

Council Owned Trees and Woodlands

Policy
Risk Framework
Management Standards
Service Standards



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1.0 INTRODUCTION

Trees are a hugely important component of the landscape in both the urban and rural parts of the Kirklees district. Trees, whether appearing as individuals, groups or as woodlands, have a very significant effect on our quality of life by providing a range of ecological, aesthetic, social and health benefits. As such the Council is committed to maintaining – and where possible increasing – the level of tree cover across its land portfolio.

Kirklees Council is responsible for the management of all trees growing on its land including street trees, trees on public open spaces and in woodlands. By law, the Council has duty of care with respect to tree related risk. In order to discharge this duty a programme of inspection and maintenance works is in place aimed at keeping staff and the public safe from harm and preserving the health and future wellbeing of the Council's tree stock.

District Statistics:

- In population terms Kirklees is one of the larger local authority districts, covering 150 square miles, with a population in excesses of 440,000 ⁽¹⁾.
- The Council is responsible for the maintenance of all the trees that are located on land that it owns, which includes areas such as: parks, open spaces, woodlands and highway verges.
- Information from the Blue-sky data set suggests that there are approximately 190,000 trees on council owned land. The Kirklees District has an approximate canopy cover of 15%
- Using the Capital Asset Valuation of Amenity Trees (CAVAT) methodology, suggest that as an asset, the council's urban highways trees have a monetary value in excess of £50,000,000

2.0 STATUTORY OBLIGATIONS-LEGISLATION

The Health and Safety at Work Act, and the Occupiers Liability Act place a duty on the Council to manage its trees to reduce any risk they may pose to an acceptable level.

The Highways Act also places a duty on Kirklees, as the Highways Authority, to ensure the safety of road users and to clear obstructions to the highway network.



Under section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act) Local Authorities have a statutory obligation to have regard to the conservation of biodiversity, including restoring habitats and species populations, while exercising their functions.

Further statutory protection to species associated with trees and woodlands are conferred by the Wildlife and Countryside Act 1981 and European Protected Species legislation. Of particular note is legislation relating to bats and their roosts, badgers, and nesting birds.

3.0 BENEFITS OF TREES

The benefits of trees have been widely researched and documented, and include:

- Landscape character: contributing to the physical attractiveness of the district and providing screening for less attractive development, thereby also attracting local investment
- Local environment: mitigating air and noise pollution, providing shelter, stabilising soils thereby reducing erosion, and mitigating flood risk by absorbing water and slowing the flow of water into watercourses
- Climate change: carbon capture and sequestration
- Biodiversity: supporting a multitude of other species of flora and fauna and provide habitat connectivity.
- Physical health: significantly improving air quality through trapping of particulate matter, offering shade, offering opportunities for physical activity
- Mental health and well-being: contributing to attractive green spaces which are well documented to have a positive effect on mental health and well-being
- Education and culture: providing an educational resource e.g. for Forest Schools; many specific trees and woodlands have important historic and cultural significance.



Examples:

3.2 (a) Economy:

- I. A study by Garrod and Willis suggested that 20% tree cover can increase property values by 20%, (3)
- II. Well planned public spaces can boost commercial trading by up to 40% and small business' choosing a new business location, rank open space, parks and recreation as a number one priority (4).

3.2 (b) Climate Change:

- I. Adding 10% green cover is projected to keep maximum surface temperatures in high density residential areas and town centres at or below the 1961-1990, levels up until the 2080s (5)
- II. A single young small tree planted in a small pit over an impermeable asphalt surface can reduce run off by around 60% (6)
- III. In a year, 100 mature trees can remove 53 tons of carbon dioxide and 430 pounds of pollutants from the air, and catch 538,000 gallons of rainwater. (7)

3.2 (c) Health:

- I. Physical signs of stress such as muscle tension and pulse rate are measurably reduced within as little as 3 to 4 minutes of a stressed person moving into leafy green surroundings. (8)
- II. Sitting in a room with tree views promotes a rapid decline in diastolic blood pressure over sitting in a viewless room (9)
- III. It has been estimated that a single tree can reduce particulate matter air pollutant concentrations by 15-20% (10).
- IV. A Forestry Commission study estimated that net pollution absorption by woodland resulted in the saving of 65 to 89 lives per year (11)



4.0 AIMS

The aim of the Council's tree Policies, Risk Framework, Management Standards and Service Standards are to set out how the Council will effectively manage and enhance trees and woodlands under Council ownership, ensuring that they:

- positively contribute to the area, the achievement of the Council's corporate priorities and the local response to the Climate Emergency
- maximise benefits for citizens and the wider environment
- meet legal obligations; and
- minimise conflict with the public and other landowners.

The Policies, Risk Framework, Management Standards and Service Standards are intended to provide a structure for decision-makers across the Council and for the general public, in terms of the management of the council owned trees stock and how requests/complaints will be dealt with.



