



ST HELENS BOROUGH COUNCIL TREE POLICY

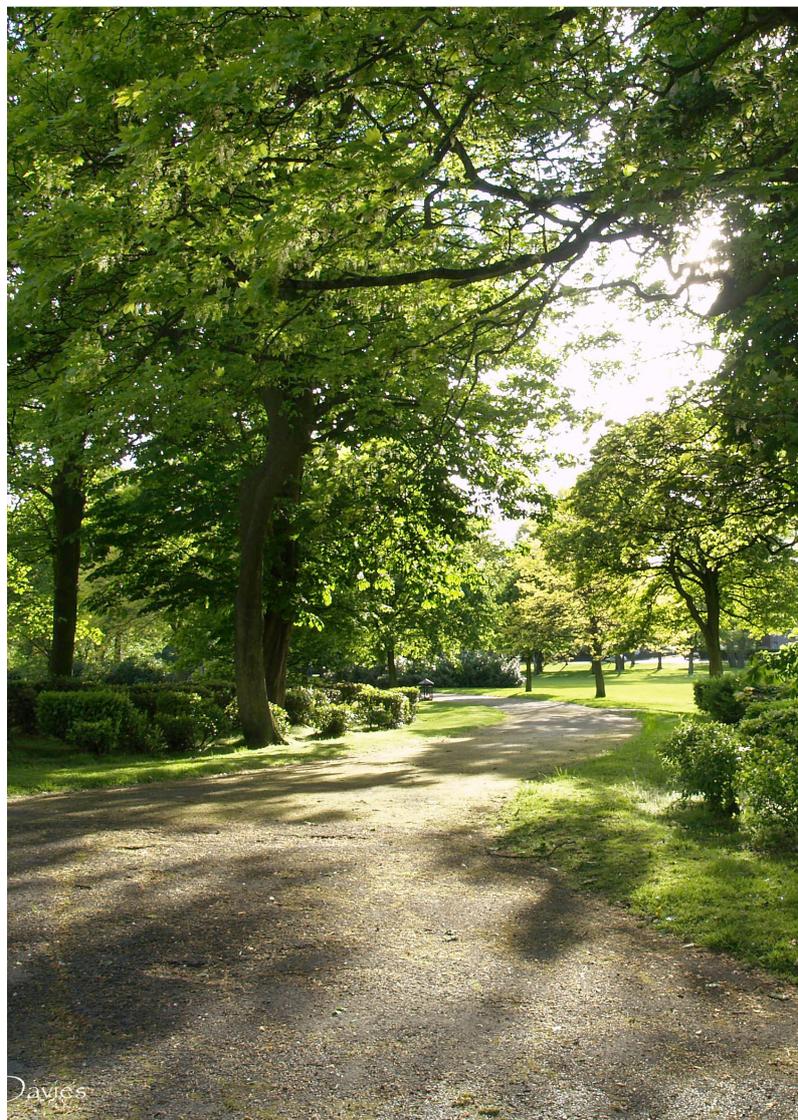
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1.0 INTRODUCTION

The trees and woodlands in St Helens are seen as a significant asset and resource that is of great significance for the health and benefit of local people as well as being a vital resource for wildlife. Trees and woodlands have many benefits, not only of timber production and wildlife habitat. There are benefits to the urban environment; provision of shelter, protection from rainstorms, cooling of air, soil stabilisation and land reclamation. Trees and woodlands can improve the health of people; produce cleaner air, noise reduction, shade, therapy and emotional well being. They will also help to reduce the impacts of climate change on the local population and environment. They can also help to enhance the landscape character of an area and this can help to increase the value of properties within such an area. Other benefits include strengthened communities, improved image, provide educational opportunities, increasing biodiversity and produce energy crops.

Whilst many of these tree, woodland and hedgerow areas are within private ownership, the council owns and manages large numbers of trees and woodlands. It is therefore the purpose of this policy to provide direction and ensure a consistent approach to the management of this resource.

Climate change adaptation

Trees and woodlands have a crucial role to play in helping our region adapt to inevitable climate change. Creating green infrastructure in targeted areas can keep towns and cities cool, reducing heat stress and saving lives in the face of heatwaves. Flood risk is also reduced thanks to improved surface water management, with green infrastructure also providing increased opportunities for outdoor recreation in a hotter climate.

If we increase our tree cover in towns and cities by just 10%, we can keep surface temperatures at current levels despite climate change. This is the message of the ASCCUE (Adaptation Strategies for Climate Change in the Urban Environment) project at the University of Manchester on how the North West can rise to the challenge and 'beat the heat'.

Trees and woodland are a core part of our urban green infrastructure. Their powerful cooling effect is thanks to their ability to provide shade as well as the 'evaporative cooling' that takes place as they breathe. There are no technical barriers to going the extra 10%, it is solely a question of political will. This is why The Mersey Forest is committed to engaging as many partners as possible to work together to achieve this vital target.

Source: The Mersey Forest

AIMS AND OBJECTIVES

Aim

To maintain and enhance the council tree resource and trees affected by the council's policy and statutory responsibilities, for the benefit of all who live, work and travel through the borough.

Objectives

- To manage the existing council trees, woodlands and hedgerows as a sustainable resource.
- To provide clear information as to how the council will manage their tree resource and respond to issues raised by the public in relation to trees.
- To undertake planting to provide new trees, woodlands and hedgerows, which will contribute to biodiversity action plan targets.
- To promote the benefits provided by trees, woodlands and hedgerows.
- To promote good practice for planting and management of trees, woodlands and hedgerows.
- To ensure accessibility to woodlands and engage the community in their use and management.
- To ensure that tree policies identified in the St Helens Local Plan Core Strategy October 2012 are applied to trees and landscapes that are affected by development, as well as area related plans such as the Bold Forest Park Area Action Plan and the Mersey Forest Plan.
- To ensure that the council delivers its statutory duties in relation to trees within the Borough, particularly in relation to tree preservation orders and trees in conservation areas.

