

Council Owned Tree Management Policies

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This policy is designed to be a policy framework for the management of trees owned and managed by the London Borough of Richmond. It sets out the guiding principles for managing our stock, to assist and influence our arboricultural management decisions, particularly in relation to pruning, planting and removal of street trees, parks trees and trees within publicly owned green space.

The policy is a living document that may be subject to change in close liaison with all the relevant stakeholders.

Objectives of the Policy

- (i) To interpret and implement the national, London-wide and borough legislation and policy frameworks on trees;
- (ii) To assist with the management of the existing and future tree resource through best technical practice for the multiple objectives of landscape, biodiversity, conservation, ecology, amenity, and physical environmental benefits;
- (iii) To guide residents, staff, and contractors on the sustainable management principles for Richmond's tree-stock.
- (iv) To recommend specific management objectives and regimes.

The value of trees in the urban environment

Trees enhance the quality of life in the urban environment, and form an integral part of its shape, colour and diversity. They are essential to our health and well being, not only in reducing some of the adverse impacts of the urban environment, but enhancing our enjoyment of the borough.

Health

In urban areas, trees help to modify the climate by providing shade from the sun, reducing wind speeds, and reducing the extremes of temperature. They are an important agent in reducing air pollutants, especially particulates. They absorb carbon dioxide from the air, as well as sulphur dioxide and nitrogen dioxide in the form of dust and smoke. Trees can also help screen harmful ultra-violet rays from the sun, and help to absorb noise.

Attractiveness

Trees form an important component of the urban landscape. They provide form, colour, texture and movement, changing with the seasons. Trees can be important local landmarks giving a sense of continuity and place. They help people orientate themselves and, in a well maintained location, can therefore decrease perceived risk and fear of crime

Local Economy

Trees enhance the character and appearance of areas, and have been shown to enhance property values (for example, the word Avenue or Grove heightens the appeal and value of areas as compared to Road or Street). They can help provide privacy, frame the appearance of buildings, and screen eyesores. This creates qualities which encourage businesses to locate and attract people to live, and can help to reinforce a sense of place. Rateable value and local reinvestment are therefore also affected

Ecology

Trees, particularly indigenous species, can provide valuable support to a range of wildlife. Trees can provide food, shelter, nesting and roosting sites, particularly for invertebrates, birds and bats.

Borough Wide Tree Management:

Duty of care

A principle of English Common and statute Law is that land / tree owners have a duty of care to visitors, residents, passers by and indeed trespassers when on their land.

Safe Highways

Under The Highways Act 1959, the London Borough of Richmond has a duty to maintain a safe highway, which may include pruning, or removing trees for the following reasons:

- (i) Obstruction by trees, i.e. low hanging branches
- (ii) Irreparable damage to highway trees by passing vehicles
- (iii) Dangerous trees near roads and footpaths.

Abatement of nuisance

Tree owners (such as local authorities), have an obligation under common law to abate nuisance. However, the law has struggled with a simple definition of nuisance. In summary, the definitions of nuisance would include:-

- (i) Dangerous trees or parts of trees.
- (ii) Actual damage to property, such as direct damage by branches or roots.

Routine Inspections of Trees

Every year thousands of council owned trees are inspected in detail, and recorded on our database. Any appropriate work is identified and instructions are given to our contractor. This routine pruning maintains the trees in safe condition and addresses many residents' concerns such as overhanging branches, controlling the growth and size of the tree, improving light to houses etc.

Pruning Requests

We receive many tree-pruning requests each week, for a variety of reasons. The following "problems", which are often the subject of such requests, are not considered a legal nuisance, and we therefore do not prune trees (beyond routine pruning) for any of these reasons:

- (i) Loss of light / reduced light to properties
- (ii) Effects on TV reception (either sky or terrestrial television)
- (iii) Obstruction of views
- (iv) Interference with private vegetation
- (v) Obstruction to CCTV Cameras
- (vi) Obstruction of BT / Utility Cables (these are the responsibility of the statutory undertaker)
- (vii) Minor obstruction of street lights.
- (iv) Minor or seasonal 'nuisances' such as:
 - o Honeydew (dripping sap)
 - o Bird droppings
 - o Squirrels gaining access to properties from trees.
 - o Leaf, fruit or flowers fall
 - o Smells generated by trees

Whilst we appreciate these problems, they are judged a relatively minor inconvenience when considering the many benefits of having trees within an urban environment.

