

Natural Environment Team

Tree Safety Management Policy

Adopted 2009
Version 4
Jan 2025



Safety Management Policy Version 4, September 2024

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1. Tree Safety Management Policy Statement

Norfolk County Council, as a tree owner, has a direct responsibility to ensure that its trees do not pose a danger to the public or property. To address this risk the County Council has produced this Tree Safety Management Policy.

The Policy will ensure:

- An overall assessment of risk is completed to identify high, medium and low risk tree zones;
- A system of tree inspections is in operation in relation to risk ;
- A record of trees and inspections is retained;
- Systems and processes are identified that control and mitigate risks as identified from inspections;
- Staff who carry out inspections are competent to do so.

Operation of this Policy will enable the County Council to mitigate tree risks to as low a level as is reasonably practicable.



Beech trees, County Hall

2. Introduction

Trees by their nature are dynamic living systems. They have evolved to cope with losing limbs, breaking apart and being wounded and they grow adaptively in response to the environment around them. Trees and woodlands can make a significant contribution to biodiversity, can increase resilience to climate change, deliver health benefits and contribute to the local economy. However, where trees and people co-exist, there is a need to ensure that a tree's natural processes do not pose a risk to the people and property around them.

Owners of trees have a legal duty of care and are obliged to take all reasonable care to ensure that any foreseeable hazards can be identified and made safe. Although it is not possible to eliminate the risk of a tree failing*, there are often indications that a tree may be in decline, have structural faults or be suffering from decay or pests and diseases. Many of these signs can be recognized by trained inspectors who can then instigate further investigations by a qualified arboriculturist.

The safe and appropriate management of its trees and woodlands is important to the County Council who want to ensure that a balance is maintained between public safety and sustaining a healthy tree population with the benefits it provides.

Some examples of the many aesthetic, social, economic and health benefits of trees are listed below:

- Trees and woodlands play a vital role in biodiversity and nature recovery; approximately a quarter of all species of principal importance for conservation in England are associated with native woodland habitats, and trees outside woodlands provide corridors for wildlife connectivity;
- Trees can help adaptation to climate change: Trees help to lock up the carbon emissions that contribute to global warming. In terms of carbon storage, woodlands in Great Britain together hold 213 million tonnes of carbon¹;
- Trees, hedgerows and woodlands are a vital part of Natural Flood Management; tree canopies intercept water, increase soil infiltration rates, uptake water and reduce runoff²;
- Studies of patients in hospital found that they recovered more quickly with a view of trees and nature from their windows.³ During the Covid-19 lockdowns, people who could see trees and greenery outside their window reported lower rates of anxiety and depression, further demonstrating the importance of trees near the home⁴;
- Trees have a positive impact on our physical health: they reduce the incidence of asthma⁵, skin cancer and stress-related illness by filtering out airborne pollutants, reducing smog formation, shading out solar radiation and by providing an attractive, calming setting for recreation;
- For England specifically, woodlands save £141 million costs associated with mental health illnesses, including visits to GPs, drug prescriptions, inpatient care, social services and the number of days lost due to mental health issues. The figures are based on evidence of the reduced incidence of depression and anxiety resulting from regular visits to woodlands⁷.

The importance of trees has been emphasised by a number of Government reports including [The 25 Year Environment Plan](#), [The Environment Act 2021](#), [The England Trees Action Plan 2021-2024](#) and [The Tree Health and Resilience Strategy \(2018\)](#).

*Tree failure – failure can be defined as a decline in strength or effectiveness – in the case of trees this would be as a result of the breakage or splitting of the whole or part of a tree.

3. National Tree Safety Group

In December 2011, the National Tree Safety Group (NTSG) released its guidance on how tree owners should approach tree safety management.

The NTSG comprises representatives from 20 organisations. These range from tree specialists such as the Arboricultural Association and the Institute of Chartered Foresters, to tree owners and managers such as the Country Land and Business Association, National Farmers Union and the Forestry Commission, to conservation organisations such as the National Trust, Woodland Trust and Ancient Tree Forum.

The aim of the NTSG is to develop a nationally recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees. Its national guidance document entitled Common Sense Risk Management of Trees was released in December 2011 and has been regularly reviewed.

The NTSG guidance is underpinned by 5 key principals:

- Trees provide a wide variety of benefits to society;
- Trees are living organisms that naturally lose branches or fail;
- 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.

The NTSG has produced three documents:

1. Common sense risk management of trees (The main guidance document);
2. A Landowner Summary (for estates and smallholdings);
3. Managing Trees for Safety (for the domestic tree owner).

These are downloadable free from the [NTSG](#) website. These guidelines are currently being updated.

Norfolk County Council's Tree Safety Management Policy conforms to, and does not exceed the guidance recommended by the NTSG.



Burlingham Estate, County Farms



Street tree, Costessey

4. The County Council Estate

- 4.1** This Tree Safety Management Policy outlines the base level inspection regime required for trees in Norfolk County Council ownership.
- 4.2** If an establishment or department considers there is a need for a full tree survey, inspection regime and safety policy for an individual site, there are private services and consultants available who can do this. Details are shown in Appendix 8.
- 4.3** The inspection of privately owned trees within falling distance of Norfolk County Council property is referred to in Appendix 7.
- 4.4** For ease of reference and management, Norfolk County Council's estate has been divided into 3 broad areas:
- Establishments (for example schools, social services premises, field study centres);
 - Highways;
 - County Farms, woodlands, public open spaces.
- 4.5** Each of these service areas have designated one or more responsible officers or organisations whose duty will be to ensure that the correct procedures are followed to fulfil the policy requirements.
- 4.6** Each of these service areas has produced working documents following the adoption of this policy. The documents demonstrate how the inspection regime will be achieved for the land each service area is responsible for, dictated by the site zoning regime in Appendix 1.
- 4.7** Adequate records of tree inspections (as per Appendices 2 and 3) will be retained and there will be an adequate budget available for ongoing tree maintenance as a result of the inspections.
- 4.8** All service areas will comply with the policies and procedures set out in Appendices 1-6.
- 4.9** This Tree Safety Management Policy is an important element to support the delivery of the Council's [Environment Policy](#), along with the [Tree Planting and Resilience Strategy](#) and the Pollinator Action Plan.
- 4.10** This Tree Safety Management Policy will also support the upcoming delivery of NCC's [Local Nature Recovery Strategy](#).

5. Planned Tree Inspections

Three types of planned tree inspections will be used by the County Council - Highway Basic Tree Inspection, Basic (formerly Level 1) Tree Inspection and Professional Tree Inspection.

5.1 Highway Basic Tree Inspection

This type of inspection is restricted to the highways area of the County Council's estate. The inspections will be carried out by Street Scene Inspectors as part of the scheduled highway inspection process using the Highways Management System. The frequency of basic highway tree inspections will be dictated by the site zoning regime in Appendix 1. Street Scene Inspectors will have attended the Basic Tree Inspection course. The procedure will consist of a "drive-by" inspection by 2 people (one being a dedicated driver), or a walked inspection consistent with current highway inspection procedures. The Inspector will observe the trees within the highway on both sides of the road. The Inspector will systematically look for the obvious defects that are identified in the Basic Tree Inspection training day (see section 5.4). When carrying out a drive-by inspection, if a defect is seen that requires closer investigation, the Inspector will stop the car and carry out a more detailed inspection of the defect on foot.

5.2 Basic Tree Inspection (Formerly Level 1 Tree Inspection)

This inspection procedure will be carried out at all other County Council sites - establishments, County Farms, woodlands and open spaces. The frequency of inspections will be dictated by the site zoning regime in Appendix 1. The persons carrying out the inspection will have attended the Lantra Basic Tree inspection Course or the Level 1 Tree Inspection Course. The procedure will consist of a walked inspection of trees on a site, viewing them from all sides and using a systematic process to look for the obvious defects that are identified in the Basic Tree Inspection training day (see section 5.4).

5.3 Professional Tree Inspection

These will be undertaken by NCC Tree Officers (comprised of Arboricultural and Woodland Officers within NCC's environment service and a Tree Officer within the Highways service for the Norwich City area) who have training and experience and can demonstrate competence to undertake systematic expert tree inspection, in order to identify and recommend remediation for hazards arising from impaired condition or structural integrity in trees. These inspections will be undertaken: -

- Following identification of significant defects by Highway Basic Tree and Basic Tree Inspections.
- In response to reactive Basic Tree Inspections (see Section 6).
- As systematic inspections of high-risk trees identified by NCC Tree Officers when carrying out tree safety drive-by inspections on the highway (excluding Norwich City highway trees)
- As part of the planned inspections of Norwich City Highway Trees by the Highways Tree Officer (Norwich City).

The information on inspections will be available for staff to view on the mapping browser, based on the information in the tree database.

5.4 Basic Tree Inspection Course

The Council will ensure the provision of a Lantra Basic Tree Inspection Course. This one-day course is designed for people with limited or no arboricultural knowledge such as land managers, highway staff, tree wardens, rangers, premises managers, head teachers, caretakers, etc. It is also a preliminary course for tree surgeons, dedicated tree inspectors, assistant and principal arboricultural officers wishing to complete a higher-level programme.

On the course, the candidates are trained to look for obvious defects, record them, assign a hazard rating and provide a report of their findings. The types of defects that a candidate is trained to look for are detailed below:

- Dead trees.
- Dieback of the crown – i.e., foliage not dense, foliage not the right colour or size.
- Fungal fruiting bodies (at the base or on the trunk and branches).
- Dead, hanging or broken branches or branches lodged within the canopy.
- Leaning trees.
- Cracks and splits, including weak forks.
- Major or numerous cavities.
- Dead or damaged bark.
- Significant swellings on branches or trunk.
- Evidence of root damage or severance, cracks in soil.
- Presence of ivy and its significance.
- “Bleeding” areas and fluxes.

5.5 There can be only 3 outcomes of a Norfolk County Council Basic Tree Inspection:

- i. The tree has no observed significant defects and therefore requires no action;
- ii. The tree requires a more detailed inspection, or the inspector needs further advice or clarification from NCC Tree Officers. The inspectors will be trained to assign a priority of low, medium or high on the form so that the professional tree inspection can be programmed accordingly;
- iii. The work is an emergency (such as a hanging branch over a highway or footpath or a tree in imminent danger of collapse). In emergency situations the Basic Tree inspector can order the work directly with a tree contractor. For highway trees emergency work can be ordered directly using the highways management system software, according to the severity, (Category A - within 2 hours or Category B - within 4 days). Due to the wildlife and European Protected Species legislation (see Appendix 5) the work ordered must be carried out by a tree surgeon from the List of Tree Surgeons on Norfolk County Council’s *Dynamic Purchasing System for the Provision of Tree Surgery and Woodland and Forestry Maintenance Services* (see Appendix 4, Section 5) **and must include the statement in Appendix 5xii**. Although emergency work is exempt from the Tree Preservation Order and Conservation Area legislation, it would be courteous to inform the relevant District Council where work has been carried out.

5.6 Ongoing Training

Depending on the competence and confidence of individual employees, Basic Tree Inspection training may need to be refreshed. However, the skills learnt on the course will be applied regularly through inspection and the employee / basic tree inspector will learn informally from NCC Tree Officers as and when further advice is sought. It is therefore possible that refresher training will be rendered unnecessary. This will be monitored through feedback received by NCC Tree Officers. For Council employees it can be highlighted as a need through the appraisal process and training matrices.

