

Dronfield Town Council

Tree Policy (November 2017)

1. Introduction

1.1 The Dronfield Town Council Tree Policy sets out a proactive method of management that will both conserve and enhance Dronfield's tree population and the amenity value of its land.

1.2 This policy is intended to provide a guideline for the management of trees in Dronfield Town Council owned locations. It is not exhaustive and is subject to change. The policy will be reviewed on a regular basis by the Properties Committee and proposed amendments will be submitted to the Town Council for approval.

2. The value of trees

2.1 Trees are essential to life and have many positive impacts on many aspects of our lives and on the environment, including:

- Contributing to and improving the amenity value and appearance of our town, contributing to residents' quality of life and sense of well-being
- Reducing air pollution and releasing oxygen for us to breathe
- Reducing wind speed
- Providing shelter and a haven for all sorts of wildlife, including birds, bats and insects
- Reducing noise levels
- Providing shade
- Reducing flooding.

2.2 Dronfield Town Council acknowledges the importance of maintaining a healthy tree population that is appropriate to the character of all Council-owned land and will allocate sufficient resources to ensure that it is able to manage the trees that it owns.

3. Policy sections:

- (i) Risk zones
- (ii) Frequency and method of inspection
- (iii) When tree maintenance will be undertaken
- (iv) When tree maintenance will not be undertaken
- (v) Claims for subsidence and damage
- (vi) Tree Preservation Orders, Conservation Areas and the management of ancient trees
- (vii) Further information/resources

(i) Risk zones

| ZONE | RISK LEVEL | DESCRIPTION | AREAS INCLUDED |
|-------------|-------------------|---|--|
| Zone 1 | High | High use areas including intensively used footpaths, bridle paths, car parks, sports clubs and areas adjacent to public highway | <ul style="list-style-type: none"> • Cliffe Park • Sindelfingen Park • Dronfield Cemetery • Lea Brook Valley |
| Zone 2 | Medium | Lesser used footpaths/bridle paths, general recreation/common land areas, allotments | <ul style="list-style-type: none"> • Gomersal Lane Allotments • Coal Aston Allotments • Jubilee Park • Birches Fold Park • Stonelow Playing Field • Coal Aston Playing Fields • Hilltop Recreation Area |
| Zone 3 | Low | Areas in which there are no formal public footpaths, densely wooded areas | <ul style="list-style-type: none"> • Quoit Green |

(ii) Frequency and method of inspection

| ZONE | FREQUENCY OF INSPECTION | METHOD | BY WHOM |
|-------------|--|--|---|
| Zone 1 | Annually and after winds in excess of 40 mph or heavy snow fall Note: To be pruned every 3 years | Visual inspection Formal health and safety survey | Town Council Officers* and Arboricultural consultant |
| Zone 2 | As required and after wind speeds in excess of 40 mph or heavy snow fall Note: To be pruned every 5 years | Visual inspection and/or formal health and safety survey | Town Council Officers in the first instance, and/or Arboricultural Consultant |
| Zone 3 | No routine inspection procedure/as required | | |

* Town Council Officers: Outside Services Manager or Outside Services Assistant. Each has attended Lantra Awards Basic Tree Survey and Inspection training, which are refreshed every 5 years.

(iii) When tree maintenance will be undertaken

Tree work will be prioritised and carried out on pre-planned basis and according to hazards and risks identified. After inspections and investigations we will produce a programme of works informed by our available budgets. The emphasis will be on planned, rather than reactive, tree maintenance.

The following categories will be used to categorise our tree works:

- **Emergency: Dangerous trees requiring immediate attention e.g. blown over, a large branch has snapped off, it is blocking access**

Timescale for works: Same day or next day wherever possible and within one week at latest

- **Category One: Essential works to mitigate hazard e.g it is dead/dying or small branches are falling off**

Target timescale for works: 1 to 3 months depending on risk and time of year

- **Category Two: Desirable works, e.g. to improve tree health, loosening/removing tree ties as the trees grow.**

Target timescale for works: Within 6 months of identification

- **Category Three: Non-essential works, e.g. thinning out, formative pruning**

Target timescale for works: Within 12 months of identification, where possible

Tree maintenance will be conducted by trained Council Officers, or by contractors, subject to the nature of the work.

All tree works will be conducted to comply with British Standard 3998 (1989): Recommendations for Tree Work.

Tree pruning will be carried out when deemed necessary following an inspection.

Pruning will be carried out:

- for Health and Safety reasons e.g. to remove some of the lower branches of a tree located near a road to enable traffic to pass safely
- where it benefits the health of the tree e.g. pollarding will be conducted regularly on species such as crack willow, where it extends the lifespan of the tree and prevents splitting
- where it is in-line with site-specific management plans e.g. to improve light levels.

