



# Tree Management Policies

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# Common Law Right

You have a Common Law right to remove a nuisance associated with trees. The following advice is given if you wish to exercise your Common Law right:

- a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. You have no legal right to cut or remove any part of a tree that does not overhang your property.
- b) You are strongly advised to consult an Arboricultural Association Registered tree surgeon ([www.trees.org.uk](http://www.trees.org.uk)) for guidance on how best to prune back encroaching trees, unless the works are small enough to do with hand secateurs or similar.
- c) Before you consider doing any works to a tree(s) you should find out if it is protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application / give notice to the council.

To find out if the tree(s) is protected and for guidance on how to apply for works, please contact:

Email: [development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk)

Telephone: 0117 9223000

Web: <https://www.bristol.gov.uk/tpos>

- d) You are advised to discuss with your neighbour your intention to prune overhanging branches. Legally you do not own the overhanging branches and you should offer these to your neighbour. But in all likelihood, you should consider disposing of the cuttings yourself. If the overhanging branch is from a council owned tree, any cuttings must be disposed of appropriately and not returned to City Council land.

## Maintenance and safety inspections

Council owned trees 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.

The council is progressively bringing all its trees into an active programme of management.

Ongoing maintenance includes the removal of dead wood, formative pruning (to remove problems in tree form when the tree is young to avoid problems later), removing low branches from pathways and the removal of trees when they come to the end of their safe and useful life. The way that trees are managed very much reflects where they are and ultimately the amount of space they have to grow.

**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 typically grow to their full height and spread.

**Trees in education facilities** are the responsibility of the school or college.

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

## **Basal growth around tree trunk (epicormic)**

Some species of tree produce basal/sucker/shoot (epicormics) growth each year. We will remove this growth from trees where it will cause an obstruction as part of an annual work programme. This work takes place between July and September.

If you would like to report a tree where basal growth is causing an obstruction (October to June only) please use our [tree web form](#).

## **Pollarding**

Some of our trees are regularly re-pollarded as part of a rolling programme.

Re-pollarding is a procedure where all soft growth is removed from the canopy of a tree leaving only the framework of the larger branches. This work is expensive and visually quite harsh, but necessary to keep trees at a maximum size. Basal growth is removed from some trees annually.

## **Private trees**

### **Danger - Road, cycle path or footway obstruction**

**Policy:** If a tree or branch from a privately owned tree is causing a danger to the highway the landowner will be contacted and instructed to make the tree safe under the Highways Act (1980). If it is necessary that the council undertake this work to make it reasonable safe then the owner will be charged in full for the council's costs.

### **Information and advice**

1. **An emergency situation** is defined as a tree that is in immediate danger of collapse or a tree that is causing an obstruction requiring urgent attention. Our tree contractor will be instructed to attend site within 1 hour to make the situation safe.

If you would like to report an emergency situation, please use our [tree report form](#).

2. **In a non-emergency situation** a site inspection will be carried out within 12 working days of notification. The owner of the tree will be informed of what works they are responsible for to make the situation safe. If it is decided that the council should undertake the works after the appropriate notices have been given then instructions will be issued to our Main Contractor.

If you would like to report a problem with a non-BCC tree causing an obstruction please use [Fix My Street](#).

## Danger to land other than highway

### Information and advice

1. The Local Authority has powers to require a private individual to make safe a tree via Local Government Miscellaneous Provisions Act (1976). It is expected that private parties will take care of their own responsibilities and hence the council should not be considered as the first point of contact in attempting to resolve concerns about the danger posed by trees in private ownership. However, the council may intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale.

## Private tree causing a nuisance to neighbour

**Policy:** The council has no authority to intervene in a dispute between neighbours. However, if the problem is due to a high hedge, please direct them to the planning [high hedges](#) web page.

### Information and advice

1. You may benefit from approaching a [local mediation service](#) if you cannot resolve a dispute between yourself and your neighbour.

## Council tree issues

### Bird droppings

**Policy:** We do not prune or remove a council tree to stop or reduce bird droppings from trees, or remove bird droppings from private land.

### Information and advice

1. Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act (and other related wildlife law). Warm soapy water is usually sufficient in removing bird droppings.
2. You are welcome to exercise your [Common Law right](#) to remove the

nuisance associated with encroaching trees.

## **Blossom**

**Policy:** We do not prune or remove a council owned tree to stop or reduce blossom from trees or remove fallen blossom from private land.

### **Information and advice**

1. Blossom is a natural occurrence, which cannot be avoided by pruning.
2. Roads, streets foot or cycle paths 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 wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see [Common Law Right](#).

[Report a road, including foot and cycle paths that run alongside that needs to be swept.](#)

[Report a foot or cycle path through a park or green spaces that needs to be swept.](#)

## **Low tree branches – Road, cycle or foot path**

**Policy:** We will carry out work to a council owned tree to maintain a minimum:

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

### **Information and advice**

1. Any works necessary to prevent an obstruction in the width of a carriageway, cycle or foot path associated with the highway due to the presence of a council owned tree would be considered on a case-by-case basis.

