

# London Borough of Barnet Tree Policy

October 2017



## Executive Summary

- 0.1 This document has been written to address the needs of The London Borough of Barnet (the council) to ensure a consistent approach to the management of trees in the Borough. This document considers trees located on land owned by the council. Trees on private land legally protected under the Town & Country Planning Act (1974) are administered by the Planning Department and so are outside the scope of this Policy document.
- 0.2 The council owned trees are situated in a variety of different environments, all of which require a tailored approach to management options which include:
  - Street trees
  - Parks and open spaces
  - Woodlands
  - Cemeteries and closed churchyards
  - Leisure centres and playing fields
  - Other council owned and maintained sites
- 0.3 One of the objectives of the Policy is to ensure that anyone can use this document to understand how the council manages its tree stock and to provide relevant policies setting out why certain works are carried out on trees.
- 0.4 This Policy will contribute to the combined efforts of all stakeholders to assist in the security, preservation and enhancement of the council's trees and open green spaces. The significance of this approach is to benefit the people who live and work in Barnet. It aims to improve public health, the natural environment and increase the number of trees in the borough which will improve air quality, reduce urban heat islands and contribute to the economic success of the borough.

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# 1 Background Information

## Introduction

- 1.1 Trees and woodlands form an important part of the green infrastructure in the borough. It is renowned for being one of the greenest suburbs in London, with the council having responsibility for around 30,000 street trees and 848 hectares of green spaces, which includes 164 hectares of woodland.
- 1.2 The borough is fortunate to have a diverse range of trees in both age and species. St Andrew's Churchyard is home to the oldest tree in London, the Totteridge Yew, which is over 2000 years old and awarded 'Great Tree of London' status. An overview of the species of street trees planted within the borough can be seen in figure 1.1.

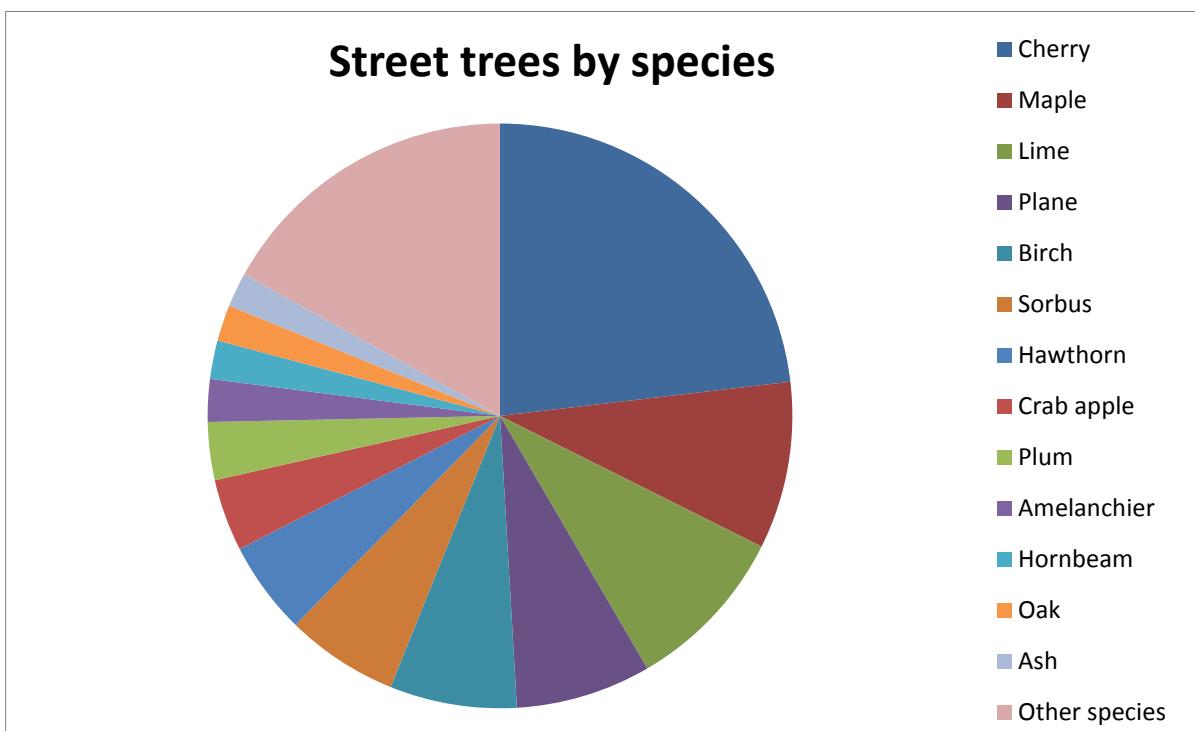


Figure 1.1. Variation in street tree species across the borough.

- 1.3 There are multiple benefits to having trees in the borough which are outlined later in this document. For these reasons it is vital to have sustainable policies relating to trees and woodlands to safeguard their future.

- 1.4 This document has been developed by communicating with key stakeholders, and using relevant regional and national policy, as well as key documents which make up the borough's strategies. The key stakeholders were from the following areas within the council:
- The council's Tree Team, responsible for managing all trees on public land in the borough
  - Highways
  - Parks and Open Spaces
  - Insurance
  - Barnet Homes
  - Planning, including their Trees and Landscape Team who manage Tree Preservation Orders (TPO), High Hedges legislation and assess development site applications
  - Environment Commissioners.
- 1.5 There are a number of documents which have informed the development of this Policy. This Tree Policy is largely influenced by national legislation as well as specific targets set by the Greater London Authority (GLA) for all boroughs within London. Further information on the legislation and guidance can be found in Appendix 1.
- 1.6 The document outlines how the council manages their responsibilities and legal obligations in relation to health and safety, risk management and resident concerns whilst maintaining a healthy, diverse and extensive tree stock.
- 1.7 The key aims and objectives for this document are as follows:
- To acknowledge and consider the different role of trees in Barnet and the benefits they provide
  - To consolidate processes into one central document and also review the current processes relating to tree management of all trees owned by the council across the different departments within the borough
  - To produce a comprehensive overview of the processes going forward, and the policies which will inform future management
  - To produce an action plan to support regional and national targets set for tree planting in the next five years.

## The Importance of Trees and Significant Benefits

- 1.8 The borough significantly contributes to the natural green space and canopy cover of Greater London. In this modern day of increased development and urbanisation, it has become clear that trees play an essential role within our ever evolving landscape removing airborne pollutants and reducing surface temperatures within urban environments. Not only do they contribute to the overall aesthetics of our towns and cities, but research has highlighted that the presence of trees is associated with a range of crucial benefits to our health and wellbeing. In order to optimise these benefits it is essential that sustainably managed green space and trees are accessible to the local population and that these assets are protected and well managed.
- 1.9 Investing correctly in trees, woodlands and green spaces is vital given the changing climate. Trees are one of the few assets that appreciate in value with age as their amenity and contribution to health and wellbeing increases.
- 1.10 Outlined below in Figure 2.1 are some of the main benefits from trees, also known as Ecosystem Services (ES) in key sectors of the borough. These value of the ES increase as the trees reach maturity.
- 1.11 The consultation draft Green Infrastructure (GI) Supplementary Planning Document (SPD) (London Borough of Barnet, July 2017) states that Barnet's Corporate Natural Capital Account (CNCA) is an important tool to be able to value the natural assets and GI within the borough and assess the effectiveness of these resources.

