



Wilton Town Council

Tree Policy

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Introduction:

This Policy is intended to act as a point of reference for the public, Councillors, officers and professionally interested people to enable informed discussion and to establish a clear, consistent and more structured approach to the issues affecting trees.

The Policy has been designed for the following purposes:

- To establish the responsibility of Wilton Town Council in relation to its tree stock.
- To identify and subsequently adopt a tree risk management system.
- To provide officers and members of the public with advice and guidance in relation to requested remedial tree works.
- To adopt best practice with regards to the appointment and subsequent management of Wilton Town Council arboricultural contracts/contractors.
- Tree planting objectives and maintenance.

1. Responsibilities of Wilton Town Council:

- 1.1. If a tree fails and causes injury or damage its owner could be held negligent if they omitted to take sufficient care of the tree. Trees are a potential liability and Wilton Town Council, as a landowner, has a duty of care to ensure that all of the trees on its land are kept in an acceptable condition and do not put persons and property at unreasonable risk.
- 1.2. The Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 also apply to this situation. Failure to comply with this legislation could lead to the Health and Safety Executive (HSE) taking criminal action against Wilton Town Council. Section 3 of the Act places a duty on Wilton Town Council to take reasonable care for the health and safety of third parties. The Regulations effectively require Wilton Town Council to have an adequate management system to ensure health and safety.
- 1.3. The need for Councils to carry out tree surveys has been recognised for some time. Government guidance in the form of circulars requires Local Authorities to regularly inspect trees under their control and/or management.

2. Putting risk into perspective:

This policy aims to accord with the *Common Sense Risk of the management of trees* - guidance on trees and public safety in the UK for owners, managers and advisors - 2011 as published by the National Tree Safety Group (NTSG). A pdf of this document can be obtained by visiting www.ntsug.org.uk it also aims to accord with HSE publication SIM01/2007/05 *Management of risk from falling trees or branches*. Both documents endorse the sensible, proportionate, reasonable and balanced management of the risk from trees. The law does not expect owners to maintain their trees in completely safe condition, but risk needs to be evaluated and controlled.

3. Industry Best Practice:

- 3.1. Best practice now strongly favours a risk-based system of tree management relying on a programme of regular inspection and the prioritisation of potential hazards.
- 3.2. In the event of a tree failure causing loss, such a system is recognised as a reasonable method of management. It should also provide the basis of a robust defence in the event of litigation.

4. Tree Risk Management System:

- 4.1. Wilton Town Council will adopt a proactive approach to managing its trees and undertake regular and routine inspections of all trees on Wilton Town Council managed land.
- 4.2. The main aim of Wilton Town Council is to have in operation a reasonable, defensible and proactive tree management system that conserves and enhances the tree population on the land for which it is responsible.
- 4.3. In order to implement the new system effectively, the land Wilton Town Council is responsible for has been divided into areas, and each area will be routinely and systematically inspected. (See Appendix One) for the complete list of Wilton Town Council Managed areas.

5. Risk Zones:

- 5.1. It is essential that all areas for which Wilton Town Council is responsible are categorised in relation to the risk they represent. This is in conformity with industry best practice and is a significant step in ensuring a defensible system of tree management is implemented.

Areas will be categorised as High, Medium or Low Risk, dependant on their location:

- 5.1.1. **High Risk Zone Areas** - of high-density pedestrian and vehicle use or areas frequented by vulnerable age groups including major roads, areas near to schools, car parks, playgrounds and busy parks.
- 5.1.2. **Medium Risk Zone Areas** - of medium-density pedestrian and vehicle use including estate roads and green spaces, allotments, major woodland paths.
- 5.1.3. **Low Risk Zone Areas** - of low-density pedestrian and vehicle use including woodlands, minor roads, isolated green spaces.
- 5.2. When inspection is undertaken, priority for works will take into consideration the *Risk Zone* the tree is located in and the priority of the works will be adjusted accordingly.

6. Tree Risk Assessment:

- 6.1. Each individual or group of trees on all land Wilton Town Council is responsible for will be inspected to determine their general condition and health. Hazards will be identified and recorded. Where necessary, remedial works will be specified and prioritised accordingly. See also Appendix Two.

There will be three types of inspection:

- 6.2. **Informal Observations** of trees contribute to wider management and tree safety. They are essentially those day-to-day observations of trees made by employees who have a good local knowledge of the trees and location and see them during the course of their working day.

To be undertaken by:

People with good local knowledge and familiarity with local trees who are not tree specialists, but rather those closely associated with a site, who understand the way the site is used (areas most and least frequented) and the extent of the danger, should a tree be found that is clearly failing. Reports of problems by staff or members of the public are a fundamental part of the Wilton Town Council risk management process.

