

APPENDIX 2 - TREE MANAGEMENT & AREAS OF RESPONSIBILITY

This section provides general information regarding responsibilities, principles, protection, standards of work, etc for trees in private and public ownership

Issues of interest (based on enquiries received)	Private land	Council land
Advice	Forestry and Woodland schemes Local Authority Arboricultural Association	The Council is a member of The Arboricultural Association and also has access to many other sources of information on trees.
Closed churchyards	The responsibility for the maintenance and management of the churchyard can pass to the council under the 1974 Local Government Act. The council has a duty of care to take all reasonable steps to ensure the safety of the area. In effect the closed churchyards are managed as a Public Open Space by the Parks and Open Spaces Service	
Conservation Areas	Work to trees, and large scale planting is controlled through Planning legislation	The council liaises with the planning department to ensure a uniform approach.
Council role in the Protection of Trees	See Tree Preservation Orders Also by Planning controls such as Planning Permission and work within Conservation Areas.	The tree management programme will set standards of management
Damage to Property	The responsibility of the owner of the land on which the tree stands. It must be noted the causes of damage to property are widespread, and a tree (especially tree roots) may not be the principal cause	
Dangerous Trees	Individuals have a responsibility to take reasonable measures to protect the public, employees and others	A higher level of responsibility is expected of councils to manage risk. Trees are inspected on a regular basis to minimise this risk
Hedgerow Regulations	Legislation controlling the removal of hedges is administered through Planning controls. This legislation is aimed primarily at rural hedges	The retention and enhancement of multi-species hedges is a high priority within the council.
Hedges	Extremely important habitats, especially if multi-species. Some grant funding is available for larger scale hedge planting or replacement.	Hedge planting and enhancement is undertaken as identified and funded. There is no specific policy.
High Hedges	High Hedge regulations are managed through Planning Authorities.	Does not apply
Highway trees	Landowners are expected to prevent trees from obstructing the highway. The Highways Authority will serve notice under the 1980 Highways Act where required	
Inspections	Every property owner has to exercise a Duty of Care. The test is whether the action (or lack of it) is reasonable under the circumstances. The average person could not be	Large landowners, such as a Local Authority, are expected to manage their tree stock in a professional manner. As such, tree surveys and inspections would

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	expected to anticipate the falling of a tree if there were no external symptoms. If it were clearly dead, a different viewpoint would probably be taken.	be undertaken in a manner and frequency that would reduce risk to an acceptable level.
Tree Planting on New Developments	Managed through the Planning process	The council may adopt open space in new developments after a period of time
Planting	Tree planting is best undertaken during the winter months, to allow the tree roots to establish adequate contact with soil particles to allow the transfer of water and nutrients in solution. Small trees establish best, with less stress, and relatively small trees (600mm) soon catch up with the more traditional tree sizes. Cost is usually a defining factor. Trees should be regularly watered in the first year. By the time signs of drought stress are evident, it is usually too late to save the tree.	Local Authorities plant many thousands of trees each year, ranging from seedlings to very large, root-balled trees. Whilst planting in the public domain is subject to higher levels of vandalism, the council takes additional measures such as the use of tree guards to ensure the establishment of trees.
Policies for General Tree Management	Guidance is available through various bodies – see “Advice”	Policies and practices arise through strategies and best practice which are available on the website
Protection of trees	Legislation – see Tree Preservation Orders Guidance available from a number of agencies, including the council’s Planning section.	Covered by policies and strategies available on the website
Replacement of protected trees	Can be a requirement of a Tree Preservation Orders	There are very few Tree Preservation Orders on trees on council land. Trees in Conservation areas and parks and open spaces are replaced on the basis of retaining the desired character of the area, rather than a one-for-one, like for like basis
Routine Maintenance	Many landowners have limited resources and so maintenance is minimal. Woodland management can be programmed and is usually long term	Pro- active maintenance is the ideal approach, reducing reactive maintenance and emergency work
Tree Preservation Orders	These offer statutory protection to trees preventing unwarranted damage or felling. In extreme cases a Tree Preservation Orders can be placed at short notice. A Tree Preservation Order can be subject to appeal, but no work to jeopardise the tree can take place until a Tree Preservation Order is formally repealed. Tree Preservation Orders can be	There are very few trees covered by Tree Preservation Orders on council land. Although a higher level of responsibility is expected of councils to manage trees professionally

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	applied to a single tree or groups. For further information, contact the local Planning Authority.	
Works to Trees	Unless restricted by legislation anyone can undertake work to trees in their ownership. However, individuals should be aware that trees can suffer significant and catastrophic damage to roots, trunks and crowns by improper techniques or workmanship. A minor branch removal or trench excavation can result in the costly removal of a dead tree a year or two later. Works are best undertaken by organisations who have a proven track record, membership of a professional body, and evidence of public indemnity insurance.	All work is undertaken by qualified staff or contractors working to industry best practice

Tree Contacts

Who to contact about trees in Exeter

Parks & Open Spaces

Contact the Arboricultural Officer (Trees) regarding tree planting, tree management and to report fallen trees or dangerous branches

<http://www.exeter.gov.uk/index.aspx?articleid=1997&contactid=4024>

Name:	Trees
Address:	Exeter City Council Parks & Open Spaces Belle Isle Nursery Belle Isle Drive Exeter Devon EX2 4RY
Web:	www.exeter.gov.uk/trees
Email:	trees@exeter.gov.uk
Tel:	01392 262634
Fax:	01392 262631

Valley Parks

Contact the Countryside Service regarding trees in Exeter's Valley Parks

<http://www.exeter.gov.uk/index.aspx?articleid=618>

Name:	Countryside Projects Officer
Address:	Exeter City Council Civic Centre Paris Street Exeter Devon EX1 1JN
Web:	www.exeter.gov.uk/countryside
Email:	countryside@exeter.gov.uk
Tel:	01392 265337
Fax:	01392 265265

Planning

Contact the Tree and Landscape Officer in Planning Services regarding tree preservation orders, trees in conservation areas and other planning issues

Name:	Planning Services
Address:	Exeter City Council Civic Centre Paris Street Exeter Devon EX1 1NN
Web:	www.exeter.gov.uk/planning
Email:	planning@exeter.gov.uk
Tel:	01392 265223
Fax:	01392 265431

Highways

For further information on tree maintenance on major roads or to report a problem with a tree on a highway, please contact the Exeter Local Service Group

<http://www.exeter.gov.uk/index.aspx?articleid=1997&contactid=1573>

Name:	Area East Highway Management
Address:	Little Moor House Falcon Road Sowton Exeter Devon EX2 7PL
Web:	www.devon.gov.uk
Email:	eastareahm@devon.gov.uk
Tel:	0845 155 1004
Fax:	01392 381320