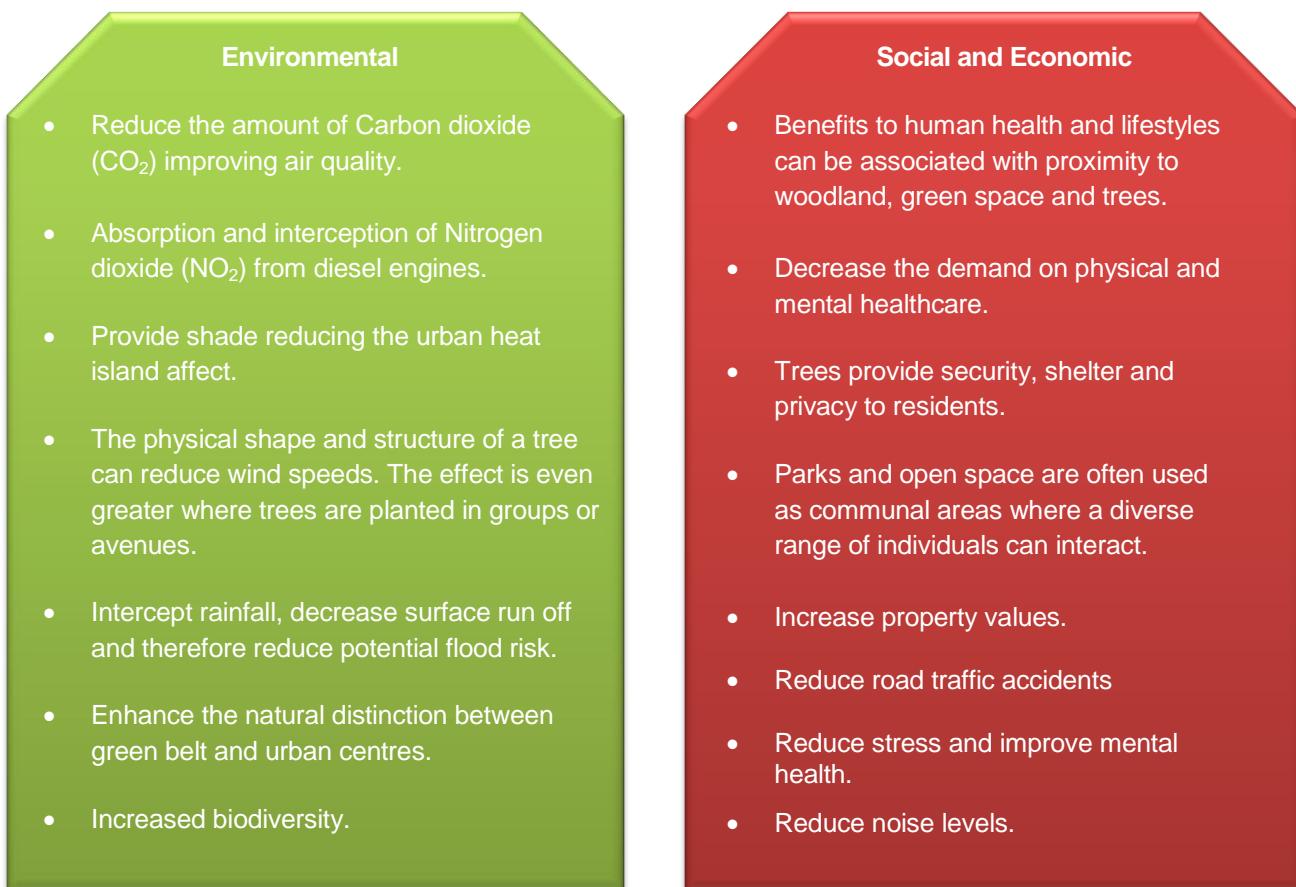


Figure 2.1. Benefits of trees across sectors.

## Air Quality

- 1.12 Airborne pollution impacts on human health and mortality rates are steadily increasing, which are attributed to poor air quality, as are higher numbers of childhood asthma. Trees can alleviate and mitigate air pollution by accessing the chemical components of the pollutant, or by reducing the amount of particulate matter through interception from the leaves and branches until it is washed away by rainfall.
- 1.13 Nitrogen dioxide ( $\text{NO}_2$ ) concentrations are measured annually to identify areas which have concentrations higher than the European Limit Value. The worst affected areas are located in the south of the borough where the M1, A1, A406 and A1000 are located (Greater London Authority, London Atmospheric Emissions Inventory (LAEI) 2013) and efforts have been made to plant several hundred street trees in these areas since 2014. Trees use nitrogen as an essential element for growth through absorption.
- 1.14 Atmospheric Carbon dioxide ( $\text{CO}_2$ ) is used during photosynthesis and oxygen released by the tree during this process reduces the amount of greenhouse gases released into the air. Trees act as 'carbon sinks' and store carbon in their structure, roots and soil.