Council Owned Tree and Woodland

Policy
Statements



5.0 POLICY STATEMENTS FOR THE MANAGEMENT OF TREES AND WOODLAND UNDER THE COUNCIL'S OWNERSHIP

5.1 Tree Risk Management: Kirklees Council will:

- a) Manage tree-related risk in a proportionate, consistent, and effective manner through the implementation of the Kirklees Council Tree Risk Management Framework.

5.2 Tree and Woodland Management: Kirklees Council will:

- a) Manage its tree stock and proprieties works, in accordance with the Kirklees Tree Risk Management Framework and the Council's Tree Management Standards.
- b) Prioritise the maintenance of Council owned trees to reduce the actual risk of harm to people and property to an acceptable level and to discharge the Council's statutory duties.
- c) Work to industry best practise, and the current British Standard, BS 3998- Tree Work Recommendations (and any amendments to, or replacement for, this document) when undertaking any tree works.
- d) Will not agree to the removal of healthy trees from the environment unless the removal is deemed necessary under the Kirklees Council Tree Risk Management Framework, the Kirklees Tree Management Standards, or is otherwise required under other legislation
- e) Continue to ensure that its staff, are appropriately trained to the current nationally recommended levels.

5.3 Highway Trees- Kirklees Council will:

- a) Meet its statutory duties under the Highways Act with regards to trees
- b) Require that any utilities works within the highway is carried out in accordance with National Joint Utilities Group, Volume 4 (and any amendments to, or replacement for, this document).



5.4 Conflict and Complaints- Kirklees Council will:

- a) Deal with requests and complaints from third parties in relation to Council trees in accordance with the Council's Complaints Procedures where relevant.
- b) Seek compensation in the form of remedial work to rectify damage and/or full replacement cost values from any organisation or individual(s) responsible for significant damage to, or removal of, any Council owned tree(s). According to the value as calculated by the Capital Asset Valuation of Amenity Trees (CAVAT) methodology.
- c) Tree works will not be carried out at the Council's expense on behalf of private tree owners; where essential works are undertaken to rectify damage to Council land or property sustained through the failure of the whole or part of third-party trees, the costs of such works will be recharged in full to the owner of the tree or trees in question.

5.5 Woodland Management- Kirklees Council will:

- a) Where practicable, seek to bring its woodlands back into active management in line with best practice as set out in The UK Forestry Standard (and any amendments to, or replacement for, this document).
- b) Work to increase woodland cover on its land, wherever practicable and sympathetic to local topography, ecology, and landscape character. Taking into account the avoidance of future conflict with other landowners and users. While considering enhancement of connectivity within the Kirklees Wildlife Habitat Network and the Strategic Green Infrastructure Network.

5.6 Tree Planting- Kirklees Council will:

- a) Will seek to proactively increase tree cover on its land. Maximising opportunities to plant trees wherever practicable. Enhancing connectivity within the Kirklees Wildlife Habitat Network, the Strategic Green Infrastructure Network and in conjunction with the White Rose Forest.
- b) Ensure that its tree planting is in accordance with Bs 8545: 2014, Trees from nursery stock to independence in the landscape-Recommendations and the UK Forest Standard (and any amendments to, or replacement for, this document).
- c) Will continue look for opportunities and funding, where available, to facilitate new tree planting across the district.



Council Owned Tree and Woodland

Tree Risk Management Framework

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6.0 TREE RISK FRAMEWORK

The risk management framework sets out a system of inspection for trees. Which will enable the Council to have a system that considers the risks to which people and property may be expose and to guide decisions regarding what level of inspection or assessment is reasonable in each situation.

The framework aims to assist Kirklees Council in exercising its duty of care to both its employees and the public with regards to the safety of trees, and proactively manage risk to land and property

In line with HSE Document- ‘Management of the risk from falling trees or branches’ and the National Tree Safety Group guidance ‘Common sense risk management of trees’. Kirklees Council trees will be categorised into a number of “zones” for the purposes of prioritising inspections according to the following dimensions of tree related risk:

- the likelihood of failure of the tree or part of the tree (e.g. presence of known structural faults);
- the value of the targets (persons, property etc.) present and frequency of presence within falling distance; and
- the severity of impact should failure occur (e.g. size of tree or part that fails).

Council owned trees and groups of trees will be assigned one of four zones with an associated inspection frequency

Zone	Zone Definition <i>(Carriageway categories are based on Kirklees Highway’s Safety Instructions Manual 2018- section 4 network Hierarchy see appendix 1)</i>	Minimum inspection frequency
1	<ul style="list-style-type: none"> • All trees within falling distance of category 3 or 4 carriage ways (unless other factors such as tree size mean the trees should be in zone 2, 3 or 4). • All trees in places where there is significant frequent public access e.g. in and around picnic areas, children’s playgrounds, main pedestrian access points (unless other factors such as tree size mean the trees should be in zone 2, 3 or 4, or inspected on a bespoke frequency). 	18 months



