Tree Policy
and
Tree Risk Management Plan

Hastings Borough Council - 2013
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EXECUTIVE SUMMARY

The Plan specifically sets out to describe the way that we will manage our aim around ‘reasonable risk management’ and how we will:

- Implement the new National Tree Safety Group guidance ‘Common Sense Risk Management of Trees’, published December 2011
- Adopt a methodology to assess the risk of harm from trees, which includes a cyclical method of inspection, and with more detailed inspections carried out as necessary.
- Plan surveys of identified high used zones on a frequency that is informed by the initial and subsequent assessments.
- Carry out remedial work to trees where appropriate, to reduce probability of harm to acceptable levels.
- Demonstrate how Hastings Council is doing what is ‘reasonably practicable’ to meet its Duty of Care in respect of tree management.

Immediate Priorities for 2013/14

- Identify all council-owned land, and land for which the Council is responsible.
- ‘Zone’ that land in terms of usage and tree risk.
- Establish a cyclical inspection regime for trees; the frequency of which is predicated on usage and tree risk.
- Review the level of IT system requirements that will be necessary to implement and manage this plan.
- Plan the 2013 survey programme.
- Undertake the walk-over/drive-by and individual/detailed tree surveys as dictated by that programme.
- Establish an appropriate system of record keeping to verify the consistent operation of the inspection regime and to assist in the effective management of the tree population.
- Identify any shortfall in training needed to implement this plan.

Priorities for the next 5 years (2015 - 2020)

- Review training and competence of council staff engaged in tree inspection.
- Review legal judgments relating to tree risk management to ensure Tree Risk Management Plan adjusts to emerging case law.
1. INTRODUCTION

1.1 Our vision

Trees are a fundamental part of the Hastings landscape. They are an essential component within the multifunctional network of parks, open spaces, waterways, countryside, and green corridors across Hastings, which when combined form part of the green infrastructure of the town.

Our vision is to:

‘Create and maintain a comprehensive and sustainable Green Infrastructure that:

- extends access, recreation and play opportunities,
- connects and enriches biodiversity habitats,
- helps us adapt to, and mitigate against, the threats posed by climate change,
- enhances opportunities for good health and wellbeing,
- enhances the diversity of landscape character, and
- is managed in an appropriate cost effective manner.’

Our vision for the trees in Hastings is:

“To have a growing, healthy tree population”

1.2 Our aims

To be able to meet this vision we have several key aims that we are working towards

**Maximising tree benefits**

The aesthetic, ecological, environmental and social benefits that trees bring to Hastings will be championed, and trees valued as an important asset, adapting to environmental pressures including climate change.

**Adapting to environmental pressures including climate change**

Our trees will be managed in anticipation of environmental change.

**Reasonable risk management**

Hastings Council will seek to maintain a defendable tree risk management policy, while avoiding unnecessary tree loss. This management will be consistent with a duty of care based on reasonable practicability.

**Meeting our legal obligations**

We will manage trees to ensure that our legal demands are met.

**Providing value for money**

Tree management will be carried out to provide full value for money.
1.3 Purpose of the plan

Hastings Council is a large tree owner with many thousands of trees growing in its woodlands, parks and open spaces and alongside the highway. These trees provide many benefits, including making the landscape more attractive, contributing to wildlife, absorbing pollution, helping adapt to climate change and even adding value to the price of property.

Trees and their branches can fall to the ground, so it is important that whilst we maximise their benefits we also take precautions to keep the risk they pose to people and property within reasonable limits.

The Health and Safety Executive (HSE) concludes that the risk of being struck and killed by a falling tree is 'extremely low'.

This risk therefore represents an extremely small proportion of the background risk that we commonly accept in our everyday lives, and the ongoing removal and general management of trees is probably the most important factor in keeping this figure at such a low level. However, there can be pressure to remove trees because of a perception of risk, which may be much greater than any actual risk a tree poses.

We cannot completely remove the risk from trees: to do so would create an unacceptable loss of the many benefits that trees provide.

