

Tree Management Principles

**CARLISLE
CITY COUNCIL**



www.carlisle.gov.uk

**The management of trees within the ownership
and/or care of Carlisle City Council**

Contents

| | |
|--|-----------|
| Introduction:..... | 3 |
| 1. Carlisle City Council responsibilities | 4 |
| 2. Management Standards..... | 4 |
| 3. Priorities for Action..... | 5 |
| 4. Problems with Trees | 7 |
| 5 Common Law rights..... | 8 |
| 6 Inspections | 8 |
| 7 Trees in Parks and Green Spaces | 9 |
| 8 Tree Management – Woodland | 10 |
| Contacts and further information:..... | 11 |



Introduction:

Carlisle is a leafy place! Trees provide many benefits that are essential to a healthy city:

- **Improve wellbeing of residents – Studies have shown that people living in leafy surroundings enjoy better physical and mental health, and life-giving oxygen is produced in huge quantities by trees in full leaf.**
- **Improve economic opportunity – high quality, green environments attract business.**
- **Improve individual prosperity – Figures from estate agents show that there is a premium on property prices close to well-kept parks and green spaces.**
- **Improving the urban micro-climate - Trees provide shade from the sun's radiation and cool the air on hot days, reduce wind speed and regulate evaporation when it's rainy.**
- **Stabilise soil – particularly important on sites adjacent to water bodies.**
- **Reduce air pollution –Trees remove carbon dioxide from the air and filter out dust and particulate pollution.**
- **Reduce noise pollution – Trees planted close together can absorb noise and provide a barrier against roads and railways.**
- **Benefit wildlife – Trees provide a habitat and food source for a broad range of mammals, birds and insects.**
- **Civic Pride - Trees are often planted in commemoration or celebration of individuals and/or communities.**

This document sets out the principles for management of trees within the ownership and/or care of Carlisle City Council. The principles aim to ensure that:

- 1. A reasonable and balanced approach to managing the risks from trees and woodlands is applied through an inspection and work programme that identifies, prioritises and undertakes safety work according to level of risk**
- 2. Carlisle City Council maintains a safe tree stock that makes a positive contribution to the health of Carlisle's residents**
- 3. Residents' requests for pruning and maintenance of trees are dealt with fairly and consistently**

1. Carlisle City Council responsibilities

1.1 Tree Management Responsibilities. The City Council is responsible for:

- Trees growing in parks and amenity green spaces
- Trees growing in Carlisle, Stanwix and Upperby Cemeteries and closed churchyards
- Trees growing in Kingmoor Nature Reserve, Engine Lonning, Hadrian's Wood, Knowefield Wood and Talkin Tarn Country Park.
- Trees growing on Council allotments
- Trees growing on Council-owned industrial estates

2. Management Standards

Carlisle City Council will follow nationally recognised standards of best practice in the management of trees under its care. For example British Standard 3998, BS 4428 & BS 5837; Tree Preservation Orders- A guide to the law and good practice (DCLG 2004); Hedge height and light loss (DCLG 2004); Arboricultural and Forestry Guides (AFAG); Arboricultural Association best practice guidance; European Tree Pruning Guide.



3. Priorities for Action

3.1 Priorities. Trees will be prioritised for felling or tree surgery for reasons of safety, including (but not exclusively):

- Dead tree or dead timber posing a safety risk
- Dying tree or part of a tree posing a safety risk
- Diseased tree posing a risk to health of other trees in the vicinity
- Growth obstructing roads, footpaths or official signs or streetlights
- Growth (above or below ground) causing damage to nearby buildings

In all these cases, the Council must provide authorisation before a tree can be pruned or removed. Sometimes we will need to involve structural or highway engineers in the decision.

When we have to remove a tree we will normally replant another in the same place, or as near as we can.

In case of emergency the City Council has the power to enter private property in order to make safe a dangerous tree (Local Government Miscellaneous Provisions Act, 1976) in which case the cuttings will be left on site and an invoice issued to the owner for recovery of costs.



3.2 When we will not normally carry out felling or surgery:

- To prevent shading/loss of light to properties
- To prevent minor or seasonal effects such as leaf litter, bird mess, fruit or seed fall or sticky secretions from insects and aphids (honeydew)
- To prevent effects on TV reception (satellite or terrestrial television)
- To prevent obstruction of private CCTV cameras
- Where the work will result in a loss to the wider community
- Where the threat posed by a tree is based on a perception – decisions will be based on actual evidence and inspections.
- Pruning of overhanging branches that are not causing an actionable nuisance
- Obstruction of telephone/utility cables (these are the responsibility of the statutory undertaker such as a utilities provider)
- To benefit an individual even if they are willing to pay for the removal or pruning of a tree