- 6.3. **Formal Inspection** of a tree is when a specific visit to a tree or group of trees is made with the sole purpose of performing an inspection that is not incidental to other activities. From Wilton Town Council's perspective the formal inspection process would assess the overall condition of the tree/s. It provides a useful, cost-effective means of inspecting the Wilton Town Council tree stock which is an important method of identifying when further action is needed, including tree surgery or further detailed inspection.

To be undertaken by:

People who have a good general knowledge of trees and the ability to recognise normal and abnormal appearance or growth for the locality. This includes an ability to recognise obviously visible signs of serious ill health or significant structural problems where tree failure, could result in serious harm. They also need to know when to request a detailed inspection. In practice these inspections will be undertaken by Wilton Town Council appointed grounds maintenance contract staff with the relevant qualifications and experience.

- 6.4. **Detailed inspection** of a tree should be applied for individual, high value trees giving high-priority concern in well-used zones. The detailed inspection is normally prioritised according to the level of safety concern. Detailed inspections are therefore reserved for trees valued for their heritage, amenity or habitat and which are suspected of posing a high level of risk, as already identified through a previous formal or informal assessment.

To be undertaken by:

An appropriately competent person, experienced in the field of arboricultural investigation. The inspector must be suitably qualified and experienced and carry appropriate professional indemnity and public liability insurance.

- 6.5. The frequency of inspections will be as per **Table One** below and **Appendix Two** the **Tree Inspection Matrix**.
- 6.6. The frequency of future inspections will be determined by the age and condition of the tree and its location within a high, medium or low risk zone.
For example, a high-risk tree may be inspected annually and a tree with negligible risk inspected five or more years after initial survey.

Table One

Tree Risk Zone	Informal	Formal	Detailed
	Inspection Frequency	Inspection Frequency	Inspection Frequency
High	On going	2 years	As required
Medium	On going	4 years	As required
Low	On going	6 years	As required

7. Inspection Records:

- 7.1. The results of tree inspections will be recorded on the council data management system. Customer enquiries will also be recorded on this system, which will provide a clear audit trail of the enquiry and action taken.
- 7.2. Each particular job will be categorised and will reflect on the urgency of the situation, the degree of inconvenience being caused and the best time of year for the work to be undertaken.

The following categories will be used when prioritising tree works:

PRIORITY	RESPONSE	DESCRIPTION
Urgent	Up to 1 week	EMERGENCY tree work requiring an immediate response to remove a hazard – Access to tree location may be restricted until work can be completed.
High	Within 12 weeks	Work to be classified as ESSENTIAL, associated with mitigation of a danger. Wilton Town Council will endeavour to ensure that works will be undertaken within 12 weeks of the inspection.
Moderate/High	Within 6 months	Work to be classified as DESIRABLE. The Council will endeavour to ensure that work will be undertaken within 6 months of the inspection. These will be works associated with the mitigation of nuisance such as branches brushing against buildings in normal winds.
Moderate	Within 12 months	Non-essential maintenance work including cyclical pruning, cultural pruning and pollarding work.
Moderate/Low	Within 24 months	Non-essential maintenance work. Needs to be undertaken at the appropriate time of year to ensure the longer-term health of the tree.
Low	Only to be done if budget allows.	Work classified as NON-ESSENTIAL or NON-DESIRABLE.

8. Guidance – Requesting Tree Work

- 8.1. It is important to remember that people rarely contact Wilton Town Council when they are happy about local trees. Only when trees become an apparent problem are comments made, and therefore a distorted picture of peoples' perception of trees develops. It is important to seek alternatives to felling or severe pruning when conflicts arise, so that the trees can remain for the silent majority who value them.
- 8.2. It is not always necessary to remove or severely prune a tree because it is causing a problem. Often, there are other options available and these need to be considered first. Furthermore, Wilton Town Council is not legally required to mitigate all tree related nuisances, and to do so would not be practicable with the resources available.
- 8.3. This section looks at some of the most common issues associated with urban trees and how these can be mitigated or overcome. The aim of the following policies is to ensure Wilton Town Council is meeting its legal obligations in respect of trees on its land and strike a balance between removing problem trees and retaining trees in good health.

9. Tree Safety:

- 9.1. Where there is a clear and foreseeable threat to the personal safety of residents or visitors, or to property, that is directly related to the condition of a tree, action will be taken to minimise that risk. If damage to property has occurred directly relating to a tree or hedge and the resident feels Wilton Town Council are liable, they should follow the process set out in Section 21. ***Damage caused to property from a Wilton Town Council owned/managed tree or hedge.***
- 9.2. Risk that is an indirect consequence of a tree (e.g., slippery leaves on the pavement in autumn) will not be dealt with through pruning or felling other than in exceptional circumstances and where other options (such as clearing the leaves) are not available.
- 9.3. Unfounded fear of a tree (e.g., due to the height or size of the tree) will not normally result in action to prune the tree unless there has been a recent change in circumstances.

