

# Tree policy

25 July 2022



**WARRINGTON**  
Borough Council

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## Introduction

This policy sets out our approach to the management of trees and woodlands on land we own. It acts as a point of reference for the public, officers, elected members and professionals to ensure a clear, consistent and structured approach to the management of Warrington's trees.

It **does not** deal with policies specific to Tree Preservation Orders or the management of trees we don't own within Conservation Areas, as these issues are the responsibility of our Development Control service.

### The objectives of this policy document are:

- To set out our approach to tree management, (including the management of risk associated with trees) and to outline the legal obligations and requirements imposed on us as a landowner.
- To provide a cohesive and defensible framework to which our officers can work.
- To encourage the implementation of best practice in the management of our tree and woodland assets.
- To promote the creation and/or maintenance of a high quality amenity landscape within the town, with a sustainable tree cover and the associated environmental benefits.

This Tree Policy categorises the type of tree enquiries and advises what the policy or relevant standards are in relation to each category.

## Reporting and response

**We assess and prioritise all enquiries, dealing with the most urgent cases first.** We can only take action with trees on land we own or maintain such as, public highways, parks and public spaces. We cannot take action on trees in privately owned land.

### In an emergency

If there is an immediate danger to the public or property which needs urgent attention, for example:

- A tree or branch has fallen onto a road, footpath or private property
- A tree or branch has split and is hanging above a road, footpath or private property
- The base or stem of a tree appears to be moving in the ground
- There has been a collision with a tree

You can report an emergency 24 hours a day, seven days a week call **01925 443322**.

**We will attend within 2 hours to make the site safe.**



## 1.0 Specific Advice, Policies and Standards

### 1.1 Dangerous tree requiring immediate action

#### **Council tree that is dead, dying or dangerous**

If a Council owned tree is in such a condition that it poses a very high risk to people or property and is considered to be an emergency situation please **call 01925 443322**

- 1.1.1 If a tree poses an immediate and present danger it will be made safe (Very high risk / emergency situation).
- 1.1.2 Signs to look out for which may mean that a tree poses a future risk to people or property but the risk does not require an emergency response:
  - a) Tree is dead
  - b) The 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 falling from the tree (weather and species dependent)
- 1.1.3 Trees can be made safe via pruning or felling. Typically we would employ the most effective approach. For certain high value trees we would consider other options to reduce risk to an acceptable level whilst retaining the tree as a feature within the landscape.

**We will attend within 2 hours to make the site safe.**

### 1.2 Trees and Light

#### **Council tree restricting light levels / direct sunlight to private property.**

We do not prune or fell a Council owned tree to improve natural light to a property.

#### **Customer Advice:**

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 Anti-social Behaviour Act 2003. For further information please [visit our website](#).

### 1.3 Trees and View(s)

#### **Council tree restricting view from a private property.**

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

### 1.4 Trees considered too big/too tall

**We will not prune or fell a tree we own/manage because it is considered to be “too big” or “too tall”.**

#### **Customer Advice:**

A tree is not dangerous just because it may be considered too big for its surroundings. Other issues would need to be identified in order for the Council to consider the tree to be dangerous.



## 1.5 Tree overhanging property

### **Council tree encroaching onto private property.**

We will not prune or fell a tree in Council ownership to alleviate the nuisance of overhanging branches.

#### **Customer Advice:**

- 1.5.1 You can only consider removing those parts of the tree from the point where they cross the boundary of your property, as long as the tree is not left in an unsafe condition and/or the tree does not die from the works carried out. You have no legal right to cut or remove any part of a tree that does not overhang your property
- 1.5.2 You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees.
- 1.5.3 You are strongly advised to tell the owner of the trees what you plan to do.
- 1.5.4 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 contact: Development Control.

Legally you do not own those parts of the tree that encroach over your property and you should make an offer to return any materials, although these do not have to be accepted.

## 1.6 Tree touching a building

### **Council tree (stem or branches touching private property)**

If a tree in Council ownership is touching your building, we will take action to remove the nuisance.

#### **Customer Advice:**

In the majority of 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.

**All such claims or notice of claims will be responded to within 60 working days of receipt.**



## **1.7 Leaves, Sap, Blossom, Fruit/Nut and Berries**

### **A Council owned tree dropping leaves, Sap, Blossom, Fruit, Nut or Berries on private or public land.**

We do not prune or fell a Council owned tree to remove or reduce the fall of leaves, sap, blossom and fruit/nut/berry fall or remove fallen leaves, blossom or fruit/nut/berries from private property.