3.3 General principles

1. Trees will not be removed unless there is a demonstrable arboriculture, safety or legal reason for the removal.
2. All requests for arboriculture works to trees growing on Council land will be inspected and authorised by Council officers.
3. If tree works are required in the bird nesting season (February – September) trees will be examined for evidence of nesting. Where a bird's nest is found, tree works will be delayed until the end of the nesting season.
4. No tree work will be undertaken on trees where there is potential to impact upon any protected species (for example bats or badgers) until consultation has been undertaken with the Council ecologist and/or appropriate external consultants. Any work that is subsequently undertaken will be in accordance with current legislation, policy and best practice guidance.
5. All tree pruning and arboriculture works are undertaken in accordance with the British Standard for Arboriculture BS3998 and will follow guidance from the Arboriculture Association's Guidance Note – An introduction to trees and their management.

4. Problems with Trees

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

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

Always contact your insurance broker for advice if you think a Council tree has damaged your property.

4.2 Television Reception - There is currently no legal right to good television reception, and no legal requirements to rectify a loss of television or radio service in respect of trees. In many cases it is possible to resolve issues of poor reception by adjusting your aerial or satellite dish.

4.3 Leaves, fruits and sticky secretions - Clearing of leaves from gutters and pathways and weeding of seedlings are normal maintenance activities which property owners should undertake within their own boundary. Honeydew is not readily controllable by pruning and is also considered to be routine maintenance for the property owner. As fallen leaves, blossom and berries are uncontrollable the Council will not prune trees to reduce the amount of leaf litter, blossom, berries or honeydew.

4.4 Shade or blocking of light - There is no legal right to light in an open space or in a garden. The Council will consider applications to prune its trees for right to light on an individual basis. You have a Common Law right to remove (abate) the nuisance associated with trees encroaching onto your property – see 5. Common Law Rights

4.5 Overhanging branches - The Council has no legal obligation to prune overhanging trees unless they are causing direct damage to an adjacent property or are dangerous. As a result we will not prune trees that overhang a neighbour's property unless they are dangerous or are causing an actionable nuisance. You have a Common Law right to remove (abate) the nuisance associated with trees encroaching onto your property – see 5. Common Law Rights

5 Common Law rights

Under the common law, owners or tenants of private property have the right to cut back any encroaching growth from a neighbouring property as long as:

- the cut is made level with the boundary between the properties.
- the cuttings remain the property of the tree owner and must be offered back to them. If they decline the offer the cuttings must be disposed of appropriately e.g. in the green wheelie bin, or at a local waste disposal site that accepts garden waste. If the encroachment relates to a council owned tree, any cuttings must be disposed of appropriately as described above and not placed back onto City Council land.

Before you consider doing any works to a tree / trees you should find out if they are protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application / give notice to the planning department of the council. To find out if the trees are protected and guidance on how to apply for works if they are protected contact planning@carlisle.gov.uk 0122881700 or www.carlisle.gov.uk

6 Tree and Woodland inspections

The City Council will implement a planned programme of inspections for all frequently visited Green Space sites with mature trees. This is kept electronically and the results stored electronically. These sites have a specific visual assessment at least every 5 years and have a basic visual inspection at least annually as part of a general site safety survey. The inspections are carried out by trained inspectors (to a minimum of Lantra Basic Tree Inspection level or equivalent Sector Skills Council national standard level)



7 Trees in Parks and Green Spaces

7.2 Tree replacement. The Council will select trees that are appropriate for their location and the anticipated maintenance needs throughout the life of the tree. Both native and non-native tree species will be planted dependent upon the appropriateness of the intended location and the purpose of the planting scheme.

7.4 Number and variety of trees. The Council will increase the overall number of trees in parks and open spaces through planting and replacement planting programmes. The Council aim to create a varied and sustainable tree population in parks and open spaces for reasons of aesthetics and for the benefit of the biological diversity of the city.



8 Tree Management – Woodland

8.1 General Principles. The Council will:

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

8.2 Management Plans. The council aims to produce and maintain woodland management plans that are in accordance with the accepted forestry and arboriculture methods of traditional woodland management.

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



Contacts and further information:

For enquiries relating to Carlisle City Council trees, please contact the Green Spaces Team on Carlisle 817440 or CustomerServices@carlisle.gov.uk

For enquiries relating to Tree Preservation Orders or planning & development, please contact the Councils Landscape Architect/Tree Officer on Carlisle 817535 or planning@carlisle.gov.uk

The City Council is NOT responsible for:

- Trees growing in streets or highway verges. These are looked after by Cumbria County Council and any problems can be reported to them on betterhighways.carlisle@cumbria.gov.uk or telephone 0845 609 6609
- Trees in school grounds are the responsibility of the school concerned.
- Trees growing in private or tenanted gardens, commercial premises, private businesses, hospital grounds or other public property are the responsibility of the owner/tenant/manager of the property concerned.