Amenity Tree Management Policy

Stevenage
BOROUGH COUNCIL

Contents

1. Introduction

Within the context of this document amenity trees refers to trees that are planted in parks, open spaces, and along our streets and cycle networks; that is any tree that is on public land with the exception of woodland trees.

It has long been recognised that amenity trees are an essential landscape feature within our 21st century towns and cities, and Stevenage is no exception. The new town planners included for extensive tree planting to be undertaken as well as the retention of much of the existing farm woodland and hedgerow during the initial development of the town. Their foresight has been realised in the tree stock which we have inherited and enjoy today.

Trees positively contribute to our lives in many ways and just as it is us who are benefitting now, from the foresight of the original new town planners, so we must show our commitment to the future by continuing to plant new, and manage existing, trees for the benefit of future generations.

The overall aims of this policy are to ensure that trees are retained, managed, protected and planted in accordance with sound landscape and arboricultural practice, with due regard to their contribution to amenity and urban landscape for both current and future generations.

1.1 The Importance of Trees

Trees and woodlands make a significant contribution to every community, providing a wide range of benefits to local people, wildlife, the economy and climate change:

1.1.1 Environmental

- Trees help to mitigate the effects of climate change
- Trees improve air quality by acting as natural air filters removing dust, smoke and fumes from the atmosphere.
- Trees reduce the 'greenhouse' effect by taking up carbon dioxide from the air, using the carbon to build wood and releasing the oxygen.
- Trees are an effective sound barrier and can help to limit noise pollution.
- Trees, in urban areas, help to moderate the local climate: providing shade from sun in summer, shelter from rain, and reducing wind speeds.
- Tree canopies reduce rainstorm impact and provide a natural alternative to resource-heavy flood control systems that depend on hard engineering.
- Trees provide form, colour, texture and movement. They change with the seasons.
- Trees enhance the built environment by reinforcing local character, providing privacy to homes, and screening intrusive developments.
- By providing food and shelter for wildlife trees can help increase biodiversity and bring nature into the heart of our towns.

1.1.2 Health

- Most trees have a positive impact on the incidence of asthma, skin cancer and stress-related illness by filtering out polluted air, reducing smog formation, shading out solar radiation and by providing an attractive, calming setting for recreation.
- Patients in hospital rooms with a green view recover more quickly than those looking onto buildings, possibly because such views are soothing and invoke feelings of hope.
- Desk workers who can see nature from their desks experience 23% less time off sick and reported greater job satisfaction[1].
- The urban tree-scape improves public health, promotes relaxation and emotional well-being, and can thereby help to reduce healthcare costs.

1 Center for Urban Horticulture, 1998: Urban Nature Benefits: Pyscho-Social Dimensions of People and Plants [Kathy Wolf Ph.D]

1.1.3 Social

- Trees provide an attractive environment that encourages people to visit parks and open spaces for recreation, to take walks, or to use green cycle routes. This, in turn, encourages social interaction, physical activity and a positive frame of mind.
- Trees can reinforce local character, distinctiveness and identity of an area, and provide a ‘sense of place’.
- Tree lined streets can help to improve road safety by giving the impression of narrowing which encourages slower driving. Trees planted along roadsides also provide a buffer between pedestrians and cars.
- Involvement in tree planting and care can bring people together, building a stronger sense of ownership and develop civic pride.

1.1.4 Economic

- Trees can increase property values by 7-15%[2].
- As they grow larger, the lift that trees give to property values increases proportionately.
- Trees can also help to provide an environment that is conducive to economic growth and in attracting investment.
- Trees create a positive perception of a place for potential property buyers.

1.1.5 Climate Change

It is now clear that trees are a key element of any urban climate change strategy. One of the best ways of making our towns and cities more hospitable in the coming decades is to increase the number, and size, of trees in our urban areas. Trees help the response to the climate crises by capturing unavoidable emissions, improving air quality, absorbing pollutants, and helping to mitigate surface water flooding.

1.2 Why is an Amenity Tree Management Policy Required?

As Britain's first new town, Stevenage was designed with a great deal of emphasis on green space and its importance in helping to create a thriving community. Existing features such as hedgerows and lanes, woodlands and veteran trees were retained and used to create open space, wildlife corridors and an immediate sense of place and many of these features still exist today.

It is a sobering thought to realise that there are a number of trees throughout the new town that were growing before the car was invented. Whilst it is impossible to predict what form of transport will be in general use in another 100 years time, it is possible to predict that with safeguarding, good planning and care many of the trees we plant today could still be thriving.

The life span of many tree species is considerably greater than ours and consequently, without a coherent long term policy, our short term considerations are likely to adversely affect most of the trees within the town at some time during their life.

2 CABE, 2004: Does Money Grow on Trees [CABE]

2. The Legal Context

The Council has a dual role to play in tree issues. Firstly, as an owner it is responsible for managing its own tree stock, and has a legal obligation to maintain them to ensure safety of the public and to consider as part of that obligation any surrounding buildings.
Secondly, the Council has a regulatory role to ensure the preservation of trees that offer high public amenity value, and also to ensure the provision of adequate green infrastructure in new developments.

2.1 Ownership of Trees in Stevenage

A tree is considered to be owned by the party on whose land the trunk of the tree stands.

The public trees within Stevenage are owned by:

Stevenage Borough Council	50%, and
Hertfordshire County Council	50%, (currently maintained by Stevenage Borough Council on the County Council's behalf).

The County Council covers the cost of all tree works on their land, including planned maintenance, necessary felling and new tree planting.

3. Strategic Context

There are a wide range of agencies and national documents that provide strategic context to tree management across the country and, as such, influence provision within Stevenage including:

- Woodland Trust: Emergency Tree Plan for the UK (January 2020)
- Defra: Protecting and Enhancing England's Trees and Woodlands consultation (December 2018)
- Defra: Tree Resilience Strategy (May 2018)

This policy document complements the Hertfordshire County Council Highway Tree Strategy and Guidance Document, July 2020, and will be reviewed in line with the introduction of new county or national strategic documents.

