

Swindon Borough Council

Tree Management Policy 2021/2022

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Policy Scope

This policy applies to all trees under the ownership of Swindon Borough Council, regardless of their location and to those trees in private ownership which poses a safety risk to the public.

Although this Policy aims to be as comprehensive as possible, it is acknowledged that it does not cover every situation and the Council reserves the right to exercise discretion in the application of this Policy when to do so would be in the best interests of the Council and its residents.

The Importance of Trees

Trees are an important feature in the landscape. They help to create an attractive environment, making Swindon a better place to live, work and visit. They bring colour and contrast, screen unsightly structures, give privacy, soften the hard lines of and contribute to the street scene. Not only do trees have a visual quality, they also enhance the environment in other ways:

- They improve air quality by filtering airborne dust, smoke and fumes
- They absorb traffic noise in built-up areas and can help limit noise pollution
- They reduce temperature extremes by providing shelter in hot weather and insulation in cold weather. Trees adjacent to buildings can reduce air conditioning and heating costs
- They act as a screen, increasing privacy in residential roads
- They convert carbon dioxide to oxygen, increasing the quality of the air locally
- They provide food and habitat for birds and other wildlife, thus supporting biodiversity
- The presence of trees may also have psychological and health benefits, including mental health

Legislation

There is a range of legislation relevant to the management and maintenance of trees by the Council.

Statutory Protection

A Tree Preservation Order (TPO) is an order made by a local planning authority (LPA) to protect specific trees, groups of trees or woodlands in the interests of amenity and prohibits the cutting down, topping, lopping, uprooting, wilful damage and wilful destruction of trees without consent. Anyone who contravenes a TPO is guilty of an offence, for which liability can result in a fine of up to £20,000.

Trees on land owned by Swindon Borough Council are not generally included within a TPO, because they are acknowledged to be under good management. There are exceptions, however, and where a TPO is in place, consent from the LPA is necessary. The LPA also has the power to require replacement trees to be planted.

Further information: tstringer@swindon.gov.uk

Trees situated within Conservation areas have a measure of statutory protection and, though there are exceptions, generally require formal notification to the LPA prior to undertaking any work to them. Unlike a TPO, notice is not required for work to a tree that is to be undertaken by, or on behalf of, the local authority.

Further information: tstringer@swindon.gov.uk

Trees that are within, or adjacent to, development sites are often temporarily protected by planning conditions, requiring consent from the LPA prior to undertaking any work.

Further information: search by address via

https://www.swindon.gov.uk/info/20030/planning_and_regeneration/380/view_or_make_comment_on_a_planning_application

Where any tree protected by statutory controls requires urgent work to remove an immediate risk of serious harm, written notice is required as soon as practicable after work has been undertaken to make the tree safe.

Environmental Legislation

The Hedgerow Regulations 1997 enable a Local Planning Authority to protect important hedgerows in the countryside, by controlling their removal through a

system of notification. In particular, it affects hedgerows which are longer than 20m or which meet another hedgerow at either end. LPA control is only on hedgerows that are growing on land used for agriculture or forestry, common land, village greens or Local Nature Reserves.

Further information: tstringer@swindon.gov.uk

The Wildlife and Countryside Act 1981 is the primary legislation that protects animals, plants and habitats. It is an offence to intentionally or recklessly disturb any wild bird while it is nest building or at a nest or disturb the dependent young of such a bird. All bat species, and their roosts, are also protected and it is an offence to intentionally or recklessly disturb a bat in its roost, damage a roost or to obstruct access to a bat roost.

Further information: <https://www.wiltshire.police.uk/advice/advice-and-information/wc/wildlife-crime/>

The Conservation of Habitats and Species Regulations 2017 also protects a range of plants and animals – referred to as European Protected Species (EPS) – and their habitats. Several EPS are found in trees and woodlands and have implications on how woodlands are managed and how tree management operations are carried out.

Further information: enquiries@naturalengland.org.uk

Volume tree felling is a legally controlled activity for which the Forestry Authority grants licences. A licence is required for felling timber where the volume exceeds 5m³ in a single calendar quarter. There are exemptions that apply to trees growing in an orchard, garden, churchyard or public open space.

