

Ash Dieback DISEASE

A GUIDE FOR LANDOWNERS

Cyngor Sir Gâr
Carmarthenshire
County Council



What is ash dieback disease?

Ash dieback is a fungal disease spread by airborne spores. The fungus (known as *Chalara* or *Hymenoscyphus fraxineus*) attaches itself to the leaves of ash trees and spreads through to the branches, causing the tree to die. Dead branches and entire dead trees can become very brittle and fall, posing a serious risk to the public that must be addressed.

Symptoms of the disease are usually first apparent in the crown of the tree, with leaves turning black and falling in late summer rather than autumn, there can also be visible lesions above and below the point where the branches join the trunk of the tree.



Lesions above and below a small branch on a young tree

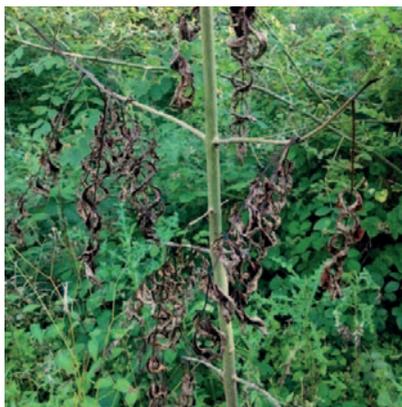
Ash dieback is a serious issue for councils and landowners across the UK, it is estimated 90% of ash trees could die

from this disease with currently no known treatment.

What is the council doing about ash dieback?

A lot of work is being carried out and a high number of officers have been trained to recognise the disease.

We are focusing on trees that pose a risk to the public, whether these are on land owned by the council or on privately owned land. We are making sure that tree safety surveys carried out on our own land (for example in schools, car parks and housing areas) are up-to-date and that any necessary works highlighted in these surveys is carried out. We are also working to raise awareness of ash dieback disease, advising land owners of their responsibilities, and are



Ash leaves on affected trees turn black and fall in late summer rather than the autumn

working with the National Farmers Union, the Farmers Union of Wales, the Country Landowners Association and Natural Resources Wales.

Your trees and your legal responsibility

All trees on privately owned land are the responsibility of the landowner or tenant. Under the Occupiers' Liability Act 1957 and 1984 and the Health and Safety at Work Act 1974 land owners have a legal requirement to ensure that all trees on their land are maintained to a safe standard and do not pose a risk to the public.

If a tree with obvious defects causes damage to people or property when it falls, or its branches fall, it is highly likely that the land owner could be legally liable for such damage. It is important that landowners take appropriate action to assess the risk posed by all trees on their land, including trees on boundaries, that are in a poor condition.

The risk presented by a tree in poor health or with dead or dying branches depends on its location as well as its condition. Trees in poor condition close to areas of high use (for example, main roads) will pose a much higher risk than trees in fields, hedgerows and woodlands away from houses and public rights of way.

Landowners are advised to employ a qualified arborist accredited by The Arboricultural Association to survey their trees.

What to look out for:

- Trees with more than 50% of ash dieback at the crown, that are within falling distance of a public highway.
- Trees with less than 50% of ash dieback at the crown with additional signs of weakness; such as fungal infections, or cavities at the base of the tree and are near the highway.
- Trees with less than 50% of ash dieback at the crown, but with some very large dead branches that overhang the highway.



Branches on this ash tree are showing signs of ash dieback disease

Highway safety

Under the Highways Act 1980, the council has a legal duty to make sure the highways are maintained to a safe standard.



A dead / dying tree next to the highway and on a junction is relatively high risk

As a result, we can make formal requests to landowners to remove or cut back trees which are a risk to the public. It is advised that:

- Trees on main roads with a high level of usage which have lost 50% or more of their canopy or which are showing other signs of failure at the base of the trunk (for example, other fungal infections or cavities) should be removed as a precautionary measure if within falling distance of the highway, due to the risk posed and potential fast rate of decline of some ash trees.
- Healthy trees should be monitored annually to check for infection.