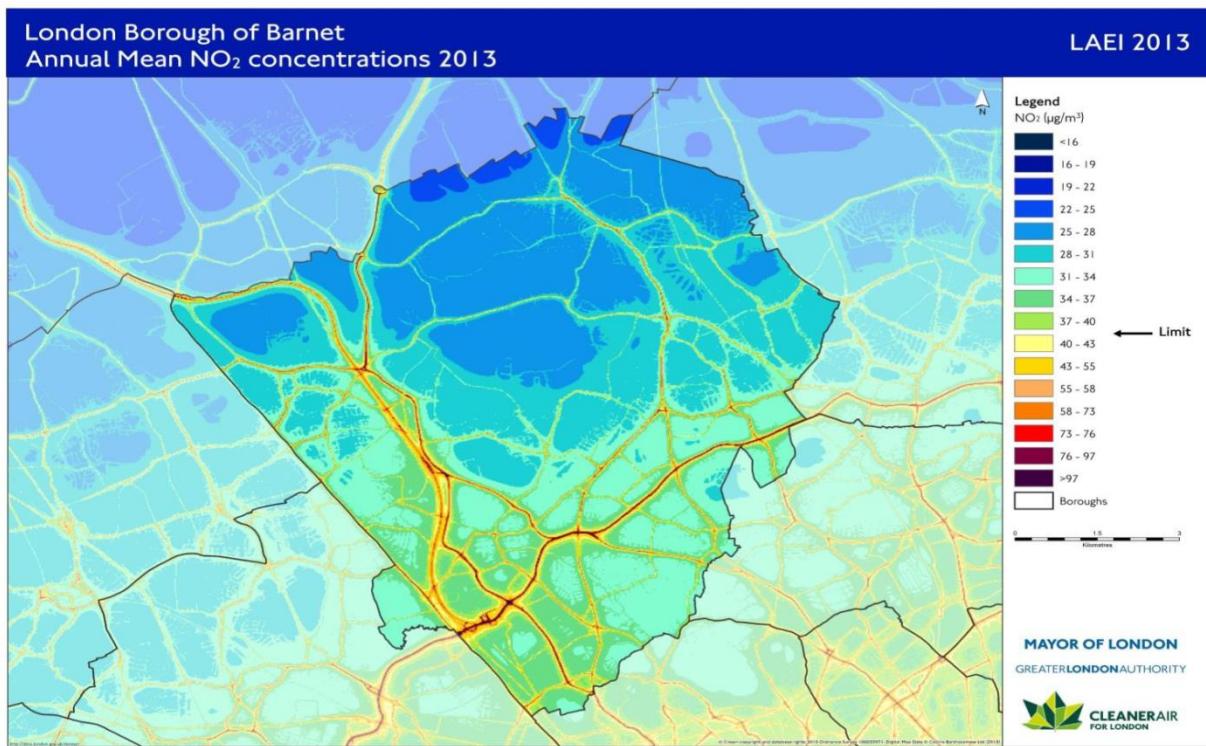


Figure 2.2. Annual mean concentrations of  $\text{NO}_2$  (London Atmospheric Emissions Inventory (LAEI) 2013).

## Temperature

- 1.15 Urban areas frequently demonstrate higher mean average temperatures than surrounding rural areas. Heat is absorbed by road surfaces and buildings during the day and released during the evening. Greater London temperatures can vary by up to  $10^\circ\text{C}$  at night time due to heat captured during the day being released and reabsorbed by built structures. This coupled with a lack of ventilation leads to the creation of an Urban Heat Island (UHI).

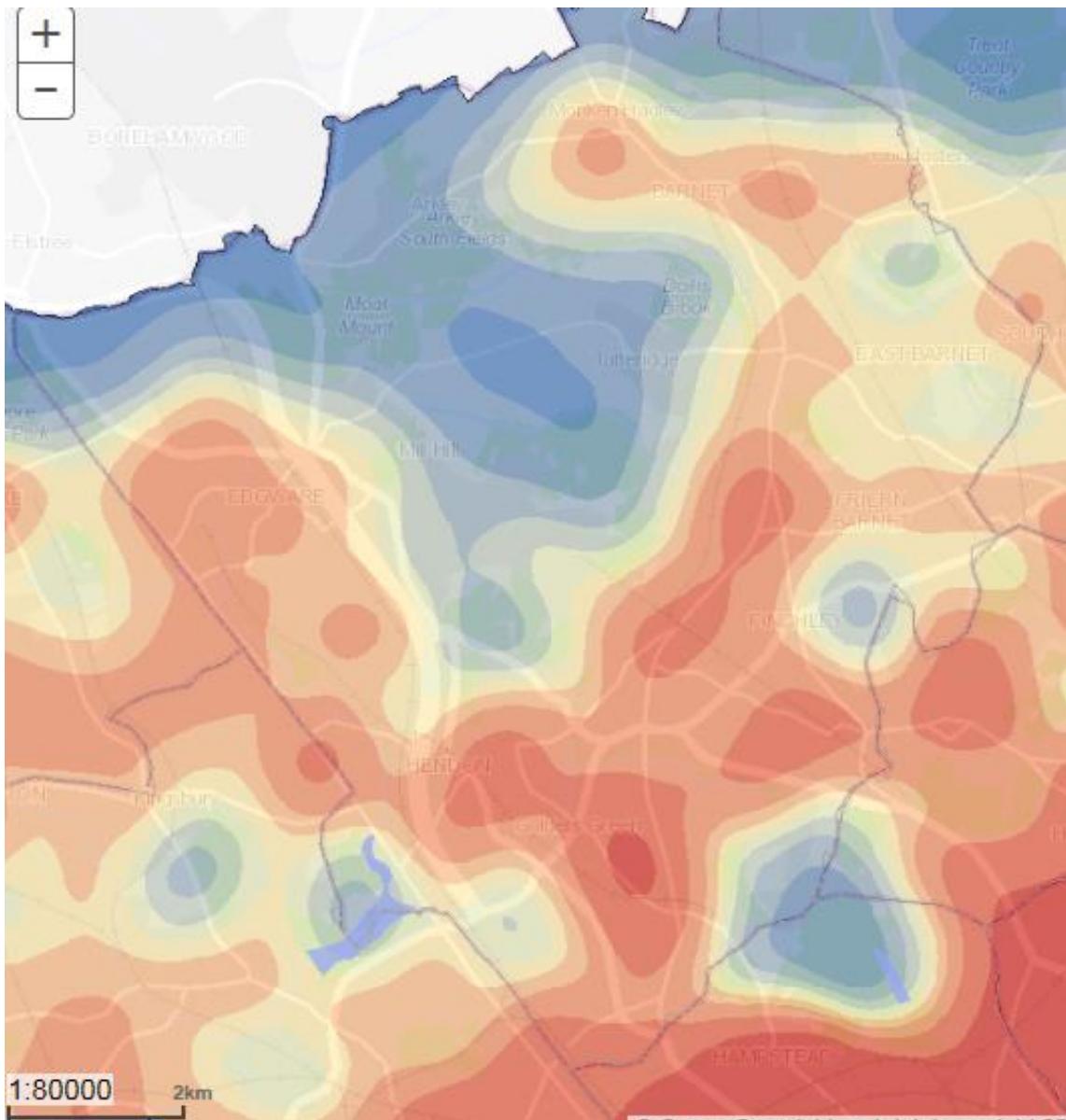


Figure 2.3. London Heat Map. GLA (2015)

- 1.16 Temperatures can increase rapidly during the summer months, with heat-related stress resulting in an average of 1,100 deaths across the nation each year (Forest Research, 2012). This number rises significantly during heat waves and is set to increase with climate change predictions.
- 1.17 Cooling strategies, in particular the planting of trees and other vegetation, can be very effective in reducing the UHI effect. By providing immediate shade locations during the day and restricting direct sunlight on road and building surfaces, they reduce the raised temperatures experienced during the night.

## Flooding

- 1.18 The interception of rainfall by trees has a significant impact on drainage capacity and lag time resulting in reduced localised flooding. Including engineered SUDS (Sustainable Underground Drainage Systems) into planting schemes, existing mature tree pits and new developments has the potential to increase the water holding capacity of root zones.

