

Reigate & Banstead Borough Council

GUIDANCE NOTE ON TREE SAFETY

1. INTRODUCTION

This Guidance Note aims to maintain the important balance between public safety and the conservation interests of the Reigate & Banstead Borough Council (RBBC) Parks & Countryside Department tree stock. It is based on the principle that a tree may suffer failure irrespective of age and that hazards need to be addressed in all trees where mechanical failure may result in harm. By identifying those hazards which pose significant levels of risk and managing that risk (not necessarily by remedial action to the tree), the conservation of species, landscape and habitat values of woodland and veteran trees can be achieved without compromising public safety.

This Guidance Note outlines the method of safety inspections used by Reigate & Banstead Borough Council to identify possible sources of foreseeable hazard posed by all of its trees, including its veterans, and to remove those hazards as far as reasonably possible.

The Guidance Note also provides guidelines for persons surveying Council land for hazardous trees. It ensures that tree safety inspections do not lead to the loss of character or species diversity. Its aim is to assist with the Parks & Countryside estate management by ensuring that a sensible balance is maintained between public safety, wildlife conservation, and that all reasonable measures are taken to comply with legal obligations.

2. GUIDING PRINCIPLES

- Old trees are not necessarily more prone to failure than young trees.
- Hollowing is not an automatic indication that a tree is dangerous.
- The presence of fungal bodies is not an automatic indication that a tree is dangerous.
- Dead wood is an important natural resource that should be left wherever possible.
- Crown reduction can be used to reduce the risk of tree failure
- Dead trees should be reduced rather than felled when appropriate.
- Limbs or felled timber should be left in situ wherever possible.
- Risks can be managed reasonably using options other than remedial action on trees.
- In practice it is never possible to completely eliminate all danger.

3. LEGAL OBLIGATIONS

Under various Acts of Parliament, a number of responsibilities arise as a result of the council's extensive tree stock, including:

- Avoidance of harm to people or their property while occupying or visiting council land.
- Avoidance of harm to people or property on land adjacent to council land
- Avoidance of harm to those on the public highway (including other rights of way).
- Regulation of woodland management and tree felling.
- Protection of woodland and trees of special amenity and cultural importance.
- Protection of wildlife species and their habitats.

4. DUTY OF CARE

The Council, as the owner of trees and woodland, has a statutory duty of care to take reasonable steps to avoid acts or omissions which it can reasonably foresee would be likely to cause harm. Harm might be in the form of people or property being hit by or colliding with trees, or parts of them. People, especially children, may climb trees and fall out of them.

They may be poisoned by or suffer an allergic reaction to certain trees. Trees with thorns may also present a danger.

In practice it is never possible to eliminate completely all danger. The law requires, however, that the Council takes all reasonable care:

- to identify possible sources of foreseeable danger and
- to remove them as far as is reasonably practicable.

The Parks & Countryside have numerous footpaths, public rights of way, and some sites border public highways. Some areas share boundaries with private residential housing or schools and are crossed by a number of services owned by utility companies. Staff, members of the public and contractors must not be put at risk because of any failure of the Council to take all reasonable precautions to ensure their safety.

An ongoing tree Hazard Assessment is being carried out for the whole of the Parks & Countryside estate that takes into account the two separate factors of hazard and risk. This Guidance Note sets out the standards required to carry out tree safety inspections, assess the risks and plan the remedial action. It also addresses issues relating to competence and record keeping.

5. HAZARD AND RISK

Hazard is the potential to cause harm.

Like all living organisms, trees are subject to decline, senescence and collapse. They can also be damaged physically or invaded by pathogenic organisms. As trees deteriorate so they are increasingly likely to shed branches or fall in severe weather and their potential to cause harm increases.

The Council has an important collection of exotic and native trees many of which are in decline but still retain high amenity value and are uniquely valuable to wildlife, whatever the physical condition of the tree. Remedial action is only necessary when there is clearly a significant risk to life or property. This might mean removing part of the tree or reducing the level of public access in the vicinity.

Risk is the level of likelihood that a hazardous tree will cause damage.

Risk is primarily related to the location of the tree. It reflects the intensity of use of the immediate surroundings of the tree and the proximity of the tree to buildings or other structures.

The intensity of use by staff or visitors to council land is not evenly distributed.

Some areas are naturally inaccessible, due to dense woodland or undergrowth, while other areas are heavily used throughout the day. The levels of risk, therefore, vary across the various sites and this has been recognised in the Tree Inspection Guidance Note through a system of zoning (high, medium & low risk).

