# Douglas City Council

# Tree Management Policy

June 2025

Reference: E&R.**.***

Date: June 2025

Version: 3.0

Owned By: Parks services, Environment & Regeneration Department, City Hall, Ridgeway Street, Douglas

# 1.0 Document Control

| Version | Review date | Comment |
|---|---|---|
| 2 | 18.09.25 | P16 removed word ‘fully’<br>P37 added paragraph on Wildlife |
| 3 | 21.07.26 | Tracked changes<br>P11 provides updated summary for the wildlife act.<br>P13 added 4 best practice points aligning with strategy document<br>P13,15,17,19 added paragraph clarifying that the tree strategy is advisory or controlling regarding the operational framework for tree risk management, inspection methodology, zoning, inspection frequency, competency standards, records, priority/risk ratings and monitoring.<br>P16 removed quantified qualification to read qualified professional.<br>P18 removed policy priority table |
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# 2.0 Introduction

## Summary

2.1 Trees and hedgerows are vital features of our urban city areas. They offer one of the most cost-effective means to enhance environmental quality while delivering measurable physical, social and economic benefits. These natural assets improve air and water quality, mitigate climate change, support biodiversity, reduce flood risk and enhance public health and well-being.

Douglas City Council is committed to collaborating with stakeholders to not only preserve but expand our urban tree canopy. Increasing canopy cover is a strategic priority to counteract the pressures of urbanisation and the growing impacts of climate change.

Planning for resilient urban environments must include long-term investment in green infrastructure. Trees contribute to climate adaptation and carbon sequestration, cool urban areas, filter pollutants and regulate stormwater flows. They are also integral to local identity, landscape character and cultural heritage.

Recognising the ecosystem services trees provide is essential to valuing them as natural capital. Integrating them into policy and planning will strengthen the city's capacity to meet climate targets, support biodiversity and improve quality of life for current and future generations.

Trees are vital to human well-being and environmental resilience. However, we also acknowledge that trees can occasionally present challenges from minor inconveniences to significant risks to people and property.

As a Council, we have a legal duty of care to manage risks associated with our tree stock. This duty requires a balanced, proportionate and practical approach that weighs the extensive public benefits of trees against the costs and responsibilities of managing potential risks. We must also ensure our trees do not cause legal nuisance or unreasonably impact neighbouring properties.

This policy outlines our approach to responsible tree management. We are committed to inspecting and maintaining our tree stock in line with our legal obligations and arboriculture best practice, ensuring the safety of the public while supporting the growth and sustainability of our tree resource.

We receive many public enquiries regarding trees and will respond to these requests fairly, transparently and in accordance with the Council's resource priorities and policy objectives.

In addition to managing Council-owned trees, we hold legal powers and responsibilities to address trees on private land where public safety is at risk or where protection is in the public interest. We will exercise these powers fairly and consistently.

We are committed to keeping our policies and practices aligned with the latest arboriculture research, national guidance and policy developments. We will actively promote knowledge sharing and collaboration to improve outcomes for both people and nature.

## Scope of the policy

2.2 This policy outlines the Council's approach to managing trees within its ownership or areas of responsibility.

It also covers how the Council will respond to trees on privately owned land in two key circumstances:

- Where such trees pose a risk to public safety and the Council has legal powers or duties to intervene

- Where the Council has powers or duties to protect trees on private land in the public interest (e.g. through Tree Preservation Orders or conservation area controls).

While this policy is intended to be as comprehensive as possible, we recognise that not all situations can be anticipated. Where appropriate, the Council will exercise discretion in applying the policy to ensure the best outcomes for residents and the wider public interest.

# 3.0 Background

## The benefits of trees

3.1 Trees are essential natural assets that deliver a wide range of environmental, social, and economic benefits. Their value to urban and rural environments is both immediate and long-term. Key benefits include:

- Enhancing urban environments: Trees soften the harsh lines of buildings and infrastructure, bringing natural form and visual interest to urban areas.

- Amenity value: Seasonal changes in foliage, flowers, fruits and autumn colours enhance public spaces and create year-round visual appeal.
- Cultural and landscape character: Trees contribute significantly to local identity, character and distinctiveness, enhancing landscapes.
- Heritage and setting: They enhance the setting of historic buildings, streetscapes and conservation areas, supporting cultural heritage.
- Biodiversity and habitat: Trees support a wide range of wildlife, offering critical habitat and contributing to wider ecological networks.
- Climate regulation: By storing carbon in their biomass and soils, trees play a role in carbon sequestration and help mitigate climate change.
- Air quality improvement: Trees filter airborne dust, pollutants and particulates, helping reduce smog formation and improving public health.
- Noise reduction: In built-up areas, trees can absorb and deflect noise from traffic and urban activity.
- Temperature regulation: Trees moderate urban temperatures by providing shade in summer and shelter from wind in winter.
- Energy efficiency: Strategically placed trees can reduce the need for heating and cooling in buildings, lowering energy use and associated costs.
- Visual screening and privacy: Trees provide natural screening, enhancing privacy and masking unattractive views.
- Water management: By intercepting rainfall, trees reduce surface water run-off, mitigate urban flooding and protect water quality.
- Health and well-being: Green spaces with trees promote mental and physical health by reducing stress, encouraging exercise and supporting social interaction.
- Economic value: The presence of trees can increase property values, attract investment and enhance the appeal of an area.
- Community safety: Well-designed green spaces with tree cover are linked to reductions in crime and anti-social behaviour.

## Threats to trees

3.2 Urban environments present a range of challenges for trees, which can suffer from both adverse growing conditions and external pressures related to land use and human activity. These threats can lead to poor tree health, structural decline or even premature loss. Key threats include:

- Inadequate growing conditions: Poor soil quality, limited rooting space, soil compaction and poor drainage all restrict healthy tree development.
- Pollution and contamination: Air and soil pollution, including de-icing salts used in winter, can harm trees and degrade soil health.
- Water stress: Seasonal drought, prolonged dry periods or intermittent flooding can place trees under physiological stress.
- Infrastructure and utility works: Trenching and excavation by utility providers can damage tree roots and destabilise trees.
- Unsympathetic pruning: Poor pruning or untrained tree management can permanently disfigure trees or compromise their health and safety.
- Pests and diseases: Outbreaks, especially from non-native or invasive species, can spread rapidly and pose significant threats to tree populations.
- Climate change: More frequent extreme weather events such as storms, high winds or unseasonal temperature shifts can damage trees or alter their suitability to local conditions.
- Human activity: Vandalism, anti-social behaviour and accidental damage from vehicles or machinery contribute to tree loss or decline.
- Highway and maintenance works: Routine Road and pavement maintenance can disturb tree roots or damage tree trunks and canopies.
- Urban development: Construction and redevelopment can lead to the removal of trees or significant harm through root zone disturbance, soil compaction or accidental damage.

