



DACORUM BOROUGH COUNCIL



ENVIRONMENTAL SERVICES TREES AND WOODLANDS POLICY SUMMARY 2020 - 2025

This Policy Summary document is designed to quickly address any questions or enquiries raised about trees within Dacorum Borough Council ownership or management.

The full Trees & Woodlands 2020 – 2025 Policy document can be viewed on the Council's website (dacorum.gov.uk).

Listed below are the Council's Trees & Woodlands Policies, followed by responses to common tree issues / enquiries.

Document Control

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Final		LJ	02.02.21
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Summary of Trees and Woodlands Policies

Policy 1 The Council will value our heritage of trees, both those retained from past agricultural land use and those planted as part of our townscapes.

Policy 2 The Council will, wherever possible, retain and enhance tree cover within the Dacorum Borough landscape.

Policy 3 The Council will undertake and record routine tree inspections, to the tree stock for which it has a responsibility.

Policy 4 The Council will undertake such works as considered necessary to maintain public safety within areas of public access.

Policy 5 The Council will endeavour to take action in response to residents' concerns about trees, however, felling or pruning work will be determined by:

- Good practice as defined by BS 3998: 2010 – 'Tree work – Recommendations'
- Available Funding
- The Council's system of prioritising work
- Existing site management plans

Policy 6 Where major programmed works are proposed the Council will provide information to local residents.

Policy 7 Management of Borough woodlands will be undertaken to achieve the following objectives: public safety and access, and nature conservation.

Policy 8 On land for which it has responsibility, the Council will, where able, plant a new tree to replace one that has been lost.

Policy 9 In order to provide residents with excellent value, the Council will procure the highest quality of tree work services at the most competitive rates.

Policy 10 On land for which it has responsibility, the Council will identify ancient trees and undertake any work needed to retain or restore their historic, aesthetic and conservation value.

Policy 11 The council will seek compensation from any person or organisation responsible for significant damage to or removal of any council owned or managed tree(s) to the full value as calculated by CAVAT.

Common Tree Issues / Enquiries

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1. Tree Inspections

All tree inspections are recorded on the Council's tree management database. Trees are inspected on a frequency of between 1 and 3 years depending on the risk rating given to each tree.

Private trees

The Council will not inspect trees within private management.

Housing trees

The Council will inspect trees in communal Housing areas in accordance with its policies.

The Council is undertaking a feasibility study for the potential inclusion of a separate tree survey for DBC tenants living in properties with their own gardens. Further information about this will be included within this policy summary upon completion of the study.

Woodlands

Woodland tree safety management is a critical element of visitor safety. The Council has categorised all woodlands into a hierarchy of usage zones, forming the basis of risk mitigation woodland work programmes. High risk zones are inspected every 2 years, medium risk zones every 3 years and low risk zones every 5 years.

2. Tree enquiries

The Council will inspect a publically-managed tree with regard to the issues raised. However, the demand for tree work is greater than available funding, therefore the Council can only commit to undertaking pruning or felling that addresses a significant public safety concern or a property damage claim.

The Council commissions tree work in accordance with its commissioning and procurement strategy in obtaining value for money.

3. Tree work priorities

Tree work will be prioritised as follows;

- A - Failure to act to a foreseeable problem which places life in danger or risk of significant injury
- B - Failure to act to a foreseeable problem which puts property at risk (loaded structures, building subsidence/heave)
- C - Failure to act to a foreseeable problem which puts property at risk (fences, roofs, other unloaded structures)
- D - Community concern
- E - Large tree causing inconvenience
- F - Small tree causing inconvenience

4. Property damage

If you believe that your property has been damaged by a tree belonging to the Council and you wish to make a claim, please contact the Insurance & Risk Manager, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN / insurance@dacorum.gov.uk.

You or your appointed agent must obtain quotations for repair to the damage you feel has occurred. The claimant must demonstrate that the Council has been negligent in order for liability to be accepted.

Where subsidence damage to private property is proven, the Council will consider the cost of necessary repairs against the public amenity value of the relevant tree(s), represented by their replacement (CAVAT) value. Where CAVAT value is high in relation to property repair costs, tree retention solutions will be explored.