#### **Customer Advice:**

- 1.7.1 The fall of leaves is part of the natural life cycle of trees and cannot be avoided by pruning.
- 1.7.2 Honeydew is caused by greenfly (aphids) feeding on the sap from the leaves and excreting their sugary, sticky waste. 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 select tree species that are less likely to generate this problem.
- 1.7.3 Tree fruit/nut/berries may be a nuisance but the problem is not considered to be a sufficient reason to remove a tree.
- 1.7.4 Tree blossom usually heralds the start of Spring. Blossom is a natural occurrence, which cannot be avoided by pruning. Roads, streets or the highway are swept of excessive blossom as necessary. Similarly, paths through parks and green spaces will be swept of blossom as part of normal cleaning cycles.

## **1.8 Trees and Poisonous Berries**

### **A Council tree known to contain poisonous berries or foliage on public land or a Council tree known to contain poisonous berries or foliage overhanging private land.**

In circumstances where it is claimed that unsupervised young children are likely to be exposed to poisonous berries and foliage, such cases will be investigated, risk assessed and appropriate action considered.

## **1.9 Bird Droppings and Trees**

### **Council tree harbouring birds leading to nuisance from bird droppings**

We do not prune or fell a Council owned tree to remove or reduce bird droppings from trees or to remove bird droppings from private land.

#### **Customer Advice:**

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).



## **1.10 Trees and Wild Animal / Insect Pest**

### **Council tree harbouring insects or animals**

We do not prune or fell a Council owned/managed tree to remove or reduce incidence of bees, wasps or wild animals.

#### **Customer Advice:**

All forms of wildlife are protected and advice should be taken before considering forcible removal.

## **1.11 Trees TV / Satellite signal Telephone Wires**

### **Council tree interfering with TV/Satellite signal and telephone wires**

We will not prune or fell a Council owned tree to prevent interference with TV / satellite installation / reception and/or telephone wire interference.

#### **Customer Advice:**

It may be 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.

## **1.12 Trees and Drains**

### **Council tree allegedly causing damage to a drain on private land**

We will not prune, fell or cut the roots of a Council owned/managed tree to prevent roots entering a drain that is already broken or damaged.

#### **Customer Advice:**

Tree roots typically invade 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 their property.

## **1.13 Tree-related subsidence damage to property**

### **A Council owned tree is allegedly causing subsidence damage to a property in private ownership**

If you believe that your property is suffering subsidence damage due to the action of trees in Council ownership (or that you are concerned about potential damage) you are advised to contact your property insurer 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, then you should [contact our Insurance Team, visit warrington.gov.uk/claim](http://warrington.gov.uk/claim)

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

## **1.14 Trees and Personal Medical Complaint**

### **Council owned tree on public land**

In circumstances where it is claimed that a tree is impacting upon a residents health, such cases will be investigated, risk assessed and appropriate action considered.





### **1.15 Trees and Vandalism**

#### **Any act of vandalism to a Council owned/maintained tree**

We will investigate reports of vandalism and/or purposeful damage to a Council owned tree. Prosecutions may follow pending investigations.

A site inspection would be required to assess damage caused and the safety of the tree. We will try to repair any damage and save the tree/trees where possible.

### **1.16 Trees and Crime/Anti-social Behaviour**

#### **Council tree implicated in providing cover / conditions to encourage criminal activity / anti-social behaviour**

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

#### **Customer Advice:**

Where a tree is associated with criminal activity and/or anti-social behaviour, steps to reduce the problem will typically require the co-ordination of a number of agencies including the Police.

Just pruning or felling a tree is not always the answer to the problem.

**We aim to respond more quickly according to the level of risk/problem on site.**

### **1.17 Trees and private funding for tree removal works**

#### **Private request received for the removal or pruning of Council owned trees (where the private individual or organisation offers to make a financial contribution either wholly or in part towards the undertaking of the work).**

The Council will not accept funding from private sources for tree works where there is no clear public benefit or where work is not necessary on safety grounds.

Private individuals / companies do not have access rights to undertake tree works on Council land.

### **1.18 Trees (private) – nuisance to third parties**

#### **Trees established on privately owned land and affecting a private third party neighbour**

The Council has no authority to intervene in a dispute between neighbours. However, if the problem is due to a 'high hedge' [guidance can be found on our website warrington.gov.uk/high-hedges](http://warrington.gov.uk/high-hedges).



## 2.0 Highways and Footpaths

### 2.1 Dangerous tree requiring immediate action

#### **Council tree that is dead, dying or dangerous**

If a Council owned tree is in such a condition that it poses a very high risk to people or property and is considered to be an emergency situation. Please call 01925 443322

- 2.1.1 If a tree poses an immediate and present danger it will be made safe (Very High risk -emergency situation).
- 2.1.2 Signs to look out for which may mean that a tree poses a future risk to people or property but the risk does not require an emergency response:
  - a) Tree is dead.
  - b) The 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 falling from the tree (weather and species dependent).

