



## Thinning and felling



## Urban Woodland Management series

This guide is one of a series produced by the Woodland Trust, the UK's leading woodland conservation charity, as a resource for managers creating or managing urban woods. These *Urban Woodland Management Guides* are based on the Trust's many years' experience of managing such sites across the UK and have been written by experienced urban woodland site managers.

From a management perspective, 'urban' woods are probably best defined as those that suffer a high level of public use and misuse. These pressures are often no different to those in any other wood with public access. However the key difference between urban sites and those in more rural situations is both the sheer scale of pressure and the public's expectations of site management.

Woods can be used not only for informal recreation but also as children's playgrounds and as through routes to shops, work or school. Due to their proximity to housing, minor encroachments, garden dumping, vandalism and complaints about weeds can become commonplace. This can result in high workloads and loss of motivation for site managers and high management costs merely to maintain the status quo. These guides outline strategies that the Woodland Trust has implemented to deal with such problems with both proactive and reactive approaches.

The Trust welcomes feedback on these guides, including different approaches you or your organisation may have tried, so that the contents remain as relevant and up to date as possible. Please e-mail the Trust at:

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Copies of this guide and others in the series can be downloaded from the Trust's website: **[www.woodland-trust.org.uk](http://www.woodland-trust.org.uk)**

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## Introduction

The basic principles for planning and implementing felling operations in urban woodland are exactly the same as those for any woodland. However the nature, location and, perhaps most importantly, the presence of people in and next to urban woodland can present many challenges for the site manager wanting to carry out such operations.

We have assumed that the reader is knowledgeable of woodland management, understands when and how to carry out thinning and felling operations and is aware of the relevant planning and legal requirements. This guide highlights issues that need to be given particular consideration in the urban situation and that may differ from the rural location.

## The challenges

### Location and size of sites

Urban woodland, particularly within towns and cities (as opposed to the urban fringe) tend to be small and isolated from one another. This means that economies of scale may be difficult to achieve with operators having to spend a considerable time travelling from one site to another to create viable timber parcels. Lack of secure timber-stacking areas and space for turning vehicles may also be a problem.

Any mature woodland in the urban environment is usually an important and highly valued landscape feature. This, coupled with the challenges that can be associated with planting trees in the urban environment (see *Urban Woodland Management Guide 4: Tree Planting and Woodland Creation*), means that extensive clear felling should be avoided wherever possible. However the small size of most urban woods reduces the silvicultural options and clear felling may be required for safety reasons, for example to remove a potentially unstable stand. This is often the case for narrow strips of woodland with housing on either side where group felling may be impractical.



◁ Mature woodland in the urban environment is a highly valued landscape feature.

## Timber quality

Although there is no reason why good quality timber should not be grown in urban situations, past management objectives for the wood usually mean that the quality of timber being removed is likely to be low. Even with apparently reasonable quality hardwood, buyers may be put off by a real or perceived risk of metal embedded in the timber. Any timber income, unless you are very imaginative in your marketing, is unlikely to offset your costs significantly.

## Management access

Reasonable access for machinery and timber extraction is a fundamental requirement for any felling operation. Securing legal rights for this at the time of site acquisition is crucial, and it needs to be vigorously protected over the years. As the surrounding land is developed, it is all too easy for such access to be compromised by reduction of width or inappropriate surfacing, weight and height constraints or even blocked altogether making effective management of the woodland extremely difficult.

Your access will, in the vast majority of cases, be over someone else's land. In the rural situation this may be a farmer's field and the only re-instatement required would be to blade over any ruts. In urban areas you may have to take machinery over closely mown grassland, along surfaced footpaths or even across flowerbeds. Expectations, and thus costs, for re-instatement are likely to be much higher.



◁ Management and pedestrian access is often shared.

## Services

Almost by definition, there will be a large and complex number of services – electricity, water, gas, telephone, cable TV – crossing an urban wood, running close to its boundaries or on management access routes. Any service maps you have may quickly become dated, particularly if there is a large amount of new development in the area. It is important that you or your contractors always obtain up-to-date information on services and that this information is incorporated into the Site and Operational Risk Assessments.



◁ Felling operations can look fairly drastic to the public.

### Public perceptions

Felling or thinning operations can look fairly drastic to members of the general public. What was a quiet, tranquil wood is now full of large, noisy machinery making a mess and cutting down trees. Even when the operation is over, the wheel ruts, mud and brash can look unsightly for a year or two. You must inform the public of what you are doing and plan any reinstatement before starting work. If you fail to do this, at best you will receive numerous concerned phone calls and lose support or at worst the degraded and neglected appearance of the wood could attract fly-tipping or more serious forms of vandalism.

