

### **1. Background**

Ash dieback was first detected in the Republic of Ireland in October 2012 on plants imported from continental Europe. Ash dieback is now prevalent throughout Ireland and is likely to cause the death of most ash trees over the next two decades.

There is growing concern among farmers regarding the potential health and safety risk posed by infected ash trees to road users, but also for themselves as the felling of infected trees is very challenging and poses significant safety risks.

### **2. Farmers have legal responsibility to ensure roadside trees do not pose a danger**

The Roads Act 1993 places a statutory obligation on landowners to ensure that roadside trees do not present a danger to those using public roads.

Ash dieback disease weakens trees, which increases the risk of falling branches and tops. If a tree or branch falls onto a road and consequently causes injury or damage to an individual or property the owner of the tree could be liable, if found to be negligent. Negligence will depend on whether the tree was in an obvious dangerous condition, and whether the landowner had a programme of checking and managing roadside trees.

Therefore, the financial responsibility falls on farmers to manage roadside ash trees and pay for the services of professional consultants and contractors to carry out inspections and roadside tree work.

### **3. Felling Licence Exemption**

A tree outside a forest, within 10 metres of a public road, which is dangerous to public road users is exempt from the requirement for a felling licence.

The Tree Council of Ireland have developed [a Guide for Landowners to Managing Roadside Trees](#) with more information on the management requirements of roadside trees for landowners.

### **4. Felling trees pose a serious health and safety risk**

The management of ash dieback is very challenging and posing significant safety risks. The weakened timber means there is a very high risk of a tree breaking and falling in an uncontrolled manner, making it very dangerous to fell if one has not been professionally trained.

Tree felling and tree work at height require trained, skilled, and competent operators and it is recommended that only professional contractors are used.

### **5. IFA seeking introduction of financial support package to remove roadside ash trees**

There are currently no financial supports available to farmers and landowners to safely manage roadside ash trees. IFA is seeking the introduction of a financial support scheme to be administered by the Local Authorities, who would be responsible for coordinating the safe removal of the trees by providing grants to support farmers to hire relevant professionals to safely fell these trees.

*Ends.*