



WETHERBY TOWN COUNCIL

TREE INSPECTION AND MANAGEMENT POLICY

1. Background

- 1.2 “Under both the civil law and criminal law, an owner of land on which a tree stands has responsibilities for the health and safety of those on or near the land and has potential liabilities arising from the falling of a tree or branch.”

‘Common sense risk management of trees. Landowner summary of guidance on trees and public safety in the UK for estates and smallholdings.’ Published by the National Tree Safety Group.

- 1.1 Wetherby Town Council is the owner of a number of areas of public open space and other areas of land which trees grow on.
- 1.2 It recognises its responsibility in respect of the inspection and management of trees on the land that it owns and is responsible for and this policy sets out how it inspects and manages those trees.
- 1.3 This policy should be read in conjunction with the Council’s Tree Risk Assessment.

2. Areas Covered

- 2.1 Bridgefoot Gardens
- 2.2 Devil’s Toenail
- 2.3 Garden of Rest
- 2.4 Hallfield Lane Cemetery
- 2.5 Jubilee Garden
- 2.6 Mason Field
- 2.7 Millennium Field
- 2.8 Peace Garden
- 2.9 Raby Park
- 2.10 Sandringham Park
- 2.11 Scour Bank / King George’s Field
- 2.12 Shaw Barn Croft

3. Inspections

- 3.1 The Council will retain an inventory of trees and wooded areas to enable identification of specimens. Trees are tagged for identification in accordance with the inventory.
- 3.2 The Town Handyman and the Cemetery Superintendent have both undertaken appropriate training to enable them to undertake the ground based visual inspections of the Council’s trees.
- 3.3 The Town Handyman and the Cemetery Superintendent have the authority to carry out ad hoc inspections as deemed necessary.
- 3.4 The Town Handyman and the Cemetery Superintendent both have direct access to the Clerk and Deputy Clerk to report any issues as they arise.
- 3.5 Detailed inspections of all the Council’s trees will be regularly carried out by a suitably qualified arboriculturist.
- 3.6 The Deputy Clerk is responsible for scheduling and commissioning detailed tree inspections by an arboriculturist.

- 3.7 The records of inspections are retained by Council for a period of at least 5 years, unless ongoing issues dictate otherwise.
- 3.8 The Council's contact details are prominent throughout the Town and the office at the Town Hall enables members of the public to easily report informal observations.
- 3.9 The outcome of scheduled inspections shall usually be considered at the next Property Committee meeting to enable decisions about proposed works to be taken.

3.10 Frequency of inspections:

	<i>Person Undertaking Inspection</i>	<i>Frequency</i>
Informal Observations	Reported to the Council by staff or the public.	An ad hoc basis, as and when defects noticed.
Formal Inspections	Carried out by the Town Handyman or Cemetery Superintendent.	Recorded on an annual basis.
Detailed Inspections	Carried out by a specialist arborist.	Every three years on a rolling programme, or more frequently if required.

4. Management

- 4.1 The Council has appointed a preferred contractor who is used for all ad-hoc works identified through informal observations or inspections.
- 4.2 The Town Council makes budgetary provision for tree inspections and maintenance.
- 4.3 The Town Clerk has delegated management authority for the Council's assets and resource and as such can commission routine works, with the relevant budgetary provision, as required.
- 4.4 The Council's financial regulations provide for emergency expenditure, which could include urgent works to trees.
- 4.5 Routine maintenance of trees may be undertaken in accordance with recommendations made as a result of the Council's tree inspection programme.
- 4.6 The Council has adopted a proactive approach to tree maintenance. However, only essential/minimal works will be undertaken in order to manage a tree because the Council supports a policy of tree preservation. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at that time.
- 4.7 A tree could warrant immediate attention if, for example:
 - it has snapped or blown over;
 - it is rocking (roots are damaged);
 - it is uprooted but held up by another tree or building;
 - a large branch has broken off or is hanging off the tree;
 - it or its branch is blocking the road or footpath;
 - it or its branch is blocking access to property;
 - it has fallen on to a structure, such as a building or car.
- 4.7 The Council has no obligation to carry out the following tree works:
 - Cut back branches overhanging private property.
 - 'Top' trees or remove branches to increase daylight or decrease height in relation to property.
 - Remove branches or trees affecting views or interfering with TV reception.
 - Remove branches or trees to prevent falling leaves, honeydew from aphids or other minor debris.
 - Remove roots from drains or repair root damage to structures, where the tree has not been clearly demonstrated to be the principal cause.



