# TREE RISK MANAGEMENT PLAN FOR MID ULSTER DISTRICT COUNCIL



Version 2 – July 2024

# **Contents**

1.0 Introduction
2.0 Examples of sites with a tree resource
3.0 The risk4
4.0 What the law requires5
5.0 Preventative management6
6.0 Tree safety management7
7.0 Risk assessment7
8.0 Competency & Training8
9.0 Prioritising inspections and likelihood of injury9
10.0 Target Usage Zones10
11.0 Recording actions, monitoring & Defects12
11.1 Identifying hazards.1211.2 Frequency and timing of inspections.1311.3 Ash dieback1411.4 Managing Ash dieback.15
12.0 Determining remedial action & priorities16
13.0 Reporting Incidents17
14.0 Severe Weather18
15.0 Links and references19
16.0 Appendix – Tree defects reporting form

# 1.0 Introduction

Mid Ulster District Council has responsibility for many trees and woodland areas and we recognise and value the benefit that they bring to both those living within our council area and visitors to our facilities.

This tree resource is extremely varied and spread over many sites. Given its variety both in terms of species mix and maturity, we are also aware of its potential risk to safety if not managed properly. However we believe this risk is very low and needs to be considered in balance with the many benefits that our tree resource provides.

This tree risk management plan ensures we will undertake routine inspections of our tree resource in a targeted and cost effective way. Trees that are in the busiest locations (e.g., those next to roads, buildings, busy paths) and posing the highest risk will be inspected more regularly than those in less used places. All trees will be assessed according to their priority in relation to public safety.

This approach accords with current national guidance and allows a proactive management of our tree resource where tree safety is a priority whilst ensuring our tree resource is protected and enhanced for the benefit of everyone enjoying it.

Bus Shelters	Monuments/Sculptures	ROWs
Car Parks	Civic Buildings	Recycling Centres
Laybys	Depots	Water Recreation sites
Picnic Areas	Forests - leased NIFS	Fine Turf
Active Cemeteries	Pathways	Street trees
Old Burial Grounds	Playparks	
Community Spaces	Pitches	
Open Green Spaces	Public Conveniences	

### 2.0 Examples of sites with a tree resource

# 3.0 The Risk

Research to date supports the position that the risk from trees in most instances is a routine and recognised factor in life which most people accept without question. Good tree safety management seeks to reduce the risk posed by trees to a reasonable level. People enjoy trees in what they regard as "natural" or "unmanaged" places and will accept a degree of risk in these locations because of the value they bestow and the pleasure derived from visiting or participating in leisure activities in tree environments. Because the risk is already low, we can take account of other concerns when deciding how to manage trees such as ecological, cultural and aesthetic values.

The National Tree Safety Group is a broad partnership of organisations that have come together to develop nationally recognised guidance on tree safety management that is proportionate to the actual risk from trees. The Group set out 5 key principles to be considered in sensible tree safety management (<u>National Tree Safety Group, 2011</u>). They are:

- Trees provide a <u>benefit</u> to society.
- Trees are living organisms that <u>naturally</u> lose branches or fall.
- Risk to life is extremely low.
- Tree owners have a legal duty of care.
- Tree owners should take a <u>balanced & proportionate</u> approach to tree safety.

While it may be acceptable that tree management should not seek to eliminate all risks of minor injuries, it should however not expose people to significant likelihood of death or permanent disability.

Any residual risk is tolerable only in the following specific circumstances:

- The likelihood is extremely low.
- The hazards are clear and largely avoidable to users.
- There are other obvious benefits.
- Reducing the risks further would remove these benefits.
- There are no reasonably practicable ways to manage the risk of injury.

#### 4.0 What the law requires

Mid Ulster District Council has a duty to do all that is reasonably practicable to ensure that people are not exposed to risk. This duty is established under the *Occupiers' Liability* (*Northern Ireland*) *Order 1987* and the *Health and Safety at Work Order 1978*.

The Occupiers' Liability Order provides that organisations such as Mid Ulster District Council have obligations to have a duty of care for members of the public and staff in its woodlands and trees. That duty of care includes taking reasonable steps to ensure their safety.

The Health and Safety at Work Order places a duty on employers to operate in such a way as to make sure, as far as is reasonably practicable, that even those who are not in our employment are not exposed to risks to their health and safety. This includes contractors and visitors to our forests. The legislation creates an obligation for us to protect people from hazardous trees on our land so far as is reasonably practical.

