

North East Lincolnshire Tree Strategy

Part Two - Tree Management Guidelines

June 2023



Working in partnership



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Contents

1.0 Introduction	3
2.0 Specific tree management issues	4
3.0 When can trees be felled?	8
4.0 When can trees be pruned?	12
5.0 Acceptable types of pruning for trees	16



1.0 Introduction

These guidelines are intended as a supplementary note to accompany Part One of the Tree Strategy. They outline our approach to tree management work and describe in broad terms situations where we are likely to consider pruning, felling or other forms of tree management work for council owned trees. They also describe the types of tree work that are normally accepted as good practice, but each tree will be assessed on its own merits. All work to our trees will normally be carried out by our in-house specialist arboricultural team and will be in accordance with current legislation, guidance, British Standards and codes of practice. Although this guidance will inform decisions, they should not be considered prescriptive as situations do vary. Where there is a clear and foreseeable threat to the safety of people or property that is directly related to the condition of a tree, action will be taken to reduce that risk. No single approach should be considered in isolation, but all relevant guidance and policies should be considered when reaching a decision.

2.0 Specific tree management issues

2.1 Footpaths – trip hazards

Isolated roots can be pruned if these do not affect the stability of the tree, e.g.

- Root pruning of non-structural surface roots to accommodate the laying of new paving, tarmac inserts or rubber crumb surfacing.
- Root pruning of non-structural roots to accommodate relaying of kerb edging.

Dependant on the quality and value of the subject tree, and only when all engineering and maintenance solutions have been explored, will removal be considered. The removal of a tree is the last resort, however, should this happen, a tree must be replaced either in the same position or within the 'Ward' locality.

The council will make safe any unacceptable trip hazard in streets, roads or the public highway caused by the growth of a council owned tree.

2.2 Installation of a new access onto the highway

If the introduction of a new access/drop kerb onto a public highway is likely to adversely affect a council owned tree, this will be considered by an arboricultural officer before permission is granted or refused. It would be sensible for the applicant to arrange a pre-application discussion prior to submitting a formal planning application. The removal of a tree, considered by the arboricultural officer to be of high importance, would not be supported during the process of a planning consultation.

In a circumstance where removal of a tree is accepted, the cost of removal and a replacement will be met by the applicant.

The council is not legally required to agree the felling or pruning of the roots of a council owned tree to allow the introduction of a new access onto a public highway.

2.3 Protection of trees during construction/trenching on council land

We will protect all trees affected by construction and development sites. Protection measures on these sites must be in accordance with the current version of BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.

The council will ensure that all construction and development on its own land including temporary installations and placement of movable equipment, near trees, follows the current version of BS 5837 and any subsequent updates.



2.4 Crime and anti-social behaviour

If evidence confirms trees are contributing to crime and/or anti-social behaviour, these will be pruned or removed if necessary.

Where a council owned tree is associated with criminal activity and/or anti-social behaviour, measures to alleviate the problem will be implemented in consultation with the police and the community.

2.5 Vandalism

Incidents of vandalism to council owned trees will be reported to the police. We will try to correct any damage as soon as possible if incidents of vandalism occur.

The council will investigate reports of vandalism to a council owned tree.

2.6 Nuisance - third party/private trees

The council do not provide a mediation service and will not get involved in any domestic disputes. You should try to resolve a dispute between yourself and your neighbour amicably or seek legal advice from a solicitor or Citizens Advice.

The council has no authority to intervene in a dispute between neighbours and will not do so.