POLICY FRAMEWORK

There are a number of national, regional and local initiatives and policies that form the framework for this policy. There are also a number of Acts of Parliament, which also contribute to the framework.

The framework includes the England Forestry Strategy, which sets out the Government's continued support for Forestry in England. St Helens is also in the Mersey Forest, which is one of the Community Forests, an important initiative with the aim to create well wooded landscapes for wildlife, work and education with new opportunities for a range of recreational facilities. The management of the council's trees will therefore aim to support the policies and recommendations identified in the Mersey Forest Plan.

The council has produced an Area Action Plan for the Bold Forest Park area and the council will both manage its trees and seek to contribute to the aims of the Bold Forest Park Action Plan through the management and enhancement of this resource.

There are many standards produced including those relating to the sustainable management for woodland and works to services and highways in relation to their possible impact on trees.

Acknowledgements

Lancaster City Council Tree Policy (October 2010) and High Peak Borough Council Tree Strategy (2009). As well as the Mersey Forest Plan, Bold Forest Park Area Action Plan and the Trees and Development Supplementary Planning Document 2007.

2.0 USEFUL CONTACTS

Enquiry	Department/Service	Contact
General	St Helens Borough Council	Contact Centre - 01744 676789 contactcentre@sthelens.gov.uk
Trees & Development	Chief Executive's Department Town Hall Victoria Square St Helens WA10 1HP	Planning Team - 01744 676221
Trees in Conservation areas		
Trees Preservation Orders		
High Hedges	Chief Executive's Department Town Hall Victoria Square St Helens WA10 1HP	Planning Enforcement - 01744 676179
Trees on Established Council Land/Property	Environmental & Trading Services Environmental Care and Civic Pride Hardshaw Brook Depot Parr Street, St Helens WA9 1JR	Contact Centre - 01744 676789
Trees in Public Parks & Open Spaces		
Trees on Public Highways or Footpaths		
The Mersey Forest	The Mersey Forest Risley Moss Ordnance Avenue Warrington WA3 6QX	The Mersey Forest Team - 01925 816217 (www.merseyforest.org.uk)

3.0 GENERAL PUBLIC ENQUIRIES

- RESPONSE TIMES

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree response times to public enquiries</p>	<p>Policy: Response Times to Public Enquires</p> <p>Emergency tree-related issue The council will attend site within 1 hour to make the situation safe. An emergency is defined as a tree that is in immediate danger of collapse or a tree that is causing an obstruction requiring attention.</p> <p>Non-emergency Tree-related safety issue A site inspection will be undertaken within 10 working days of receipt and the customer notified of what action is considered appropriate.</p> <p>Tree enquiry not requiring a site inspection The customer will be informed of council policy within 10 days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council web site.</p> <p>Tree enquiry requiring a site inspection The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p>	<p>As stated</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>Tree-related subsidence claim All such claims or notice of claims will be acknowledged within 5 working days of receipt and an initial report based on evidence supplied within 21 working days of receipt such enquiries typically require the submission of detailed evidence and as such each case will be considered on its own merit.</p> <p>Timescale for the completion of agreed works All tree works will be completed depending on its priority the standard is normally 8 weeks. Emergencies take priority and will take president over any agreed non-emergency works.</p> <p>Clarification of council policy about trees/general enquiries The enquiry will be answered within 10 working days of receipt. Customer can obtain the information and immediate response by searching for the relevant stated policy on the council's web site. If the enquiry requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate.</p>	