6. TREE INSPECTIONS

The Council is aware of its responsibilities to ensure the tree stock is correctly managed and has embarked on a Safety Inspection Programme. The programme has three aims

- **Identification of hazards**
- **Assessment of risk**
- **Identification of remedial action, where necessary**

The Council has purchased the Arbortrack© software system to record the position, condition, and requirements for remedial work of its tree stock. Tree inspections, hazard assessments and recommendations for remedial work are carried out by either the Parks & Countryside Tree & Woodland Officer or an Arboricultural Consultant who reports back to the Tree & Woodland Officer.

When a contractor is used, the survey work is only undertaken by persons who meet the requirements of competence set out later in this Guidance Note statement.

It is the aim of the Tree & Woodland Officer to record all the council's tree stock in the Parks & Countryside sites on to the Arbortrack© system and bring the stock in to an inspection regime.

In areas of woodland such as Banstead Woods for example it would be difficult to record all trees accurately on to Arbortrack©. Where practically possible, trees will be entered on to the system as individuals. Otherwise they will be represented on the survey as a group.

7. IDENTIFICATION OF HAZARDS

The Tree & Woodland Officer or contracted Tree surveyor is responsible for identifying and assessing hazards and recording the results onto the Arbortrack system. A simple colour coding system has been adopted for the trees entered on to the database before work is issued to a contractor. Once the work is completed, the colour coding will revert to green as it will be deemed that the tree is now in an acceptable condition.

Green Trees requiring no work, low risk

Yellow Trees requiring remedial work, potentially medium risk

Red Trees requiring removal/ urgent remedial work, potentially high risk

Purple Trees that represent no immediate risk, but removal would be regarded as good long term arboricultural management.

Brown Trees that have been retained for their high value as standing deadwood habitat.

White Trees removed. Either stump remains or vacant tree planting pit.

Many trees can be potentially hazardous. Using Visual Tree Assessment (after Mattheck et al 1994) the Tree & Woodland Officer or Arboricultural consultant can reasonably assess the conditions most likely to lead to injury or damage to people or property. These are physical or physiological conditions that might lead to a break up or collapse of the tree. They are identified and recorded during the inspection process and remedial work specified where required.

In practice only visible defects are likely to be identified. Techniques used to assess the structural integrity of standing trees such as increment borers, decay detecting drills, Resistograph or ultrasound type equipment will not be used as a matter of course. The use of such equipment can enable the Tree Officer to make an informed decision about trees

of high wildlife conservation value or that are politically sensitive and that may require extensive work or removal.

8. ASSESSMENT OF RISK

The designation of risk zones is a matter of informed judgment and periodic review. Using previous knowledge of the site(s) and common sense, the Tree & Woodland Officer assesses the risk posed by the tree stock and will seek advice from colleagues when additional information is required.

Note No tree can ever be guaranteed to be 100% safe.

To make the tree inspection programme manageable, the areas where there is potentially greatest risk to people and property have been prioritised. This will be achieved by considering the areas as zones based on the perceived level of risk. These zones are described thus:

Target Zone	Examples of Target Area	Level of inspection
Low Risk	Remote or inaccessible areas– no formal footpaths, areas of low occupancy or areas with no vulnerable or high value targets	Casual observation
Medium Risk	Trees within falling distance of foot paths with moderate use. Car park areas.	Basic- inspect only for external signs of defects
High Risk	Well used public areas. Trees within falling distance of A category roads e.g A217, childrens play area.	Basic as per above. Detailed arboricultural inspection when defects detected on high amenity value tree(s).

These zones reflect normal usage and will be kept under review. The level of risk within a zone may change, over time, as new facilities or activities occur on the site.

For example a desire line may change or an event held within a low risk area may permanently or temporarily change its status to a medium or high-risk zone.

The designation of risk zones is a matter of informed judgment and periodic review.

The Tree & Woodlands Officer in conjunction with colleagues where appropriate, will periodically reassess the risk zones and adjust the inspection regime accordingly

9. FREQUENCY AND METHOD OF INSPECTION

The frequency and method of inspection is inextricably linked to the level of risk associated with the site. The designated risk zones described above will therefore be reflected by both these elements of the tree safety inspections. This approach will allow the tree safety Guidance Note to be applied more effectively.