5.7 Reactive Tree Inspections

In addition to the planned inspections detailed in sections 5.1 to 5.3, there are situations where reactive Basic Tree Inspections will be carried out within all 3 areas of the County Council Estate. These could be routine inspections because of customer complaints, concerns and enquiries or as a result of damage to a tree or its root system from accidental or environmental causes. Please refer to Appendices 4 and 5 that detail the Council's policies on pruning and felling trees, wildlife, and legal constraints.

5.8 Emergency Tree Inspections and High Winds

Each County Council Estate area must (through the department's own procedures and guidance) have a procedure in place to respond to emergency situations such as gale force winds. It will be necessary for non highway sites to be inspected after high winds for windblown or potentially hazardous trees, particularly if the sites are not being regularly visited by officers for other reasons. This will apply, for example, to woodlands in the moderate or low risk zones of Appendix 1. **Please refer to the high winds guide on the [schools website](#)** for more information.



6. Procedure for Basic Tree Inspections and Highway Basic Tree Inspections

This procedure is summarised in the flowchart on page 13. This policy references two forms, Form A, the Site Tree Inspection Form (Appendix 2) and Form B, the Tree Defect Report Form (Appendix 3 and 3A). These forms are provided as a **guide** and the same information can be collected electronically if the forms are not used.

Form A is a guide for Basic Tree Inspectors on the details that need to be recorded when the trees at a particular site have been inspected at the appropriate timescales in Appendix 1. This is so that an auditable record is kept of the inspection, particularly if no further professional inspections are required. Other recording systems such as computerised spreadsheets also provide an acceptable audit trail.

Form B is an example of the information required when a tree is being passed to NCC Tree Officers to request that a Professional Tree Inspection is carried out. It is not essential to use Form B, but it is a useful reference of the information that needs to be provided to NCC Tree Officers.

6.1 Recording of Data

Highway Basic Tree Inspections

Highway Basic Tree inspections will generally be carried out by Highway Street Scene Inspectors. When a Highway Basic Tree Inspection is carried out, according to the frequency determined in Appendix 1, a record of the street inspection will be retained within the highways management system. The use of FORM A is therefore not required. Where a tree with significant defects is identified, the information on the Tree Defect Report Form, FORM B (Appendix 3) should be passed to NCC Tree Officers. Where there are a number of trees with defects at one site, the Multiple Trees Defect Report Form, FORM B2 (Appendix 3A) can be used or referenced.

Basic Tree Inspections

When a site is inspected, according to the frequency determined in Appendix 1, the Basic Tree Inspector will fill in a Site Tree Inspection Form, FORM A (Appendix 2) or store this information in an appropriate electronic format. If no trees with significant defects are found this must be stated.

Where a tree with significant defects is identified the information on the Tree Defect Report Form, FORM B (Appendix 3) should be passed to NCC Tree Officers. One FORM B would be required for each tree with a defect. However, where there are a number of trees with defects at one site, FORM B2 (Appendix 3A) can be used or referenced.

NB. It is important that Highway Street Scene Inspectors and Basic Tree Inspectors are aware of current legislation relating to trees and wildlife and Norfolk County Council's Tree Management Guidelines when carrying out their inspections (Appendices 4 and 5).

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Guidelines for Hazard Ratings on FORM B and B2

A – urgent – (Cat A & B) - professional tree inspection in 7 days or less

B - (Cat C) - professional tree inspection within 28 days

C - (Cat D) - professional tree inspection within 50 days

The assessment of risk on FORM B and B2 is designed to give an indication to NCC Tree Officers of the risk posed by the defect to help to determine the timescale that is required for a Professional Tree Inspection.

The assessment of risk should be based on consideration of the following 3 factors.

HAZARD - The size of the branch or part of the tree that is the most likely to fail and the distance it would fall.

LIKELIHOOD OF FAILURE – This is a matter of informed judgement, based on the training and experience gained from feedback from NCC Tree Officers.

TARGET – This is dependent on the location of the tree and the usage of the area – for example, a high target could be a tree next to a school entrance, a tree within falling distance of queuing cars at traffic lights or a tree with a bench below it.

6.2 Action

- i. If no further Professional Tree Inspection is required, FORM A / electronic information should be filed as per departmental procedure. For Highways the street inspection details will be logged in the Highways Management System. The designated responsible officer for the site will ensure that all inspection forms and site inspection information are retained for 10 years to ensure that Norfolk County Council has an accountable system in place.
- ii. Where the Highway Basic Tree Inspector or Basic Tree Inspector decides that a tree needs a professional inspection, FORM B / B2 or the equivalent electronic information will be sent to NCC Tree Officers so that a Professional Tree Inspection can be carried out.
- iii. The Arboricultural and Woodland Officers will produce a Professional Tree Inspection report that will be sent to the Basic Tree Inspector to procure the work. If a FORM B / B2 was submitted, it will be updated and returned to the inspector by the Arboricultural and Woodland Officers. The Inspector then needs to fill in the final section of the form, stating the date the tree surgery was completed and the name of the contractor that carried out the work. This information or the equivalent electronic information or FORM B / B2 will need to be filed. The Highways Tree Officer (Norwich City) will procure the work directly using the Highways Management System.

If a tree requires emergency action that can be organised by the inspector (see examples in section 5.5iii), FORM B/ B2 or electronic information should be updated showing the actions that were taken. The work must be carried out by a contractor who is listed on Norfolk County Council's Dynamic Purchasing System for Tree Surgery Services (see Appendix 4, Section 5) and the works order must contain the statement in Appendix 5xii. FORM B / B2 / electronic information must show the name of the tree surgeon that carried out the work and the date it was completed. This needs to be filed as per departmental procedure for audit purposes.



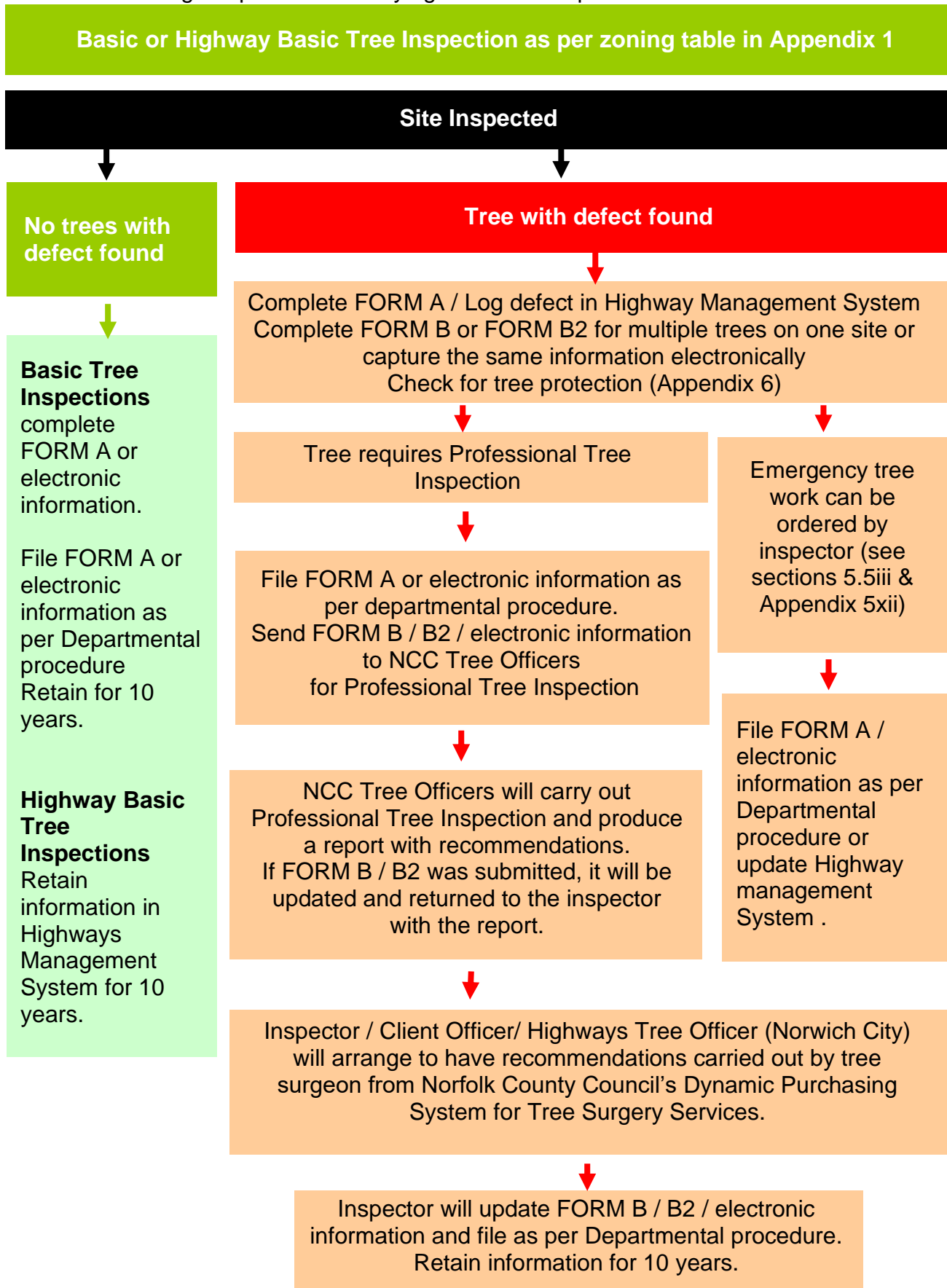
6.3 Monitoring

In order to ensure adherence to the Tree Safety Management Policy, services and departments must ensure that adequate records are kept for 10 years and that systems demonstrating compliance with the Policy are put in place. These may be subject to periodic internal audit.

The Arboriculture and Woodland Team Leader will ensure that the Tree Safety Management Policy is kept under constant review and is formally reviewed every 5 years.

Flowchart to show procedure for Basic Tree Inspections and Highway Basic Tree Inspections

Flowchart detailing the process of carrying out a tree inspection



7. Procedures for Professional Tree Inspections

7.1 Recording

NCC Tree Officers will carry out a systematic inspection of a tree, recording significant defects and assessing the tree's physiological and structural condition. If remedial work will be required, an assessment will also be made as to whether the tree is a likely habitat for a European Protected Species (see Appendix 5). In particular, NCC Tree Officers will look for signs that may indicate the presence of bats. Details of Professional Tree Inspections will be recorded on the tree database. The database will be used by officers licenced and trained in its use and hold historical information on all inspections, work and management recommendations.

7.2 Reporting

A professional report will be produced and sent to the appropriate Basic Tree Inspector, Street Scene Inspector or Client Officer as appropriate, detailing any remedial works required. For Norwich City highway trees the Highways Tree Officer (Norwich City) will order work directly through the highways management system software. The degree of remedial work required for a tree will depend both on the hazard and the level of risk. The safety considerations may also be linked to the landscape, wildlife and cultural value of a tree. Recommended actions may include further detailed tests such as a Picus tomograph, which uses ultrasound to map the amount of decay within a trunk or branch; or may be a request to Natural England for a licence where works would otherwise risk breaching legislation relating to protected species using the tree. Work specified will be prioritised according to urgency. Identified actions must then be followed through. This will require clear lines of communication between the NCC Tree Officers and those responsible for ordering the tree work. If submitted, FORM B / B2 will be updated by the Arboricultural and Woodland Officers and returned to the appropriate officer or Tree Inspector.

