Tree Safety Policy of council

1. Principles

Trees add enormous value to the environment and to human experience. The National Tree Safety Group (NTSG) state [i]

The NTSG position is underpinned by a set of five key principles:

- trees provide a wide variety of benefits to society
- trees are living organisms that naturally lose branches or fall
- the overall risk to human safety is extremely low
- tree owners have a legal duty of care
- tree owners should take a balanced and proportionate approach to tree safety management.

This policy sets out the Berkswell PC system to meet these 5 principles with respect to tree safety.

2. Trees in PC care

2.1. The PC owns the spinney on Lavender Hall Lane and takes an active part in managing two areas of unregistered land that are open to the public in Berkswell village – the village green and the well area. The parish council owns neither of the pieces of unregistered land but for many years has mown the grass and, on the village green, undertaken some maintenance work on the large oak tree. There are bushes but no trees on the well area land.

2.2. All of these trees fall within the conservation area of Berkswell village and as such planning controls exist for work on all the trees similar to TPOs.

3. Current system of control of risk for trees

3.1. The Parish Council's system is as defined in the risk register. Basically, it involves a 3-yearly inspection by a competent person with an annual programme of works prioritised within that competent person's report. Councillors also conduct a periodic inspection of assets and the spinney and village green are listed as assets to inspect. (Items 8 and 10). Reports of danger or damage to trees, found by Councillors or by the public are reported to the Clerk and would be subject to review and action by council.

3.2. The Parish Council's current arborealculturists, Midland Forestry Ltd, have stated that, in their professional opinion, the full in-depth survey that they undertake on a 3 yearly basis, is enough to cover us for any eventuality.

3.3. Midland Forestry Ltd have also advised that, a person who isn't actually qualified, can do an inspection, just to ensure there are no obvious signs of decay or disease, or any hanging, broken branches, that could be a hazard. This practice has now been adopted by the Parish Council and such assessments are documented to demonstrate the necessary duty of care to the general public in relation to the council trees.

4. Risk Management

The following significant issues have been identified as requiring risk mitigation:

4.1. Almost all of the trees within the care of the PC can be considered to be in areas frequently visited by the public or Zone 1 risk according to the HSE.

4.2. The large oak on the village green has a seat underneath encouraging people to sit there

4.3. The parish council is a very small authority without staff skilled in tree management.

4.4. The PC has a grounds maintenance contractor will undertake minor tree/shrub work and has some experience of trees by his qualifications and nature of his profession albeit he is not a tree professional.

4.5. Councillors do undertake periodic inspections and they could identify if asked obvious tree issues such as partially fallen trees or branches which do not require specific expertise. However, this is not specifically indicated on the survey form and no records are specifically required with respect to trees.

4.6. The 3-yearly inspection report points out that it is only a snapshot in time with the survey undertaken from ground level and does not involve looking below ground surface.

4.7. The examples of good tree inspection regimes given by the National Tree Safety Group do not cover such a small authority as a PC. It does indicate that a 5-yearly inspection regime backed by a knowledgeable, but not expert ground maintenance staff, in regular contact with the trees is an acceptable regime.[ii]

[i] Common sense risk management of trees 2011

[ii] Common sense management of Trees chapter 5.