

# Urban Tree & Woodland Strategy

## Part One: Urban Tree Policy

Street Scene Services  
Wakefield Council  
April 2012



# Urban Tree Policy 2012

## Summary

1. Introduction
2. Context
3. Community
4. Arboricultural Services
5. Tree Management
6. Tree Maintenance
7. Policies for Unsafe Trees
8. Policies for Local Environment
9. Policies for Highways and Footpaths
10. Policies for Local Planning

## Appendices

Appendix I – Wakefield's Tree Risk Management Document

Appendix II – Tree Management Schematic

Appendix III – Enquiries to Contact Centre

Planning Applications related to trees – see Wakefield Tree Risk Management Document (Page 10)

## Summary

Wakefield Council is changing its approach to tree management; the Council is embracing new management systems to achieve a more efficient approach.

The new processes of tree management will improve as all our trees will be routinely inspected – and trees in higher risk areas will be inspected more frequently. Lengths of time between such tree inspections are proposed in this policy, and should be adopted as standard.

If an inspection finds a tree posing an unacceptable risk of harm to people or property, then remedial work must be carried out. Lengths of time to complete such remedial works are proposed in this policy, and should be adopted as standard.

In order to focus resources into tree management, the Council will be unable to respond to requests for tree works for any reasons other than safety or prevention of damage.

The Council will respond to tree enquiries according to urgency. Lengths of time to respond to different enquiries and situations are proposed in this policy, and should be adopted as standard.

## 1. Introduction

A healthy and sustainable tree population plays a major role in creating an attractive and vibrant landscape where people want to live. In addition to this, trees provide benefits to health, local economies and the environment, such as:

- Improving health by reducing stress
- Attracting investment and house buyers to an area
- Adapting to climate change by providing shade
- Mitigating climate change by absorbing carbon dioxide
- Reducing air pollution by removing particular matter
- Providing a habitat for wildlife
- Reducing flooding by rainwater interception and absorption

This policy is concerned with the management of trees by Wakefield Council. This includes reducing the risk of harm from trees which are either:

- Within the responsibility of the Council, and
- Outside the responsibility of the Council, but have the potential to impact upon land, infrastructure and property for which the Council has a responsibility

Trees which present the greatest risk of harm to people and property tend to be in urban locations, such as:

- Trees along roads and pavements
- Trees in pedestrian areas
- Trees in parks and greenspaces
- Trees in the grounds of Council properties and buildings

A separate document will be prepared for policy relating to forestry.

Not only do urban trees provide important benefits, they also present a range of problems. Current issues associated with the management of urban trees include:

- Ensuring that the right trees are planted in the right places - in response to directives to plant more trees
- Poor understanding of tree management practices by local residents can lead to opposition to essential tree works
- Trees that are not inspected routinely as part of a defensible regime can present a risk of harm to persons and property

This policy is mostly concerned with this last bullet point.

## 2. Context

### 2.1 Green Infrastructure Strategy for Leeds City Region 2010

Green infrastructure describes the full range of natural systems that fundamentally support life on earth, and when properly managed as an interconnected resource, provides for a prosperous, socially functional and attractive environment in which to live. Trees and woodlands are a significant part of the green infrastructure.

Implemented at a city region scale, the strategy is able to focus on the big issues, considered at the highest level of planning. The strategy also addresses how major projects should be funded and delivered.

The strategy identifies four priority drivers that are closely associated with improvements to green infrastructure in the region. These are:

- Sustainable economic growth and regeneration
- Climate change
- Health and well-being
- Biodiversity

The strategy is implemented through a series of strategic initiatives. Those related to trees and woodlands in the Wakefield District are shown in Table 1. Please refer to the strategy document for a full description of these initiatives.

Type of Initiative	Intervention	Comments	Start
Investment Programmes - new investment opportunities	IP1 Urban Green Adaptation	Adapting to climate change in urban areas - such as tree planting	2014
	IP2 Greening our Economic Potential	Regenerating existing employment areas – tree planting would contribute to this	2014
	IP3 Carbon Capture	Locking carbon in existing and new trees – mostly aimed at woodlands	2011
	IP4 Woodfuel	Substituting fossil fuels with woodfuel – aimed at harvesting woodlands	2010
	IP5 Rivers for Life	Reducing flood risk through tree planting – aimed at woodlands	2014
Strategic Projects – exemplar green infrastructure actions	SP1 Fresh Aire	Regeneration of the Aire River Valley – in which trees play a part	2014
Green Infrastructure Growth Areas – investment through the City Region Housing Investment Plan	Wakefield Growth Point	Applying green infrastructure planning to new housing developments	2011
	Strategic Urban Renewal - The Green Corridor	Green Infrastructure Master Plan being prepared for 10 year programme	2011
Supporting Projects – exploit success of green infrastructure actions	Green Hub	Commercialisation of green infrastructure research	2010
	Eco-skills Audit	Developing practical skills for managing green infrastructure	2011
	Water Cycle Study	Green infrastructure solutions to protect water courses	2010

**Table1: Strategic Initiatives Relating to Trees in Wakefield District**

The strategy will be delivered mostly through:

- The local authority development process
- Local green infrastructure strategies
- Existing and new local partnerships

A Delivery Plan will follow.

## 2.2 Wakefield Green Infrastructure Plan 2010

This plan has also been prepared by consultants LDA Design and consequently connects seamlessly with the Leeds City Region Green Infrastructure Strategy.

This plan singles out “sustainable economic growth and regeneration” as the main driver for investment in green infrastructure in Wakefield District.

The strategic initiatives for the Wakefield Green Infrastructure Plan are shown in Table 2.