7.3 Action

Work will be ordered by the relevant Client Officer within the timescale recommended by NCC Tree Officers. Tree contractors asked to quote for work will be selected from Norfolk County Council's Framework for the Maintenance and Cutting of Trees, Grips and Hedges (see Appendix 4, Section 5). It will be the responsibility of the Client Officer who authorises the work to file the information on the contractor employed and the date the work was completed. FORM B / B2 can be used to show this information.

7.4 Environment Act (2021) Duty to consult on felling street trees

The Environment Act requires local highway authorities to consult the public before felling any street trees. The duty to consult is intended to ensure that members of the public are appropriately consulted on the felling of street trees in urban areas. There are exemptions to the duty, which includes felling trees that are dangerous or those that have a notifiable pest or disease. Details of how this process works are found in Appendix 11

8. Additional Professional Tree Inspections

8.1 High risk trees identified by NCC Tree Officers

The site zoning regime in Appendix 1 sets out the base standard for the inspection of trees on Norfolk County Council sites. However, within these identified risk zones, there may be reasons why certain sites or trees may need to be inspected on a more frequent basis. Examples include well used cycle routes through areas of mature trees, or trees that due to their species, size, condition or location may pose a higher risk. Veteran trees in particular, may require more frequent inspections (see Appendix 4, Section 6i). The inspection regime for identified high risk trees will be determined by the NCC Tree Officers. Future re-inspection dates for Professional Tree Inspections on particular high-risk trees will be flagged up by the tree database at the required time and will be carried out by NCC Tree Officers

8.2 Tree health: ensuring resilience of tree stocks and public safety (previously Ash Dieback)

NCC Tree Officers have been carrying out summer roadside ash dieback surveys on an annual basis since 2016 on link roads, main and secondary distributor roads, and strategic routes (excluding motorways, trunk roads and highways within the Norwich City boundary) and NCC owned and promoted Trails network. These surveys identify trees requiring remedial work that are within falling distance of the highway. The majority of trees (80-90%) have been found to be privately owned boundary trees; however, NCC owned trees in need of remedial work are also being picked up. European ash (*Fraxinus excelsior*) has comprised around half of all species identified as requiring action as the result of Ash Dieback disease (*Hymenoscyphus fraxineus*), where the crown had greater than 75% dieback. To recognise the current and potential threats of other pests and diseases to other tree species, and to acknowledge the reduced risk to the public that a comprehensive survey and action approach provides, non-ash trees are also included in this survey.

Since 2021 the efficiency of the previous inspection approach has been improved and survey frequencies now vary according to an evaluated level of risk. High risk sections are resurveyed annually, medium risk sections are resurveyed every 2 years and low risk sections are resurveyed every 4 years. Sections with a negligible risk associated with roadside trees (for example minor roads, local access roads and public rights of way) do not form part of this survey regime but will continue to be inspected in line with this Tree Safety Management Policy.

The level of risk associated with roadside trees is evaluated by combining parameters which could increase the likelihood of a tree falling, the severity associated with it falling on the highway and the likelihood of obvious defects being undiscovered.

- Environment Agency Derived Trees data is used to capture trees above a defined height (≥ 5 metres arithmetic mean) and within a given distance (50 metres) of the highway centreline. This gives us a 'corridor' of trees that are within falling distance of the road. Trees are characterised by secondary growth and will generally be broader as they increase in height. Height is therefore used as a proxy for other tree dimensions which may increase the severity associated with it falling on the highway.

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- Environment Agency Derived Trees data is also used to capture stand density. Within stands of increasing density, such as trees on the edge of woodlands, the understorey will generally create lower light conditions when compared to less densely growing trees such as trees within hedgerows or avenues. Defects associated with tree failure within stands of increasing density are less immediately obvious or obscured by neighbouring trees using our method of survey (i.e., from a highway maintenance vehicle in transit).
- Road hierarchy represents a straightforward measure of risk. This classification of Norfolk's roads considers various factors (speed limits, pedestrian safety, connectivity etc.). The speed that a vehicle is travelling may increase the severity of damage or injury resulting from a collision with a stem or branch which has fallen on the highway. In addition, a higher road hierarchy tends to have larger traffic flows increasing the likelihood of a vehicle encountering an obstruction and as higher road hierarchies are often the main arteries to major destinations an obstruction would result in wider disruptions.

8.3 Highway Tree Inspections within the Norwich City Boundary

Highway trees within the Norwich City boundary are all within the high-risk category in the Site Zoning Regime, Appendix 1. The Highways Basic Tree Inspections are carried out on an annual basis, which meets the inspection frequency required by this Tree Safety Management Policy.

In addition, due to the size and age of the majority of the City's highway trees, and the increased risk they pose due to the high occupancy levels in the City, the Highways Tree Officer (Norwich City) also carries out additional proactive Professional Tree Inspections based on the road hierarchy.

Radial Routes, Principal Primary (Category 2B) and principal non-primary routes (Category 2C), receive a Professional Tree Inspection every 18 months. Category 1 and 2 footways receive a Professional Tree Inspection every 3 years. All tree work is ordered through the highways management system software.

8.4 Inspection of Trees Close to Private Property

Targeted inspections of NCC owned trees adjacent to private property will not be carried out unless good reason to do so is drawn to NCC's attention. Private landowners who have concerns over the condition of a tree in NCC ownership should raise their concerns to NCC.

If during planned inspections any observations are made that an NCC owned tree is in poor condition then an onsite decision will be made by the inspector on the likely level of occupancy of the adjacent private land. For land with low occupancy, it may be appropriate not to take further action.

While carrying out tree inspections (for instance to assess the risk to the public from trees alongside a road or well used trail) a tree is observed to be in obviously poor condition and adjacent to private property a proportionate assessment of risk will be undertaken.



Trees on the Weavers Way

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Appendix 1
Site zoning regime for Norfolk County Council

Risk Zones	County Council Sites
<p>High risk</p> <p>Highway Basic Tree Inspection or Basic Tree Inspection every 18 months</p>	<ul style="list-style-type: none"> ▪ <u>Street trees in defined town centre inspection areas (includes Category 1 footways)</u> ▪ <u>Street trees on Category 2 footways</u> ▪ <u>Street trees on urban Category 2 & 3 roads (40mph and below)</u> ▪ Schools & Social Services (high use areas) * ▪ Field Study Centres & Outdoor Education Centre ▪ Play areas ▪ Sites or trees identified by NCC Tree Officers as high risk (see Section 6) ▪ Park and Ride sites <p>* High use = > 36 people per hour</p> <p><u>Sites to receive Highway Basic Tree Inspections are marked in blue and underlined</u></p>
<p>Moderate risk</p> <p>Highway Basic Tree Inspection or Basic Tree Inspection every 2 1/2 years</p>	<ul style="list-style-type: none"> ▪ <u>Street trees on Category 2 & 3 rural routes (over 40mph)</u> ▪ Schools & Social Services (all other areas) ▪ Public buildings and sites ▪ Works depots ▪ Woodlands (moderate use) ** <p>** Moderate use = 1 – 36 persons per hour</p> <p><u>Sites to receive Highway Basic Tree Inspections are marked in blue and underlined</u></p>
<p>Low risk</p> <p>Highway or Basic Tree Inspection every 5 years</p>	<ul style="list-style-type: none"> ▪ <u>Street trees on remaining roads, detached footways or cycle ways</u> ▪ Norfolk County Council owned trees on public footpaths ▪ Where within falling distance of publicly accessible space or property that may be impacted by tree failure: <ul style="list-style-type: none"> ▪ County Farms hedgerow trees ▪ Other woodlands and open spaces ▪ Surplus land <p><u>Sites to receive Highway Basic Tree Inspections are marked in blue and underlined</u></p>

The timing of high and moderate risk inspections is designed to ensure that trees are seen at different times of year, both in the winter and when in leaf. This will give a better overall indication of a tree's physiological and structural condition. It would be an advantage if the low-risk inspections are carried out at different times of the year for the same reason. **In addition to the inspections above, sites must be checked for hazardous trees or branches after strong winds. Please see Section 5.8.**

Appendix 2

FORM A Site Tree Inspection Form

Location	
If the inspection only covers part of the site, please state which areas are included (e.g. this situation may occur where a larger site has been sub divided into different risk zones according to usage)	
Map included Yes / No	
Type of Inspection (e.g. planned as per the site zoning inspection regime, after storms, or reactive)	
Date	Time
Inspector's Name	
Findings (Please state if no significant defects are found) Please continue on other side or separate sheet if necessary	
If a tree with significant defects is found, FORM B/ B2 or equivalent electronic information must be sent to NCC Tree Officers for a Professional Tree Inspection.	

Appendix 3

Form B Tree Defect Report Form

Location		Grid Reference
		Map, photo, email, or sketch attached? Yes / No
Date	Time	Tree Ownership (if known)
Inspector's Name		
Species (if known)		Age (please circle or highlight) Young / Semi-mature / Mature / Veteran
Condition/Defects (Please continue on separate sheet if necessary)		
<p>Hazard rating HIGH (Cat A & B) = Professional tree inspection required within 7 days / work required within 7 days MEDIUM (Cat C) = Professional tree inspection required within 28 days / work required within 3 months LOW (Cat D) = Professional tree inspection required within 50 days / work required within 6 months</p>		
Follow up action by Inspector and date (e.g. passed to NCC Tree Officers / emergency work order)		
Unless the tree requires emergency work (see section 5.5iii), it must be referred to the Arboricultural & Woodland Officers for arboricultural & protected species / EPS assessment		

This section is to be filled in by the Arboricultural and Woodland Officers and the form will then be returned to the Inspector	
Date of professional tree inspection	Inspected by
Date report sent back to Inspector	
Date tree surgery work completed	
Contractor employed	
This information must be filed for auditing purposes	

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Appendix 3A

Form B2 Multiple Tree Defect Report Form

Inspectors Name	Date	Time	Grid Ref:	Site	Date Prof. Tree Inspection & Inspector	Date tree surgery completed and name of contractor employed

Location / Tree Number	Tree Ownership (if known)	Age / Class * Y, S/M, M, V	Species (if known)	Condition / Defects	Hazard Rating ** High Medium Low	Follow up action ***	Map, photo or email attached Yes / No

* Young, Semi-mature, Mature, Veteran

** **Hazard Rating: HIGH (Cat A & B)** = Professional tree inspection required within 7 days / work required within 7 days **MEDIUM (Cat C)** = Professional tree inspection required within 28 days / work required within 3 months **LOW (Cat D)** = Professional tree inspection required within 50 days / work required within 6 months*** Unless the tree requires emergency work (see section 5.5iii) it must be referred to the NCC Tree Officers for Arboricultural and protected species / EPS assessment

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Form B2 Multiple Tree Defect Report Form (Side 2) (Form B2 is a double-sided sheet)

Location / Tree Number	Tree Ownership (if known)	Age / Class * Y, S/M, M, V	Species (if known)	Condition / Defects	Hazard Rating ** High Medium Low	Follow up action ***	Map, photo or email attached Yes / No

Appendix 4

Norfolk County Council's Tree Management Guidelines

Tree Management Objectives

The County Council will:

- Protect, maintain and enhance Norfolk's tree population as part of the wider green infrastructure, for the benefits it provides to residents and visitors. This is in line with the Council's Environmental Policy, to fulfil its Duty of Care and conform with the Natural Environment and Rural Communities Act (2006)
- Increase awareness of the values of trees both to Council Officers and members of the public
- Encourage best industry practice through planning legislation and adherence to the relevant British Standards and National Guidelines
- Support real jobs in local businesses by promoting local tree surgery companies through Norfolk County Council's Dynamic Purchasing System for Tree Surgery and Woodland and Forestry Maintenance Services. These are contractors who have demonstrated that they work to industry best practice and have the correct certification and insurance.