3.0 When can trees be felled?

The council will not fell trees unless it is necessary. Each case will be carefully judged on its own merit and felling will only happen where there is clear justification to do so. The following points describe circumstances where felling is essential or advisable:

- A dead, diseased or dangerous tree that is a danger to public safety.
- A tree causing an obstruction to a public highway, public right of way, access to property or footpath, where the obstruction cannot be overcome by pruning the tree or other reasonable measures.
- A tree causing a legal nuisance to an adjoining property, where pruning would not address the problem. Examples of a legal nuisance include soil subsidence or physical damage to another owner's property.
- A tree which is shown to be a major contributor to soil shrinkage and serious structural damage to buildings, where pruning alone would not provide a solution. Private owners will be expected to provide an appropriate level of evidence to demonstrate that the subject tree(s) is an influencing cause of damage to the property. Without an appropriate level of evidence, it is unlikely that the council will be able to adequately consider any proposed works for an appropriate solution.
- Trees which are of a size and species inappropriate to their situation.
- Situations where pruning has been carried out to rectify a severe problem and has not been successful.
- Thinning out young and developing trees in accordance with a Management Plan.
- Removal for wildlife habitat improvement.
- Removal to allow authorised development, re-development or regeneration/public realm.

The council will not remove trees without good reason. When felling work is carried out, the reasons for the work will be documented and recorded.



Where the council considers that tree removal is likely to have a significant negative impact on the local environment and its enjoyment by the public, formal consultation with Ward Councillors will take place. In addition to this, site notices will inform the local community of the planned works allowing at least 20 working days for public engagement.

In accordance with Part 6, Section 115 of the Environment Act 2021, the council will consult members of the public before felling a street tree, unless it is exempt under legislation. The duty to consult does not apply in certain situations. Refer to Section 115 (3) of the Environment Act 2021 (legislation.gov.uk).

Subject to funding availability, available locations and consultation, the following guidance will be used for replacing felled trees (see Table 1).

Table 1. Recommended guidance for number of replacement trees per tree felled by size

Trunk diameter of tree felled (cm)	No. of replacement trees
<15	1
15 - 19.9	2
20 - 29.9	3
30 - 39.9	4
40 - 49.9	5
50 - 59.9	6
60 - 69.9	7
70 - 79.9	8
80+	9



4.0 When can trees be pruned?

Pruning trees will only be carried out where necessary, as cutting can weaken the tree and allow decay causing organisms (fungi and bacteria) to enter exposed and vulnerable tissue. Tree pruning will not be permitted where there is no justification for the work. Work will be resisted if the tree has been pruned within the last 2 years, unless agreed by an arboricultural officer. Each case will be carefully judged on its own merit.

Pruning is likely to be acceptable when:

A tree is causing an obstruction to or grows low over a public highway, public right of way, footpath or access to property, over gardens or open spaces where the public have access. While no specific guidance is given in the Highways Act 1980, it is generally accepted that the minimum clearance should be 2.4m over a footpath and 5.05m over a road (measured from the centre line). As a guide, these minimum clearances should be sufficient to allow a 2m person with an umbrella up to walk unimpeded along a footpath and a double-decker bus to travel along a road without hitting any overhanging branches.

- A tree is causing a legal nuisance to an adjoining property.
- A tree is contributing to soil shrinkage and structural damage to adjacent buildings or other built features.
- A tree restricts repairs and maintenance of property, or authorised construction work.
- A tree blocks daylight from habitable rooms to a severe and unreasonable degree.
- A tree gives rise to justifiable fears about the risk of crime or have provided access and/or cover for criminal acts, vandalism and harassment to residents.
- A tree has contact with buildings and roofs.
- A tree prevents the reasonable enjoyment of a private home and garden.
- A tree is likely to obstruct or interfere with street lighting, road signs and other services equipment.
- A tree obscures sightlines at road junctions and access points.



- A tree obstructs CCTV surveillance cameras if cameras cannot be moved.
 - A tree needs formative pruning to shape or train them during the early years.
 - To remove dead or diseased material or to remedy storm damage, to make the tree safe, or to shape and balance the crown.
 - Brashing, coppicing or similar woodland operations are needed to maintain or develop woodland in accordance with an agreed management plan.
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- The council will undertake work to its trees:
 - to maintain clear sightlines where reasonably practicable at junctions and access points associated with a street, road or highway.
 - to ensure they do not unduly obstruct traffic signals or street signs.
 - to clear obstructions affecting streets, roads or the public highway caused by its trees.
 - to maintain a minimum 2.4m height clearance over a footpath and 2.75m over a cycle path, associated with a street, road or highway.
 - to ensure that they do not unduly obstruct a streetlight.
 - in the event that a council tree is touching a building, remedial works will be undertaken.



