



Arboricultural Association

Utility Arboriculture Group

**The Electricity Safety, Quality and Continuity (Amendment) Regulations 2005
(ESQCR)**

Final Response from the Utility Arboriculture Group (UAG)

Summary

- 1. The UAG supports the proposed amendment to the existing regulation which is intended to improve the resilience and reliability of overhead electricity distribution networks in relation to the issue of management of trees.*
- 2. The UAG support option 4. Amend existing regulations supported by an agreed code of practice.*
- 3. Trees and vegetation will continue to grow alongside the electricity network and require active management if public safety, supply quality and resilience are to be sustained.*
- 4. Climate change will increase growth and reduce maintenance cycles.*
- 5. Consensus rather than confrontation with the owners of trees should be the objective for the Electricity Companies and this can only be achieved with practical and sensitive vegetation management programmes executed efficiently and professionally.*
- 6. There are limits to the clearance distances which can realistically and reasonably be achieved, particularly at lower voltages, if the widest public and environmental interests are to be balanced.*



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7. *The UAG believe that investment into raising public awareness of the rationale for vegetation management would be money well spent.*

Feedback from our members:-

1. While there has been improvement in vegetation management regimes the focus has been lost by some electricity companies.
2. The proposed amendment will give electricity companies until January 2009 before the requirement to maintain sufficient clearance between overhead line networks and trees is enforced. We are not clear how much progress is expected by that date and to what extent the electricity companies are to demonstrate that vegetation management programmes are up-to-date.
3. There are limits to the clearances which can or should be achieved. It is quite feasible to achieve greater network resilience without causing unacceptable environmental damage. This requires the introduction of a risk based proactive long term vegetation management programme. Experience shows that this cannot be effectively introduced without undertaking a comprehensive survey of trees and other vegetation in proximity to the network. This needs to be modified to take into account the respective voltages.
4. Surveys are part of vegetation management. Trees and other vegetation grow quickly, survey data rapidly becomes outdated.
5. Surveys of this nature using aircraft have not been a success. With the technology likely to be available over the rest of this decade, the data collection needs to be carried out in the field by experienced qualified arborists. There is useful technology available for data capture which we would recommend principally to improve the consistency of the data captured. This is of particular importance for data analysis. Interpretation of tree survey data is an area which needs development; there are no standards at present.

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6. An important objective for vegetation management is to work towards future cutting programmes being carried out with a minimal requirement for shutdowns. Reducing the traditional cutting cycle of 5 years to the now widely accepted best practice of 3 years will greatly assist this. This will be more difficult to achieve at low voltage.
7. Tree pruning standards should as a minimum accord with British Standard 3998.
8. Standards of qualification for the personnel carrying out these works needs to be further developed agreed and standardised nationally.
9. Increased activity means an increased demand for skilled and qualified arborists and managers. The sector is already under manned despite a significant increase in the numbers recruited and trained in the past 10 years. Lack of job security and career prospects has lead to high staff turnover in this sector with many moving out of arboriculture altogether.
10. Progressive audit regimes delivered by both vegetation management and electricity companies will contribute towards the achievement of standards.
11. Integrated vegetation management programmes are an excellent solution for EHV and have an application for some HV situations but are rarely applicable at LV. It is important to recognise the differences which apply for these respective voltages.
12. Increasingly vegetation management companies are being asked to recruit and provide their own electrically qualified staff to provide the shutdowns for their own operation. There is a nationwide shortage of suitably qualified personnel particularly at SAP level. With good proactive vegetation management programmes in place this requirement will reduce significantly but this remains a substantial problem for the short and medium term.
13. Continuity of work and sufficient length of contract to ensure a reasonable financial return are necessary to encourage vegetation management companies to recruit and retain staff to meet increased demand. Contracts must be structured to balance risk and reward.

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14. Poorly managed vegetation control programmes can result in damaging relations with landowners, local authorities and the general public as well as adverse impacts on trees, wildlife, birds, flora and fauna.
15. We support the increased use of statutory powers to cut trees but we recommend that this is done in conjunction with a national awareness campaign. Use of these powers will be counter productive if a huge increase in hearings is the result. The electricity companies should demonstrate their resolve to use these powers but only where consent is unreasonably withheld with the objective of persuasion rather than court action.

Recommendations from the UAG:-

1. **Legislation is required to ensure that long term focus is maintained and to ensure full participation.**
2. **A new code of practice is required but this will only be effective if DNO compliance is actively and independently monitored.**
3. **It is vital that all interested stakeholders are involved in drawing up a new code of practice; this is not a matter for the electricity industry on its own.**
4. **The UAG offer to take a central role alongside the Energy Networks Association to either increase the scope of “ENATS 43-8 Overhead Line Clearances” to include maintaining trees clear of overhead lines for reasons of supply reliability or to develop a new code of practice to achieve this.**
5. **The traditional 5 year cutting cycle is too long, 3 years is now regarded as best practice.**
6. **Current arrangements have resulted in a wide variation in the standards being applied by electricity companies in terms of, safe working practice, tree care and training. The UAG consider the current position unsatisfactory and want to ensure that the proposals lead to increased standardisation.**

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- 7. A risk assessed approach should be adopted to ensure that trees at high risk of storm damage are removed while those at low risk can be retained.**
- 8. Greater emphasis on tree survey and electronic data capture are required for an effective risk assessed approach.**
- 9. The UAG believe that despite some recent improvements, much of current DNO procurement practice for the engagement of utility arborists is counter productive to achieving the objectives of this amendment. Lowest cost rather than best value and/or short rather than long term contracts; dissuades investment in training and has made the utility sector the least attractive in terms of career for arborists and managers. This must be addressed.**
- 10. A strategy to raise public awareness of the rationale for vegetation management would greatly assist the process for negotiating clearances with owners of trees.**
- 11. The UAG believe that it is in the public interest for DNOs to show their determination to invoke their statutory powers when landowners unreasonably withhold their permission to allow vegetation management programmes to proceed.**
- 12. The timescale for implementation of the proposed legislation should be clarified.**

19 Please state and describe what economic, social and or environmental impacts the measures described in section 7.2.2.3 of the RIA (Regulatory Impact Assessment) will have to your organisation.

The main impact on our members, taking into account the contractual points raised above, would be a more predictable and consistent business environment which would encourage investment particularly in training. This in turn should lead to the sector becoming more attractive as a career prospect with improved staff retention .



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20 *Please also state how any adverse impacts highlighted in answer to question 19 above can be mitigated.*

For some of our members this additional training investment will be hard to fund. Others feel that they will achieve better value from existing training expenditure as they predict a better retention of staff.

21 *Please advise on any alternative ideas for best practice to those already mentioned in the RIA.*

We have many ideas for best practice some of which are outlined in this response. It is essential that a new code of practice is drawn up by the full spectrum of stakeholders and the UAG is willing to play a central role.

22 *Please elaborate on any other views or comments on this proposed change.*

Clarification on the timescale would be helpful, in particular what must be achieved by 2009.

Footnote

The UAG operates under the Arboricultural Association's Profession Committee and is comprised mainly of utility arboriculture contractors who recognize the importance of working together to bring about positive change in the industry.

The Group's Terms of Reference focus on the unification of standards and recognize that this will only be achieved and maintained by fostering appropriate links with clients particularly the electricity suppliers (Distribution Network Operators), the Department of Trade and Industry as regulator, the Health and Safety Executive, training organizations (especially Lantra Awards), awarding bodies (especially NPTC) and so on.

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