Local policies and initiatives that support the provision and management of trees include:

- Emerging Parks & Open Spaces Strategy
- Stevenage Biodiversity Action Plan
- Planning Policy
- Climate Change Strategy
- Stevenage Parking Strategy

4. The Current Position

In 2000 it was estimated that there were around 40,000 amenity trees in Stevenage. Today there are around 32,500 amenity trees in the town. The area of tree canopy cover can be linked to the benefits provided by the trees. The tree canopy cover in Stevenage, including woodlands, (in 2016) was 17%. Tree canopy cover is 'the layer of leaves, branches and tree stems that cover the ground' (Treeconomics, 2017) when viewed from above.

One of the key recommendations from the Emergency Tree Plan for the UK (Woodland Trust, 2020) is to provide a minimum of 19% tree cover to support the UK being carbon neutral by 2050.

5. Policies

5.1 Amenity Tree Management

Around 50% of the town's present tree population is made up of Norway Maple (Acer platanoides). These trees have proven their worth by developing to provide a distinctive and attractive tree-scape of considerable value to the towns overall landscape. The continued retention of this species along the major highways is therefore recommended. However, when considering planting trees close to existing properties it may be appropriate to consider the use of different trees, more suited to their location.

Policy 1: The Council is committed to the retention of a high quality extensive amenity tree stock throughout the town. This will be achieved by regular planned tree surveys and a cyclical tree maintenance programme.
The towns trees were all planted in quick succession which has led, in common with the other post war new towns, to the amenity tree stock of Stevenage being largely even aged. While planting in this way was necessary in order to establish a large amenity tree resource quickly and easily, it does mean that attention is required to ensure that there is a better ratio of young to old trees in the future. A programme of replacement planting will gradually help to address the problems associated with an even aged tree population.

It will also enable the tree stock to be retained in a healthy and safe condition for the benefit of the town's inhabitants and not leave future generations with a large stock of over mature trees with their associated dangers.

The former farmland trees and highway hedges retained during the building of the town are small in number but have an importance beyond their numbers. Their retention should always be sought where possible. For safety reasons extensive crown reduction and pruning is likely to become necessary and to this end regular inspection and a subsequent work schedule is recommended.

Policy 2: The Council is committed to managing its trees to ensure that the risk associated with the amenity tree stock is managed to be as low as reasonably practicable. Risk will be minimised through timely inspections and appropriate maintenance regimes.
The requirement for regular tree inspections comes from an obligation under the Occupiers Liability Acts 1957 and 1984. Inspections are a useful management tool to identify potential hazards, reduce the risk of tree related damage, improve the quality of tree stock, and provide information to enable good decision making.

But it should be noted that no tree can be guaranteed to be safe[3]

The tree officer will arrange a survey of all Council tree stock every three years. If there is a higher risk of trees causing damage or harm, the tree officer should arrange for more regular, scheduled inspections which are recorded. The timing and frequency of inspections will depend on the age, species, size and condition of the trees, and the use of the land in which they are growing.

Inspection types vary and may include a basic visual tree assessment; an assessment of high risk target areas, such as town centres, where people and assets come into contact with trees; internal decay detection.

Policy 3: The Council will use its powers to make, and enforce, a Tree Preservation Order where it is expedient in the interests of amenity to make provision for the preservation of trees.
As the Local Planning Authority the Council has powers under provisions in the 1990 Town and Country Planning Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012, to make Tree Preservation Orders in order to protect to protect specific trees, groups of trees or woodlands in the interests of amenity.

The Council can either initiate this process themselves or in response to a request made by any other party.

The law requires that written consent must be given by the Local Planning Authority (the Council) before any work to a protected tree is undertaken.

3 National Tree Safety Group, 2011: Common Sense Risk Management of Trees

5.2 Routine Tree Maintenance Programme

A planned and cyclical programme of maintenance to the tree stock enables the Council to respond efficiently to any statutory works, and any other tree works identified as necessary, to provide the town's present, and future, residents with a well-managed, safe and attractive, amenity street tree resource.

Policy 4: Tree maintenance works will be considered against the criteria set out below.

The Council is under no obligation to undertake tree works for any of the following reasons:

- Loss of light and/or reduced light to properties
- Effects on TV or mobile phone reception
- Obstruction of views
- Interference with private vegetation
- Obstruction of utility cables – these are the responsibility of the statutory provider, or cable owner.
- Minor or seasonal issues such as:
  - Honeydew (dripping sap)
  - Bird droppings
  - Squirrels gaining access to properties from trees
  - Leaf, fruit or flower fall
  - Smells generated by trees

Tree related enquiries will be assessed, by a qualified tree officer, against the level of perceived risk, each individual tree poses against the following criteria to determine whether or not intervention will be required:

- dangerous or unstable trees / branches likely to cause injury to a person(s)
- trees causing, or likely to cause, damage to property – see Policy 16
- trees obstructing the highway or footpaths
- trees obstructing streetlights and/or CCTV cameras
- other risk related works

Policy 5: The Council will encourage the highest standards of tree care and management by working in accordance with the latest guidance, and adopting best practice.

All requests relating to the planting, maintenance or felling of any tree on Council land in Stevenage will be submitted to Stevenage Direct Services for their consideration.

The Council ensures that it employs suitably qualified members of staff and / or contractors to ensure that the town's tree stock will be adequately managed and maintained.

Policy 6: The Council will take appropriate enforcement action in any instances of unauthorised works to Council trees, or arisings (including, but not exclusive to prunings and woodchips) from authorised works being fly-tipped on Council land.