10. Emergency Tree Work:

- 10.1. The 1987 gale highlighted the fact that in bad weather even the healthiest of trees can become hazardous. Wilton Town Council has an established procedure for prompt action in such emergencies, to ensure that everything possible is done to protect road users, residents and property.
- 10.2. Dangerous or fallen trees reported to Wilton Town Council will be inspected by a trained officer within two hours from the initial call, in order to assess the risk, determine the extent of the hazard and implement health and safety measures where necessary. Removal of the hazard identified will be prioritized based on the risk to the public and the tree contractor engaged to undertake the work.
- 10.3. Where it is not possible to immediately undertake the works (e.g. for safety reasons or due to fallen electricity cables) a Council Officer will liaise with the relevant Wiltshire Council highway officers and emergency services to ensure the site is safe until such time as the hazard can be removed.

11. Wilton Town Council Owned Trees that Overhang Neighbouring Properties:

- 11.1. Wilton Town Council has no legal obligation to prune overhanging trees unless they are causing direct damage to an adjacent property or are dangerous. The Council will not prune trees that overhang neighbouring properties unless the trees are dangerous or are causing an actionable nuisance. This reflects the Council's position as an owner of thousands of trees and the resources available.
- 11.2. Adjacent landowners are entitled to prune encroaching tree branches or roots back to the boundary of their property providing that the works do not unbalance the tree or do other damage to it. Legally, they are required to retain the prunings and offer them back to Wilton Town Council, but Wilton Town Council is not obliged to accept them.
- 11.3. Where access to Wilton Town Council's land is required in order to undertake tree works, the adjacent landowner must seek the permission of Wilton Town Council to enter their land. This will not be unreasonably refused.
- 11.4. It is a requirement that all Contractors working on Wilton Town Council land are suitably qualified to undertake the proposed work. It is also a requirement that adequate public liability insurance is in place and that appropriate risk assessments and method statements have been completed. Wilton Town Council will request evidence of this before permitting access.

12. Obstruction of Roads, Cycle ways, Footpaths and Street Furniture:

- 12.1. Wilton Town Council will maintain its trees to provide the statutory clearance for pedestrians and vehicles over footways and roads respectively, so as to maintain a free and unobstructed passage.
- 12.2. Wilton Town Council will ensure that branches shall be reduced back where they are touching streetlights, road signs and other street furniture, so as to maintain vehicular and pedestrian safety.

13. Pruning Trees for Light Improvement:

- 13.1. A common complaint about urban trees is that they block light from properties or shade gardens. However, the seriousness of this effect is variable and often removal of the tree will have little effect on the amount of sunlight reaching the house or garden. An example of this is where the house is north facing and the tree is small or at a distance.
- 13.2. There is no right to light under the law and therefore Wilton Town Council has no legal obligation to abate this perceived nuisance. However, Wilton Town Council will consider taking action (pruning or felling) in the following circumstances:
 - 13.2.1. Trees over 12m in height – distance between base of the tree and the window of the nearest habitable room is less than 5m.
 - 13.2.2. Trees smaller than 12m high – distance between base of the tree and the window of the nearest habitable room is less than half the height of the tree.
 - 13.2.3. Where the separation between the edge of the tree canopy and a vertical line through that window is less than 2m. A 'habitable room' means a dining room, lounge, kitchen, study or bedroom but specifically excludes WCs, bathrooms, utility rooms, landings and hallways.
 - 13.2.4. It is recognised through the preparation of the Equalities Impact Assessment that there are exceptional circumstances in which this approach needs to be more flexible. Where it can be established that the presence of trees is causing a detriment to the health of residents, further consideration will be given to the management approach of trees. This consideration will also take in to account the quality and importance of the tree in question. This approach is important as the presence of trees also has a beneficial impact on other residents and the reduction in the number or size of trees may have a greater impact than on just one original enquirer.

- 13.3. Where a situation falls within these guidelines, cases will be prioritised according to proximity and account will also be taken of the orientation of the affected window. The results of any consultation exercise may modify decisions if it appears that any work would be by and large unpopular with the rest of the community.

14. Pruning Trees to Improve Television and Radio Reception:

- 14.1. Interference with television or satellite reception causes frequent complaints. Interference is worse when leaves are on trees and in bad windy and rainy weather. Satellite reception is more sensitive to interference than television reception. There has been an increase in these complaints in recent years with the advent of this new technology and increased numbers of subscribers.
- 14.2. There is no right to good reception and in many cases, it is possible to resolve issues of poor reception by finding an engineering solution.
- 14.3. Wilton Town Council will only consider requests to prune trees to improve reception where all the following conditions are true:
 - 14.3.1. Efforts have been made to find an engineering solution to the problem and have not been successful.
 - 14.3.2. The work required is consistent with good arboricultural practice and will not unduly affect the amenity or health of the tree.
 - 14.3.3. The work required can be executed within financial resources available.

