



Ulverston Town Council

Tree Policy

1. Introduction:

This is a policy for the management of trees owned by Ulverston Town Council. The Council's green spaces are:

- Gill Banks; Little Hoad
- Allotments: Sandside, Tank Field, Dragley Beck, Mill Dam, Poplar Grove
Hill Fall, The Ellers.

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 Ulverston Town Council has a responsibility to take reasonable steps to reduce the risk of death or injury to those on Ulverston Town Council land.

Any queries on trees belonging to Ulverston Town Council, should be made to the Town Clerk on 01229 585778.

E mail: admin@ulverstoncouncil.org.uk

Trees on other open spaces *may be* the responsibility of

Westmorland and Furness Council, South Lakes Housing or are privately owned.

2. **Work that Ulverston Town Council will carry out on Council owned trees:**

Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner, filtered air. Ulverston Town Council aims to preserve Ulverston's trees in the Council's stewardship for future generations to enjoy. **In maintaining our trees we will:**

- Survey all trees by a professional arboriculturist every two years
- Remove dead, dying and dangerous trees as notified in the report
- Remove dangerous and damaged limbs as notified in the report
- Exceptions. In the case of very bad weather which had damaged trees or limbs, the council will remove the damaged tree as soon as possible.

3. **Work that Ulverston Town Council will NOT carry out to Council owned trees**

Ulverston Town Council has **no legal 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, roof and fences
- Remove branches or tree to prevent access by squirrels and birds.

4. Carrying out tree works yourself:

In common law, a property owner can cut back **overhanging branches** to the boundary of the owner's property. The town council would usually have no objection to property owners carrying out this minimal tree work, or engaging a contractor at their own expense provided that:

- Access is not gained onto the neighboring land or to a tree within that land, if access to town council land or to a tree on that land is required, the town councils permission must be sought.
- The tree is not situated in a conservation area or protected by a Tree Preservation Order (TPO). Permission must be sought from South Lakeland District Council in this instance, who will liaise with Ulverston Town Council
- Any work done to a tree is NOT detrimental to the trees health or stability; for their own protection members of the public are advised to obtain advise from a qualified tree surgeon. The Town Council does **not** retain a list of contractors and members of the public are advised to make their own enquiries
- Tree pruning, whoever the work should carries this out to standards in according with the British Standard Recommendations for Tree Work 1989.
- The property owner must notify the Town Council before the work begins of the proposed work and commencement date and give a reasonable time for the council to discuss the proposal
- No tree work should be carried out between February and August to protect nesting birds.

The Council does not carry out works to privately owned trees.

Reviewed and approved 20 May 2024

Minute no: B018

Date of review: May 2025