Property owners are legally entitled to make private arrangements or organise the cutting back of any branches overhanging their property as long as the tree is not subject to a tree preservation order, and they dispose of the cuttings properly. The cutting back should only be as far as the fence or boundary line. Cuttings which are left on Council property will be considered as fly tipping and will be subject to appropriate enforcement action.

Undertaking other works to Council trees without the necessary permissions may constitute criminal damage. Any instances will be considered on a case by case basis and may be subject to legal action or financial charge to the responsible party for the damage caused and remedial works required to the tree as a result of the damage.

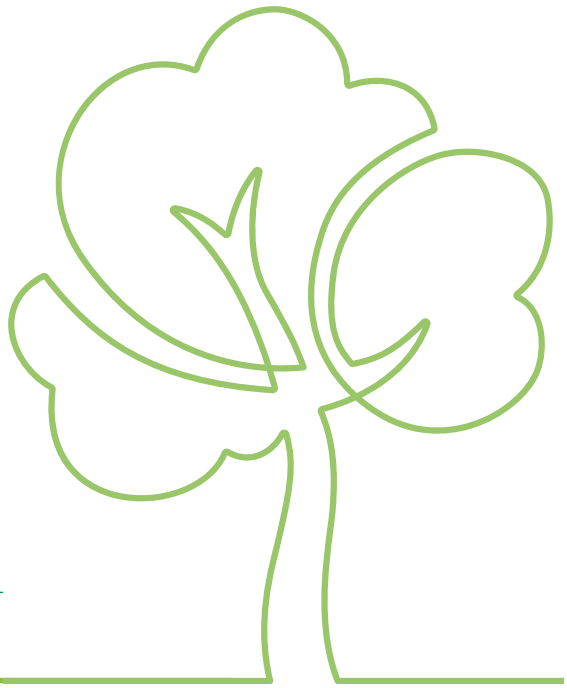
Policy 7: The Council will seek compensation from any resident or external organisation responsible for significant damage to, or removal of, any Council owned tree(s) to the value as calculated by CAVAT.

Valuing amenity trees is important for calculating loss of amenity and replacement value following wilful or negligent damage. The Council will utilise the Capital Asset Valuation of Amenity Trees (CAVAT) approach, developed by Chris Neilan and the London Tree Officers Association (LTOA) in 2008, which 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 is designed not only to be a strategic tool and aid to decision-making in relation to the tree stock as a whole, but also to be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms.

Policy 8: The Council maintains a presumption that all trees will be retained. However requests for tree felling, for trees that meet one or more of the criteria below, will be considered.

Trees give a sense of place and their removal should not be done lightly. It is only when a tree reaches and lives through a mature stage that the return on the investment made to plant and care for that tree is realised. Depending on species, it takes between 15 and 40 years for a tree to grow a sufficiently large canopy to deliver meaningful aesthetic, air pollution removal, rainwater management and other benefits. From a nature conservation perspective, the older a tree is the richer its wildlife. As a result, even when the planting of a new tree compensates for the felling of an older one, a significant loss is incurred.

Trees that are in an appropriate location, are healthy, strong and of a good form, and are not considered a potential danger to life or property should be retained. Consideration should also be given to retaining over mature or dead trees within parks where it is safe to do so, as these trees provide valuable wildlife habitats for bats, birds and invertebrates. Nesting birds and bats are protected by law[4] and cannot be disturbed, other than in a few notable exceptions including, but not exclusive to, preserving public health.



The removal of a tree will be considered if it:

- is considered dead;
- is considered dying or dangerous and cannot be practically managed in any other way;
- will benefit the development of adjacent trees;

4 Wildlife & Countryside Act 1981

- is proven, beyond reasonable doubt, to be the cause of clay shrinkage subsidence (Policy 17);
- has caused damage to, or is likely to cause damage to, adjacent structures where pruning is not an option;
- is a species which it is known will ultimately outgrow its location and in doing so unreasonably restrict the use of the area;
- stands in the way of essential development work such as road improvements, or corporate priorities such as residential development.

5.3 Tree Planting, Establishment and Design

The urban environment is often a difficult one in which to successfully establish trees. The demands for the space which the tree will inhabit are many (parking, housing, and people for example), and these will often have a detrimental effect on the health of the trees at some time during its life.

Policy 9: The Council aspires to maintaining the town's tree cover at present levels, as a minimum. Annual replacement planting of all trees will need to be undertaken in sufficient numbers to achieve this goal.
Stevenage, with its wide grass verges and well maintained open spaces, offers a better environment than most towns, but even here it is estimated that less than 50% of newly planted trees will survive to maturity.

It therefore follows that, in order to achieve a similar level of tree cover across the town in the future, planting one new tree to replace a tree that has been removed will not be sufficient. The Woodland Trust advises that the minimum replacement planting ratios as being at least three new trees should be planted for every non-woodland tree that is removed (Emergency Tree Plan for the UK, January 2020).

Policy 10: The location and species choice of all newly planted trees will be carefully assessed against a range of criteria and in accordance with the current guidance, and best practice, in order to minimise conflict with residents and their property.
Most of the towns housing stock is founded on clay subsoil. The shrinkable nature of this subsoil ranges widely across the town from low to highly shrinkable. The location of any new tree planting must take account of this by adopting the recommendations of current standards.

Factors for identifying appropriate tree species, and suitable locations, will include:

- Function – the desired benefit(s) from the tree
- Character – the historic and landscape character of the area

- Diversity – the characteristics and profile of the wider tree population
- Design – the scale, balance, impact, texture and colour expected from the tree
- Site Constraints – including soil types, available space both above and below ground level, potential nuisance (pollens, blocking light to habitable rooms, sightlines for CCTV, street lighting), risk of damage to structures
- Support Capacity – the community's aspirations as well as the long-term management and maintenance capacity.

