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Tree Risk Management Policy

1.0 Aim / Purpose of the Policy

- 1.1 As a landowner, Coastline has a statutory duty of care to consider the safety of staff, customers, visitors and the general public entering, or within close proximity to, their properties where trees within our control may pose a risk to people or property. This policy sets out how Coastline will comply with its statutory obligations in a proportionate manner in accordance to the industry best-practice guidance set out in the National Tree Safety Group's report (2012): 'Common sense risk management of trees'.

2.0 Background / Introduction

- 2.1 This policy deals with foreseeable tree-related risk associated with the established tree populations present on the properties under the ownership of Coastline, weighed against the benefits that trees deliver. A proactive and strategic tree management regime is critical. Reactive tree management is often a more expensive process in the long-term, where inaction can result in a significant legal liability should a tree-related incident occur.

- 2.2 Trees deliver a broad spectrum of benefits on social, environmental and economic levels. Established trees can increase property values, positively contribute to the mental and physical health and wellbeing of tenants and enhance the quality of life of society as a whole. In context, the risk posed by trees is extremely low; in the UK as a whole, the likelihood of a fatality caused by a falling tree or part of a tree is 1 in 10,000,000. According to the Health & Safety Executive's 'Tolerability of Risk Framework', this level of risk is described as 'broadly acceptable'; the HSE states:

"Risks falling in this region are generally regarded as insignificant and adequately controlled. We, as regulators, would not usually require further action to reduce risks unless reasonably practicable measures are available. The levels of risk characterising this region are comparable to those that people regard as insignificant or trivial in their daily lives."

- 2.3 The strategic management of the risks posed by Coastline's tree populations must be weighed against the wider benefits that they provide. An understanding of the extensive range of benefits that trees deliver, contrasted against the low level of risk that they pose, is extremely important to guard against a disproportionate approach to tree risk management and safety.

3.0 Legislation and Statutory Regulatory Duties

- 3.1 Coastline, as a landowner and landlord, is ultimately responsible for all trees growing within the boundaries of the properties under its ownership so has a statutory duty to assess,

evaluate and manage any potential risks associated with their trees; this duty is principally established under the Health and Safety at Work Act, and the Occupier's Liability Acts:

- The Health and Safety at Work Act 1974 and subordinate *regulations places a duty on employers to ensure, that as far as is 'reasonably practicable', that in the course of conducting their undertaking, members of the public are not put at risk.*
- *The Management of Health and Safety at Work Regulations 1999 require that risk assessments are undertaken to identify hazards and inform on the necessary steps required for reducing the risk of an incident.*
- *The Occupiers Liability Act 1957 states that the occupier has: 'a duty to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there'.*
- *The Occupiers Liability Act 1984 extends this duty to trespassers; known trespassers in particular and especially children.*

- 3.2 There is a statutory requirement to visually inspect trees to assess whether they represent a foreseeable risk and to take proactive remedial management action if necessary. Through this policy Coastline establishes and operates a reasonable, proportionate and systematic inspection regime of its tree population, in order to quantify and manage any potential risk from falling trees, stems, limbs and branches. This policy aims to provide a defensible basis, should an incident occur that results in injury, harm or damage, following a tree-related failure.

4.0 Main Principles and Approach

- 4.1 The intended outcome of the production and implementation of this Strategic Tree Risk Management Policy, is to enable Coastline to clearly prioritise, identify, consider and manage any foreseeable risks posed by the trees under their ownership, in accordance to their legal obligations and statutory duty of care as a 'reasonably prudent' landowner.
- 4.2 Coastline has maintenance responsibility and carries out regular inspections of communal grounds areas which includes the status of any trees. By contrast, within the tenancy area of gardens, customers will have responsibility for any planting and inspections will be less formal and infrequent; it is expected that customers will report any arising issues for Coastline to action as necessary. The first phase of inspections has been focussed on trees where Coastline has direct control but the second phase will be undertaken on a lower priority over a less regular time period.
- 4.3 The initial inspection of trees in common areas will be undertaken by a suitably experienced and competent arboriculturist, ideally qualified to a minimum standard of NQF Level 4 in Arboriculture. Within gardens and for all subsequent re-inspections, these will be undertaken by a suitably experienced and competent person but they may be qualified at a lower level such as NQF Level 2 or the LANTRA Awards Basic Tree Inspection Qualification as appropriate.