1. Felling

No live tree is to be cut down without seeking agreement from NCC Tree Officers. Norfolk County Council will retain trees for as long as possible where it is safe to do so and will avoid felling trees unless it is absolutely necessary. Each case will be carefully judged on its merits. Tree felling will not be permitted for individual healthy trees of amenity value unless there is very clear justification for the work. Also see section 6.4 above on the duty to consult when felling street trees in urban areas.

Felling is unlikely to be recommended in the following circumstances:

- i. To improve television or internet signals;
- ii. To improve the energy capture of solar panels;
- iii. To allow more light into properties;
- iv. Due to nuisance caused by honeydew from aphids;
- v. Due to nuisance caused by falling leaves, flowers or fruit;
- vi. Due to nuisance caused by pollen;
- vii. Due to nuisance caused by bird droppings;
- viii. Due to minor structural damage to non supporting structures such as garden walls;
- ix. Where tree roots have entered sewers (tree roots rarely break drains, but roots will enter a broken or damaged drain);
- x. To allow the construction of a new access or driveway to a property;
- xi. If the tree is considered by a member of the public to be too big or too tall.

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The following are situations where felling **may** be recommended:

- xii. A dead, dying or dangerous tree that is a danger to public safety;
- xiii. A tree causing an obstruction to a public highway, public right of way, access to property or footpath, where the obstruction cannot be overcome by pruning the tree or other reasonable measures;
- xiv. A tree causing a legal nuisance to an adjoining property, where pruning would not address the problem. A “legal nuisance” is one that is actionable in law and a tree cannot be a “legal nuisance” to its owner. Felling is acceptable only when the nuisance is severe and where pruning would not remedy the problem;
- xv. A tree which is shown to be a major contributor to soil shrinkage and serious structural damage to buildings, where pruning alone would not provide a solution. Damage to walls or paving is generally relatively minor and removal of the tree would not necessarily be acceptable. Structural problems must always be carefully investigated, particularly where there is the possibility of a potential claim against the Council. Private owners who consider that Council owned trees are causing damage to their property will be expected to provide an independent Structural Engineer’s Report that demonstrates that a particular tree is causing damage;
- xvi. A tree which is clearly of a size and species inappropriate to its location.

2. Replanting

- i. Any tree that is felled must be replaced with one or more new trees of an appropriate species (also stated within the Highways Corridor Document 2005). The number of replacements will be at the discretion of the NCC Tree Officers, but would generally follow the rule of a 1 for 1 replacement of young and semi-mature trees, 2 for 1 for medium sized trees and 3 or more replacements for mature trees. The species and location are to be agreed with NCC Tree or Landscape Officers. The new tree or trees do not have to be replaced in exactly the same site as the original. This will depend on the site characteristics and usage and the presence of services above and below ground.
NB – The above is mitigation for lost trees only and does not take account of requirements for Biodiversity Net Gain
- ii. The replacement tree will receive 3 to 5 years establishment maintenance to include formative pruning, stake and tie adjustment, weeding and at least 2 years watering. The cost for this maintenance must be made available at the time of ordering the planting;
- iii. Tree planting contracts for the Council can be arranged by NCC Tree Officers who can provide planting specifications and draw up establishment maintenance contracts;
- iv. All tree planting and young tree maintenance will be specified in accordance with the British Standard BS8545:2014 - Trees: from nursery to independence in the landscape;
- v. Where the removal of trees or hedges has been approved to facilitate a development, the developer will be expected to provide a landscape plan showing adequate mitigation planting including Biodiversity Net Gain, and a detailed 5-year planting and maintenance specification;

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- vi. Parish Councils and schools will be encouraged to undertake tree planting and to ensure aftercare maintenance;
- vii. NCC Tree Officers will work with project officers to secure additional funding for tree planting on Norfolk County Council sites and the wider environment in line with the Tree Planting and Resilience Strategy, The Local Nature Recovery Strategy and the Environmental Policy. Where funding is secured it is the responsibility of the land manager to maintain trees after the initial funding period has elapsed;
- viii. NCC Tree Officers will encourage planting of native trees and trees of local provenance where appropriate, particularly in rural areas and on designated sites. However, resilience to climate change and pests and diseases will be an increasing consideration when selecting planting stock. It will be important to diversify the number of genera within tree populations to ensure that new diseases that attack a particular species or genus (such as *Hymenoscyphus fraxineus* - Ash Dieback) do not decimate a whole area. Reference tools are available to help landowners make their tree populations more resilient such as the Forest Research [Ecological Site Classification](#) (ESC) tool. These tools can be used by the County Council to assist in species choice;
- ix. NCC Tree Officers will continue to actively source new species, genera and varieties of street trees in urban areas both to increase biodiversity and provide a more dynamic adaptable population. The forms chosen should have low future pruning requirements and consideration will be given to genera and varieties that are likely to be able to adapt to changing climatic conditions, that are tolerant of restricted space both above and below ground, wounding, pruning, road salt and herbicides. The guidance contained within the Trees and Design Action Group Guidelines "[Trees in Hard Landscapes, A Guide for Delivery](#)" (2014) will be promoted, referenced and specified by the NCC Tree and Landscape Officers;
- x. NCC Tree Officers will take on board the principals of the [Tree Planting and Resilience Strategy](#) to ensure that the 'right tree is planted in the right place' and that other forms of tree establishment such as Natural regeneration are considered as an option where suitable land is available for tree establishment. More information can be found on NCC's [1 Million Trees for Norfolk](#) webpage;
- xi. NCC Tree Officers will support new street tree planting associated with development provided that the planting does not compromise the function of the Highway and 30 years maintenance is provided;

3. Tree Pruning

Pruning trees will not be carried out if it is not necessary, since any cutting can weaken the tree and allow decay organisms to enter exposed and vulnerable tissue. Over-pruning of a healthy tree will usually cause it to respond by producing vigorous new growth. In certain species the harder the pruning, the more vigorous will be the re-growth. Older trees do not tolerate pruning as well as younger ones and substantial pruning can be very damaging particularly in species which are not naturally tolerant of cutting.

Tree pruning will not be permitted where the tree is of high amenity value and there is no justification for the work. Work will also be resisted if the tree has been pruned during the previous 2 years, unless there are special circumstances agreed by NCC Tree Officers. As with felling, each case will be carefully judged on its merits.

The following are situations where pruning works are likely to be recommended:

- i. Where tree branches are causing an obstruction to or growing low over a public highway, public right of way, footpath, access to a property, over gardens or open spaces where the public have access. Generally, a minimum clearance of 2.4 metres will be specified over pedestrian accesses and 5 metres over the highway;
- ii. Where trees are causing an actionable nuisance to an adjoining property (e.g., physically in contact with buildings, roofs, walls and fences);
- iii. Where it is proven that trees are contributing to soil shrinkage and structural damage to adjacent buildings or other built features, where it is felt that pruning is appropriate to restrict the size and moisture demand of the tree;
- iv. Where trees restrict repairs and maintenance of property, or authorised construction work;
- v. Where trees give rise to justifiable fears about the risk of crime or where trees have provided access and / or cover for criminal acts, vandalism and harassment of local residents;
- vi. Trees growing close to and likely to obstruct or interfere with street lighting and other services equipment;
- vii. Where trees obstruct highway and other signage or are likely to do so;
- viii. Where trees obscure sight lines at road junctions and accesses;
- ix. Where trees obstruct essential police or council-monitored CCTV surveillance cameras or are likely to do so;
- x. Where trees require formative pruning to ensure the desired form and to correct structural faults;
- xi. Where trees require removal of diseased material and removal or stabilization of dead wood;
- xii. Where trees require pruning to remedy storm damage, mutilation or vandalism to make them safe and encourage a good crown structure;
- xiii. Where coppicing or similar silvicultural operations are required to maintain or develop woodland or groups of trees in accordance with an agreed management plan;

3.1 Standard of Pruning

All pruning of the Council's trees will be specified and must be carried out in accordance with British Standard BS3998:2010 - *Tree Work Recommendations* and currently accepted arboricultural practices unless otherwise directed by NCC Tree Officers. Contractors will be expected to follow the safety guides provided by the [Arboricultural Association](#) and The [Forestry Industry Safety Accord](#) (FISA).

3.2 Timing of Pruning

Research has shown that it is better to avoid pruning at times when trees are expending the most energy at bud burst and leaf fall. Due to the number of trees that will require pruning in a year and taking account of wildlife legislation (Appendix 5), this may not always be achievable for all of the Council's trees. However, where NCC Tree Officers consider that trees are particularly vulnerable, they will specify the timeframe when pruning should occur. Certain species such as maples and birch bleed sap when they are pruned in late winter to early spring. Although bleeding is not thought to be immediately detrimental to the health of a tree, repeated bleeding may reduce vigour, so pruning at this time should be avoided. Walnuts also have a tendency to bleed profusely when pruned and are best pruned in summer when they are in full leaf. Trees in the Rosacea family, particularly cherries and plums, are susceptible to a fungal disease called Silverleaf (*Chondostereum purpureum*) that can cause death of branches and often the whole tree. Infection is via fungal spores landing on pruning wounds. These trees are therefore best pruned in the summer when spore numbers will be at their lowest.

3.3 Height Reductions and Topping

Norfolk County Council will not specify height reductions of trees unless required to ensure the structural stability of a tree that has sustained damage or has root or branch decay that would lead to failure. "Topping" to reduce the height of trees is considered bad practice as it creates large diameter wounds that decay down into the main branch structure. Many species such as beech and birch do not tolerate such heavy pruning and are likely to fall into serious decline or die as a result. If trees survive topping, they tend to produce a large amount of re-growth to restore their energy production through the leaves. The re-growth is often crowded and has weak attachment points and tends to break when it is windy. This increases the risk posed by the tree and increases the amount that has to be spent on maintenance into the future.

The International Society of Arboriculture has produced the guideline entitled '[Why Topping Hurts Trees](#)'.

3.4 Pollarding

This is the practice of removing branches at a set height above ground level (often 4 to 6 metres) to promote a dense head of foliage. In the past, the re-growth was used either as animal fodder or wood, depending on the length of time between cutting. The height of cutting prevented grazing damage of the new growth. True pollarding is a practice that has to be carried out to trees from an early age; however, similar growth forms can be created by cutting or topping older trees but can lead to decay

as stated above. The Council maintains a number of trees that have been managed as pollards all of their lives, such as the roadside willows that were planted to stabilise the roads in the Broads and marshy areas. These are pollarded on a rolling 3-year cycle.