If you feel that a tree is not meeting the minimum height clearance and is causing an obstruction please use our [tree web form](#).

## **Tree overhanging property**

**Policy:** We do not prune or remove a council owned tree to stop the nuisance of overhanging branches.

### **Information and advice**

1. You have a Common Law right to cut back any branches encroaching

onto your property; this is only from the point where they cross over onto your boundary.

2. Before you consider doing any works to a tree(s) you should find out if it is protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application / give notice to the council. To find out if a tree is protect please visit our [planning section](#).
3. Please see [tree touching building](#) section.

## Drains

**Policy:** We do not prune, remove or cut the roots of a council owned tree to prevent roots entering a drain that is already broken or damaged.

### Information and advice

1. Tree roots typically invade drains that are already broken or damaged. Trees themselves very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe. If you are concerned about the condition of your drains we advise you to contact your water and sewerage company.

## Fruit / berries / nuts / seeds

**Policy:** We do not prune or remove a council owned tree to stop or reduce the nuisance of fruit, berries, nuts or seeds, or remove fallen fruit, seeds or seedlings from private land including gutters.

Should fallen fruit lead to a significant anti-social problem the police should be contacted.

### Information and advice

1. The maintenance of gutters is the responsibility of the landowner and the council is not obliged to remove fruit/berries/nuts/seeds or seedlings that may have fallen from council owned trees.

If you would like to report a road, street or highway that needs to be cleaned, please use our [street cleaning web form](#).

## Poisonous berries

**Policy:** We have no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees), however where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.

If you would like to report a concern over a tree with poisonous berries that

unsupervised young children are exposed to please use our [tree web form](#).

## Leaves

**Policy:** We do not prune or remove a council owned tree to stop or reduce leaf fall or remove fallen leaves from private property.

### Information and advice

1. The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.
2. The maintenance of gutters is the responsibility of the landowner and the council is not obliged to remove leaves that may have fallen from council owned trees.
3. For roads, including foot and cycle paths that run alongside, extra teams work in the autumn to clear fallen leaves.
4. In parks and green spaces, foot, cycle paths and areas of hard standing are regularly cleared of fallen leaves, but leaves on grass / shrub beds are generally left until the majority of leaves have fallen before they are removed (unless leaving them would damage the grass in which case the leaves would be removed sooner).
5. Leaves are generally sent for composting.

If you think an area hasn't been cleared for a while, report it:

- [Roads, including foot and cycle paths that run alongside](#)
- [Foot or cycle path within a park or green space](#)

## Light

**Policy:** We do not prune or remove a council owned tree to improve natural light in or to a property including solar panels.

### Information and advice

1. In law there is no general right to light.
2. If natural light is being blocked by the growth of a hedge then action may be taken to reduce the problem under the High Hedges Act, Part 8 of the Anti-social Behaviour Act, 2003. For further information please visit the [High Hedges](#) section on our website.

## Suckers from tree roots

We do not prune or remove a Council owned tree to stop or reduce the nuisance of sucker growth on private land.



## Personal medical condition - complaint

**Policy:** We do not prune or remove a council owned tree where a request has been made to do so because of a personal medical condition.

## Pollen

**Policy:** We do not prune or remove a council owned tree to stop or reduce the release of pollen.

## Trees affecting street lights, signs and traffic view

**Policy:** We will undertake work to a council owned tree to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.

### Information and advice

1. Standards for visibility vary according to the class and speed limit in force.
2. If a privately owned tree is causing an obstruction to the visibility at a road please report using [Fix my Street](#).
3. If the obstruction is from growth at the bottom of a tree please see [Basal Growth](#) section.

If you have concerns about a council tree affecting street lights, signs and traffic view, please report using our [tree web form](#).

## Sap/honeydew

**Policy:** We do not prune or fell a council owned tree to remove or reduce honeydew or other sticky residue from trees.

### Information and advice

1. Honeydew is a natural and seasonal problem. When new trees are planted we try to choose trees less likely to cause this problem.
2. When honeydew affects your car, warm soapy water will remove it.

## Subsidence damage to property (tree-related)

**Policy:** the council has in place active tree management systems to avoid damage being caused to buildings and other structures as a result of the action of council owned trees.

### Information and advice

1. If you have concerns about tree related subsidence damage to property,

please contact your insurance provider for advice.

2. You are advised to contact our Insurance Team direct if you wish to make a formal claim for damage. All claims or notice of claims against the council relating to a council tree will be acknowledged within 12 working days. Please email [insurance Services](#) direct.