15. Pruning to Prevent General Nuisances:

- 15.1. Wilton Town Council will not fell or prune Wilton Town Council owned trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of their control.
- 15.2. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be social problems associated with living near trees.

Examples of such problems are:

- 15.2.1. Falling leaves, sap, fruit, nuts, bird droppings or blossom.
- 15.2.2. Reduction or increase of moisture to gardens.

15.2.3. Suckers or germinating seedlings in gardens.

15.2.4. Leaves falling into gutters, drains or onto flat roofs.

15.2.5. The build-up of algae on fences, paths or other structures.

15.3. Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out.

15.4. As with leaves, honeydew is not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with honeydew.

16. Pruning for Clearance of Overhead Power Cables and Telecommunications Equipment:

Overhead Power Cables.

16.1. In accordance with Schedule 4 of the Electricity Act 1989, electricity suppliers are empowered to remove obstruction to their equipment. This applies where any tree is or will be in such close proximity to an electric line or electrical plant that it will:

16.1.1. Obstruct or interfere with the installation, maintenance or working of the line or plant.

16.1.2. Constitute an unacceptable source of danger to the public.

16.2. In both the above cases routine cyclical pruning of trees would enable Wilton Town Council to proactively manage trees to reduce the risk of obstructions to overhead power and telecommunications equipment.

17. Pruning to Prevent Direct Damage to Property:

17.1. Wilton Town Council will cut back trees from properties where they touch windows, walls, roofs or gutters. This will ensure that damage to property such as aerials, tiles or gutters is avoided. If an Officer notices whilst carrying out inspections, that a Wilton Town Council owned tree or hedge is growing to the extent where it's nearly touching or damaging a property, they will monitor the situation and arrange for work before damage to the property takes place. If an Officer notices that there is direct damage to a property caused by a Wilton Town Council owned tree or hedge, they will notify the resident and action the required tree

work immediately. If the resident feels that the tree or hedge has caused damage to their property, they should follow the guidance information below in Section 21. ***Damage caused to property from a Wilton Town Council owned/managed tree or hedge.***

- 17.2. Cases of direct root damage will be considered on an individual basis. A balance will be struck between the nuisance experienced by individuals and the benefits offered by the tree to the wider community.
- 17.3. Wilton Town Council will not normally take action in response to complaints that Wilton Town Council trees are damaging drains. Trees do not have the capacity to break into a sound drain, but they will ruthlessly exploit any existing fault. The removal of one tree will not prevent other vegetation from exploiting the same opportunity.
- 17.4. Wilton Town Council's presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight.

18. High Hedges:

When a complaint is received about a hedge on Wilton Town Council land, Wilton Town Council Officers will apply a recognised formula, devised by the British Research Establishment (BRE) and approved by the Department of Communities and Local Government, to determine if the hedge is in breach of the Act. If, as a result, the hedge is found to be too high it will be reduced in height or removed dependant on the individual circumstances of the case.

A high hedge is a continuous barrier to light or access that rises to more than two metres above the ground and comprises a line of two or more evergreen or semi-evergreen trees or shrubs. The hedge must also impact on a residential property (house, bungalow, flat etc.) or part of a property in more than one use, which is being used for residential purposes (such as a flat over a shop).

Specifically, a high hedge is where:

- The hedge is more than 2m (approx. 6½ft) tall (there is extra guidance for hedge heights on slopes).
- The hedge must impact on a residential property (house, bungalow, flat etc.).
- A hedge is defined as a line of two or more trees or shrubs.
- The hedge is formed wholly or predominantly of evergreens or semi-evergreen.
- Bamboo and ivy are not included.
- Where a hedge is predominantly evergreen, the deciduous trees and shrubs within the hedge may be included in the work specified. However, these trees may be excluded or require a different approach.

Wilton Town Council will only consider a high hedge complaint if it satisfies the following criteria:

- It must relate to a high hedge as defined in the Act.
- The hedge must be on land that is owned by the council.
- It must be affecting a domestic property.
- The complaint must be made on the grounds that the height of the hedge is adversely affecting the reasonable enjoyment of the domestic property in question, by the owner or occupier of that property.

Upon receipt of a complaint meeting the above criteria Wilton Town Council will follow the guidance as offered by – High Hedges Complaints: Prevention and Cure. Please see link below.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11476/highhedgescomplaints.pdf

19. Ordinary Hedges

These are all other hedges that do not meet the high hedge criteria.

Wilton Town Council hedges have no entitlement to occupy the air space above resident's land. Residents can therefore alleviate the nuisance caused by this encroachment by trimming back branches to the point at which they each cross the boundary.

Residents are required to retain the prunings and offer them back to Wilton Town Council, but Wilton Town Council is not obliged to accept them.