4. Tree Roots, Root Protection and Root Pruning

- i. NCC Tree Officers and the Natural Environment Team work closely with highways designers and engineers through the Environment Checklist and Section 278 technical vetting process. This early input into the design process ensures that schemes that are delivered are cost effective, on schedule and have the least impact on the natural environment. Guidelines on working close to trees are part of the Environment Checklist form.
- ii. NCC Tree Officers will promote and ensure compliance by all staff and contractors with Volume 4 of the National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2) and BS 5837:2012 - *Trees in relation to design, demolition and construction*.
- iii. Norfolk County Council requires any contractors carrying out works to the highway (including developers constructing developer designed highway schemes) to adhere to both the NJUG Guidelines and BS5837:2012 where trees are present on or within falling distance of the highway.
- iv. No root pruning is to be carried out without full consultation and agreement with NCC Tree Officers. Cutting tree roots is highly undesirable and root pruning will only be agreed if all other alternative options have been considered and that pruning will not compromise the health and structural integrity of a tree. Pruning of buttress and main supporting roots can make a tree unstable. Severance of more than 30% of a tree's root system is likely to cause slow dieback and eventual death of a mature tree.
- v. Where a tree root is causing damage to a footway and repairs are necessary, the path level should be raised to ramp over and accommodate the tree roots. Where repair cannot be carried out by building up the footpath to remove the trip hazard, NCC Tree Officers must be consulted so that a solution can be achieved that will not compromise the tree's structural integrity.
- vi. If agreed with NCC Tree Officers, root pruning must be carried out by a tree surgeon from the Dynamic Purchasing System for the Provision of Tree Surgery Services (see Appendix 4, Section 5). Where required, a watching brief will be provided by the Arboricultural and Woodland Officers or by an agreed external arboricultural consultant.
- vii. Although removal of roots less than 25mm in diameter is acceptable under the NJUG Guidelines, removal of a substantial area of these roots around a tree will adversely affect its ability to take up sufficient water and nutrients to maintain its health. Therefore, under these circumstances, guidance must be sought from NCC Tree Officers.

5. Tree Contractors

- i. It will be stipulated on all tree works orders that the tree pruning must be carried out in accordance with BS 3998:2010 *Tree Work* -

Recommendations.

In rare cases where this is not achievable, the Arboricultural and Woodland Officers will specify how the pruning should be carried out.

- ii. Tree contractors who work on Norfolk County Council owned land must be on the Dynamic Purchasing System for the Provision of Tree Surgery and Woodland and Forestry Maintenance Services. This is used by Norfolk County Council, District Council Tree and Landscape Officers and any other company or Parish Council who wishes to sign up to use the framework. The list can be downloaded from the link on [NCC's website](#) or the Tree Information page on the [Norfolk Schools](#) website.
- iii. The Arboricultural and Woodland Officers work in partnership with the District Councils and tree contractors to ensure that working practices are in accordance with current research findings and accepted arboricultural practice; that pruning is of the highest standards and that the correct tools are used for the correct jobs to promote the health and longevity of the existing tree population; and that the correct legislative procedures are being followed.

6. Wildlife and Biodiversity

- i. Veteran trees on Norfolk County Council owned land may be identified by NCC Tree Officers. They may be recorded on the tree database and details sent to Norfolk Biodiversity Information Service (NBIS). Veteran trees must be managed in a manner that promotes their continued longevity and that they pose as low a risk as is reasonably practical. They will be logged on the NBIS database for future reference.
- ii. Dead trees – where the risk posed is low, dead trunks that are upright and stable will be reduced and retained as wildlife habitats to promote biodiversity. They will be left at an appropriate height specified by NCC Tree Officers, with most or the entire branch framework reduced to stubs.
- iii. Where feasible, felled trunks will be left in situ on the ground.
- iv. The removal of dead wood from a tree will be specified when essential for health and safety reasons. Where possible it will be recommended that dead branches are stabilised by shortening them to a point where they no longer pose a risk so that they can be retained as a wildlife habitat.
- v. Where site conditions allow, deadwood will be left on site below the tree.
- vi. Where possible branch wood will be retained on site and left stacked or in habitat piles for wildlife.
- vii. Pruning cuts to benefit wildlife will be specified where appropriate, for example in woodlands and natural areas. Contractors will be asked to carry out coronet cuts or allow natural tears to branches and standing stumps to encourage decay.
- viii. Cable bracing may be specified to reduce the risk of harm where a tree may have the potential to fail due to compression forks or decay. Non-invasive cabling techniques will be recommended in the majority of cases. Cable bracing is an expensive option that does not remove the risk of tree failure and will usually only be recommended where a tree merits retention due to its cultural, wildlife or landscape value.

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- ix. Ivy is beneficial for wildlife and biodiversity but obscures potential structural defects. Therefore, when it is growing on trees that need to be inspected, its removal will be recommended. A guidance note can be found on the [Norfolk Schools](#) website.

7. Biosecurity and New Pests and Diseases

The threat to our forest and woodland health from pests has never been greater. Trees and plants can be susceptible to a range of pests and diseases and only a small proportion of these are controlled under plant health legislation. Pest outbreaks can have serious implications for the impact on tree cover and ecosystem services provided by trees. In addition, there are cost implications for tree owners in terms of inspection, containment, control and eradication procedures.

Pests can be transported in material like soil or plant material or even casing or packaging. Some microscopic organisms are dispersed in water so the risk that these may be transmitted increases when conditions are wet. Fungal spores can be carried long distances in wind currents.

When a major pest or disease outbreak occurs, it is likely to impact on everyone involved. For example, movement around the countryside may be restricted, operations and inspections could be stopped, or extra work required responding to the crisis.

The County Council currently has no contingency procedure in place for a major pest and disease outbreak; however, addendum appendices to this policy will be produced to explain how to recognise the pest or disease and will set out procedures to follow if they differ from the standard procedures in the Tree Safety Management Policy.

Information in the addendums will be regularly updated to ensure the County Council complies with National Guidance and advice from Defra and the Forestry Commission.

The [biosecurity measures](#) recommended by the Forestry Commission will be adhered to by County Council employees.

Appendix 5

Wildlife legislation relating to trees

- i. Before any tree work is carried out, an assessment will be made to determine whether a tree is likely to support European Protected Species (EPS), designated under the Conservation of Habitat and Species Regulations 2017 as amended (referred to as the 'Habitat Regulations'), or protected under British law. The assessment to check for signs of protected species will be made by NCC Tree Officers. Officers will be sufficiently skilled in the identification of bat roosts, using indirect evidence that bats have used a tree feature as a roost site. Appropriate skills will have been attained through a basic bat scoping training course or equivalent vocational or recreational bat field work. This will be based on current advice and training from Natural England, the Bat Conservation Trust (BCT) and the Forestry Commission.
- ii. All 17 species of British bats are European Protected Species (EPS); of these, 14 species are present in Norfolk and most can roost in trees. They are protected under Section 9 of the Wildlife and Countryside Act 1981 and Regulation 41 of the Habitats Regulations. Guidance from Natural England on bats can be found at <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>.
- iii. The Habitats Regulations make it an offence to capture, kill or disturb a EPS, or to damage or destroy their breeding site or resting place, either deliberately or accidentally. According to the law, people carrying out pruning or felling of trees should be aware of the possibility of the presence of EPS and any disturbance or harm caused will be an offence. Note that bat roosting sites are protected even when no bats are present.
- iv. Other species listed as EPS that could potentially use woodlands and trees in Norfolk are great crested newt and otter.
- v. All wild birds in the UK, including their nests and eggs, are protected under the Wildlife and Countryside Act 1981. Some species have additional protection when nesting, for example barn owls. More information about the legislation can be found on the [RSPB](#) website.
- vi. The British Standard BS8596:2015 Surveying for Bats in Trees and Woodland gives up to date best practice guidelines. Practical guidance has also been developed by the Forestry Commission, the Bat Conservation Trust and Natural England for woodland managers and operators on how to conserve EPS and how to modify operations to reduce the risk of anyone committing offences under the wildlife legislation. If activities cannot be modified, a EPS licence can be obtained from Natural England to carry out woodland operations that fall outside the Good Practice Guidance.

Best Practice Guidance for Norfolk County Council

- vii. Data sets of EPS in Norfolk can be obtained from the Norfolk Biodiversity Information Service – email enquiries.nbis@norfolk.gov.uk Website www.nbis.org.uk. The information available on current known distribution of EPS and other protected species in Norfolk is used by NCC Tree Officers when producing reports for Client Officers and Basic Tree Inspectors.
- viii. If possible, medium and low priority tree work should be done outside of the bird

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nesting season. The main nesting season is between 1 March and 31 July. If nests are known to be present, work should be delayed until the chicks have fledged. Where a tree is imminently dangerous, interim remedial works to make a tree safe or fencing a site or tree off may be acceptable to reduce the risk until fledging has occurred.

- ix. The optimum time to carry out tree work to avoid nesting birds and to avoid periods when bats are vulnerable is between September and November.
- x. NCC Tree Officers will assess potential for bat roosts in trees and will refer to current records held by NBIS and BS8596:2015.
- xi. All tree surgeons on Norfolk County Council's Dynamic Purchasing System for Tree Surgery and Woodland and Forestry Maintenance Services will also be aware of the signs to look for to determine if bats are using a tree. However, bats may offer little or no evidence of their occupation.
- xii. The following statement must be attached to any emergency work order sent by an inspector where no Professional Tree Inspection has been carried out.

“Before any work is carried out, Norfolk County Council requires that an assessment is made by the tree contractor as to whether there is the potential for the tree or the part of the tree affected to be used by nesting birds or a European Protected Species, particularly bats. If birds are nesting, work must cease until the chicks have fledged. If bats are found, or if there is evidence of a roost (e.g. the presence of urine staining), the Emergency Bat Helpline number must be called immediately – 0345 1300 228. Where a tree is imminently dangerous, interim remedial works to make a tree safe or fencing a site off may be acceptable to reduce the risk temporarily.”

- xiii. The Bat Conservation Trust's guidance leaflet 'Bats and Trees' can be found on the [Norfolk schools](#) website.

Useful links

The Bat Conservation Trust have produced a leaflet called [Bats and Trees](#). Available to download from this link.

The British Standards Institute have produced a non-specialist's micro-guide to the new British Standard BS8596. [Surveying for Bats in Trees and Woodland](#).

Details on bats and trees are available from the [Bat Conservation Trust](#) website.

Information on bats is provided by [Natural England](#).

[Guidance on EPS and Woodland operations](#) is available on the Forestry Commission's gov.uk website.

Forestry Research has also produced the leaflet '[Woodland Management for Bats](#)' which highlights the indicators for the presence of bats in woodlands in Table 1 on page 6.



Tree with known bat roosts accessed via old woodpecker nest holes

Appendix 6

Guidance on other legislation relating to trees

Before any work is carried out to a tree, it must be ascertained whether the tree is covered by a Tree Preservation Order (TPO), is within a Conservation Area or has conditions associated with a planning application. This information is available from the District Councils, many of which have the information available online, although Norfolk County Council's mapping browser shows the locations of Conservation Areas. In addition, the presence of protected species using a tree must be considered. If trees are to be felled it needs to be determined whether a felling licence will be required (See Section 5 below). All of this information will be checked as a matter of course by NCC Tree Officers when a Professional Tree Inspection is undertaken.

