

Tree Safety

Applicable Legislation

Health and Safety at Work etc. Act 1974
Management of Health & Safety at Work Regulations 1999 (as amended)
Occupiers' Liability Act 1984

Introduction

Oxfordshire County Council, has a statutory 'duty of care' to members of the public and its' employees who must not be put at risk because of any failure by the Council to take all reasonable precautions to ensure their safety.

There is therefore a need to periodically inspect trees in or near public places, or adjacent to buildings or working/play areas to assess whether they present a risk to life or property and to take appropriate remedial action as identified in the risk assessment.

Purpose

This document sets out the responsibilities, guidelines and control measures to manage trees. Within this document, the Council has specified a minimum standard of inspection, competence and record keeping in relation to tree inspections.

Scope

This procedure applies to all trees located on land Oxfordshire County Council are responsible for and where the Council has a duty of care to make sure that tree(s) are kept in a safe manner. Sites with delegated budgets (e.g. schools) must resource annual inspections and general day-to-day tree maintenance from their own funds.

Manager Responsibilities

- Managers must monitor the condition of the state of the trees in and around their properties and;
- report any tree defects that they are concerned about.

What are the Hazards?

All trees are subject to stress, decline, old age and collapse. They can be damaged physically by disease and/or invaded by organisms. As trees deteriorate they are increasingly likely to shed branches or fall over in strong winds. Some trees can shed branches without any form of prior warning.

What are the risks?

Risk is the likelihood that an unsafe tree will cause actual injury and/or damage. The risk screening of trees also relates to the location of the tree and the intensity of people in and around the immediate surrounding area of the tree. A further consideration will be the proximity of the tree to buildings or other structures.

The Environmental Impact

Trees (young, old and decaying) offer unique habitats for wildlife. However many trees can have structural weaknesses and/or are in poor physiological condition. As such they may have defects that could cause them to potentially fail. In order to mitigate these defects it will be necessary to undertake tree inspection programmes and action any remedial works deemed to be necessary to either part of the tree or the whole tree to reduce the risk that it poses to the site or users of the site.

Tree Inspection Programme

It is the Council's responsibility to ensure that tree inspection procedures are in place for all its properties and that persons undertaking these inspections are deemed to be of a competent nature. We advise that establishments/settings who have delegated budgets or who are not under direct responsibility of the Council still follow these guidelines.

Competent Persons

A 'competent' person is someone who has obtained arboricultural training and relevant professional experience. This person must be able to understand the hazards pertinent to the task being carried out and the methods to be implemented to eliminate or reduce the risks that can arise. This person should ideally hold the LANTRA Professional Tree Inspection Certificate and must be able to recognise a wide range of tree defects.

Tree Inspection Methodology

The inspection process should follow the 3 basic principles of a Visual Tree Assessment:

1. An assessment of the hazard.
2. An assessment of the risk.
3. Propose remedial actions.

NB. These three tasks do not necessarily all have to be done by the same person.

1. Assessing the hazards

The tree hazard assessment must be undertaken by a competent person. It is the responsibility of this person to identify the tree location, ensure that hazards are assessed to the best of their ability and recorded accurately.

2. Assessing the level of risk

For a tree inspection programme that covers all Council properties to be manageable it will be necessary to define risk zones. Some sites may have more than one risk zone and inspections/frequencies should reflect this.

Risk Zones	Locations
High Risk	e.g. close to main public areas, work/play areas, buildings, roads, car parks, major footpaths, picnic areas etc.
Medium Risk	e.g. other footpaths, bridle ways etc. in regular but not intensive public use, quieter areas of parks and gardens etc.
Low Risk	e.g. farmland and woodland away from paths or only lightly used etc.

NB. On educational sites, the risk zone is considered to be high for the whole site.

Many trees are potentially hazardous as they may contain either structural or physiological defects. Some of these defects that can cause branch failure or a total collapse are visible from ground level and some are not (as they may be present within the upper crown or on top of branches).

NB. It is therefore only practical to expect the visible defects to be identified when the survey is being undertaken from ground level.

Technical Assessments of Trees

All trees will be inspected from ground level initially unless a more detailed climbing or internal inspection of the tree is required by the competent person.

Further methods of assessing the internal structure of a tree with identified defects should be available to the competent person. These include a simple mallet and probe or various electronic devices. These methods will only be used if it is deemed necessary by the competent person at the time of inspection.

The frequency and method of inspection must be determined by the risk area.

Risk Zones	Inspect	Method
High Risk*	1 to 2 Years (site dependant).	Rapid but careful inspection for clear defects (especially in the crown and around the base of the tree).
Medium Risk	3 – 5 years (site dependant).	Rapid but careful search for clear defects.
Low Risk	Within 5 years	No formal inspection, but general observations.
*Retained trees (not felled) in High Risk areas showing significant defects	Annually or after storms	Thorough inspection, monitoring rate of decline. Probe and ladder may be required.

Records of Inspection

All trees that are deemed to pose a high or medium risk must be recorded with the corresponding trees plotted on a site plan.

Trees that appear to be sound during formal inspection require no documented record of their condition. Any omission from the record therefore implies that the tree has been judged to present a negligible risk.

3. Determining Remedial Actions

Only a competent person may prescribe remedial actions. Within these remedial actions proposals and priorities (with defined timescales) must be recorded so that a competent specialist can clearly understand what is required of them. These remedial actions will be based upon an assessment of the hazards and the risks posed by the tree.