Type of Initiative	Intervention	Comments
Investment Programmes - new investment opportunities	Green Places	More attractive greenspaces and improved environmental functions
	Green Working	Developing green infrastructure to attract knowledge industries
	Growing Food Locally	Programme supporting initiatives such as Incredible Edible
Strategic Projects – exemplar green infrastructure actions	Fresh Aire	Placing green infrastructure at the forefront of River Aire regeneration
	Wakefield Forest - increasing woodland cover in the district	Five Towns Forest Nine Lakes South West Wakefield Woodlands Green Corridor Forest Balne Lane Fields
Opportunity Areas – investment through the LDF and the delivery of masterplans	Wakefield East & Newmarket	Significant changes planned primarily as a result of housing and economic development. Green infrastructure should play an important role in master planning and development management.
	Westgate-Wrenthorpe Valley Corridor	
	Westfield Lane, South Elmsall	
	Castleford	
	Knottingley – Pontefract - Ferrybridge	A similar approach should be adopted for these areas at a later date
	Normanton & Altofts	
	Featherstone	

**Table 2: Strategic Initiatives - Wakefield Green Infrastructure Plan**



The delivery of the plan depends upon:

- Securing investment
- Using the planning system effectively
- Ensuring the plan remains a key document
- Working with the full involvement of partners and community representatives

## 2.3 Wakefield Greenspace Strategy 2012

The Greenspace Strategy provides guidance for the provision of accessible greenspace that is of good quality and fairly distributed across the district.

The strategy is based on a comprehensive quality audit of Council-owned accessible greenspace, and a substantial postal questionnaire.

The strategy has promoted the sharing of GIS data related to:

- Greenspace quality
- Street Scene projects
- Community engagement
- Distribution of community groups

The Council is using the strategy to promote cohesive working with partners and community groups relating to management of greenspace.

## 2.4 Community Engagement Strategy 2010

This strategy is about increasing community involvement in the decision-making process in order to build social capital at a neighbourhood level and working towards delivering projects in co-production.

The strategy underlines the importance of appropriate community involvement in all democratic stages from policy development, strategic decision-making to delivery of projects and subsequent management.

The delivery vehicle for the Community Engagement Strategy is Wakefield Together, the Local Strategic Partnership.

## 2.5 Biodiversity Plan 2011-2020

The Biodiversity Plan translates national priorities for species and habitats into action at a local level reflecting the local area and values of local people.

Targets are specified for key species and key habitats such as woodlands. The driver of the plan is improving key habitats.

### 3. Community

The Council is keen that the community and voluntary sector take on a greater lead in shaping and improving their local environment. The community are well placed to decide what their local spaces should be used for and what they should look like.

The Council strongly encourages and supports tree planting and tree management by community groups. It does however advise that groups contact the Council or specialist volunteer groups such as the Tree Wardens to ensure the right species of trees are planted in the right places and are correctly and safely maintained.

The Council is very supportive of planting trees and bushes that bear edible fruit in the style of Community Orchards or Incredible Edible, but would advise contact with the Council to check the appropriateness of species and location, and to confirm that land is not contaminated.

Management plans should be prepared for all important greenspaces, and in particular for historic sites, such as urban parks and cemeteries. Management plans should contain a long term vision for the tree landscape, and as such, contain plans for tree planting and removals - if possible based on a landscape audit.

Yorkshire Sculpture Park recently carried out a landscape audit as part of its research for a management plan and has subsequently reinstated many important views that had been lost to tree cover.

#### 4.1 Tree Wardens

The Council highly values the work of Wakefield Tree Wardens, a voluntary group led by Roger Parkinson, who manage a range of projects that provide life changing opportunities to many disadvantaged people and adults with Special Learning Needs.

These projects give communities the opportunity to take part in tree planting improvements on local greenspaces and enjoy the wider benefits of that activity.

Tree Wardens provide an important educational role through their work, events and presentations. They manage an Arboretum in Newmillerdam Country Park, in which commemorative trees are labelled with their species names carved onto individual wooden plaques. The Arboretum is almost full, and a new site will soon be required in order to continue this important work.

The Tree Wardens are keen to set up a community tree nursery for growing saplings from locally sourced seed. Saplings could then be supplied to support local planting schemes at no charge. This would also create further learning opportunities and support the sustainability of our green infrastructure.



## 4.2 Advice to Residents

Residents require permission from the Council to carry out any work on trees in its ownership or management. Residents should also check with the Planning Department that a tree or hedge is not protected by a Tree Preservation Order, and is not located within a Conservation Area.

Tree work is a highly skilled profession. Residents should not carry out any significant tree work unless they are confident that they possess all the skills to safely carry out the work without posing a risk to themselves or others. It is strongly advised that a professional tree surgeon be consulted for guidance before considering any work.

Residents are responsible for the proper disposal of any arisings from tree works. The Council will always prosecute fly tippers.

Residents should always refer to the Wakefield Council website for the latest policies and information before getting in touch with the Contact Centre.

Every effort has been taken to make the Urban Tree Policy as comprehensive as possible. However, we acknowledge that it would not be possible to anticipate every eventuality. The Council therefore reserves the right to exercise discretion in application of the policy where this is in the best interests of the Council.

In the future, it may become commonplace for residents to report a range of problems using photographs taken by a mobile telephone – using a “Mobile app”. It is very important that residents never place themselves in potentially dangerous positions in order to take photographs for such purposes.

### 4.3 Common Law Rights

In the English legal system, Common Law refers to laws that have been developed through precedent set by similar cases as opposed to being created through legislative statutes.