The removal of trees based on an unfounded perception of risk is not appropriate because it leads to the unnecessary loss of trees and their benefits. Instead, damaged and defective trees will be managed to control the actual risk they pose to people and property whilst fully recognising their value.

By implementing this Tree Risk Management Plan the Council is able to demonstrate that it has considered the risks from trees and as a consequence adopted a process that is proportionate to that risk.

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1 Sector Information Minute 01/2007/05 ‘Management of the risk from falling trees’, HSE, 2005
www.hse.gov.uk/foi/internalops/sectors/ag_food/1_07_05.pdf
2. POLICY CONTEXT

Trees and woodlands are integral to the landscape of the Borough and play an essential role in community life, conserving biodiversity and contributing to the quality of the townscape for local residents and visitors. The Borough boasts seven Local Nature Reserves, five of which are designated as woodland or ancient woodland nature reserves. Two Sites of Special Scientific Interest host areas of important ancient woodland.

The Borough Council’s Corporate Plan sets out six top level corporate priorities, one of which is to tackle climate change and improve the Borough’s environment by reducing our own carbon footprint, maintaining high quality green spaces, promoting sustainable transport and encouraging green industries.

The Local Plan - Hastings Planning Strategy (submitted) sets out the strategic policy context for the protection and enhancement of the natural environment, recognising that a healthy natural environment is essential to our economic prosperity, health and well being.

The policy context covers Green Infrastructure, Nature Conservation, Conservation of Landscape and the provision, enhancement and protection of Open Spaces. Trees and woodlands are integral to these policies.

The Hastings Development Management Plan outlines the planning and development policy context for protecting the natural environment, trees and woodlands. In particular the Council will:

- Improve the integrity and biodiversity of the green infrastructure network of the Borough
- Protect woodland, particularly ancient and veteran trees
- Improve site management and increasing public access to areas of nature conservation importance
3. APPROACH TO RISK MANAGEMENT

3.1 The council’s legal duties and liabilities

Hastings Council, in common with other landowners has a legal ‘duty of care’ to ensure that users and neighbours of its land are reasonably safe\(^2\).

The council must also ensure that risks to its employees and contractors are reduced as far as is ‘reasonably practicable’\(^3\).

Trees are constantly changing as they grow and vary with the seasons. They can also reach considerable size and can become damaged by the elements or affected by pests and diseases that can weaken them. Trees can fall over or lose branches meaning they have the potential to cause harm where they grow in areas of public access or within falling distance of structures or highways (within this document, the people and property that might be injured or damaged by trees or branches are referred to using the standard arboricultural term ‘targets’).

We must balance this risk with the aesthetic, ecological, environmental and social benefits that trees bring.

“Reasonableness” is a key legal concept when considering the risks of trees to the public and tree owners’ obligations\(^4\).

The council’s fundamental responsibility, in taking reasonable care as a reasonable and prudent landowner, is to consider the risks posed by its trees. The level of knowledge and the standard of inspection that must be applied to the inspection of trees are of critical importance, but the courts have not defined the standard of inspection precisely. Generally, the courts appear to indicate that the standard of inspection is proportional to the size of and resources available (in terms of expertise) to the landowner. It is of note that the HSE states that: “for trees in a frequently visited zone, a system for periodic, proactive checks is appropriate”\(^5\).

Where harm occurs, liability is a matter for the courts to determine. The question is whether or not the council has discharged its duty of care, which will be largely dependent upon whether or not the council has taken a reasonable and proportionate approach to the management of tree safety.

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\(^2\) The Occupiers Liability Act 1957 & 1984

\(^3\) The Health and Safety at Work etc. Act 1974


\(^5\) Health and Safety Executive (2007). Management of the risk from falling trees. HSE Sector Information Minute, SIM 01/2007/05. (Guidance for HSE Inspectors and local authority enforcement officers).
3.2 National guidance on tree risk management

This Plan implements the new National Tree Safety Group guidance ‘Common Sense Risk Management of Trees’ published in December 2011.