Trees are often affected by a combination of these factors. However, many of these threats can be prevented or significantly reduced through proactive, high-quality tree care, sustainable planning and construction practices and increased awareness and education.

## Common Law and Trees

3.3 Common law is a legal system based on custom and judicial decisions. Alongside statutory laws created by Parliament, it forms the foundation of the legal system in the Isle of Man. Common law plays a significant role in resolving disputes between landowners by defining their rights, responsibilities and liabilities.

Numerous court decisions and legal precedents under common law address issues related to trees. These include matters such as overhanging branches, trespassing roots, falling leaves, obstruction of light, and damage to people or property. Two key legal concepts in this context are *nuisance* and *negligence*.

### Nuisance

Under common law, a nuisance arises when there is an unreasonable and substantial interference with someone's use or enjoyment of their property. To be legally actionable, the nuisance must go beyond everyday inconvenience. For example, tree branches touching a building and causing structural damage may be a legal nuisance. In contrast, issues like shade, leaf litter or fallen twigs are generally seen as minor inconveniences that do not typically warrant legal or remedial action.

### Negligence

Negligence occurs when a person (such as a tree owner) has a duty of care to others and fails to act as a reasonable person would, resulting in injury or loss. This might involve failing to inspect or maintain a tree properly. However, landowners are generally not liable for unforeseeable or unpreventable incidents commonly referred to as "Acts of God" such as a healthy tree branch falling during a storm.

## Legislation

3.4 There are several Acts of Tynwald, regulatory processes and legal controls that effect the management of trees which the Council must have regard to in the Isle of Man.

#### Tree Preservation Act 1993

The Tree Preservation Act provides stringent provisions for the preservation of trees and the registration of notable trees. Almost all trees on the Isle of Man are protected. The removal of living trees or pruning of living branches from registered trees requires a license.

### Wildlife Act 1990

The Wildlife Act provides protection for wild birds, animals, and plants, and their habitats, by prohibiting their killing, taking, or destruction and by promoting their conservation and management.

### Occupiers Liability Act 1964

The Occupiers Liability Act imposes a duty on landowners to take reasonable care to avoid acts or omissions that could cause a reasonably foreseeable risk of injury to persons or property. An owner of land on which a tree stands has a responsibility for the health and safety of those on or near their land and has potential liabilities arising from the falling of a tree or branch if they are found to be negligent in their legal duty of care.

### Health and Safety at Work Act 1974

The Health and Safety at Work Act imposes a duty on employers to ensure employees and members of the public are not put at risk when managing trees, for example, by undertaking operational work in accordance with all relevant legislation, regulations, industry codes of practice and safe work procedures.

### The Town and Country Planning Act 1999 (TCPA)

Planning application approvals are granted by the Isle of Man Government Planning Department, not by Douglas City Council. However, under the Town and Country Planning Act (TCPA), the Council has a duty to ensure that, where appropriate, adequate provision is made for the preservation or planting of trees through the imposition of planning conditions. The TCPA also outlines the Council's powers and responsibilities regarding Tree Preservation Orders and the protection of trees within conservation areas.

### The Forestry Act 1984

The Forestry Act controls the felling of certain trees and woodland through a licensing process.

### Trees and High Hedges Act 2005

The Trees and High Hedges Act 2005 establish a legal framework for resolving disputes involving trees and high hedges that affect the enjoyment of domestic properties.

### Local Government (Miscellaneous Provisions) Act 1984

The Act gives powers to the Council to serve notice and if necessary, to enter land to abate a legal nuisance or risk of harm to the public.

### Highways Act 1986

The Highways Act sets out the main duties and powers it imposes under Section 2A to maintain highways maintainable at public expense. The Department of Infrastructure (DOI) is responsible for ensuring that trees within the highway boundary and trees outside the highway boundary but within falling distance of it, do not pose an unacceptable risk of harm to road users. Sections 51 and 124 empowers DCC to deal, by notice, with hedges, trees and shrubs growing on adjacent land which overhang and to recover costs.

## Arboricultural best practice

3.5 We will also have regard to current arboricultural best practice relating to the inspection and management of trees. This includes for example.

- British Standard 3998: 2010 Tree Work – recommendations
- British Standard 5837: 2012 Trees in relation to design, demolition & construction – recommendations
- British Standard 8545: 2014 Trees – from nursery to independence in the landscape – recommendations
- ISO31000 (2018) – IOM Risk Management Framework and Policy
- HSE SIM – Management of the Risk from falling trees 2007
- National Tree Safety Group - Common sense risk management of trees
- National Joint Utility Group Publication 4 – Guidance for the planning, installation and maintenance of utility apparatus in proximity to trees (2008)
- Tree Species Selection for Green Infrastructure: A guide for Specifiers 2018
- Technical Publications produced by professional bodies such as the Arboricultural Association, International Society of Arboriculture, Institute of Chartered Foresters, Trees & Design Action Group.
- National Tree Safety Group (NTSG) 2024 - Common sense risk management of trees
- Forestry Commision (Lonsdale) 2000 – hazards from trees
- Forestry Commission 2007 – Operational Guidance Booklet for tree safety management
- HSE 2013 – Sector Information Minute 01/2007/05 management of the risk from falling trees or branches.

# 4.0 Tree Risk Management Approach

## Background

4.1 The Common Sense Risk Management of Trees, published by the National Tree Safety Group (NTSG) is the nationally recognised framework for managing tree-related risk in the public interest. It outlines fundamental principles for a balanced and responsible approach to tree safety. This guidance is available for download on the NTSG website: ntsgroup.org.uk.

Our Council's approach to managing tree risk is informed by this guidance.

The Douglas City Council Tree Management Strategy, adopted as Appendix 1, is the operational framework for tree risk management, inspection methodology, zoning, inspection frequency, competency standards, records, priority/risk ratings and monitoring. Where detailed tree risk management requirements are needed, or where this Policy and the Strategy differ, the Strategy will guide and control operational decisions. Broader policy provisions on service standards, amenity, planting, planning and customer requests continue to apply.