- 1.19 Delaying the release of stormwater into the drainage system alleviates the risk of localised flooding and reduces the pressure on the ageing tunnel network. SUDS also reduce the pressure on the natural environment (e.g. rivers and watercourses).

## Biodiversity

- 1.20 Trees contribute hugely to biodiversity in urban areas providing habitat for a range of wildlife, from microbes to birds and bats. Habitat potential will be considered especially in greenspaces and 'bee-friendly' trees planted in parks. Dead standing timber and veteran trees are found in many of the borough's parks and this will continue where considered safe to do so. Logs from felled trees can be stacked to form habitat piles in less formal parks and open spaces, providing shelter for deadwood species.

## Threats

- 1.21 Unfortunately there are concerns regarding the potential threats to our current vegetation coverage. These include:
- An ageing and declining tree stock, particularly amongst ornamental flowering trees resulting in the removal of 500 street trees per annum on average within Barnet.
  - New developments to accommodate a rising population and pressure for land space
  - Available space to plant new trees due to constraints of underground services and vehicle crossovers
  - Stresses from the current climate and consequent pests and diseases
  - Conflict between tree roots and the built environment causing direct damage to hard standing (footways and drives) and the potential for indirect damage to buildings (subsidence).

## Tree maintenance and Subsidence

- 1.22 Trees can present a risk of building damage when growing close to low rise buildings on a shrinkable clay soil and much of Barnet fits this description. Our trees are assessed and if found appropriate, managed according to London Tree Officers Association (LTOA) Risk Limitation Strategy (RLS) and this has been implemented in Barnet successfully for over 20 years.
- 1.23 This document (RLS) has previously been referred to as national guidance in recent court cases and has set a precedent for future claims. It recommends adopting a system of cyclical maintenance and selective removal where justified. Tree pruning reduces and can control water demand of trees by periodically and systematically removing a percentage of leaves from the crown and is the basis for cyclical pruning.
- 1.24 Pollarding is a method of pruning that keeps trees and shrubs smaller than they would naturally grow. This method of tree management is aimed at specific groups of trees, usually planted in avenues, and the tree species are predominantly London Plane, Lime and occasionally the Maple. These trees are managed in this way as the streets they are found in were designed with pollarding in mind. It is also a method of managing water demand, allowing 'high forest' trees to be grown close to buildings.
- 1.25 Root barrier installation below ground to contain tree roots and remove rooting influence on building foundations has been used occasionally.

- 1.26 All new subsidence claims will be investigated, reviewed and managed by the Insurance Team working with the Tree Team.

## Biosecurity

- 1.27 The council takes appropriate measures to prevent or reduce the risk of the transmission of emerging pests, diseases and invasive species detrimental to the health of trees.
- 1.28 Contractors are required to adhere to the biosecurity policy and should always exercise good practice as detailed on LTOA and Forestry Commission websites.
- 1.29 All sterilisation is conducted in accordance to BS: 3998 *Tree Work – Recommendations* (BSI, 2010). The contractor shall ensure that sterilisation is carried out in approved areas that will not contaminate ground or water courses.
- 1.30 In regards to planting, tree stock should be sourced from a domestic nursery that retains its trees for a minimum of one year within the UK before sale. This is detailed in the Arboricultural Association's position statement to minimise the possibility of introducing new pests and diseases. (Arboricultural Association, 2016). This is known to Planning and can be passed on to any landscapers planting trees on development sites as an informative during the application process and can be added as a landscape condition.
- 1.31 The LTOA (2014) issued a mission statement which outlines that proactive management is required to protect the tree stock throughout London. It outlines the key pests and diseases which could significantly impact important tree species in the city and provides actions to proactively manage the risk. The council has contributed to the LTOA survey of London Plane trees as part of European wide strategy for the control of Canker Stain (*Ceratocystis platani*).

## Funding

- 1.32 A number of funding streams have been utilised by the council in the past. This includes schemes such as central government's Big Tree grant, the Mayor of London's grants for Air Quality, Local Improvement Plans and Outer London Fund, and the Forestry Commission's Re: Leaf grant.
- 1.33 The Mayor of London's Office is likely to release more funding over the next five years to support tree planting across London. In 2017 the Mayor released £750k of grant funding which supported 29 planting projects across the city, one of which was in Barnet (GLA, 2017). The money was spent on planting avenues, as outlined in the Parks and Open Spaces Strategy (POSS). A further £700,000 has been confirmed each year for the next three years by the Mayor and for Barnet to receive its share of this funding it will require a successful application and the need to match fund any grant it receives. This funding will go towards meeting the targets in POSS for strengthening the landscape through select group planting, avenues defining footpaths through parks and boundary planting to reduce noise and pollution from roads.
- 1.34 Local Implementation Plan (LIP) funding is a process funded by Transport for London (TfL) to provide financial support to boroughs for schemes to improve transport networks (TfL, 2010). The schemes can include the improvement of corridors within the borough and therefore funding can be sought for additional tree planting and maintenance.

- 1.35 The Community Infrastructure Levy (CIL) was introduced as part of the Planning Act 2008 to deliver infrastructure to the local community as part of a new development. Green infrastructure would be included within this and therefore additional tree planting would help to meet government and POSS targets, while improving the environment for local communities.
- 1.36 Section 106 agreements can be sought from developers by the council. They are to improve the community and local area and are commonly sought to improve the local amenity including parks and open spaces. The Planning Department and Tree Team can work together to ensure funding is sought where new planting schemes would be beneficial to the local community in the vicinity of developments.
- 1.37 When a council owned tree is required to be removed to facilitate a development, the Capital Asset Value for Amenity Trees (CAVAT) value of the tree will be required to mitigate the loss, and the money received from the developer used to support the planting targets discussed throughout this Policy.
- 1.38 CAVAT is a valuation method developed in the UK and published by LTOA to express the amenity value of trees in terms of the cost of equivalent replacement. Valuation of trees is advised in the London Plan, specifically recommending CAVAT. Further information on CAVAT can be found online at <https://ltoa.org.uk/resources/cavat>
- 1.39 Obtaining funding from the above streams will allow the council to meet targets set in the Action Plan. The value of the funding received will determine the number of new trees which can be planted over the next five years, our target being 4,500 new trees.
- 1.40 Currently three arboricultural contracts exist, Area A (West), Area B (East) and a borough wide Planting and young tree care contract. These were successfully procured in 2016 for a four year term with option to extend for a further two years following Official Journal of the European Union (OJEU) guidelines.

