

# Stockport Metropolitan Borough Council

## Services to Place / Neighbourhood Team

### Tree Management Procedure 2022.

This document details Stockport Council's methodology for the management the tree stock owned by the Council, excluding trees managed by Stockport Homes Group.

The procedure has been written to:

- Ensure that the Council maintains a healthy and safe tree stock.
- Ensure consistency with regards to requests for works to trees.

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## **1.0 Benefits of Trees**

### **1.1 Trees provide a wide range of benefits:**

- Benefit wildlife - trees provide a habitat and food source for a broad range of mammals, birds and insects.
- Filter air pollution - acting as filters to remove particulate pollution deposited on leaves.
- Carbon sequestration - Trees remove carbon dioxide from the air, store carbon and release oxygen as a by-product.
- Reduce noise - trees planted close together can absorb noise and provide a barrier.
- Provide shelter - Dappled shade from trees provides a useful barrier from ultra violet radiation and trees reduce wind speed around buildings.
- Cool the air - trees help to regulate evaporation.
- Stabilise soil – particularly important on sites adjacent to water bodies.
- Improve the landscape - Trees form a backdrop to the urban setting and help to improve people's enjoyment of the cityscape.
- Commemoration or celebration of individuals and/or communities.

1.2 The Council wants to create a sustainable, biologically diverse tree-scape and maximise the beneficial aspects of trees for all residents.

1.3 The Council is committed to explore and develop opportunities to utilise the arising (woodchips, logs and standing timber) generated by arboriculture operations towards greater environmental sustainability.

## **2.0 Tree Management - General**

2.1 Trees will not be removed unless there is a demonstrable arboriculture, safety or legal reason for the removal therefore maintaining the overall canopy cover for the borough, with the exception of where an arboricultural opportunity is presented to increase the tree cover and enhance the biodiversity of the local environment.

2.2 All requests for arboriculture works to trees growing on Council land will be assessed and authorised by Council officers.

2.3 If tree works are required in the bird nesting season (March – August) trees will be examined for evidence of nesting. Where a bird's nest is found, tree works will be delayed until the young birds have fledged and left the nest or the end of the nesting season.

2.4 No tree work will be undertaken on trees where there is potential to impact upon any protected species (for example bats or badgers) until consultation has been undertaken with the Council ecologist and/or appropriate external consultants. Any work that is subsequently undertaken will be in accordance with current legislation, policy and best practice guidance.

2.5 All tree pruning and arboriculture works are undertaken in accordance with the British Standard for Arboriculture BS3998 and will follow guidance from the Arboriculture Association's Guidance Note – An introduction to trees and their management.

### **3.0 Reports of subsidence and damage**

3.1 When investigating claims of subsidence and damage to properties from tree roots emanating from a tree owned and maintained by the Council, the Council requires the property owner to submit a structural engineers report. This will enable the Council to review the evidence and determine the appropriate course of action. The report should include the following:

- Age of the property
- Depth of foundations
- History of any modification (extensions) to the building
- Condition of the drains
- Spatial arrangement and amplitude of damage
- Data of tree roots
- Soil tests
- Seasonal monitoring
- Survey of level distortion

3.2 All queries and initial reports need to be submitted to the council via the online form <https://www.stockport.gov.uk/tree-maintenance/report-problems-with-trees> or the council contact centre.

All insurance claims should be directed through our Insurance Department (found on the Council's website at <https://www.stockport.gov.uk/personal-injury-and-damage-claims/making-a-claim>)

3.3 The Council will not require some or all of the above 9 criteria when in the officers professional opinion the tree removal with appropriate replacement would prevent representation against the Council or financial penalties.

### **4.0 Obstruction by overhanging branches**

4.1 Tree branches from Council owned trees that obstruct footpaths, the carriageway, highway signage, street lighting or CCTV will be inspected and have the necessary pruning work undertaken within a timescale appropriate to the level of risk.

4.2 Tree branches from privately owned trees that obstruct footpaths, carriageway, highway signage, street lighting or CCTV will be inspected and dealt with by exercising delegated powers under the Highways Act 1980. The Council will serve 14 days statutory notice on the land owner after which time, if the works have not been completed, the Council will undertake the work and re-charge the land owner at full cost.

### **5.0 Television reception**

5.1 There is currently no legal right to good television reception, and no legal requirements to rectify a loss of television or radio service in respect of trees. Interference is not at present a legal nuisance, and in many cases it is possible to resolve issues of poor reception involving trees by finding an engineering solution.

5.2 Stockport Council will only consider requests to prune trees to improve

reception where the following conditions have been met:

- It can be demonstrated that the householder has taken every effort to find an engineering solution to the problem and has not been successful.
- The work required is consistent with good arboriculture practice and will not unduly affect the amenity value or health of the tree.

- 5.3 If the above conditions are met the Council will offer a chargeable service to undertake the necessary work.

## **6.0 Shade or blocking of light**

- 6.1 There is no legal right to light in an open space or in a garden. The Council will consider applications to its prune trees for right to light on an individual basis; the Council will offer a chargeable service to undertake the necessary work.