Wilton Town Council is entitled to decide to what height the hedge grows – subject to High Hedge guidance so residents are not entitled to reduce the height of the hedge.

Note - If you live in a conservation area, or the trees in the hedge are protected by a tree preservation order you may need Wiltshire Council's permission to trim.

20. Miscellaneous

- If a resident considers that a Wilton Town Council owned or managed hedge is structurally damaging a fence/boundary they should follow the advice below **21. Damage caused to property from Wilton Town Council owned/managed tree or hedge.**
- Encroachment of brambles etc. – residents are entitled to cut back brambles and or other vegetation that is encroaching onto their land and trim back to the boundary. Residents are required to retain prunings and offer them back to Wilton Town Council, but Wilton Town Council is not obliged to accept them.

21. Damage caused to property from a Wilton Town Council owned/managed tree or hedge:

If a resident believes that their property is suffering subsidence due to the action of trees or hedges owned or managed by Wilton Town Council (or they're concerned about any potential damage to a building, boundary fence or path) they're advised to contact their property insurer (private ownership) or Wiltshire Council (Council tenants) in the first instance, so that they may discuss their concerns and agree an appropriate course of action. Should they, or those acting on their behalf, wish to make a claim for damages against Wilton Town Council, alleging that a Wilton Town Council owned/managed tree or hedge is causing/caused damage to their property, then they will be required to carry out an independent report at their own cost and send it to Wilton Town Council's Insurance Department.

21.1. Submissions to Wilton Town Council should include:

- Photographs of the tree or hedge suspected of causing damage to property.
- Photographs of the damage.
- A written letter or email giving a full description of the damage and the tree or hedge in question.
- Map indicating the exact location of the tree or hedge.

21.2. In the case of suspected root damage:

- Photographs of the suspected tree or hedge causing the damage.
- Photographs of the damage.
- Root analysis (presence, condition and identification).
- Crack/level monitoring (showing greater than seasonal movement).
- Two trial pits should be dug and photographed, one remote and one at the point of damage.
- Soil analysis (soil type, moisture level).
- Depth of foundations.

22. Tree Protection Order/Tree Conservation Area:

Tree Protection Orders (TPO's) are administered by the Local Planning Authority, Wiltshire Council, and are made to protect trees that bring significant amenity benefit to the local area.

All types of trees, but not hedges, bushes or shrubs can be protected, and a TPO can protect anything from a single tree to all trees within a defined area or woodland. Any species can be protected, but no species is automatically protected by a tree preservation order.

A TPO is a written order, which in general, makes it a criminal offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by that order, or to cause or permit such actions, without the authority's permission.

Trees not protected by a TPO may be in a tree conservation area. Wilton Town Council must give written notice to the Wiltshire Council of any proposed work, describing what we want to do, at least six weeks before the work starts. This is called a 'section 211 notice' and it gives the Wiltshire Council an opportunity to consider protecting the tree with a TPO.

Wilton Town Council does not need to give notice of work on a tree in a conservation area less than 7.5 centimetres in diameter, measured 1.5 metres above the ground (or 10 centimetres if thinning to help the growth of other trees).

23. Standard of Works – Appointment of Contractors:

23.1. It is important to ensure that Wilton Town Council's trees are maintained to a high standard. Poor tree pruning can not only look unsightly, but also reduce the life expectancy of a tree or lead to it becoming hazardous. Tree surgery is not only specialised and skilled work, but also can be dangerous. Staff who are involved in this work require training to protect themselves and the public.

23.2. Tree planting is also a specialised task and requires proper consideration. All too often trees are planted in poorly prepared pits with inadequate protection and maintenance.

24. Tree Maintenance Contracts:

24.1. Wilton Town Council will prepare and regularly review technical specifications for tree work that require the highest standards of arboriculture and compliance with the most up-to-date health and safety legislation.

24.2. Wilton Town Council will identify approved contractors, who have achieved the highest standards of safety and technical expertise. All contractors will need to be Arboricultural Association Accredited or be committed to achieving this accreditation over a three-year period from the start of their contract with Wilton Town Council.

25. Standards of Work:

25.1. Wilton Town Council will ensure that all work will be carried out to modern safety and technical standards.

- 25.2. Documentation needs to be regularly updated to ensure that the standards set are up to date with current best practices. The accepted standard for tree work at present is BS 3998 British Standard Recommendations for Tree Work (1989). This will be used as a guide for the specification of tree work.
- 25.3. The accepted standards for tree planting and nursery stock are: BS3936, BS 4043, BS 4428 and BS 5236.

26. Training:

Appointed Contractors will be required to have achieved LANTRA/NPTC qualifications for the area of work in which they are engaged.

27. Insurance:

Contractors employed by Wilton Town Council will be required to obtain Employee and Public Liability Insurance to a value of £10 million.

