

# **Tree Management & Safety Policy**

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## DOCUMENT CONTROL

### Policy

Title:	Tree Management & Safety Policy
Policy Owner:	NETs, Lands & Countryside, Parks & Woodland

### History

Version	Revision Date	Summary of Changes	Future Review Date
1		New Policy	Dec 2023
2	Feb 2024	Refresh, legislative WLC policies, financial and resource availability and changes in local environment, including the effects of Ash Dieback updates	Dec 2025
3			
4			

### Committee Approval

Version	Committee	Committee Date
1	Council Executive	7 June 2016
2		
3		
4		

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## **Section 1 - Introduction**

West Lothian Council owns approximately 1000ha of forest and woodland varying from the 270ha forest in Beecraigs Country Park to the numerous smaller shelterbelts and woods which were an intrinsic part of the design for the new town of Livingston and reclamation sites around the council area. There is also a large, but as yet unquantified, population of individual trees along streets, in school grounds, council house gardens and parks. The trees and woodland are located on landholdings which fall under the responsibility of a number of council services including:-

- Finance & Estates (Property Management & Development)
- Planning & Economic Development (Planning Services)
- Education Services
- Housing and Construction Services
- Operational Services (Roads & Transportation and NETS, Land & Countryside)

Only limited pro-active management of the council's woods and tree population has been carried out over a number of years, due to limited resources, with most of the work being in response to windblow and other safety issues. An extensive amount of emergency work has been required over the past few years due to an increasing number of severe gales which have damaged large areas of forest and many individual trees.

Following a review by insurance advisors Gallacher Basset it was recommended that West Lothian Council should formally introduce a corporate tree management and safety policy for trees on council land. This corporate policy covers all trees on land owned by West Lothian Council and under the responsibility of the above service areas.

The trees and woodland make a significant contribution to quality of life, the local economy and the environment. This corporate policy seeks to introduce a consistent approach to tree and woodland management across all council services which ensures the sustainability of these valued assets and maintains a balance between public safety and the numerous benefits which trees provide.

This policy document sets out how NETs, Land & Countryside plans to manage the council's tree and woodland areas as well as the associated risks, including the management during and following a severe weather events.

The policy will be made available to members of the general public and others who use woodland and tree areas in West Lothian including council staff and will be published on the council website.

## **Section 2 - Objectives**

- To ensure a consistent and efficient approach across all council services to the management of West Lothian Council's trees and woodland areas.
- To manage the risks associated with trees at acceptable levels and in a balanced a proportionate manner.
- To reduce the level of risk and potential liability to West Lothian Council resulting from tree failure.
- To develop and implement a systematic approach to tree inspections and risk management for trees and woodland under the ownership and responsibility of West Lothian Council.
- To satisfy the Council's legal responsibilities as a landowner under current legislation.
- To manage tree related incidents in the event of extreme weather.
- To carry out appropriate maintenance, where feasible, to enable trees to achieve their potential and to reduce the long-term costs of remedial tree works.
- To use tree and woodland products to offset management costs where appropriate.
- To maintain the long-term amenity of woodland and trees.
- To take due consideration of areas or individual trees of environmental note, particularly those afforded statutory protection.
- To consult and communicate with the public regarding tree and woodland management planning.
- Where appropriate opportunities arise, the Council will expand its woodland and tree cover in order to contribute towards canopy cover and climate change targets, and where this will improve the local environment.
- To undertake multipurpose woodland management including for access and recreation, landscape enhancement, biodiversity as well as timber production.
- To manage trees and woodland to improve water quality, reduce flooding and ensuring long term tree stability.
- To use suitable opportunities to educate the public on tree safety including ecological contributions.

### **Section 3 - Policy Statement**

West Lothian Council will strive to manage its woods and tree populations in a manner which ensures their long-term sustainability. The work will be reliant on resource availability but will be prioritised according to the benefit to the public in terms of the landscape value, level of recreational use and environmental importance of individual areas, potential current or future risks from trees and the availability of funds, especially those from external sources.