	<ul style="list-style-type: none"> • Trees in places where failure would cause damage to high-value property (unless other factors such as tree size mean the trees should be in zone 2, 3 or 4). • Trees with known structural faults where a decision has been made to retain the tree in question due to its importance for habitat, landscape, cultural or amenity reasons. • Tree species or groups of trees affected by known pests or diseases which would otherwise fall into zone 2. 	
2	<ul style="list-style-type: none"> • All trees within falling distance of category 5, 6, 7, or 8 carriageways. (Unless other factors such as tree size mean the trees should be in zone 3 or 4). • Areas with public access but less frequent than category one, open spaces, paths, trees beside private gardens (unless other factors such as tree size mean the trees should be in zone 3 or 4). 	3 years
3	<ul style="list-style-type: none"> • Trees within low usage public areas (unless other factors such as tree size mean the trees should be in a higher or lower zone). 	5 years
4	<ul style="list-style-type: none"> • Private trees as per section 7.4 • Trees in sites with very limited access. • All young trees, generally below 5 m high and planted in the last 10 years. 	No routine inspection

Inspectors may recommend adjustments to the inspection frequency for a tree or group of trees on completion of each inspection. In some circumstances inspections may be recommended on a much more frequent basis, in particular in the case of trees with known defects where a decision has been made to retain them due to their importance for habitat, landscape, cultural or amenity reasons.

For urgent and emergency situations. An inspection will take place as soon as is reasonably practicable and, if the required work cannot be completed immediately areas at risk such as roads, footpaths, or public spaces will be cordoned off until resources are available. Where emergency situations are reported, inspections and works relating to these situations will take priority over scheduled inspections and tree works.

All inspections will be undertaken by trained and experienced staff who hold a recognised award/certificate such as the Professional Tree Inspection award. Best practice will be maintained through training and other ongoing continual professional development.



In the context of inspections, a defect is defined as a structural, health or environmental condition that could predispose a tree to failure. Such inspections will comprise a general assessment of the tree cover within the area from ground level, generally by passing along existing footpaths or access routes, or along the perimeter of the site where it is accessible. Any trees requiring works will be recorded and any trees exhibiting signs of decline, disease or structural instability will be subject to a closer visual assessment.

Minimum inspection for highways will be via vehicle based inspection, followed by manual inspection where potential risk has been identified. With the aim of assessing the general condition and level of risk within an area of trees whilst identifying obvious hazards that exist.

Trees that appear to present no unreasonable hazard during their inspection may under normal circumstances, not be documented in detail. However, a record that they have been subject to an inspection will be made. Any omission from the detailed record therefore implies that their hazard level is considered negligible. Trees that are considered to pose an unreasonable hazard and therefore requiring remedial works, or those requiring further investigation, will be documented. All remedial works recorded will be actioned accordingly.

In cases where potential defects are suspected but the inspector feels that further investigation is required before making a decision on the required action, details of the tree will be recorded and recommended for further assessment or monitoring which could include:

- re-inspecting the tree at a later date, such as during a different season.
- carrying out a climbing inspection.
- asking for a second opinion from another member of the team.

Any further investigations undertaken will be recorded

Out of normal office hours (Mon-Fri 9am-5pm) all tree related emergencies should be reported to the out of hours team on 01484 225664



Council Owned Tree and Woodland

Management Standards

Management, Maintenance
And
Discharge of Legal Duties



7.0 TREE AND WOODLAND MANAGEMENT STANDARDS- MAINTENANCE AND DISCHARGE OF LEGAL DUTIES

7.1 Maintenance of Council Trees

Kirklees Council owned trees will be maintained in order to reduce the risk of harm to people and property to an acceptable level and to discharge the Council's duties under law. In exceptional cases tree maintenance may on occasion be undertaken for other reasons, but this will be a balanced decision at the discretion of the Council. The Council is committed to increasing tree cover across the district and as such the retention of trees will always be the preferred course of action unless there is a clear justification otherwise.

For work which is not required to be undertaken by law. The Council will adopt a common sense approach with regards to requests it receives for relevant, justifiable and necessary tree works; all requests will be considered individually and the circumstances of the request will be balanced against any environmental impacts and the council's policies before a decision is made. Where the decision is not to the satisfaction of the customer, the customer has the right to appeal against the action or decision, to which the Council will respond in writing. Requests received in the form of complaints will be dealt with in accordance with the Council's complaints procedures which can be viewed at <https://www.kirklees.gov.uk/beta/contact-the-council/complaints-procedure.aspx>.

7.2 Tree Felling

Tree removal is regrettable but necessary under a number of circumstances. The decision to remove a tree is not taken lightly. Tree removal will be supported when it is required:

- To reduce the risk of harm to an acceptable level (e.g. dead or dying trees).
- The tree removal is required to facilitate the implementation of a development that benefits from a grant of full planning permission
- The removal is required under other legislation



Such decisions will always be made with reference to the Kirklees Council Tree Policy, Risk Management Framework and Management Standards.