28. Health and Safety:

All contractors employed by Wilton Town Council are required to achieve the appropriate standards of health and safety and demonstrate compliance with these standards as part of their work operations. Contractors are required to complete generic and on-site risk assessments for all operations, and complete method statements for more complex operations.

29. Protecting Wildlife:

- 29.1. Precautions are to be taken to avoid disturbance of nesting birds and bat roosts in accordance with the Wildlife and Countryside Act 1981.
- 29.2. Contractors working for Wilton Town Council are required to inspect trees and hedges thoroughly before commencement of work and also look thoroughly in the immediate proximity of the works; this should be noted down as part of the Risk Assessment done before the start of every job.
- 29.3. If nesting birds are found to be present then the tree work will not commence and will be rescheduled for later in the year. If Bats are found roosting in a tree scheduled for removal, then Wilton Town Council is legally required to obtain advice from qualified persons before starting work.

- 29.4. The above will limit and may prohibit certain tree pruning or felling work during spring and summer. Birds will nest in trees and shrubs between March and August each year, while bats will use roost sites in trees between April and September, depending on weather conditions. Some species may hibernate in large old trees, during the winter months.

30. Monitoring Tree Contractors:

- 30.1. Wilton Town Council will regularly monitor contractors to ensure standards of work and health and safety are being maintained. An annual review of all Contractors will take place to ensure that they have adequate insurance in place, standards of health and safety have been achieved and that staff are adequately trained for the work in which they are engaged.

All contractors are required to comply with the following, when working on the public highway:

30.1.1. New Roads and Street Works Act 1991.

30.1.2. Street Works and Road Works Code of Practice.

31. Working near to Power Cables:

A shutdown of overhead power lines is required when working close to high voltage power lines and cables. Contractors will comply with HSE and Arboricultural and Forestry Advisory Group guidance note 804.

32. Tree Planting and Young Tree Maintenance:

- 32.1. From time-to-time trees have to be felled. However, these trees need to be replaced or the tree population will continue to decline. Replanting trees is essential to maintain and help the urban tree population grow.

- 32.2. It is important to ensure that for every tree felled, at least one tree is planted in its place and is properly cared for. The size and scale of replacement planting should reflect both the trees removed and the situation.

- 32.3. It's Wilton Town Council's aim to replant in the same area where a tree has been removed however, sometimes this may not be possible, either through lack of support from residents or due to the circumstances of the site for instance, nearby drains, powerlines, services or a general lack of space for a tree to thrive. In this instance, a tree will be planted

as close to the site as possible on Wilton Town Council owned/controlled land in a suitable location.

- 32.4. Trees in urban areas are usually present either because a conscious decision was made to plant them or because they self-seeded in parks and gardens and were allowed to grow and mature.
- 32.5. A certain amount of natural regeneration can and does occur in areas such as designated nature conservation sites, but the possibilities for this kind of regeneration in a populated urban area are clearly limited. Either way, no previous planting strategy has been devised for Wilton and new planting has been on a random basis.

33. Objectives of Tree Planting:

- 33.1. **Retention:** Ensuring the retention, wherever practicable or desirable, of trees on Wilton Town Council owned and leased land.
- 33.2. **Enhancement:** To increase the tree cover and species diversity in those areas of the Town that are lacking in trees.
- 33.3. **Continuous Tree Cover:** To undertake the management of the existing stock ensuring that there is a continuous programme of tree replacement throughout the Town, ensuring that there is a mixed range of age and species.
- 33.4. **Species Selection:** Planting, where appropriate, large indigenous or exotic species to create skyline features.
- 33.5. **Lowering pollution levels:** Selecting trees and hedging plants suitable for absorbing carbon dioxide and air pollutants across the Town.
- 33.6. **Conservation:** Encourage nature conservation through tree planting so that across the Town there is a measurable increase in the conditions suitable for wildlife to colonise areas where before it had limited foothold opportunities.
- 33.7. **Publicity and Promotion:** Increase the level of public awareness of the tree resource by encouraging public involvement in decision making and planting schemes.
- 33.8. **Sponsorship:** To encourage members of the public, businesses and other groups to sponsor trees via the introduction of a Tree Donation Scheme.

33.9. When devising planting schemes, it will be Wilton Town Council's policy to: -

- Replace mature trees lost through natural wastage (disease, senility etc.) and those that have out-grown their environment so that in these areas the existing tree populations do not decline.
- Take into account any visual landscape factors so that the species chosen will, when mature, have a significant impact in enhancing the character of the area without compromising any existing views, sightlines etc..
- Allow for the planted tree to be the eventual successor to any existing trees that are either nearing maturity or in decline.
- Achieve a species mix so that in the event of a future disease affecting one particular species (as happened with Dutch Elm disease) no one area or park suffers from excessive loss due to a single species being the dominant tree.

