

Tree Management Policy

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1. Scope

This policy outlines the Council's approach to managing trees on Council owned land. It covers inspection, maintenance, risk management, and procedures for addressing service requests. The policy will be reviewed as needed to reflect changes in legislation or advice from relevant bodies.

2. Introduction

Trees provide significant benefits, including improving air quality, supporting wildlife, managing stormwater, and mitigating climate change. This policy sets out how the Council manages its trees to maximise these benefits while ensuring safety and compliance with legal obligations.

Note: Trees on highways, footpaths, schools, and Housing Association land are managed by other entities. How you can report vegetation and tree issues to Lancashire County Council (LCC) is included on page 8 of this policy.

3. Why this Policy Exists

Tree protection: Healthy trees benefit the whole community such as air quality, wildlife, and climate resilience.

Fairness: Public funds must prioritise safety and shared needs over individual preferences.

Legal compliance: We follow national guidance and avoid setting unrealistic precedents.

4. Policy Objectives

This policy has the following objectives to:

- Ensure trees are managed safely and responsibly.
- Comply with legislation and industry best practices.
- Implement a zoning system to prioritise tree inspections.
- Provide clear service standards for responding to requests.
- Maintain accurate digital records of inspections and works.
- Complete approved tree works promptly.

5. What You Can Do

- **Check ownership:** Use the Council's online tree map to confirm if a tree is on Council or private land ([Maps | Chorley](#))
- **Common law rights:** You may cut back overhanging branches or roots to your property boundary, provided:
 - ✓ The work does not harm the tree's health
 - ✓ You dispose of cuttings responsibly (you cannot dump them on Council land)
 - ✓ You check for Tree Preservation Orders (TPOs) or Conservation Area restrictions first
- **Report hazards:** If a Council-owned tree poses an immediate danger, contact us urgently.

6. Legal and Statutory Considerations

The Council must adhere to various laws, including:

- **Common Law Duty of Care:** Ensure trees do not pose foreseeable risks to people or property.
- **Negligence:** Failure to inspect or maintain trees may result in liability.
- **Actionable Nuisance:** Address issues where trees cause direct damage to property
- **Health and Safety at Work Act (1974):** Protect employees and the public from tree related risks.
- **Occupiers Liability Acts (1957 & 1984):** Ensure public areas are safe.
- **Wildlife and Countryside Act (1981) as amended and the European Habitats Directive 1992/Nesting Birds Directive.** Protect wildlife habitats and species.
- **Local Government (Miscellaneous Provisions) Act 1976:** This act gives local authorities discretionary powers to deal with trees in private ownership.

7. Zoning Approach Based on Occupancy

Trees are categorised into zones based on usage:

Zone	Usage	Location	Inspection interval
1	High	Busy roads, car parks, and play areas	Every 15 months
2	Medium	Roads, footpaths, woodlands and quieter park areas	Every 36 months
3	Low	Infrequently used areas	Every 60 months

8. Tree Inspections

Inspections are conducted at three levels:

Level	Type of inspection	Details of inspection
1	Informal	Visual checks by a competent person
2	Formal	Detailed assessment of tree health and hazards
3	Detailed/ Invasive	Specialist techniques used for complex cases/ external contractors with specialist inspection equipment may be utilised

All findings are recorded in the Council's asset management system.

9. Responding to Service Requests

Type of request	Response times
Dangerous Trees	Reported issues are addressed within 24 hours during working hours. Our out of hours emergency number is online at chorley.gov.uk/getintouch
Non-Urgent Requests	Initial response within 12 working days. Works are prioritised based on risk, cost, and resources

You can report issues with trees we are responsible for via our website: [Trees | Chorley](#)

10. Action on Requests for Tree Works

Dangerous Trees	Made safe within 48 hours
Non-Urgent Requests	Scheduled based on available budgets
Overhanging Branches	As a good neighbour, the Council will investigate overhanging branches from Council-owned trees on a case-by-case basis and where: <ul style="list-style-type: none"> ○ A branch poses an unacceptable risk to people or property ○ Branches are in physical contact with a structure (e.g., rubbing against roofs/ gutters). ○ The work is beyond the reasonable maintenance means of the property owner that is causing an issue (e.g., large/ high branches).