The National Tree Safety Group (NTSG)\(^6\) was convened in August 2007 to develop a nationally-recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees.

The NTSG released its guidance ‘Common Sense Risk Management of Trees’\(^7\)\(^12\) in December 2011. This is the first national guidance on tree risk management available to tree owners, and followed extensive industry and government consultation.

The NTSG’s overall approach is that the evaluation of what is reasonable should be based on a balance between benefits and risks from trees. This position is underpinned by a set of five key principles:

- Trees provide a wide variety of benefits to society
- Trees are living organisms that naturally lose branches or fall
- The overall risk to human safety is extremely low\(^8\)
- Tree owners have a legal duty of care
- Tree owners should take a balanced and proportionate approach to tree safety management.

The NTSG’s guidance states that tree owners should take a balanced and proportionate approach to tree management that forms the basis of a tree safety strategy which covers three essential aspects:

- **Zoning:** appreciating tree stock in relation to people or property
- **Tree inspection:** assessing obvious tree defects
- **Managing risk at an acceptable level:** identifying, prioritising and undertaking safety work according to level of risk.

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\(^6\) http://www.ntsg.org.uk

\(^7\) The full NTSG document ‘Common Sense Risk Management of Trees’ is summarised in the ‘Landowner Summary’ document produced by NTSG. Both publications are available to download at http://www.forestry.gov.uk/publications

\(^8\) NTSG have identified that the overall estimated risk of death per year from falling or fallen trees and branches in the UK is about 1 in 10 million, whereas the annual risk of death in a road accident is about 1 in 16,800. So far as non-fatal injuries in the UK are concerned, the number of A&E cases attributable to being struck by trees (about 55 a year) is exceedingly small compared with the roughly 2.9 million leisure-related A&E cases per year, such as footballs (262,000) and children’s swings (10,900).
The NTSG’s guidance requires that areas of land are defined according to levels of use, prioritising the most used areas. High use zones are areas used by many people every day, such as busy roads, other well-used routes, car parks and children’s playgrounds, or where property many be affected. Trees in areas of high public use require an inspection regime. Trees in areas with low public use require less frequent inspection. The risk of death or serious injury from trees in infrequently-used areas is so low that it is reasonable that these should receive no formal inspection or visual check. However, owners may need to respond to any reports of problems.

If reasonably carried out, the strategy should meet the duty of care required by law. In the event of an accident, documentation will provide supporting evidence that reasonable care has been taken.

3.3 Managing risk at an acceptable level

This Plan manages the annual risk of death or significant harm from trees within the Health & Safety Executive’s ‘Tolerability of Risk Framework’, by assessing risk and recommending control measures that reduce that risk as low as reasonably practicable, and below the 1 in 10,000 threshold of Tolerable Risk.

People are constantly exposed to, and accept or reject, risks of varying degrees. For example, if society desires the convenience of electric lighting, it must accept that, having implemented control measures such as insulation, there remains a low risk of electrocution; this is an everyday risk taken and accepted by millions of people.

The Health and Safety Executive advises that each year between 5 and 6 people in the UK are killed when trees fall on them9. The HSE concludes that the risk of being struck and killed by a falling tree is extremely low. Around 3 people each year are killed by trees in public spaces. Measured against the entire UK population, the average risk of death is about one in 20 million. The risk of the average tree causing fatality is about one in 150 million for all trees in Britain.

If absolute safety from tree failure were achievable, the community would almost certainly find the cost, in terms of the loss of trees, unacceptable10. In this regard, the NTSG guidance advises that it is reasonable for a tree owner to operate a broad threshold of ‘acceptable risk’ where tree failure is concerned, that balances the risk from trees on one hand and the benefits they bring on the ‘in the wider interest' HSE would set this limit at 1/10,000 per annum”.

The HSE have developed the Tolerability of Risk Framework which has been incorporated into the NTSG guidance. Risks above 1/10,000 per annum are unacceptable. Risks between 1/10,000 and 1/1,000,000 per annum are tolerable, but should be managed ‘as low as reasonably practicable’ (ALARP).