4.0 ADVICE, POLICIES AND STANDARDS

- ENVIRONMENT AND AMENITY

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree related subsidence damage to property</p> <p>A council owned tree is allegedly causing subsidence damage to a property in private ownership.</p> <p>Or, concern that a council owned tree may cause subsidence damage to a property in private ownership.</p>	<p>Policy: Tree related subsidence damage to property</p> <p>The council will rigorously identify and defend any claims which are presumed to be.</p> <p>Customer Advice:</p> <p>If you believe that your property is suffering subsidence damage due to the action of trees in council ownership/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 the appropriate course of action. Should you wish to make a claim for damages against the council, alleging that a council owned/managed tree is causing subsidence damage, then you should contact our Legal Service Department. Reports will usually be required from structural engineers/ chartered surveyors and be supported with technical analysis where appropriate. Claims of damage to lighter structures and surfaces e.g. garden walls, drains, paving and drives should be supported by technical evidence from a relevant engineer, building/ drainage surveyor or other appropriate expert.</p>	<p>Tree related subsidence Claim</p> <p>All such claims or notice of claims will be acknowledged within 5 working days of receipt and an initial report based on evidence supplied within 21 working days of receipt.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree touching a building</p> <p>Council tree (stem or branches) touching private property.</p>	<p>Policy: Tree touching a building</p> <p>If a tree in council ownership/ managed by the council is touching your property (dwelling, house, boundary wall, garage etc) we will take action to remove the nuisance.</p> <p>Customer Advice:</p> <p>1. In most cases the solution will be for the council to prune the tree, unless other issues are identified that affect the health of the tree. If pruning is appropriate we will endeavour to undertake works to stop the problem re-occurring within three years.</p> <p>2. You have a Common Law right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice is given if you wish to exercise your Common Law right with respect to encroaching trees;</p> <p>a. You can only consider removing those parts of the tree from the point where they cross the boundary into your property and can only work on the tree from within the boundary of your property;</p> <p>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;</p> <p>c. You are strongly advised to tell the owner of the trees what you plan to do. You can find out if the council owns the trees by contacting the Contact Centre.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt that a site inspection is required and that a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>d. Before you consider doing any works to the trees you should find out if they are protected by a tree preservation order or they are in a conservation area. If the trees are protected then you will need to gain consent by making an application/give notice to the council. For guidance on how to make an application please contact the Planning Team.</p> <p>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 with your neighbour to agree a mutually acceptable solution.</p> <p>If the encroachment is due to a council owned tree then please make arrangements with the council for the removal of any material that you are not able to dispose of yourself.</p>	
<p>Tree overhanging property Council tree encroaching onto private property (due to the growth of the stem, branches or roots).</p>	<p>Policy: Tree overhanging property</p> <p>We will not prune or fell a tree in council ownership/managed by the council to alleviate the nuisance of overhanging branches.</p> <p>Customer Advice:</p> <p>1. The nuisance caused by overhanging branches may be considered as part of our general tree- work programme, however this programme is prioritised and subject to the availability of funding.</p> <p>2. You have a Common Law right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice is given if you wish to exercise you Common Law right with respect to encroaching trees (advice is as per 'Tree Touching a Building' - 2a.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and drains</p> <p>Council tree allegedly causing damage to a drain on private land.</p>	<p>Policy: Tree and drains</p> <p>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.</p> <p>Customer Advice:</p> <p>1. 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 a 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 your property.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's web site.</p>
<p>Tree and light</p> <p>Council tree restricting light in a private property.</p>	<p>Policy: Tree and light</p> <p>We will not prune or fell a council owned/managed tree to improve natural light in a property.</p> <p>Customer Advice:</p> <p>1. If natural light is being blocked by the growth of a coniferous hedge then action may be taken to reduce the problem under the High Hedges Act, Part 8 of the Antisocial Behaviour Act 2003. The customer should contact the Planning Enforcement Team for further information.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's web site.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and view</p> <p>Council tree restricting view from a private property</p>	<p>Policy: Tree and view</p> <p>We will not prune or fell a council owned/managed tree to improve the view from a private property</p> <p>Customer Advice:</p> <p>If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees</p> <p>Common law rights</p> <p>Overhanging branches:</p> <p>Under English Common Law there is a general right to cut overhanging branches back to your property boundary, however the owner of the tree is not usually obliged to cut them back - if you intend to cut overhanging branches you must not go beyond your boundary or 'top' someone else's trees without their permission and you should normally return the branches unless you agree beforehand to dispose of them yourself.</p> <p>It is always best to discuss any proposed work with your neighbour first to avoid any later claims of damage - you might even manage to get their help or agreement to remove more than you're entitled to.</p> <p>Please note: If the tree is protected by a Tree Preservation Order (TPO) or in a Conservation area you will need to apply for written permission from the council before you do any work.</p> <p>To check if trees are protected either by a Tree Preservation Order or because they are growing in a Conservation Area contact the Planning Advice Team.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Trees and leaves</p> <p>A council tree shedding leaves over private property or problem of leaves on public footpath/other public space</p>	<p>Policy: Trees and leaves</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce leaf fall or remove fallen leaves from a private property</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. The loss of leaves from trees in the autumn is a part of the natural cycle and cannot be avoided by pruning 2. For roads, streets or the highway operational staff work in autumn to clear fallen leaves 3. In parks and green spaces, paths or areas of hard standing are regularly cleared of fallen leaves but on grass areas/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 are generally sent for composting 5. If you would like to report a road, street or highway, park or green space that needs to be cleaned please contact the Contact Centre. 	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and sap</p> <p>A Council tree shedding sap/sticky residue over private property.</p> <p>Or a problem of sap on public footpath/other public space.</p>	<p>Policy: Tree and sap</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce honeydew or other sticky residue from trees.</p> <p>Customer Advice:</p> <p>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 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.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and blossom</p> <p>A council tree shedding blossom over private property.</p> <p>Or a problem of blossom on public footpath/other public space.</p>	<p>Policy: Tree and blossom</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce blossom from the trees or remove fallen blossom from private land.</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 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 green spaces 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 you would like to report parks or green spaces that needs to be cleaned contact the Contact Centre for further information. 	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of the council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>