## Telephone wire

**Policy:** We do not prune or remove council owned trees to stop or reduce interference with telephone wires.

### Information and advice

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

## Trip hazard

**Policy:** The council will make safe an unacceptable trip hazard caused by the growth of council owned trees.

### Information and advice

1. If you are concerned about a tree that might be causing a trip hazard on a Highways footpath you can report this online using [Fix my Street](#).
2. If you are concerned about a tree that might be causing a trip hazard to a Parks or Green Space footpath you can report this online using our [parks report form](#).

## Tree touching building

**Policy:** If a council owned tree is touching a property (house, boundary wall, garage etc.) we will take action to remove the problem.

If you have concerns about a tree touching a building you can report this online by using our [tree web form](#).

## Tree too big / too tall

**Policy:** we do not prune or remove a council owned tree because it is considered to be too big or tall.

### Information and advice

1. A tree may seem too big for where it is, but this doesn't make it dangerous.
2. Our trees (excluding woodland areas) are inspected for safety. We inspect

them every one to five years, depending on how much the area surround them is used. Maintenance will be carried out, if necessary.

## **Tree and TV / satellite reception**

**Policy:** We do not prune or remove a council owned tree to prevent interference with TV / satellite installation / reception.

### **Information and advice**

1. Your satellite or TV provider may be able to suggest an alternative solution to the problem.

## **View**

**Policy:** We do not prune or remove a council owned tree to improve the view from a private property.

## **Wild animal / insect pest**

**Policy:** We do not prune or remove council owned trees to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals.

### **Information and advice**

1. Bees are protected species and advice should be taken before considering their removal.
2. On private land the council provides a chargeable service for removing certain pest species. You can contact them on:

**Pest Control and Dog Warden Services**  
Tel: 0117 977 6004 Fax: 0117 971 6001  
E-mail: [pest.control@bristol.gov.uk](mailto:pest.control@bristol.gov.uk)

# **Information**

## **Crime and anti-social behaviour**

### **Information and advice**

Crime and Anti-Social behaviour should be reported to the police.

## **High hedge**

For information on High Hedges, please visit our [high hedges](#) webpage.

### **Information and advice**

1. You may benefit from approaching a [Mediation Service](#) if you cannot resolve a dispute between yourself and a neighbour.

## Installation of a drop kerb

**Policy:** The Council is not required to agree to the pruning or removal of roots from a council owned tree to allow the installation of a drop kerb.

### Information and advice

1. If you would like to submit a planning application, or have planning queries, please visit our [planning section](#) on our website.

## Logs/woodchip

All logs and woodchip generated from council trees are the property of Bristol City Council and are recycled where possible. When they are inaccessible and remain on site they are left to break down naturally to provide wildlife habitat. Logs and woodchip are not for the use of the public.

## Tree and tree protection - Tree Preservation Order, Conservation Area

For more information please view our [Tree Preservation Order](#) page.

## Tree next to a building site

**Policy:** The Council is not required to prune or remove a council owned tree to allow building works to proceed, whether planning consent was necessary or via permitted development.

## Vandalism

**Policy:** We will look into any reports of vandalism to a council owned tree and try to correct any damage where we can.

### Information and advice

1. We protect newly planted trees with metal guarding, which is removed once the tree has become established, usually three years after planting.
2. We encourage local communities to report incidents of vandalism and we have taken legal action where witnesses have been prepared to come forward.
3. Crime and anti-social behaviour should be reported to the police.

If you would like to report an incidence of vandalism you can report it using our [tree web form](#).

## Why is a tree going to be removed/ has it been removed?

### Information and advice

1. Tree removal is regrettable but in some circumstances it is 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 via a Tree Felling / Works Notice (except trees with a stem diameter is under 15cm).
2. The most common reason that we remove a council owned tree is that it is in an unsafe condition.

If you would like to enquire about why a tree in council ownership was removed or is due to be removed please use our [tree report form](#).

## Why is / was a tree pruned?

### Information and advice

1. 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 and generally to keep a tree as healthy and attractive as possible. Many street trees are maintained on a cyclical programme as we attempt to restrict the growth of large type trees such as London plane by regular re-pollarding.

If you would like to enquire why a tree in council ownership was pruned you can request information using our [tree report form](#).

## Why are tree stumps left in the pavement?

**Policy:** A short tree stump may be left in the pavement or verge as a temporary measure to mark the position of a replanting site. Tree stumps are then removed later as part of the tree planting operation.

### Information and advice

1. When a tree growing in the pavement is removed it is not always possible to replant at the same time.
2. Stumps are typically left around 1.3 metres (about 4 feet) or so tall, the tops are chamfered to remove any rough edges and only stumps greater than 15 cm (6 inches) diameter are retained, otherwise the tree is removed to ground level. For smaller diameter stumps, we may consider leaving a 2-metre stem if practicable. Currently, the council has a backlog of stumps that need to be removed and the site replanted.

If you would like to enquire about a tree stump you can request information using our [tree report form](#).

# Tree planting

If you would like to enquire about sponsoring or the replanting of a tree that has been felled, please contact [Tree Bristol](#).