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9 Sector Information Minute 01/2007/05 'Management of the risk from falling trees', HSE, 2005 www.hse.gov.uk/foi/internalops/sectors/ag_food/1_07_05.pdf

10 http://www.qtra.co.uk/cms/
To put the 1/10,000 probability of significant harm into perspective, Table 1 is reproduced from the British Medical Association Guide\textsuperscript{11} and illustrates the risk of death (in 1987) from a range of hazards:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Risk of an individual dying in any one year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smoking 10 cigarettes a day</td>
<td>1 in 200</td>
</tr>
<tr>
<td>Influenza</td>
<td>1 in 500</td>
</tr>
<tr>
<td>Road accident</td>
<td>1 in 8,000</td>
</tr>
<tr>
<td>Playing football</td>
<td>1 in 25,000</td>
</tr>
<tr>
<td>Accident at home</td>
<td>1 in 26,000</td>
</tr>
<tr>
<td>Accident at work</td>
<td>1 in 43,000</td>
</tr>
<tr>
<td>Hit by lighting</td>
<td>1 in 10,000,000</td>
</tr>
<tr>
<td>Release of radiation from nearby nuclear power station</td>
<td>1 in 10,000,000</td>
</tr>
<tr>
<td>Struck by falling tree (2009)</td>
<td>1 in 20,000,000</td>
</tr>
</tbody>
</table>

The 1 in 10,000 threshold of acceptable annual risk of death or significant harm from any particular tree hazard reflects the independent data provided by both the British Medical Association and the Health and Safety Executive.

The threshold can be applied flexibly dependent upon the benefits conferred by the tree. Where a tree has limited or perhaps insignificant value, the council might choose to implement risk control measures at a risk lower than 1 in 10,000; conversely where a tree has particularly special value a risk greater than 1 in 10,000 might be tolerated. Certain sites and locations, such as play areas may, in some circumstances, attract a lower limit of acceptable risk. Whilst guided by the threshold, the treatment of trees around particular sites or locations may be considered on a case-by-case basis.

\textsuperscript{11}“Living with Risk”, British Medical Association, 1987
3.4 Quantifying risk - Hastings Council's approach

This plan adopts a methodology to assess and mitigate the risk of harm from trees primarily through a process of cyclical inspections.

A purely reactive approach to risk management is vulnerable as being difficult to defend in the event of an incident. In order to address this flaw Hastings Borough Council has adopted a position for managing tree failure risk by which the condition of individual trees is not seen to be the primary consideration. The Council's approach is to firstly consider the extent of usage of the land on which the trees stand, and then to use that information inform the process of tree assessment.

This approach will give a robustly underpinned methodology to an area of litigious uncertainty. It will also provide a basis by which the council can demonstrate that it has done what is 'reasonably practicable' to reduce the risk of harm resulting from its trees. This methodology evaluates risk in terms of:

**Target**
The potential targets, both people and property, situated underneath or within falling distance of trees are assessed and quantified. This assessment places individual, or groups, of trees into ‘zones’ which are characterised by usage (See Section 4 below).

**Impact Potential**
Where necessary, the size of the tree or branch is then considered in terms of impact potential.

**Probability of Failure**
An assessment is then made of the likelihood that the tree or branch will fail, based on the observations, technical knowledge and experience of the inspecting officer.

Values derived from the assessment of these three components (target, impact potential and probability of failure) are combined to accesses the probability of significant harm occurring.

This process provides:

- A clear structure within which to assess tree safety
- A framework within which trees can be assessed at all levels of detail, from an overview of the municipality to the detailed appraisal of a single tree
- A comparative risk assessment of trees
- A basis for the application of a threshold of acceptable risk.

