



TREE POLICY

This is a policy for the management of trees owned and managed by Burley Parish Council.

A principle of English Common and statute law is that land/tree owners have a duty of care to visitors, residents and passers-by when on their land. This means that the Parish Council has a responsibility to take reasonable steps to reduce the risk of potential injury to those on Parish Council land.

Any queries on trees belonging to the Parish Council should be made to the Clerk on 01943 864728 or clerk@burleyparishcouncil.co.uk.

Trees on Grange Park, the Recreation Ground, Victoria Park/Peel Place, the Village Green, Burley House Field and other public open spaces including verges and public highways are the responsibility of Bradford Metropolitan District Council. You can contact them on 01274 431000 or by using the online reporting function available [here](#).

Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner air. Burley Parish Council aims to preserve Burley's trees for future generations to enjoy.

Parish Council Owned Trees

In maintaining our trees, the Parish Council will:

- Remove dead, dying or dangerous trees
- Remove dangerous and damaged limbs

It is our policy to survey our trees on a regular basis but if trees require works under this section, members of the public should contact the Clerk on 01943 864728 or clerk@burleyparishcouncil.co.uk.

The trees will be inspected and if works are required this will be programmed as necessary. The Clerk is authorised to act as necessary in an emergency.

The Council will avoid felling trees unless it is absolutely necessary. This will usually be for health and safety purposes, or to prevent the spread of serious tree diseases and pests. However, the Council reserve the right to fell trees to prevent overcrowding, to improve habitats or restore landscapes in line with site management or where a tree is inappropriate to its location and has a significantly detrimental impact on the appearance or amenity of a site.

Where a tree is removed for any of the above reasons, the Parish Council will plant three new trees/saplings at a suitable location within the Parish. If a suitable location cannot be found, alternative planting sites will be considered in the Wharfedale locality.

Work that the Parish Council Will Not Carry Out on Parish Council Owned Trees

The Parish 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 affecting views or interfering with TV reception.
- Remove branches 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 to prevent potential root damage to structures.
- Remove branches nearly touching buildings, walls, roofs, fences etc.
- Remove branches to prevent access to squirrels or birds.

If members of the public would like tree works carried out as per this section, they should make their own arrangements as described below.

Carrying Out Tree Works Yourself and Pruning Guidance

In Common Law, a property owner can cut back overhanging branches to the boundary of his/her property. The Parish Council would usually have no objection to property owners carrying out tree work or engaging a contractor at their own expense, provided that:

- 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). You can check this [here](#). It is illegal to cut down, prune, or damage a tree protected by a TPO without Bradford Metropolitan District Council's consent. The unauthorised lopping or felling of a tree is a serious criminal offence and can result in a large fine and a criminal record.
- 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, fully insured tree surgeon. A list of Parish Council approved contractors can be found at [Appendix A](#).
- For tree pruning work, whoever does the work, it is carried out to an acceptable standard, in accordance with the British Standard Recommendations for Tree Work 3998:1989.
- The property owner notifies us (before the work begins) of the proposed work and commencement date.
- No work should be carried out during the nesting season (March to July), unless the work is for urgent health and safety reasons. It is an offence to intentionally damage or destroy the nest of any wild bird while it is in use or being built; therefore, tree works must avoid this. [See Appendix B](#).
- No tree should be felled or removed. If you believe a tree needs to be felled due to Health and Safety issues please contact the Clerk on 01943 864728 or clerk@burleyparishcouncil.co.uk who will arrange an inspection as soon as possible.

Appendix A

RWC Tree Surgeons

Black Bull Farm
Ilkley Road
Burley In Wharfedale
LS29 7HN

07850 525150/01943 862039

Keighley Tree Services Ltd

Wicken Cragg Sawmills Halifax Rd
Cross Roads
Keighley
BD22 9DH

01535 648808 / 07939 263001

info@keighleytreeservices.com

Chevin Tree Surgeons

2 Silverdale Close
Guiseley
West Yorkshire
LS20 8BQ

01943 879016/07775 530207

johnnytrees@btinternet.com

Treeworld Ltd

Pool Bank Farm
Pool Bank New Road
Pool in Wharfedale
Leeds LS21 1EU

0113 284 2240

Appendix B

The guidance from The Arboricultural Association which you can also find on their [website](#) is as follows:

“The ‘Bird Nesting Season’ is officially from February until August and it is recommended that vegetation works (tree or hedge cutting) or site clearance should be done outside of the nesting season. However, in reality the nesting period may start before this and extend beyond it, in some cases. The busiest time for nesting birds is from 1st March until 31st July and of course varies according to species, etc. Contractors must aim to avoid impact to nesting birds and infringement of the Wildlife and Countryside Act 1981 and breaching the European Habitats Directive 1992/Nesting Birds Directive.

When tree or vegetation clearance work has to be undertaken during the nesting season, a pre-works survey needs to be carried out by a suitably competent person. As a general rule, it should be assumed that birds will be nesting in trees, and it is down to the contractor to assess, record and confirm that any works carried out in the management of trees and other vegetation has not disturbed actively nesting birds.

Ground vegetation, and therefore ground nesting birds, can often be overlooked by tree workers so additional care and controls should be taken when access and egress to the work site may also cause disturbance or damage to a nesting site. This is also true for retained trees on site as the removal of adjacent trees or remedial works on a tree may lead to the established nest being abandoned, exposed to the elements or predation.

In our experience most clients are sympathetic and if works need to be put on hold until nesting is over then this is usually accepted.”