1. Tree Preservation Orders

A Tree Preservation Order (TPO) is an order made by a Local Planning Authority (LPA). In Norfolk, TPO and Conservation Area legislation are administered by the District Councils. A TPO makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the LPA's permission. It is designed to protect trees which make a significant impact on their local surroundings. The law on TPOs is in [Part VIII of the Town and Country Planning Act 1990](#), the [Town and Country Planning \(Tree Preservation\) \(England\) Regulations 2012](#). [Section 192 of the Planning Act 2008](#) made further amendments to the 1990 Act which allowed for the transfer of provisions from within existing Tree Preservation Orders to regulations. [Part 6 of the Localism Act 2011](#) amended section 210 of the Town and Country Planning Act 1990 concerning time limits for proceedings in regard to non-compliance with TPO regulations.

2. Trees in Conservation Areas

Trees in Conservation Areas which are already protected by a TPO are subject to the normal TPO controls. However, the Town and Country Planning Act 1990 also makes special provision for trees in Conservation Areas which are not the subject of a TPO. Under [section 211](#) anyone proposing to cut down or carry out work on a tree in a conservation area is required to give the LPA six weeks' prior notice (a 'section 211 notice'). The purpose of this requirement is to give the LPA an opportunity to consider whether a TPO should be made in respect of the tree.

Useful links

More information on TPOs and trees in Conservation Areas is available on the Department for Levelling up, Housing and Communities [government website](#).

3. Hedgerow Regulations 1997

Hedgerows provide connectivity in the wider landscape, acting as wildlife corridors and are a valuable source of food, shelter and nesting sites. The Natural Environment Team provides advice to ensure that the County Council manages hedges to conserve their conservation value. Hedge cutting is carried out outside the bird nesting season and to leave seed and berries as a winter food source.

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The Hedgerows Regulations protect important countryside hedgerows from being removed or destroyed. The Regulations stipulate the criteria that allow a local authority.

to determine whether or not a hedge is deemed to be “Important.” Garden hedges are exempt from the Regulations. In Norfolk the Hedgerow Regulations are administered by the District Councils.

4. High Hedges

In 2005, High Hedges legislation (Part 8 of the Anti-Social Behaviour Act 2003) came into effect that requires everyone with an evergreen or semi-evergreen hedge to consider the affect that the height of such a hedge will have on their neighbours. High hedges covered by the Act have to:

- Consist of a line of 2 or more trees or shrubs;
- Be made up mostly of evergreen or semi-evergreen trees or shrubs;
- Be more than 2 metres high;
- Block out light or access to a residential property.

In Norfolk, it is the District Councils who deal with complaints about high hedges. The charges for this service vary. The Act states that councils can only intervene once it has been demonstrated that all other avenues for resolving a hedge dispute have been exhausted. A council has the power to decide whether a hedge is adversely affecting the reasonable enjoyment of an adjacent property and, if so, can issue a formal notice setting out what must be done to remedy the problem. A council does not have the power to require a hedge to be removed (only reduced in height) and therefore cannot guarantee access to uninterrupted light.

5. Felling Licences

It is unlikely that a Basic Tree Inspector will need to have detailed knowledge of felling licence legislation as this would be flagged up by NCC Tree Officers at the time of a Professional Tree Inspection. It is sufficient to know that you only need a felling licence if you want to cut down trees containing more than five cubic metres of wood in any calendar quarter. This includes trees within the highway boundary. There are exceptions to this rule which are set out in the Forestry Act 1967 and Regulations made under that Act. For example, you do not need a licence for felling trees in gardens. More information can be found on the [Forestry Commission](#) website.

6. The Natural Environment and Rural Communities Act (2006)

The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on local authorities to have regard to the conservation of biodiversity in exercising their functions. The duty aims to raise the profile and visibility of biodiversity, clarify existing commitments with regard to biodiversity and make it a natural and integral part of policy and decision making. The duty extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity:-

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Section 40(1) imposes a duty to conserve biodiversity stating:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

Section 40(3) of the Act explains that:

“Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat”

The County Council’s commitment to biodiversity is encompassed within the guidance of this Tree Safety Management Policy, particularly within Appendices 4 and 5.

More information on the [NERC Act](#) can be found on the government website.

7. Sites of Special Scientific Interest (SSSIs)

SSSIs are areas of land that are considered to be of special interest for their flora, fauna or geology. Sites are designated and administered in England by Natural England. The designation is intended to protect the particular interest of a SSSI from harm by development, damage or neglect. The County Council would have to apply for permission to carry out any tree work in a SSSI and gain written consent from Natural England before proceeding with the work. SSSIs are shown on the mapping browser and will be flagged up by the NCC Tree Officers when a professional tree inspection is undertaken.

Planning Legislation

8. Planning Applications and Planning Conditions

Norfolk County Council is the Planning Authority responsible for deciding planning applications for mineral extraction and associated plant and buildings, for developments involving the handling, storage, treatment or disposal of waste and the County Council’s own development (e.g. fire stations). The Arboricultural and Woodland Team are statutory consultees as part of the Natural Environment Team for these applications. Where trees are within the planning application site or within influencing distance, an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan in accordance with BS5837: 2012 – *Trees in relation to design, demolition and construction* (currently being updated) are required to be submitted by the applicant. This is a stated requirement of NCC’s Planning Application Local Validation Requirements.

Planning conditions are imposed to ensure the developments are carried out in accordance with the [National Planning Policy Framework](#), NCC’s Core Strategy and Minerals and Waste Development Management Policies [Development Plan Document](#) 2010-2026, local authority adopted Core Strategies, Local Plan policies and NCC policies such as the [Environmental Policy](#). Conditions imposed ensure that trees to be retained are suitably protected for the duration of the development and

that suitable mitigation for tree and habitat loss, including [Biodiversity Net Gain](#) has been provided.

9. Section 38 Agreements

A Section 38 Agreement secures the development of new estate roads on private land owned by a developer. The developer prepares detailed technical drawings which often include tree planting and landscaped areas. Once the tree and landscape details have been approved by the Natural Environment Team, the drawings are added to the completed Section 38 Agreement and used to supervise the construction works.

The works are carried out by the developer entirely at their own expense. This is a Legal Agreement, so everything has to be well documented and researched. Any anomalies encountered, whilst construction is ongoing, require a formal amendment to the plans appended to the Section 38 Agreement. Once the roads and the tree and landscape planting have been completed to the necessary standard, and the compulsory maintenance period successfully completed, Norfolk County Council will adopt them as highway, maintainable at the public expense.

When assessing trees for adoption, the Natural Environment team require that consideration is given to above and below ground space. The following points should be addressed for successful adoption:-

- Species selection should take account of all site factors including soil conditions, and above and below ground space. Species diversity across the site and resilience to pests, diseases and climate change need to be addressed across a whole area to ensure a viable future tree population;
- When planting in hard surfaced areas, the necessary rooting volume for the mature size of the species specified should have been calculated to ensure that the tree can reach maturity. Crate systems or linear connecting pits below the surface are preferred to individual tree pits. Further information is available in the Trees and Design Action Group Guidelines "[Trees in Hard Landscapes, A Guide for Delivery](#)" (2014);
- Root barriers specified on 4 sides of a tree pit are not acceptable. A tree will need to develop an extensive root system to provide physiological and structural support to maturity;
- The specification of root directors will be assessed on an individual basis depending on the species and site;
- An irrigation system will need to be supplied for each tree;
- Where trees are planted in hard surfaces, design must take account of future maintenance of tree pits. In accordance with its new Glyphosate Policy (2023), Norfolk County Council is required to reduce its use of glyphosate-based products. Metal tree grilles are difficult to retain weed-free without the use of herbicides; therefore, we will be requesting that developers specify alternative tree pit designs (e.g., mulched tree pits or the use of resin bound gravel);
- Likewise metal tree guards frequently cause abrasion damage to tree trunks and branches and have proved expensive; both in adapting the guards to prevent

chafing (i.e. by removing sections of the guard so that all parts are clear of trunk and branches) and to carry out additional tree pruning as a result of the damage;

- Prior to adoption, all trees should have been maintained so that they are thriving and structurally sound.

10. Section 278 Agreements

A Section 278 (S278) Agreement (of the Highways Act 1980) is a legal agreement between a council and a developer which describes proposed modifications or improvements to the existing highway network to facilitate or service a new development. Examples of such works could be the construction of new accesses, junction improvements or safety related works such as traffic calming or improved facilities for pedestrians and cyclists. S278 works can involve the removal of additional trees that were not identified as requiring removal or protection at the Outline Planning stage. The Natural Environment Team works closely with highways design colleagues and developers to deliver schemes that protect and enhance the existing trees and landscaping:

- When assessing S278 schemes, NCC Tree Officers would expect that the trees affected by the works are the subject of an Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to determine how the work will be carried out to avoid damage to the trees. It will also need to be determined whether the work will necessitate additional tree felling, unforeseen at the outline planning application stage;
- The recommendations in the AIA and AMS should be shown on all submitted S278 drawings;
- If trees are removed to accommodate the S278 works, appropriate mitigation planting must be specified on a detailed landscape scheme.

11. Section 106 Agreements

As part of the planning process a local planning authority and a developer may enter into a legal agreement to enable any adverse impacts of a development to be offset, to enhance the physical environment or to contribute to local facilities where this is not possible through planning conditions.

This agreement, known as a Section 106 agreement (the legislative basis for planning obligations is Section 106 of the Town and Country Planning Act 1990) is a delivery mechanism for the matters that are necessary to make a development acceptable in planning terms and is directly related to a specific development. This can include the provision of open space and tree planting.

12. Community Infrastructure Levy

Since April 2010, local authorities have been able to charge developers a Community Infrastructure Levy (CIL). The regulations that allow them to do this are The Community Infrastructure Levy Regulations 2010. CIL may be levied on new residential and commercial development, new builds and extensions above 100 square metres to contribute towards funding infrastructure needed to support development. CIL revenue may be spent on any infrastructure needed in the borough and not necessarily in the vicinity of any particular development.

13. Local Government (Miscellaneous Provisions) Act 1976 Section 23

This legislation enables local authorities (in Norfolk, this would be the District Councils) to deal with dangerous trees on private land. Initially, this can be by serving a notice on the owner to make the tree safe or, in exceptional circumstances, the Council can deal with the tree themselves and recover costs from the owner. These powers are used as a last resort and are only intended for situations when there is an imminent danger.

Appendix 7

Privately owned trees

These are trees that are within falling distance of the highway or areas open to the public but are not owned by Norfolk County Council. These trees do not fall within the scope of Norfolk County Council's Tree Safety Management Policy as this inspection regime relates ONLY to those trees owned or managed by Norfolk County Council.