Other circumstances where trees may be felled extend to situations where it can be evidenced that the tree's removal is required due to.

- A tree has been proven to be causing subsidence
- The tree removal would benefit surrounding trees
- It is the requirement of a management plan to enhance the development of neighbouring trees.

The decision to fell on the above grounds will be at the discretion of the Council based on the council's management standards, level of evidence and justification available. Balanced against the value of the tree and potential impact resulting from its loss.

7.3 Tree Pruning

Substantial pruning of a tree can allow decay pathogens to enter exposed and vulnerable tissues and can also often weaken the structure of the tree. Pruning of a healthy tree may cause it to respond by producing vigorous new growth. Older trees do not tolerate pruning as well as younger ones and any substantial pruning can pose significant risk to the survival of a tree particularly in species which are not naturally tolerant of cutting. Pruning should therefore be avoided for reasons other than for undertaking statutory functions or for reducing risk of harm to people and property. Pruning for any other reasons would be exceptional and at the discretion of the Council in line with the management standards.

7.4 Hazardous Trees

Council Trees:

If a Council owned tree is in such a condition that it (or part of it) is at risk of imminent failure in the vicinity of people or property, the Council will attend the site as an emergency as soon as is reasonably practicable in line with its Tree



Risk Management Framework. If work cannot be completed, areas at risk will be cordoned off until resources are available.

Private trees – not threatening the public:

Hazardous trees in private ownership, but that are not within falling distance of a public highway or public space, are principally a matter for the private parties to resolve. Private parties should take care of their own responsibilities and hence, as a civil matter, the Council is not to be considered as the first point of contact in attempting to resolve concerns about the danger posed by trees in private ownership. Kirklees Council does, however, have the power to require a private individual to make safe a tree which poses an imminent danger via the Local Government (Miscellaneous Provisions) Act 1976. The Council may, therefore, intervene according to the powers given in the Act if evidence is presented that show an owner of such trees has failed to act in a reasonable timescale (timescales depend upon the degree of risk presented), and the Council may recover from the tree owner the expenses reasonably incurred by it in so doing.

Private trees – threatening the public:

If a private tree WITHIN falling distance of a public highway or public space is reported to the Council and assessed as posing a danger to the public. The landowner will in the first instance be contacted and instructed to make the tree safe. The Council may intervene according to the powers given in the relevant Acts if an owner of such trees fails to act in a reasonable timescale (timescales depend upon the degree of risk presented), and may recover from the tree owner the expenses reasonably incurred by it in so doing.

7.5 Adopted Highways- Street Trees

Street trees are trees which are growing in pavements and road verges along the district's highway network. Such trees are a valuable part of our urban landscape, and the Council will maintain and enhance this urban forest for the benefit of present and future generations.

The Council will endeavour to protect street trees from threats such as loss of and damage to verges, the activities of statutory undertakers and other excavations. Where utility works are being undertaken within close proximity to highway trees, contractors will be obliged to undertake works in accordance



with NJUG 10 v.4 or any amendments to that document, as per the Council's tree policy.

The Council will not support the removal of trees for vehicle drop crossings unless the tree is of limited life expectancy, or a suitable mitigation scheme is agreed. All trees removed will be replaced with suitable specimens and all costs for removal and replacement will be borne by the person applying for the drop crossing, calculated using the Capital Asset Valuation of Amenity Trees (CAVAT) methodology.

Where practicable the Council will always seek to replant new trees to reverse the decline of our urban tree population – more often in grassed verges which are more suited to tree growth. Careful consideration will be given to the species selected and to the placement of trees so as to minimise conflict with other uses of the highway.

Tree obstructing the highway or pavement

Kirklees Council will undertake work to trees owned or managed by the Council to maintain a minimum clearance over the highway or pavement, as follows:

- 5.2 metres height over the carriageway (associated with a street, road or highway) or at a height deemed suitable by the Highway Authority for the road conditions.
- 2.5 metres height clearance over a pavement associated with a street, road or highway
- 3 metres where there are cycling rights, as per statutory requirements
- 4m as required, where there is a bridleway.

If a privately owned tree is causing an obstruction to a Highway, road or pavement, powers exist under the Highways Act to make the owner of the tree remove the obstruction. If they do not, the Council could enforce this work and recharge the owner.

Any works necessary to prevent an obstruction to the width of a pavement associated with the highway due to the presence of a Council owned tree will



be considered on a case-by-case basis. Where a pavement is deformed or damaged owing to a tree or trees the preferred course of action will be remedial works to the pavement to enable the tree(s) to be retained, unless the tree needs to be removed owing to age or condition.

Sight lines, signals, signage, and street lighting obscured by trees

Where trees are associated with an adopted street, road or highway. Kirklees Council will undertake work to trees owned or managed by the Council to maintain:

- sight lines for traffic and pedestrians at junctions.
- clear lines of sight for traffic signals and street signage
- to ensure that streetlight glow is not substantially blocked by the presence of trees.