## 2 Tree Policies

### General Policies

- 2.1 Planned maintenance on street trees is currently carried out as a three year cyclical programme following tree surveys that identify any necessary works on a ward by ward basis other than those trees that are pollarded which are usually managed on a two year cycle. This work concentrates on maintaining trees in their immediate environment with due regard to encroachment, shape, future growth of the tree and subsidence risk management. Pavement management is generally undertaken by Highways Services in discussion with the Tree Team. The council will manage its Duty of Care with regard to Personal Injury risk by undertaking proactive tree surveys on a ward by ward basis on a three yearly cyclical programme. This is in line with recommendations made in the Common Sense Risk Management of Trees (National Tree Safety Group, 2011) and recent judicial rulings. As well as proactively managing risk, the council can effectively target its resources (financial, personnel and contractors).
- 2.2 Works in response to a query (responsive works) are issued on a monthly basis following a one off individual inspection where the inspector deems work is necessary.
- 2.3 If the works are deemed urgent or are an emergency (being works which require attention within 24 hours), these are completed prior to the monthly responsive lists being generated or undertaken. Urgent works shall usually be dealt with within seven days. These works are often the result of customer

enquiries, adverse weather or tree damage. An out of hour's service exists for events which occur outside of working hours.

- 2.4 Removal of healthy trees is undertaken in exceptional circumstances and normally occurs when remedial pruning cannot be undertaken (subsidence risk) or engineered solutions cannot be implemented (direct damage by tree roots).
- 2.5 Where tree removal has been requested by residents and this removal is assessed as unjustified by Officers, the first stage would be for the Trees and Woodlands Manager to review the decision. If the resident is not satisfied with the decision by the Trees and Woodlands Manager then this is escalated to the Chief Officer in consultation with Ward Members. If the resident is not satisfied this would then be a complaint and dealt with as outlined in the council's [Corporate Complaints Policy](#).
- 2.6 Policy DM01 of the Adopted Barnet Development Management Policies (2012) states where trees are located on or adjacent to a site, the Council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees, in accordance with BS 5837: 2012 *Trees in relation to design, demolition and construction. Recommendations* (BSI, 2012). Trees should be retained wherever possible and any removal will need to be justified in the survey. The planning department will consult with the Tree Team where trees on public land are potentially affected.
- 2.7 Any agreed tree removal associated with development or regeneration will need to be adequately compensated using CAVAT which will determine the value of the tree to be removed. The internal communication procedures shall be agreed with the Planning and Highway departments.
- 2.8 The council's policy is to not allow anyone to pay for the removal and replacement of a tree, except when the CAVAT value is sought as part of the development process. Any unauthorised tree removal or reckless damage leading to tree loss may be referred for legal action and in such case the CAVAT value of the tree will be sought in compensation.

## Refusal of works

- 2.9 Tree work will not normally be carried out if it is outside of this Policy. Work to trees will normally be refused if it is requested for the following reasons:
  - Interference with satellite dish TV reception
  - Residents perception that a tree is too large
  - Obstruction of view or light
  - Seasonal nuisance (leaf fall, fruit litter, allergies to pollen, nuisance caused by insects or birds)
  - Residents' perception that the tree will cause damage in the future
  - To replace a healthy mature tree to create space for the planting of new trees.
- 2.10 Works may be carried out to trees outside of the cyclical pruning cycle for the following reasons:
  - The tree is found to be in an unreasonable condition in the context of the neighbouring properties by the Tree Officer

- The tree was missed from the cyclical maintenance programme.

## Vehicle Crossovers

- 2.11 Where trees are potentially impacted by vehicle crossover applications, Highways consults the Tree Team following payment by the applicant. The Tree Team will then assess the amenity value of the tree.
- 2.12 A site visit is necessary to make a decision on whether the tree is considered an amenity and should remain, or whether removal and replacement would be the best and most sustainable solution. Any costs associated with tree removal and replacement of a tree is to be borne by the applicant.
- 2.13 In some situations, the crossover can be made smaller to accommodate tree roots or ‘Structural Soil’ can be used (based on the Cornell University model) which is a load bearing material that allows tree roots to be part of the access without the need for root removal.
- 2.14 In accordance with planning Policy DM01, publically owned trees should be safeguarded and should take priority over vehicle crossovers but any specific cases regarding access for disability will be taken on a case by case basis.
- 2.15 The Tree Policy will be updated if required following the currently anticipated review of the vechicle crossover policy.

## Publicising tree works

- 2.16 The council takes a proactive approach to publicise tree works. Appropriate signage is used to raise awareness of tree removal giving ten working days notice containing telephone contact details to facilitate customer contact.
- 2.17 Publication of the programme for cyclical maintenance is done on a ward-by-ward basis and will be made available online, outlining the intention of works scheduled.
- 2.18 Councillors will be made aware prior to cyclical tree work taking place within each ward.
- 2.19 Tree work considered urgent or in the interest of public safety will be carried out within 24 hours. Under these circumstances, no notice will be given prior to the works being carried out.
- 2.20 The council is committed to effective communication and customer service regarding trees in the borough, information including tree locations and species has been published on the Open Barnet Portal  
<https://open.barnet.gov.uk/>
- 2.21 Open Barnet is an important tool in pushing forward Barnet’s Transparency Agenda, bringing together all council published datasets and other information of interest on one searchable database for anyone, anywhere to access. The aim is to meet the needs of residents as well as businesses, innovators and third sector service providers. Publication of council tree data provides a vital resource to anyone interested in the local environment. It will also, when linked with other data, help to create a national picture of the urban environment and the wide range of environmental, social and economic benefits that trees bring to towns and cities.

## Tree planting

2.22 Tree planting is vital to ensure sustainability and provide ecosystem services. The plan for the next five years is to increase the number of trees and canopy cover across the borough, targeting areas with the highest levels of CO<sub>2</sub> and NO<sub>2</sub> concentrations. This works towards the target set by both the GLA and the POSS. More specifically the following measures will be taken:

- ***Committing to a programme that involves a net gain in trees across the borough***
    - Vacant tree pits, locations where trees have been located before and have not yet been replanted have been identified and plans made to increase the numbers of trees each year. Also to review the low quality/low value parks and open spaces to identify suitable locations for woodland creation.
    - When a tree removal is necessary we would look to plant a new tree on a one to one ratio.
  - ***Strengthening the quality of the landscape (through planting avenues, tree groups, park boundaries and woodlands)***
    - Plant 13 hectares of small woodlands identified by the Mayor of London's Office which are currently relatively disused greenspace.
    - Plant trees in available space in parks including avenue creation. Planting has taken place in Watling Park and Brunswick Park which has been funded by Section106 Agreements and GLA grants. The council will continue to apply for this funding each year to improve parkland throughout the borough.
    - A survey of play areas should be undertaken and locations identified for large or spreading tree species on the south and west facing sides of the play area. These will provide both shade to cool down the play area and to protect children and their carers from the harmful effect of Ultra Violet rays.
  - ***Addressing urban warming (tree planting concentrated in the south of the borough)***
    - Locations with higher temperatures will be identified. Sites with vacant pits will be targeted as well as new locations identified from the London Heat Map (figure 2.3).
  - ***Addressing NO<sub>2</sub> (tree planting next to major roads) from 2016***
    - Locations have been identified close to the red, orange and yellow areas from the NO<sub>2</sub> map (figure 2.2) and planting has commenced in these areas with over 420 street trees planted since 2014. Funding will be sought to assist in the cost of the planting and establishment.
    - Roads with schools present a particular problem with engines idling during the summer for air conditioning units and heating in winter months. These are to be assessed for tree planting.
- 2.23 With the advent of introduced pests such as Oak Processionary Moth (*Thaumetopoea processionea*) and diseases such as Ash Dieback (*Chalara fraxinea*) the council will normally require that in the interest of biosecurity, all nursery stock must be held at the nursery for one full growing season following importation.
- 2.24 This biosecurity constraint to apply to all council led planting projects but also to any development sites where adopted roads are proposed.