Additionally, the Management of Health and Safety at Work Regulations (Northern Ireland) 2000 provides:

"That every employer shall make a suitable and sufficient assessment of:

- The risks to health and safety of his employees to which they are exposed whilst they are at work and
- The risks to the health and safety of persons not in his employment arising out of, or in connection with, the conduct by him of his undertaking."

We will fulfil our responsibilities relating to the management of hazardous trees by identifying trees that represent a significant risk to people or property and dealing with them accordingly.

Under the Roads (Northern Ireland) Order 1993, the Council is responsible for lopping any tree or cutting back any hedge growing on their land which:

 endangers or obstructs the passage of vehicles, including high sided vehicles (lorries and buses), or pedestrians, especially pedestrians with a visual impairment;

obstructs the view of drivers of vehicles;

• obstructs or interferes with the light from any public lamp; or

 obstructs the view of traffic signs or otherwise prejudices the safety or convenience of persons using the road.

Lopping or cutting back should be to such an extent as will remove the obstruction or remedy the matter. While no specific guidance is given in the Roads (Northern Ireland) Order 1993, it is generally accepted that the minimum clearance should be 5.5m over a road and 2.4m over a footpath. Owners or occupiers are also responsible for the removal of any tree or hedge which is dead, damaged, diseased or insecurely rooted and by reason of its condition is likely to cause danger to persons using the road or footway.

#### 5.0 Preventative management

Preventative management relates to any desirable practice to reduce the likelihood of tree safety issues arising. The Council is responsible for managing the tree resource and preparing plans that take account of the risks of hazardous trees.

It will consider the risks associated with the activities we manage and the presence of trees which may be hazardous because of their existing condition or as a potential result of any operations carried out. It will take appropriate actions to minimise the risks and make safe any damage to trees that could pose a significant risk to people or property.

#### 6.0 Tree safety management

Tree safety management involves taking reasonable steps to identify trees that represent a significant risk to people or property and dealing with them accordingly. Mid Ulster District Council will fulfil its duties by completing appropriate risk assessments and putting in place procedures to carry out inspections, report hazardous trees and ensure that actions have been taken to reduce the identified risks. This will be done in two stages by:

- 1. Establishing visitor/target usage zones for the whole Council estate. (See Section 10)
  - Clearly record the rationale as to why a particular zone has been categorised and any details of the inspection regime applied.
- 2. Carrying out visual tree assessments in each zone as per the inspection regime applied.
  - Follow up on any issues that have been discovered in the inspections.
  - Keep a record of all actions relating to any particular issues including information from general estate inspections, reports from the public and observations from staff.

### 7.0 Risk assessment

Our risk assessment is based on the competent assessment of the level of risk, (hazard severity and likelihood of occurrence without adequate controls) and the subsequent identification of adequate controls.

In determining adequate controls, we will relate to industry best practice and in this case the following:

• Tree Safety Management - Visitor Safety Group. (VSG) 2007.

- Common sense risk management of trees National Tree Safety Group 2011.
- Hazards from trees a general guide Forestry Commission 2000.
- Tree Safety Management Practice Guide Northern Ireland Forest Service 2016

# 8.0 Competency and training

There are two levels of competence required for those carrying out visual tree inspections.

# Level 1: Informal Tree Safety Inspection

There are key staff within the Council that have specific responsibilities for facilities where there are populations of trees. They have a good knowledge of the areas they are inspecting and their type of usage. They therefore contribute to inspecting trees. It is acknowledged that the role of these officers could be enhanced with some additional training to raise awareness of potentially hazardous trees. This training should provide staff of a non-arboricultural background with the ability to recognise a specific list of hazards, to determine remedial action relating to this list of hazards, to understand the limit of their knowledge, and to ask for further advice from their manager or arboricultural experts whenever they are unsure.

Arboricultural training will be arranged by the Neighbourhood Operations section, in consultation with the Council's Corporate Learning & Development Manager for staff across the organisation.

# Level 2: Formal Tree Safety Inspection

Formal Tree Safety Inspections will be carried out by a competent person with a proven record of tree inspections over a wide range of tree and woodland types and experience of advising on or managing large numbers of trees or important tree collections. They require a combination of extensive knowledge and experience of working with trees, and the necessary professionally recognised formal tree work qualifications.

#### 9.0 Prioritising inspections and likelihood of injury

While all trees may pose a risk it is recognised that:

- This risk increases as the trees grow to and past maturity, (although the size of the part failing has little impact on the outcome once it exceeds a size that can cause damage or injury).
- The numbers of people exposed to risk increase.
- Where the duration or type of exposure lengthens.