## **7.0 Leaf/fruit fall and secretions**

- 7.1 Clearing of leaves from gutters and pathways and weeding of set seeds are normal routine seasonal maintenance, which property owners should arrange to be undertaken within their property boundary. Honeydew is not readily controllable by pruning and cleaning of affected surfaces is also considered to be routine maintenance by the property owner.
- 7.2 As fallen leaves, blossom and berries are uncontrollable the Council will not prune trees to reduce the amount of leaf litter, blossom or berries which fall from the trees onto private land.

## **8.0 Interference with utilities**

- 8.1 The Council will not fell trees which have roots that have entered drainage systems. Tree roots do not have the capacity to break into good condition drainage systems, but they will exploit any existing leaks or faults in drains. The removal of one tree will not prevent other vegetation from exploiting the same opportunity and so the Council's presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight. Only after all alternative remedies to drainage related problems have been exploited would be the council consider removal of a tree.

## **9.0 Trees Management – Highway Trees**

- 9.1 Street trees are defined as trees planted or growing in pavements and road verges along the town's highway network and are looked to be retained within this environment as long as they remain healthy and structurally sound during the regular inspection regime.
- 9.2 The Council will undertake, within planned work programmes, the regular removal of basal (epicormic) growth for highway safety reasons.
- 9.3 The Council will comply with the Highways Act 1980 code of practice and the Equality Act 2010 regarding any replacement of highway trees i.e. recommending clearances will be maintained along both the footway and the carriageway.
- 9.4 When tree roots from a highway tree is shown to be causing a demonstrable

safety issue on the footway (and/or carriageway) and root pruning would make the tree unsafe a cost benefit analysis of removal v's redesign the footway to remedy the safety issue must be undertaken. The Head of Service has discretion in considering the circumstances presented in the cost benefit analysis of each individual case.

- 9.5 Where a highway tree is removed the Council will plant a replacement tree of similar species if appropriate in the same location if possible or close by if not, at the appropriate time of year. The Head of Service has discretion in waiving this replacement tree considering any extenuating circumstances presented in an individual case.
- 9.6 The Council will prune street trees to ensure free, unobstructed passage for pedestrians, traffic and visibility of all road signs, street lamps and street furniture.
- 9.7 Where adequate illumination of the highway is present the Council will not take action to improve the levels of illumination of private property through the pruning of trees.
- 9.8 The Council will only remove a healthy tree for the purpose of vehicle crossovers subject to the following criteria:
- the tree cannot be retained without detrimental effect to the trees roots and main structure
  - the replacement tree planting will be planted as close as possible to the original location.
  - All costs associated with the removal and subsequent replacement are to be funded by the applicant. (a quote will be supplied to the applicant following a receipt of an application for vehicular crossing including the felling of the tree, grinding out the old stump, creation of new tree pit in line with standard detail and planting of the new tree)
- 9.9 The Council will look to maintain and enhance the current Highway tree stock over the next 25 years with a target to increase in line with the Climate Action Now, making sure the tree species are appropriate for the local environment, climate change resilient and are a benefit to the local community both from an economic prospective and a biodiversity aspect.

## **10.0 Trees Management - Greenspace**

- 10.1 The Council will take every reasonable step to preserve and enhance tree canopy that are both native and non – native to the borough with a minimum of one for one replacement and above where, locations allow greater numbers of replacement planting.
- 10.2 The Council aim to create a varied and sustainable tree population in parks and open spaces for reasons of aesthetics and for the benefit of the biological diversity of the Borough.
- 10.3 The Council will look to maintain and enhance the overall number of trees in parks and open spaces over the next 25 years with a target to increase in line with the Climate Action Now, making sure the tree species are appropriate for the local environment, climate change resilient and are a benefit to the local community both from an economic prospective and a biodiversity aspect.

## **11.0 Tree Management - Woodland**

- 11.1 The Council will:

- Take reasonable steps to preserve and enhance woodland trees that are native to the local region of the borough.
- Encourage natural regeneration in woodlands.
- Retain a level of dead trees in woodlands preferring to prune rather than fell, subject to public safety assessments.
- Leave standing dead timber and felled trees in situ for the benefit of biological diversity, subject to public safety assessments.
- Manage woodlands as a long term sustainable resource and potential recreational activity resource.
- Actively support and encourage community involvement in the planning and operation of woodland management.
- Seek opportunities to expand and create new woodlands.

- 11.2 The Council will produce and maintain woodland management plans that are in accordance with the accepted forestry and arboriculture methods of traditional woodland management.
- 11.3 The Council will actively encourage access to woodlands and develop pathways within managed woodlands, where appropriate to increase access and deliver alternative recreational activity resources working with partners such as NHS.
- 11.4 The Council will liaise with the Pennine Edge Forest, City of Trees and the Forestry Commission amongst others to determine best practice regarding woodland management.
- 11.5 The Council will look to engage in woodland management to reduce overstocked woodlands in line with UKFS and improve timber values where appropriate for the site as well as improving biodiversity and access. A target in the Climate Action Now for more hectares of woodlands will be brought back into management over the next 25years.
- 11.6 No tree work will be undertaken on trees where there is potential to impact upon any protected species (for example bats or badgers) until consultation has been undertaken with the Council ecologist and/or appropriate external consultants. Any work that is subsequently undertaken will be in accordance with current legislation, policy and best practice guidance.