Further information: southwest.fce@forestrycommission.gov.uk

Trees and Risk

A tree owner has a duty of care in both civil and criminal law to take reasonable management measures to avoid foreseeable injury or harm. In doing so, a local authority is expected to consider the risks posed by their trees and manage those risks in a reasonable and proportionate way.

Further information: <https://ntsgroup.org.uk/guidance-publications/>

Everyone involved in tree work has health and safety duties and responsibilities under primary legislation (such as HSWA) and relevant Regulations (such as LOLER and PUWER). There is an expectation that compliance with these laws will be met by following approved codes of practices and associated industry guidance to reduce health and safety risks.

Further information: <https://www.hse.gov.uk/treework/index.htm>

Risk Management

According to figures from the Health & Safety Executive (HSE) in **2015**, each year between 5 and 6 people in the UK are killed when trees or branches fall on them. Around 3 people are killed each year by trees in public spaces. The risk of being struck and killed by a tree or falling branch is extremely low.

However the low level of overall risk may not be perceived in this way by the public, particularly following an incident. There is an increasing public expectation of a safe environment in which to live, along with an increasingly active litigation and compensation culture.

Tree risk management involves the process of inspecting and assessing trees for their potential to injure people or damage property. Modern inspection techniques and procedures can be used to minimise the risk of damage to property and personal injury associated with tree failure. An understanding of trees and their biology is an integral component of any tree risk management programme. Doing all that is reasonably practicable does not mean that all trees have to be individually inspected on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed.

Inspections are carried out to determine what constitutes an acceptable level of risk. Trees that surpass the level of acceptable risk are potential hazards. In order for a tree-failure hazard to exist, two criteria must be fulfilled. There must be potential for failure of the tree and potential for injury or damage to result. There cannot be a significant risk of significant harm in the absence of something significant to be harmed. A tree-failure hazard is present when a tree has potential to cause harm to people or property.

The Council has responsibility for managing its tree stock and to ensure that it does all that is reasonable and practical to:

- Ensure that people are not exposed to risk to their Health & Safety from falling trees and branches
- Reduce the risk of property damage from subsidence
- Prevent vehicle damage and personal injury from obscured sightlines and low branches on the highway
- Prevent personal injury through trips and falls on footpaths disturbed by tree roots
- Maintain trees to preserve their amenity, conservation and environmental values

The Health and Safety Executive's (HSE) recommendation is that all tree owners should be encouraged to consider public safety as part of their overall

approach to tree management. If there is sound management in place then this sensible approach should ensure that not only health & safety requirements are satisfied but also environmental and amenity issues as well.

The overall objective is to assess any risk associated with trees, particularly in relation to property damage. The main objectives are therefore;

- Identify all trees within the Council's responsibility
- Identify any foreseeable hazards
- Assess the risk of the hazard occurring and the severity of the outcome should the hazard occur
- Formulate and prioritise risk elimination / reduction methods

The following methodology shall be adopted to achieve these objectives:

- Define the scope of the risk and who is responsible
- Compile and record an accurate inspection / maintenance inventory of all public trees
- Analyse previous claims to identify problem areas or "hot-spots"
- Assess soil types across the borough
- Identify areas of the borough with older housing stock
- Use available data to prioritise the likely degree and severity of risk before deciding which areas / trees to deal with first
- Be realistic about what can be achieved and within what timescale based on the available resources

Over the past 5 years (2015-2020), there has been 130 insurance claims concerning tree or hedgerow related incidents received by the Council, all of which relate to damage to buildings or other structures such as walls. Over this period, the total paid out or held in reserve for outstanding claims is £763,361k. The cost of claims for alleged tree related subsidence is usually at least £5-8k per claim with some being fairly significant. From January 2018, the Council's insurance excess has increased from £50k to £75k, therefore the majority, if not all of these claims, are funded by the Council. There have been no claims relating to personal injury.

One of the main reasons for these claims relates to the type of soil - most of Swindon is built on high to medium shrinkage clay. Changes in moisture

contents of clays can cause heave or shrinkage which, in turn, can cause cracking and movement of building foundations. Clay shrinkage is caused during dry spells generally from moisture abstraction by vegetation, whereas clay heave is often caused by the removal of trees and hedgerows. The extent of movement may be determined from a number of factors, e.g. clay type, vegetation and tree type, the distance from the foundations to the tree. The risk from heave needs to be taken into account before any work to remove trees are undertaken and if required, specialist advice will be sought.