There may be times when the tree maintenance we conduct does not meet the expectations of members of the public requesting works. There are circumstances when we will not undertake maintenance.

(iv) When tree maintenance will not be undertaken

A sample list of circumstances where Dronfield Town Council will not prune or fell trees can be seen below - this list is not exhaustive and will be reviewed regularly;

- Tree pruning or removal WILL NOT be undertaken in response to **natural occurrences that do not pose a health and safety risk**, such as falling leaves, fruit, flowers, pine cones or the build-up of algae on paths. Highway pavements badly affected by leaves or other tree debris can be reported to Derbyshire County Council Highways for clearance.
- Tree pruning or removal WILL NOT be undertaken where trees have a negative impact on television reception, where canopy is blocking light, or where the tree is blocking views from a residence. Property owners have a common law right to cut back overhanging branches as far as their boundary unless the tree is protected by a Tree Preservation Order or is in a Conservation Area.
- Tree works are generally planned to limit their impact on wildlife such as nesting birds (season runs from March to August although some birds may nest earlier or later than this), unless the work is for health and safety reasons. Contractors will always refer to BS3998.
- Tree work WILL NOT be conducted if a tree contains roosting bats (it is a criminal offence to recklessly or intentionally disturb bats, or to damage or destroy a roost). If work is required for health and safety reasons, the advice of the Bat Conservation Trust or Natural England will be sought.
- Trees will generally not be pruned where they are overhanging an adjacent property unless it poses a health and safety risk.

(v) Claims for subsidence and damage

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

- Physical damage
- Presence of live roots of a suitable species
- Seasonal movement or variation of the damage during different seasons

All claims regarding subsidence will be referred to the Council's Insurer along with a brief report detailing the age, type, and condition of the tree and any other factors that may be of importance to the claim. If evidence is insufficient any claim will be dismissed.

(vi) Tree Preservation Orders, trees in Conservation Areas and ancient trees

a) Tree Preservation Orders and Conservation Areas

Both Derbyshire County Council and North East Derbyshire District Council has duties and responsibilities under the Town and Country Planning Act, Government Regulations and Circulars to protect trees within its administrative area in the interest of amenity. These duties and responsibilities extend to making Tree Preservation Orders and to special provisions for trees within Conservation Areas.

The maximum fine for the wilful destruction of a TPO or Conservation Area tree is £20,000 per tree. Wilful damage carries the maximum fine of £2,000 per tree.

Many trees throughout Dronfield and the district as a whole are protected through individual Tree Preservation Orders (TPOs) or are sited within a conservation area.

Both the Town Council and individual property owners are obliged to seek permission from either Derbyshire County Council or North East Derbyshire District Council before undertaking tree works to any tree covered by a TPO or sited in a conservation area – depending on the exact location of the tree.

The County and District Council has up to eight weeks to determine applications for works to TPO trees. It has six weeks to determine a Conservation Area notification.

This includes the pruning of trees under a preservation order or in a conservation area that are over-hanging a property boundary.

b) Ancient Trees

There are currently no ancient trees or woodland sites registered in Dronfield or on Dronfield Town Council owned land. Should an ancient tree or ancient woodland be identified on Town Council-owned land, the Town Council will manage the tree accordingly, under professional guidance. It is anticipated that some trees on Town Council owned land could be identified and managed to become ancient trees of the future.

(vii) Further information/resources

a) Tree Preservation orders and Conservation Areas

If you are planning to fell or prune a tree in a Conservation Area you are required to give North East Derbyshire District Council six weeks' notice in writing of your intentions. The council may either decide to raise no objections to your proposals or, if it wishes to retain the trees or have strict control over any pruning works, a Tree Preservation Order may be made on the trees. If you have not heard anything within six weeks of the council receiving your notification, you may carry out the works. If you have any queries regarding this please call North East Derbyshire District Council on 01246 231111.

Both Derbyshire County Council and North East Derbyshire District Council are responsible for administering Tree Preservation Orders and you can find out more information about the status of trees in the district by visiting the Derbyshire County Council website by [clicking here](#) to use their Derbyshire Partnership Mapping Service.

b) Reporting trees causing problems on Highways

Contact Derbyshire County Council on 01629 533190 or [visit their website here](#) to report the problem online.

c) Managing trees on your property

Assessing whether a tree on your property is safe should be done by a qualified expert. This is not a service offered by the Town Council but details of tree contractors and consultants operating throughout the UK are available from the Arboricultural Association. Reliable and trustworthy tradespersons can also be found via the Derbyshire Trusted Trader website, a Government approved scheme.

Dronfield Town Council Contacts

For further information please contact townclerk@dronfield.gov.uk or telephone 01246 418573.