Under English Common Law Rights, you have a right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice with respect to encroaching trees is given for general guidance only. You are advised to obtain independent legal advice before acting:

*a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. You must not go beyond your property boundary without the permission of the tree owner. You have no legal right to cut or remove any part of a tree that does not overhang your property.*

*b) You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are trivial meaning you could do the works with hand secateurs or similar.*

*c) You are strongly advised to tell the owner of the trees what you plan to do. You can find out if the trees are owned by the Council by telephoning the Contact Centre.*

*d) Before you consider doing any works to the trees you should find out if they are protected by a Tree Preservation Order or if they are in a Conservation Area. If trees are protected, then you will need to gain consent by making an application / give notice to the Council. For guidance on how to check if the trees are protected and how to make an application please telephone the Contact Centre.*

*e) Legally you do not own those parts of the tree that encroach over your property and you should make arrangements to return these to the owner. You are advised to discuss this with your neighbour to agree a mutually acceptable solution.*

*f) If your actions render a tree to be unsafe you may be liable for any subsequent damage that results from tree failure.*

## 4. Arboricultural Services

Arboricultural Services are part of Street Scene Services, which sits within the Communities Directorate. It undertakes the Council's responsibilities for the safe and proper management of trees.

The service is managed by the Street Scene Manager for Grounds Maintenance.

There are three full-time Arboricultural Officers, who carry out tree inspections and prepare programmes of tree works. In the event of out-of-hours work relating to trees, all requests for service must go through the Contact Centre who will pass the work to the appropriate operatives.

A separate document will be prepared for procedures for out-of-hours working.

There are eight full-time Arboriculturists who carry out tree operations and who ordinarily divide themselves into three teams.

Arboricultural Services are employed by several Council Departments, for tree work in parks, cemeteries, schools, streets and highways. Arboricultural Services also carry out tree work for private companies and organisations including Wakefield District Housing.

Arboricultural Services currently use the Ezytreev tree management system, which has the capacity to support planned tree management. Ezytreev is a Geographical Information System (GIS) with customised data entry templates for individual trees and sites.

### **Ezytreev Tree Management System**

The Ezytreev tree management system stores information about individual trees and provides a list of outstanding tree works.

The location of each recorded tree can be plotted on GIS using the Ezytreev system

Clicking on a tree on an Ezytreev digital map reveals information about the tree such as inspection details and any outstanding tree works.

Site safety inspections are generated through the Ezytreev reminder system in accordance with the inspection regime for the particular site or part of site. Lengths of time between inspections can vary between 1 and 5 years.

## 4.1 Requests for Arboricultural Services

All requests for service from all parties should be made through the Contact Centre, which can be contacted as follows:

### **Wakefield Council Contact Centre**

The Contact Centre can be accessed as follows:

- Telephone number: **0845 8 506 506**
- Email address: *customerservices@wakefield.gov.uk*
- Council website: *www.wakefield.gov.uk*
- Postal address:  
*Customer Service Centre  
Wakefield Council  
1<sup>st</sup> Floor, Municipal Offices  
Headlands Road  
Pontefract  
WF8 1BE*

A schematic showing typical enquiries to the Contact Centre related to trees is shown in Appendix I.

Enquiries which cannot be closed by the Contact Centre with reference to the policies contained in Sections 7 – 10, should be transferred to the relevant officer. The latest version of these policies should be available on the Council website.

## 4.2 Response Timeframes

Arboricultural Services will respond to requests and enquiries within the timeframes set out in Table 3.

Determining the level of risk posed by a tree based on a telephone conversation can be very inexact. Consequently, the precautionary principle should always be exercised, even if this means that some calls are unnecessarily classified as emergencies.

New technologies may help here. For example, “Mobile apps” will allow digital photographs to be sent directly to the Contact Centre from mobile telephones, and will also give an accurate location of a tree – but the sender must be warned to keep at a safe distance when taking photographs.

Emergency Event	Safety Related	Site Visit Required	Response Timeframe
Yes	Yes	Yes	Council will attend site to make safe normally within <b>1 hour</b> and always within 2 hours.
No	Yes	Yes	Council will undertake tree inspection within <b>1 working day</b> of enquiry, and the customer notified of outcome.
No	No	Yes	Council will undertake tree inspection within <b>10 working days</b> of enquiry, and the customer notified of outcome.
No	No	No	Council will inform customer of policy within <b>10 working days</b> of enquiry. This information can usually be found on the Council website.

**Table 3: Response Timeframes for Requests to Arboricultural Services**

## 5. Tree Management

Wakefield Council's new approach to tree management is based on scheduled inspections as part of a predetermined plan.

Furthermore, inspections can be planned more frequently where trees are located in areas that present a greater risk of harm.

Effective tree management requires for all inspections to accurately assess the risk of harm presented by a tree. If the risk of harm is found to be unacceptably high then remedial action is necessary.

The established technique used to measure the risk of harm presented by a tree is the Quantified Tree Risk Assessment (QTRA).

### Quantified Tree Risk Assessment

(a) The first stage is to assess the probability that a tree would strike a target should it fail. This is expressed as the *probability of harm*.

- *Probability of harm* is high where trees are situated in areas that are busy with people or transport, or contain expensive structures.
- *Probability of harm* is low where trees are situated in areas that are not busy with people or transport, nor contain expensive structures.

(b) The second stage is to assess the condition of the tree in terms of its *probability of failure* within a year.

(c) The third stage is to assess the size of an impact should the tree fail. This is expressed as the *impact potential*.

***Risk of Harm from Tree =***

***(a) Probability of Harm x (b) Probability of Failure x (c) Impact Potential***

If the risk of harm from a tree is found to exceed an acceptable level of 1/10,000 per year, then action will need to be taken to reduce the risk. The timeframe to complete the work will be proportionate to the level of risk.

No tree is 100% safe. Even a tree presenting a risk of harm of less than 1/10,000 per year can fail - but the probability of this happening is extremely low.

A schematic of the proposed tree management system is shown in Appendix II.

### 5.1 Timeframes for Tree Inspections

All trees for which the Council is responsible will be inspected as part of a planned tree management process.



Tree safety inspections are carried out by Arboricultural Officers holding a valid Quantified Tree Risk Assessment (QTRA) licence. This approach is used to determine the frequency of tree inspections based upon where the tree is located.

