



# Peacehaven Town Council

## Tree Works & Inspection Policy

### 1. Hazards to be assessed

In order for a tree to pose a hazard there must be a likelihood of failure and the risk that having failed the tree will cause damage. To assess this, the following key areas must be addressed:

- The likelihood of failure
- The size of the piece most likely to fail (from a branch to a whole tree)
- The presence of a target (something that may be affected by the event of failure)

### 2. Compliance with statutory acts

The legal requirements to prevent any hazards, which may be caused by a tree failure, are covered by the Health and Safety at Work Act 1974, Countryside and Rights of Way Act 2000 (CRoW), the Wildlife and Countryside Act 1981, and in Civil law under the Occupiers' Liability Acts 1957 & 1984.

### 3. Council responsibilities

3.1. Trees are an intrinsic and key element of the natural landscape and for the wildlife they support.

3.2. The council has a duty to do all that is reasonably practicable to ensure that the trees remain healthy and to ensure they do not pose a threat to the safety of the public and property.

3.3. To achieve this, the council will put in place the following inspection regime:

- A rolling three year inspection of all trees on council owned and managed sites. The inspection will be carried out by a qualified tree consultant in conjunction with a qualified member of staff.
- An annual inspection of trees will be carried out by a member of staff, who has a LANTRA basic tree survey and inspection qualification
- Trees that are noted as requiring attention will be logged by tag number, species, size and age. The actions required and priority will also be noted. The location of the trees will be indicated on a map.
- Work will only be carried out on trees for reasons of safety or conservation management.
- Requests from residents for tree management due to issues with overshadowing and falling debris/leaves and concerns about general tree size in proximity to property and overhanging will not usually be taken forward.

#### **4. Remedial works to trees**

Where remedial works to trees are identified, action can be taken in two ways:

- If the tree poses an imminent threat to safety, the member of staff will take action to make the tree safe under delegated powers as permitted under the Local Government Act 1972 s.101. The matter will be reported to the next appropriate committee meeting.
- Where trees do not pose an immediate threat or need other work, these can be held until the next appropriate committee meeting.

#### **5. Remedial works by in-house staff**

In cases where the work is within the capabilities of in-house resources, the Parks Officer must ensure that all the work can be carried out safely, prior to the works commencing. All staff must be issued with the appropriate safety equipment and be suitably qualified to carry out the task.

#### **6. Outsourcing works**

6.1. When in-house resources are not qualified to carry out the work or are unavailable, a specialist tree surgeon may be employed to undertake the work.

6.2. The contractor must be suitably qualified and have adequate insurance cover.

6.3. Prior to commencing the work, a method statement and risk assessment must be provided by the contractor. The council maintains a list of approved contractors that meet the criteria.

#### **7. Tree preservation orders and conservation areas**

Where any tree is subject to a tree preservation order or is located in a conservation area, the appropriate application must be made for the works to be undertaken.

#### **8. Memorial trees**

Any works carried out to memorial trees must be reported back to the appropriate committee either before or after the work is carried out, depending on the urgency.

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Reviewed: 8<sup>th</sup> November 2022

Next Review Due: 7<sup>th</sup> November 2024