The shading of properties can be particularly annoying to residents and care should be taken with the location of a new tree and its possible shading effect on habitable rooms and rear gardens. Other issues that generate concerns for residents are:

- Excessive leaf and fruit litter
- Bird, insect, squirrel, nuisance
- Interference with TV reception
- Conflict with essential services and street furniture
- Potential for subsidence

The benefits that trees bring to urban areas are proportionate to their size – in general large, mature trees bring more benefits than smaller ones. However, environmental benefits of trees must be balanced against the potential for nuisance that may be caused to local residents.

Stevenage is fortunate in having a large number of parks, open spaces and verges in which large growing tree species can be established and this opportunity should be exploited wherever possible.

Policy 11: The Council will require any new tree planting within, or adjacent to, hard surfaced areas to incorporate appropriate measures to provide a suitable growing environment for the tree whilst still providing a suitably engineered construction.

The largely impervious surface cover and the highly compacted soils make spaces such as streets, car parks and commercial areas difficult places for trees to establish and flourish. Soils under hard surface areas are compacted to meet load-bearing requirements and engineering standards. This will often stop roots from growing, causing them to be contained within a very small useable volume of soil without adequate water, nutrients or oxygen. In turn this will lead to trees growing

poorly and dying prematurely. Trees that do survive will often interfere with the integrity of the surfacing around it.

A range of construction measures are now available which meet the load-bearing requirement for a structurally sound hard surface installation while also enhancing the amount of rooting space for trees, and encouraging root growth away from the footpath or hard surface.

Policy 12: The use of locally native tree species is to be encouraged, although it is recognised that a combination of native and non-native species will be important to the town's tree-scape.
The use of native tree species are usually best suited to the local environmental conditions, and will provide the most benefit to local native wildlife. Native trees will also provide a visual link to the land surrounding the town and greater integration between the landscape of the town and countryside. However, it is recognised that (a) climate change may impact on the future species choice, (b) there is a need for some diversity in the aesthetics of the landscape, and (c) enhancing ecological resistance to diseases requires a highly diverse local tree population.

5.4 Trees & the Community

As much of the tree stock in Stevenage is publicly owned it may seem to residents that they have little or no ownership of it. However, community involvement in our green spaces can generate a sense of ownership for local residents in their local environment. It can also engender a sense of pride in ourselves, each other and our town.

The Council is proud of its history of successful community engagement. With regards trees we engage with local communities through Co-operative Neighbourhoods, lead Green Space Volunteers, support local businesses, community groups and schools in tree related activity, providing advice to schools as requested, and notifying residents of significant planned developments in their local area.

Policy 13: Local residents will be advised about any significant planned tree works, within their local area, in accordance with current guidance and best practice.
Trees give a sense of place and their planting and ultimate removal should not be undertaken lightly. The involvement of local residents in the management and provision of their local tree stock should be recognised as something which will help people identify with, and value, their local environment and community. Although when responding to the need for emergency tree works it may not always be possible to notify local residents in advance.

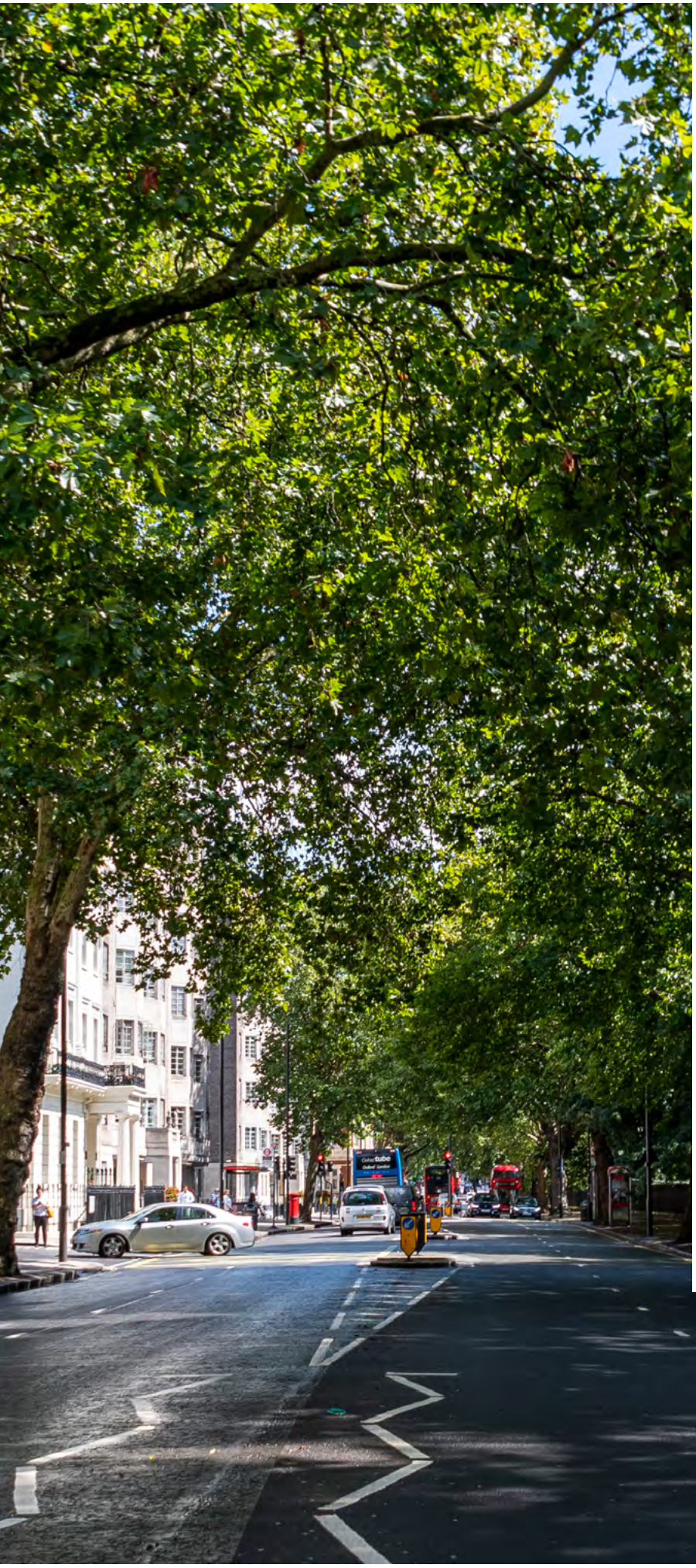
Policy 14: The Council will support and encourage the development of volunteer activities associated with the town's tree-scape.
The Council delivers the "Green Space Volunteer" initiative in Stevenage. The initiative encourages and enables people to play an active role in conserving and enhancing their local green spaces.