<p>Tree and bird droppings</p> <p>Council tree harbouring birds leading to nuisance from bird droppings.</p>	<p>Policy: Tree and bird droppings</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce bird droppings from trees or to remove bird droppings from private land.</p> <p>Customer Advice</p> <ol style="list-style-type: none"> 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 wildlife law). Warm soapy water will usually be sufficient to remove the bird droppings. 	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and fruit/berries/nuts/seeds</p> <p>A council tree shedding fruit/berries or nuts on private land.</p>	<p>Policy: Tree and fruit/berries/nuts/seeds</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce the nuisance of fruit/berries/nuts or seeds or remove such fallen fruit from private land.</p> <p>Customer Advice:</p> <p>1. Fruit trees such as apple, cherry and pear are welcomed in many locations with the added benefit of providing free food to people and animals. 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 into account the likelihood of such problems.</p> <p>2. If you would like to report a road, street or highway, a public park, or green space that needs to be cleaned or if fallen fruit/berries, nuts or seeds is causing a problem in a public park or other council land contact the Contact Centre for further information.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and poisonous berries</p> <p>A council tree known to contain poisonous berries or foliage on public land.</p> <p>Or a council tree known to contain poisonous berries or foliage overhanging private land.</p>	<p>Policy: Tree and poisonous berries</p> <p>We have no policy to remove trees bearing poisonous fruit/ foliage (such as yew trees), however where it is claimed or known that unsupervised young children are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.</p> <p>Customer Advice</p> <p>If you have concerns where it is claimed or known that unsupervised young children are likely to be exposed to poisonous berries or foliage contact the Contact Centre for further information.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>
<p>Tree and wild animal/ insect pest</p> <p>Council tree harbouring bees or wasps or other nuisance animals.</p>	<p>Policy: Tree and wild animal/ insect pest</p> <p>We will not prune or fell a council owned/managed tree to remove or reduce incidence of bees, wasps or wild animal.</p> <p>Customer Advice</p> <p>1. Bees are recognised as being vital to our biodiversity and treatment will be considered as a last option. When encountering a bees nest or swarm, advice will be sought from local beekeepers or the council's Pest Control Service.</p> <p>2. The control and removal of wasp nests can be dangerous, particularly if working at height, as during any treatment the insects can become aggressive. Where it is considered necessary to treat a nest the council's Pest Control Service will be contacted to perform such treatments.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and TV/satellite reception</p> <p>Council tree interfering with TV/satellite reception</p>	<p>Policy: Tree and TV/satellite reception</p> <p>We will not prune or fell a council owned/managed tree to prevent interference with TV/satellite installation/reception</p> <p>Customer Advice:</p> <p>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.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>
<p>Tree and telephone wire</p> <p>Council tree interfering with telephone wires.</p>	<p>Policy: Tree and telephone wire</p> <p>We will not prune or fell a council owned/managed tree 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 will be an effective measure.</p> <p>Customer Advice:</p> <p>Your telephone service provider may be able to suggest an alternative solution to the problem.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can receive an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and solar panels/wind turbines</p> <p>Council Tree restricting light to a solar panel.</p>	<p>Policy: Trees and solar panels/wind turbines</p> <p>We will not prune or fell a council owned/managed tree to improve natural light to a solar panel or improve wind conditions for adjacent wind turbines.</p> <p>Customer Advice:</p> <p>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 panels and wind turbines.</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>
<p>Tree considered too big/too tall</p> <p>Council tree considered to be excessive in size</p>	<p>Policy: Tree considered too big/too tall</p> <p>We will not prune or fell a council owned/managed tree because it is considered to be too big or too tall.</p> <p>Customer Advice:</p> <p>A tree is not dangerous just because it may be considered too big for its surroundings. Other problems would need to be shown such as those described for 'trees dangerous' for the council to consider it to be dangerous.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and personal medical complaint</p> <p>Council owned tree on public land or council owned tree overhanging private property.</p>	<p>Policy: Tree and personal medical complaint</p> <p>We will not prune or fell a council owned/managed tree where a request has been made to do so because of a personal medical condition.</p> <p>Note: some exposure to a claim of Statutory Nuisance but no case law to require tree owners to consider personal health impacts.</p> <p>Customer Advice:</p> <p>If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees</p> <p>Common law rights:</p> <p>Overhanging branches</p> <p>Under English Common Law there is a general right to cut overhanging branches back to your property boundary, however the owner of the tree is not usually obliged to cut them back - if you intend to cut overhanging branches you must not go beyond your boundary or 'top' someone else's trees without their permission and you should normally return the branches unless you agree beforehand to dispose of them yourself.</p> <p>It is always best to discuss any proposed work with your neighbour first to avoid any later claims of damage - you might even manage to get their help or agreement to remove more than you're entitled to.</p> <p>Please note: If the tree is protected by a Tree Preservation Order (TPO) or in a Conservation area you will need to apply for written permission from the council before you do any work.</p> <p>To check if trees are protected either by a Tree Preservation Order or because they are growing in a Conservation Area contact: Planning Advice Team.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can receive an immediate response by searching for the relevant sated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and vandalism</p> <p>Any act of vandalism to a council owned/maintained tree.</p>	<p>Policy: Tree and vandalism</p> <p>We will look into any reports of vandalism to a council owned/ managed tree and try to repair any damage where we can.</p> <p>Customer Advice:</p> <p>We will generally plant larger trees that are more difficult to vandalise. In addition, we may protect the tree with metal guarding if required, 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. These combined measures have reduced problems of vandalism to generally low levels. We encourage local communities to report incidents of vandalism and we can take legal action where witness have been prepared to come forward. Any council owned tree that is damaged or removed will be investigated and if the council believes that there is evidence such damage is intentional they will seek criminal prosecution of the perpetrators.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and crime/anti-social behaviour</p> <p>Council tree implicated in providing cover/conditions to encourage criminal activity/ anti-social behaviour.</p>	<p>Policy: Tree and crime/anti-social behaviour</p> <p>Where a council owned/ managed tree is associated with criminal activity/anti - social behaviour, measures to reduce the problem will be considered on a site by site basis.</p> <p>Customer Advice:</p> <p>1. Where a tree is associated with criminal activity/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/anti-social behaviour. The council's tree and grounds maintenance programme aims to improve these areas by making the local environment cleaner, greener and safer.</p> <p>2. You are not allowed to remove wood (or other parts of a tree) from parks or green spaces without consent. Generally, we either remove cut timber from sites to be chipped and recycled on to pathways, borders, allotments or left in place in woodland areas to encourage wildlife habitat. Un-authorized persons are not allowed to use a chainsaw of any type in parks or green spaces. If you see someone who may be removing wood without consent (person not associated with a relevant sign written vehicle/without clothing that clearly identifies who they are) contact the Contact Centre.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond quicker according to level of risk described</p>