The foundations of our risk management approach are based on the following key principles:

- Trees provide essential benefits including environmental, social and economic value that we depend on.
- The overall risk from falling trees or branches is extremely low, especially when compared to other everyday risks we routinely accept.
- It is impossible to eliminate all risk, trees are living organisms that may occasionally drop branches or fall, typically during severe weather or when obvious defects are present.
- We have a duty of care. This means managing tree risk in a way that is reasonable, proportionate and practicable.
- Risk is managed to an acceptable or tolerable level, in line with best practice and national guidance.

In everyday life, we coexist with a vast number of trees. Despite this, incidents involving serious injury or death from tree failure are exceptionally rare and they typically occur during severe weather events. Since trees provide so many vital benefits, it is neither realistic nor desirable to eliminate all risk. Instead, our aim is to manage that risk in a sensible, informed and balanced way.

## Our duty of care

4.2 We have a duty of care to manage the risks associated with our trees. This means our actions must be reasonable, proportionate and practicable in line with established guidance.

Managing tree risk involves striking a sensible balance between:

- the many valuable benefits trees provide
- the level of risk
- the resources required to manage that risk.

By taking a balanced approach, we avoid wasting resources on reducing risks that are already at an acceptable or tolerable level, especially when doing so would also diminish the benefits that trees offer.

Serious injuries or fatalities from tree failure are rare and most often occur during or shortly after severe weather events. When severe weather is forecast, individuals can reduce their exposure to increased risk by choosing to stay indoors and by remaining cautious immediately afterward.

We all have a part to play. Everyone is expected to act reasonably and take personal responsibility. If you choose to go out during or after severe weather, you are also choosing to accept some of the associated risk.

If someone spots an obvious risk feature during their day-to-day routine, they can report it to the Council. The tree will then be logged and if necessary, moved into the active assessment process for a more detailed evaluation.

## Risk Assessment

4.3 Every tree inspection will include a structured and systematic risk assessment, evaluating three key factors based on fixed definitions:

1. Likelihood of failure – determined by the tree's condition, particularly any part that could reasonably fail under normal conditions.
2. Potential to cause harm – based on the expected mode of failure and the size and/or location of the part.
3. Sensitivity of the location – reflects the likelihood and potential severity of harm, including the value of any potential targets.

These three factors will be combined to determine whether a tree presents an unacceptable level of risk, as defined by Douglas City Council's risk threshold detailed in the Tree Management Strategy. All trees will be assessed against this standard during inspections, and any tree exceeding the tolerable risk level will be identified.

Where a tree is found to exceed the acceptable level of risk, remedial works will be specified to either eliminate or reduce the risk to an acceptable level. All risk-management works will be assigned a completion timescale proportional to the level of risk involved.

Douglas City Council will maintain a works priority schedule, outlining defined timescales for each priority level. This schedule will include:

- An emergency response timeframe for urgent works, and
- A range of lower priority levels.

All risk-related works must be completed before the next scheduled inspection.

The successful completion of risk management works will be confirmed by a competent person and recorded with the date. If a tree remains after works are completed, it will be re-inspected to update its record.

If a tree is assessed to be within the tolerable level of risk, no risk-related works are required under this Policy. However, tree works may still be carried out for other purposes, such as:

- Economically preventing the development of future risks, or
- Supporting other objectives outlined in the Tree Policy.

**Tree Management by Third Parties**

When Douglas City Council owns land, but tree management is wholly or partly delegated to a third party through an agreement, the Council will seek appropriate assurance that the quality of tree management delivered is equivalent to the standards set out in this Policy—regardless of the specific systems or methods used by the third party.

To support consistent standards, the Council may offer its own systems and services to third parties on a commercial basis.

Douglas City Council will maintain a register of all third-party arrangements for tree risk management. This register will include:

- The scope and duration of each active agreement
- The land covered by the agreement
- A record of any checks or assurances regarding the quality of tree management
- The date of the next scheduled review for each arrangement

## Council staff

In accordance with ISO 31000 guidelines and principles, we adopt a structured and proactive approach to managing tree-related risk across all levels of our organisation. This includes integrating risk assessment into routine operations and encouraging continuous improvement and vigilance.

The Council employ a team of qualified arborists and employ the services of qualified service contractors when required. In addition to performing scheduled, active assessments, they also conduct observations during travel or fieldwork, continually applying their expertise to monitor tree conditions as part of their routine activities. Competency are set out in the Tree Management Strategy

## The public

We encourage members of the public to report any trees displaying obvious tree risk features. Reports can be made via:

- 'Report it' – Council website
- Contacting Parks Services team **01624 696330**
- Emailing parks@douglas.gov.im.
- Out of hours – **01624 671100**

Please note that the Council is responsible only for trees located on land that it owns or manages. If a tree with risk features is situated on land owned or managed by another party, the concern should be directed to the relevant landowner.

## Service requests

Service requests related to safety risks or legal nuisances will be assessed and scheduled according to the established priority framework for that category of work.

Requests for non-essential but desirable works that align with good arboricultural practice will be treated as lower priority and will only be undertaken where resources and capacity permit**.**

Requests for non-essential works that are not in line with good arboricultural practice will not be actioned.

The Priority and risk rating is set out in detail in the Tree Management Strategy.

### Management Systems

We are committed to maintaining robust management systems to support the effective delivery of tree works. These systems will ensure that:

- Reported risks are appropriately assessed and actioned in line with prioritisation criteria.
- A clear audit trail is maintained to document how risks have been identified, evaluated and managed.

This approach supports transparency, accountability and effective resource allocation.

### Monitoring and Review

We will continuously monitor the implementation of risk reduction priorities to ensure works are delivered effectively and in accordance with our policy framework.

Our processes will be subject to regular review to identify opportunities for improvement, enhance operational efficiency and adapt to changing circumstances or emerging best practices.

## 5.0 Tree Inspections

5.1 Our tree inspection strategy/procedures are detailed in Appendix 1: Tree Management Strategy.

These procedures are designed to:

- Manage tree-related risk effectively
- Fulfil our legal obligations
- Ensure the tree resource is maintained in line with good arboricultural practice

The procedures are currently subject to ongoing review. A summary of the current approach is provided below.

### Tree Maintenance

5.2 There is a common perception that trees require frequent and active management, particularly through regular pruning. Most trees are naturally self-optimising, adapting to their environment in ways that support balanced, stable and healthy growth. Trees do not become hazardous simply because they grow naturally or become large. In many instances, the most appropriate approach to tree management is minimal intervention.

However, there are circumstances where more active management is necessary. Trees can become dangerous**,** suffer decline or require intervention to maintain their health and condition. Examples include pruning to remove dead or diseased branches, to address obstruction or encroachment or to resolve legal nuisance. In some cases, trees may need to be removed if they are in poor condition or are unsuitably located. In woodlands or group plantings, thinning may be required to improve individual tree form and long-term structure.