5. Tree damage and CAVAT

The Council has adopted CAVAT (Capital Asset Value for Amenity Trees) which expresses tree replacement value in monetary terms. Where Council-owned or managed trees are damaged or destroyed by individuals or organisations, the Council will seek compensation from them to the full value as calculated by CAVAT.

6. Dangerous trees

In the event of a tree being in a dangerous condition, whereby it could cause death or serious injury to somebody in a nearby garden, park or road, contact the Council for advice.

While the Council is unlikely to have any lawful interest in a privately-owned tree, it may wish to investigate the matter in the interests of public safety.

Trees on private land at all times are the responsibility of the property owner. Owners have a duty of care to others and are strongly recommended to have mature trees regularly inspected and to be in receipt of a written report by a competent tree consultant or contractor.

7. Pruning privately-owned trees

To check whether Council permission is required prior to pruning a tree, please enquire via telephone (01442 228000) or web form (www.dacorum.gov.uk/home/do-it-online). Please contact the Arboricultural Association for further advice about approved tree consultants and contractors: www.trees.org.uk / 01242 522152.

If you are intending to engage the services of a private contractor which is likely to result in waste being produced, please contact the Department for Environment Food & Rural Affairs prior to any works commencing, for information about registered waste carriers in your area. Waste material from works to trees must be disposed of in accordance with UK legislation. You can be fined if your contractor illegally transports and dumps your waste. Registered Waste Carriers can be found at:

<https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>

8. Engaging a tree work contractor

Before engaging a tree work contractor, ensure that they are fully insured and competent. Consider obtaining more than one estimate or quotation, and in writing.

Please contact the Arboricultural Association for further advice about approved tree consultants and contractors: www.trees.org.uk / 01242 522152.

9. Large trees in neighbouring property

There is no law that governs the type of tree can be grown in a garden, nor its size.

However, under the Anti-Social Behaviour Act, an aggrieved party can make a complaint about a high evergreen hedge to the Council. A successful complaint will result in action, however the complainant may be charged an administration fee. For more information, please contact: Environmental Health, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN / environmental.health@dacorum.gov.uk.

10. Overhanging branches

The right to remove overhanging vegetation has been established in Common Law. Occupiers may remove those parts of a tree that overhang their property. Communicate your intentions to the tree owner, and provide them the opportunity to take back the wood you propose to cut off. However, they are not bound to take back this debris nor are they bound to meet any associated costs.

The Common Law right to remove overhang from trees does not apply when the tree in question is protected by a Tree Preservation Order, is an ancient or veteran tree or is located within a Conservation Area.

11. Fallen leaves / fruit / nuts / honeydew

The fall of leaves, seeds and nuts is an unavoidable seasonal occurrence. Currently tree owners may not be held liable for leaves that fall from their trees or for any consequences of those falling leaves. Debris can be recycled or composted.

The fall of honeydew, often incorrectly called 'sap', onto vehicles and hard surfaces is caused by insects feeding on tree leaves. This is also an unavoidable seasonal occurrence.

12.– Trees blocking light or views

There is no right in law to natural light or a view in respect of trees or tree growth. Solutions to these issues are sometimes possible, but are governed by the same criteria as all other tree enquiries.

13.– Trees interfering with television / satellite reception

There is no right in law to television or satellite reception. Solutions to these issues are sometimes possible, but are governed by the same criteria as all other tree enquiries.

14. Trees and telephone lines

Should your telephone line service be affected by the growth of trees owned by the Council, you would need to report this to your service operator. They can choose to prune relevant growth themselves or can serve a notice on the Council, requesting that growth is cleared within 28 days.

Due to the difficulty of working around telephone cables, we would serve a counter-notice stating that we had no objection to proposed works. The operator could then carry out permitted works themselves to trees within our ownership.

Where trees are within the ownership of Hertfordshire County Council, the operator would be required to serve notice on them.

15. Solar panels / wind turbines

The Council will not prune trees regularly or remove them for the purposes of increasing or maintaining light levels to privately-owned solar panels or similarly to maintain wind loads for turbines. The wider benefit of tree retention to the environment and public health outweighs the benefit of tree pruning or removal to private individuals.