5.0 ADVICE, POLICIES AND STANDARDS

- HIGHWAYS AND FOOTPATHS

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and carriageway obstruction</p> <p>A council tree causing an obstruction to a roadway (height/width restriction) due to growth of branches.</p> <p>Or a private tree causing an obstruction to a roadway (height/width restriction) due to the growth of branches.</p>	<p>Policy: Tree and carriageway obstruction</p> <p>We will undertake work to a tree in council ownership/ management to maintain a minimum 5.5 metres height clearance over the carriageway (associated with a street, road or highway).</p> <p>Customer Advice</p> <p>If a privately owned tree is causing an obstruction to a road, powers exist under the Highways Act to instruct the owner of the tree to remove the obstruction. If they do not, the council will do this work and recharge the owner.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond quicker according to level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and road - sight lines obstruction</p> <p>A council tree causing an obstruction to a sight line/ junction in the highway.</p> <p>Or a private tree causing obstruction to a sight line/ junction in the highway.</p>	<p>Policy: Tree and road - sight lines obstruction</p> <p>We will undertake work to a tree in council ownership/ management to maintain clear site lines at junctions and access points (associated with a street, road or highway).</p> <p>Customer Advice</p> <ol style="list-style-type: none"> Standards for visibility vary according to the class and speed limit in force. If a privately owned tree is causing an obstruction to the visibility at a road junction (site 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. 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 green spaces, unless these interfere with footpaths or the visibility at road junctions (site lines). Otherwise, the 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. 	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond quicker according to level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and traffic signal obstruction</p> <p>A council tree causing an obstruction to a traffic signal. Or private tree causing an obstruction to a traffic signal in the highway.</p>	<p>Policy: Tree and traffic signal obstruction</p> <p>We will undertake work to a tree in council ownership/ management to maintain clear site lines for traffic signals and street signs (associated with a street, road or highway).</p> <p>Customer Advice</p> <ol style="list-style-type: none"> 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. 	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond more quickly according to level of risk described.</p>
<p>Tree and street light obstruction</p> <p>A council tree causing an obstruction to a street light. Or private tree causing an obstruction to a street light in the highway</p>	<p>Policy: Tree and street light obstruction</p> <p>We will undertake work to a tree in council ownership/ management to ensure that the street light is not unduly blocked by the presence of the tree.</p> <p>Customer Advice</p> <ol style="list-style-type: none"> 1. If a privately owned tree is causing an obstruction to streetlight, 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. 2. When the council installs in new street lighting or move a lighting column, consideration is made of the impact on existing trees. Similarly, when new trees are being planted, these are placed so they do not cause problems on existing streetlights. 	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond more quickly according to level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and pavement - obstruction</p> <p>A council tree causing an obstruction to a public footpath associated with a street, road or highway (height/width restriction) due to the growth of branches.</p> <p>Or private tree causing an obstruction to a public footpath associated with a street, road or highway (height/width restriction) due to the growth of branches.</p>	<p>Policy: Tree and pavement obstruction</p> <p>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). Any works necessary to prevent the obstruction in 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.</p> <p>Customer Advice</p> <p>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 recharge the owner.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: we will endeavour to respond more quickly according to level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and installation of a drop kerb.</p> <p>A council tree affecting the proposed installation of a dropped kerb</p>	<p>Policy: Tree and installation of a drop kerb</p> <p>The council is not required to allow the felling or pruning of the roots of a council owned/ managed tree to allow the installation of a drop kerb.</p> <p>Customer Advice:</p> <p>If you want to provide off road parking at your property that requires the installation of a drop kerb off the highway you will need to make a request to St Helens Borough Councils Highways Section who will provide an estimate and carry out the work at your expense. If the installation of a drop kerb is likely to adversely affect a council owned/managed tree, this will be considered before the request can be granted or refused. Contact the Contact Centre for more information.</p>	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant sated policy on the council's website. An Application for an Excavation Licence will be responded to within corporate time scales.</p>
<p>Tree (private) - danger to highway</p> <p>Tree in private ownership causing a danger to a highway</p>	<p>Policy: (private) - danger to highway</p> <p>If a tree in private ownership is shown to be a danger to the highway, required works will be identified to make it reasonably safe. The land owner will be contacted and instructed to make it safe under the Highways Act 1980. If it is necessary that the council undertakes this work then the owner will be charged in full for the council's costs.</p>	<p>Response rate depends on degree of risk described</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and trip hazard</p> <p>A council tree causing a trip hazard to a public footpath due to the action of roots.</p> <p>Or private tree causing a trip hazard to a public footpath due to the action of roots.</p>	<p>Policy: Tree and trip hazard</p> <p>We will undertake measures to make safe an unacceptable trip hazard in a street, road or highway caused by the growth of a council owned tree.</p> <p>Customer advice:</p> <ol style="list-style-type: none"> 1. Pavements (associated with a street, road or highway) are inspected a minimum of once a year and trip hazards repaired once they are dangerous. 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. 3. There are a number of ways the council can repair a pavement damaged by tree roots. Simply, the pavement surface can be built up. Or isolated roots can be pruned (if these do not affect the stability the tree) and the pavement surface repaired. For higher value trees it may be appropriate to consider the installation of a root barrier which, although more expensive, does not prevent the problem re-occurring. Removal of the tree is usually the last resort (accepting that in some circumstances where the tree is low value or easily replaced removal may be the most appropriate solution). 	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 working days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate. Note: we will endeavour to respond more quickly according to level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree and CCTV</p> <p>A council tree causing obstruction of a CCTV camera.</p>	<p>Policy: Tree and CCTV</p> <p>The council will work with all parties involved in the management of CCTV within the Borough to ensure that the tree resource is managed to benefit the public without work being carried out that will harm trees or damage the character of the area. Where new trees are planted their location will be considered in relation to CCTV surveillance and where trees can be managed to benefit surveillance without harming the trees then this will be considered. Where work cannot be carried out but surveillance is required then alternative locations for CCTV cameras should be considered.</p>	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p>