Standards for visibility vary according to the class of the road and the speed limit in force. If a privately owned tree is causing an obstruction to visibility at a road junction (sight line), is causing an obstruction to streetlight or is causing an obstruction to a traffic signal or street sign. Powers exist under the Highways Act to make the owner of the tree remove the obstruction. If they do not, the Council may undertake this work and may subsequently recharge the owner of the tree.

7.6 Parks and Public Open Spaces

Trees in parks and public open spaces are managed to reflect the context of the site and their type, age and condition. Trees in parks generally have more room to grow compared to street trees and usually grow to their full height and spread.

Ongoing maintenance includes removing dead wood, formative pruning (to remove problems in tree form when the tree is young, thus avoiding expensive problems later), removing low branches from pathways and removing trees when they come to the end of their safe and useful life.

Available resources will be used to plant new trees where a need has been identified. Where management plans do not exist, trees will be selected and sited to complement and enhance the park or green space and to maintain tree cover in these areas.



7.7 Vandalism to trees

Kirklees Council will investigate any reports of vandalism to any tree owned or managed by the Council and use enforcement and legal action to bring about the prosecution of offenders.

Vandalism includes wanton damage of newly planted trees and any unauthorised pruning, felling or similar work to mature trees.

Third parties are not allowed to remove living material from Council land without consent and unauthorised persons are not allowed to use tools of any type in parks, public open spaces or on other Council land.

7.8 Anti-social behaviour and trees

Where any tree owned or managed by the Council is associated with criminal activity or anti-social behaviour, measures to reduce the problem will be considered on a site by site basis.

Where a tree is associated with criminal activity and/or anti-social behaviour, steps to reduce the problem will typically require the coordination of a number of agencies including the police. Pruning or felling a tree is not always the answer to the problem. Neglected spaces with overgrown trees and untidy areas can, on occasion, encourage criminal activity and/or anti-social behaviour and the Council's tree and grounds maintenance programme tries to improve these areas by making the local environment cleaner, greener and safer.

7.9 Claims of property damage or subsidence caused by trees

Kirklees Council will not prune, fell or cut the roots of a tree that is owned or managed by the Council due to subsidence or property damage. Unless sufficient evidence is provided to show that the tree is the main cause of the damage and that, on balance, remedial work to the tree out weights the tree's value and any adverse impact on it. Kirklees Council will rigorously identify and defend any claim of property damage or subsidence, which are presumed to be false.



If it is believed that a tree owned by Kirklees Council has damaged property, an assessment of the evidence that has been provided, will be made to determine if the tree is the cause of the substantial damage. If so, reasonable action will be taken to mitigate further damage. Kirklees Council will only perform work on land for which the council is responsible for and will not carry out remedial work on private property.

The Council is committed to increasing tree cover across the district and as such the retention of trees will always be the preferred course of action unless there is a clear justification otherwise.

Civil law permits land owners/occupiers to trim roots or branches that are within the curtilage of their property, however if their actions render a tree to be unsafe, they may be liable for any subsequent damage that results from tree failure.

Subsidence

To evidence that a council tree is causing subsidence, and work to the tree is deemed necessary on subsidence grounds, the Council requires that the following evidence is provided to support all requests, from internal and external parties:

Subsidence – minimum evidence requirements for all parties, internal and external:

In line with industry best practise, reports will be supported by technical analysis from appropriately qualified experts. These reports must include the following information:

- A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map
- Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building
- Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, crack-



monitoring data will be provided. Data provided must be sufficient to show a pattern of movement consistent with the presence of the implicated tree(s)

- A profile of a trial/bore hole dug to identify foundation type and depth and soil characteristics
- The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit, and plasticity index
- The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out
- Proposals and estimated costs of options to repair the damage

Subsidence – additional evidence requirements for external claims:

- In addition to the above for external claims, a report from an arboriculturist to support the tree work proposals, must be provided which includes arboricultural options for avoidance or remediation of indirect tree-related damage.

If it is believed that a property is legitimately suffering subsidence damage due to the action of trees owned or managed by the Council (or there is concern about potential damage) the parties involved are advised to contact their property insurer (private ownership) or Homes and Neighbourhoods (Council Tenants) in the first instance to discuss the concerns and agree an appropriate course of action. Should those parties, or those acting on their behalf, wish to make a claim for damages against the Council, alleging that a Council owned/managed tree is causing subsidence damage, then they will be required to submit an independent report to the Council's Insurance Department.

Other structural damage including drains – evidence requirements

Technical evidence in respect of other property damage (e.g., garden walls, drains, paving, surfaces) should be provided by a relevant engineer, building/drainage surveyor or other appropriate expert. To show that alternative remedial actions and construction solutions, which may allow trees and structures to co exist, have been investigated, and exhausted, before deciding on removal of the tree, as last resort.