### Local community

Urban woodland will usually have plenty of neighbours (often residents) and high levels of public access. Clearly the health and safety of these people, as well as your contractors, is of paramount importance. The path you want to close temporarily may not only be a route for walkers, but also the way to school, work or the shops. Warning signs may be ignored or even removed, and the actual felling operations may attract interested people into the work area, particularly if you are using 'unusual' machinery such as harvesters. Young people can be a particular problem, with timber stacks and unattended machinery being tempting, if highly dangerous, playgrounds.

As well as health and safety, other issues have to be considered if you have residential neighbours, such as the noise from machinery outside normal working hours and not blocking a road with large haulage vehicles during the main rush hours. Even mud being left on the road or the peace of a quiet cul-de-sac being disturbed by lorries can result in angry phone calls.

You and your contractor must be aware of these issues before work commences and agree ways to mitigate all of these potential problems through carefully considered Operational Risk Assessments and working practices.

## The opportunities

Tree felling or thinning in the urban environment does have its opportunities. In addition to silvicultural benefits and improvements to the woodland habitat, a number of other benefits can be gained through thinning and felling operations and should also be considered.

### Making woods more attractive and less threatening

Woods can be perceived as dark, forbidding places particularly closely planted conifers. Thinning woodland makes it more open and inviting, and can change people's views. Consider opening up areas along paths and creating sight lines so walkers can see a reasonable distance ahead and to the side of paths.

In predominantly conifer woodland, brashing along with thinning can be very effective. Creating sight lines from paths and nearby housing can make areas less attractive to youths as gathering places, which some people find intimidating (see *Urban Woodland Management Guide 1: Damage and misuse*). However, remember that removing too much vegetation along garden boundaries can lead to complaints about loss of security.

### Felling trees close to gardens

The most common complaints from householders living next to urban woodlands is that trees cause shade and drop leaves, or their concerns about tree safety. Harvesting offers the opportunity to take the tree line back from garden boundaries, reducing (although not eliminating) the problems and creating a more natural, graded woodland edge that can benefit wildlife (see *Urban Woodland Management Guide 3: Complaints and queries*). Such action however needs to be considered carefully. Expectations may be raised unrealistically and sometimes the most significant and important trees in the wood are along the boundaries, particularly if they follow old hedge lines.

Another difficulty is differences of opinion. While Mr Smith might be delighted for trees to be taken back from his garden fence, Mrs Jones next door may be horrified. Clearly mark with a temporary marker (such as tree tape) all the trees you intend to fell along garden boundaries well before starting the work. In any pre-operation communications with your neighbours (see *Planning the operation: Informing the neighbours*, page 13), give people the time and opportunity to comment on whether they are happy with the removal of the trees you have marked next to their garden.



< Felling and coppicing trees along garden boundaries can benefit wildlife and reduce complaints and future tree safety costs.

### Local markets

The management constraints imposed by urban woodland and the low quality of the timber means that it is highly unlikely that you will make any profit from timber sales, or even cover a significant proportion of your costs, from conventional timber markets. However, with a little work and some imagination, you might have access to some more specialised local markets such as crafts.

You could consider adding value to the timber by processing on site. Fencing materials, for example, could be sold to a local garden centre or used elsewhere in the wood. Making rustic garden furniture on site can quickly turn a few relatively 'worthless' poles into a garden bench worth a reasonable amount. If you are chipping the lop and top, this could be sold to a garden centre, used on site or offered to a local community project. Having an annual sale of timber or timber products from a central yard may also be an option. The demand for firewood is far less than in the past as most urban areas are smokeless zones, but this is not always the case so may offer another opportunity.

These markets may give you more income or could be a way of allowing local businesses and communities to benefit from the wood. Volunteers, wishing to raise money for community projects, could do some of the processing and adding value. Offering some of the woodchip to your neighbours might help build relationships for the future.

### Education

The harvesting operation may be an opportunity to inform, educate and involve people in the wider principles of woodland management, particularly if you are producing products for the local community.

Most members of the public especially the urban-dweller have little, if any, knowledge or experience of woodland management. The idea of cutting trees down to benefit woodland is sometimes a difficult concept to grasp. To avoid unnecessary concern, it is important to explain clearly and simply what you are doing and why so people understand.