Table 4 shows the timeframes for tree inspections for the three classifications of Hazard Zone – High, Medium and Low.

A full explanation of the QTRA approach and full definitions of Hazard Zones can be found in Wakefield Council's Tree Risk Management Strategy.

Hazard Zone	Example of Hazard Zone	Frequency of Tree Inspections	Notes
High	Trunk roads. School playgrounds.	1 year	Where it is safe to do so, the frequency may be extended to 1.5 years to allow inspections in different seasons.
Medium	Car parks adjacent to moderate/low usage areas. Areas that suffered recent root disturbance for trenching or drainage.	3 years	All trees in this Hazard Zone will be inspected every 2 to 3 years.
Low	Remote areas. Moderate to low use parks. Play areas and picnic areas.	5 years	All trees in this Hazard Zone will be inspected every 3 to 5 years.

**Table 4: Timeframes for Tree Inspections**

## 5.2 Tree Safety Inspections

The purpose of a tree inspection is to determine the risk of harm posed by a tree to persons or property as accurately as possible. Inspections are carried out

either in response to requests, or more usually as part of a planned programme of inspections.

During an inspection, an Arboriculture Officer visually assesses the risk of harm presented by the trees at the inspection site. If necessary, the risk of harm from a particular tree can be calculated on site.

Ezytreev software loaded onto a handheld computer is used to calculate risk of harm using the QTRA approach described previously. Other attributes of the tree can also be inputted and stored on the Ezytreev system.

If the risk of harm from a tree is found to exceed 1/10,000 per year, then action will need to be taken to reduce the risk.

Any tree works required are decided upon, and a level of urgency is ascribed to the job on the Ezytreev system. The urgency of the tree works is proportionate to the risk of harm.

In some cases, rather than undertaking tree works, the risk could be reduced to an acceptable level by reducing the *probability of harm*, say by relocating a busy seating area. This would be most apt where the tree is particularly valuable either culturally, historically or as part of the landscape.

All tree inspections carried out by Arboricultural Services, from whatever source and without exception, should be entered onto the Ezytreev system. In some instances, this service will be charged to customers.

### 5.3 Timeframes to Complete Tree Works

The timeframes for completion of tree works are shown in Table 5. Tasks may be further prioritised within each timeframe.

The timeframe to complete work starts from when the tree inspection has been completed and a level of urgency has been ascribed to the job. This may not be applicable in some emergency situations.

An emergency response procedure sets out in detail how Arboricultural Services respond and react to a range of emergency situations and conditions.

Urgency	Risk of Harm	Timeframe to Complete Tree Works	Notes
Emergency		Council will attend site and make safe normally within <b>1 hour</b> and always within 2 hours	Site can be made safe by completing work, or by cordoning off areas at risk until work completed
Urgent		<b>7 working days</b> to complete	If resources are not available to complete work within 7 working days then areas at risk will be cordoned off
Essential	<b>≥ 1/10,000 per year</b>	<b>1 year</b> to complete	
Desirable	<b>&lt; 1/10,000 per year</b>	<b>5 years</b> to complete	
Private - Urgent		Council will attend site and make safe normally within <b>1 hour</b> and always within 2 hours	Site can be made safe by completing work, or by cordoning off areas at risk until work completed
Private - Non-urgent		As and when required and depending on the urgency of work required	

**Table 5: Timeframes to Complete Tree Works**

## 6. Tree Maintenance

Trees are maintained in order to reduce the risk of harm to people and property to an acceptable level.

Tree maintenance may on occasions be undertaken for other reasons but this is at the discretion of Arboricultural Services.

Wood residues from tree maintenance operations will never become waste products. There are clearly defined uses for all wood residues such as:

- Bark chips used for landscaping
- Wood chips used in wood burners
- Logs sold to the public as firewood

### 6.1 Street Trees

Street trees are a valuable part of our urban landscape, and the Council will maintain and enhance this urban forest for the benefit of present and future generations.

Many of our street trees are now mature and each year some are lost due to age, condition and as a result of highway and infrastructure improvements. Many of these are not replaced, but where resources are available, the Council will replant new trees to reverse the decline of our urban tree population.

### 6.2 Parks and Greenspaces

Trees in parks and greenspaces are managed to reflect the circumstances of the site and their type, age and condition. Trees in parks generally have more room to grow compared to street trees and usually grow to their full height and spread.

Ongoing maintenance includes removing dead wood, formative pruning (to remove problems in tree form when the tree is young so avoiding expensive problems later), removing low branches from pathways and removing trees when they come to the end of their safe and useful life.

Available resources will be used to plant new trees where a need has been identified. Where management plans do not exist, trees will be selected and sited to compliment and enhance the park or green space.

## 6.3 Newly Planted Trees

All newly planted street trees are subject to a three-year maintenance programme to ensure that they become established. This includes watering which is done anytime between early April and late summer according to weather conditions. In dry summers, trees may need to be watered ten or more times.

Trees planted as part of a woodland establishment programme are not usually watered because being small (typically 60-90 cm tall) they are more drought resistant.

Newly planted trees should be regularly watered (for the first three years after planting), but some trees may be missed or some trees, because of local conditions, need more water than others. Residents should feel free to water such trees themselves.

## 6.4 Tree Felling

Tree removal is regrettable, but necessary under a number of circumstances. The decision to remove a tree is not taken lightly. Trees are usually felled because it is best option to reduce the risk of harm to an acceptable level (e.g. dead, dying or diseased trees).

There are other circumstances where trees may be felled and these are mostly at the discretion of Arboricultural Services, such as where:

- A tree has been proven to be causing subsidence
- The removal of a tree would benefit surrounding trees
- It is the requirement of a management plan

If a removal and replacement programme is planned, residents on the street will be consulted. New trees will be replanted that are suitable to the location.

