



Draft Policy for the Management of Selby District Council Owned Trees





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Introduction

Trees are beautiful. They provide social, environmental, economic and health benefits. Selby District Council has a Corporate Plan priority of 'Making Selby District a great place to enjoy life'. We believe that trees and our approach to management and maintenance of Council owned trees, as set out in this policy contributes to that. Trees are an essential part of our district, improving air quality and absorbing and storing carbon dioxide helping to combat climate change. They intercept rainwater to help prevent localised flooding, help reduce noise pollution and provide a canopy and habitat for wildlife, improving the overall amenity value of the area.

The Scope of the Policy

The Council is responsible for the maintenance of the majority¹ of trees on Council owned land and this policy sets out how we will meet our obligations but also how we will ensure that we safeguard and maximise the benefits that trees provide. This policy focuses on the responsibilities of the Council but other parties and organisations also have responsibility for the management and maintenance of trees.

Our Woodlands

The Council owns a number of areas of woodland in the District, which are home to a variety of different species and are open for the enjoyment of the public

- Brayton Barff (jointly owned by the Council and Yorkshire Water)
- Hambleton Hough (managed by Yorkshire Wildlife Trust)
- Barlow Common Nature Reserve (managed by Yorkshire Wildlife Trust)

Privately owned trees

All tree owners have a legal responsibility to ensure that trees under their control do not pose unreasonable risks to others. If you are concerned about the condition of a privately owned tree and its perceived risk, or branches or roots that are growing over your boundary you should contact the owner and make them aware.

¹ Exceptions include trees within tenants gardens and areas of woodland managed by third parties on the Council's behalf.

Trees relating to construction or planning matters

This policy does not cover matters relating to construction or planning matters as this is covered under separate guidance and legislation. Further information can be found at www.selby.gov.uk/TreeManagement

Tree Management Policy Objectives

The Council has three main policy objectives when carrying out tree works:

- To deal with any legal responsibilities
- To remove any evident or present defect
- To retain the amenity and character of the area

The Council and contractors working on its behalf will work in accordance with current industry best practice, BS3998 standard and comply with appropriate legislation and policy.

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Tree Management Explained

The table below sets out how the Council will address common issues relating to the trees it owns and manages. It explains the priorities for these works and how resources will be directed to ensure we consistently meet the policy objectives as set out above.

Risk Management	
Tree Issue	What the Council will / will not do
Dangerous Tree	The Council has a statutory responsibility to maintain trees under its control in such a way that their condition or location does not pose unreasonable risks to people or property. We prioritise identified risks to ensure that the most serious are attended to first. Please report any concerns regarding a dangerous tree to the Council.
Trees causing shade, overhanging or encroaching on property	
Tree Issue	What the Council will / will not do
Trees touching buildings	Where a Council owned tree is physically touching a building, we will assess and take appropriate action before potential damage is sustained.
Right to light issues	The Council will not remove or prune a Council owned tree in order to mitigate shade.
Trees causing obstruction or interference	
Tree Issue	What the Council will / will not do
Obstruction to pavements	We will undertake appropriate work to ensure that that Council owned trees do not obstruct footpaths or pavements that are part of a highway or street and that a 2.5m clearance is maintained over the footpath.
Obstruction to highways	We will take appropriate action to ensure that Council owned trees do not obstruct a highway or adopted road and that a minimum of 5.2m height clearance is maintained.
Obstruction to highway sight lines, traffic lights or highway information signs	We will take appropriate action to ensure that Council owned trees do not obstruct sight lines on highways or adopted roads, or where they obstruct traffic lights or highway information signs.
Trees obstructing street lights	We will undertake work to Council owned trees to ensure that statutory street lighting levels are maintained.
Trees obstructing a view	We will not remove or prune trees in order to improve a view from a property.
Telephone wires in trees	We will not prune or remove a Council owned tree to remove or reduce interference with telephone wires. Issues should be reported to your telephone service provider.

Trees interfering with TV, satellite or internet signal	We will not remove or prune a tree to improve TV reception or satellite signal. Issues should be reported to your service provider.
Trees and solar panels	We will not prune or remove Council owned trees to facilitate the installation of solar panels to a neighbouring property.
Naturally occurring tree behaviours that may be perceived to be a 'nuisance'	
Tree Issue	What the Council will / will not do
Poisonous fruit	Where evidence can clearly demonstrate that vulnerable people are likely to be exposed to a Council owned tree that bears poisonous fruit, appropriate action may be considered. However It is not common practice to prune a Council owned tree because it is alleged to bear poisonous fruit.
Fallen leaves and blossom	We will not prune or remove a Council owned tree to reduce autumn leaf fall or tree blossom.
Tree Pollen, sap and fallen fruit	We will not prune or fell a Council owned tree to remove or reduce pollen, sap or fruit falling on to surfaces.
Trees and personal medical complaints	We will not prune or fell a Council owned tree where a request has been made to do so because of a personal medical complaint.
Bird droppings	We will not prune or fell a Council owned tree in order to remove or reduce bird droppings. Nor will we remove bird droppings from private land.
Wild Animals/insects	We will not prune or fell a Council owned tree to remove or reduce alleged problems caused by wild animals or insects.
Trees relating to buildings and structures	
Tree Issue	What the Council will / will not do
Trees alleged to be causing building subsidence or damage to underground services	Allegations of damage will be considered on a case by case basis. You should contact the Council as soon as possible with evidence of the damage.
Trees causing trip hazards	Allegations of the trip hazard will be considered on a case by case basis.
Trees within SDC property gardens	
Tree Issue	What the Council will / will not do
Can Selby District Council tenants plant trees in their gardens?	Tenants who wish to plant trees or shrubs in their gardens should seek consent from the Council, who will then consider the request.
The maintenance of trees and hedges in Selby District Council tenants gardens	Tenants have an obligation to maintain their gardens in accordance of the terms of their Tenancy Agreement.

Responsibility for trees in the garden of a former Selby District Council property	Trees standing within the footprint of a former Council property that has passed into private ownership are the responsibility of the owner.
Routine tree maintenance	
Tree Issue	What the Council will / will not do
Tree planting and replacement	We are committed to increasing the District's tree canopy cover and maximising the benefits that trees deliver. New trees are planted in appropriate locations when funding opportunities are made available.
Disposal of green waste	Wherever possible where the Council is carrying out works to trees, green waste and branches will be shredded and spread locally.
Trees alleged to be too big or too small	We will not prune or fell a Council owned tree because it is perceived to be too big or too small for its location. Where other issues exist tree pruning or removal may be considered.
Vandalised trees	Reports of vandalised trees will be investigated and the most appropriate action taken.

Legal Responsibilities

Statutory obligations dictate how the Council must manage trees that are within areas of its control; these are principally the Highways Act 1980 and the Occupiers' Liability Act 1957 & 1984.

Statutes such as the New Roads and Streetworks Act 1991; Health and Safety at Work Act 1974 and the Wildlife and Countryside Act 1981 govern how contractors working within the District must operate.

The Town and Country Planning Act 1990 places a duty upon the Council to assess the impact of tree loss within the District; where the loss is likely to have a significant impact upon the local and wider landscape the Council must consider protecting trees through the Tree Preservation Order process.

Some trees are legally protected by a Tree Preservation Order or because they are located within a Conservation Area. The Council will obtain planning permission before undertaking any work on a legally protected tree.

Contact Details

Selby District Council Customer Contact Centre – 01757 705101 info@selby.gov.uk
www.selby.gov.uk

Review

The policy will be reviewed in line with any relevant changes in legislation or procedures.

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