7.10 Private work on Council trees:

In some situations, the Council may agree to third parties/volunteer groups undertaking works to trees on its land in order for them to help resolve their own specific issue or as part of a management plan, provided that those works do not compromise the structural integrity of the tree in question. In such situations all works would need to have prior agreement in writing from the Council and all such works would need to be funded by the third party in question.

Details would also need to be provided of the contractor to undertake the work including:

- An up to date copy of their public liability insurance.
- A copy of qualifications relevant to the work proposed - if climbing two operatives trained for rescue and LOLER; if the proposal is a reduction we would need a pruning qualification and if lowering is involved we would need lowering qualification; and
- Risk assessments and method statements for the work.

Work should not take place until written consent is granted in response to the request. Any works completed without prior written consent may result in the Council seeking compensation from those responsible in the form of remedial work to rectify the damage and/or full replacement cost values as calculated by the Capital Asset Valuation of Amenity Trees (CAVAT) methodology.

7.11 Tree planting

Kirklees council will ensure that any tree planting on its land or associated with its operation will be carried out in line with BS 8545: 2014, Trees from Nursery Stock to Independence in the Landscape-Recommendations and the UK Forest Standard (and any amendments to, or replacement for, these document).

Standards (individual large trees ranging from 1m- 4m in height at planting)

- Preference will be given to planting root balled or container grown tree stock, dependant on availability and site constraints.
- Suitable above ground or underground support will be provided for young trees, dependent on site factors and design. Ordinarily this will consist of double stakes with ties or underground guying.



- Trees pits should be mulched, or a suitable permeable surface provided over the tree pit area, appropriate to the site's intended usage.
- Installation of irrigation systems will be considered on a case by case basis, taking account of site conditions, ground make up and site usage.
- Where tree planting is planned close to infrastructure or within the built environment, all tree pit designs will include appropriate underground infrastructure for each situation, to ensure the tree's survival and avoid long term conflict with surrounding built structures. This may include a combination of root barriers, root deflectors, integrated SUDs, soil cells or structural soils. Tree pit designs will be based on the intended type of tree planting, the nature of the planting site, it's usage and surrounding environment.
- Where tree planting is planned within hard surfaces or within the built highway network, including constrained grass verges, the following minimum soil volume must be accounted for within the tree pit design.
 - Soil volume calculation: 6 cubic metres of soil/ 1 square metre of projected mature crown area ⁽¹²⁾
- Aftercare maintenance will be provided for 2-3 years after planting. This will consist of regular visits to:
 - water
 - check tree condition, stakes, ties, mulch
 - weed and litter pick,
 - formative prune as necessary.

Level of visit frequency will be based on weather conditions and site factors. Watering quantities and frequency will be sufficient to meet the needs of the tree and site specific ground conditions and carried out throughout periods of dry and or hot weather.

Whips (young saplings normally 18 months old)

- Preference will be given to the use of cell grown whips dependant on availability and site conditions.
- The trees will be from UK seed source, following Forestry Commission Advice on provenance. Produced using suitable biosecurity measures, as set by Plant Health Management Standards.
- Protection; shelters, guards, fencing etc will be specified on a case by case basis taking account of site conditions and the proposed project.



Dependent on availability and site factors, preference will be given to the use of plastic free shelters or guard products. Followed by biodegradable plastic products or other environmentally friendly products such as recyclable or reusable.

- Dependant on site factors and design, mulch matts will be considered for use with whips. Where mulch mats are being utilised, these should be plastic free and biodegradable, dependent on availability.

7.12 Woodland Creation and Management

It is important to note that woodlands are a diverse ecosystem, not just a group of trees, they include open spaces, a range of habitat types and different layers of vegetation growth. All of which are important, right down to the makeup of the soil. This will be a key consideration when designing new woodlands for Kirklees owned land or management plans for existing council woodlands. The aims and objectives of Kirklees council woodland creation designs and woodland management plans will be:

- Contribute to long-term carbon storage and mitigating the effects of climate change
- Contribute to reversing biodiversity decline
- Provide communities with opportunities to access quality green spaces.
- Contribute to flood alleviation where possible

Woodland creation Schemes and woodland management plans will be designed in accordance with The UK Forestry Standard. Designs and management plans will consider the following principles:

- Climate change and adaptation
- Biodiversity
- Local and wider landscape
- Historic landscape
- Local and wider communities
- Soils, water and utilities



Council Owned Tree and Woodland

Management Standards

General Inconvenience- Nuisance

None-Safety Works

Works Not Required by Law



8.0 GENERAL INCONVENIENCE- NUISANCE CASES, NONE SAFETY WORKS, WORKS NOT REQUIRED BY LAW

8.1 Trees touching a building

If a tree that is owned or managed by the Council is touching private property (dwelling, house, garage etc.) the Council will take action to remove the nuisance by the most appropriate means. In many cases the solution will be for the Council to prune the tree, but in some circumstances, it may be more appropriate to fell the tree. If pruning is appropriate, we will endeavour to undertake works to stop the problem recurring within three years.