As Swindon continues to expand, the demands on tree maintenance are likely to increase and will continue to do so as trees grow and mature. In addition, the Council continues to experience a significant number of insurance claims / costs relating to trees and it is vital that the Council is able to provide a robust, evidence-based defence of these claims.

Tree Classification

Swindon Borough Council is responsible for the management and maintenance of in excess of 50,000 individually identified trees within the borough. This number includes trees growing in all types of parks and green spaces, those located within an area of adopted public highway but not those trees growing within tree belts or woodland areas.

The overall management of the public tree stock is carried out by a specialist in-house arborists based within the Streetsmart team.

Trees shall be classified as follows:

- | | |
|-----------------------|---|
| Street Tree: | A tree that is growing immediately adjacent to a minor highway, cycle path or footpath. |
| Highway Tree: | A tree that is growing immediately adjacent to a major highway or bus route. |
| Estate Tree: | A tree that is growing in a public open space within an estate. |
| Parkland Tree: | A tree that is growing within a park, country park or major open space |
| Woodland Tree: | Trees growing together with individual tree canopies generally overlapping to form a more or less continuous canopy i.e. plantation, noise attenuation / shelter belts, copse, woodland |

Hedgerow: A boundary line of trees and other shrubby species growing as a linear feature which is not routinely maintained.

Tree Inspections

Trees are fairly unique in the urban environment in that they continually grow and change as they get older and therefore regular surveying allows the Council to maintain a record of the trees and to identify any issues and problems at an early stage. It also allows the Council to defend insurance claims as we can demonstrate that we have a planned approach to tree inspection and maintenance, which fulfils our legal duty of care.

Council owned trees are inspected for safety on a cyclical regime of between one and five years according to the level of public use in the area immediately surrounding the tree. Although broad-based, this approach is designed to focus resources to the highest risk areas.

For a programme of tree inspections to be manageable, most resources need to be directed to areas where there is potentially most risk to people and property. The inspection regime is based on local knowledge using 3 Tree Hazard Zone categories (High, Medium and Low) which reflect normal usage of an area but subject to review should the level of risk change over time.

The criteria used to define the Tree Risk Zones are contained in Table 1.

Table 1

Risk Zone	Definition	Frequency
High Risk	Principle roads in built-up areas, high-use parks and pedestrian areas Trees with high risk characteristics such as mature estate or park trees Trees likely to visually obstruct traffic signs, signals, sight-lines or tree root issues	2 - 3 Years
Medium Risk	Roads where the potential for falling branches could cause injury / harm or major network disruption Where height clearance is an issue	4 – 5 Years
Low Risk	Low use roads and public footpaths where the potential for injury / harm is minimal Trees where there is no discernible target	5+ Years

Risk Zone	Definition	Frequency
	Areas without mature or problem trees	

Trees are inspected by a qualified Tree Inspector from the ground in order to identify any signs of damage, disease or defective growth to the trunk, roots, crown or branches of the tree as well as any potential risk of damage to adjacent buildings or structures. If required, a more detailed climbing inspection of the tree may be carried out by a qualified Tree Surgeon. Any defects which are identified as part of the inspection that require follow-up work are highlighted to the Tree Officer or directly to the Tree Team if deemed urgent.

The inspection identifies information both for risk and tree management purposes as follows:

- Identify the location of the tree
- Assess the size (height and spread) and type of tree
- The trees proximity to any property or structure
- Use knowledge of soil type to assess whether future root damage is foreseeable
- Look for signs of existing root damage to any adjacent property or structure
- Does the tree have any dead, broken or detached branches
- Are there cavities, cracks or splits in the trunk or main branches
- Are there any visible fungal growth on the tree or at its base that may indicate damage or weakness to the tree
- Have any adjacent trees died or fallen over
- Is the shape of the tree well balanced
- Are there any roots exposed
- Are there any overhead cables in the vicinity of the tree
- Dates of last inspection, next due inspection and any works undertaken.

This information is currently held as a hard copy and within CONFIRM but is in the process of being migrated to WDM which is a Highway Asset Management System.

In addition to the work of the Tree Inspector, reports from Councillors and the public also form a valuable role in determining tree safety. All requests for tree works are assessed by Officers from the Council's Arboriculture team and decisions to undertake work are based on the Criteria list as detailed in Section 8.