- 4.4 The tree inspection process will be based on a quantitative and qualitative risk assessment. Data for communal area trees will be collected on site for each individual tree or tree group will be collected and provided for storing in Sharepoint:

- Date - Site Address – Statutory Protection;
- Tree/Group Identification Reference;
- Tree Species - Age Class - Tree Size;
- Tree Position/Location;
- Tree's Physiological Condition (Health/Vigour/Vitality);
- Tree's Structural Condition;
- A Defect Assessment;
- Risk Priority Classification;
- Risk Management Recommendations (Remedial & Mitigatory Actions);
- Timescale for Remedial/Mitigatory Actions;
- General/Proactive Management Recommendations and Timescale; and
- Date of Next Scheduled Inspection.

All surveyed tree positions will be plotted supported with GPS coordinates and stored on Coastline's geographical information system.

- 4.5 Detailed aims and objectives have been established in the next section.

5.0 Detailed Aims and Objectives

- 5.1 The primary, short-term aims of the policy and the associated objectives required to meet each of these aims are as follows:

Aim 1: Initial appraisal of all grounds maintenance common areas under the ownership of Coastline and allocation of a base-line Risk Priority Classification for all individual trees, or groups of trees, in order to devise a targeted, efficient tree inspection regime.

Objectives

- All properties to be visited and the tree stock initially classified following the adoption of the Strategic Tree Risk Management Policy, to facilitate the planning of the structure and delivery of the tree inspection process.
- Individual trees and tree groups to be designated a High, Moderate or Low Risk Priority Classification; any locations without significant trees (or large woody shrubs) will be identified and excluded from the initial inspection cycle.

Aim 2: To implement a robust, effective and proportionate schedule of systematic inspections (in accordance with the designated Risk Priority Classification), for the identification of all tree-related hazards and to quantify any associated risk.

Objectives

- A suitably experienced and qualified arboriculturist will undertake the inspection process in accordance to the initial Risk Priority Classification of the trees.

- All designated 'High Priority' trees will be inspected first, followed by the 'Moderate Priority' trees, then the 'Low Priority' trees.
- The initial inspection cycle of all trees is to be completed.
- The Contract Support Manager with responsibility for tree surveys will develop a formal programme for ongoing future re-inspections to be undertaken in accordance with the pre-determined inspection frequency for each designated Risk Priority Classification as set out in this Policy.

Aim 3: To sufficiently manage any identified hazards/risks; ensuring that all recommended remedial or mitigation works are prioritised and undertaken according to site usage and the nature or severity/scale of the identified hazard.

Objectives

- Any remedial or mitigatory tree risk management actions will be clearly specified and allocated a set timescale for implementation.
- The Contract Support Manager with responsibility for tree surveys will log all recommendations centrally and manage these in accordance with the priority so that all management actions are undertaken within the recommended timescales.

Aim 4: To implement all recommended risk control measures and priority actions in a proportionate, cost-efficient and safe manner, whilst minimising the detrimental impacts on the tree-related benefits provided to people, wildlife and the wider landscape as a whole.

Objectives

- The Contract Support Manager with responsibility for tree surveys will ensure that suitable arboriculturist (contractors) are readily available on Coastline's approved contractor list.
- The Contract Support Manager with responsibility for tree surveys will ensure that only the management actions specified by the arboriculturist (inspector) will be undertaken. Where the appointed arboriculturist (contractor) considers that more extensive or additional actions are necessary, then a second opinion will be sought.

Aim 5: To create and maintain a tree-inventory database containing up to date details of all of trees, Risk Priority Classifications, associated maps and tree inspection reports.