NB. On some sites it may be necessary to exclude all persons from an area until the risks have been removed and the site has been declared safe by a competent person.

The Costs of Surveys and Remedial Actions

Corporate Estate (Non-Schools)

The Council's Arboricultural (Tree) Team will survey, assess and arrange remedial works of trees within the corporate estate.

Schools

All surveys and remedial works are the responsibility of the school and should be funded using devolved budgets.

The Council's Arboricultural (Tree) Team can assess and arrange for works on schools that are deemed to be of a high risk and are determined to be an imminent danger to the establishment or persons. As such the Council may instruct a specialist contractor to undertake the identified remedial works as soon as practicable, in all cases the full cost incurred by the Council will be recharged to the School budget.

Arboricultural Contractors

If you feel that your tree(s) may be unsafe then you should obtain advice from a qualified person. This person must have undertaken the relevant arboricultural training that will allow them to clearly identify any defects that may be present in your trees. This individual must also hold appropriate insurance for the works that they are undertaking and you should ask to see this prior to instructing them to undertake works.

If you require further information about choosing an appropriate contractor you can either contact the [Arboricultural Association](#) for a list of their approved members, or you may contact our **Council's Arboricultural (Tree) Team on 0345 310 1111**.

Establishments/settings who are undertaking works of their own accord may choose to use specialist contractors outside of the framework but they must make sure that they hold the required £10,000,000 in public liability insurance and the necessary professional qualifications as dictated by industry best practice. If you require further information on these details please contact the Arboricultural Team.

All works must be carried out in accordance with the current relevant British Standard 3998:2010 Tree Work Recommendations.

Any arboricultural consultants that are required by establishments/settings should be recognised by the Arboricultural Association (www.tree.org.uk) as a registered consultant.

Notification of Defects

Managers have a duty of care to notify the Council's Arboricultural (Tree) Team if they know of any hazardous trees on Council sites or neighbouring land.

All employees have a duty to report any obvious defects on trees to the head of the establishment/setting as soon as practicable.

Any trees on neighbouring land that require works must be reported to the land owner as soon as is practicable.

Legal Constraints

Some trees are protected by means of a Tree Preservation Order (TPO) or they are deemed to be within a conservation area. If you have trees on your site that are afforded this protection you must not prune them without seeking prior permission from the Local Planning Authority (District Council) as you may be committing a criminal offence.

For further information and advice:

OCC Arboricultural (Tree) Team	https://www.oxfordshire.gov.uk/cms/content/tree-safety	Tel: 0345 310 1111
OCC Health and Safety Team	healthandsafetyhelp@oxfordshire.gov.uk	Tel: 03300 240849
Health and Safety Executive (HSE)	http://www.hse.gov.uk/foi/internalops/sims/ag_food/010705.htm	
Forestry Commission – National Tree Safety Group	http://www.forestry.gov.uk/forestry/infd-7t6bpp Detailed Guidance: Common Sense Risk Management of Trees http://www.forestry.gov.uk/pdf/FCMS024.pdf/\$FILE/FCMS024.pdf Summary Guidance: Common Sense Risk Management http://www.forestry.gov.uk/safetreemanagement	

Issue date: October 2017

Produced in conjunction with Oxfordshire County Council Arboricultural (Tree) Team

Unsafe Trees - Things to look out for

Damage or injury

- Splits or cracks in the trunk or branches.
- Branches that are broken, hanging or that has dropped.
- Sections of bark damaged or stripped to show the wood beneath (remember that some trees such as Plane or Eucalyptus naturally shed their bark).
- Soil movement around the base of the tree in strong winds.



Ill health, disease or infestation

- Sections showing signs of rotting.
- Growth of fungi on the bark, wood or around the base of the tree.
- Sections of infestations showing holes and damaged material.
- Foliage dying back or going brown for no apparent reason on evergreen trees, or out of season for deciduous trees.



Tree pests

Horse chestnut leaf miner

This affects the photosynthetic capabilities of the trees and causes the tree to look unsightly. Rake up the leaves that have fallen and compost or dispose of them away from the affected tree or other horse chestnut trees.



Oak Processionary Moth

This is an insect that has the potential to cause serious damage, financially, sociologically and environmentally to Oxfordshire. At the moment it has only been found just south of the county in Berkshire. The caterpillars defoliate oak trees and can cause respiratory issues in humans and animals. If you think you have seen this insect please contact the tree team immediately and do not under any circumstances touch the caterpillars or nests on the trees.



Tree diseases

Acute Oak Decline

This very aggressive bacterial disease affects our native oak trees. Symptoms include bleeding lesions on the stems of trees and results in the rapid death of the tree.



Bleeding Canker

This is a bacterial disease caused by the genus of Phythophthora that affects our horse chestnut trees. It affects trees' ability to move water and nutrients around and can cause death to the whole or part of a tree. Not all trees affected will die as there are five different forms of the disease, each with their own level of aggressiveness.



Fungal diseases

Ganoderma spp.

A root decaying fungi, visible by a fungal bracket at the base of the tree.



Kretzschmaria deusta

A root rotting fungi, present as a black or grey patch at the base of a tree.



Inonotus hispidus

A black fungal bracket affecting the trunks and branches of ash trees in hedgerows, causing a brittle fracture and tree failure.