Tree Inspections also provide the opportunity to identify potential tree related subsidence issues based on the knowledge and experience of the Inspector as well as past knowledge of the area. Inspections also provide the

opportunity to identify any issues within a particular area or tree type which may result in further investigation.

Any concerns raised by the Inspector are recorded and reported to the Tree Officer for further investigation and action as appropriate.

All works orders resulting from routine work, emergency work or work in response to a previous risk management incident is recorded to provide an accurate historic record for any particular tree. This will also apply to trees that have been felled for whatever reason and for all replacement or new trees.

It is vital to maintain an accurate and up-to-date records throughout the life of the tree with all relevant information for both risk management and routine maintenance requirements.

Unfortunately, the threat to trees from a number of new pests and diseases has never been greater. Trees such as the Oak, Ash and Horse Chestnut are particularly at risk at the present time and therefore the Council undertakes to follow best practice and specific advice which is regularly published by the Forestry Commission.

Tree Maintenance

The way that trees are managed very much reflects on where they are located, the species, age and condition of the tree as well as the amount of space they have to grow in.

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 highway trees are maintained on a cyclical programme.

Deciduous trees are usually pruned in autumn and winter when growth is dormant but for some species of tree, pruning is best carried out when the tree is in active growth such as during the spring / summer period.

Evergreen trees should not require pruning but diseased and dead branches are best pruned in late summer or early autumn.

For trees identified as being a potential risk and for trees along major roads, pruning works are scheduled over a variable 5 year pruning cycle.

Where pruning works are undertaken, the Council does not routinely inform Ward Councillors, the Parish Council and nearby local residents.

Pruning works will be undertaken where:

- There is an actionable nuisance to built structures e.g. branches are in physical contact with building walls, windows and gutters

- Highway infrastructure (road signs, street lights etc.) and sightlines for vehicles and pedestrians are obscured or low branches are causing an obstruction

The majority of our tree maintenance work will consist of pruning work which may include the following operations:

- **Crown Reduction** - To reduce the overall size of the canopy
- **Crown Lifting** - To increase the height of the canopy above ground level
- **Crown Thinning** – Pruning of secondary growth throughout the crown to produce an even density of foliage around a well-spaced and balanced crown
- **Removal of Deadwood** - To make the tree safe or to shape and balance the crown
- **Pollarding** - Removes all growth back to a point at the junction between the trunk and the base of the crown or back to an earlier pollard point
- **Epicormic Growth** - Removes all growth from around the base of trees to a height of 2 metres from ground level
- **Formative Pruning** - To shape or train the crown in the early growing years

The Council will avoid felling trees unless it is absolutely necessary and each case will be carefully judged on its merits. On occasions, it is necessary for a tree to be felled, normally because the tree is in an unsafe condition.

The decision to remove a tree is not taken lightly and apart from when a dangerous tree needs urgent attention, the Council will notify in advance, the Ward Councillors, the Parish Council and nearby local residents.

Felling may be considered where a tree is:

- Dead, dying or diseased
- A danger to public safety
- Causing an obstruction to a public footpath, right of way, access to property or footpath
- Potentially a major contributor to serious structural damage to buildings or infrastructure

- Clearly of a size or species inappropriate to their location

The Council will not fell or prune any tree without good reason.

Where a potential insurance risk is identified, works are undertaken to resolve this risk i.e. pruning, felling along with stump treatment or removal.

Consideration will also be given to the potential risk to neighbouring properties which may be exposed to the same or similar risk. In such cases, a pro-active additional recorded assessment of risk will be undertaken of the adjacent area in order to prevent further damage.

All works orders resulting from routine and non-routine tree work as well as felling and emergency work are recorded to provide an accurate historic record for any particular tree in the borough.

The removal of the resultant stump will be carried out where necessary to enable new trees to be planted or to remove a significant hazard. Where stump removal is not necessary, tree stumps will be removed close to ground level so as not to leave a trip hazard.

Large quantities of green waste are produced through carrying out tree works. Where possible, woodchip and cord wood is retained locally as a mulch spread over the ground or safely stacked and left to decay naturally as a wildlife habitat. Alternatively, woodchip may also be delivered locally to agreed sites for community use such as bark footpaths (i.e. allotments, schools, and open spaces). Wood chip may also be used by the Ground team as a shrub bed mulch.