Tree and woodland work is to be carried out in accordance with current best practice including British Standards and the UK Forest Standard. The Council will aim to continue to meet the standard required for externally audited accreditation at Beecraigs, under the UK Woodland Assurance Scheme or similar and extend this to other woods as appropriate.

The Council will implement a pro-active system to maintain reasonable levels of public safety from potentially hazardous trees on its land in line with the “Common sense risk management of trees” published by the National Tree Safety Group. This will include the routine inspection of those trees which present the highest risk to the public. Tree inspections and subsequent work will be prioritised according to the likelihood of tree failure due to age or damage and the likelihood of this affecting a member of the public or important structure. Records of inspections and work undertaken will be archived in an easily retrievable system.

West Lothian Council will look for opportunities to increase its woodland area in appropriate locations where this will improve the local landscape and recreational resource as well as enhancing biodiversity and the council’s contribution to reducing climate change.

The Council will consult and communicate with local residents and users of public open space regarding significant plans for changes to or works on the tree populations and woods in the Council’s ownership.

NETs, Land & Countryside, Parks and Woodland team will manage and coordinate the delivery the tree management and safety programme for West Lothian Council.

## **Section 4 - Legal and Policy Context**

The council has a legal duty to take reasonable care for the safety of those who may come within the vicinity of a tree within its ownership and responsibility. The standard of care is that expected of “a reasonable and prudent landowner”. West Lothian Council recognises its duty under the Health and Safety at Work Act 1974 and otherwise in criminal and civil law to protect employees and members of the public, so far as is reasonably practicable, from danger arising from trees on its landholding. Adopting a tree management and safety policy will assist in ensuring West Lothian Council is compliant with its legal obligations. Tree and woodland work is also regulated by a number of laws including:-

- Forestry Act 1967 (as amended) now Forestry and Land Management (Scotland) Act 2018
- The Wildlife and Countryside Act (protected animal species e.g. bats, birds and recognised designations e.g. SSSI)
- Protection of Badgers Act 1992
- The Habitats Directive and Regulations 1994 (as amended)
- The Town and Country Planning (Scotland) Act 1997 (e.g. Tree Preservation Orders, Conservation Areas)
- National Planning Framework 4

This policy will also contribute to a number of strategies including:-

- West Lothian Council Openspace Strategy and interim report
- West Lothian Council Climate Strategy
- Development Plan and Associated Planning Guidance
- Central Scotland Forest Strategy (now incorporated into Central Scotland Green Network)
- Edinburgh and Lothians Forestry and Woodland Strategy

## **Section 5 - Systems and Methods**

### **5.1 Sustainable Tree and Woodland Management**

Over many years residents and visitors have benefited from the legacy left from the planting of policy woods over 150 years ago in areas such as Howden Park, Almondell & Calderwood and Polkemmet Country Parks with their large beech and other long lived species of trees, some of which are now in decline. Many of the fast growing conifers planted around Livingston and in more rural woodland areas such as Beecraigs and Ravenraig have now reached a height at which they are more vulnerable to windblow. In order to prevent the continuous attrition of these valued wooded landscapes and treescapes and an increasing need to undertake emergency work, it is proposed that the council will strive to bring its trees and woodland back into more pro-active management.

The objectives of management will vary depending on the site, but for most sites the woods and trees will be managed primarily for their landscape, recreational and environmental benefits but where feasible the production of timber, woodfuel and other products will be used to off-set some of the management costs.

In general, the council's woods are to be managed on a continuous cover forestry regime rather than clear-felling and replanting. However, due to the exposed conditions or the nature of the woodland this will not always be possible. Where areas of woodland are felled either in small patches or larger areas these will be restocked either through natural regeneration or planting to ensure that there are well established attractive woods for future generations of West Lothian residents and visitors to enjoy. It is intended that the long term future of the council's woodland areas will be guided by current management plans.