Volunteers are offered opportunities to get involved in a range of activities including woodland management, habitat creation, and pond improvements. Volunteers may also assist with tree planting and reporting information about their local trees.

Policy 15: The Council will support and encourage young people, schools and young peoples' organisations in the development of the town's tree-scape.
With climate change being such an important subject there has probably never been a more important time for young people to be aware of, and involved in, their local environment. As the decision makers of tomorrow they need to understand how changes in the environment, even at a very local level, may affect them and how they can help to become involved in the issues and decisions that will ultimately affect them.

The involvement of Stevenage's young people in the management of their local natural environment will be something that they can take pride in for years to come as they see their projects prosper and develop.

Policy 16: Opportunities for local residents, business and community groups to sponsor new tree planting and subsequent maintenance will be developed to encourage community pride in the local environment.
Encouraging residents to develop a sense of ownership can result in them appreciating the benefits of their local trees, and taking some pride in the continued good health of their local tree-scape. One way to achieve this may be to offer opportunities for the local community to contribute to their local tree-scape in partnership with the Council.



5.5 Trees and Buildings

Trees are large, they inhabit space both above and below ground, and can be easily damaged by ground works within influencing distance. Trees are increasingly the subject of litigation over claims of subsidence and damage to buildings. However, the incidence of subsidence in urban areas that is caused by trees is far lower than assumed.

Subsidence occurs on highly shrinkable clay soils. It is caused when the soil supporting some or all of a building dries out and consequently shrinks, which results in part of a building moving downwards. Trees, like all plants, lose water from the leaves through transpiration, but they are usually able to balance this loss by taking water from the soil by the roots. However, if a tree takes more water from the soil than is replaced by rainfall the soil will gradually dry out.

'Heave' is the opposite of subsidence. It occurs when shrinkable clay soil re-hydrates and begins to increase in volume, which results in part of a building being pushed upwards. Heave can also cause damage to buildings and is just as undesirable as subsidence.

Policy 17: Where a Council owned tree is alleged to be causing damage to a building, the Council will normally agree to, or permit, the removal of, or works to, the tree if sufficient evidence is provided to demonstrate that the tree is the primary cause.

If the tree is protected by a Tree Preservation Order, or is within a Conservation Area, advice should be sought from the Assistant Director – Planning & Regulation.

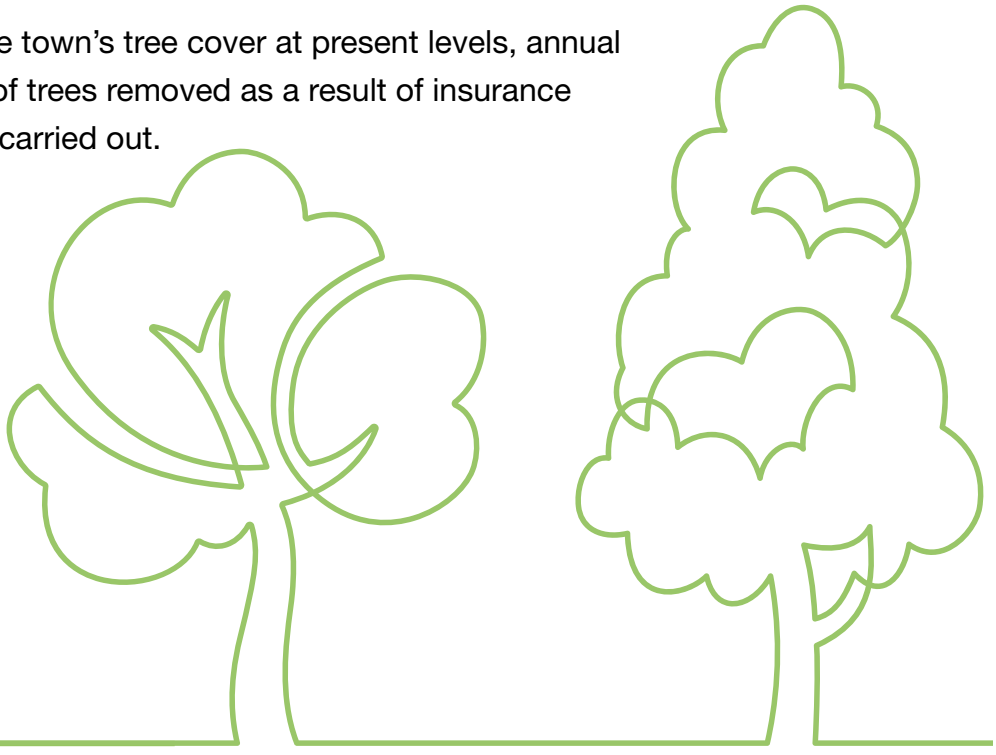
To prove that it is the tree that is the primary cause of subsidence, or heave, the Council's tree officer will be provided with a technical report, from a suitably qualified and competent party, which includes evidence, taken over at least six months, of seasonal movement to the property. This evidence is required for claims relating to private property and Council buildings / assets.