34. Site Selection:

The 'right tree for the right place' will minimise conflict and maintenance in the future. For example, a cherry tree with a wide crown may not cause any problems in a small open space. However, if planted in a narrow grass verge it will cause obstruction and will require regular maintenance to remove low branches. Not only does an inappropriate tree have a less beneficial effect on the landscape, but it also leads to more complaints and costs more to maintain.

35. Maintenance of Young Trees:

- 35.1. Care and maintenance of young trees is vital. Care taken in the early stages can avoid expensive maintenance at a later date. It will also increase the number of trees that we can expect to survive to maturity.
- 35.2. When trees are first planted, they are at their most vulnerable. They are more likely to die within their first 5 years than at any other time in their life. Research indicates that 75% of urban trees are destined to die through malpractice such as strimmer damage or strangulation by failure to remove tree ties.
- 35.3. Wilton Town Council will adopt a management regime to all young trees that ensures the best chance for their long-term survival.

- 35.4. All new planted trees will be watered for the first two years after planting and young trees will be inspected annually during the first three years and maintenance work undertaken where appropriate. Maintenance will include:
- Loosening of tree ties.
 - Mulching.
 - Removal of stakes and ties when the tree has become established.
- 35.5. The cost of tree planting can be significantly reduced if local residents agree to implement some of the maintenance tasks described above. Often, trees planted at the request of nearby residents have the best chance of survival, as the resident will keep watch on the tree and either undertake remedial works or inform Wilton Town Council of any problems.

36. Management of Riverside Trees

Some of Wilton Town Council's owned/managed green spaces have waterways running through them, careful management of these natural habitat areas are crucial to help preserve and enhance biodiversity. The analysis and procedures for Wilton Town Council owned/managed trees set out within this document will also apply to trees growing by rivers, however, Wilton Town Council takes advice on the management of these waterway areas from the Environment Agency. As a general practise Wilton Town Council will follow the guidance listed in the Environment Agency document: ***A guide for land owners on woody debris and trees near rivers.***

<https://fccc.org.uk/downloads/category/18-environmental?download=169>

- 36.1. Trees next to rivers are valuable because:
- Their root systems stabilise riverbanks helping to reduce and prevent erosion.
 - Planting trees in the upper reaches of river catchments can help to alleviate flood risk downstream, by intercepting and slowing flood flows, and increasing infiltration
 - Overhanging branches that touch the water and underwater tree roots provide vital refuge and spawning substrate for fish, along with habitat for invertebrates.
 - Overhanging branches provide perches for Kingfishers and yield insects that fall into the river, providing food for fish.
 - Trees act as a barrier preventing fly hatch from being blown away from the river.
 - Tree roots above ground and dense scrub provide Otter habitat.
 - A mosaic of trees and open areas provide a mix of light and shade. The light areas encourage in-channel vegetation while the shady

areas cool rivers. This is important for species such as native brown trout, and contribute to reducing the impacts of climate change.

- Trees and shrubs provide habitat for nesting birds, while mature trees with holes and crevices provide important roosting sites for bats and nesting sites for hole-nesting birds such as owls and woodpeckers.

36.2. Woody material in the channel provides:

- A means of restoring the morphology of rivers, especially where over-widening or straightening has historically been applied.
- Restoration of the floodplain connectivity and help to encourage upstream flood storage (however, woody material can increase flood risk in critical locations if not secured or anchored to the bank, such as by causing blockages beneath bridges or culverts).
- Habitat for fish and invertebrates, especially where there is a lack of in-channel vegetation.
- Variation in flow and shape of the channel, creating and diversifying habitat for many species of plants, invertebrates and fish.
- Backwaters and pools that provide refuge for fish and invertebrates during drought.
- Slack water areas behind woody debris to prevent juvenile fish from being washed away downstream during flood events.
- Fast flows that clean spawning gravels and cause scour (erosion) of the river bed to help create riffles and pools.

36.3. **Good Practice:**

- Retain mature trees and riverside scrub.
- Pollard or coppice rather than removing the entire tree.
- Retain the root balls.
- Create mosaic of groups of trees and open areas along a course or the river. Seek advice from an expert about how to do this.
- Do not leave large gaps between groups of trees – some bats species are reluctant to cross a gap larger than 10m. Ensure all planting proposals on the main river have consent from the Environment Agency.
- Retain or create an uneven age structure that will encourage greater biodiversity.
- Do not carry out tree shrub works between 1st March and 31st July, to avoid the bird nesting season.
- When working on mature trees, always survey for protected species such as bats and barn owls and check for otter holts (seek advice if unsure).
- Where possible, leave fallen trees in the river and secure if necessary.
- Always secure any woody material installed in the river, to prevent it drifting downstream and causing a flood risk.

37. Ash Dieback

Ash Dieback is a highly destructive disease of Ash trees caused by the fungus of *Hymenoscyphus fraxineus*.