As part of our inspection programme, we will seek to identify and schedule all statutory or essential tree maintenance work. Where appropriate and where resources permit, we will also address other relevant tree management issues in line with legal duties and sustainable arboricultural best practices.

Typical works may include:

- Pruning or felling trees that pose an unacceptable risk to public safety
- Maintaining adequate clearance above roads and footpaths to avoid obstruction and to ensure visibility of road signs, lighting, signals, and sightlines
- Raising low branches in public open spaces to enable grass-cutting operations and support natural surveillance.
- Addressing trees that are causing damage to property or constitute a legal nuisance**,** interfering with the reasonable use and enjoyment of land.
- Undertaking cyclical pruning or similar measures to support long-term sustainable tree management.
- Providing care for young trees, including watering, mulching, formative pruning and stake maintenance.
- Preventing or repairing infrastructure damage and maintaining surface conditions around trees in built-up areas.
- Enhancing trees' health, appearance and biodiversity value through targeted arboricultural interventions.
- Managing through appropriate thinning and felling.
- Undertaking tree and scrub works to support habitat and wildlife site management.

While most tree maintenance is planned and arises from programmed inspections, woodland management or habitat projects, additional work will also be carried out in response to:

- Incident reports and emergency callouts, such as storm damage, vandalism, or accidental impacts
- Ad hoc inspections by Tree Officers or other Council staff
- Customer service requests
- Enquiries from Councillors
- Requests from utility providers
- Tree-related work required as part of Council-led projects or infrastructure schemes

We will aim to undertake all tree work to a high professional standard in accordance with arboricultural best practice to British Standard 3998: 2010 Tree Work – Recommendations.

## Consultation on felling trees

For large-high scale tree works, we will engage with the community wherever practicable. Where appropriate, we will also carry out information campaigns to ensure widespread understanding and awareness of the planned actions.

Routine and essential maintenance such as pruning or the removal of small, unhealthy trees will proceed without public consultation.

In cases where a tree must be felled urgently for health and safety reasons, no consultation will take place and there will be no right of objection.

The council will not carry out work on private land unless we consider it necessary in exercising our duties.

## Biosecurity and Tree Health

Biosecurity refers to measures taken to prevent the introduction and spread of harmful non-native organisms, including pathogens, pests and invasive species.

The threat to trees from new pests and diseases is growing. As a responsible landowner, we are committed to following best practice and adhering to guidance provided by authoritative bodies such as DEFA and the Arboricultural Association.

## Ash dieback

Ash dieback is a serious disease caused by a fungal pathogen that affects ash trees. It spreads via airborne spores, which can travel long distances. Once infected, trees can deteriorate quickly and ultimately die. Common symptoms include shrivelled or blackened branch tips, wilted black leaves, brown veins on the foliage, diamond shaped lesions on stems and dieback across the canopy.

There is currently no cure. Environmental factors such as site conditions and surrounding tree cover can also influence the extent of infection.

The presence of ash dieback especially in its early stages does not necessarily mean that a tree poses an immediate safety risk or that it must be pruned or felled. Each case should be assessed individually,

considering the tree's condition, location, ecological value and the level of risk.

Ash is a widespread species with significant landscape and biodiversity value. Retaining ash trees, where safe to do so, supports the survival of potentially resistant individuals, sustains dependent wildlife (especially deadwood invertebrates), and slows landscape change, giving time for new trees to be established.

Given the widespread presence of ash and the scale of infection, the indiscriminate removal or pruning of all affected trees would place a considerable and unjustified financial strain on the Council. A more proportionate, risk-based approach is required.

## Our Approach to Ash Dieback

We aim to retain ash trees wherever possible. Trees will only be pruned or felled if they present an unacceptable risk to public safety, risk of damage to property or as part of planned management.

We will not remove trees solely because they are dead or diseased, unless the risk has been assessed as intolerable. Likewise, we will not carry out felling or pruning for aesthetic reasons unless there is a clear and justifiable benefit that outweighs the cost.

## Responding to Tree Enquiries and Requests for Work

All enquiries regarding trees on Council land should be directed to Parks Services at **01624 696330** or use the 'Report it' feature on the Council's website. All enquiries will receive a response within 3 working days.

We receive enquiries about trees, including complaints about tree-related issues and requests for tree work. To ensure consistency and fairness, each case is assessed individually, with decisions based on a balanced consideration of:

- Any adverse effects the tree may be causing
- The tree's contribution to the amenity of the local area and wider environment
- The health, condition and long-term sustainability of the tree in its current location
- The practicality of any remedial action and whether it aligns with good arboricultural practice
- The resources available to the Council and how they are prioritised

Given our limited resources, priority is always given to essential works particularly those that manage risk to public safety or address legal nuisance. We do not carry out works that are unnecessary, contrary to

arboricultural best practice or beyond our financial capacity, even if such works may be desirable in principle.

Requests that fall outside these criteria or conflict with the principles of this policy will be declined. In such cases, the customer will be informed of the reasons for the decision. Due to health and safety, insurance and legal considerations, members of the public and their contractors are not permitted to carry out tree works on Council-owned land.

## Common Management issues

## Overhanging branches

5.3 We do not routinely prune tree branches that overhang neighbouring properties. Exceptions may be made where the branches:

- Are dead or damaged and present an unacceptable risk of harm
- Are causing or are likely to cause an actionable nuisance for example, damage to buildings, fences, gutters or other structures or a substantial interference with the reasonable use and enjoyment of the property.

In most cases, pruning overhanging branches has only short-term benefits. Heavy pruning is not considered good arboricultural practice, as it often leads to vigorous regrowth, resulting in ongoing maintenance and increased long-term costs.

Where pruning is justified to prevent or resolve an actionable nuisance, we will carry out only the work necessary and ensure it follows good arboricultural practice.

We may also undertake pruning or removal of diseased, poorly formed or leaning trees near boundaries where there is a foreseeable risk of future legal nuisance. These works will generally be treated as low priority (Priority 3) and will depend on available resources.

This issue will also be considered during programmed management operations, such as thinning. Such works will only proceed if they are part of a planned programme and in line with management practices.

## Private Rights and Responsibilities

Under Common Law, property owners have the right to prune back overhanging branches to their boundary, but not beyond it. If the tree is protected by a Tree Preservation Order (TPO), formal permission must be obtained before carrying out any work.

Any work undertaken by private individuals should follow good arboricultural practice. Where the property owner cannot do the work themselves, they are normally expected to hire a qualified arborist at their own expense.