6.0 ADVICE, POLICIES AND STANDARDS

- DANGEROUS TREES

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree dangerous requiring immediate action</p> <p>Council tree that is dead, dying or dangerous.</p>	<p>Policy: Tree dangerous requiring immediate action</p> <p>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, instruction will be given to our arborist team to make the tree safe within 1 hour.</p> <p>Customer Advice:</p> <p>1. If a tree poses an immediate and present danger it will be made safe within 1 hour (very high risk - emergency situation). If the level of risk is lower the tree will be made safe within 6 months (high risk) or 18 months (medium risk).</p> <p>2. Signs to look for which may mean that a tree is in such condition to warrant immediate action include:</p> <ul style="list-style-type: none"> a) tree is snapped or blown over b) tree is rocking- roots are damaged c) tree uprooted but held up by another tree d) large branch has broken off or is hanging loose e) tree or branch is blocking the road or footpath f) tree or branch is blocking access to property g) tree has fallen on to a house or car. 	<p>Emergency tree-related issue</p> <p>The council will attend the site within 1 hour to make the situation safe. An emergency is defined as a tree that is in immediate danger of collapse or a tree that is causing an obstruction requiring urgent attention.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>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:</p> <ul style="list-style-type: none"> 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) mushroom or fungi growing on or near the tree e) old splits and cracks in the trunk or branches f) Smaller branches or twigs falling from the tree. <p>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 falling or the likelihood of the persons being close to the tree if it did fail.</p>	

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree dangerous requiring action but not imminent danger</p> <p>Concerns that a council tree may be dangerous (part or whole tree).</p>	<p>Policy: Tree dangerous requiring action but not imminent danger</p> <p>If a tree is identified as dangerous, but the risk to the public is not immediate then the tree will be made safe depending on the degree of risk identified at the time of inspection. Our standards are within 6 months if high risk, or within 18 months if medium risk.</p> <p>Customer Advice :</p> <ol style="list-style-type: none"> 1. If the tree is so dangerous to the public or property to pose an emergency it will be made safe within 1 hour, otherwise works to the tree will be prioritised according to the level of risk identified. 2. 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: <ol style="list-style-type: none"> a) the 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 or twigs falling from the tree 3. Signs to look for which may mean that a tree is in such condition to warrant immediate action include: <ol style="list-style-type: none"> a) tree is snapped or blown over b) tree is rocking-roots are damaged 	<p>Tree enquiry requiring a site inspection</p> <p>The customer will be informed within 10 days of receipt that a site inspection is required and that such a site inspection will be undertaken within 12 weeks of receipt and the customer notified of what action is considered appropriate.</p> <p>Note: We will endeavour to respond more quickly according to the level of risk described.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>c) tree uprooted but held up by another tree or building</p> <p>d) a large branch has broken off or is hanging off the tree</p> <p>e) tree or branch is blocking the road or pavement</p> <p>f) tree or branch is blocking access to property</p> <p>g) tree has fallen on to the house or car</p> <p>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 falling or the likelihood of persons being close to the tree if it did fall.</p>	
<p>Tree (private) - danger to land other than highway</p>	<p>Policy: Tree (Private) - danger to land other than highway</p> <p>The 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 will intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale and costs would then be recovered from the owner.</p>	<p>Response rate depends on the degree of risk described</p>

7.0 ADVICE, POLICIES AND STANDARDS

- LEGISLATION AND DEVELOPMENT

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Council tree and adjacent building site</p> <p>A council owned tree established outside the identified private development site</p> <p>Or a council owned tree overhanging the privately owned development site</p>	<p>Policy: Council tree and adjacent building site</p> <p>The council is not required to prune or fell a council owned/ managed tree to allow your building works to proceed, whether planning consent was necessary or via permitted development.</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees contact the Planning Team. 2. Before exercising your Common Law right you should check if there are any legal constraints affecting council owned trees. 	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>
<p>Tree and development</p> <p>A council owned tree adjacent to or overhanging the boundary of a private development site</p> <p>Or a privately owned tree established within or overhanging the boundary of a development site</p>	<p>Policy: Tree and development</p> <p>Trees are a material consideration in relation to a development proposal and must be assessed in accordance to BS 5837 (2012) Trees in relation to construction</p> <p>Customer Advice</p> <ol style="list-style-type: none"> 1. All developments must conform to Policy CQL 2 Trees and Woodlands in the St Helens Local Plan Core Strategy October 2012 and the guidance in the Trees and Development Supplementary Planning Document June 2008. 2. If there are established trees within or adjacent to a site proposed for 	<p>Tree enquiry not requiring a site inspection</p> <p>The customer will be informed of council policy within 10 working days of receipt of the enquiry. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>development then they are required to be considered within an Arboriculture Implications Assessment in line with BS 5837 (2012) Trees in relation to design, demolition and construction - Recommendations</p> <p>3. An Arboriculture Implications Assessment must be undertaken by an individual qualified and experienced in arboriculture and development.</p> <p>4. Where trees are agreed to be removed in order to accommodate an approved development the applicant will be required to submit for approval a new landscape scheme. That will provide a minimal replacement ratio of 2:1. Species selected should be appropriate to the site and give due consideration to the guidance in the Landscape Character Assessment for St Helens 2006. All new landscape schemes must also include an appropriate maintenance programme to include: weed control, watering regime, checking, adjustment and removal of support systems, mulching and replacement of any trees/plants that fail to establish during the initial 5 year period post planting.</p> <p>5. Where appropriate mitigation cannot be found on site other solutions will be considered including the securing of Section 106 Agreements to help secure wider landscape improvement and mitigation.</p> <p>6. The protection and enhancement of biodiversity will be secured in line with the guidance within the Biodiversity</p>	