*‘Growing trees is a rather like growing a row of carrots, but it is done over a much longer timescale. The carrots are sown at quite a high density and are then respaced once they have germinated and established. If you failed to respaced them, you would still have some carrots, but they would compete with each other for space and nutrients. The result would probably be a sickly looking crop at the end of the season. The ‘season’ for trees in woodland is measured over decades, or even centuries, but the principle is the same.’*

## Planning the operation

As with all forestry operations, the key to success is effective planning. Wherever you are felling a large number of trees need to be considered but in the urban context, where woods are small and heavily used, a far greater level of planning and consultation is required. This can take a long time; for large operations you should be considering these issues at least 12 months before work on site is due to commence.

### 1. Designations and protected species

Always check for any relevant designations. Tree Preservation Orders and Conservation Area designations are more common in urban areas than in the countryside. Also remember urban woodland can have statutory conservation designations such as Site of Special Scientific Interest (SSSI) or local, non-statutory notification such as Site of Importance for Nature Conservation.

Check you will not be disturbing any protected species and that appropriate permissions are obtained. For all felling operations you will also need a felling licence from the Forestry Commission.

## 2. Felling programme

Due to the poor quality of the timber and small scale of the operations, it is often worth ‘clumping’ harvesting works together so economies of scale can be maximised and the overall package on offer to the contractor is as attractive as possible.

Also consider the sequence of operations. Site managers will often specify that awkward, low-quality compartments are completed first, before allowing the contractor into the higher quality (and possibly more lucrative) areas. This can be a good approach if you are concerned about the contractor’s motivation to produce a high standard of work in the poorer quality compartments.

## 3. Management access and timber stacking

Urban woodland often suffers from poor access for management. In some cases there is none at all, or it may be inadequate, either too narrow for the larger harvesting machines or the approach road is unsuitable for timber lorries. The type and quality of management access will be one of the most important factors in determining the method and productivity of the harvesting operation.

The woodland may have become landlocked over time with the only access being over someone else’s land; this could be anything from metalled footpaths or roads to maintained grass verges or flower beds. Permission from the owner must be sought where this is the case and any reinstatement work agreed prior to undertaking the work. Even where you have a legal right of management access, it is advisable to talk to the owner beforehand to ensure that there are no misunderstandings.

Management access may be via the same entrance as the public and, again, a high standard of reinstatement will be required. Extraction routes often follow or cross footpaths within the wood and consider, where possible, creating a separate route to minimise this conflict. It is essential to record the condition of all access and extraction routes prior to starting work. Taking photographs, ideally using a camera that records the date on each picture, is a simple and effective way.

Timber stacking areas must be considered at the planning stage. Space for this may be limited, and it is often not feasible to have a separate stacking area for each block of woodland. A central stacking point may be required where the timber from each stand can be stockpiled. This could be a sufficiently large area within another woodland block or an industrial yard hired for the purpose. A few local authorities are piloting the use of ‘timber stations’ and this may be an option

if you have one in your area. To minimise the area required, it is advisable to set up a 'hot logging' system, where the timber haulier removes loads as and when they appear at roadside.



◁ It is common for urban woodland to become landlocked and timber stacking space to be severely restricted.

### Timber extraction

The scale and type of machinery used should match the site and operation requirements. Speed is often important in urban woodland, but harvesters and large, purpose-built forwarders are not necessarily best suited to the work. Smaller machines may well be more suitable, although slower and possibly more expensive. Motor manual felling and horse extraction for example may prove to be an option, certainly for the small-scale operations. Not only will ground damage be less but also safety zones greatly reduced.

Using horses for extraction always generates interest. A public event where the contractors can demonstrate the harvesting operation will help the local community understand this aspect of woodland management. This approach may bring benefits but it will mean more work and planning. The horses for example will need grazing and somewhere to stay overnight, and any public event, especially if centred on tree-felling operations, will need careful and thorough risk assessment.



◁ The machinery used should match the site and operation requirements.

## 4. Felling to waste and ring-barking.

In some cases, especially when markets are low, it may be an option to thin to waste (felled timber is not extracted) to remove the problems of poor access and limited stacking area. It is important to consider the costs-benefits of such an approach.

Benefits include:

- Often cheaper than extracting and selling timber, if timber prices or quality is low and access is difficult
- No extraction or other site damage from large machinery, therefore less time constraints from wet weather, etc
- Unwanted access is not encouraged by creation of new routes
- Relatively easy and simple to organise
- Biodiversity benefits from more dead wood and nutrient recycling

Costs include:

- Potential future vandalism problems with cut timber being moved, rolled down slopes, etc
- Large logs may create an attractive gathering area for youths
- Future fire hazard
- Site will look 'messy' and may be perceived to be neglected leading to increased levels of misuse
- Potential reduction in biodiversity if large areas of ground flora suppressed



◁ Timber felled to waste is likely to be used by young people.