## Obstruction

Where necessary, we will prune trees and other vegetation to remove obstructions to roads, footpaths, public rights of way, signs, streetlights, traffic signals, sightlines or to maintain pedestrian access in public open spaces.

Standard clearances are set out in the table below.

| Clearance height | Location |
|---|---|
| 5.0m | Roads |
| 3.0m | Cycle paths, multi-user routes |
| 2.5m | Footpaths, parks and formal open spaces where pedestrian access is required. |

Wherever possible pruning will be carried out in a manner that maintains the health and natural form of the tree. In the case of hedgerows, trimming will generally be undertaken using a tractor mounted flail as part of seasonal cyclical maintenance.

## Shading and Loss of Light

We do not routinely prune or remove trees solely to improve light levels at neighbouring properties. In most cases, such pruning provides limited or short-lived benefits and often requires excessive intervention. Heavy pruning is generally not in line with good arboricultural practice, as it can lead to vigorous regrowth that may worsen the issue and result in ongoing, costly maintenance.

However, we may consider tree works in exceptional circumstances particularly where the shading is severe, persistent and significantly affects the well-being of elderly, infirm or disabled individuals who spend considerable time in the affected area.

In making such decisions, we will consider:

- The severity and extent of the shading
- The individual needs of the affected residents
- The amenity, ecological and visual value of the tree(s) to the local area and wider community

Any work undertaken must be consistent with good arboricultural practice and should provide a sustainable improvement without compromising the long-term health or public value of the tree(s). These works will typically be given a low priority (Priority 3) and will depend on the availability of resources.

### Loss of View

We do not carry out tree pruning or felling to restore or enhance private views or to improve visibility of commercial signage or advertising.

Tree works will only be considered where there is a clear opportunity to restore or enhance important public views or where doing so would provide a significant public benefit and contribute positively to the local landscape. In such cases, historical records may be consulted to help determine the appropriate level of intervention.

Any pruning or removal will only be undertaken where it aligns with good arboricultural practice and does not compromise the health or amenity value of the tree(s).

## Trees Affecting Reception (Television/Satellite) or Solar Panels

We do not prune or fell trees to improve television or satellite reception. In most cases, such issues can be more effectively resolved by relocating the aerial or satellite dish or by using a signal booster. Residents experiencing problems are encouraged to seek advice from their service provider, as these solutions typically offer more reliable and lasting results than tree pruning.

Similarly, we will not undertake tree works to improve sunlight access for solar panels. While we fully support the use of renewable energy, trees also play a vital role in mitigating climate change and providing a wide range of environmental benefits. For medium and large-scale developments, the positioning and layout of solar panels should take existing trees and their future growth into account as part of responsible site planning.

In both cases, heavy pruning or topping is not in accordance with good arboricultural practice and can result in vigorous regrowth that worsens the issue over time and leads to increased maintenance costs.

### Overhead Cables and Telephone Wires

Utility companies have legal rights to carry out work on public or private trees to maintain safe clearances from their equipment. This ensures service continuity and addresses health and safety concerns. As such,

utility providers are responsible for managing trees that impact their infrastructure. Any issues involving trees and utility lines should be reported directly to the relevant service provider, not the Council.

When utility work on trees is required, providers may need to consult with the Council. In such cases, the Council will aim to ensure the most appropriate action is taken, balancing tree health, visual amenity and overall tree cover.

## Minor and Seasonal Nuisances

We will not fell or prune trees solely to address issues caused by natural or seasonal factors. Trees often cause minor, common nuisances that are generally accepted as part of living near them. Examples include:

- Falling leaves, twigs, sap, blossoms, fruit, nuts and droppings from birds or insects
- Insects such as spiders, wasps and flies associated with trees
- Suckers or seedlings growing in gardens
- Leaves collecting in gutters, drains or on flat roofs
- Algae buildup on fences, paths or other surfaces

These nuisances are not classified by law as ‘legal or actionable nuisances’ that require tree owners to take corrective action. Instead, they are viewed as routine inconveniences, which individual property owners are expected to manage through regular maintenance.

Activities such as clearing leaves from gutters and paths and removing seedlings, are considered normal seasonal upkeep for property owners. Since falling leaves, sap and other natural debris cannot be effectively controlled by pruning, cleaning these areas is regarded as routine maintenance. Therefore, we will not prune or remove trees to address these common issues.

For trees or plants that produce poisonous fruit or foliage (e.g., laburnum or yew), we will only consider pruning or removal if there is a clear risk of harm. In cases where unsupervised children might be exposed to toxic berries or leaves, we will explore appropriate management measures to reduce danger.

## Large Trees

Concerns are often raised that trees are ‘too tall,’ ‘unmanaged,’ or ‘overgrown,’ with requests to reduce their height. However, in most cases, trees should be allowed to grow naturally to their full size and shape without unnecessary intervention.

Significantly reducing a tree's size is generally not recommended, as it can cause disease and decay in the upper canopy. This damage increases the likelihood of branch failure over time, potentially raising rather than lowering the risk of harm.

We will not prune or fell a tree simply because it is considered 'too big' for its location. Size alone does not make a tree dangerous. When assessing tree risk, we consider the tree's health, condition, growth potential and its relationship with the surrounding environment. These factors together determine if a tree is suitable for long-term retention or requires management.

We understand that residents may feel concerned about the size and proximity of trees. When a detailed risk assessment is required, we will evaluate the situation and share the results.

### Dangerous Trees

We will carefully review all reports of 'dangerous trees' based on the information provided. A site inspection or emergency response will only be carried out if there is clear evidence that the tree(s) pose an immediate or unacceptable risk of harm or property damage. This includes situations such as storm damage, visible breakage, structural defects, dead or diseased trees, or hazardous obstructions.

We will not respond to general concerns such as a tree being 'too big,' 'moving in the wind,' or 'taller than the house' unless there is additional evidence of danger.

### Personal Medical Complaints

Requests to prune or fell a tree based solely on personal medical complaints will generally not be acted upon. Work will only be considered if it is clearly demonstrated that the tree's presence is significantly harming a resident's health and if there is reasonable potential to address this without compromising good arboricultural practice. Each case will be reviewed individually, considering any supporting medical or other relevant information.

## 6.0 Damage Caused by Trees

6.1 Occasionally, trees may cause or be suspected of causing damage to property. When damage is reported from Council owned trees, we will assess the situation and decide what, if any, action is appropriate. Pruning or removal is not always the best solution and alternative mitigation options will be carefully considered.