- 2.25 Replacement planting will follow a three year cycle where 50 per cent of trees removed during any financial year will be replaced, with 25 per cent in the second year and the final 25 per cent in the third year. Priority will be given to main roads, streets where major tree removal is necessary, substantial mature trees have been removed and where resident or Member contact has been received requesting replanting.
- 2.26 In determining the tree to be planted, consideration will be given to the chosen species, available space, location and constraints of the site. Barnet adopts the principle of responsible planting, identified in the London Plan as 'Right Place, Right Tree' (GLA, 2016).
- 2.27 Planting will prioritise larger growing shade providing trees following Urban Heat Island targets scaling down to smaller ornamental trees where larger trees are not suitable. This will also be the case where trees have been removed for subsidence reasons. The council will establish a diversity of tree species to mitigate against pests and disease that can threaten entire species.
- 2.28 Where a tree is removed the replacement planting is on a one to one ratio. If the original site is inappropriate to re-plant then a more suitable location within the immediate area will be designated.
- 2.29 The planting season extends from November to March inclusive.
- 2.30 Residents can arrange for a tree to be planted in memory of a person or event. Memorial tree planting usually takes place in parks and agreement with Greenspaces regarding location and species is necessary. Planting will follow principles followed elsewhere and cost will be borne by the applicant. Plaques are discouraged but if this is insisted, will only be installed with a steel guard. A planting certificate giving location, species and a plan will be produced by the council for the applicant.
- 2.31 Once planted, a management plan is developed for each tree to ensure its longevity and successful establishment.

## Street Trees

- 2.32 The term 'street tree' will refer to any tree situated adjacent to the carriageway of roads and footways. The majority of trees along major routes (A1, A406, and A41) within the borough are the responsibility of TfL and are managed by them.
- 2.33 Street trees can negatively impact the footway and roots can cause damage to traditional materials used (asphalt, paving, kerbs). After extensive trialling, new methods of footway installation have been adopted by the council. Bound rubber crumb is designed to provide a firm finish for pedestrian traffic combined with permeability for air and water to penetrate to the roots. The material itself (often constructed using recycled rubber tyres) is similar to the soft surfaces often used in play areas for children and is highly flexible. This allows tree root growth and movement without the resultant cracking and distortion of the footway typically seen when asphalt has been laid close to the base of trees, thus reducing trip hazards and the need for repeated repair.
- 2.34 Bound rubber crumb has the additional benefit of acting as a sustainable underground drainage system (SUDS), effectively directing excess runoff from the footway and hardstanding into nearby tree pits and away from the drainage network. There is future potential to utilise this material once the advantages are quantified.

- 2.35 Many street trees are growing at an angle which can impact on accessibility, these trees have usually been moved by vehicles reversing and they can restrict footway access, especially where coupled with hedges from private properties and wheelie-bins located on the footway. When such trees are identified by residents, the action required in each case will be assessed on its merits.

## Parks and Open Spaces

- 2.36 There are 848ha of parkland which are managed by Greenspaces, which equates to 10 per cent of all land owned by the authority.
- 2.37 Trees in parks and open spaces are inspected as part of a cyclical programme every three years.
- 2.38 Trees are managed to maximise their landscape, amenity and wildlife value. Therefore, only essential works for health and safety and subsidence risk will be carried out. Cosmetic works will not be considered in parks and open spaces, unless they are considered reasonable to undertaken by the Tree Officer.
- 2.39 Tree removal will not be considered if there is little risk associated with tree retention. High risk zones will be identified and trees within these zones will be inspected following significant storms.
- 2.40 Woodlands are managed very differently to trees located within urban centres. Habitat retention and creation is of greatest concern as well as sustaining native flora and fauna. Priority is given to retaining deadwood and removing trees is a last resort. Tree management is restricted mainly to high traffic areas, accessible by the public. Works concerning public safety are a priority around car parks, boundaries, footpaths and bridleways.
- 2.41 Watling Chase Community Forest which includes Scratchwood and Moat Mount Open Space covers 190km<sup>2</sup> in Hertsmere and Barnet, is one of several extensive areas throughout the borough which are exclusively woodland. The woodland has its own Supplementary Planning Guidance (SPG) which is a consideration in the planning process (Hertsmere Borough Council, 2001).
- 2.42 Wherever possible and safe to do so, trees will be allowed to fail naturally to promote biodiversity and habitat enhancement. This includes retaining standing deadwood.
- 2.43 Community woodland partnership has been established in Big Wood (in the Garden Suburb) for several years with a long term management plan adopted and regular activity days managing the woodland and promoting good woodland management practices. This communal engagement model will be encouraged where there is sufficient local interest, as it can lead to community cohesion, a sense of ownership of the local area and grant funding applications.
- 2.44 London Wildlife Trust (LWT) currently manages Oak Hill Woods and they are responsible for both management and tree safety.

## Cemeteries and Closed Churchyards

- 2.45 Cemeteries and closed churchyards provide much needed greenspace and contribute to the biodiversity of the Borough. Many of these sites have a large number of mature trees.
- 2.46 Trees are regularly surveyed in closed churchyards and are currently the responsibility of Property Services. It is recommended the site management to engage a tree survey every three years, as can be provided by the Tree Team at or another professional service, to manage this risk. Several of these sites

have individual TPOs or are covered by full area TPO and planning applications and permissions are needed before any (non-safety) tree work is undertaken.

- 2.47 Hendon Cemetery and Crematorium is managed by Regional Enterprise (Re) in accordance with the Re contract output specification. The contract specification includes that Re are responsible for clearing fallen trees, maintenance and health of trees to ensure the health and safety of the cemetery is maintained.
- 2.48 Some cemeteries within the borough are owned and managed by private companies or by other local authorities and are not the responsibility of the council though may be subject to Tree Preservation or Conservation Area legislation.