## **12.0 Tree Management - Private Land**

- 12.1 The Council is not responsible for trees and woodlands on privately owned land.
- 12.2 In cases of tree disease outbreaks, for example, Dutch elm disease, Poplar scab or Ash die back, the Council will provide advice and information regarding control and prevention methods to private land owners.
- 12.3 Trees growing on private land may cause a nuisance or obstruct the highway. In dealing with such issues the Council can exercise delegated powers e.g. the Highways Act 1980 and serve notice on the land owner in accordance with the powers.
- 12.4 The Council does not provide a service to arbitrate in disputes caused by privately owned trees, unless the issue directly affects Council land, as agreed by the Head of Service.

## **13.0 Tree Management - Private Land – Emergencies**

- 13.1 The Council has powers to respond to reported dangerous trees growing on private land under the Local Government, Miscellaneous Provisions Act 1976.
- 13.2 If the Council is required to respond to a tree related emergency on private land, work will be undertaken to make the tree safe, leaving the cuttings as they remain the property of the owner. An invoice for the work undertaken will be issued to the tree owner within ninety days.

#### **14.0 Evergreen hedges over two metres high**

- 14.1 The Council's Planning Service has delegated powers under the Anti-Social Behaviour Act 2003, (Part 8) and the High Hedges (appeals England) Regulations 2005.
- 14.2 The Council's Planning Service deals with complaints from properties adversely affected by evergreen hedges over two metres high.  
<https://www.stockport.gov.uk/high-hedges-policy>

#### **15.0 Tree Preservation Orders**

- 15.1 The Council can issue a Tree Preservation Order to protect trees from felling, uprooting, topping, lopping and wilful damage, where the trees have been identified as having amenity value in accordance with current Government set assessment criteria to warrant protection, regardless of their ownership.
- 15.2 Any work to trees protected by a Tree Preservation Order will require written consent from the Planning Authority. It is a criminal offence to carry out work to a protected tree without prior consent.
- 15.3 Trees that are growing within a conservation area are also protected under the Town and Country Planning Act 1990 as amended (Tree Preservation) (England) Regulations 2012. Under the Act anyone wishing to undertake any arboriculture works on a tree growing in a conservation area, is required to inform the Planning Authority and give the six weeks' notice.
- 15.4 Whether or not a tree is protected by a tree preservation order or is within a conservation area, a felling licence, issued by the Forestry Commission, would be required under the Forestry Act 1967 if the affected trees are in excess of five cubic metres.

#### **16.0 Replacement Planting**

- 16.1 The Council will take every reasonable step to preserve and enhance tree canopy to the borough with a minimum of two for one replacement planting, unless deemed not possible. However, we do aspire to replace lost trees with greater numbers in order to maintain or increase canopy cover in line with the Greater Manchester tree strategy.
- 16.2 The Council will select trees that are appropriate for their location and the anticipated maintenance needs throughout the life of the tree.
- 16.3 New tree planting, including the establishment and maintenance of the trees, will be undertaken following sound horticultural and arboriculture practice to comply with the relevant British Standards, i.e. BS4428: 1989; BS3998: 2010; BS7370: 1991.



- 16.4 Both native and non-native tree species will be planted dependent upon the appropriateness of the intended location and the purpose of the planting scheme.

## **17.0 Tree Inspection Criteria and Timeframes for delivery**

- 17.1 All council owned/maintained trees are inspected every two years for Highways and three years for all other designated tree stock unless a high target zone is identified and these sites will be reduced to a two year inspection regime.

- 17.2 All Council owned/maintained trees are inspected with the following priority works categories and works issued in accordance with the timeframes allocated to the category;

S1 – High priority complete within 10 working days of inspections

1 – Required works completed within 12 to 24 months of inspection due to presenting a health and safety issue or actionable nuisance (subject to SLA capacity)

2 – Noted for informative purposes but does not require any action at this time, as proposed works are not presenting any health and safety issues or actionable nuisance requiring action.

3 – No works required

- 17.3 All Council owned/maintained trees are inspected for both physiological and structural health aspects and rated accordingly with one of the following categories; Good, Fair, Poor & Dead. It is noted that only Poor and Dead would require the works being undertaken in most cases with occasional Fair/Good trees requiring works to rectify actionable nuisance issues through minimal pruning works.

## **18.0 Contact and Further Information**

- 18.1 Enquiries about trees should be directed through the Stockport Direct Contact Centre on 0161 217 6111, [stockportdirect@stockport.gov.uk](mailto:stockportdirect@stockport.gov.uk)

- 18.2 Additional, related information can be found on the council website;

<https://www.stockport.gov.uk/topic/grass-trees-and-verges>