## 6.5 Tree Pruning

Pruning a tree can often weaken its structure, and should therefore be avoided for reasons other than reducing risk of harm to people or property. Pruning for any other reasons would be exceptional and at the discretion of Arboricultural Services.

## 7. Policies for Unsafe Trees

### Policy 7.1 Unsafe Trees - Requiring Immediate Action

**If a Council owned tree is in such a condition that it poses a very high risk to people or property, the Council will attend the site as an emergency normally within 1 hour and always within 2 hours. If work cannot be completed, areas at risk will be cordoned off until resources are available.**

A tree that is in immediate danger of failure or has already failed in a busy or built up area would likely constitute a very high risk.

#### **Customer Advice:**

1. If a tree poses an immediate and present danger it will be made safe within 1 hour (emergency). If the level of risk is lower, the tree will be made safe within 7 working days (urgent).

2. Signs to look for which may mean that a tree is in such condition to warrant immediate action include:

- a) tree is snapped or blown over*
- b) tree uprooted but held up by another tree or building*
- c) a large branch has broken off or is hanging off the tree*
- d) tree or branch is blocking the road or footpath*
- e) tree or branch is blocking access to property*
- f) tree has fallen onto house or car*

3. Signs to look out for which may mean that a tree is a risk to people or property but the risk does not require an emergency response:

- a) tree is dead*
- b) tree is dying - few leaves in summer or dieback in the crown*
- c) bark is loose and falling off*
- d) mushrooms or fungi growing on or near the tree*
- e) old splits and cracks in the trunk or large branches*
- f) smaller branches or twigs falling from the tree*

4. Trees can be made safe via pruning or felling. Typically we would employ the most cost effective approach. But, for certain high value trees we would consider other options to reduce risk to an acceptable level including options to reduce the likelihood of the tree failing or the likelihood of persons being close to the tree if it did fail.



## Policy 7.2 Trees - Not Requiring Immediate Action

**Trees that are perceived as high risk but present no immediate risk to the public will be made safe depending on the level of risk identified at the time of inspection. Tree works judged as urgent will be made safe within 7 working days.**

**Works on trees that are not considered high risk but where essential remedial work is required will be carried out within one year of inspection.**

### **Customer Advice:**

If the tree is believed to be an emergency case it will be attended within 1 hour and always within 2 hours (or cordoned off until resources available). Otherwise the customer will be informed of the policy within 10 days of contact, and if required the tree will be inspected within 1 working day if related to safety. The customer will be informed of the outcome.

## Policy 7.3 Unsafe trees in Private Ownership

### **a) Trees NOT within falling distance of the public highway**

Danger posed by trees between private parties is principally a matter for such parties to resolve. The Local Authority has powers to require a private individual to make safe a tree via **Local Government (Miscellaneous Provisions) Act 1976**. It is expected that private parties will take care of their own responsibilities and hence the Council should not be considered as the first point of contact in attempting to resolve concerns about the danger posed by trees in private ownership. However, the Council may intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale (timescales depend upon the degree of risk presented) and may recover from the tree owner the expenses reasonably incurred by it in so doing.

**Further information should be sought through the Arboricultural Officer (Planning Department)**

### **b) Trees within falling distance of the public highway**

If a tree in private ownership is shown to be a danger to the highway it will be identified for work to make it reasonably safe. The land owner will be contacted and instructed to make the tree safe under the Highways Act 1980. If it is necessary that the Council undertakes this work then the Council may intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale (timescales depend upon the degree of risk presented) and may recover from the tree owner the expenses reasonably incurred by it in so doing.

## 8. Policies for the Local Environment

### Policy 8.1 Tree Touching a Building

**If a tree that is owned or managed by the Council is touching private property (dwelling, house, boundary wall, garage etc) the Council will take action to remove the nuisance.**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to safety or damage to property. Work will be scheduled in accordance with the priority of the work identified as a result of the tree inspection. The customer will be informed of the outcome.

#### **Customer Advice:**

1. In many cases the solution will be for the Council to prune the tree, but in some circumstances it may be more appropriate to fell the tree. If pruning is appropriate we will endeavour to undertake works to stop the problem re-occurring within three years.

### Policy 8.2 Tree Overhanging Property

**We will not prune or fell a tree that is owned or managed by the Council to alleviate the nuisance of branches overhanging private property.**

The customer will be informed of the policy within 10 days.

#### **Customer Advice:**

1. The nuisance caused by overhanging branches may be considered as part of our general tree work programme, however this programme is discretionary and subject to the availability of funding.

### Policy 8.3 Tree Roots and Drains

**We will not prune, fell or cut the roots of a tree that is owned or managed by the Council to prevent roots entering private drains that are already broken or damaged.**

The customer will be informed of the policy within 10 days.

#### **Customer Advice**

1. Tree roots typically enter drains that are already broken or damaged. Trees themselves very rarely break or damage the drain in the first place. Tree roots found in a drain are usually symptomatic of an underlying problem requiring repair of the broken pipe. If you are concerned about the condition of your drains then you are advised to contact your water and sewerage company. Householders are usually responsible for the maintenance of the drains within on their property.

### Policy 8.4 Trees Blocking Natural Light

**We will not prune or fell a tree owned or managed by the Council to improve natural light to private property.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Where trees within an urban environment are blocking light into a property there is no legal 'right to light'. The tree owner is not by law obliged or required to carry out work to the tree for the benefit of level of light.
2. If natural light is being blocked by the growth of a hedge then action may be taken to reduce the problem under the High Hedges Act, Part 8 of the Antisocial Behaviour Act, 2003.

**Further information should be sought through the Arboricultural Officer (Planning Department)**

### Policy 8.5 Trees Blocking Views

**We will not prune or fell a tree owned or managed by the Council to improve the view from private property.**

The customer will be informed of the policy within 10 days.

