parking Strategy	To receive an update on the review of on street car parking	Officer report or oral update	Rob Lane / David Hurd
Review of Street Cleansing Activities and Standards	To receive an update on the review of street cleaning activities and standards	Officer report or oral update	Rob Lane / Colin Read
Waste Strategy update	To receive an update on the work of the working group	Oral update	Chris Noble
14 JANUARY 2021			
Fuel/Emission Efficient Vehicles	To be updated on the trial of small electric vans within the Council's fleet of vehicles	Officer report	Colin Read, Chris Noble/ Rob Lane
Waste Strategy update	To receive an update on the work of the working group	Oral update	Chris Noble

11 MARCH 2021

Waste Strategy update	To receive an update on the work of the working group	Oral update	Chris Noble
FOR LATER CONSIDERATION			
Environmental Strategy	To consider the draft environmental strategy that will develop an overarching framework for the Council's environmental activities	Officer report	Colin Read
Pre-app Protocol		Officer report	Claire Upton-Brown
Plan Design Guidance		Officer report	Claire Upton-Brown
Green Space signage / protocol		Officer report	Claire Upton-Brown / James Smith