8.2 Tree overhanging property

Kirklees Council will not prune or fell a tree that is owned or managed by the Council to alleviate the nuisance or inconvenience of branches overhanging private property. Non-statutory nuisance caused by overhanging branches may be considered as part of our general tree work programme. However, this programme is discretionary and subject to the availability of funding.

8.3 Trees blocking natural light or views

Kirklees Council will not prune or fell a tree owned or managed by the Council to improve natural light to private property unless it is required by a court order to do so. Kirklees Council will not prune or fell a tree, or group of trees, owned or managed by the Council to improve the view from private property

Where trees growing naturally within the environment are blocking light into a property there is no legal “right to light”. The tree owner is not by law obliged or required to carry out work to the tree(s) for the benefit of level of light to a third party, unless the third party has brought a successful action through the courts demonstrating that a “right to light” exists.

If natural light is being blocked by the growth of a predominantly evergreen hedge, then there may be a case under the High Hedges legislation, Part 8 of the Antisocial Behaviour Act, 2003. Further information can be found on the Planning Trees web page www.kirklees.gov.uk/trees



8.4 Debris drop related to trees- leaf fall, sap (honeydew), blossoms, bird droppings, nuts, fruits, seeds

Kirklees Council will not prune or fell a tree owned or managed by the Council in relation to complaints regarding natural debris drop.

Leaf fall, blossoms, fruits, nuts, and seeds are natural seasonal events and as such should be considered as part of routine property maintenance.

The sticky residue falling from trees that is commonly referred to as 'Sap' is Honey Dew and is caused by Greenfly (Aphids) feeding on the tree's sap. Honeydew is a natural and seasonal problem. Where new trees are planted, Kirklees will explore the use of trees that are less likely to have this problem. Where honeydew affects cars or surfaces, warm soapy water will remove the substance, particularly if the car or surface is washed as soon as possible.

Bird droppings may be a seasonal nuisance, but the problem is not considered to be a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law). Warm soapy water will usually be sufficient to remove the bird droppings.

8.5 Satellite, television, and other communications reception blocked by trees

Kirklees Council will not prune or fell any tree owned or managed by the Council to enable or ease installation or improve reception of satellite or television receivers. It may be that the satellite or TV provider will be able to suggest an alternative solution to the problem, for example relocating the aerial/dish or means to boost the signal. Kirklees Council will not reimburse costs associated with relocating a TV aerial or satellite dish.

8.6 Security cameras/sensors blocked by trees

Kirklees Council will not prune or fell any tree owned or managed by the Council to improve the range or vision of security cameras or similar sensor equipment unless requested to do so by an appropriate statutory authority, e.g. the Police, on the grounds of public safety. Security of premises is the responsibility of the owner, and any system should be installed in such a way as to avoid interference from or with adjoining trees.



8.7 Solar collectors and panels obscured by trees

Kirklees Council will not prune or fell any tree owned or managed by the Council to improve the performance of solar water heating collectors or solar panels such as photovoltaic cells.

Whilst the Council appreciates that there is a need to provide renewable energy resources, trees have an important role in maintaining and improving local amenity, in addition to contributing to local and national targets in tackling climate change. The presence of trees must be fully considered when selecting a suitable location for the placement of solar collectors and panels.

8.8 Telephone wires and trees

Kirklees Council will not fell any tree owned or managed by the Council to remove or reduce interference with telephone wires. However, there may be instances where the Council will undertake works to prune trees and reduce interference where pruning would be an effective measure.

The telephone service provider may be able to suggest an alternative solution to the problem. However, wires do and can run through trees with little or no effect. Service providers will often install the wires after the tree has been planted. For further advice please contact your service provider

8.9 Trees considered too large

Kirklees Council will not prune or fell any tree owned or managed by the Council because it is considered to be 'too big' or 'too tall'.

A tree is not dangerous simply because it may be considered too big for its surroundings. Other problems would need to be present, such as those described in earlier sections, in order for the Council to consider it to be dangerous. Kirklees Council does not recognise, "lopping", "topping" or "pollarding" as a general form of management of its trees. Such work can be detrimental to the health and future safety of trees and will only be undertaken in exceptional cases.



Council Owned Tree and Woodland

Service Standards

DRAFT



9.0 SERVICE STANDARDS

Kirklees Council will work to the following target service delivery standards, ensuring that Council tree management resources are prioritise on safety critical works:

9.1 Work Completion Timeframes

Priority Level	Definition	Completion time	Policy Areas
Emergency	Dangerous, immediate	As soon as practicable	Risk Framework
Urgent	Important, critical	Within 7 days	
High Priority	Important task	Within 2 months	Maintenance, Legal Duties
Medium Priority	Core Task	Within 8 months	
Low Priority	Low level nuisance	No action	None-Safety, Not Required by Law

9.2 Enquiry Response Timeframes

Enquiry Response	Response Time	Definition
Emergency and Urgent	As soon as practicable	Enquires of a dangerous, important, critical nature
Confirmation of receipt	Within 7 days	Response sent to confirm receipt of enquiry
Acknowledgement	With 28 days	To outline proposed response and process to expect
General enquiry	Within 2 months	Case assessed and actions proposed

To ensure that enquiries can be dealt with in an efficient and timely manner all reports or requests, from members of the public or internal parties, are required to be submitted on one of the following forms.