## Root Invasion in Gardens

We do not usually prune or fell trees just to prevent roots from spreading into neighbouring gardens, as roots in gardens are natural and common. Landowners can cut roots back to the boundary, provided it doesn't threaten the tree's health or stability and the tree is not protected by a Tree Preservation Order (TPO).

Tree owners are generally not required to control root growth unless it causes a legal nuisance, such as structural damage to a building. Minor nuisances, like surface roots or suckers in lawns or flower beds, should be handled by the affected property owner as part of routine maintenance.

## Damage to boundary walls and fences

Often, walls and fences can be repaired or rebuilt to accommodate nearby trees. Solutions include adding railings, bridging lintels around tree bases or reinforcing retaining walls with ground anchors. Repairing structures is usually preferred over removing trees.

Tree removal may be considered if:

- The tree has low value.
- The tree was planted or self-sown after the structure and is in an unsuitable location.
- The structure is irreplaceable or of historical importance.
- There is a risk to public health that cannot be mitigated otherwise.

Mature trees often contribute to the historic significance of heritage sites, so a balanced approach is taken, weighing the value of both trees and structures.

## Damage to footpaths, driveways and patios

Footpaths and driveways can usually be repaired or rebuilt to accommodate tree roots, often by using deeper or reinforced sub-bases and flexible materials like gravel or interlocking stone fill. Problems often arise from poor construction, shallow foundations or lack of drainage.

Root pruning combined with improved surfacing methods can reduce future damage. Tree removal is only considered when trees are poorly located, unsustainable or causing excessive recurring damage despite proper design.

## Damage to public footpaths and infrastructure

Regular inspections and maintenance ensure public footpaths are safe, including repairing trip hazards or defects caused by roots. Sometimes this involves minor root pruning or alternative construction techniques (e.g., flexible surfacing, geotextile membranes) and adjustments to path layouts to better accommodate trees.

Tree removal in public areas is only considered when there is an unacceptable risk to public safety that cannot be mitigated otherwise.

## Damage to drains and water pipes

Trees do not typically damage well-maintained drainage systems. However, roots may exploit defects like cracks or broken seals in older pipes, causing blockages or leaks. Property owners are responsible for drain repair and may prune roots interfering with pipes. Tree removal is rarely considered unless a tree's root plate physically damages pipes or infrastructure, each case is assessed individually, balancing repair options, tree value and sustainability.

## Installation of dropped kerbs and drives

Installing dropped kerbs or driveways across pavements and verges can damage nearby tree roots or require tree removal. Property owners must apply for a licence for such crossings via IOM government, Department of Environment, Food and Agriculture (DEFA).

## Damage from falling trees and branches

The Council is only liable for damage caused by falling trees or branches if it was reasonably foreseeable and preventable. Damage from healthy trees or branches failing during severe weather is typically not covered. Claims are handled by insurers on a case-by-case basis.

## Insurance claims

If you believe you have suffered damage or injury caused by Council trees, you can report it for investigation to enquiries@douglas.gov.im or 01624 696300.

# 7.0 Anti-Social Behaviour and Trees

## Trees

7.1 When a Council-owned tree or area is linked to anti-social behaviour, we will assess the issue in partnership with the Police. To help reduce the problem, we may carry out work such as pruning trees or clearing vegetation to improve visibility or address any immediate health and safety concerns.

All decisions will be made on a case-by-case basis. Any action that could negatively affect a tree's health or its value to the community will only be taken in exceptional cases, where the benefits clearly outweigh the harm.

## Vandalism and damage to Council Trees

Vandalism to trees can have a serious impact on both the local environment and Council resources. Common forms of damage include:

- Harm to newly planted trees
- Unauthorised or inappropriate works to mature trees
- Intentional destruction, poisoning or removal of trees without permission

While some damage may be accidental, such as from vehicle collisions, deliberate harm is considered criminal damage to Council property.

We investigate all reports of vandalism or damage to Council-owned trees. Where needed, we will carry out suitable remedial work. This may involve:

- Pruning or removing severely damaged trees
- Replacing trees
- Taking other necessary safety or restorative measures

We may also pursue legal action against those responsible. Serious incidents will be reported to the police for investigation.

Attaching items such as rope swings, signs, bird boxes or treehouses to Council-owned trees without permission is not allowed. These items will normally be removed for health and safety reasons.

## High Hedges

The Council has powers under the Trees and High Hedges Act 2005 to handle complaints about high hedges affecting residential properties.

These regulations apply to hedges that:

- Are over 2 metres in height
- Consist of a line of two or more trees or shrubs
- Are mainly evergreen or semi-evergreen
- Form a barrier to light or access

They do not apply to single trees, even if they have multiple stems.

### Making a Complaint

To make a complaint, please use one of the following:

- 'Report it' – Council website
- Contact Parks Services team **01624 696330**
- Email: enquiries@douglas.gov.uk

### The Council's Role

The Council's role is to decide whether the hedge is negatively affecting the complainant's enjoyment of their property. We consider all relevant factors and aim to strike a fair balance between:

- The complainant's concerns
- The hedge owner's rights
- The wider community's interests and the hedge's amenity value

## Tree Pruning Techniques

Trees are dynamic, living organisms that continuously grow and adapt to their surroundings. In urban environments, it is often necessary to carry out pruning to address various needs, such as removing potential hazards, resolving legal nuisances, ensuring safe clearance over roads and pathways or maintaining a tree's health, structural integrity and visual appeal.

Whether we are undertaking the work ourselves or assessing proposals from others, all pruning will be carried out in line with arboricultural best practices and the guidelines set out in British Standard BS 3998:2010 – Tree Work: Recommendations.

## Types of Pruning

### Formative Pruning

Formative pruning is aimed at shaping young trees to develop a strong, healthy structure as they mature. The focus is on:

- Removing dead, diseased or damaged branches
- Eliminating potentially weak or poorly formed growth
- Managing low branches and any vigorous shoots at the base of the trunk

By encouraging a sound branch structure early in the tree's life, formative pruning can significantly reduce the need for more extensive interventions later.

This type of pruning is typically carried out using hand tools such as secateurs, loppers, pull saws or bowsaws and generally involves only small-diameter branches.

Formative pruning supports long-term tree health and ensures the tree will be structurally stable and appropriate for its location as it matures.

## Crown Lifting

Crown lifting involves removing the lower branches of a tree to create a specific clearance above ground level. This type of pruning is commonly carried out to:

- Improve access for vehicles and pedestrians
- Increase space around buildings or other structures
- Allow more light to pass beneath the tree canopy

To protect the tree's long-term health and structure, crown lifting must be carried out carefully. Over-pruning can lead to an unbalanced crown or make the tree top-heavy, which may compromise stability and overall form.