5.0 Acceptable types of pruning for trees

Pruning should not remove more than 20% of the canopy at any one time.

Acceptable types of pruning:

- Crown Thinning - to reduce the density of the crown without changing the tree's overall structure. Thinning should not exceed 30% of the leaf-bearing twigs, and finishing cuts back to the main stem should be avoided. This type of pruning is often appropriate to manage light and shade.
- Crown Lifting – pruning to achieve clearance above ground level or other surface. Pruning should involve branch shortening or the removal of secondary branches to achieve the desired clearance (refer to Figure 1). Cutting back to the main stem should be avoided. If, under the specific circumstances of achieving the required clearance cutting back to the main stem cannot be avoided then no more than 15% of the live crown height should be removed. This type of pruning is often appropriate to prevent interference with the highway infrastructure and grounds maintenance operations, such as grass cutting. It may also be appropriate to manage light and shade.

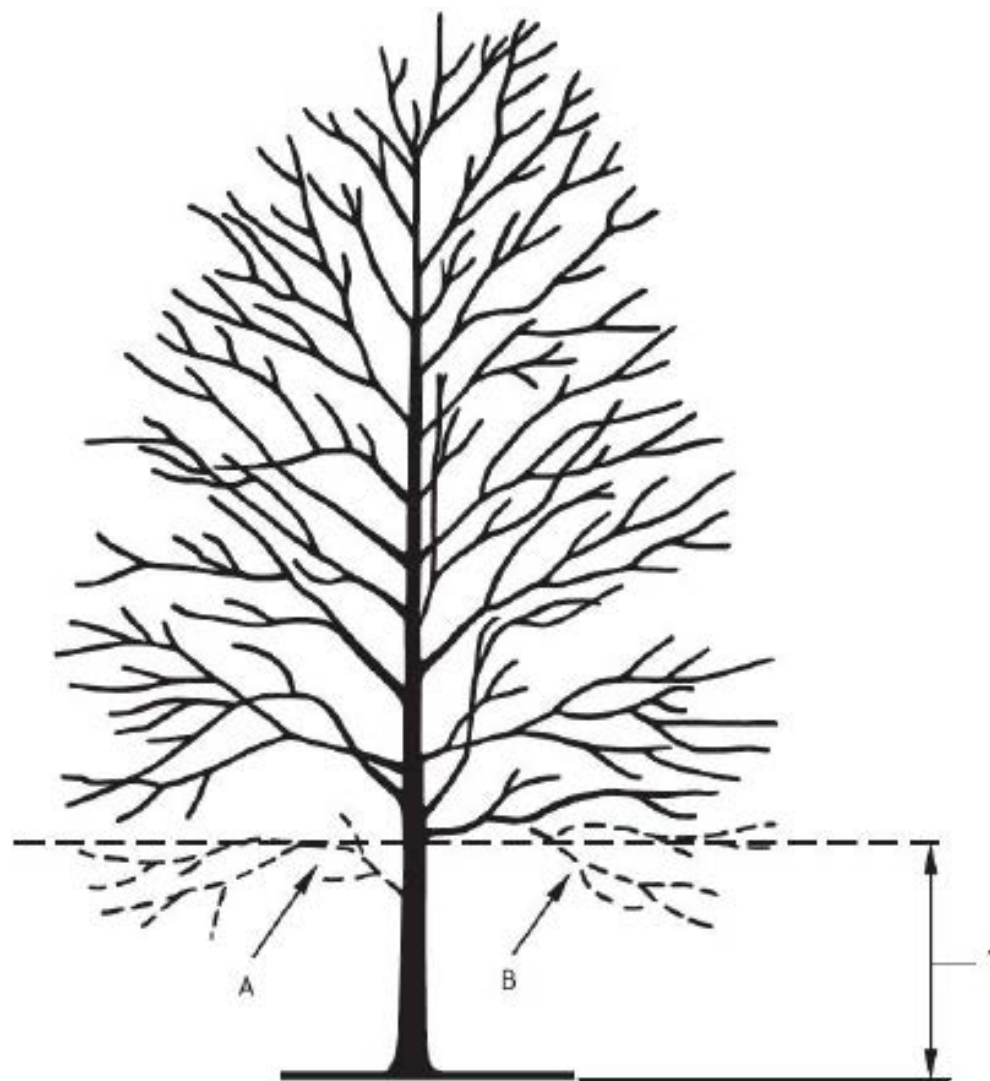
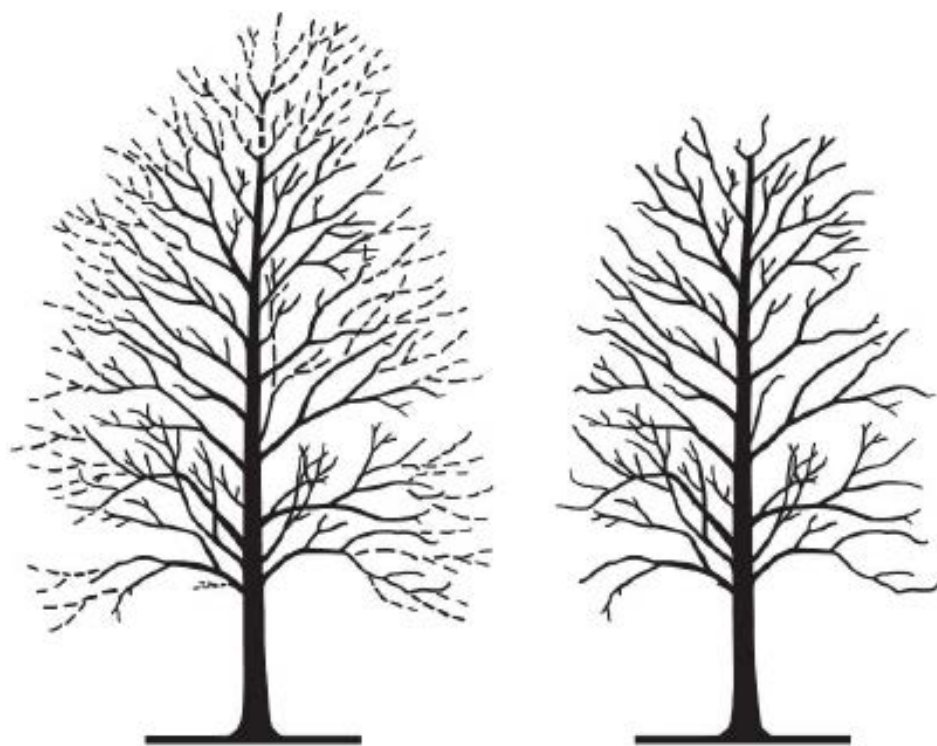


Figure 1 Crown lifting © BSI 2010

Key: 1 – Clearance to be specified by the removal of either main branches (A) or secondary branches (B).

- Crown Reduction – pruning to achieve an overall reduction in tree size, although maintaining a strong framework of healthy small-diameter branches and twigs (refer to Figure 2). Any crown reduction will be specific to the end result, specified by tree height and branch spread. Annotated photos will be used where considered appropriate under the specific circumstances, to clearly represent the desired end result. This type of pruning is often appropriate to maintain health and longevity, protect people or property, prevent interference with infrastructure and to manage light and shade.



All pruning work to council trees will usually be carried out by the in-house operations service tree team. Arrangements will be made for a reputable third-party organisation to carry out any pruning operations that are considered to be outside the capabilities of the council's tree team. All pruning works shall be carried out in accordance with the current BS 3998:2010 Tree Work – Recommendations and any subsequent updates.

Figure 2 Crown Reduction © BSI 2010

Before and after crown reduction, showing material removed.



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