It can kill young and coppiced trees quite quickly. Older trees can resist it for some time until long exposure, or another pest or pathogen, such as *Armillaria mellea* (honey fungus) attacks them in their weekend state causing them to succumb.

Affected trees can be identified from blackening of the leaves which eventually spreads to branches and the main trunk of the tree. There is no known prevention or curative treatment.

Fraxinus excelsior (the European Ash tree) is one of our most versatile native species which are home to many insects and invertebrates who depend on them for habitat.

With exception for felling for safety reasons it's advised to take a general presumption against felling living Ash trees whether infected or not. This is due to evidence that a small proportion of Ash trees will be able to tolerate *Hymenoscyphus fraxineus*. There is also the possibility that a proportion of Ash trees can become diseased, but then recover to good health. It's important to note, that not all Ash trees in poor condition are suffering from *Hymenoscyphus fraxineus*, other reasons may be at cause such as drought, root damage or other diseases or pests.

37.1. Removing felled Ash trees and arisings from site

There is no specific advice about removing felled trees or arisings from site. However, the guidance for Ash trees in parks is that arisings can be left on site, and if required, processed there through composting or burning where possible. However, if removing from site, best practice, would include transporting material in a covered vehicle to a site where it can be safely burnt or composted.

37.2. Replanting

Replanting with Ash trees is not permitted due to the current restrictions on Ash plant movements. General advice is to restock from a variety of site suitable tree species, that are appropriate to the sensitivity of the local landscape and which will help replace the variety of ecosystem services that Ash had previously provided.

37.3. Wilton Town Council's approach to Ash dieback

Along with all Wilton Town Council trees, Ash trees are monitored and surveyed as detailed within this policy. If an Officer believes an Ash tree is suffering from *Hymenoscyphus fraxineus* (*Ash dieback*) they will monitor the situation and seek advice from our expert tree specialist

along with up-to-date recommendations from the Forestry Commission on the Government website.

37.4. Choosing to fell an Ash tree with *Hymenoscyphus fraxineus*

The decision to fell a tree with Ash dieback will be considered on a case-by-case basis, Wilton Town Council will follow advice from our tree specialist and take into consideration location and risk levels to public safety. High risk areas such as trees close to property, pathways or highways will take priority over trees in the middle of a wooded area where risks are much lower. Where possible, trees will be left to support wildlife and biodiversity and continually be monitored and inspected by Officers.

Appendix One – Schedule of Areas Managed by Wilton Town Council

Shaftesbury Road Cemetery

Bulbridge Play Area

Wishford Road Play Area

Castle Meadow Recreation Ground

Minster Street Play Area / Recreation Ground

Old St. Mary's closed Churchyard, Market Square

St. Nicholas and St. Mary closed Churchyard, West Street

Land opposite Wilton House, Minster Street.

Appendix Two – Tree Inspection Matrix

Tree Risk Zone	Informal Inspection Frequency	Formal Inspection Frequency	Detailed Inspection Frequency
High	On going	2 years	As required
Medium	On going	4 years	As required
Low	On going	6 years	As required
	<p>Informal observations of trees contribute to wider management and tree safety. They are essentially those day-to-day observations of trees made by employees who have a good local knowledge of the trees and location and see them during the course of their working day.</p> <p>May be undertaken by:</p> <p>People with good local knowledge and familiarity with local trees who are not tree specialists, but rather those closely associated with a site, such as the parks team, who understands the way the site is used (areas most and least frequented) and the extent of the danger, should a tree be found that is clearly failing.</p> <p>Reports of problems by staff or members of the public are a fundamental part of our risk management process.</p>	<p>Formal inspection of a tree is when a specific visit to a tree or group of trees is made with the sole purpose of performing an inspection that is not incidental to other activities. From Wilton Town Council’s perspective the formal inspection process would assess the overall condition of the tree’s. It provides a useful, cost-effective means of inspecting our tree stock which is an important means of identifying when further action is needed, including tree surgery or further detailed inspection.</p> <p>May be undertaken by:</p> <p>People who have a good general knowledge of trees and the ability to recognise normal and abnormal appearance and growth for the locality. This includes an ability to recognise obviously visible signs of serious ill health or significant structural problems were tree failure, could result in serious harm. They also need to know when to request a detailed inspection.</p>	<p>Detailed inspection of a tree should be applied for individual, high-value trees giving high-priority concern in well-used zones. The detailed inspection is normally prioritised according to the level of safety concern. Detailed inspections are therefore reserved for trees valued for their heritage, amenity or habitat and which are suspected of posing a high level of risk, as already identified through a previous formal or informal assessment.</p> <p>May be undertaken by:</p> <p>An appropriately competent person, experienced in the field of arboricultural investigation. The inspector must be suitably qualified and experienced and carry appropriate professional indemnity and public liability insurance.</p>