Trees can be made safe via pruning or felling. Typically we would employ the most effective approach. But, for certain High Value trees we would consider other options to reduce risk to an acceptable level whilst retaining the tree as a feature within the landscape

**We will attend within 2 hours to make the site safe.**

### 2.2 Trees and Pavement/Carriageway Obstruction

**Council tree causing an obstruction to a roadway or footpath (height/ width restriction) due to the growth of branches.**

**Private tree causing an obstruction to a roadway or footpath (height/ width restriction) due to the growth of branches**

We will undertake work to a tree in Council ownership to maintain a minimum 5.3 metre height clearance over the carriageway (associated with a street, road or highway).

We will undertake work to Council owned/managed trees to maintain a minimum 2.5 metres height clearance over a footpath associated with a street, road or highway (3 metres where there are cycling rights).

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.

**We aim to respond more quickly according to the level of risk described.**



## 2.3 Trees and Traffic Signal Obstruction

**A Council tree causing an obstruction to traffic signals, signs and street lights**

**A private tree causing an obstruction to traffic signals, signs and street lights**

We will undertake work to a tree in Council ownership to maintain clear sight-lines for traffic signals, street signs and street lights.

If a privately owned tree is causing an obstruction to a traffic signal, street sign or street light 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.

Customers can receive an immediate response by searching for the relevant stated policy on the Council's web site.

**We aim to respond more quickly according to the level of risk described.**

## 2.4 Trees and Road-Sight-lines Obstruction

**A Council tree causing an obstruction to a sight-line / junction in the highway**

**Or private tree causing an obstruction to a sight-line / junction in the highway**

We will undertake work to a tree in Council ownership to maintain clear sight-lines at junctions and access points (associated with a street, road or highway).

- 2.4.1 Standards for visibility vary according to the vehicle class and speed limit in force.
- 2.4.2 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 undertake the work and recharge the owner.
- 2.4.3 The shoots that grow from the base of some trees in Council ownership such as Lime trees are removed as part of our annual tree maintenance programme. This is usually done once a year for trees growing in the street, but in some locations this may need to be done twice a year. There is no active programme to remove basal shoots from trees in parks and green spaces, unless these interfere with footpaths or the visibility at road junctions. Otherwise, the removal of basal shoots for aesthetic reasons is done as and when resources will allow or when it is necessary to inspect the base of a tree.

**We aim to respond more quickly according to the level of risk described.**



## 2.5 Trees and Trip Hazard

**A Council tree causing a trip hazard to a public footpath due to the action of roots.**

**A private tree causing a trip hazard to a public footpath due to the action of roots.**

We will undertake measures to make safe an unacceptable trip hazard in street, road or highway caused by the growth of a Council owned tree.

### **Customer Advice:**

- 2.5.1 Pavements (associated with a street, road or highway) are inspected a minimum of once a year.
- 2.5.2 If a privately owned tree is causing damage to the pavement leading to a trip-hazard, 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.
- 2.5.3 There are a number of ways the Council can repair a pavement damaged by tree roots. The pavement surface can be 'built up', or isolated roots can be pruned. Removal of the tree is usually the last resort (accepting that in some circumstances where the tree is of low value or easily replaced removal may be the most appropriate solution).

**We aim to respond more quickly according to the level of risk described.**

## 2.6 Trees and installation of a drop kerb

**We are not required to allow the felling of a tree or pruning of the roots of a Council owned/managed tree to allow the installation of a drop kerb.**

If the installation of a drop kerb is likely to adversely affect the health of a Council owned tree, the request will be refused.



## 3.0 Maintenance of Council Trees

### 3.1 Tree Maintenance Regimes

#### **Council owned trees on public land**

The Council aims to manage its trees so that they are safe and make a positive contribution to their locality and the town's image. Equally we wish to see more people benefit from the presence of trees by ensuring a more equal distribution of tree cover across the town.

#### **Customer Guidance:**

The Council is progressively bringing its trees into an active programme of management. The way that trees are managed very much reflects where they are and ultimately the amount of space they have to grow.

Street trees across the district include a number of large 'forest' type trees such as Lime and Sycamore, in some instances these trees are growing in areas with restricted space. Given this, many street trees need to be regularly pruned to stop them getting too big. Some street trees are managed as pollarded trees and are re-pollarded on a 5-7 year cycle when re-growth is taken back to a pre-formed framework at a fixed height. This work can appear visually quite harsh, but is necessary to keep trees at a maximum size.

Trees in Parks and Green Spaces are managed to reflect the circumstances of any one site and the type, age and condition of each tree. Trees in parks generally have more room to grow compared to the street and hence typically they can grow to their full height and spread. Ongoing maintenance includes the removal of 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 the removal of trees when they come to the end of their safe and useful life. Available funding/resources will be used to plant new trees where a need is identified: trees will be selected and sited to complement and enhance the park or green space.

Trees in Public Open Space are managed according to their location which includes both streets (grass verges) and parks.

Other Council trees are managed via more informal arrangements largely outside an active programme.