Due to the large number of trees along our highways that are showing symptoms of the disease, if our survey

indicates that an ash tree is showing at least 50% of ash dieback, an advisory letter will be sent to the landowner recommending that the tree should be felled. If felling is not carried out within a year, a formal letter will be issued.

Where a tree has crown dieback exceeding 75%, or where it poses a more immediate risk, the formal four stage legal process under the Highways Act will be initiated.



A tree that has lost 100% of its canopy. If it is a risk to the public or property it should be removed

Felling trees adjacent to the highway

If you need to fell trees that could potentially fall on to or across the highway or cause any other danger to highway users then you must employ a qualified traffic management contractor.

They will set up a temporary traffic management system to ensure that the safety of motorists and pedestrians is managed appropriately during the tree safety works. Landowners can be held liable and can be prosecuted for any injury caused to the public as a result of any works they have instructed / carried out. If a road closure is required to carry out the works, landowners will need to apply to the council's highways section for a road closure, information can be found on the council website under Travel, Roads &



Many trees with ash dieback will be unsafe to climb and will have to be felled using elevated platforms

Parking. A well-qualified and experienced tree surgeon will be able to advise you with regards to the necessary arrangements that you will need to make with regards to highways safety.

Tree felling licences

Natural Resource Wales (NRW) is responsible for administering felling licences and the Forestry Act (1967) sets out the legislation associated with tree felling. Trees in gardens, church yards and public open spaces are exempt from this legislation.

Felling diseased ash trees requires a felling licence from the Forestry Commission, unless the trees are dead or pose a real and immediate danger. Full guidance on the management of individual ash trees affected by ash dieback can be found on the website.

NRW may investigate incidents of tree felling where

a felling licence has not been issued and will take enforcement action where there is no obvious exception available. You are advised to contact NRW to discuss whether you will need a felling licence before carrying out the works. email: fellinglicence@naturalresourceswales.gov.uk or call: 0300 065 3000.

Tree Preservation Orders (TPOs) and trees in conservation areas

If you wish to carry out works to a tree which is the subject of a TPO you will need to apply to the council for consent; and you will need to give notice before carrying out any work on trees which are in a conservation area. You can apply for consent to carry out works on trees under a TPO or in a conservation area on the council website.

What should I do with the timber from a felled tree?

There are no restrictions on the movement of the timber. If the timber is unaffected larger sections can be planked and used for joinery and smaller sections for wood-turning; or small branches can be left for wildlife habitat. Affected timber is darker in colour and very brittle and is suitable for firewood.

Wildlife

Mature ash trees with holes and crevices may well support bats and nesting birds and possibly dormice, all of which are protected by law. While emergency felling may be necessary in some cases, it may take a year or more for an infected tree to become dangerous, so felling can be planned for the autumn and winter months which would help to reduce any negative impact on wildlife.

Avoid felling during the bird nesting season, approximately late February to early August.

Emergency felling of trees that contain cracks and crevices and might support bats should make use of 'soft felling techniques', that is, leaving the felled sections on the ground for 48 hours after felling to enable bats and other wildlife to leave the timber. There may also be other options to felling the entire tree, for example, it may be possible to retain the



Bats can be found in crevices in trees throughout the year

trunk, and this could be of great value to wildlife.

Felling ash trees in habitats that support dormice is best undertaken during the winter between November and February to minimise any impact. Woodland, scrub, hedgerows and bramble provide suitable habitats. Sites where large amounts of ash trees are to be felled should be discussed with NRW's species licensing team.

Replanting

There will be a need for new tree planting to compensate for the loss of ash trees in the county and the council will be actively seeking funding to support re-planting projects. Tree planting information and advice can be found on the Woodland Trust and The Tree Council websites or contact our Coed Cymru officer Gus Hellier at GHellier@carmarthenshire.gov.uk or call 01558 825303.

Further information

Carmarthenshire County Council - carmarthenshire.gov.wales

Natural Resources Wales - naturalresources.wales

The Arboricultural Association - trees.org.uk/find-a-professional

Forestry Commission - gov.uk/government/organisations/forestry-commission

The Tree Council - treecouncil.org.uk

Woodland Trust - woodlandtrust.org.uk

Bat Conservation Trust - bats.org.uk