Managing Devon’s Trees in practice

Chris Cranston
Highway Operations Manager
Legal Responsibility for Trees

- A landowner has a duty of care to ensure that all trees on its land are kept in an acceptable condition which does not put persons and property at unreasonable risk.

- Section 154 of the Highways Act 1980 empowers the highways authority to deal, by notice, with hedges, trees and shrubs growing on adjacent land which overhang the highway, and to recover costs.
Management of Highway Trees

- Conserve (protect, maintain and enhance) the tree resource of the DCC
- Reduce the risk to the public, employees and service users from potentially hazardous trees

[DCC Tree Safety Policy]
### Scale of Issue for DCC

<table>
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<tr>
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<th>Highways</th>
<th>Schools</th>
<th>Corporate sites</th>
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<tbody>
<tr>
<td>6,300</td>
<td>DCC</td>
<td>~3,000</td>
<td>~4,000</td>
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<tr>
<td>441,000</td>
<td>Other</td>
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- Devon CC liability ~ £2.5m +
- Other liability ~ £70m +
DCC Inspection Program

- Independent Professional Inspections – was every 3 yrs, 2018 every 2 yrs but under review (could be reduced to 1 yrs at some future point)
- Barometer Survey
- Hot Spot Survey
- Detailed walked inspections
- Skanska Safety Inspector
Managing Risk

• Identify HIGH RISK
  – Highways: High flow, A and B roads (Cat 3-5)

• Frequency of inspections
  – Regular highway safety inspections
  – 3/2 yearly expert scheduled inspections
  – Ad-hoc inspections in response to reports

• Lower risks
  – Managing through less frequent inspections
  – Highways rely on Highway Safety Inspections
Inspection outcomes

• **Imminently dangerous**
  – Immediate action taken by DCC
  – Make safe within 24 hours
  – Emergency road closure if necessary for safety

• **Urgent Attention**
  – Make safe within 6 months
  – Notice owner if private tree
  – Plan action if DCC or owner not identified

• **No current safety issue**
Highway Expert Inspections

- 2018/2019
  - Exeter
  - North Devon
  - Mid Devon
  - South Hams

- 2019/2020
  - Teignbridge
  - Torridge
  - West Devon
  - East Devon

- Ash Dieback identified (urgent)
  - 2017 Exeter ~ 10 trees
  - 2017 Mid Devon (Bickleigh) ~ 70 trees
  - 2018 North Devon (incl NDL) ~ 95 trees
Responsibility for Ash Trees?

DCC responsible for:
• Trees on DCC owned land
But may take responsibility for
• Trees on UNREGISTERED land
But not
• Trees on land in private ownership
However may incur cost on
• Trees on land in private ownership with urgent highway safety implications
Highway Tree Management Challenges

THERE ARE TWO BIG CONUNDRUMS

• Which trees do you clear when you are doing work
  » Only Infected Trees with actionable canopy loss
  » Infected Trees with actionable canopy loss and other trees with detectable canopy loss but not actionable
  » All trees

• Dealing with private trees versus high volumes of road closures
Tree Removal Safety

• Ensure the tree is removed before it becomes unstable & dangerous to fell

• When a Tree is in the advanced stages of decline it will easily shed branches or limbs in the course of being worked on which is highly dangerous for tree surgeon

• All trees ideally felled pre 75% canopy loss

• Picture show 90%+ canopy loss tree at Greenslades Farm

Ash – Too far gone
INFECTED ASH TREES FELLED ALONG APPROX 10KM BETWEEN BICKLEIGH AND TIVERTON A396 BETWEEN BICKLEIGH AND SILVERTON A3072 FOR 5 MILES FROM BICKLEIGH

TREES IDENTIFIED FOR FELLING

BICKLEIGH INSPECTED AUTUMN 2017

PHASED WORKS ACROSS SUNDAY 4TH, MONDAY 5TH AND TUESDAY 6TH FEBRUARY

3 MAIN A-ROADS AFFECTED

65 INFECTED ASH TREES FELLED ALONG APPROX 10KM

50 PRIVATELY OWNED
PHASE 1 CLOSURE, BICKLEIGH TO TIVERTON ➔

40 MILE DIVERSION IN PLACE, REQUIRED EXTENSIVE COORDINATION TO ENSURE NO CONFLICTS OCCURRED WITH OTHER CLOSURES.

- PHASED ROAD CLOSURES OVER THREE DAYS
- MULTIPLE LETTERS DELIVERED TO LOCAL RESIDENTS
- LOCAL BUSINESSES CONTACTED / DIALOGUE OPENED AT EARLY STAGES
- DCC SOCIAL MEDIA UTILISED
- WEBSITE SET UP ON DCC ROADWORKS PAGE