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>SPD June 2011 and will seek to secure the protection of ancient woodland and veteran trees.</p> <p>7. The Planning Team can provide further advice on issues relating to trees and development.</p>	
<p>Tree and tree preservation - Tree Preservation Order, Conservation Area, Felling License</p> <p>Council owned trees or trees established on private land.</p>	<p>Policy: Tree and tree preservation - Tree Preservation Order, Conservation Area, Hedgerow Regulations and Felling Licenses</p> <p>Customer Advice:</p> <p>The Planning Team can provide further advice in relation to Tree Preservation Orders, the protection of trees in a Conservation Area, hedge removal and felling licences including details of how to find out if a tree is protected and how to apply for consent. Information is also available on the council website.</p>	<p>Different Scale of Response Times</p> <p>Within 5 days if an exemption is submitted if trees are dead.</p> <p>Within 6 weeks for notices to do works within a Conservation Area.</p> <p>Within 8 weeks for applications to do works to trees subject to a Tree Preservation Order.</p>
<p>Tree (private) - Nuisance to third parties</p> <p>Tree established on privately owned land and affecting a private third party neighbour</p>	<p>Policy: Tree (private) - Nuisance to third parties</p> <p>The council has no authority to intervene in a dispute between neighbours.</p> <p>Customer Advice:</p> <p>You may benefit from approaching a mediation service if you cannot amicably resolve a dispute between yourself and your neighbour.</p>	<p>Response rate depends on the degree of risk described</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>High Hedge</p> <p>A council owned evergreen hedge affecting a third party neighbour.</p> <p>Or privately owned evergreen hedge affecting a third party neighbour.</p>	<p>Policy: High Hedge</p> <p>The council has powers under Part 8 of the Anti-social Behaviour Act 2003 to consider unresolved complaints relating to third party, evergreen high hedges</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. This is a chargeable service and it is advised that those with concerns try to resolve the issue with their neighbour and only request the council to intervene as a last resort. 2. For further information contact the Planning Enforcement Team. 	<p>Refer to Government guidance about nuisance high hedges</p>

8.0 ADVICE, POLICIES AND STANDARDS

- MAINTENANCE OF COUNCIL TREES

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree maintenance regimes</p>	<p>Policy: Tree Maintenance Regimes</p> <p>The council intends to manage its trees so that they make a positive contribution to their locality and are reasonably safe and do not cause excessive nuisance. Equally we wish to see more people benefit from the presence of trees by ensuring a more equal distribution of tree cover across the St Helens area.</p> <p>Customer Advice:</p> <p>1. The council is progressively bringing all of its trees into an active programme of management. Street trees across St Helens include a wide variety of tree species of varying ages and sizes. The level of management will depend very much on their locality with the interventions governed by the standards outlined in this policy document.</p> <p>2. Many of our street trees are mature and are getting to an age when disease and other factors mean that in some cases these trees have to be removed. This will always be a last resort and after exploring ways of retaining them as long as it is possible to do so safely.</p> <p>3. The key way we will protect and enhance the appearance of our public areas is through tree planting. Budgets are limited for doing this but all</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>individual street trees lost will be replaced by a new tree (It may not always be possible to replant them in the same place and there may be delays until the planting can take place during the planting season). We will work with other partners such as the Mersey Forest to look at ways of increasing the amount of street trees that we have.</p> <p>4. Trees in Parks and Green Spaces are managed to reflect the circumstances on site and the type, age and condition of the trees. In many cases these trees will lie within parks and woodland managed for nature conservation. Managing for safety will always be a priority but in many of these areas managing for biodiversity will be a key aim and this will mean retaining old mature trees. This will include retaining trees containing dead wood and cavities to benefit bats where it is safe to do so and consideration will be given to protected species such as bats. Woodland work will ideally be part of a management plan approach and may include removing trees to benefit those that remain and add structure and diversity to the woodlands, as well as benefit other habitats within these woodlands such as rivers, ponds and grassland clearings.</p> <p>5. There are an increasing number of tree diseases affecting our trees and woodlands. In many cases this will mean that we may have severe impacts on particular species. Dutch elm disease is still prevalent, with diseases such as bleeding canker</p>	