Some of these problems can be reduced by specifying that the timber is left in pole lengths or if possible, chipped with the chippings being utilised or spread evenly across the ground to reduce the risk of fire. Alternatively cut timber could be used on site to define footpaths or construct fixtures such as seats or footbridges.

Ring-barking may be an option where extraction is difficult. The benefits of ring barking are the same as those for felling to waste, and biodiversity benefits may be greater due to the production of more standing dead wood.

Potential 'costs' include:

- Tree safety issues – dead standing trees could not be left near paths, roads or housing
- A large number of dead crowns in the canopy may look unattractive if the woodland is prominent in the landscape
- Future thinning or felling operations will be made more difficult if there is a large number of dead standing trees

Due to these constraints, it is unlikely that ring-barking will be a viable option in most urban situations. However, for small, inaccessible stands on larger woodland estates, it is certainly worth considering.

## 5. Lop and top

The treatment of lop and top also needs to be considered. If left on site, it looks unattractive, is a fire risk and can encourage dumping of garden waste. The severity of the problem depends on the location of the site and tree species involved, but chipping, at least along paths and boundaries, may well be necessary.

Where large volumes of chips are being produced try to utilise these as informal path surfacing, etc or perhaps as part of the reinstatement works. If however no internal use or market is available, the chips should be spread evenly and not heaped to avoid creating a potential fire risk and causing damage to flora, particularly at ride edges.

For larger sites, or where chipping is too expensive, mulching (using a specialist machine pulled by a powerful tractor unit) may be the best and cheapest option to reduce the quantity and depth of brash and to produce a suitable medium for planting.

## 6. Informing neighbours

It is advisable to inform and consult with neighbours, the local community and council well in advance of any urban woodland operation. Potential problems can

be sorted out and it provides an opportunity to inform and educate the local community about the management of ‘their’ wood.

It is good practice to emphasise that any work has the approval of the Forestry Commission through a felling licence and, if covered by a Tree Preservation Order or within a Conservation Area, the local authority. If a member of the public is concerned, it is likely that the first point of contact will either be the local authority or the Forestry Commission. Ensure that whoever may have to answer these calls is aware of the situation so that they can respond without needing to refer the caller to anyone else.



◁ It is essential to talk to your neighbours.

Depending on the size and nature of the operation, the level of communication will vary and may include:

#### Letters or leaflet drop to neighbours

- This can be used not only to provide information on the forthcoming works but also to bring neighbours up to speed on the overall management objectives for the wood. Increased understanding will help reduce future conflict.

#### Information posters

- These can give a brief description of the proposed work and timescales on an A4 laminated sheet and be displayed at all site entrances and perhaps in local shops, post office and library. They should include a contact name and telephone number and remain in place throughout the work.

#### Face-to-face meetings

- Knocking on neighbours’ doors can be an extremely effective way of explaining the operation, answering any questions and listening to concerns. It can also be very time consuming if there is a large number of adjacent

properties. One option may be to visit only those neighbours who have contacted you with a concern after receiving the letter/leaflet or reading the information poster.

#### A public meeting

- This gives people the chance to raise any issues with you directly and may help to avoid potential misunderstandings that can arise from written communications. However there is the danger that the vocal minority will dominate the meeting and thus such meetings are not always the best way of targeting a specific audience.

#### Talks to local schools

- Young people can cause serious problems on site through vandalism or simple curiosity. Explaining the proposed operations in person can reduce this. It may be possible to include your message in education programmes run by groups such as the local ranger service. However this is generally very time consuming and may be justified only for the larger operations where machinery may be on site for some time.

#### Letter to community/parish council

- Keep local councillors informed and 'on-side' as they may be asked about the harvesting in the woodland at their meetings. Many community and parish councils have newsletters in which you could put an explanatory article.

#### News releases

- Although not everyone is going to read the local paper or hear the radio, it is an effective and cheap way of announcing the start of operations. It is also an excellent opportunity to thank any funders who may have helped finance the work.

Resources spent on communications at the beginning means fewer questions later and can save time in the long run. If you think that despite your efforts the operation is going to be controversial, it is worth preparing a crisis management plan in case the worst happens. This might include:

#### Clear lines of communication

- If the press phone, who will deal with them? You, your line manager or a dedicated press officer? Make sure anyone who picks up the phone is aware of the problem and knows who is dealing with the situation.

#### Prepare answers beforehand

- It is usually not too difficult to think of likely questions you may be asked, such as 'Why is an organisation dedicated to the protection of trees cutting them down?' So be prepared.