### Policy 8.6 Leaf Fall from Trees

**We will not prune or fell a tree owned or managed by the Council to remove or reduce leaf fall or remove fallen leaves from private property.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.
2. For roads, streets or the highway extra teams are working in the autumn to clear fallen leaves.
3. In parks and greenspaces, paths or other areas of hard standing are regularly cleared of fallen leaves, but leaves on grass / shrub beds are generally left until the majority of leaves have fallen before they are removed (unless leaving them would damage the grass in which case the accumulated leaves would be removed sooner).
4. Leaves collected by the Council are composted.
5. If you would like to report a road, street, highway, public park or greenspace that needs to be cleaned please telephone the Contact Centre.

### Policy 8.7 Sap from Trees

**We will not prune or fell a tree owned or managed by the Council to prevent or reduce honeydew or other sticky residue falling onto private property.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Honeydew is caused by greenfly (aphids) feeding on the sap from the leaves and excreting their sugary, sticky waste. Often more likely to be colonised by a mould which causes it to go black. Unfortunately there is little that can be done to remove the aphid which causes the problem and pruning the tree may only offer temporary relief and any re-growth is often more likely to be colonised by greenfly thereby potentially increasing the problem. Some trees, such as Limes, are more prone to attack by greenfly and in some years greenfly are more common especially following a mild winter. Honeydew is a natural and seasonal problem. Where new trees are planted we try to choose trees that are less likely to have this problem. Where honeydew affects cars, warm soapy water will remove the substance, particularly if you wash the car as soon as possible.

### Policy 8.8 Blossom from Trees

**We will not prune or fell any tree owned or managed by the Council to remove or reduce blossom fall from trees or remove fallen blossom from private land.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Tree blossom usually heralds the start of Spring. Blossom is a natural occurrence, which cannot be avoided by pruning.

2. Roads, streets or the highway are swept of excessive blossom as necessary. Similarly paths through parks and greenspaces will be swept of blossom as part of normal cleaning cycles.

3. If you would like to report a road, street or highway that needs to be cleaned; or if you would like to report a park or greenspace that needs to be cleaned, please telephone the Contact Centre.

### Policy 8.9 Bird Droppings from Trees

**We will not prune or fell any tree owned or managed by the Council to remove or reduce bird droppings from the tree, or remove bird droppings from private land.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Bird droppings may be a nuisance but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law). Warm soapy water will usually be sufficient to remove the bird droppings.

### Policy 8.10 Fruit, Berries & Nuts from Trees

**We will not prune or fell any tree owned or managed by the Council to remove or reduce the nuisance of fruit, berries or nuts, or remove fallen fruit from private land.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Fruit trees such as apple, cherry and pear are welcomed in many locations with the added benefit of providing free food. But, there are some locations where fruit trees are less desirable, for example where soft fruit would make the pavement slippery or where anti-social behaviour could encourage fruit being thrown at houses or cars. When considering what tree to plant we do take account of the likelihood of such problems. Equally, where fruit trees are established but there is a significant anti-social behaviour problem we may consider phased removal and replacement with more suitable species.

2. If you would like to report a road, street or highway, public park or greenspace that needs to be cleaned or if fallen blossom is causing a problem in a public park or other Council land, please telephone the Contact Centre.

### Policy 8.11 Wildlife and Insects in Trees

**We will not prune or fell any tree owned or managed by the Council to remove or reduce incidence of bees, wasps and other insects or wild animals.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Bees are protected species and advice should be taken before considering their removal.
2. You may be able to dispose of individual wasps using an aerosol insect-repellent spray, but this will not control or eliminate the nest itself. Ideally the whole nest should be destroyed. This can be achieved with great caution but it is far safer to use pest control experts. The Council provides a charged service for removing certain pest species. Please telephone the Contact Centre to talk to Environmental Health.

### Policy 8.12 Satellite and Television Reception Blocked by Trees

**We will not prune or fell any tree owned or managed by the Council to enable or ease installation or improve reception of satellite or television receivers.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. It maybe that your satellite or TV provider will be able to suggest an alternative solution to the problem, for example relocating the aerial/dish or means to boost the signal. Please note that Wakefield Council will not reimburse costs associated with relocating a TV aerial or satellite dish.

### Policy 8.13 Solar Collectors and Panels Obscured by Trees

**We will not prune or fell any tree owned or managed by the Council to improve the performance of Solar Water Heating Collectors or Solar Panels such as Photovoltaic Cells**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Whilst the Council appreciates that there is a need to provide renewable energy resources. Trees have an important role in maintaining and improving local amenity, in addition to contributing to local and national targets in tackling climate change. The presence of trees must be fully appreciated when considering a suitable location for the placement of solar collectors and panels.



### Policy 8.14 Telephone Wires and Trees

**We will not fell any tree owned or managed by the Council to remove or reduce interference with telephone wires. There may be instances where the Council will undertake works to prune trees and reduce interference where pruning would be an effective measure.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. Your telephone service provider may be able to suggest an alternative solution to the problem.

### Policy 8.15 Tree Considered Too Large

**We will not prune or fell any tree owned or managed by the Council because it is considered to be 'too big' or 'too tall'.**

The customer will be informed of the policy within 10 days.

**Customer Advice:**

1. A tree is not dangerous just because it may be considered too big for its surroundings. Other problems would need to be present, such as those described in Policy 7.1 for the Council to consider it to be dangerous.
2. Wakefield Council does not recognise 'Crown reduction' 'lopping' topping' or 'pollarding' as a form of management of any of our trees.
3. Crown reduction can be detrimental to the health and future safety of trees [see link to ISA website and pdf on "why topping hurts trees"]

### Policy 8.16 Vandalism to Trees

**We will look into any reports of vandalism to any tree owned or managed by the Council and try to repair any damage where we can.**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 10 days of contact and the customer informed of the outcome.

**Customer Advice:**

1. We will generally plant larger trees that are more difficult to vandalise. In addition, we protect the tree with metal guarding, which is removed once the tree has become established, usually three years after planting. We actively promote tree planting and encourage local residents including young people to take part and care for the trees in their neighbourhood.