The cost of claims for damage to private property as a result of Council managed trees over the past ten years has been considerable. However, this is heavily influenced by the weather during the previous year, and the effect that this has on both the tree and the surrounding soils.

Policy 18: The location and species choice of all newly planted trees will be undertaken to enhance the local area, and will take account of factors set out in 5.3.

Without sufficient foresight and adequate design, trees can and will cause damage to the built environment. This can occur through the action of their roots on the shrinkable clay subsoil found throughout the Stevenage area, through direct pressure by root branch and stem growth, and through the movement of the tree during high winds.

In order to maintain the town's tree cover at present levels, annual replacement planting of trees removed as a result of insurance claims will need to be carried out.



5.6 Trees & New Developments

The retention of suitable established landscape features, such as trees and hedgerows, and / or provision of new tree planting within a new development can create attractive open spaces, wildlife corridors and an immediate sense of place.

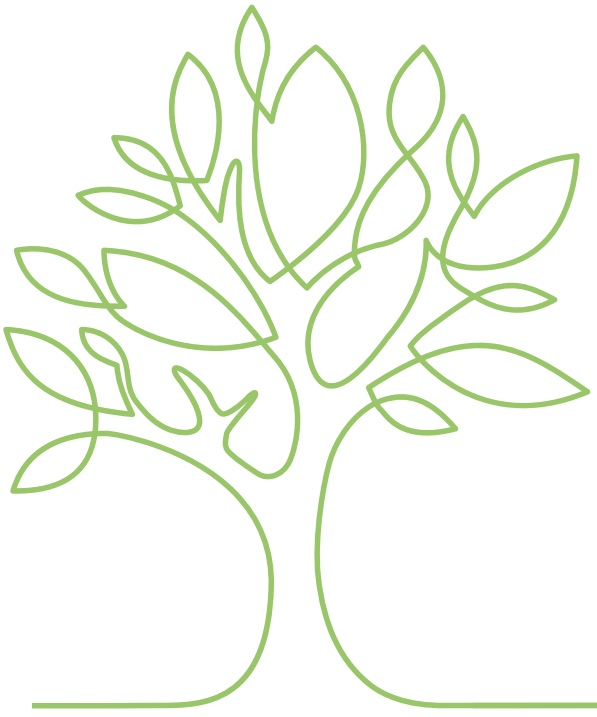
With the demand for greater numbers of housing (including affordable housing), both locally and nationally, there is pressure for residential development to deliver housing growth. If not managed correctly, this can be to the detriment of tree planting, which brings benefits to any new development, as described in 1.1.

Policy 19: Current British Standard guidance will form the basis of actions required to protect existing trees during periods of new, remedial or maintenance works to the built environment.

The Council recognises the benefits of an established and mature tree-scape and is therefore committed to improving the way that tree issues are considered in relation to applications for new development.

All new development proposals will be expected to take account of such trees and conform to the latest advice and recommendation on the development design, layout and construction. During the consultation process particular attention will be made to ensure that the proposal takes full account of the advice and recommendations made in the current British Standard guidance, including:

- BS5837 Trees in Relation to Construction
- BS3998 – Recommendations for Tree Work
- National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees



Policy 20: The Council, working with partners, will ensure that appropriate new tree planting is fully incorporated within the design of the proposed new building(s) or highway related structure(s) at the outset.

It is important to create places that facilitate the co-existence of trees and structures. Trees can easily outlive most of the hard components found around them, such as benches, lamp posts, paving materials and even some buildings. Therefore consideration must be given to the needs of existing trees when planning and carrying out any new, remedial and/or maintenance works in the built environment.

Policy 21: All new developments will support new tree planting, either directly or through planning contributions, equivalent to a minimum 20% tree canopy cover at maturity as set out below.

Development size	Minimum Tree Canopy Cover Contribution Requirement
1 - 3 dwellings	20% Off-site contribution will be considered if on-site contribution is determined to be unachievable.
4 - 10 dwellings	20% Up to 50% of this contribution may be considered for delivery off-site, but must fall within the Stevenage borough boundary.
11 – 30 dwellings	20% 100% of this contribution must be on-site.
31 - 50	30 % Up to 50% of this contribution may be considered for delivery off-site, but must fall within the Stevenage borough boundary.
51+ dwellings	30% 100% of this contribution must be on-site.

Policy 22: Developers will be required to demonstrate that proposed new builds will incorporate the use of deeper, engineered foundations, as necessary to take account of the geology of the local area.
Building foundations require special attention to ensure that trees and buildings can co-exist without damage to either element of the street scene. This is of particular importance in areas of shrinkable clay soil where there is risk of subsidence, such as in Stevenage.

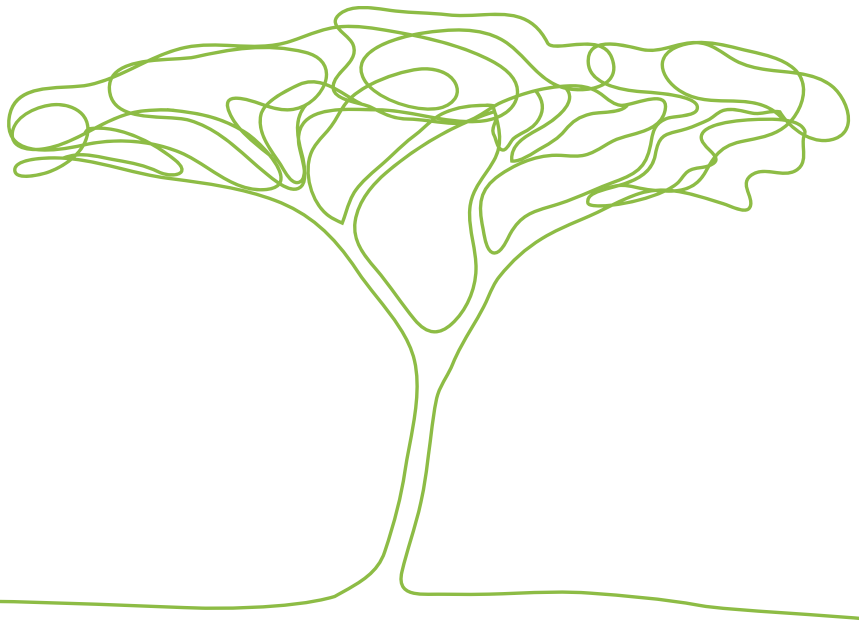
5.7 Dangerous Trees in Private Ownership