- i. The safety of trees within falling distance of the highway is covered nationally by the Highways Act 1980. The County Council's Street Scene Inspectors are expected to look for potentially dangerous trees that are within falling distance of the highway when carrying out their routine highway inspections.
- ii. In addition, Arboricultural and Woodland Officers currently have a procedure in place to deal with dangerous trees both on highways land and within falling distance of the highway that are found when carrying out ash dieback and tree safety inspections across the highway network. See Section 8.2.
- iii. It is advisable for Basic Tree Inspectors, when looking at trees on the County Council estate, to take account of neighbouring trees within falling distance of County Council land. They should note any trees that may be of concern to them in the course of their planned inspection. They should follow the procedure set out in Section 6 of this policy if they require further advice or assistance from NCC Tree Officers.
- iv. Owners are responsible for trees on their property and have a legal duty of care. *"This duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property"* (NTSG 2010). Best practice advice on fulfilling this duty is available from the National Tree Safety Group (NTSG). See Section 3 of this Policy for the link to download the guidance documents.
- v. As a responsible landowner, Norfolk County Council, through this Tree Safety Management Policy, has set up system of regular inspection and monitoring of its trees. We will encourage other large landowners to do likewise.
- vi. We will consider whether neighbouring trees are likely to pose any threat to members of the public using Council property. If we receive reports that a tree or trees are giving rise to concerns, we will carry out a reactive Basic or Professional Tree Inspection.
- vii. Owners of any trees that are a potential nuisance or danger to the public or to public property will be asked to carry out remedial work. In the event of failure to carry out work, Norfolk County Council can use statutory powers to implement essential works and recharge the costs to the owner.
- viii. Norfolk County Council has powers under the Highways Act 1980 and common law to ensure that members of the public are not put at risk when using Council sites. In addition, the District Councils have powers under the Local Government (Miscellaneous Provisions) Act 1976 to deal with unsafe trees.
- ix. Owners of trees that are a potential nuisance or danger will be offered further advice by NCC Tree Officers if this is requested by the relevant department.

Appendix 8

Services offered relating to tree inspection and management

This policy sets out the basic standards that will be required to ensure that there is an adequate system of inspection of trees that are the responsibility of Norfolk County Council. However, some individual establishments may choose to go beyond the required standards set out in the Council's Tree Safety Management Policy and have a more detailed inspection, survey or safety policy carried out for their trees. Some establishments may have grounds that are considered large enough to require their own zoning regime. Additional, more detailed policies for a specific establishment are acceptable, as long as the system of inspections, recommendations and tree surgery follow the procedures and guidelines set out in the Tree Safety Management Policy and that an accountable auditable system of records are retained to demonstrate compliance.

Private Services available

Appendix 4, Section 5 gives the link to the List of Tree Surgeons on Norfolk County Council's Framework for the Maintenance and Cutting of Trees, Grips and Hedges. Some of the contractors on this list may offer consultancy services such as providing a Tree Safety Policy for a site and carrying out tree surveys, inspections and formulating a site specific inspection regime. A Basic Tree Inspection service is also offered by Norse who currently carry out Basic Tree Inspections for several NCC departments.



Willow Pollards, Halvergate

Appendix 9 Ash Dieback categorisation

These crown assessments of ash are used by the Arboricultural and Woodland Officers to classify the health of ash trees. For more information on ash dieback inspections, please refer to the document 'Addendum 1 - Ash Dieback' and the [Ash Dieback webpage](#).

Photos of percentage dieback



0% dieback



0-25% dieback



25-50% dieback



50-75% dieback



75-100% dieback



100% dieback

Appendix 10 Liability claims

A general liability claim, such as property damage or injury from trees can be made for financial loss because of an alleged negligent act of the Council or its subsidiary companies. If a member of the public wishes to make a claim against Norfolk County Council, email claims@norfolk.gov.uk. Careful thought needs to be made before making a claim as NCC must protect public funds. The cost of processing unsuccessful or fraudulent claims diverts these funds from valuable front-line services.



Street trees, North Walsham

Appendix 11

Environment Act (2021) Duty to consult on felling street trees

REQUIREMENTS

Scope

- This procedure covers the duty required by local authorities to consult with local residents on the felling of street trees (where no exemptions apply).
- Introduced to ensure that local people can express their views over the proposed management of street trees, the duty to consult facilitates a transparent and accountable decision-making process (based on sound arboricultural principles) and consideration of local views.
- The duty balances the need to provide all residents with free and unhindered use of the highway while at the same time ensuring good-quality and healthy trees are retained for all the benefits they bring to the local area, even when they may be causing minor, but resolvable, issues with their surroundings.
- Only trees on or within the boundaries of Norfolk highway land are in scope. Trees on private or unadopted streets or roads fall outside the scope of this duty.
- Only local highway authorities are in scope of the duty – other highway authorities such as Highways England are not included.
- A number of exemptions apply to this duty (see section entitled ‘Exemptions’ on page 6 below).

Legislation

- S115 of the Environment Act 2021 inserted S96A into the Highways Act 1980, requiring local highway authorities to consult members of the public (“Duty to Consult”) before felling any tree on an urban road (a “street tree”). This became a statutory duty on 30 November 2023.
- The Road Traffic Regulation Act 1984 defines urban roads:
Urban roads are highways, other than trunk or classified roads, which:
 - are restricted for the purposes of section 81 of the Road Traffic Regulation Act 1984 (30 miles per hour speed limit);
 - are subject to an order made by virtue of section 84(1)(a) of that Act imposing a speed limit not exceeding 40 miles per hour; or
 - are otherwise a street in an urban area.

Consultation Process

All public consultations that fall under this duty to consult are to be administered and managed on Citizen Space, NCC's preferred online and engagement and consultation platform (consultation hub). However, both online and offline (e.g. email and post) response options must be made available.

For Area Maintenance consultations, Citizen Space upload will be managed and coordinated by the Highways Services Team.

For major projects/scheme consultations, Citizen Space upload will be managed and coordinated by the relevant Design Team (and where appropriate, run jointly with any other public consultations as part of the project/scheme).

Required Consultation Information

For all street tree consultations the following information is required for upload to Citizen Space (*some fields are already set as standard):

- Consultation Title (*for example Proposed felling of a street tree on Cecil Road, Norwich, NR1 2QN*)
- Name & Team of Highways Lead
- Start date of consultation
- Closing date of consultation (must run for at least 28 days)
- Consultation Type: *online (but a postal and email address must also be made available should people not want to respond online)
- Audience: *public & stakeholders
- Interests: *environment
- Consultation details:
 - Reason for the consultation including why NCC proposes to fell a street tree(s),
 - location of the street tree or trees (if a group of trees),
 - any engineering or tree management solutions considered as an alternative to felling,
 - a replanting proposal (if one exists). This should include information on location, number and species of trees.

Consultation Notice

National guidance states that a notice should include as much information as possible and at a minimum:

- the location of the street tree or trees (if a group of trees);
- how many street trees this will be applied to (if a group of trees);
- a brief summary of the reason why the local highway authority proposes to fell the street tree or trees;
- any engineering or tree management solutions considered by the local highway authority as an alternative to felling the street tree or trees;
- how the public can respond to the consultation and the dates this is open for;

and

- a replanting proposal if one exists (information on location, number and species of trees should be provided if known). The expectation is that either 1, 2 or 3 trees will replace each tree felled in line with the Tree Policy.

A notice should be placed on every street tree (where reasonable) in a group of street trees which are the subject of the consultation.

Consultations must run for a minimum of 28 days. The consultation period begins from whichever date is last of the notice being placed on the street tree, or online/in an office.

Stakeholders

Once a consultation is live, the consultation lead must ensure that key stakeholders and any other interested parties are notified. This can be way of an email link to the consultation on Citizen Space and at a minimum, must include the relevant local member, Parish/Town Councils and adjacent residents/businesses affected. The same applies with the consultation response once a decision has been made and again, this can be emailed as a link to all key stakeholders, this time also including the Cabinet Member and Deputy Cabinet Member, should the decision be to fell.

Consultation Response

The consultation response including the decision must be published as soon as reasonably possible after the close of the consultation period, and no later than 28 days prior to felling taking place. The response to the consultation must be published on Citizen Space and also as a notice on the street tree(s) in question.

If there is a decision to fell, the consultation response must remain on the street tree(s) in question and available online until such time as the tree(s) are felled.

Consultation Response Notice

National guidance states that the consultation response should include as follows:

- set out the details of the consultation (a link to the consultation is sufficient);
- the results of the consultation (such as the number of responses and sentiment of the majority whether in favour of or against the proposed felling);
- the decision and the reason for the decision including any consideration of the consultation responses and why alternatives to felling were not possible to implement.
- details of any replanting proposal.

Time Constraints

Consultation results remain applicable for a period of 2-years following the end of the consultation period. Within that 2-years, the applicable street trees may be felled (if the decision was to fell). After two-years the results of the consultation will expire and a new consultation must be undertaken if we wish to fell and street tree(s) previously consulted on.

Any tree felling carried out under this procedure must be done so outside of bird nesting season which is typically between March and September of each year.

Complaints Procedure

If respondents are unhappy with the Council's decision, they should use the local authority's existing complaints process [Make a complaint - Norfolk County Council](#).

There is no obligation on the local authority to retain the street tree until such time as the complaint is determined.

A person who is unhappy with the outcome of a complaint can make a final appeal to the [Local Government and Social Care Ombudsman](#). They can use this service if they think Norfolk County Council Highways has handled their case poorly or not followed the proper procedure.

Exemptions

The duty to consult **does not apply** to street trees that are:

- (a) **of a diameter not exceeding 80mm (measured over the bark, at a point 1.3 metres above ground level).**
- (b) **dead.** A dead tree no longer produces leaves or foliage (where it should). The stem's outer bark and cambial tissue layers are dead.
- (c) **required to be felled under the Plant Health Act 1967.** Under this Act, statutory plant health notices can be issued that require the owner or manager to eradicate or contain notifiable pests and diseases. This can include felling a tree and failure to comply can result in enforcement action and prosecution. An order must be received under this Act for the removal of the tree/trees for this exemption to apply.
- (d) **required to be felled under any enactment on the basis that the tree is dangerous.** In deciding whether a street tree is dangerous, local highway authority tree officers should consider whether the tree represents an immediate or impending risk to persons or property. A tree can be considered dangerous if it is expected to become dangerous prior to the next scheduled inspection.
- (e) **required to be felled in order to comply with a duty to make reasonable adjustments in the Equality Act 2010 because the tree is causing an obstruction (see section 20 of that Act).** Under this act, trees can be required to be felled if the authority considers that this is necessary in order to comply with its duties under the act because the tree is causing an obstruction. This exemption does not apply where appropriate and proportionate engineering solutions can remedy the obstruction and felling is not required to meet these duties.

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- (f) **required to be felled in order to comply with a duty in section 29 of the Equality Act 2010 (prohibitions on discrimination etc in the provision of services) because the tree is causing an obstruction.** Under this act, trees can be required to be felled if the authority considers that this is necessary in order to comply with its duties under the act because the tree is causing an obstruction. This exemption does not apply where appropriate and proportionate engineering solutions can remedy the obstruction and felling is not required to meet these duties.
- (g) **required to be felled for the purpose of carrying out development authorised by planning permission granted under section 70, 73, 76D, 77 or 79 of the Town and Country Planning Act 1990.** Provided that the planning permission specifically permits the felling of the street tree or trees in question.
- (h) **required to be felled for the purpose of carrying out development authorised by outline planning permission granted under section 92 of the Town and Country Planning Act 1990.** Provided that the planning permission specifically permits the felling of the street tree or trees in question.
- (i) **subject to other exemptions.** A Statutory Undertaker undertaking emergency operational works that require the felling of a street tree.

Proving a Street Tree is Exempt

For all exempt trees, it is the responsibility of the highway authority to hold and maintain sufficient evidence to prove exemption from the duty to consult and to defend legal challenge should it arise.

Evidence can include:

- a statutory notice that a tree must be felled (such as a plant health notice);
- photographs of the tree showing the relevant exemption;
- a written description of the reason an exemption applies by a professional (such as a tree officer or arboriculturist); or
- a statutory undertaker notice.

Records of the consultation process for non-exempt street trees should also be kept in case a challenge is received.