There is also a storage compound at Stanton Park where woodchips and cord wood are held prior to disposal for bio-fuel. No timber bi-products are taken to land-fill.

All works are carried out in accordance with the Council's Tree Maintenance Specification and British Standard BS3998: (2010) Tree Works Recommendations.

Criteria for Tree Maintenance

The Council receives a large number of public enquiries regarding trees and it is important that individual cases are dealt with consistently and that decisions are balanced against the positive contribution that trees make to the environment and enjoyment by local residents. All public enquiries will be dealt with in accordance with the Council's Customer Feedback Policy.

Therefore, due to the high demand for tree works far exceeding the resources available, the Council has developed a number of categories and priorities to assess the urgency for tree works to be carried out as follows:

Priority 1	Dangerous
Priority 2	Structural
Priority 3	Potential Dangerous
Priority 4	Potential Structural Damage
Priority 5	Nuisance
Priority 6	Inconvenient

A description of these categories are provided in the Appendix.

All requests for tree works are assessed by Officers from the Council's Arboriculture team and decisions to undertake work are based on the above categories.

Trees identified as being Priority 1 or 2 are subject to further investigation i.e. a site visit and assessment and followed by a works order being raised if required. If it is determined that no works are required at this stage, then the public enquiry is updated appropriately. Escalation of lower priority cases may also occur if additional information subsequently becomes available.

The Council aims to deal with all emergency tree work within 24 hours whilst urgent work will be carried out within 5 working days and structural works within 8 weeks. All other works will be carried out as part of a wider programme of tree works.

In cases where a member of the public is dissatisfied with the Council's decision not to undertake tree works, the complainant can progress the matter through the Council's Corporate Complaints Procedure.

The Council will not permit work to be carried out on Council-owned trees / hedges by individual residents or private contractors other than a Common Law right to cut back any branches encroaching onto private property; this is only from the point where the branch cross over their boundary.

Where an individual or an organisation is deemed to have removed, damaged or carried out work to a Council-owned tree or hedge, or damaged a wildlife habitat, the Council will take the appropriate action using the relevant legislation.

Pruning work may help resolve an issue in the short term, however in the long term the flush of extra growth associated with pruning can exacerbate the problem resulting in repeat requests for on-going maintenance which the Council is unable to deliver.

The Council will undertake maintenance work in the following situations:

Low Tree Branches

Where low tree branches may cause an obstruction to the public highway, footpath, cycle path or access to a property.

- Highway – 6 metre height clearance
- Footpaths / cycle paths – 3 metres height clearance

Trees affecting Signs and Traffic View

Where trees are growing close to and / or likely to obstruct / interfere with traffic signals, CCTV and other service equipment, highway and other signage and obstruct sight lines at road junctions and access points.

- Standards for visibility vary according to the class and speed limit in force

Subsidence Damage to Property

The Council has in place active tree management systems to avoid damage being caused to buildings and other structures due to Council-owned trees.

- Any public concerns about tree related subsidence damage to property should be notified to their insurance provider for advice

Tree Branches touching a Building

If a tree is touching a property (e.g. house or garage) or restricts repairs and maintenance to property, the Council will inspect and instigate any maintenance as deemed necessary.

Tree Planting

The Council recognises the value of street trees in the urban environment and is committed to supporting a programme of planting to provide trees that will shape the Borough in the future.

Although trees are clearly beneficial to the environment and biodiversity, they can also provide a potential risk to people and property and therefore the provision of trees in the urban environment need to be properly planned for the long term sustainability of the tree population given the limited resources currently available for on-going maintenance. Therefore, when planning, designing and building new residential areas, the provision of trees needs to be carefully planned to avoid future risk management issues and maintenance

concerns through liaison with colleagues in appropriate departments across the Council.

However, the whole of the borough is now covered by Parish Councils who also have a significant role to play in the provision of new tree planting and therefore Swindon Borough Council will work with the Parish Councils to encourage and facilitate new tree planting around the borough.

The Council will also have to consider the future of the mature street trees growing predominately within the Town Centre and Old Town areas, the future of which needs to be considered for future removal and replacement if considered appropriate. Due to the significant impact these mature trees have on the urban street scene, the future of these trees should be considered urgently as part of a comprehensive review.