As a general guideline:

- Crown lifting should not remove more than 15% of the tree's original crown volume
- The height of the lift should not exceed one-third of the tree's total height
- Pruning should focus on small-diameter, secondary branches
- Avoid cutting large, structural limbs back to the main trunk

Minimising large pruning wounds helps prevent stem decay and preserves a well-balanced and visually pleasing canopy.

## Crown thinning

Crown thinning involves selectively removing branches from within a tree's crown without altering its overall shape. The goal is to reduce crown density and promote a well-spaced, balanced branch structure by

removing dead, diseased, weak or damaged limbs, while allowing more light to pass through the canopy.

Thinning should be minimal, typically removing no more than 10–25% of the leaf-bearing branches. Material must be taken evenly from across the crown not just the inner sections where branches are left bare near the trunk and overly dense at the ends.

Many tree species develop their canopy density as an adaptation to light and wind conditions. Poorly executed or excessive thinning can disrupt this balance, increasing the risk of branch failure due to greater wind exposure and turbulence. If reducing wind load is the main objective, crown reduction which shortens branches to reduce leverage is usually the more appropriate method.

## Dead-wooding or crown cleaning

This operation is like crown thinning but focuses solely on removing dead, diseased, weak or damaged branches. The aim is to enhance the tree's health and appearance while reducing the risk posed by falling debris. Branch dieback and shedding are natural parts of a tree’s life cycle and deadwood often serves as valuable habitat for various plant and animal species.

Deadwood removal is generally only recommended when it poses an unacceptable risk or when necessary to maintain the tree's overall health and structural integrity. Care must be taken during removal to avoid damaging living bark or sapwood, as such injuries can allow decay or disease to enter otherwise healthy tissue.

Crown cleaning may involve the removal of deadwood but also includes eliminating harmful materials such as invasive climbing plants, foreign objects like wires, clamps, or other attachments that may compromise the tree's condition.

### Crown reduction and reshaping

Crown reduction involves reducing the overall height and spread of a tree’s crown while preserving its natural shape. This is typically achieved by pruning the outermost branches and leaders back to suitable lateral branches capable of taking on a terminal role, ideally, these laterals should be at least one-third the diameter of the pruned stem.

The procedure is commonly used to:

- Retain trees in confined spaces
- Maintain safe clearances from buildings or structures
- Balance an uneven or asymmetrical crown

Crown reduction can be applied to the entire crown or limited to specific sections or branches as needed.

The key objective is to maintain or create a well-balanced structure by pruning back to appropriate branch junctions, while limiting the amount of leaf area removed. The acceptable volume of removal will vary based on the tree's species, age and capacity to recover from the pruning.

This operation should not normally be combined with other pruning techniques, as excessive leaf loss and wounding can negatively impact the tree's health.

Although crown reduction is often expressed as a percentage, it's important to specify the actual dimensions involved, such as the intended reduction in height or spread (e.g., a 30% reduction on a 10m tree equates to removing approximately 1.2m from the outer crown).

General guidelines include:

- Up to 30% reduction may be suitable for semi-mature trees
- A reduced volume to between 15 - 20% is recommended for mature trees, to minimise stress and long-term decline

Pruning should focus on small-diameter branches (not exceeding 75mm). Cutting into major structural limbs or older wood should be avoided, as this can cause permanent damage, compromise the tree's form and lead to excessive regrowth. Over-pruning often results in dense, weak shoots that increase maintenance needs and reduce the tree's long-term stability and health.

## Pollarding

Pollarding is a traditional tree management technique originally developed for use in grazed landscapes, where trees were pruned at a height above the reach of livestock to allow for periodic harvesting of timber or fodder. In modern times it has been adapted for managing certain urban trees, to restrict height and spread while maintaining a dense canopy of foliage.

The process begins by cutting back a young tree to establish a framework of scaffold branches. From this framework, a dense head of shoots develops, which are then regularly pruned back to the original pollard points. This cycle of cutting is typically repeated every one to five years, depending on species, regrowth rates and site-specific management goals.

In Douglas, traditional pollards are rare, and only specific tree species are suitable for this intensive form of pruning. Pollarding is highly specialised and labour-intensive, requiring consistent and long-term maintenance to retain the tree's health and structural integrity.

This method is generally not appropriate for mature trees that have not been previously managed as pollards, as initiating pollarding on such trees can lead to stress, decay, and structural failure. However, in some cases, pollarding may be used as a last-resort management option for trees in severe decline, particularly those that have suffered extensive dieback and are no longer structurally stable.

## Monolithing

A monolith tree is created by intentionally removing the entire crown of a tree, reducing it to the main stem or short limb stubs. This technique is typically reserved for trees in severely declining or unsafe condition that would otherwise require full removal.

The purpose of creating a monolith is to preserve the standing trunk as a valuable ecological feature. These retained stems provide important habitat for a range of wildlife, particularly species that rely on decaying wood, cavities and standing deadwood.

Monoliths should be regularly inspected to monitor their structural stability and ensure they do not pose an unacceptable risk to people or property.

## Topping

Topping refers to the drastic cutting back of a tree, often involving the removal of most or all major branches to significantly reduce height. This practice is widely regarded as poor arboricultural technique, as it severely compromises tree health and structure. Topping often results in a shortened lifespan or even the death of the tree.

The large wounds created by topping make trees vulnerable to decay and disease, while the rapid regrowth that follows typically consists of weakly attached shoots that are more prone to breakage as they mature. This can lead to ongoing safety risks and the need for repeated intervention.

When height reduction is necessary, a properly executed crown reduction is the preferred method, as it maintains tree form and health while reducing overall size.

In cases where a tree has already been topped, it may be necessary to prune back to the previous topping points to reduce the risk of branch failure and allow for safe retention.

For trees in poor health or structural condition that pose a risk but still offer ecological value, monolithing may be a suitable alternative to complete removal, preserving habitat while managing risk.

## Coppicing

Coppicing is a traditional tree management technique used to produce a sustainable supply of small-diameter timber. It involves cutting a young tree down to just above ground level, encouraging the growth of multiple new shoots from the base. These new stems are then cut back on a regular cycle, typically every 5 to 7 years to just above the height of the previous cut.

Coppicing is usually carried out to maintain trees that have already been managed in this way, but it can also be used to revive overgrown hedgerows or regenerate trees that have become overly tall, leggy or poorly structured.