9.3 External request submission proforma

Customer Enquiry Form- Council Owned Trees			
Customer Details			
Title		Full Name	
Contact details			
Tel			
Email			
Address			
Post code			
Tree Enquiry Type (tick as appropriate)			
Dead, dying or dangerous tree	<input type="checkbox"/>	Interfering with a highway or public path	<input type="checkbox"/>
Concern over the health of a tree	<input type="checkbox"/>	Property Damage (Evidence required in support of the enquiry, see Management Standards)	<input type="checkbox"/>
Other	<input type="checkbox"/>	Tree causing issues; overhanging branches, blocking light, aphid sap, leaf fall	<input type="checkbox"/>
Before progressing, please read our policy document and management standards, detailing when and why Kirklees Council undertakes works to trees and note where the council can not take action.			
Tree Location Description Please give a detailed description of the tree(s) location and where possible nearest post code or grid ref			
Enquiry Description Please give details of the situation you are reporting or the works that you are requesting			
Supporting Documents Tick as appropriate			
I have attached supporting photos			<input type="checkbox"/>
I have attached the required expert evidence Required to support reports of property damage, see Management Standards section 7.9			<input type="checkbox"/>



9.4 Internal request submission proforma

Internal Request Form- Council Owned Trees			
Customer Details			
Reporting Officer Name			
Contact details			
Tel			
Email			
Service Area			
Tree Enquiry Type (tick as appropriate)			
Dead, dying or dangerous tree		Interfering with a highway or public path	
Concern over the health of a tree		Property Damage (Evidence required in support of the enquiry, see Management Standards)	
Other		Tree causing issues; overhanging branches, blocking light, aphid sap (Before progressing please read our policy doc detailing when and why Kirklees Council works on trees)	
Tree Location Description			
Please give a detailed description of the tree(s) location and where possible nearest post code or grid ref			
Request Description			
Please give details of the situation you are reporting or the works that you are requesting			
Supporting Documents			
Tick as appropriate			
I have attached supporting photos			
I have attached the required expert evidence			
Required to support reports of property damage, see Management Standards Section 7.9			
Cost Code			



10.0 APPENDIX 1, EXTRACT- KIRKLEES SAFETY INSPECTION MANUAL 2018

Table 4.1 Hierarchy – Carriageways

Carriageway Hierarchy			
Category	Hierarchy Description	Defined by	Road Description
1	Motorway	DFT	Limited access, motorway regulations apply
2	West Yorkshire Key Route Network (WYKRN)	Defined by West Yorkshire Transport Committee	Regional routes which have a 'strategic' function such as connecting the key towns and cities in the county, linking to the motorway network or to Leeds Bradford Airport.
3	Main Distributor	A Roads connecting larger towns	Heavily trafficked routes and busy freight routes including Resilient Network e.g. roads linking towns to the WYKRN. The resilient network is under review and any roads falling into this category will be introduced in the next hierarchy review/update.
4	High Traffic Local Network	B and C class roads and/or one or more high key feature	Heavily trafficked local roads which have one or more high traffic volume generators e.g. important links in the network connecting towns and larger villages.
5	Medium Traffic Local Network	Locally important routes and/or one or more medium key feature	Medium trafficked local roads which have one or more medium traffic volume generators or metalled through roads with no footways
6	Low Traffic Local Network	Roads with one or more low key feature	Low trafficked local roads which have one or more low volume traffic generators
7	Local Road	Roads serving limited numbers of properties carrying access traffic and have no key features	Local roads with no traffic generators present eg serving residential properties In rural areas serve small settlements and provide access to individual properties and land In urban areas they are often residential loop roads or cul-de-sacs
8	Minor Access Road	Byways/Tracks Lanes Unmade and have no key features	Minor routes and low use unmetalled tracks- some may already be unsuitable for motors and maintained in character only



11.0 CONTACTS:

Email: foresty@kirklees.gov.uk

Telephone: 01484 414700

Web site: <https://www.kirklees.gov.uk/beta/leisure-and-culture.aspx>

Out of normal office hours: 01484 225664

12.0 MONITORING AND REVIEW

This document will be subject to a biennial review and update. The review will include:

- Checks against industry best practise, industry standards, national legislation, and guidance
- Check against local adopted policies and guidance
- Resource & capacity
- Operational feed back

Reviewer Name and Job Title	Comments	Date Reviewed



13.0 REFERENCES:

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- (11) The Woodland Trust, 2004, Making Woodland Count – its contribution to our quality of life,
- (12) Lindsey and Bassuk, (1991)