Inspections should therefore be carried out more frequently in tree areas near where people are likely to congregate, e.g., frequently visited buildings and structures, car parks, adjacent to roads, and in well used core areas.

At the opposite end of the scale some tree and woodland areas are seldom used by visitors and are only infrequently visited by people. These pose little risk and generally will not require any formal inspection. We will zone the council estate and neighbouring land affected by our trees into target usage zones dependent on the perceived risks.

However, such classifications should be informed by local experiences and occurrences. Some areas may have to be re-zoned from time to time or when special events are scheduled. Zones will be reviewed as required or where a significant change takes place such as new woodland recreation facilities being developed or new construction projects adjacent to trees or woodland.

#### 10.0 Target Usage Zones

Resources need to be directed to areas where there is greatest risk to people and property. This will be done by designating each part of the woodland and tree resource and that of neighbours affected by our trees into target usage zones.

There will be three target usage zone categories based primarily on level or type of use and this will determine the inspection type and frequency:

ZONE 1	-	HIGH	RED	
ZONE 2	-	MEDIUM	AMBER	
ZONE 3	_	LOW	GREEN	

A record will be kept as to their location utilising GIS (Geographical Information System) and the rationale for allocating a usage zone to a particular area. Up to date knowledge is key to getting this as accurate as possible.

The Council's Neighbourhood Operations section have mapped the entire Council estate and applied estimated Target Usage Zones based on available information and historical usage of each site. Each Facility Manager will be responsible for ensuring the information held by Neighbourhood Operations is accurate and up-to-date. Records are held by the Neighbourhood Operations Officer (South) and will be accessible centrally via shared folders.

The table below can be used as a guide to help determine which zone is applicable.

# Target Usage Zones

Risk	Site	Frequency of	Levelof
Zone	Characteristics	inspection	inspection
High	High likelihood of staff, users or visitors gathering or staying in the area. Within falling distance of property Beside roads, adjacent to sports areas / facilities, car parks. Species of tree with a higher risk of failure, e.g., poplar, willow and ash	At least every 2 years After storms and / or heavy snow. Areas of significant risk due to ash dieback should be inspected at least every year.	Level 2 Formal Tree Inspection. Organised by Neighbourhood Operations team Level 1 Informal Tree Inspection after storms and / or heavy snow. Organised by the Facility Management
Medium	Areas within falling distance of designated trails.	At least every 3 years. Inspections may be more frequent depending on local risk assessment and	Level 2 Formal Tree Inspection. Organised by Neighbourhood Operations team.
	Significant presence of ash along roadsides at risk to Ash dieback.	possible consequences of tree failure. Areas of significant risk due to ash dieback should be inspected at least every year.	Level 1 Informal Tree inspection after storms and/or heavy snow. Organised by the Facility Management team.
Low	Parts of the Council estate away from formal or informal public access routes. Areas impeded by natural vegetation. Low levels of visitor use. Any visitors very well dispersed.	No formal inspections required Informal observations only. Any issues observed by any staff or public reported to local Council management.	

#### 11.0 Recording actions, monitoring and defects

Facility Managers within each individual department / service will be responsible for ensuring their tree inspections are carried out and that subsequent actions are enacted and closed. In addition, they will monitor inspections and actions and collate tree safety notifications from their staff / inspectors and other parties e.g. members of the public and include these in the recording system. **Formal** tree inspections will be organised via the Neighbourhood Operations section. **Informal** inspections will be organised by each individual Facility Manager (refer to section 10 for the inspection requirements for each target usage zones).

Inspection records will be held on shared folders accessible by the respective facility management team and the Neighbourhood Operations section with records populated by the service which carried out the inspection.

#### 11.1 Identifying hazards

This is undertaken by a competent person (<u>see section 8.0</u>). It is their responsibility to ensure the hazard is assessed to the best of their ability and recorded accurately.

Many trees are potentially hazardous but inspections can only reasonably identify the defects most likely to lead to injury or damage to people or property. These are physical defects which might lead to the breakup or collapse of the tree or its branches and are identified and recorded during a programme of inspection.

The practice is to identify and record visible defects. This is referred to as Visual Tree Assessment or VTA - a system used to identify and evaluate structural defects and stability in trees. It includes visual assessment, usually from the ground, and some evaluation of visible symptoms, using hand tools if necessary.

In addition to this formal process, general observations by staff during routine activities will contribute to the tree inspection process.

#### 11.2 Frequency and timing of inspections

Inspection frequency will be based on a calendar year basis. For example, if an annual inspection takes place early in 2024 then the next inspection must take place before the end of 2025. This can mean a gap of more than 12 months between annual inspections.