Guidance will be developed which will include the responsibilities as regards privately owned trees in respect of obscuring of signage, overhanging footpaths, etc. which will allow for a consistent approach in tackling these matters.

Individual trees will be retained until the end of their natural lifespan except where they have outgrown the space available or for safety reasons. In order to ensure the continued benefit of individual trees a record of the trees felled is to be kept and appropriate replacement planting carried out. It should be noted that establishing new trees in an urban environment can be expensive and challenging. Longer term management and replacement planting plans are to be prepared for important populations of individual trees.

There are a number of trees within the grounds and gardens of council owned rented housing and other properties. The management responsibility for these trees needs to be clarified and included in any tenancy agreements. In addition any new planting needs to be agreed with the Housing officer in advance.

Woodland and tree management will be in accordance with industry best practice and meet the British Standards for tree work and the UK Forest Standard. Tree and woodland planning is to be integrated into wider recreational and landscape plans for the council's openspaces including community consultation on proposals of a significant nature.

## **5.2 Tree Safety**

The Council has a legal “duty of care” to those who use the roads and pavements and who visit or live beside our sites. There is a relatively small risk of a tree or one of its branches falling and causing injury to a person or damage to property however, when this does happen it can be fatal or result in severe injury. In order for the council to execute its duty of care it is recommended that trees within the most frequented areas are inspected for obvious disease, instability or damage i.e. a risk zoning approach be taken. It would be impractical to inspect all the trees in the council’s ownership.

A three level potential target zone would be implemented, namely **High, Medium** and **Low**. This will be drawn up by council officers with an in depth knowledge of the land, how it is used and what trees are present.

The potential target zones are set out in the table below:

**Potential target zones at risk from hazardous trees by Threat Level**

<b>Threat Level</b>	<b>Potential Target zones</b>	<b>Council Sites at risk: Examples</b>
<b>High</b>	Occupied buildings Main roads Car Parks Playgrounds Other high use pedestrian areas	Schools across West Lothian with mature trees within the boundary or nearby Housing Properties with mature trees within gardens or nearby Public footpaths within town centres and residential areas with mature trees nearby Roads with verges with mature trees Car parks by areas of mature woodlands e.g. Bee Craigs
<b>Medium</b>	Country roads Well-used footpaths Public areas	Rural paths and trails within parks and woodland areas. Minor "C" and "U" Class Roads with verges with mature trees Public open spaces such as sports pitches by areas of mature woodlands
<b>Low</b>	Low level use areas Field boundaries Footpaths Woodland near footpaths	Rural footpaths with low pedestrian usage

**5.3 Inspection Frequency and Timing**

Tree inspections will be carried out on a priority basis with the priority and frequency being determined by the target zone; trees in high risk areas will receive a more detailed and higher frequency of inspection.

The recommended inspection frequencies are set out in the table below. Ultimately these will be dependent on available resources.

**Zone Inspection Frequencies**

<b>Zone</b>	<b>Inspection level</b>	<b>Survey Frequency</b>
High	Professional inspection	Three yearly*
	Tree Inspectors / trained staff: walk by	Annual & following storms
Medium	Professional inspection (selected trees)	Five yearly*
	Tree Inspector / trained staff: drive/walk over	Annual & following storms
Low	Parks & Woodland Team	Reactive as issues arise

\* Highlighted trees with known defects will receive an annual inspection

#### **5.4 Extreme Weather**

The definition of an extreme weather event for trees and woodland will be when gale force winds are forecast that will be sustained for a prolonged period and are predicted to cause structural damage or other events such as heavy snow which can cause 'branch snap'. The management plan for trees and woodland will include a severe weather procedure detailing how Nets, Land & Countryside will manage severe weather events. All forecast severe weather events will be reported to Emergency Planning to ensure that all events are managed in accordance with the council's Emergency Plan for Severe Weather.