For further guidance see *Urban Woodland Management Guide 3: Complaints and queries*.

## 7. Health and safety

Probably the most important aspect of any operation is health and safety. We have assumed the reader has a good understanding of the general rules and regulations involved and have therefore concentrated on the points most relevant to urban sites.

### Signage

As part of the Operational Risk Assessment (ORA), the type, location and level of monitoring of signs should be addressed. General warning signs should be displayed at all entrances to the wood and, depending on the scale and location of the operation, it may also be advisable to put up a second set of signs at all entrances to the work site. This is particularly important where the working area is continually moving such as with a large wind-blow clearance operation. Barrier tape may also be used to discourage visitors from wandering too close.

Unfortunately signs and barrier tape can be a target for vandalism and are often stolen. This is a common problem and one that some contractors tend to forget. It is essential that the ORA addresses this and that signs and tape are maintained throughout the work period to a satisfactory level. It may be that the level of monitoring originally agreed in the ORA has to be increased due to high levels of signage and tape damage. Site managers should satisfy themselves that the contractor has priced accordingly for their replacement, but it is also worth having a contingency sum to help cover unforeseen levels of vandalism. In some cases it may be acceptable for signs to be removed by the contractor when work has finished for the day, but this should only be considered if you can be sure that the work has not caused any increased level of risk on the site.

### Site closure

Often due to the small size of the wood and large risk zones (up to 200m) for many machines, mulchers for example, it may be necessary to close the entire wood to the public for the duration of the operation. This can be done in a number of ways. For quieter sites, signs and barrier tape across paths with associated diversions may be sufficient, but for the busier sites it may prove necessary to erect temporary security fencing that encompasses the wood.

Some members of the public may ignore warning signs and wander into the work area. It is imperative that all machine and chainsaw operators are aware of the high level of public access and the need to remain vigilant at all times.

Banksmen may also be employed to redirect the public, if the closure is only for a

short time. When considering restricting statutory public access, it is essential to comply with any relevant access legislation and necessary permissions must be sought well in advance.

### Site security

Site security is generally poor in urban woodland and it is inadvisable to leave any tools, machinery and fuel unattended, even for short periods during comfort breaks. Particular vigilance is needed if the work site is close to a playing field or playground, and councils may ask for expensive safety fencing to be erected if the site is to be left unattended overnight. If machinery is being used, shift working round the clock will reduce the timescale of the operation and the need to leave a machine unattended on site over night. This will not be an option however close to housing, as work will only be possible during daylight hours.

The contractors may be able to find an industrial yard close by where the machines can be parked over night in a secure environment, but there will probably be a cost. It will be impractical to take the larger machines away each night on a low-loader, and so leaving them on site may be the only option. All machines should be physically disabled each night to prevent them being moved and guards should be fitted to windows and lights. Older machinery may not be suitable for sites where it has to be left unattended, due to the lack of security devices. Many operators will not leave up to £250,000 worth of machinery unattended; they will prefer to spend the night on site to ensure no damage occurs.

Flexible operator working can also reduce problems. If comfort and maintenance breaks are taken during peak visitor times, such as both rush hours, school home time and lunchtime, conflict between the public and machinery will be minimised. It is also worth planning so that the work close to housing boundaries, footpaths and roadsides is undertaken during the quieter periods of the day.

### Timber stacks

Timber stacks can be a magnet for young people and it is essential to minimise the inherent risks involved. Stack heights should be kept as low as possible, 2 metre maximum but ideally less, and all stacks should be clearly signed and marked with barrier tape. Again the levels of monitoring should be agreed in the ORA, but the site safety manager should check the stacks at least once a day.

To maintain stacks at the required height, rapid collection of timber is essential, particularly where space is limited. Both the forwarder driver and haulier should

have a good understanding of their responsibility to maintain the stacks in as safe a condition as possible. As for any work site, warning signs should be displayed while loading, and on completion the stack should be levelled off to improve stability.

It is quite likely that the timber stacks will be adjacent to footpaths, as these are often used for management access. It is therefore vital that the haulier is aware of the inherent risks even if the footpath has been closed. Before leaving the site the haulier should ensure all stack signs and barrier tape are intact.

It may be worth paying to stockpile the timber safely in a secure central yard. Increased costs associated with double handling can be offset somewhat because the levels of monitoring would be greatly reduced. Also where only eight-wheelers could access some woods, articulated wagons can now be used to move the stockpiled timber, helping to reduce costs. However if the timber has been sold standing, payment terms will have to reflect the fact that the timber is being removed to a holding yard prior to going to the mill.