The system moves the management of tree safety away from labelling trees as either ‘safe’ or ‘unsafe’ and thereby away from requiring definitive judgments of the council's tree officers or their advisors. Instead, the method allows for the assessment of the risk of significant harm from tree failure in a way that enables the council to balance safety against limits of reasonable or acceptable risk.
4. INSPECTION ZONES

4.1 Zone analysis

The focus on land use directs the council to dealing firstly with trees in busier areas and according to the value of whom or what might be harmed or damaged. This initial 'target' analysis is achieved by placing sites within common categories of target value and occupation. The rationale for this order of assessments is therefore primarily around dealing with the most frequented areas where the potential for harm is greatest. Such 'zoning' of people and property is the first step recommended in the evolving national guidance.

The categories of usage adopted by Hastings Borough Council in this zoning process are as follows:

**Very high**
This zoning category relates to areas where trees are adjacent to formal playgrounds in parks, or where large numbers of individuals are likely to congregate; such as the events lawn in Alexandra Park.

These areas are seen to present the most risk, and as a consequence tree inspections within them should be undertaken twice a year.

**High:**
This zoning category relates to high usage areas such as public open spaces, formal footpaths through woodland and trees adjacent to public highways.

These areas are seen to have a high risk potential, and as a consequence tree inspections within them should be undertaken once every year.

**Medium:**
This zoning category relates to areas of medium usage such as remote or inaccessible areas of public open space, or the interior of woodlands not accessed by footpaths.

These areas are seen to have a relatively low risk potential, and as a consequence tree inspections within them should be undertaken every three years.

**Low:**
This zoning category relates to areas of low usage or areas where trees are not located at the present time.

These areas are seen to have an extremely low risk potential and as a consequence are subject to the least frequent inspection regime of every five years.
5. INSPECTION REGIME

5.1 Inspection and risk assessment

The Health and Safety Executive states that: “Given the large number of trees in public spaces across the country, control measures that involve inspecting and recording every tree would appear to be grossly disproportionate to the risk.”

Instead, the council’s tree officer and/or other suitably qualified individuals will carry out risk the assessment and inspection of the council's tree population using the methods described below.

Officers carrying out inspections will have a Level 3 professional arboricultural qualification as a minimum (such as BTEC National Diploma or Technician’s Certificate in Arboriculture). They will also have relevant professional work experience, and take part in Continuing Professional Development (CPD) through membership of a relevant professional body, such as the Arboricultural Association.

Where additional expertise is needed to inform an especially complex or contentious tree management decision, this must be sought from an external, suitably qualified arboricultural consultant. The tree officer will have responsibility for monitoring the need for external expertise, on a case-by-case basis.

5.2 Walk-over and drive-by surveys

Each site identified in Section 4 will be the subject of a 'walk-over’ or ‘drive-by’ survey, at a frequency determined by their assessment of tree population and its relationship with significant targets (drive-by surveys are reported to discover up to 85% of defective trees).

Trees identified as posing an unacceptable risk of harm will be recorded and may require an ‘individual tree risk survey’ (see 5.3 below).

5.3 Individual tree risk surveys

The individual survey will inform management options to reduce the ‘risk of harm’ to within acceptable limits. Risks approaching and exceeding 1 in 10,000 will be considered for remedial action. The individual survey will use the Visual Tree Assessment (VTA) process described by Mattheck & Breloer. This method is recognised professionally throughout the UK, and is incorporated into essential arboricultural texts including Lonsdale.

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12 Sector Information Minute 01/2007/05 'Management of the risk from falling trees', HSE, 2005 [www.hse.gov.uk/foi/internalops/sectors/ag_food/1_07_05.pdf](www.hse.gov.uk/foi/internalops/sectors/ag_food/1_07_05.pdf)


Essentially, the VTA process proceeds in three phases:

1) Visual assessment for defect symptoms and vitality. If there is no sign of a problem then the investigation is concluded.

2) If a defect is suspected on the basis of symptoms, its presence or absence is confirmed by examination.

3) If a defect is confirmed and has potential to present a significant risk of harm, the tree might be evaluated in more detail using diagnostic tools such as a Resistograph decay test drill.

Tree work decisions are then determined based on the outcome of this inspection (see Section 6 below).

5.4 Documentation

The identified target zones, survey dates and data (including the risk of significant harm), and records of remedial work carried out, will be recorded ultimately within the ‘Confirm’ IT system.