Objectives

- Tree reports and tree locations will be digitally collated and supplied as each location is surveyed to create a comprehensive tree inventory database.
- The Contract Support Manager with responsibility for tree surveys will ensure that all data is updated in Coastline GIS and data systems upon receipt.

- 6.1 The designation of a Risk Priority Classification for all individual trees or tree groups, will provide the basis for the delivery of a focussed, balanced and cost-effective tree inspection and management regime. The classification identifies the areas where there is the greatest risk and allows for the prioritising of resources. The Health and Safety Executive states:

‘Doing all that is reasonably practicable does not mean that all trees have to be individually examined on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed’.

- 6.2 The Risk Priority Classification is a context-specific process, based on the nature of the target (e.g. static or transient); different levels, volumes or frequencies of use and types of activity, (i.e. reflecting the numbers of people that use a particular area and the time they spend in that area) and the value of buildings, infrastructure and property. Consideration of all these factors with reference to the size, age-class, condition, position and species characteristics of the trees on site allows for informed, subjective and quantifiable decisions to be made.
- 6.3 The prioritised risk classification process is a practicable, reasonable and proportionate method of implementing a robust, cyclical tree risk inspection and management system, facilitating the efficient streamlining of resources without compromising delivery.
- 6.4 The frequency of the follow-up cyclical inspections will be determined by the designated Risk Priority Classification of each individual tree or tree group:-
- High priority classified trees will be re-inspected within 18 months of the initial inspection and each subsequent inspection.
 - Moderate priority classified trees will be re-inspected within 3 years of the initial inspection and each subsequent inspection.
 - Low priority classified trees will be re-inspected within 6 years of the initial inspection and each subsequent inspection.
- 6.5 Inspection frequencies (and the Risk Priority Classification) for some trees may need to be subsequently adjusted on an ad hoc basis in response to extreme weather events (e.g. wind-storms or severe drought), an outbreak of pests, pathogens or disease or due to damage/detrimental effects caused by human activity (e.g. construction works, vandalism or vehicular collision).

7.0 Definitions and Bibliography

7.1 Definitions

Arboriculture: The establishment, maintenance and management of individual and small groups of amenity trees.

Arboriculturist: A highly skilled, knowledgeable and experienced professional in the field of Arboriculture, holding an industry specific, Higher Education qualification.

Defect: A defect is any feature of a tree that is likely to make it less safe (in the case of a structural defect) or otherwise to reduce its health, longevity, landscape prominence or conservation value for any other reason.

Hazard: A hazard is anything with the potential to cause harm (i.e. in this context, a tree).

NQF: The National Qualifications Framework is a formal system of describing qualifications that defines and links the levels and credit values of different qualifications. In England a Level 6 qualification is equivalent to an Honours Degree.

Risk: A risk is the likelihood (high, moderate or low), that somebody will be harmed by an identified hazard; the extent/severity of the harm and the number of people who might be hurt.

Risk Assessment: A risk assessment is a systematic process of evaluating and quantifying the potential risks that may be involved in a projected activity, situation or undertaking.

Risk Priority Classification: A specific classification to inform on the delivery of appropriate tree inspection and management protocols; based on a tree's type, size, age, condition and context, with reference to the site's usage and proximity to targets.

Shrub: 'A woody plant characteristically lacking a well-developed main stem, branching and branching again close to ground level to give a dense, more or less rounded crown descending to close to ground level'.

Target: A target is anything of value (i.e. a person, building, property or infrastructure), which could be harmed in the event of a tree failure.

Tree: 'A perennial plant with a self-supporting woody main stem, usually developing woody branches at some distance from the ground and growing to a considerable height and size'. Note - Due to the harsh, maritime climate of Cornwall, shorter tree specimens, with lower branching and large woody shrubs are common-place. For the purpose of this policy, large woody 'shrubs' (e.g. hazel, cherry laurel, elder and goat willow), will also be included in the inspection cycle.

7.2 Bibliography:-

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