### Policy 8.17 Anti-social Behaviour and Trees

**Where any tree owned or managed by the Council is associated with criminal activity or anti-social behaviour, measures to reduce the problem will be considered on a site by site basis.**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 10 days of contact and the customer informed of the outcome.

#### **Customer Advice:**

1. Where a tree is associated with criminal activity and/or anti-social behaviour, steps to reduce the problem will typically require the coordination of a number of agencies including the police. Just pruning or felling a tree is not always the answer to the problem. Some research shows that areas with lots of trees actually help to make places safer. But, neglected spaces with overgrown trees and untidy areas can encourage criminal activity and/or anti-social behaviour. The Council's tree and grounds maintenance programme tries to improve these areas by making the local environment cleaner, greener and safer.

2. You are not allowed to remove wood (or other parts of a tree) from parks, greenspaces or other Council land without consent. Unauthorised persons are not allowed to use a chainsaw of any type in parks, greenspaces or other Council land. If you see someone who may be removing wood without consent (person not associated with a relevant sign written vehicle and / or without clothing that clearly identifies who they are) or they are using a chainsaw, please telephone the Contact Centre.

### Policy 8.18 Subsidence Caused by Tree

**The Council will rigorously identify and defend any claims which are presumed to be either bogus or false.**

Claims or notice of claims will be acknowledged within 10 days.

#### **Customer Advice:**

1. If you believe that your property is suffering subsidence damage due to the action of tree owned or managed by the Council (or that you are concerned about potential damage) you are advised to contact your property insurer (private ownership) in the first instance so that you may discuss your concerns and agree an appropriate course of action. Should you, or those acting on your behalf, wish to make a claim for damages against the Council, alleging that a Council owned/managed tree is causing subsidence damage, then you will be required to submit an independent report to our Legal Service Department.

## 9. Policies for Highways and Footpaths

### Policy 9.1 Carriageway Obstructed by Trees

**We will undertake work to trees owned or managed by the Council to maintain a minimum 5.5 metres height clearance over the carriageway (associated with a street, road or highway).**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to harm to people or property or 10 days if not. The customer will be informed of the outcome.

**Enquiries will be handled by the Highways Enforcement Officer.**

**Customer Advice:**

1. If a privately owned tree is causing an obstruction to a road, powers exist under the Highways Act to make the owner of the tree remove the obstruction. If they do not, the Council will do this work and recharge the owner.

### Policy 9.2 Line of Sight Obscured by Trees

**We will undertake work to trees owned or managed by the Council to maintain clear lines of sight for traffic and pedestrians at junctions and access points (associated with a street, road or highway).**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to harm to people or property or 10 days if not. The customer will be informed of the outcome.

**Enquiries will be handled by the Highways Enforcement Officer.**

**Customer Advice:**

1. Standards for visibility vary according to the class and speed limit in force.

2. If a privately owned tree is causing an obstruction to the visibility at a road junction (sight line), powers exist under the Highways Act to make the owner of the tree remove the obstruction. If they do not, the Council will do the work and recharge the owner.

3. The shoots that grow from the base of some trees in Council ownership such as lime trees are removed as part of our tree maintenance programme. This is usually done once a year for trees growing in the street, but in some streets this may need to be done twice a year. There is no active programme to remove basal shoots from trees in parks and greenspaces unless these interfere with footpaths or visibility at road junctions (sight lines). Otherwise, removal of basal shoots for aesthetic reasons is done as and when funds allow or when it is necessary to inspect the base of a tree.

### Policy 9.3 Signal and Signage Obscured by Trees

**We will undertake work to trees owned or managed by the Council to maintain clear lines of sight for traffic signals and street signage (associated with a street, road or highway).**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to harm to people or property or 10 days if not. The customer will be informed of the outcome.

**Enquiries will be handled by the Highways Enforcement Officer.**

#### **Customer Advice:**

1. A tree should not obstruct the vision of an approaching driver.
2. If a privately owned tree is causing an obstruction to a traffic signal or street sign, powers exist under the Highways Act to make the owner remove the obstruction. If they do not, the Council will do the work and recharge the owner.

### Policy 9.4 Street Light Obscured by Trees

**We will undertake work to trees owned or managed by the Council to ensure that street lights are not unduly blocked by the presence of trees.**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to harm to people or property or 10 days if not. The customer will be informed of the outcome.

**Enquiries will be handled by the Highways Enforcement Officer.**

#### **Customer Advice:**

1. If a privately owned tree is causing an obstruction to street light, powers exist under the Highways Act to make them remove the obstruction. If they do not, the Council will do the work and recharge the owner.

### Policy 9.5 Pavement Obstructed by Tree

**We will undertake work to trees owned or managed by the Council to maintain a minimum 2.5 metres height clearance over a footpath associated with a street, road or highway, and 3 metres where there are cycling rights. Any works necessary to prevent an obstruction to the width of a footpath associated with the highway due to the presence of a Council owned tree will be considered on a case-by- case basis.**

The customer will be informed of the policy within 10 days, and if required the tree will be inspected within 1 working day if related to harm to people or property or 10 days if not. The customer will be informed of the outcome.

**Enquiries will be handled by the Highways Enforcement Officer.**

**Customer Advice:**

1. If a privately owned tree is causing an obstruction to a footpath associated with the highway, powers exist under the Highways Act to make the owner of the tree remove the obstruction. If they do not, the Council will do this work and re-charge the owner.
2. The majority of trees alongside public rights of way (PROW) will be on private land, where there is a bridleway the clearance required is 4m. Enquiries relating to tree on PROW should be referred to PROW section via the contact centre on 08458506506.