The recorded information will allow the council to confidently defend claims of liability. Both this plan, and the tree management records it will generate, will form a transparent documentary system of tree risk management across all land for which the council is responsible.

5.5 Reactive tree risk assessments

The council receives many enquiries each year from residents or businesses with concerns about trees in the district. The concern may be actual or perceived, and may relate to council-owned or private trees. These concerns demand a response from the council’s tree officer. The response must be appropriate and considered, and within the legal powers available to the council.

Where tree safety concerns are raised, a site visit will always be made as a priority. Once on site, a risk assessment will be carried out by the tree officer, which will most commonly be an Individual Tree Risk survey (5.3 above).

The council will intervene where a significant risk to people or property exists, and where an unacceptably high risk is identified.

We may also decide to intervene if it is clear that the risk is likely to worsen significantly in the near future. Where our assessment finds that an actual risk is acceptably low, and that the council has no legal obligation to intervene (including the shading of properties, poor TV reception or natural litter caused by trees), we will only undertake work if, or when, priorities allow.

The council will endeavour to be neighbourly, but must balance the needs of individuals with the wider objectives of enhancing and improving the environment.
5.6 Privately owned trees – the council's legal powers

The council has delegated its powers under the Town and Country Planning Act 1990, in relation to trees.

Under the Act, work to privately-owned trees protected by a Tree Preservation Order, or situated within a Conservation Area, is likely to be subject to the council's approval. The council may approve of proposals of work, may refuse to allow the work, or may make a new tree preservation order to prevent it.

Where tree work proposals are made on the grounds of risk to people or property, the council's tree officers will apply risk assessment methodology to help inform the council's position. On the basis of such an assessment, the council may ask for additional expert evidence before a decision can be reached.

The council has powers under Section 24 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 154 of the Highways Act 1980 to order a tree owner to carry out remedial work to dangerous trees, or to otherwise carry out the work itself. As above, the council's tree officer will apply risk assessment methodology to inform the decision process when a tree is identified as posing a potential hazard within the scope of these Acts.

6. INTERVENTION

6.1 Proportionate response

Intervention decisions will be made where the probability of harm from trees has been assessed, and exceeds an acceptable limit.

The HSE suggests that an appropriate limit for a risk imposed on the public should be set at 1 in 10,000 per annum.

Where an unacceptable risk is identified for a tree, or group of trees under council responsibility, the following action will be taken by the officer present or on duty, depending on the circumstances:

1) The public will be isolated from imminent hazards and remedial work carried out as an emergency.

2) High risks will be highlighted for remedial action at the earliest opportunity, with the order of work being carried out generally in descending order of risk, unless practical matters such as traffic control permissions mean this is not possible.

3) Lower-risks will be dealt with within the planned management programme for the site or road. A schedule of remedial work will be devised. Completion of the work will be confirmed and recorded.
Where arboricultural intervention could have a significant effect on the value of trees, modification of targets will be considered first. Moving a park bench or obstructing a desire-line footpath are examples of modifying targets to eliminate or reduce the need for arboricultural intervention.

All arboricultural operations will be specified and implemented in accordance with current best practice such as British Standard 3998: Tree work – Recommendations (2010)

6.2 Tree Major Incidents

Hastings Council has a Tree Major Incident Plan (See Appendix 3).

7. MONITORING AND REVIEW

A frequency for tree risk assessments or inspections has not yet been imposed or specified in English law or national guidance. Consequently the frequency of reassessment will be determined by the initial and subsequent assessments on a site by site basis. If an assessment frequency is specified in law or national guidance, it will be adopted.

This plan will be reviewed annually is subject to continual review and change as circumstances require – subsequent amendments will be recorded at Appendix 1 The process will be monitored by the tree officer with relevant issues discussed and resolved as necessary through the line management process.
GLOSSARY

Hazard
A hazard is a situation (somebody or something) that poses a level of threat to life, health, property, or environment.