## Privately Owned Trees

- 2.49 Where trees on private land are posing an imminent threat to public safety, the council is authorised to serve a notice on the tree owner to make the tree safe. If this notice is not complied with, works can be undertaken by the council and costs recovered from the property owner (Local Government Miscellaneous Provisions Act 1976 & Section 154 of The Highways Act 1980). All branches and timber will remain the property of the owner and will be left on site.

## Planning and Development

- 2.50 If trees are impacted by developments that are located on council maintained streets or parks, the Tree Team will be consulted by Planning at the pre-application stage and prior to any approval being given for development in accordance with planning policy DM01.
- 2.51 If any tree is agreed for removal as part of a development, compensation will be sought at the CAVAT value. At least 50 per cent of the value received will be spent on mitigation planting of new trees across the borough, concentrating on the ward where tree loss has occurred. Costs for tree removal will also be sought from the developer.
- 2.52 The Tree team will be consulted on all development resulting in adopted highways or land to be used for public recreation at public expense. Tree planting schemes including species selection and design will need to be approved and commuted sums for future management agreed.
- 2.53 As discussed in the Government's White Paper *Fixing our broken housing market* (2017), ancient woodland and veteran trees are irreplaceable habitat. It advises that development should be restricted where it is likely to have a negative impact on these habitats.
- 2.54 All developments within the borough will be assessed by our Planning Department under BS 5837: 2012 *Trees in relation to design, demolition and construction – Recommendations* (BSI, 2012).

## 3 The Vision and Action Plan

## The Vision

- 3.1 The vision for the Environment, as noted in the Environment Committee Commissioning Plan 2015 – 2020, includes the following statements are also relevant to the vision for the Tree Policy:
- Barnet is a green and leafy borough and this is one of the reasons people want to live here
  - Ensuring that our parks and open spaces are among the best in London will help to attract more people to the borough
  - Highways are maintained to a high standard and areas of high growth and strategic importance being progressively upgraded and improved
  - Meet the highest standards of air quality possible and develop policies to support this.
- 3.2 Trees are key to the success of the borough and by working with all stakeholders the council will ensure security, preservation and enhancement of Barnet's trees and open green space. By achieving these aims, we hope to see success through an ongoing increase in healthy and well managed tree stock.
- 3.3 Aims to support the Commissioning priorities, as set out in the Environment Committee Commissioning Plan 2015 – 2020 include:
- Attractive suburban parks that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth
  - Addressing congestion and air quality issues.
- 3.4 The aims of the Tree Policy are:
- To support our changing and growing borough whilst also maintaining and improving the boroughs tree stock and natural environment
  - To contribute to biodiversity
  - To be a leader in tree planting and maintenance in London
  - To contribute to the health of residents in the borough by bringing about improvements to air quality; by sequestration of carbon dioxide and reduction in levels of nitrogen dioxide. By carrying out targeted tree planting to reduce air temperatures and the urban heat island effect.
- 3.5 An overview of the strategic planting investment programme can be found below, detailing the stretching target number of trees to be planted within the borough.

ACTIVITY	YEAR 1 (2018/19)	YEAR 2 (2019/20)	YEAR 3 (2020/21)	YEAR 4 (2021/22)	YEAR 5 (2022/23)	TOTAL (2018/19 to 2022/23)
	Number of trees					
<b>Street trees:</b> replacement of dead stock and stock removed due to disease, damage, health/safety concerns etc.	500	500	500	500	500	2,500
<b>Street trees:</b> replant existing	100	100	100	100	100	500

empty tree pits						
<b>Parks &amp; Open Spaces trees:</b> replacement of dead stock and stock removed due to disease, damage, health/safety concerns etc.	50	100	100	100	100	450
<b>Parks &amp; Open Spaces trees:</b> plant additional trees in response to Parks & Open Spaces Strategy recommendations	50	100	100	100	100	450
<b>Urban heat island and atmospheric pollution response:</b> plant additional trees on additional sites	200	100	100	100	100	600
	<b>900</b>	<b>900</b>	<b>900</b>	<b>900</b>	<b>900</b>	<b>4,500</b>

## Tree Policy Action Plan: 2017 to 2022

- 3.6 To achieve its vision and aims, the council needs to work with key stakeholders on a number of goals. An Action Plan has been developed to help deliver the vision and aims and will be carried out over the next five years.

Action	Milestones	Lead
<b>London Borough of Barnet to be a leader in tree planting and maintenance in London</b>		
1 Proactively survey and manage the borough's existing trees to a high standard according to this policy to ensure the cyclical maintenance programme is delivered.	On-going	Tree Team
2 Replace all trees which are removed as part of 3 year cyclical maintenance programme due to poor condition (approximately 500 trees per year). To replant 50% within 1 year of removal, 25% within 2 years and 25% within 3 years.	500 trees per year Commence in 2018/19	Tree Team
3 Utilise Mayor of London match funding to create new schemes in parks and open spaces, in town centres and on housing estates.	Every year until 2020 and apply should any subsequent further funding be made available	Tree Team
4 To gather baseline data to understand the canopy cover of the borough, this will then be used as a baseline to define quality improvements of the Tree Policy and Action Plan.	Commence Spring 2018	Tree Team
<b>To contribute to the health of residents in the borough by bringing about improvements to air quality</b>		
5 Apply for funding to fulfil planting initiatives detailed in this document with regard to street tree replacement and net increase targets, air quality, urban heat island and woodland creation.	Commence in Winter 2017	Commissioning Group
6 Use funding streams to fund new schemes across the borough, targeting highways to plant new trees to improve canopy cover, combat urban heat island and reduce NO2 and CO2 concentrations in the borough, focussing on street trees and areas outside schools.	100 trees per year on the highway. Commence in 2018	Tree Team
<b>Supporting our changing and growing borough whilst also maintaining and improving the boroughs tree stock and natural environment</b>		
7 Ensure all engineering solutions are explored to ensure street trees and footway damage is kept to a minimum.	Working practices adopted by Highways. Review to take place in Spring 2018.	Highways
8 Continue to ensure that effective communication takes place between the Tree Team and Highways regarding the Network Recovery Programme (NRP) and responsive highways maintenance, tree roots and replacement planting	Autumn 2017	Tree Team/Highways
9 Actively seek sources of funding from development, including Section 106 agreements, Community Infrastructure Levy and commuted sums to ensure tree planting improvements in the local area.	Initiate bidding process works Autumn 2017	Tree Team
10 Formalise internal processes to ensure that communication is taking place where required. This applies to Planning applications affecting public trees and major tree planting schemes.	Discussions to begin Autumn 2017	Tree Team / Planning
<b>Contribute to biodiversity</b>		
11 Plant 13 hectares of small woodlands identified as low value and low quality parks and open spaces (as identified in the Parks and Open Spaces Strategy) and by the Mayor of London's Office which are currently relatively disused greenspace	Commence Winter 2018	Tree Team
12 To utilise existing empty tree pits within streets to assist in increasing tree numbers and canopy cover	100 trees per year Commence in 2018/19	Tree Team/Highways



**Watling Park Improvement**

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## 5 Appendices

### Appendix 1. Legislation and Guidance

#### **National Planning Policy Framework (NPPF) (Department for Communities and Local Government, 2012)**

- 5.1 The NPPF sets out principles for conserving and enhancing the natural environment throughout the planning process and requires each Local Planning Authority (LPA) to develop its own Local Plan.
- 5.2 The Government's Housing White Paper (February, 2017) made reference to a review of the NPPF which is likely to be carried out later in 2017. It will not be a full document review, but will focus on areas which have been previously consulted on.