### Policy 9.6 Trip Hazards from Tree Roots

**We will undertake measures to make safe unacceptable trip hazards in streets, roads or highways caused by the growth of trees owned or managed by the Council.**

In the first instance customers should be referred to the highways department to arrange for an inspection. Where necessary they will seek further guidance from the Arboricultural Service.

Where tree roots are causing a trip hazard on sites such as Parks, schools and cemeteries this will be dealt with by the Arboricultural Service. The customer will be informed of the policy within 10 days. The customer will be informed of the outcome.

### Policy 9.7 Installation of Dropped Kerbs Affecting Trees

**The Council will not normally permit the felling or pruning of roots of trees owned or managed by the Council to allow the installation of a drop kerb.**

In the first instance customers should be referred to the highways department to arrange for an inspection. Where necessary they will seek further guidance from the Arboricultural Service.

## 10. Policies for Local Planning

### Policy 10.1 Planning and Trees

**Further information should be sought through the Arboricultural Officer (Planning Department) by calling 0845 8 506 506 for the following enquiries:**

- Building Works Affected by Trees
- **Development Sites** Affected by Trees
- Commuted Sums for Trees in New Developments
- **Tree Preservation Orders, Conservation Areas** and Felling Licences
- High Hedges

### Policy 10.2 Council Trees and Development

**Sometimes development may impact upon Council managed trees. The Council has a system in place whereby Arboricultural Officers both in *Streetscene* and *Planning* will receive early notification of Planning Applications which require technical consultation.**

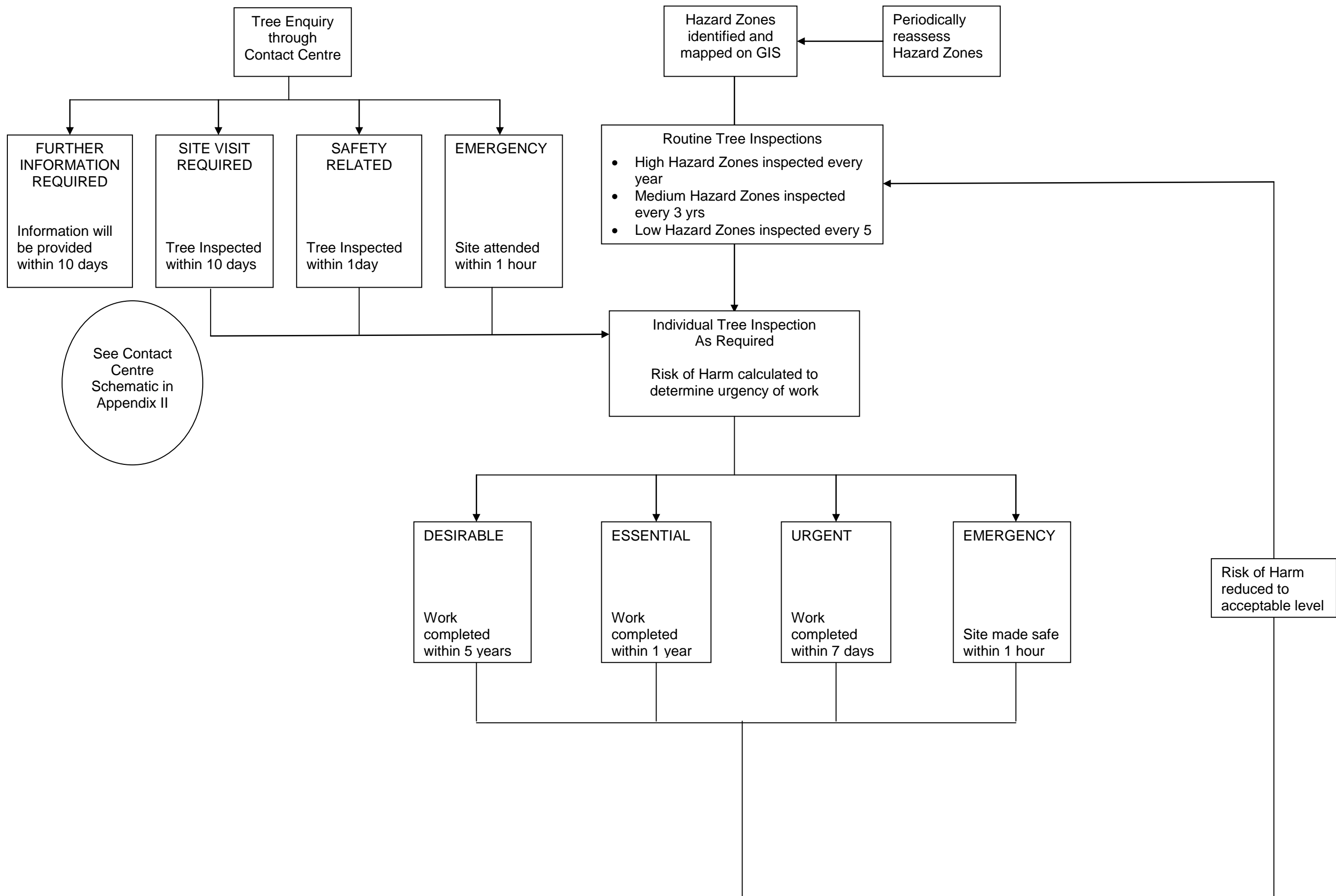
Consultation process:

- Planning Application received and put on system by Planning Department
- Arboricultural Officers in Streetscene and Planning are simultaneously consulted on validated applications
- Site address assessed by Arboricultural Officers and may be visited if applicable
- Where applicable, comments are submitted to Case Officer (Planning)
- If application is not relevant or does not appear to impact on trees owned or managed by Wakefield Council no further action will be taken by Streetscene Officers.

See also Appendix III – flow chart for further details of the above process.

The Council is not required to prune or fell trees owned or managed by the Council to allow building works to proceed, whether planning consent was necessary or via permitted development.





# Where Enquiries Come From