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>affecting horse chestnuts and ash dieback is likely to have a dramatic impact on ash within the Borough. The council will follow government guidance in terms of managing the impact of diseases and will be vigilant in identifying diseases as they occur. Efforts will be made to both maintain tree cover within the borough and replace trees that are lost so that the landscape character and biodiversity of our Borough can be maintained.</p>	
<p>Tree safety inspections</p> <p>A council owned tree established on public land</p> <p>Or a council owned tree overhanging a private property.</p>	<p>Policy: Tree safety inspections</p> <p>Trees in council ownership are inspected for safety on a cycle between one and five years according to the level of public use in the area immediately surrounding the tree.</p> <p>Customer Advice:</p> <p>Trees are periodically inspected by one of the council's Green Space Inspectors, to check on their condition and to identify whether any works are necessary to make them safe. Where work is identified this is then programmed in for completion by the council's Tree Team. The cycle of re-inspection is determined by the location of the tree. For very high use areas such trees are inspected annually, whereas in little used areas trees are inspected every 5 years.</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Publicising tree felling/pruning</p> <p>Works to a council owned tree.</p>	<p>Policy: Publicising tree felling/pruning</p> <p>Where works are minor such as pruning (include repeat cyclical pruning of street trees) or the removal of trees that are less than 15cm diameter (6 inches) measured 1.3 meters from the ground this will be done without recourse to publicity.</p> <p>Customer Advice:</p> <p>1. Where works have greater impact and is part of a planned programme of works the council will use a variety of means to notify the public including site notices, promotion through the council's website, informing Parish councils and direct notification of the immediate properties that may be affected.</p> <p>2. There are many instances where work has to be carried out at short notice and where public safety is a priority e.g. following a gale or when a disease is found that affects the stability and strength of a tree. In these instances it may not be possible to provide any public notification.</p>	<p>Clarification for council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can receive an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Information request: will a newly planted tree be maintained?</p>	<p>Policy: Will a newly planted tree be maintained?</p> <p>All newly planted council owned street trees are subject to a three year maintenance programme to ensure that they become established, which will include watering when conditions require it. Any street trees that die within this period will be replaced.</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. We try to keep all newly planted street trees watered but some trees may be missed or some trees, because of local conditions, need more water than others. 2. If you see a tree suffering clear signs of drought, for example the leaves look wilted then contact the Contact Centre and provide details of the location of the tree. 	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for of the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate</p>
<p>Information request - why was a tree felled?</p>	<p>Policy: Why was a tree felled?</p> <p>A response to the reasons why any one tree was felled will be given within 10 working days of receipt.</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. Tree removal is regrettable but under a number of circumstances necessary. The decision to remove a tree is not taken lightly and apart from when a dangerous tree needs urgent attention, we will inform local residents when we believe that tree felling is necessary (except trees less than 15cm diameter). 	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>2. Most trees that need to be felled have become unsafe and there is no cost effective solution to otherwise retain the tree. Other reasons why trees need to be removed include where a tree is completely out of scale with its surroundings, where its removal would benefit the surrounding trees, where planning approval has been granted.</p>	
<p>Information request - why was a tree pruned?</p>	<p>Policy: why was a tree pruned?</p> <p>A response to the reasons why any one tree was pruned will be given within 10 working days of receipt.</p> <p>Customer Advice:</p> <p>Trees are pruned for a variety of reasons including the removal of damaged or poorly formed branches, to reduce the likelihood of failure by taking 'weight' out of the tree, to reduce a nuisance, re-balance or re-shape a canopy, issues of encroachment etc.</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate</p>
<p>Information request - why are tree stumps left in the pavement?</p>	<p>Policy: Why are tree stumps left in the pavement?</p> <p>When a tree growing in the pavement is felled it is not always possible to replant at the same time. Under these circumstances a short tree stump is left as a temporary measure to mark the position of the planting site. Tree stumps are then removed later as part of one operation to be coordinated with tree planting.</p> <p>Customer Advice:</p> <p>Stumps are around one meter in height, stumps greater than 20 cm diameter are retained otherwise the tree is felled to ground level.</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can receive an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate</p>

9.0 SPECIFIC ADVICE, POLICIES AND STANDARDS - TREE PLANTING

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
<p>Tree planting programme New tree planting on council owned land</p>	<p>Policy: Tree planting programme</p> <p>The council is committed to maintaining and increasing the tree cover across the borough. Budget restrictions may mean that we cannot commit to replacing every council tree that is felled. Currently we plan our annual tree planting in accordance to available budget resources. New trees planted will be appropriate to the location, with species shape and form considered as well as the size of the tree to ensure that a robust tree, less prone to vandalism is planted.</p> <p>Customer Advice:</p> <ol style="list-style-type: none"> 1. When the decision is taken to remove a council owned street tree, an Officer will determine whether it is appropriate to replant a tree in the same place or elsewhere in the locality. The decision to replace the tree will then be recorded and will be planted as part of the councils annual street tree planting programme. 2. Where a tree is felled in a park or green space and it is clear that the original tree should be replaced then we would endeavour to do this during the first tree planting season (December to March) following the removal of the tree, then we commit to replace the tree as resources allow. 3. Where trees are felled as 	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate.</p>

Category of Tree Related Enquiry	Policy/Standard	Response Timescale
	<p>part of woodland management work (thinning) they will not necessarily be replaced as this work is aimed at maintaining a healthy woodland and the purpose of the tree removal may be to re-space the trees to allow younger trees to thrive in the under storey and the remaining mature trees to form larger, healthy canopies.</p> <p>4. The council will work with key partners such as the Mersey Forest to help manage their woodlands and look at ways of improving urban street tree planting, such as through the Green Streets initiative. This will include making our tree resource resilient to the impacts of change, particularly through the impacts of diseases and the effects of climate change.</p> <p>5. Species appropriate to a location will be chosen and where nature conservation is a priority this will include the use of native species. Consideration will be given to the impacts of disease with disease prone species avoided. Consideration will also be given to the impacts of climate change with species selected that will be more resilient to the effects of climate change. Diversity will also help to make our landscapes more resilient with a variety of species selected in individual schemes to ensure that areas are less vulnerable to the affects of disease e.g. where avenues are planted two to three species will be selected rather than one.</p>	

Publicising tree planting	Publicising tree planting	Response Timescale
<p>New tree planting on council owned land</p>	<p>Where a tree is a direct replacement (same type of tree in the same location) then the tree will be replaced without recourse to publicity. Where new planting is being carried out we will look to notify people through site notices and letters (where they are directly affected). Where larger schemes are being carried out Parish councils will be consulted. If the scheme is with other partners such as the Mersey Forest then publicity will be used as part of the consultation process for such projects.</p>	<p>Clarification of council policy about trees/general enquiries</p> <p>The enquiry will be answered within 10 working days of receipt. Customers can obtain an immediate response by searching for the relevant stated policy on the council's website. If the enquirer requires further research we will inform the customer within 10 working days and indicate a timescale for any response as appropriate.</p>