◁ Timber stacks can be a magnet for young people.

### Services and adjacent land use

Urban woodland is likely to have a much higher number and density of services (electricity, gas, water, telephone, etc) than rural sites, both within and bounding the site and on the management access routes. The adjacent land use is also likely to be more varied and present greater hazards and potential risks: busy roads, footpaths, housing, schools, playgrounds, etc. The site manager must ensure that all hazards are assessed and addressed in the ORA.

## 8. Timing of the operation

A critical decision in planning any urban harvesting operation is timing. After determining the time window most appropriate to minimise environmental impacts, it is essential to consider the urban impacts. School holidays should be avoided as should weekends, but if the latter are worked, extended down time should be expected due to potentially higher levels of public access. If possible only the quieter compartments should be tackled, perhaps where there is little or no public access and those that are as far from housing boundaries as possible.

Felling operations on urban sites will take longer than in rural areas and it is important that this is understood from the outset. Additional time should be set aside to allow for 'urban down time' – stopping work to allow passers-by through, answer questions, avoiding working during the rush hours and at lunchtime. Time may also be lost ensuring that the site safety rules are being followed – checking and repairing all signs and barrier tape, etc. The contractor should have some of the site manager's business cards (or a simple A5 flier explaining the project) to hand out in the event of any queries from passers-by. Providing information notices for the contractor to keep posted on site may also help reduce such interruptions.

## 9. Contracts

It is essential to have a signed contract with the contractor prior to work starting. The draft should be sent out as part of the tender documents, although details may be revised prior to signing if both parties agree. The contract formalises your agreement and, in the event of a dispute, gives both parties some come back. It is a good idea to have a pro-forma contract that can be adapted to suit the operational requirements.

The issues below all need to be considered but are by no means exhaustive.

### Parties to the contract

- To whom the contract relates to, for example – the woodland owner, contractor and their sub-contractors.

### Extent, description and location of works

- These can be in the form of simple-to-use Site Detail Sheets and should include site maps and possibly a street map marked with each site. The sheets and maps can then be issued separately to operators for easy reference.

### Duration

- It is important to include a start and finish date for the operation along with any specific operating hours.

### Payment terms

- For a standing sale is a deposit required with payment net within 30 days of completion? It may be that some parts of the operation are payable simply as a net price by product, while others are at a fixed price or perhaps an agreed day rate. All these terms must be made clear.

### Access and stacking

- Make sure all authorised routes and stacking areas are identified on the site maps and insist on third party authorisation for any use of neighbouring land.

### Treatment of arisings

- It should be made clear exactly what treatment is required, for example chipping of lop and top, chips spread or heaped, branches left in eco-piles or spread evenly across site, etc. This should be as unambiguous as possible to avoid problems later.

### Health and safety

- Define responsibilities under Health and Safety at Work Act 1974, including Risk Assessments, contractor certification, insurance requirements, etc.

### Environmental safeguards

- Re-fuelling points, treatment of any water courses, any constraints (such as avoiding identified sensitive areas) and ensuring contractor abides by various items of legislation under the Environmental Protection Act 1990.

### Termination of contract and penalty clauses

- Allow for amending or even terminating the contract. Penalty clauses should be included. These can be implemented where the contractor has either failed to perform adequately or has not performed tasks at all. For example, if the contract does not finished on time as agreed under the duration clause of the contract, the contractor may be asked to pay damages of £100 or 1 per cent of the contract value per day (whichever is greater) until the work is completed to a satisfactory level. It is also possible to include a clause that allows the site manager to employ another contractor to complete the works and to pass the costs incurred onto the original contractor. Both these clauses help to ensure that the work is completed on time and to the required standard.

### Arbitration

- In the unlikely event of a dispute that cannot be resolved by mutual agreement, there should be a clause that binds all parties to any decisions made by an independent arbitrator, such as the Institute of Chartered Foresters (ICF).

If the site manager has little or no experience in drawing up or dealing with contracts, further professional guidance should be sought. The ICF produces a standard contract for standing timber sales that is a good starting point.

## Awarding and managing the contract

Finding a contractor with extensive experience of carrying out harvesting operations in the urban environment is not always easy. While the total cost of the operation is of course a critical consideration, the value of someone who is experienced and trusted with a good understanding of your requirements cannot be over emphasised. A huge amount of time and money can be spent trying to resolve issues that have arisen because a contractor has under-priced the work (and thus attempts to ‘cut corners’) and/or has misunderstood your needs.