16. Tree pests and diseases

The presence of pests and diseases on Council-managed trees will be monitored and managed by Council Officers in accordance with national and local guidelines.

However, the Council will not address the presence of bee or wasp nests in or near trees within their management unless a wider public health issue is presented.

The presence of pests and diseases on privately-owned trees should be monitored and managed by consultants or contractors acting on behalf of their owner. For information, tree owners are advised to contact national agencies or bodies involved in the management of tree pests and diseases, such as the Forestry Commission or the Arboricultural Association.

17. Tree planting

In order for future generations to enjoy the rich heritage of trees which are enjoyed by the present, we will endeavour to keep pace with tree loss by planting new trees.

The Council will endeavour to replace trees. However, not every site that currently has trees is suited to their presence so replacements may be planted somewhere else nearby.

Tree planting projects will also be progressed in accordance with the Council's Climate Emergency commitments and development planning targets.

18. Tree planting requests

A tree planting request will be recorded to await assessment. Species selection will take account of climate change, available space, impact on wildlife and will endeavour to provide some seasonal amenity interest, such as flowers or autumn colour.

Tree planting sponsorship is permitted within public open space. Further details are available from the Trees & Woodlands team.

19. Trees protected by Tree Preservation Order (TPO)

A TPO is used by the Council to provide statutory protection for important trees in the landscape. The owner of a protected tree must gain prior approval from the Borough Council before undertaking most types of tree work. Please view the Planning Application forms section of the Council website for further information.

Ancient woodland and ancient or veteran trees, as defined in National Planning Policy Framework, are protected from the threat of development in a similar way to a TPO tree. An ancient or veteran tree is “a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value.”

Advice about the management of TPO, ancient or veteran trees should be sought from a private tree consultant or contractor. Please contact the Arboricultural Association for further advice about approved consultants and contractors: www.trees.org.uk / 01242 522152.

20. Trees protected by Conservation Area status

A Conservation Area is designated by the Borough Council to protect the landscapes of both the built and natural form. Prior to undertaking most forms of tree work, owners must notify the Borough Council of their intentions. Please view the Planning Application forms section of the Council website for further information.

Advice about the management of trees in Conservation Areas should be sought from a private tree consultant or contractor. Please contact the Arboricultural Association for further advice about approved consultants and contractors: www.trees.org.uk / 01242 522152.

21. Protecting trees using a TPO

In principle any tree can be given the legal protection of a TPO if it is visible from a public place and it makes a significant impact to the landscape. It must be expedient to serve a TPO in the interests of public amenity. To report a tree that you feel needs protecting, please contact 01442 228000.

22. Ivy in trees

English Ivy is Britain's only native evergreen climbing plant, providing habitat and shelter for birds and mammals, and late season nectar for insects. However, Ivy can hide tree defects, make inspection difficult, and competes for light and resources with host trees.

Where possible, Ivy should be retained on trees for its positive impact on wildlife. Where it prevents thorough inspection in locations used frequently by people or near built structures, it should be removed or regularly severed at ground level.

23. Resident Funding of Borough Council-owned tree work

Residents are able to fund the pre-agreed pruning of Borough Council-owned trees adjacent to their home to address a particular issue. Works funded by a resident would be carried out by the Council's approved contractor once payment had been received.

A site visit would be conducted to assess proposed works and agree a work specification. Payment would be for one pre-agreed pruning operation. If pruning did not match the work specification, a second date for remedial works would be arranged.

There would be no right to appeal agreement to works, or the extent or standard of works if these matched the pre-agreed pruning specification, as assessed by Council Officers.

Contact details

For Dacorum Borough Council-owned trees and woodlands, and Highway tree management, please contact: treesandwoodlands@dacorum.gov.uk / 01442 228844

To discuss Hertfordshire Highways tree policies, or the management of Highway trees adjacent to rural roads, please contact: <https://www.hertfordshire.gov.uk/about-the-council/contact-us/contact-highways.aspx#> / 0300 123 4047

To find a local approved tree consultant or tree contractor, please contact the Arboricultural Association: <http://www.trees.org.uk/> / 01242 522152