Best Practice Framework

Due to the high level of public interest that surrounds trees and tree management, this consultation procedure can also be used as a best practice framework for high profile trees that are out of scope. This will facilitate a transparent and accountable decision-making process (based on sound arboricultural principles) and consideration of local views.

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Records

Citizen Space – Consultation Portal.

Environment Team Central Tree Database (covering Norfolk, excluding Norwich City).

Norwich City Highways Tree Records (for Norwich City).

References

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- ⁴ O'Brien, L and Forster, J. 2020. Engagement with nature before and during the Covid-19 restrictions. *Quantitative analysis*. 2020. Forest Research, Farnham.
- ⁵ Lovasi GS, Quinn JW, Neckerman KM, Perzanowski MS, Rundle A, 2007, Children living in areas with more street trees have lower prevalence of asthma, *Journal of Epidemiology and Community Health* 62(7): pp647-9
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Tree Policy V4 Sept 2024 Changes Summary:

General changes:

- The pages and sections have all been re-numbered for greater clarity
- All links checked and updated
- Level 1 Tree inspections have been changed to Basic Tree Inspections, due to a change of training provider
- Reference to Highways Management System has been added for highway basic tree inspections
- It has been re-iterated that Forms A and B are for guidance – they can be used but the equivalent information in electronic form is equally acceptable
- The Framework for Trees grips and hedges has been replaced by the Dynamic Purchasing system for tree work
- The requirements and NCC procedures of the new ‘Duty to Consult’ when felling street trees has been added

Specific changes:

Page: Section	Update
P4	New examples of the benefits of trees and update on Government reports
P6: 4.9, 4.10	New reference to NCC’s Environment Policy, Tree Planting and Resilience Strategy, Pollinator Action Plan and Local Nature Recovery Strategy (LNRS)
P11: 6	Guidelines for hazard ratings have been simplified and are in line with NCC Highways’ highways management system categories. This is also referenced on Forms A & B – Appendices 2,3, and 3A
P14: 7.4	Environment Act with the Duty to Consult for the felling of street trees
P15: 8	New Section describing inspections to address issues around new tree pests and diseases and high-risk urban areas with targeted professional tree inspections.
P15: 8.2	Ash dieback and tree safety inspections is new.
P16: 8.3	Highway tree inspections within the Norwich City boundary is new.
P24: App4 2i	Biodiversity Net Gain, commitment to seek funding for planting trees.
P25: App4 2vii, 2x, 2xi	Reference to NCC planting and resilience strategy and 1 Million Trees for Norfolk, Support for new street trees associated with development (if 30yrs maintenance provided).
P36: App6: 8	Greater detail on planning added.
P37: App6: 9	S38s has been re-written to clarify and inform.
P38: App6: 10	S278s has been re-written to clarify and inform.
P39: App6:13	Information on Local Government (Miscellaneous Provisions) Act 1976 Section 23 added.
P40: App7 ii	Added for Ash Dieback / safety inspections.
P42: App9	Ash Dieback categorisation categories is new – added for information.
P43: App10	Additional clarity on liability claims against NCC.
P44: App11	New Procedure outlining new process for the Duty to Consult for the felling of street trees.

Addendum 1

Ash Dieback Disease

November 2022

Ash Dieback (ADB) is a disease of ash trees caused by a fungus called *Hymenoscyphus fraxineus*, formerly known as *Chalara fraxinea*. The disease causes leaf loss, crown dieback and bark lesions in affected trees. Young trees can be killed by the fungus relatively quickly. Older trees can be weakened by the disease to the point where they can succumb more readily to attacks by other pests or pathogens such as honey fungus (see page 6).

Ash trees suffering with ADB have been found widely across Europe since trees were first reported dying in large numbers in Poland in 1992. These have included woodland trees, trees in urban areas such as parks and gardens, and also young trees in nurseries.

ADB was first confirmed in the UK in Buckinghamshire in February 2012 when it was found infecting young trees imported from a Dutch nursery. Subsequently other infections were discovered that were traced to infection through imported young trees. But in October 2012, a small number of cases in established woodland, away from recently planted nursery stock, were confirmed in Norfolk and Suffolk. Further finds in trees in the wider environment have since been confirmed across the UK, but the disease remains concentrated in the east and south-east of England.

Over the last 15 years we have seen decline in ash trees from a number of other causes that include *Inonotus hispidus* (a fungus that decays trunk and branches – see page 6), insect defoliators, pigeon damage (page 7) and ash bud moth. However, we are now starting to see areas where trees are looking poor because of infection with ADB. For example, at the Marriotts Way at Whitwell, crown dieback in several large groups of ash is up to 75% - i.e. only 25% of the crown is healthy.

NCC's current tree inspection regime (as dictated by the Tree Safety Management Policy) is still fit for purpose regarding the inspection of infected trees; however the County Council's Arboriculture and Woodland Team have also received funding to carry out proactive inspections of high risk areas such as major roads and promoted trails to address the potential safety, financial and resource impact of large numbers of trees dying simultaneously.

This addendum is intended to describe the symptoms of the disease, inform the best time to identify it and to inform the procedure when infected trees are found. This procedure will apply until any future proactive management is put into place.

For identification of ash trees please see [Woodland Trust](#) website

More information on ash dieback and managing the disease can be found on the [Forest Research](#) and [Arboricultural Association](#) websites

The Tree Council has published detailed guidance in its [Ash Dieback Action Plan Toolkit](#) for councils and other public authorities which manage trees.

Norfolk County Council's Procedure for trees showing symptoms of Ash Dieback (ADB)

See Photos on Page 54 that show examples of percentage dieback of ash trees

We need to ensure that inspections for ADB are carried out when ash trees are in leaf, which limits the inspection window to the months of June, July and August. This may mean that you need to carry out an ADDITIONAL inspection for ADB if this is not when your Basic (formerly Level 1) inspections are due to be carried out.

Trees with symptoms of ADB that have 0-50% dieback

Trees with lower percentages of dieback may be able to respond initially to the disease by producing epicormic branches, although they may need deadwood removal if over public or high use areas.

Procedure

- Take photos of infected trees in the summer. Take photos from several specific reference points (e.g. north, south, east, west) to allow for future comparisons. File photos for reference.
- Take photos from the same places the following summer to determine how the crown has changed
- If there are dead branches more than 60mm diameter (thickness of your wrist) and there is a potential "target", use Form B / equivalent information in electronic format to refer the trees to the Arboriculture and Woodland Officers for a Professional Tree Inspection as per the standard procedure in the tree policy.

Trees with symptoms of ADB that have 50-75% dieback

Trees with lower percentages of dieback may be able to respond initially to the disease by producing epicormic branches, although they may need deadwood removal if over public or high use areas.

Procedure

- Take photos of infected trees in the summer. File these for reference.
- Take photos from the same place the following summer to determine how the crown has changed
- Carry out a full inspection of the trunk and branches for other defects, especially fungal fruiting bodies or cavities on the trunk, at the base and on the branches
- If any defects are found on the tree and there is a potential "target", a further inspection is required. Use Form B / equivalent information in electronic format to refer the trees to the Arboriculture and Woodland Officers for a Professional Tree Inspection as per the standard procedure in the tree policy.

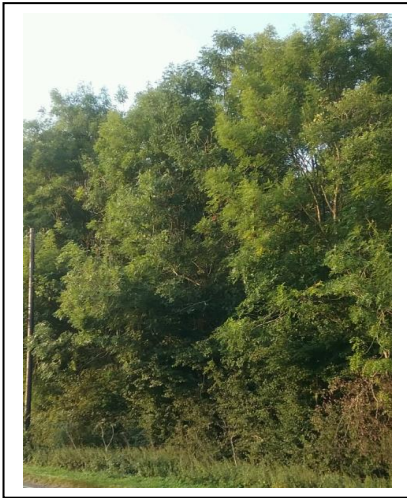
Trees with symptoms of ADB that are more than 75% crown dieback

We consider that these are unlikely to recover. Trees with ADB disease may be more at risk from other pests and diseases.

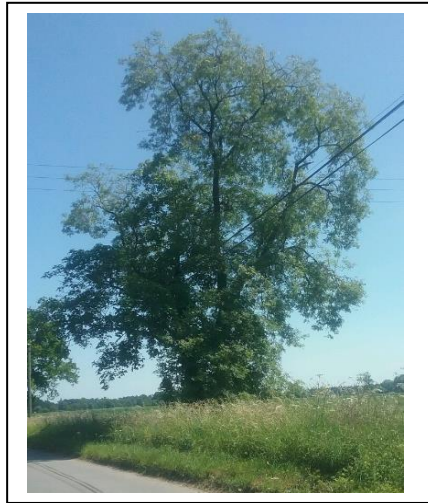
- If a Basic Tree Inspector finds trees with 75% crown dieback or upper crown dieback they need to refer the trees to the Arboriculture and Woodland Officers for a Professional Tree Inspection as per the standard procedure in the tree policy.
- If the tree is considered to be an imminent danger, follow the procedure detailed in Section 2.5iii of the Tree Policy.

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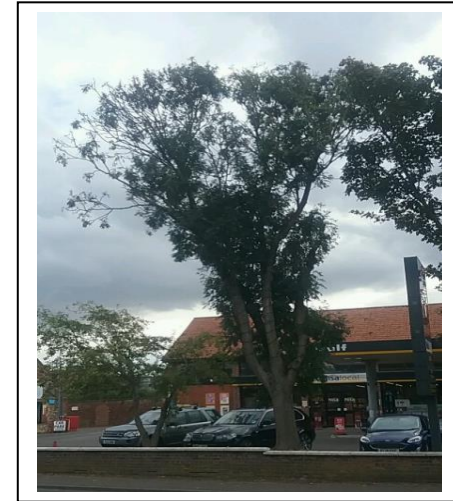
Photos of percentage dieback



0% dieback



0-25% dieback



25-50% dieback



50-75% dieback



75-100% dieback



100% dieback

Mature trees showing typical symptoms of ash dieback



Wilting leaves



ABOVE - Mature tree showing approx. 10% dieback on right hand side



Younger tree showing similar dieback symptoms (approx 25% dieback)

Other defects common on ash trees

There are other diseases that may produce symptoms on ash that may look similar to ADB. If any tree is showing signs of 75% dieback or more it should still be reported on Form B / equivalent information in electronic format.



Fruiting bodies of *Inonotus hispidus*
ABOVE - fresh
LEFT - old blackened fruiting bodies that are frequently seen on ash trunks and branches – these fungi are often seen near woodpecker holes (below left). Areas of indented bark or wounds may be sites where the fungus has been present and caused decay. Branches and trunks often break when decayed by this fungus.





LEFT - Fruiting bodies of honey fungus are found at the base of infected trees. This disease is likely to be able to take advantage of trees weakened by ash dieback and may cause them to die.



When ash trees get honey fungus, one of the symptoms when the mushrooms are not present is a white sheet (called mycelium) under the bark. Honey fungus can cause trees to die and fall over.



Also look for fungal fruiting bodies at the base of ash trees similar to this. These can also make trees decline and show signs of dieback.

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Ash tree showing pigeon damage to leaves at the top of tree, which could, at a distance, be mistaken for ADB.



In the autumn and winter there may be clumps of ash keys (seeds) seen on ash trees which may look like dead leaves from a distance. It is normal to see these and they are NOT a sign of ADB.