- Remove branches or trees to prevent potential root damage to structures.
- Remove branches nearly touching buildings, walls, roofs, fences etc.
- Remove branches or trees to prevent access to squirrels or birds.

4.8 In common law, a property owner can cut back overhanging branches to the boundary of their property. The Council would usually have no objection to property owners carrying out tree work or engaging a contractor at their own expense, provided that they meet the following requirements:

- Access is not gained onto the neighbouring land or to a tree within that land; if access to our land or to a tree on that land is required, our permission must be sought.
- The tree is not situated in a Conservation area or protected by a Tree Preservation Order (TPO).
- Any work done to a tree is not detrimental to its health or stability; for their own protection members of the public are advised to obtain advice from a qualified tree surgeon.
- Any arising created by the tree pruning work are disposed of correctly and not left on the council's land.
- For tree pruning work, whoever does the work, it is carried out in accordance with recognised industry standards;
- The property owner notifies Wetherby Town Council (before the work begins) of the proposed work and commencement date.

5. Tree Hugging

5.1 The Council recognises tree hugging as a pastime which residents may wish to participate in on its land.

5.2 The Council has no objections to its trees being used for this practice, provided that specimens remain unharmed by the huggers.

5.3 Young or immature specimens should not be hugged due to the risk of damage to trunks and branches.

5.4 Huggers should conduct an assessment to ensure that safe tree hugging takes place, taking account of risks such as fungal infections or splinters. The Council can accept no responsibility for any harm that may occur during tree hugging activities.

5.5 Huggers should ensure that they leave no trace of the activity upon leaving the Council's property.

5.6 Guidance on tree hugging best practice can be found online at: <https://www.thoughtco.com/tree-hugging-1725801>

6. Tree Removal and Replacement Strategy

6.1 Trees are of vital importance to Wetherby's landscape. The unjustifiable loss of healthy and important trees can have a detrimental impact upon those landscapes and the immediate locality. However, from time to time trees have to be felled.

6.2 The Council will not usually fell healthy trees unless this is in line with good woodland management practices, dictated by the Highways Act or necessitated by development.

6.3 Trees that are dead, dying or have become dangerous will be assessed on their own merits and in context with the local landscape and if necessary, will be pruned or removed to relieve any potential health and safety concerns.

6.4 The Council will plant, subject to available resources and space, a replacement specimen for each tree removed.

6.5 The quality and size of replacement planting will reflect the tree or trees removed and the local situation.



Anti-vandalism techniques and materials will be considered when undertaking planting schemes within the urban landscape.

6.6 The Council will continue to work with all appropriate groups and organisations so as to promote, develop and carry out appropriate tree planting schemes within its areas.

7. Memorial Trees – Hallfield Lane Cemetery

7.1 Requests to plant memorial trees in the Hallfield Lane Cemetery will be considered on a case by case basis by the Deputy Clerk in consultation with the Cemetery Superintendent. If necessary, requests may be referred to the Town Clerk or Property Committee for further consideration.

7.2 It may not always be possible to grant requests.

7.3 Where requests are granted then a contribution to future maintenance costs may be required.

7.4 All trees in the cemetery remain the property of Wetherby Town Council which retains the right to take decisions about individual specimens' requirements and future management in accordance with this policy.



Prioritisation of Areas (including justification).

High Priority Areas

- Individual trees with known defects which require monitoring.
- Areas in close proximity to roads.
- Well used, public areas. May include facilities such as children's playgrounds.
- Species which are known to be susceptible to diseases e.g. elm.
- May require a detailed inspection on a more regular basis.
- Mature trees, nearing the end of their lives.

- Scaur Bank – near children's play area.
- Millennium Field – boundary adjacent Harland Way.
- Raby Park – avenue of horse chestnut trees.
- Sandringham Park
- Mason Field – near children's play area.

Medium Priority Areas

- Some public access, but with limited or non-concentrated activity.
- Potential impact on low-use roads.
- Unlikely to have a direct impact on buildings.
- Will only require a detailed inspection every three years.
- Semi-mature trees.

- Scaur Bank – excluding near the children's play area.
- Millennium Field – excluding boundary with Harland Way.
- Masons Field – excluding near the children's play area.
- Raby Park – excluding boundary near main road.
- Garden of Rest
- Jubilee Garden
- Hallfield Lane Cemetery

Low Priority Areas

- Little or no public access.
- No potential impact on roads.
- Away from built up areas.
- Will not require a detailed inspection unless defects are identified.
- Young or newly planted saplings / trees.

- Millennium Field – avenue of lime trees.
- Land near Marston Way, Wetherby.