Highway
A "Public Highway" is a road or footpath over which the public has the right of access, i.e. the opposite of a "private road", and includes streets and lanes as well as main roads and trunk roads. The Highways Agency is the government agency responsible for England’s motorways and trunk roads. North Somerset Council is the highways authority with a duty, under the Highways Act 1980, to maintain adopted roads at the public expense.

NTSG
The National Tree Safety Group (NTSG) was formed in August 2007 to discuss the need for a nationally recognised approach to tree safety management. Member organisations include the Arboricultural Association, Forestry Commission, Royal Institute of Chartered Surveyors and Institute of Chartered Foresters, among others. A priority is the provision of tree safety guidance that is proportionate to the risk posed by trees and defendable rather than defensive. Consultation on the group’s draft guidance document "Bringing Common Sense to Tree Management" closed in June 2010.

Risk
Risk is the likelihood of something going wrong – the danger that injury, damage or loss will occur. Risk is calculated as the likelihood of an occurrence multiplied by the seriousness if an incident occurs.

Target
A target is something – people or property - beneath or near a tree that would be damaged or injured should a part of the tree fail. A target may be mobile or static, fixed or moveable.

VTA
Visual Tree Assessment (VTA) is a process described by Mattheck & Breloer in The Body Language of Trees: A handbook for failure analysis (1994, The Stationary Office, London). The basis behind VTA is the identification of symptoms, which the tree produces in reaction to a weak spot, or area of mechanical stress. An arboriculturalist with a broad range of experience of different tree species, as individuals and in groups, makes informed and reasoned decisions about the condition and safety of a tree.
APPENDIX 1: AMENDMENTS & ALTERATIONS

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<tr>
<th>Date</th>
<th>Amendment author</th>
<th>Section amendment</th>
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<td>2013</td>
<td>Date of adoption</td>
<td>No amendments to date</td>
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APPENDIX 2: INSPECTING OFFICER TRAINING

The following log tracks any training undertaken by Council officers:

<table>
<thead>
<tr>
<th>Date</th>
<th>Trainer</th>
<th>Trainee</th>
<th>Qualifications gained/Notes</th>
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</thead>
<tbody>
<tr>
<td>2013</td>
<td>QTRA</td>
<td>Chris Wilken</td>
<td>QTRA licence holder</td>
</tr>
</tbody>
</table>
APPENDIX 3: TREE MAJOR INCIDENT PLAN

1. Background

The purpose of this document is to detail the response of Hastings Council’s response to a major incident involving a large number of tree failures, through high winds. Such trees may be in a dangerous condition; they may be blocking public highways - thus impeding emergency services and they may also be causing an obstruction on Council owned land.

A ‘tree major incident’, for the purposes of this document, is any event which leads to a level of tree failure requiring the dedicated efforts of the Council’s tree officers to resolve. In real terms this is likely to be a situation in excess of four incidents an hour. The great storms of October 1987 and January 1990 clearly fall within these criteria. Lesser storms, which could result in a major incident classification, occur on average every two years.

The Council’s responsibilities with regards to trees in these circumstances are restricted to the following:

1) The Council has a duty of care towards the trees within its ownership.

2) The Council is required to remove obstructions from the public highway and public rights of way. This includes powers to enter private property and make safe trees that are considered to be endangering the public highway.

3) The Council is not required to remove or make safe trees located on private property – unless they obstruct or pose a threat to a dedicated public right of way.

4) The Council should also provide agreement for removal of trees protected by virtue of a Tree Preservation Order – it is incumbent upon the tree owner to show at a later date (if required) that the tree in question was dangerous and thus outside Tree Preservation Order legislation.

2. Order of operation

Most tree related incidents are dealt with via contact with the tree officer who in turn instructs one of the Council’s term contractors. Out of hours, the Council’s Emergency Service has a list of numbers to contact, beginning with the Area Officer, who will inspect the incident and instruct contractors accordingly.

Works during a major incident will be prioritised on the following basis:

1) Trees blocking major arterial routes across the District, which link the Fire, Police and Ambulance stations and Weston Hospital

2) Major arterial routes throughout the District (as described by the winter maintenance gritting routes).