### 1. Letting the contract

There are essentially three ways of awarding a contract.

#### Open tender

The work is advertised in a newspaper, trade journal or even on the internet. Interested parties are sent all the details of the work and their price must be in by a given deadline. Most experienced site managers would not favour this method. You will be unlikely to receive much interest from established forestry contractors. They may be unwilling to quote because of lack of experience in the urban environment and the large number of constraints and difficulties perceived. They may also feel they have to quote a high price to cover these ‘unknowns’ and will either not win the contract or will lose money from under-pricing. There is therefore little incentive for them to spend time pricing the work.

The contractors that do put in a price may be unknown to you and therefore difficult to assess except by price. You will need to satisfy yourself that they are reputable (request references and ask others in the trade), have a good understanding of your requirements and can deliver for the quoted price.

On the other hand, if you are lucky, you may ‘discover’ an extremely good contractor who you would not have otherwise come across.

#### Closed tender

This is a very similar process to an open tender except that the documents are sent to only a limited number of known contractors. The advantage being that you

or your organisation will know the successful contractor and already have a working relationship with them.

If you already are or have the potential to be a long-standing, good client, the contractor should be more willing to price the work and take on the contract. They should also have a good understanding of the way you work and the standards expected. It is, however, still a competitive situation and, for the same reasons as the open tender, you may find forestry contractors unwilling to spend time drawing up a quote.

### **Negotiated contract**

This is a non-competitive process whereby the price is negotiated with a preferred contractor. The advantages are that you can select your contractor, probably based on previous performance, and there should be an excellent understanding of the exact requirements with little risk of corners being cut because the work has been under priced or the specification misunderstood. It also allows you to make use of the contractor's own knowledge and experience to come up with appropriate specifications and work methods.

The obvious disadvantage is that, because it is non-competitive, you cannot be certain the price is most competitive. It is therefore essential to have a good idea of the likely costs of the various parts of the operation and to use contractors with whom you have already have a good working relationship.

If you have to put the work out to competitive tender – perhaps due to funding conditions, company policy or simply for your own peace of mind – but you would like some of the advantages of a negotiated contract, there is another option. Put the most straightforward – in terms of ease of pricing – parts of the contract out as part of a competitive closed tender. This might include only the work in the larger, more accessible compartments or sites with least constraints and could include a day rate for additional chipping and chainsaw operators. You then select your contractor on the basis of this price and enter into a negotiated contract for the remainder of the work. Then you can discuss and agree a price and methodology for those awkward corners of the site or estate.

## **2. Pre-commencement meeting**

Before any work starts, it is essential to have a site meeting with the contractor to ensure they understand fully what is required. This is a must for any harvesting contract but is particularly important in the urban environment where there is likely to be more constraints and hazards than for a rural site.

If you have been dealing with a manager, make certain that whoever will be directly supervising the work on site (probably the foreman) attends this meeting. As a minimum, the following should be discussed to ensure that there is a common understanding.

#### Health and safety

- Ensure that there is a good understanding of the Operational Risk Assessment and what this means on the ground. Where should warning signs and barrier tape be positioned? Does the contractor know about all the issues associated with public access? Is the contractor aware of the location of all the site hazards, issues on neighbouring land and the implications of these? How are actions listed in the risk assessment going to be communicated with operators? Check everyone knows what to do in the event of an incident or near miss.

#### Work specification

- Agree everything that has to be done in each compartment and double check that it is clear in the work description. If you have agreed to a feller-select system, this could be an ideal time to mark a sample plot together.

#### Management access

- Agree the route and discuss any constraints.

#### Re-instatement requirements

- Ensure there is a common understanding of the final condition required. Does the contractor appreciate that not only do the ruts on that grass verge have to be filled in, but also it must be entirely flat and may have to be re-seeded? Now is a good time to take pre-entry photographs and/or agree and record the condition of paths, rides and roads, so that there can be no disagreement once felling and extraction have been completed.

#### Agree and, if required, mark the presence of any other constraints

- Perhaps there is an area of sensitive wild flowers that must be avoided by the extraction machinery, or a badger sett where an exclusion zone needs to be marked.

#### Re-enforcing any specific contract conditions

- The Woodland Trust, for example, insists that contractors use biodegradable chain oils. You may have agreed with neighbours that there will be no weekend working or limited times. This meeting is an opportunity to re-enforce and explain all these points.

#### Timing

- Make certain the contractor is aware of your timetable – what you expect to happen, by when.

### Brief the contractor on communication with general public

- Walkers and other visitors to the wood will want to know what is going on. Information posters explaining the operation and with appropriate contact details can help; ask the contractor to keep them up alongside their warning notices.