Policy 23: The Council will not be responsible for undertaking works to a privately owned tree except for exercising its legal powers under the Local Government (Miscellaneous Provisions) Act 1976.
Trees in private ownership are the responsibility of the owner and the Council will not be involved in their management except where it has a statutory obligation to do so. The Council will give advice on suitable tree work, contractors and consultants as requested.

The Council has discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976 to give notice to the owner of a tree, deemed imminently dangerous, to take remedial actions. Where the specified safety works are not carried out, the Council may enter the land, carry out the works and reclaim any reasonable costs incurred from the land owner.

The Local Government (Miscellaneous Provisions) Act 1976 does not enable the Council to become involved with private trees causing a nuisance to a neighbouring property by causing shade, blocking views or dropping leaves, flowers or fruit etc. unless the trees are imminently dangerous.

Under Section 154 of the Highways Act 1980 Hertfordshire County Council has discretionary powers to serve notice on the owners or occupiers of the land where shrubs, trees or hedges overhang, obstruct or are considered to pose a threat to the safety of users of the highway.



5.8 Environmental Responsibilities

Policy 24: The procurement of all trees for planting on Council land will be UK sourced and grown.
The biggest risk to biosecurity in the UK comes from the importing of trees and plants from elsewhere. Pests and diseases such as “Oak Processionary Moth” and “Ash Die-back” are associated with imported trees.

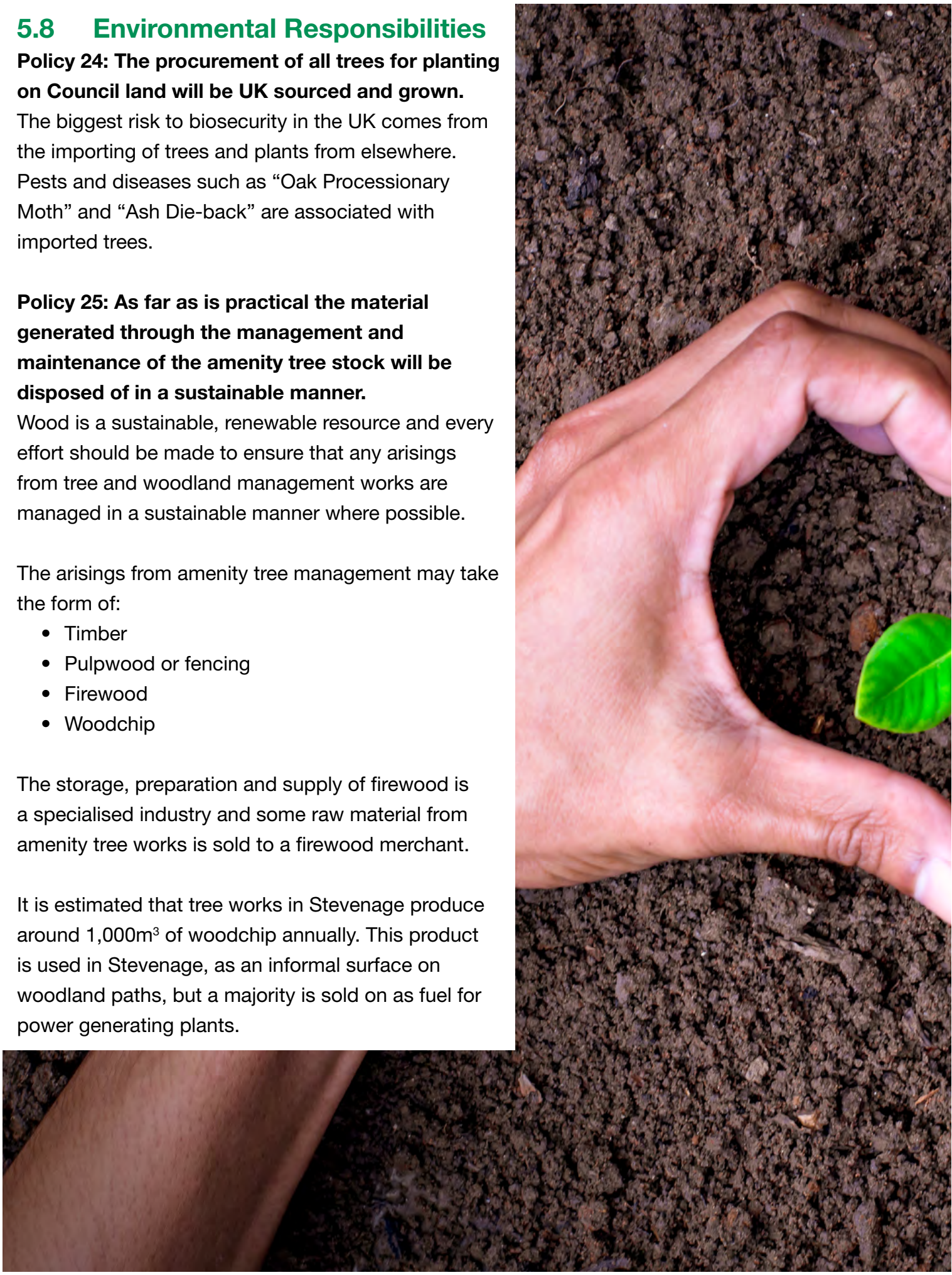
Policy 25: As far as is practical the material generated through the management and maintenance of the amenity tree stock will be disposed of in a sustainable manner.
Wood is a sustainable, renewable resource and every effort should be made to ensure that any arisings from tree and woodland management works are managed in a sustainable manner where possible.