## Tree Stumps

When a tree is felled, an appropriate stump management method will be selected based on the intended future use of the site and the potential benefits or drawbacks of each option. Factors considered may include safety (e.g. trip hazards), pest or disease control, aesthetics, space requirements for replanting or landscaping and site access.

Stump removal or treatment methods may include:

- Stump grinding (to below ground level using machinery)
- Manual or mechanical excavation
- Winching
- Chemical treatment
- Leaving the stump in place

Many broadleaf species and some conifers are capable of producing vigorous regrowth from stumps, this may be desirable; however, if unmanaged, these shoots can mature into trees similar in size to the original. The decision on whether to allow or prevent regrowth will depend on site objectives.

Where chemical treatment is used, it is typically applied directly to the stump surface immediately after felling. All herbicide applications will follow manufacturer guidelines and be carried out with extreme care, particularly where there is a risk of exposure to nearby plants, people, pets or livestock.

Stump grinding is often preferred over excavation due to its lower impact on surrounding areas. Any resulting void should be backfilled appropriately to prevent trip hazards and accommodate future site use.

In some cases, stumps may be retained to serve ecological purposes providing habitat or for use as sculptural or carved features within the landscape.

# 8.0 Tree planting

8.1 As part of the Council's approach to managing its tree resource, we are committed to planting new trees both to replace those lost and to increase overall tree cover. Expanding tree cover enhances local amenity, supports biodiversity and strengthens ecological and climate resilience.

We aim to increase tree cover by planting on Council-owned land and by working in partnership with communities, landowners and other organisations to encourage and support wider planting efforts.

Priority will be given to planting sites that deliver the greatest public and environmental benefit, particularly in locations where tree cover is currently low, of poor quality or has been impacted by diseases such as Ash Dieback.

## Species selection

We are committed to planting the right tree in the right place, considering site conditions and the long-term growth characteristics and form of each species.

When selecting and positioning trees, careful consideration will be given to their ultimate height, canopy spread and growth habits, ensuring they remain suitable for their surroundings over time. We will also assess factors such as the production of fruit or berries**,** shading effects and pendulous branching, which may render some species unsuitable for locations.

Physical and environmental conditions will be assessed to ensure compatibility between species and site. This includes evaluating soil type**,** drainage**,** exposure**,** pollution levels and local climatic conditions, alongside the tolerances and ecological requirements of the chosen species.

To enhance resilience and reduce vulnerability to pests and diseases, we will avoid monocultures and favour species diversity in planting schemes.

Where appropriate, we will prioritise native species characteristic of the Isle of Man for their value to biodiversity and contribution to nature recovery. This approach will be especially emphasised around the Council areas in natural green spaces and wildlife corridors. In more formal settings, native species or suitable ornamental cultivars may be used where they align with design and landscape objectives.

We will also plant selected non-native trees in urban situations where appropriate, either for their aesthetic qualities as specimen trees or because their growth characteristics and other adaptations make them

better suited to urban conditions. Examples include species which are tolerant of dry or wet soils, wind conditions, air pollution, sea salt, road salt and other urban stresses.

When restocking areas following felling operations or storm damage, we will utilise natural regeneration wherever it is appropriate to support the sustainable recovery of ecosystems.

### Replacement trees

Where trees are removed, we will seek to plant replacements at or near the original location, where site conditions allow and resources permit.

### Specification and aftercare

Tree planting will be undertaken in accordance with good practice and with reference to British Standard 8545: 2014 Trees.

## 9.0 Trees and development

### Planning applications

Under the Town and Country Planning Act (TCPA), the Council has a duty as a consultee to ensure that, where appropriate, adequate provision is made for the preservation or planting of trees through the imposition of planning conditions.

### Development by the Council

When carrying out development on its own land that may affect trees, the department responsible for the work will engage with the Council's arboricultural professionals at an early stage in the process to ensure that effects on trees are fully considered and that good arboricultural practices are adopted. We will follow the guidance contained in:

- British Standard 5837: 2012 Trees in relation to design, demolition & construction – recommendations
- National Joint Utility Group Publication 4 – Guidance for the planning, installation and maintenance of utility apparatus in proximity to trees (2008).

### Trees & Utilities

Trees are vulnerable to damage during the installation or maintenance of utility infrastructure, both above and below ground. This can include root severance or the pruning of branches to maintain required clearances for essential services.

Utility providers supplying water, gas, electricity and telecommunications hold statutory powers under various Acts of Tynwald to carry out necessary work on or near trees as part of their service operations.

The Council will work collaboratively with utility providers and follow best practices as outlined in the National Joint Utilities Group (NJUG) Publication 4: Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (2008), and *Trees and Telecommunications* (2022), published by the Association of Tree Officers.

## Tree Preservation Order

In the Isle of Man, the Department of Environment, Food and Agriculture (DEFA), has the power to protect trees by making a Tree Preservation Order (TPO) if they consider it to be expedient in the interest of amenity. They also have a duty to make TPOs as they consider necessary in connection with the grant of planning permissions. Trees are also protected if they are in a conservation area.

You can view an interactive map of TPO's on DEFA's website:
Island Environment

## Other factors constraining work to trees

### Tree and High Hedges Act 2005

Under the Tree and Hedges Act 2005 it is against the law to remove most high hedges without the permission of DEFA. The act does not apply to garden hedges and do not apply to works required for carrying out development for which planning permission has been granted.

To obtain permission to remove a tree or high hedge, you must write to DEFA. It is advisable to speak to DEFA arboricultural officers before you formally seek permission to remove a tree or hedge.

### Birds

Under the Wildlife Act 1990 it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Tree work involving tree removal / reduction and hedge cutting operations should not normally be undertaken during the bird nesting season, which is from 1st March to 31st August without a nest survey carried out by a competent person.

### Bats

Bats are a European Protected Species and are protected under the Wildlife Act 1990. Causing damage to or destroying a roost site is a criminal offence which can lead to imprisonment or fine. Trees with suitable features such as holes, cracks, crevices and dense ivy should be risk assessed for their ability to support bats, prior to any works

commencing on the tree. Trees, in DCC ownership, displaying signs of roosting bats will be referred to our Arborist team before any work commences. Any trees supporting roosting bats will not be worked on until due process has been followed and a license acquired if necessary.

### Wildlife

Wildlife includes the presence of protected or sensitive species that depend on trees for habitat, shelter or food. Small mammals or insects may inhabit the branches and surrounding vegetation. The risk of injuring or displacing wildlife can raise ethical concerns and necessitate the involvement of ecologists or wildlife specialists to assess and mitigate impacts before any work proceed.

## 10.0 Appendices

Appendix 1 – Tree Management Strategy