◁ It is essential to have a site meeting with the contractor before work starts to ensure a common understanding.

## 3. Contract monitoring

As with any harvesting contract, adequate monitoring and supervision is essential to ensure all the various conditions are met and the work progresses satisfactorily. The level of monitoring will depend on the nature of the work, the sensitivity and constraints of the site, the presence of hazards and level of risk to the public and contractors.

Because of the high levels of ‘people pressure’ in the urban environment, you may have to review some of the working methods and the actions in the risk assessment as the contract progresses. For example if warning signs are obviously being ignored, you might consider using more barrier tape (or even padlocking

access gates) and/or banksmen. If there is a problem with one particular group of visitors, such as young people on their way to and from school, consider talking to the local school or even stopping work at the relevant times. Any such changes must be discussed and agreed with the contractor and then confirmed in writing.

A few principles to consider when monitoring harvesting contracts:

- Set a good example when you visit the site by following the safety rules identified in the risk assessment.
- Make a note of your visits – date, issues you looked at, who you spoke to, what was discussed and agreed.
- Confirm any agreed changes to the specification, risk assessment or work method in writing.
- Talk to some of the operators, not just the main contractor or foreman. Are they clear about what they should be doing and the site safety rules? Have they any concerns? They can give you some useful insights into how the work is really progressing. When do *they* think the work will be finished?
- Try and nip problems in the bud. If you see that an access track is becoming rutted, raise the issue. Do not leave it until the ruts are a metre deep.
- Be firm and consistent but be (and be seen to be) reasonable. If there is a health and safety issue, do not hesitate to suspend operations until it is resolved.
- Give positive feedback. If you think the contractors are doing a good job, tell them. We are all far more likely to maintain a high standard if we know it is being recognised and appreciated.

#### 4. Re-instatement

When the bulk of the work has been completed (either over the entire estate or in any one block, depending on the work programme agreed), it is time for the all-important task of re-instating any damage and ‘tidying up’ the site. Remember, the local authority that owns the playing field or grass verge that your contractor has crossed will have much higher expectations than a neighbouring farmer in a rural location. Live up to these expectations and you should have no problem negotiating management access in the future.

The same principal is true for the public. Although any harvesting site will always look a little 'messy' to the general visitor for a while, it is important that the contractor leaves the site as clean as possible. Make sure all barrier tape and signs are removed, no empty oil containers are left lying around and the dried mud on the pavement and road is swept up. This will make your life easier in the future, when you come back to do some more operations in the area.



◁ The site will always look a little 'messy' for a while.

This expectation of high re-instatement standards should come as no surprise to the contractor, as you will have made it clear both within the contract and verbally before work started. Pre-entry photographs can come into their own if there is a dispute about the condition of the access. Do not be unreasonable, but do not accept sub-standard work or unreasonable delays at this critical stage. Do not re-pay any deposit to the contractor until you are certain that all aspects of the contract have been completed to your satisfaction.

## 5. Post contract

The contract has now been completed. Hopefully it has run relatively smoothly, you and your contractor are pleased with the end result and have established a good working relationship. It is always useful to have an informal discussion on how the contract has gone. Were the work specifications and contract requirements clear from the beginning? Did anything unexpected happen? Is there anything they would have done differently and, if so, have they any suggestions for improvements next time? All this information (whether you agree or not) will be invaluable for planning and implementing the next contract.

## Useful contacts

### **Institute of Chartered Foresters**

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### **Forest Service of Northern Ireland**

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## **National Urban Forest Unit**

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## **Disclaimer**

The information included within this publication is based on the experiences of Woodland Trust staff in managing its own woods. While its contents is intended to broaden understanding in the management of urban woodlands, the Woodland Trust does not accept liability for any errors or omissions, or for any loss arising from use of the information contained herein by other parties. In any circumstances outside the knowledge and competence of a site manager, he or she should always seek advice from an appropriate qualified professional such as a surveyor or solicitor depending on the case. None of the information in this document is to be relied upon as a statement of fact.





# WOODLAND TRUST

The Woodland Trust was founded in 1972 and is the UK's leading woodland conservation organisation. The Trust achieves its aims through a combination of acquiring woodland and sites for planting and through advocacy of the importance of protecting ancient woodland, enhancing its biodiversity, expanding native woodland cover and increasing public enjoyment of woodland.

The Trust relies on the generosity of the public, industry, commerce and agencies to carry out its work. To find out how you can help, and about membership details, please contact one of the addresses below.

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