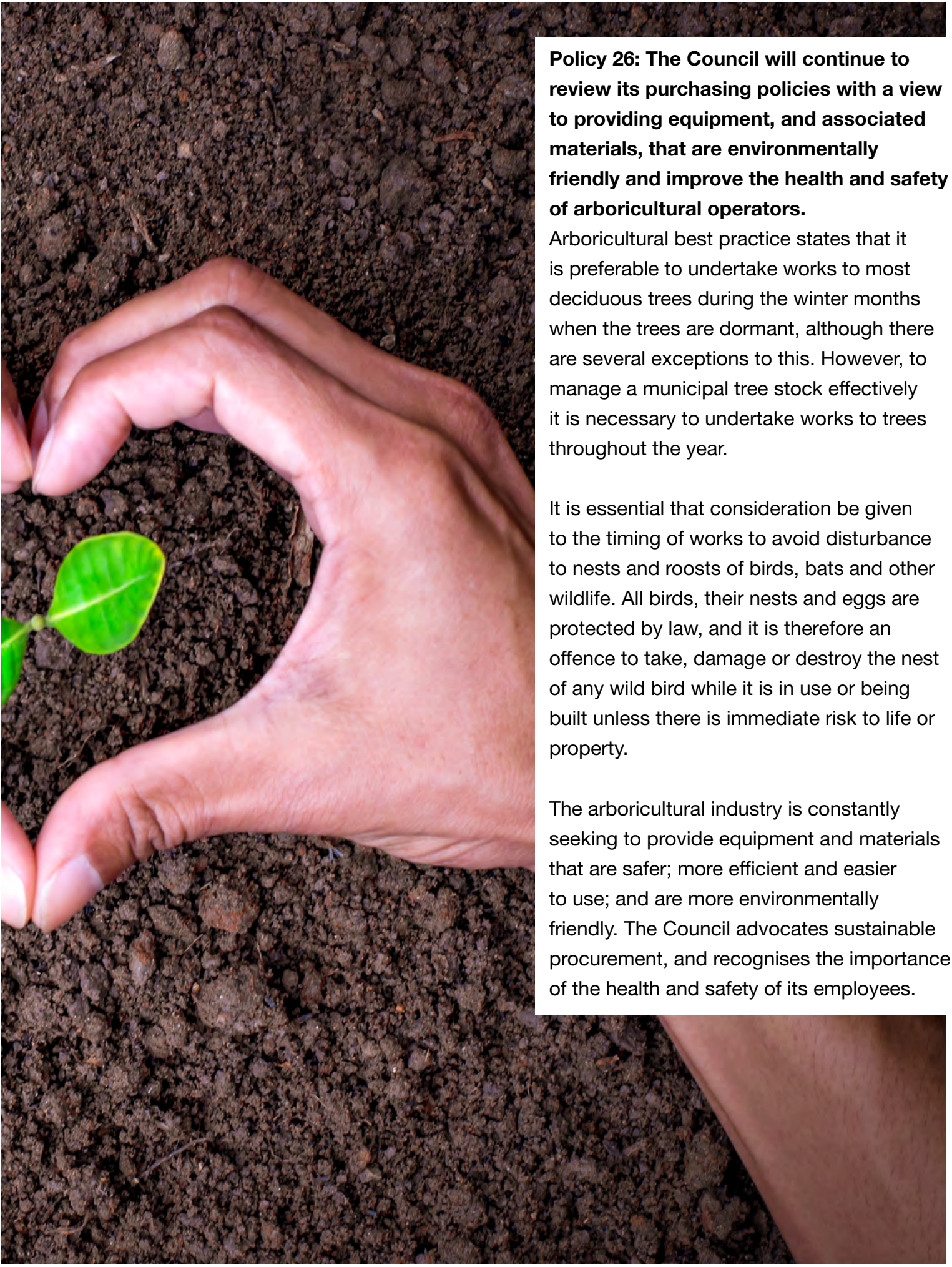
The arisings from amenity tree management may take the form of:

- Timber
- Pulpwood or fencing
- Firewood
- Woodchip

The storage, preparation and supply of firewood is a specialised industry and some raw material from amenity tree works is sold to a firewood merchant.

It is estimated that tree works in Stevenage produce around 1,000m^3 of woodchip annually. This product is used in Stevenage, as an informal surface on woodland paths, but a majority is sold on as fuel for power generating plants.





Policy 26: The Council will continue to review its purchasing policies with a view to providing equipment, and associated materials, that are environmentally friendly and improve the health and safety of arboricultural operators.

Arboricultural best practice states that it is preferable to undertake works to most deciduous trees during the winter months when the trees are dormant, although there are several exceptions to this. However, to manage a municipal tree stock effectively it is necessary to undertake works to trees throughout the year.

It is essential that consideration be given to the timing of works to avoid disturbance to nests and roosts of birds, bats and other wildlife. All birds, their nests and eggs are protected by law, and it is therefore an offence to take, damage or destroy the nest of any wild bird while it is in use or being built unless there is immediate risk to life or property.

The arboricultural industry is constantly seeking to provide equipment and materials that are safer; more efficient and easier to use; and are more environmentally friendly. The Council advocates sustainable procurement, and recognises the importance of the health and safety of its employees.