The best time to inspect trees is during late summer and early autumn as this is when fungal fruiting bodies can most easily be seen and identified and deciduous trees still have sufficient foliage to enable their general health to be assessed. However, looking at trees in full leaf during the summer can also be helpful in assessing their general health. This is especially useful when inspecting ash trees to determine symptoms related to ash dieback. Inspecting deciduous trees in winter when leaves have fallen allows any physical defects in the upper tree parts to be observed more easily.

Formal and informal inspections will be scheduled by the Council's Neighbourhood Operations section as per section 10 above. The schedule will be shared with all facility managers and maintained on a central shared folder.

Defects requiring attention should be reported to Neighbourhood Operations via the dedicated tree defect reporting process (using the form included in appendix by email to <u>tree.defects@midulstercouncil.org</u>). Neighbourhood Operations will arrange for the defect to be rectified to make the site safe. This may include removal of fallen trees, removal of limbs or other arboricultural works. Temporary measures, if necessary to make the area

safe until the defect is actioned, are the responsibility of the Facility Manager / Supervisor e.g. closing a site or path, installation of temporary warning signs etc. in consultation with Neighbourhood Operations team who can advise on likely timescales and/or the Council's Corporate H&S section.

#### 11.3 Ash dieback

First confirmed in Britain in 2012, ash dieback, previously known as 'Chalara', is a disease of ash trees caused by a fungus (Hymenoscyphus fraxineus). Ash trees across much of Northern Ireland are now symptomatic of ash dieback, and it is expected that the majority of ash trees will subsequently die from or be significantly affected by the disease in the coming years. Currently there is no known efficient prevention or curative treatment.



The photograph above shows a young ash tree infected with ash dieback. Visible ash dieback symptoms do vary, but include leaf wilt, leaf loss and crown dieback, and in some instances visible bark lesions in branch or stem tissues which directly contribute to tree decline and death.

Growing trees are known to be weakened to the point where they succumb to secondary pests or pathogens, e.g., Armillaria fungi (honey fungus). Speed of decline can vary, mortality has been observed in as little as two growing seasons. As an ash tree declines, and where affected by secondary pathogens, it appears to rapidly lose timber strength and integrity and is prone to structural failure, making the management and felling of infected ash trees hazardous and costly.

#### 11.4 Managing ash dieback

Trees in areas with high levels of public access will be managed carefully for risks to public safety and appropriate action taken to mitigate that risk. In doing so, council will take a balanced and proportionate approach in managing ash dieback as not all infected ash trees will need to be removed, particularly where trees show a tolerance to the disease.

A number of methodologies for managing ash dieback have been suggested in the UK and Europe. Most recommend intervention once the disease has progressed to a certain point (often when more than about 75% of the original canopy has died and when the dieback has spread down the laterals towards the scaffold branches).

Initial management of diseased ash trees will involve prioritising those trees in **high risk zones** to maximise the reduction in risk to the general public from structural failure of diseased ash trees.

Council will increase the frequency of monitoring of roadside trees to a minimum of **yearly** in areas where there are ash trees. This increased frequency of monitoring will also apply in **medium risk zones** with areas of significant risk due to ash dieback. Inspections should take place when trees are in leaf, usually June to September to better determine presence of the disease.

To help deliver high risk priorities, ash trees management in **low risk zones** will be delivered as part of longer term tree management.

#### 12.0 Determining remedial action and priorities

Decide on the range of reasonable actions necessary to reduce risk. This should take account of other objectives relating to nature conservation, conservation of the historic landscape, the value of trees and their aesthetic qualities. The cultural, landscape and habitat value of trees should always be considered when deciding on remedial action.

lvy can provide habitat for wildlife and does not in general make a healthy tree unsafe. However, where it prevents an adequate visual inspection of a tree, particularly around the base, it should be removed to allow a satisfactory examination to take place.

Old trees are often uniquely valuable as habitat for wildlife, and even if the physical condition of the tree is poor, remedial action should only be necessary where there is a clearly perceptible risk to life or property. This might mean managing public access in the vicinity, for example by re-routing a path, or if necessary, removing part of the tree or if required, ultimately felling.

A competent person must decide the appropriate remedial action. Remedial action can also include instigating more detailed investigation using specialist techniques or expertise in a particularly complex situation.

If remedial action is required then the priority for this will depend on the risk assessment. The following categories are recommended:

**Category A:** Trees in high and sometimes in medium usage zones which are seriously hazardous and which pose a high risk should be dealt with immediately on the best advice available. Public access should be restricted until the work has been completed. Signage may be necessary.