Trees Blocking Light	<p>The Council does not prune or fell trees solely to improve natural light to private properties. However, action may be taken if:</p> <ul style="list-style-type: none"> ○ Light restriction is severely impacting other Council-managed trees or vegetation ○ There is evidence of a significant detriment to a private property <p>‘Significant’ is assessed case-by-case, considering factors like property use, duration of issue, and environmental balance.</p>
TV/Satellite Reception	The Council will not trim or remove trees to improve TV or satellite signal.
Solar Panels	The Council will not trim or remove trees to improve sunlight to solar panels
Seasonal Debris	The Council will not trim or remove trees to reduce leaf fall, fruit, or other debris. Exceptions may be made in cases of anti-social behaviour
Large/Tall Trees	The Council will not trim or remove trees solely because they are large or tall
Tree Roots	The Council will not trim or remove trees to prevent root spread into gardens. Property owners may trim roots back to the boundary but must ensure this does not harm the tree. If the tree is harmed, the owner may be liable
Private Funding for Works to Council-Owned Trees	The Council will not accept private funding for tree works. Private individuals or companies do not have the right to undertake tree works on Council land

11. Timeframes for Approved Works

Category	Description	Timeframe for approved works
1	Imminent risk	Addressed within 48 hours
2	Non-urgent	Scheduled based on budget and priority

12. Damage Caused by Council Owned Trees

Claims for damage are assessed by the Council's Risk & Insurance and Legal teams. Evidence must be provided to support claims. Tree removal or other associated works will not normally be considered without sufficient evidence demonstrating that the tree(s) in question are a contributory factor in the reported damage and that their removal is necessary to enable effective repairs or prevent further nuisance.

13. Unauthorised Works or Vandalism

Unauthorised works or vandalism to Council trees may result in legal action and compensation claims. The Capital Asset Value for Amenity Trees (CAVAT) system is used to assess the value of damaged trees.

14. Trees and Biodiversity

Trees support biodiversity by providing habitats for wildlife. The Council retains deadwood and dead trees where possible to benefit ecosystems.

15. Ash Dieback

The Council follows the Tree Council's guidance on managing ash dieback. Trees are retained unless they pose an unacceptable risk.

16. Industry Guidance Compliance

Tree works are carried out in line with British Standard BS 3998 (2010). Exceptions are made only to ensure tree longevity.

17. Nesting Birds and Bats

Tree works during nesting season (February–August) include checks for active nests. Works are postponed if nests or bats are found.

18. Tree Preservation Orders (TPOs) and Conservation Areas

TPOs: Protect trees of significant value. Unauthorised works are a criminal offence.
Conservation Areas: Written notice is required for works.

19. Appendix

Out of hours emergency contact details for the council are available at chorley.gov.uk/getintouch

You can find out how to contact Lancashire County Council at [Contact us - Lancashire County Council](#)

20. References

Key documents and legislation referenced in this policy.

- British Standard BS 3998: (2010) Tree Work Recommendations
- Health and Safety at Work Act (1974)
- Health and Safety Executive (2007) Management of the risk from falling trees
- High hedges: complaining to the council (2017) GOV.UK
- Mynors, C. (2023) The Law of Trees, Forests and Hedges, Third Edition
- National Tree Safety Group (2024) Common sense risk management of trees
- Occupiers Liability Acts (1957 & 1984)
- The Tree Council (2020) Ash Dieback Disease: A Guide for Tree Owners
- Town and Country Planning Act (1990)
- Town and Country Planning (Tree Preservation) Regulations (2012)
- The Wildlife and Countryside Act (1981) (as amended)
- LTOA (2023) CAVAT Full Method – A Guide for Practitioners

21. High Hedge Complaints

The Council has the authority to address complaints about high hedges under Part 8 of the Anti-Social Behaviour Act 2003. However, complaints are only considered after all other attempts to resolve the issue between the complainant and the hedge owner have failed.

Criteria for a Valid Complaint

- The hedge must consist of two or more evergreen or semievergreen trees.
- It must be at least 2 meters in height.
- The hedge must be adversely affecting the complainant's reasonable enjoyment of their property.

Complaint Process

Step	Process	Action
1	Submission	Complaints must be lodged with the Council. A nonrefundable fee of £500 is required, regardless of the outcome
2	Assessment	The Council will verify if the complaint meets legal criteria

3	Investigation	A Council officer will visit the site, gather information, and consider both sides of the dispute
4	Decision	The Council will determine if the hedge is causing significant harm and issue a remedial notice if necessary. This notice will specify required actions and a timeframe for compliance

List of Useful Links

Below is a list of websites referenced in this policy for further information:

- Tree Preservation Orders and Conservation Areas
[Tree Preservation Orders and trees in conservation areas - GOV.UK](#)
- Ash Dieback Disease Guidance
[Ash Dieback Disease: A Guide for Tree Owners - The Tree Council](#)
- Capital Asset Value for Amenity Trees (CAVAT)
[Capital Asset Value for Amenity Trees \(CAVAT\)](#)
- High Hedges Complaints
[High hedges: complaining to the council - GOV.UK](#)
- Lancashire County Council (LCC) Tree Reporting
[Report vegetation and trees - Lancashire County Council](#)