Removal of Council owned Trees

The London Borough of Richmond upon Thames will not remove trees, unless one of the following reasons exists, or other exceptional circumstances (see below):

- (i) Trees that are considered dead, dying or dangerous. Trees deemed to be in this category, have been professionally assessed, based on a detailed inspection of the biological and / or mechanical condition of the tree(s)
 - o Dead Tree – Tree that has no, or minimal, live growth present within in the crown.
 - o Dying Tree – Tree that is in the process of irreversible decline.
 - o Dangerous Tree – Biological and / or mechanical defects are noted, and the likelihood of failure is deemed high.
- (ii) Removal of trees to benefit adjacent trees, for example self-sown trees in parks that are being suppressed by adjacent trees.
- (iii) Trees that are proven (beyond reasonable doubt) to be the sole cause of clay shrinkage subsidence.

Exceptional circumstances for individual trees will be reviewed individually by the Cabinet Member for the Environment, or the Director for the Environment Directorate.

Trees will therefore not be removed for the following reasons:

- (i) To increase light penetration to properties.
- (ii) To allow the implementation of new vehicular crossovers.
- (iii) To improve views.
- (iv) To alleviate any of the situations listed in the Pruning Requests section above.

Current Management

The current Highways maintenance regime has arisen from the need to maintain tree-stock in a routine manner, primarily according to health and safety requirements.

The Need for Regular Planned Maintenance

Although both the public and council officers often have a common desire to conserve the treescape, the need to regularly prune trees in order to safeguard their long-term health is not always widely understood. Although unsightly, cut branches can quickly rejuvenate and regular maintenance enables the retention of trees which are thought to be hazards due to their

proximity to property or roads or which would otherwise be lost due to storm damage.

There are considerable cost and aesthetic benefits to be gained from regular planned maintenance, which balances the desire to retain trees whilst restricting their size to appropriate proportions.

Management regimes are also structured to reflect the individual requirements of different streets and areas, depending on types of tree, property and highway usage.

Richmond has established a planned tree maintenance programme that has evolved over the years in response to tree enquiries.

Planned maintenance can pre-empt complaints and help to satisfy the majority of customer requirements for tree pruning. All streets with larger “forest type” trees have been placed on regular pruning rotation cycles. These regimes can then be adjusted to take into account shorter or longer cycles based on tree species, tree growth, number and type of enquiries, and to give priority to streets where the most serious tree problems are being experienced.

The adoption of a cyclical pruning programme;

- (i) Mitigates the cost of existing claims.
- (ii) Reduces the number of new claims.
- (iii) Allows claims to be contested on the grounds of reasonable care.
- (iv) Reduces the level of other tree problems e.g. light obstruction, obstruction of telephone wires, and so reduces the number of enquiries and complaints.
- (v) Improves efficiency through the more rational and effective use of officers and contractors leading to lower costs.

The pruning cycle should aim to maintain the tree between constant limits of size and these will be reviewed between cycles. All pruning cycles are subject to regular review.

Tree Planting

The London Borough of Richmond is committed to planting new trees, and strives to ensure that the visual amenity of the street scene in the borough is assured for future generations.

Over the past 4 years, the council has planted in excess of 2500 trees in streets, parks and public open spaces. The “Adopt a Tree” scheme, which was launched in 2005, has assisted with a highly encouraging survival rate of these new trees. This investment in trees, coupled with the success of the scheme, has led to an increased number of new planting requests from members of the public. This is highly encouraging, and highlights the environmentally aware and caring nature of the borough residents.

We maintain an up to date database of sites that we have identified as possibilities for new trees, and receive many additional requests on top of these each year.

July 31st of each year is the closing date for all planting requests, with the remainder being carried into the following season. Between the 1st of August and the 31st October, all of the potential sites for that year are inspected, assessing their suitability for new trees, considering factors such as services, sight lines, space for future growth etc...

Those sites that are deemed suitable for new trees are then prioritised in close liaison with the cabinet member for the Environment, with any remaining locations being carried over into future planting seasons. We are currently concentrating our efforts on the five areas of relative social deprivation in the borough. Unfortunately, not all suitable planting pits can be filled each season; we will however retain requests on our database with the plan of planting suitable sites in the near future.