**Category B:** Once identified, remedial action must be implemented within 6 months. Consider restricting public access until the work has been completed.

**Category C:** Identified as not being a short-term safety concern, but proactive management may prevent problems developing, benefit the tree and improve long-term safety. The tree may simply be put under observation for further possible action at the next inspection. The key benefit here is that it has been entered into the system and monitored.

**Referral:** The inspector at the time of assessment can refer the tree for further consideration for a second opinion or other specified reasons. Referrals should be dealt with promptly and the tree categorised A, B or C for specific action.

#### 13.0 Reporting incidents involving falling trees & branches

Incidents where trees have fallen or shed limbs **and where injury to users of the woodlands and tree resource has occurred** will be reported through the existing reporting systems (currently via the Harriet H&S system) for a more thorough incident investigation. Incidents involving Council staff while at work will be reported through the current reporting system designed to meet our legal requirements for reporting accidents at work under <u>RIDDOR(NI)97</u> Incidents where trees have fallen or shed limbs but no injury results should be reported as a near miss where the incident occurs in Target Usage Zones **1 High** and **2 Medium**, in circumstances where serious injury could have occurred. Information should be provided on the species and age of the tree, the part that failed, and weather conditions. All incidents should be reported by the Facility Management team responsible for the site in question.

#### 14.0 Severe weather events

The Met Office website will give wind speeds recorded for the previous 24 hours. Local wind strengths above 40 knots (46mph) formally described as "Severe Gale" by the Met Office and the Beaufort wind force scale correspond with the point at which it can be expected that some branches will be detached and trees will begin to blow over. This is dependent on other factors also such as time of year and ground saturation. Where weather forecasts include specific gale warnings, it may be necessary to curtailing access to facilities with trees.

The following link is to the Met Office forecasts and alerts which will provide this information: <u>https://www.metoffice.gov.uk/</u>

The Met Office website however only gives information for the previous 24 hours at one of the nearest four weather stations, Castlederg, Aldergrove, Glennane and Magilligan. The wind speeds recorded at these areas may not be representative of a local woodland area so whilst they can be used as an indicator, staff should also consider more obvious localised signs such as fresh broken branch wood and debris on roads and paths. In Northern Ireland we may get 6 or 7 severe gales a year particularly through the winter.

After severe gales or other severe weather such as heavy snow, management staff should be vigilant and react to any reports of fallen or damaged trees in their areas and record any remedial action that they may take.

# 15.0 Links & References

The following publications and bodies have been referenced in the writing of this tree risk management plan.

- National Tree Safety Group. 2011. Common sense risk management of trees
- Forestry Commission. 2000. Hazards from trees a practical guide
- Visitor Safety in the Countryside Group. 2007. Tree Safety Management.
- <u>Tree Safety Management Practice Guide Northern Ireland Forest Service</u>
  <u>2016</u>
- Health and Safety Executive. 2013. Management of the risk from falling trees and branches. <u>SIM 01/2007/05</u>
- Ash dieback DAERA
- FISA Safety bulletin Felling dead ash (Sept 2020)

16.0 Appendix - Tree defects reporting form								
All sections highlighted yellow <b>must</b> be completed and form forwarded to								
Eunan Murray / Stephen Mullan (North of district) and Colin Sinnamon / David Bell (South of district)						district)		
Date					Time			
					<b>.</b> .			
Person reporting defect Department reporting defect								
						1		
Site name								
Site name			<u> </u>		<u> </u>	<u> </u>	<u> </u>	
GIS map/imag	ge included?		Yes / No					
Description o	f each defect	<b>t/s</b> e.g. ha	anging bran	ch, fallen tr	ree, tree lea	ining onto d	other tree	
(1no. Digital p	hotograph o	f <u>each </u> defe	ect to be em	ailed along	g with this fo	orm		
Photographs	must show t	he defect ir	n relation to	its current	t surroundi	ngs)		
Defect No.	Defect descr	iption				Photo refe	erence attac	hed
1								
2								
3								
4								
5								
6								
/								
8								
10								
Location of de	efect within	site eg be	etween wav	marker nu	mher XX &	XX		
XX metres fro	m facility bu	ilding. (1nd	o. Digital ma	ap referenc	ed for each	defect to b	be emailed	
along with th	is form. Map	should be	as accurate	as possible	e showing l	ocation of	each defect	)
				•				,
Defect No.	Defect locati	ion	÷		÷		÷	
1								
2								
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Completion								
Defect No/s	Date comple	ted						
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