### 3.2 Tree Safety Inspections

#### **A Council owned tree established on public land or a Council owned tree adjacent to a private property**

Trees in Council ownership which are growing in areas of high public use are inspected for safety according to the level of public use in the area immediately surrounding the tree.

#### **Customer Advice:**

Trees are periodically inspected to identify any works necessary to make them safe which may include pruning or if whole tree removal depending on the problem and the relative value of the tree. The cycle of re-inspection is determined by the location of the tree.

**The enquiry will be assessed within 60 working days of receipt.**



### **3.3 Publicising tree felling / pruning**

#### **Works to a Council owned tree**

Where works are minor such as pruning (including repeat cyclical pruning of street trees) or the removal of unsafe trees works will proceed without recourse to publicity. Where works have greater impact including the felling of larger groups of trees we will inform adjacent residents.

## **4.0 Useful Contacts**

### **General Enquiries:**

**Warrington Borough Council, Contact Centre**

Tel. (01925) 443322

### **Trees & Development, Trees in Conservation Areas, Tree Preservation Orders**

**Development Control, 1 Times Square**

Tel. (01925) 443322

## **5.0 Guidance under tree management works/strategies**

- 5.1 The Council is progressively bringing its trees into an active programme of management. The way that trees are managed very much reflects where they are and ultimately the amount of space they have to grow and is subject available resources.
- 5.2 Street trees across the town include a number of large 'forest' type trees such as Lime and Sycamore, in some instances these trees are growing in areas with restricted space. Given this, many street trees need to be regularly pruned to stop them getting too big. Some street trees are managed as pollarded trees and are re-pollarded on a 5-7 year cycle when re-growth is taken back to a pre-formed framework at a fixed height. This work can appear visually quite harsh, but is necessary to keep trees at a maximum size.
- 5.3 Trees in Parks and Green Spaces are managed to reflect the circumstances of any one site and the type, age and condition of the trees. Trees in parks generally have more room to grow compared to the street and hence typically they can grow to their full height and spread. Ongoing maintenance includes the removal of 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 the removal of trees when they come to the end of their safe and useful life. Available finding/resources will be used to plant new trees where a need is identified: trees will be selected and sited to complement and enhance the park or green space.
- 5.4 Trees in Public Open Space are managed according to their location which includes both streets (grass verges) and parks.
- 5.5 Other Council trees are managed via more informal arrangements largely outside an active programme.



## Main Pruning Definitions

### Crown Thin

Crown thinning is the removal of a portion of smaller/tertiary branches, usually at the outer crown, to produce a uniform density of foliage around an evenly spaced branch structure. It is usually confined to broad-leaved species. Crown thinning does not alter the overall size or shape of the tree. Material should be removed systematically throughout the tree, should not exceed the stated percentage and not more than 30% overall. Common reasons for crown thinning are to allow more light to pass through the tree, reduce wind resistance, reduce weight (but this does not necessarily reduce leverage on the structure) and is rarely a once-only operation particularly on species that are known to produce large amounts of epicormic growth.



### Crown Lift or Crown Raising

Crown lifting is the removal of the lowest branches and/or preparing of lower branches for future removal. Good practice dictates crown lifting should not normally include the removal of large branches growing directly from the trunk as this can cause large wounds which can become extensively decayed leading to further long term problems or more short term biomechanical instability. Crown lifting on older, mature trees should be avoided or restricted to secondary branches or shortening of primary branches rather than the whole removal wherever possible.

Crown lifting is an effective method of increasing light transmission to areas closer to the tree or to enable access under the crown but should be restricted to less than 15% of the live crown height and leave the crown at least two thirds of the total height of the tree. Crown lifting should be specified with reference to a fixed point, e.g. 'crown lift to give 5.5m clearance above ground level'.



## Crown Reduction

The reduction in height and/or spread of the crown (the foliage bearing portions) of a tree. Crown reduction may be used to reduce mechanical stress on individual branches or the whole tree, make the tree more suited to its immediate environment or to reduce the effects of shading and light loss, etc. The final result should retain the main framework of the crown, and so a significant proportion of the leaf bearing structure, and leave a similar, although smaller outline, and not



necessarily achieve symmetry for its own sake. Crown reduction cuts should be as small as possible and in general not exceed 100mm diameter unless there is an overriding need to do so. Reductions should be specified by actual measurements, where possible, and reflect the finished result, but may also refer to lengths of parts to be removed to aid clarity, e.g. 'crown reduce in height by 2.0m and lateral spread by 1.0m, all round, to finished crown dimensions of 18m in height by 11m in spread (all measurements approximate.)'. Not all species are suitable for this treatment and crown reduction should not be confused with 'topping', an indiscriminate and harmful treatment.

Illustrations and descriptions courtesy of The Arboricultural Association and European Arboricultural Council.