

# Highway Tree Maintenance and Inspections Policy 2023

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## Version Control

Version	Purpose/Change	Date
1.0	Final for Approval	March 2023

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## 1. Introduction

1.1. The Council is responsible for all trees on the highway. Trees within falling distance of the highway are those in third party ownership on land adjacent to the highway which may cause damage to the highway or put users of the highway at risk from harm. Liability for these trees rests primarily with the owner or occupier of the land. The Council however has a duty of care to users of the highway with respect to these trees.

1.2. The aim of the Council's policy for highway tree maintenance and inspection for trees on the adopted highway is to ensure that trees are maintained in a safe condition and do not present a danger to users of the highway and or cause structural damage to private property or the highway itself.

## 2. Policy

2.1. The Council will inspect highway trees and as far as reasonably practicable on 3rd party land, trees within falling distance of the highway in accordance with the council's Tree Risk Management Strategy (TRMS) and Highway Tree Safety Inspection Code of Practice (CoP).

2.2. The Council will carry out and record programmed highway tree safety inspections at the frequency detailed in the CoP.

2.3. Where the condition of a tree on the highway is considered to present a hazard, this will be recorded and arrangements made to carry out any work recommended in the timescales stated in the CoP.

2.4. Where the condition of a tree on 3<sup>rd</sup> party land that is adjacent to and within falling distance of the highway is considered to present a hazard, this will be recorded, and contact made with the landowner. The landowner will be informed of the identity of the tree, details of the hazard and the action required. If the work required is not completed within the timescale stated, formal enforcement action will be taken using powers provided under Section 154 of the Highways Act 1980, including the recovery of any costs incurred where possible.

2.5. The Council will aim to carry out tree maintenance works to ensure safety both for users of the highway and adjacent properties. Adequate clearance will be maintained for vehicles and pedestrians using the highway including visibility splays, signs and streetlights.

2.6. In addition to the scheduled highway tree safety inspections, the Council will respond to complaints, queries and reports from members of the public and others regarding highways trees by inspecting the site and if appropriate commission a report by a qualified arboriculturist.

2.7. The Council will carry out any remedial or preventative works recommended in any report described in 2.6 within the required timescale. All inspections and work recommendations shall be in accordance with current codes of practice, British Standards and the principles of good arboricultural practice.

2.8. In the event that an emergency response is required to an incident, the Council will take all necessary actions to make the highway safe by removing the hazard or obstruction with the minimum of delay or by closing the highway, or part of it, until such time that the remedial actions can be carried out safely.

2.9. Where a third party owned tree falls across the highway, the Council will seek to recover all the costs, from the owner of the tree incurred in carrying out any work including any traffic management measures.

2.10. The Council will not normally carry out tree work in response to complaints regarding television or radio reception. Complaints regarding blocking of light will only be considered should the exclusion of light be unreasonable and affect a habitable room.

2.11. Highway trees will not be pruned or otherwise cut back due to leaf fall, fruiting bodies, sap, and bird fouling.

2.12. The Council will manage highway tree subsidence risk and claims associated with subsidence in accordance with Section 11 of the TRMS.