#### **Town and Country Planning Act (1990)**

- 5.3 The Act enables the creation of Tree Preservation Orders (TPOs) and protection of all trees within a Conservation Area. The council can issue TPOs to trees (publicly or privately owned) which significantly contribute to the public amenity of the area.
- 5.4 Under the Act it is an offence to damage or carry out work on a tree without obtaining prior permission from the LPA. The offender will be liable for a fine and may be ordered to replace the tree.

#### **Occupiers Liability Act (1957 and 1984)**

- 5.5 The Act places a legal Duty of Care on landowners and occupiers responsible for trees, to take reasonable management measures to avoid foreseeable injury or harm.
- 5.6 For major landholders, such as local authorities, this duty can be discharged by production and adherence to a detailed management policy such as this document.

#### **Wildlife and Countryside Act 1981 (as amended Countryside and Rights of Way Act 2000)**

- 5.7 The Act provides protection to birds by making it an offence to wilfully or recklessly damage or destroy the nest of a wild bird whilst the nest is being built or is in use.
- 5.8 The Act also provides protection for bats and their roosts, making it illegal to disturb or destroy a roost. Any potential roost features will be inspected prior to any tree work.
- 5.9 The Tree Team have a survey methodology which aligns with best practice guidelines (Bat Conservation Trust, 2016).

#### **Highways Act (1980)**

- 5.10 Under Section 96 of the Act, the Highway Authority is entitled to plant and maintain shrubs within verges using public sector funding. They may also erect fences and guards as a means of tree protection.

- 5.11 Section 142 of the Act gives power to the Highway Authority to issue licenses for the planting and maintenance of trees and shrubs by a resident in a property which adjoins the highway.
- 5.12 Section 154 of the Act entitles the Highway Authority to serve notice on any owner or occupier whose tree, hedge or shrub is overhanging, and compromising the safety of a publically accessible area, to carry out remedial works within 14 days. If the owner or occupier fails to comply with the notice, the Highways Authority is entitled to carry out the work and recover reasonable costs from the owner or occupier.

### **City for all Londoners (GLA, 2016)**

- 5.13 The Mayor of London released his vision for enhancements in the environment throughout his term of office. General targets were set to make the city healthy, resilient and fair, and making it resource efficient with low carbon emissions. The environmental objectives can partially be met through tree planting, targets for which have been set in The London Plan.

### **The London Plan (GLA, 2016) and other Mayoral strategies**

- 5.14 The plan outlines the overarching need for green infrastructure within the city. It recognises the benefits of trees and sets targets for tree planting over the next ten years, with an addition of two million trees by 2025. The manifesto committed to an increase in canopy cover from 20% to 25% by 2025 across London. The main aim of these targets was to mitigate for and adapt to climate change.
- 5.15 The plan states that trees and woodlands should be protected, maintained and enhanced. It advises against removal of street trees, protection of veteran trees and adoption of the 'right place, right tree' principle throughout the planning process.

### **The Environment Strategy (GLA, 2017)**

- 5.16 There is currently a review in progress for both the Air Quality Strategy (GLA, 2010) and the Ambient Noise Strategy (GLA, 2004) which are expected to be combined into a new Environment Strategy later in 2017.
- 5.17 Both of the existing strategies focus on trees and plants as a way of reducing the impacts of noise and air pollution on the city. They recommend planting trees to improve the air quality in highly polluted areas, as well as planting dense belts of trees and shrubs to reduce the impact of noise pollution. It is expected that trees and green infrastructure will be included in the new strategy as a way of improving the environment within the city.

### **The Local Plan and Development Management Policies (DMP) (London Borough of Barnet, 2012)**

- 5.18 The Council's Local Plan (London Borough of Barnet, 2012) aims to improve the natural environment through the protection of greenspace, trees and hedgerows. The Plan comprises a Core Strategy and Development Management (DM) Policies.
- 5.19 When determining planning applications The Local Plan will provide accepted guidance, however this Tree Policy will be a material consideration.
- 5.20 The council will undertake a review of the Local Plan which will commence in 2018 with a view to adopt in 2020. The review will commence after the revision of the London Plan to ensure conformity to objectives.

- 5.21 Policy DM01 of the DMP advises that trees should be safeguarded, and that when protected trees are removed, they are to be replaced with a suitable size and species. Trees make an important contribution to the character and appearance of the Borough, and should be retained wherever possible. Any removal will need to be justified in the survey submitted in the Planning application. Where removal of trees and other habitat can be justified, an appropriate replacement, which considers habitat creation and amenity value, will be chosen.
- 5.22 New development proposals will be required to provide an appropriate level of new habitat including tree and shrub planting.

#### **Parks and Open Spaces Strategy (POSS) (London Borough of Barnet, 2016)**

- 5.23 The strategy focuses largely on the capital investment which will be spent on the development of parks and open spaces across the borough. It sets specific targets, the following relate to trees:
- To ensure measures to promote biodiversity and enhance ecological quality and inter-connectedness of the borough's green spaces are included with all capital investment projects from 2016
  - To develop proposals with partners to protect and enhance the habitat types and values in parks and open spaces by 2018
  - To identify locations for tree planting across the borough with a focus on
    1. committing to a programme which involves a net gain in trees across the borough
    2. strengthening the quality of the landscape (through planting avenues, tree groups, park boundaries and woodlands)
    3. addressing urban warming (tree planting concentrated on the south of the borough)
    4. addressing NO<sub>2</sub> (tree planting next to major roads) from 2016.

#### **Green Infrastructure Supplementary Planning Document (London Borough of Barnet, 2017)**

- 5.24 The document is currently in its draft stage and is expected to be adopted later in 2017. The document aims to provide a strategic approach to the protection and enhancement of green infrastructure which will sustainably meet the needs of residents. It should work in conjunction with this Policy to enhance the natural environment.
- 5.25 It also aims to address the urban warming and NO<sub>2</sub> concentrations within the borough by meeting targets set in the POSS (London Borough of Barnet, 2016).



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