3) Bus routes - as identified on the District map

4) Trees required to be made safe on Council owned land

5) Other trees
Various officers, contractors and support staff will be required to undertake specific tasks, namely:

3. Contact with the Council

During office hours all external telephone calls should be directed to 01424 451066. From that initial contact a message with the following information should be collected:

i) A contact name
ii) A contact telephone number
iii) The location of the tree
iv) A brief description of the nature of the incident

Each incident should be given a unique reference number.

4. The tree officer’s role

The role of the tree officer will be to:

1. Establish the time the emergency began in relation to the 10 hour period that the contractors are able to continuously work.

2. Assess the scale of the incident in conjunction with other command agencies if applicable.

3. Locate additional resources if required.

4. To collate incidents derived from telephone or passed messages.

5. To receive completed works details to file for later settlement.

6. Establish contact with the contractor teams deployed for the duration of the emergency.

7. Assess incidents as reported and compile initial priority order.

8. Communicate with contractor(s) providing works instructions.

9. Retain information on contractor’s whereabouts.

10. Detail on incident sheet, the size of the tree, which contractor completed the works, and the cost centre to which works will be charged.

11. Initiate a five hour review of the emergency. Consider resources in light of this – including possible stand down times and rest periods.
5. Liaison with emergency command

If an incident is sufficiently serious to require the instigation of a higher level of command priority of the arboricultural response will be governed and guided by those command levels, as directed.

The contact officer for arboriculture and higher level command will be the Environment and Natural Resources Manager. This role will include giving reports, statements or briefs to the higher command levels, or the media, as required.

6. Arboricultural contractors

All arboricultural contractors will undertake works as directed by the tree officer. These works will be issued one job at a time with the contractors required to telephone the tree officer to confirm completion and receive their next instruction.

7. Fatigue

The nature of tree work and the equipment required to deal with tree related incidents is hazardous. The risk to contractors engaged in work is increased through fatigue. In order to reduce this risk management of the incident will include consideration of fatigue to contractors. This will be based on the assumption of a tree gang being able to work for a maximum of ten hours.

The management response to this will be:

i) Once an emergency has been declared the ‘clock’ will begin ticking on the 10 hour period.

ii) An initial immediate assessment will be made on whether the emergency might overrun the 10 hour period. If this appears likely the tree officer will attempt to locate additional personnel / resources.

iii) Five hours into the emergency the tree officer – with other command agencies if applicable – will assess the likely remaining duration of the emergency in light of the 10 hour threshold. If an over-run appears inevitable and no additional resources have been identified, some gangs may need to be rested if they are to be expected to return and provide continuity after the ten hour period has passed.

8. Grounds maintenance staff

Prior agreement will be made with the relevant Grounds Maintenance contractor to supply equipment and staff to assist with the arboricultural response. The aim of this provision is to increase the range and number of incidents the arboricultural section is able to respond to, and to increase the resilience of that response.

The staff will effectively come under the control of the Tree Officer for the duration of the incident.
The equipment required would consist of:

i) A tractor equipped with a mounted winch,
ii) b) A large trailer,
iii) c) A sufficient number of staff for the above.

The primary role of the Grounds Maintenance input will be to:

i) Winch aside major trees and/or limbs to regain access along major routes.
ii) Assist with the removal of debris.

There would not be a presumption that the Grounds Maintenance staff would undertake technical arboricultural operations.

9. Tipping arisings

Contractors may, with the agreement of the tree officer, tip tree arisings and debris at selected sites throughout the district. This will be in order to save time removing arisings to contractors' yards.

10. Total loss of telecommunications

Should a major incident occur where all telecommunications are lost, officers and contractors will make their way to Hastings police and fire station at Bohemia Road.

Clearance of roads will then occur on the route to the Conquest Hospital, along The Ridge and in to The Old Town. Clearance after that will follow the Highways winter gritting route. Subsequent clearance works will occur as per the blue marked bus route map until telecommunications are restored.