The planting of new or replacement trees is therefore an important element of this Policy although care needs to be given when selecting sites and species to ensure that problems are not being made for the future. However, most importantly from the risk management aspect is the appropriate location and choice of tree species.

Overhead cables, street lights, road signage and visibility, underground services and risk of subsidence all put constraints upon the choice and siting of trees. A check for underground services must be carried out in advance of tree planting as well as a Cable Avoidance Tool (CAT) scan prior to any ground excavations taking place.

Factors such as the tree size and species appropriate to the street scene, local soil / geology conditions in a defined area will all affect the local environment especially in terms of the likely water uptake by the tree(s) and hence the risk of subsidence damage.

In some cases, planting cannot be carried out due to these constraints, however suitable the site may otherwise appear. In other cases, it may not be possible to replace a tree after felling as the presence of underground services may prevent the removal of the old stump.

We will endeavour to plant trees on any proposed site subject to the constraints defined above. Where the site has not had trees planted on it before, we will consult with the local community if this is appropriate.

Consideration of costs should also be made. Smaller trees are cheaper and usually establish better, but have a less instant impact. As a rule, the larger a tree is, the more expensive it is to buy and plant but has the instant impact the public expects in many situations.

Occasional losses of trees due to adverse weather or poor site conditions are bound to occur. However, deliberate vandalism is unsightly and needs to be discouraged by removing the damaged tree and replacing it at the appropriate time, unless repeated incidents of vandalism occurs.

The methodology for the planting and establishment of new trees is covered within the Grounds Maintenance Specification (2013).

Privately Owned Trees

Trees on private land within falling distance of a highway can also present a hazard to the public. If a tree or branch from a privately owned tree is causing a danger to the highway, the landowner can be contacted by the Council 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 reasonably safe then the landowner will be charged in full for the Council's costs.

The responsibility for a tree rests with the landowner on which it is growing; the Council is not responsible for trees on private land but it does have some discretionary powers, under the Local Government (Miscellaneous Provisions) Act 1976, to make the tree safe. To comply with the legislation, the danger has to be imminent and likely to cause injury or harm to person or property. The Council may serve notice on the tree owner to undertake remedial safety work within a specified timescale. Failure to comply may result in the Council entering the land to implement the work then recovering full costs from the tree owner.

Further information: tstringer@swindon.gov.uk

The Council has no authority to intervene in a dispute between neighbours. However, if the problem is due to a high hedge, you can find more details [here](#).

Frequently Asked Questions

Can I pay to get tree works carried out privately?

The Council will not permit work to be carried out on Council-owned trees / hedges by individual residents or private contractors other than a Common Law right to cut back any branches encroaching onto private property; this is only from the point where the branch cross over their boundary.

Trees are too big / too tall

The Council does not prune or remove trees because it is considered to be too big or tall.

- A tree may seem too big for where it is located but this doesn't make it dangerous
- Our trees (excluding woodland areas) are inspected for safety and any maintenance will be carried out if necessary

Overhanging Branches

The Council does not prune or remove trees to stop the nuisance of overhanging branches onto private property.

- The public have a Common Law right to cut back any branches encroaching onto their property; this is only from the point where the branch cross over their boundary. Any removed branches must be disposed of appropriately and not returned to Council land without permission.
- However, if the tree is protected by a Tree Preservation Order or is within a Conservation Area, then written consent from the Council will be required.

Shading and Loss of Light / View

Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden. Therefore the Council will not prune or remove trees to improve natural light in or to a property including solar panels or to improve a view from a private property.

- In law there is no legal right to light
- The tree owner is not obliged or required by law to carry out work to the tree for the benefit of the level of light
- The public have a Common Law right to cut back any growth encroaching onto their property; this is only from the point where the growth cross over their boundary. If the tree is protected by a Tree Preservation Order or is within a Conservation Area, then written consent from the Council will be required.
- Where elderly, infirm or disabled persons who spend a significant amount of time within their home are affected, there may be flexibility to consider some intervention.

Sap / Honeydew

The Council does not prune or remove trees to remove or reduce problems caused by honeydew or other sticky residues from trees

- Honeydew is a natural and seasonal issue. When new trees are planted, the Council will try to choose tree species that are less likely to cause this problem

Tree Blossom / Catkins / Pollen

The Council does not prune or remove trees to stop or reduce problems caused by blossom, catkins or pollen from trees or remove the debris from private land

- Blossom / catkins and pollen are a natural occurrence which cannot be controlled by pruning
- Roads, footpaths and cycle paths are swept of blossom as part of the normal street cleaning cycles.