150+ TRAFFIC SIGNS USED FOR CLOSURE / DIVERSIONS
Bickleigh – collaborative working

- Major roads – significant public impact
- Chose Sunday - Tuesday in February
  - Minimise bus impact
  - Minimise school impact
  - Minimise business impact
- About 70 trees 75% private
- Private tree owners noticed
- Offered to take down private trees at owners expense but sharing cost of road closure
- Pre-payment to minimise admin

Response
- Some welcomed cooperation
- Some chose to manage themselves
- Some could not be contacted
- Some used road closure opportunity without contributing
Bickleigh – tree felling
LEARNING POINTS / ISSUES

THIRD PARTY WORKS
- THIRD PARTIES SET UP WITHIN THE APPOINTED TM WITH NO PRIOR AGREEMENT. SOME MINOR CONFRONTATION ON SITE.
- CONSIDER COMMUNICATION WITH ADJACENT LAND OWNERS, EITHER PERMITTING THIS WITH CONTRIBUTORY PAYMENT OR STRICTLY FORBIDDING.

TTRO NON COMPLIANCE
- SEVERAL VEHICLES BREACHED THE CLOSURE POINTS, INCLUDING CYCLISTS, AND ATTEMPTED TO PASS THROUGH SITES ON ALL THREE DAYS.
- WORDING ON TTRO DOCUMENTS NEEDS TO ALLOW FOR NO AMBIGUITY. NEED FOR GATEMEN AT EITHER END OF CLOSURES THROUGH ENTIRETY OF WORKS.

VARIATION FROM INITIAL SURVEY
- THERE WAS SOME VARIATION BETWEEN INITIAL SURVEY AND CONTRACTOR’S ASSESSMENT OF TREES IDENTIFIED / LOCATIONS.
- IT WAS ESTABLISHED THAT IT IS UNLIKELY THAT THERE WOULD BE AN EXACT MATCH DUE TO THE SCALE OF WORKS AND TIME OF YEAR.

COST RECOVERY
- WE DID NOT RECOVER AS MUCH AS WE HAD INITIALLY HOPED.
- FOR FUTURE WORKS WE WILL BE LOOKING AT CALCULATION OF RECHARGES IN MORE DETAIL.
Regulatory Issues

- Felling Licenses – are required for over 5m3 of wood which could be as little as 5 trees – legislative change needed to streamline processes

- Tree Preservation Orders (TPO’s) – only allow trees removed with permission or if imminently dangerous – legislative change needed to unencumber situation
Road Closure Impacts

- Frequent Road Closures have obvious impacts on motorist & business – therefore a coordinated approach to tree removal has obvious benefits.

- Night closures if achievable & safe could severely reduce road closure impacts.

- Collaboration with other works/closures.
Cost of Highways Tree Removal?

Indicative Costs Per Tree of Highways Tree Felling

- £ Road Closure
- £ Traffic Mngt
- £ Tree Fell
- £ Inspect
- £ Admin
- £ Total

Number of Trees Per Closure

Cost

5 10 25 50 100 200
Media & Comms

• Needs to be:
  • Correctly Timed
  • Correctly Focussed
  • Correctly Messaged
  • Providing adequate info on Website

Need to get people to respond PROPORTIONATELY to risk impact
Key Challenges

- Private Tree Owner acceptance of responsibility
- Intervention approach on non DCC Trees
- Intervention point on trees (with say low level ADB)
- Regulator Barrier removal or clarification
- Minimising road closures
- Maintaining safety at height of epidemic
Questions?

- jon.williams@devon.gov.uk or 07990 802 399
- chris.cranston@devon.gov.uk or 01392 385038
- peter.chamberlain@devon.gov.uk or 01392 382257