Additional inspections and work may be required in the immediate aftermath of severe weather events, such as storms.

#### **5.5 Information Provision**

The Council receives frequent requests from the public for work to be carried out on trees in its ownership, particularly on property boundaries. The Council's resources to undertake tree management work is limited and, in general, work will only be carried out where there is a safety issue. It may be possible to accommodate appropriate boundary works as and when woodland management work is being carried out.

As part of a detailed management plan for trees and woodland, a management practice guide will be produced to guide operations and ensure that a consistent approach is taken. This will be made accessible to the public, customer services and others via the Council's website.

## **Section 6 - Management Plan**

### **6.1 Finance**

Tree work identified will be prioritised as High, Medium or Low priority with High priority work taking priority. Works will be carried out in this priority order within available budgets.

Although tree inspections and associated works will be managed and coordinated corporately, all works will be funded by the existing asset holder e.g. Housing, Roads, Education, Transportation, etc.

All grant funding applications will be coordinated and managed by Nets, Land & Countryside.

### **6.2 Implementation**

In order to implement the policy, the Parks & Woodland Team will develop a detailed management plan for trees and woodland within the Council's ownership. This will include:

- Identifying and quantifying the Council's tree and woodland assets
- Introduction of a procedure and schedule to undertake tree safety inspections for those areas where the risk of injury or damage from failures in trees is greatest
- Compiling a tree and woodland management practice guide to ensure a consistent approach
- Review of Tree & Woodland service standards
- Programme for preparation and implementation of site management plans
- Guidance for any new tree or woodland planting on Council owned land and its future management
- Development of Service level agreements with other Council services regarding works and costs
- Guidance on how matters around privately-owned trees will be tackled.
- Compile a failure log to ensure that lessons are learned where necessary
- Agreed training / experience for inspection level
- Identify specific roles and responsibilities within the Council
- Develop an education and communication plan
- A severe weather procedure
- Review and report on progress

### **6.3 Monitor and Review**

The management plan will be constantly reviewed and updated as required. There will be ongoing monitoring within the Parks & Woodland team to ensure compliance with methods and timetables.

Progress on the action plan from the managing plan, plus any changes, will be presented for scrutiny to the Council Executive for approval.

## **Section 7 – Bibliography**

Common sense risk management of trees – landowner summary of guidance on trees and public safety in the UK for estates and landholdings. National Tree Safety Group  
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[http://www.hse.gov.uk/foi/internalops/sims/ag\\_food/010705.htm](http://www.hse.gov.uk/foi/internalops/sims/ag_food/010705.htm)

Principles of Tree Hazards Assessment and Management, David Lonsdale, DETR, 1999

Research for Amenity Trees no 9. Trees in Towns II – A new survey of urban trees in England and their condition and management Executive Summary by Chris Britt and Mark Johnston 2008

[http://committeeadmin.lancaster.gov.uk/documents/s21579/Appx2\\_TreesInTowns.pdf](http://committeeadmin.lancaster.gov.uk/documents/s21579/Appx2_TreesInTowns.pdf)

UK Forest Standard 4<sup>th</sup> Edition. Forestry Research . NB 5th standard to be used after Oct 2024  
[The UK Forestry Standard - Forest Research](#)

Including UKFS Guideline Series:-

- Forests and Biodiversity
- Forests and Climate Change
- Forests and Historic Environment
- Forests and Landscape
- Forests and People
- Forests and Soil
- Forests and Water

UK Woodland Assurance Scheme 4<sup>th</sup> edition.

5th edition under review

[UKWAS Standard FourthEdition digital.pdf](#)

Arboricultural Association - Help and Advice Section <http://www.trees.org.uk/Help-and-Advice>

Legal framework regarding nature and protected species. Summary on NatureScot's website.

[Protected species | NatureScot](#)