Risk Zone	Method of inspection	Frequency
Low Risk	No formal inspection but casual observation and awareness of the general condition of the tree during walk by surveys.	No formal inspection required.
Medium Risk	Routine, detailed as appropriate	Every three years
High Risk	Careful searches for clear defects especially in the crown and around the base of the tree	Annual and after significant storms
Potentially medium to high-risk retained veteran trees in high-risk areas	Thorough inspection of trees showing significant defects, monitoring the rate of decline	Bi annual and after significant storms

This approach to targeting the Tree Safety Inspections on the basis of perceived risk ensures that the limited resources necessary to achieve this Guidance Note are achieved and remedial works are prioritised more effectively. In many cases it will be found that trees that initially give cause for concern can be retained without undue risk for many years.

10. PRESCRIBING REMEDIAL ACTION

The purpose of remedial action for tree-related hazards is to remove or mitigate them, so that there will no longer be an unacceptable risk of damage or personal injury.

Although, by definition, remedial action is concerned with hazards that already exist, it should also be part of a programme of continuing management, which allows for the possible recurrence of hazards or the development of new ones. For example re-growth of pollard trees, or tree removal that leads to increased exposure of remaining specimens. A competent person must prescribe the appropriate remedial action and the necessary level of competence is defined in section 12.

Appropriate remedial action could include the following:

- Tree surgery
- Tree removal
- Moving the target
- Bracing and propping
- Fencing off area

Current good practice in veteran tree management accepts that by identifying hazards that pose significant levels of risk and managing that risk (not necessarily by remedial action to the tree) public safety can be maintained without the loss of trees with conservation, cultural, landscape and habitat value or legal protection. This Guidance Note therefore adopts a bias towards using alternative methods of risk management wherever possible. In high-risk areas, trees that show obvious signs of imminent collapse or are otherwise seriously hazardous should be dealt with immediately.

The Tree Officer is keen to manage the Council's trees in a far more proactive way rather than continually responding to problems. Proactive management will include the following:

- Correct planting, species selection and positioning of trees
- Formative pruning.
- Identification and removal of future hazard trees.
- Appropriate management of more vulnerable species e.g *Ulmus procera* (English Elm) & Dutch Elm Disease.

11. KEEPING RECORDS

Subject to resources the records of inspections, tree surgery and other remedial works will be recorded on the Arbortrack© system where appropriate, as this will assist in demonstrating that the council is complying with its legal obligations with regards to tree safety. As with all health and safety issues, in the event of an accident the Council may be required to demonstrate that it acted in relation to that risk.

This Guidance Note statement is in itself an important element of the Council's tree safety strategy. It contains the degree of detail required to ensure the reasonable safety of others by understanding the risks posed by the trees on Council land and detailing how the Council intends to manage them.

12. COMPETENT PERSONS

A competent person is someone who has the technical expertise, training and experience to carry out the appropriate element of the tree inspection.

This person would normally be the Tree & Woodlands Officer, but could be an external consultant. Contractors and consultants will be selected from those listed in the directory of approved contractors published by the Arboricultural Association (A.A.) at www.trees.org.uk. Arboricultural Consultants who are undertaking initial hazard assessment, or persons recommending remedial work, must have suitable experience within the Arboricultural industry as well as appropriate qualifications such as the National Diploma in Arboriculture, Arboricultural Association Technicians Certificate or Professional Diploma in Arboriculture.

13. FALLEN TIMBER AND STUMPS

Large amounts of fallen timber, wood and old stumps are important features that contribute significantly to the dead wood resource of any woodland. This type of material should be left on site whenever this is practical. The potential hazards created by fallen timber and stumps are identified on site. When it is appropriate to retain timber on site the Tree officer will ensure that:

- Felled trunks are left too large to move.
- Timber is stacked in low piles, preferably in areas that are difficult to access or see, and the undergrowth is encouraged to cover them.
- Stumps are dug or ground out where they represent a potential trip hazard e.g. next to or on footpaths subject to archaeological constraints (Castle grounds & Reigate Heath).

14. STORMS AND AFTERMATH INSPECTIONS

Following adverse weather conditions the Parks & Countryside team in addition to the Tree & Woodlands Officer will carryout informal “walk by” inspections to determine the extent of any damage. Any issues found should be reported immediately to the Tree & Woodlands Officer for prioritisation.

These inspections will be prioritised to the high-risk zones. Any reports from staff, visitors or contractors will be investigated as soon as possible. The Tree Officer will attempt to respond to any tree reported to be in a hazardous condition within 24 hours.

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