Fruit / Berries / Nuts / Seeds

The Council does not prune or remove trees to stop or reduce the nuisance of tree fruit, berries, nuts or seeds including tree seedlings growing on private land including gutters.

- Fruit / berries / nuts and seeds are a natural occurrence which cannot be controlled by pruning
- When new trees are planted, the Council will try to choose tree species that are less likely to cause this problem
- 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.
- Roads, footpaths and cycle paths are swept of fruit / berries / nuts / seeds as part of the normal street cleaning cycles. The sweepers are not deployed in response to a request.

Leaves

The Council does not prune or remove trees to stop or reduce leaf fall or remove fallen leaves from private property.

- The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning

- 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
- Roads, footpaths and cycle paths are swept of leaves as part of the normal street cleaning cycles.
- Leaves that fall on grass or shrub areas are generally left to decompose naturally

TV or Satellite Reception / CCTV / Solar Panels

The Council does not prune or remove a tree to prevent interference with telephone wires, TV / satellite installation or reception or to improve natural light to a solar panel. The satellite or TV provider may be able to suggest an alternative solution to the problem i.e. relocate the aerial or dish, using a booster

- The installation of new CCTV cameras must take into consideration any existing trees to prevent requests for unnecessary pruning works or the removal of trees to improve CCTV visibility

Overhead Cables / Telephone Wires

The Council does not prune or remove a tree to prevent interference with overhead cables or telephone wires.

- Utility companies have certain legal rights to carry out works to address any health & safety problems and to maintain a clearance between trees and their cables to ensure continuity of supply

Bird Droppings

The Council does not prune or remove a tree to stop or reduce bird droppings onto public or private land or property

- Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife legislation).

Wild Animals / Insect Pests

The Council does not prune or remove trees to stop or reduce incidents of perceived pests such as bees, wasps or wild animals (e.g. Squirrels).

Drains

The Council does not prune or remove or cut the roots of trees to prevent roots from entering a drain that is already broken or damaged.

- Tree roots typically invade drains that are already broken or damaged and will very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe.

Suckers and Tree Roots

The Council does not prune or remove a tree to stop or reduce the nuisance of tree root / sucker growth on private land.

- Suckers and roots are a natural occurrence and their presence is unlikely to be affected by tree pruning and action may even worsen the problem.
- Landowners do have a common law right to prune back tree roots to their boundary.
- However, if the tree is protected by a Tree Preservation Order or is within a Conservation Area, then written consent from the Council will be required.

Installation of a Drop Kerb

The Council is not required to agree to the pruning or removal of a tree or tree roots to allow the installation of a drop kerb. If it is agreed that a drop kerb can be installed, the customer can request that the tree team carry out this work for a charge.

Trees next to a Building Site

Planning permission does not convey a right to implement works to a council owned tree. There is no obligation for the council to permit the pruning or removal of any of its trees to facilitate building works, irrespective of the granting of planning permission.

Further information: tstringer@swindon.gov.uk

Appendix

Categories for Tree Works

Due to the demand for tree works far exceeding the resources available, the following criteria have been developed to assess the urgency for works to be carried out. Any requests for tree work will be assessed by an officer from the Arboriculture team and assigned to one of the categories based on the danger to the public or property. This is shown in table 2.

Table 2

Priority	Category	Description
Priority 1	Dangerous	Trees that present an immediate danger to the public (e.g. Trees in imminent danger of falling or collapse)
Priority 2	Structural	Trees that present an immediate risk to adjacent structures (e.g. Trees proved to be causing damage to property)
Priority 3	Potential Danger	Trees that may present a danger to the public in the foreseeable future (e.g. A defect is identified that could cause a problem in the future)
Priority 4	Potential Structural	Trees that could present a risk to adjacent structures (e.g. Tree species / location likely to cause problems in the future)
Priority 5	Nuisance	Trees that are perceived to be causing a nuisance to the public (e.g. Falling fruit, branches rubbing on buildings or windows)
Priority 6	Inconvenient	Trees that are perceived to be a nuisance to the public (e.g. Sunlight is restricted or satellite TV impaired)