

Guidelines on the Delivery of Arboricultural Services

FREQUENTLY ASKED QUESTIONS

1. I live in a council property and the tree within my garden requires pruning.

All requests regarding trees within the curtilage of Council Housing properties should be directed to Enterprise and Housing Resources either through your local One Stop Shop or alternatively via Northline on telephone number: 01698 403110. Your query is then directed to Arboricultural services who will inspect the site

2. I live adjacent to a council housing property and the trees are causing me concern.

All requests regarding trees within the curtilage of Council Housing properties should be directed to Enterprise and Housing Resources either through your local One Stop Shop or alternatively via Northline on telephone number: 01698 403110. Your query is then directed to Arboricultural services who will inspect the site.

3. Tree from an adjacent school property are causing me concern.

All requests regarding trees within the curtilage of school property should be directed to the Council's Education Service either through the school or alternatively via Northline on telephone number: 01698 403110. Your query is then directed to Arboricultural services who will inspect the site.

4. The tree outside my house has not been pruned for ages. It is too tall and needs to be pruned back...

The Council does not reduce the height of trees as a matter of course, as this can stimulate rapid re-growth and/or cause significant defects in the trees structure, which are hard to detect. Trees will be inspected if there are any safety issues and the need for any maintenance related works will be evaluated at the time of inspection.

5. A council owned tree is shading my property...

The householder should firstly contact the holding department of the Council to achieve a solution to a problem. Where requests are made to prune trees to increase light levels, each instance will be assessed on its merits. The householder may be assisted where appropriate, if this is possible without excess damage to or removal of healthy trees or branches. As a general policy the Council will not undertake the topping, thinning or felling of trees simply to allow more light to a property, where the trees in question would not otherwise require any surgery. If the situation cannot be resolved with the Council as a landowner then The High Hedges (Scotland) Act 2013 may provide a solution. The householder should contact the Planning Authority to discuss this. **See also FAQ 15**

6. The tree is too big, moves in the wind and looks dangerous...

Council Arboricultural staff are qualified and will inspect a tree following an enquiry, with a tree risk management strategy following routine inspections. All inspections are recorded electronically. The movement of trees in the wind does not automatically

signify that the trees are dangerous; our inspection will determine the condition of the tree and establish if any works are necessary.

7. Tree branches are growing across my boundary...

There is no requirement in law to prevent trees spreading over a boundary and there is no obligation for land owners to prune trees to prevent them spreading over boundaries. However the owner of the adjacent land has the legal right to 'abate the nuisance' by cutting the branch or roots encroaching on other property. Where requests are made to prune trees that overhang a boundary each instance will be assessed on its merits.

As a general policy, the Council will only undertake work where trees' branches touch or are very close to a building. Where overhang of the boundary is relatively minor or at considerable height, works may not be undertaken by the Council. They may be considered for re-inspection within two years, depending on the size, type and growth of the trees concerned. Where tree roots are deemed to have encroached, works will only be undertaken where damage to property can be shown, beyond reasonable doubt, to have been a causal factor or damage is reasonably foreseeable in the future.

8. The tree is affecting my television and satellite reception...

Existing trees on neighbour's land which interfere with television reception especially with satellite transmissions, are unlikely to be regarded as a nuisance in law. As a policy the Council will not undertake the topping, thinning or felling of trees simply to improve television or satellite reception, where the trees in question would not otherwise require any surgery.

9. The trees are in the wrong place and are a general nuisance...

Although trees are sometimes considered to be an inconvenience to those living adjacent to them, by law they must be shown to be a substantial interference to a neighbour's comfort and convenience to be considered as a nuisance. As a general policy the Council will not undertake the topping thinning or felling of trees simply to prevent the accumulation of leaves, seeds or minor debris on adjacent property, where the trees in question would not otherwise require any surgery.

10. The tree is making a sticky mess on my car or garden...

The problem is caused by aphid infestation and is known as honeydew. This is particularly the case with tree species such as lime and sycamore. Unfortunately this is a problem that cannot be solved by pruning or spraying with insecticides. The Council will not fell or disfigure trees to deal with this issue. Honeydew is a mild sugar solution and should not affect paintwork on cars, if they are washed regularly.

11. Birds roosting in the trees outside my house are creating a mess on my car or drive...

This inconvenience is not sufficient justification to remove or disfigure a tree. Pruning the tree is not a solution either, as the birds will simply roost on the remaining branches.

12. The tree is causing damage to my utility services...

Instances of underground pipes actually being broken by the growth of tree roots are rare, but penetration and blockage of damaged pipes is not uncommon. As a general

policy the Council will not undertake the topping, thinning or felling of trees to prevent roots entering damaged pipes. Repair to the defect in the pipe is the only certain remedy that will prevent future problems. Modern materials and joints will significantly reduce pipe damage and subsequent root encroachments in the future.

14. Will the council undertake work on trees located on private property?.

As a general policy the Council will not undertake the topping, thinning or felling of trees on private property. The only exceptions to this are:-

During storm conditions when a tree poses a danger to Road users or pedestrians outwith the curtilage of the property, the Council will make safe/remove tree or part of which is obstructing the roads network, however the owner of the tree will be responsible for any subsequent works. Further details of tree contractors and consultants operating throughout the UK are available from the **Arboricultural Association**.

The councils Roads and Transportation section may instruct the removal of vegetation obstructing or endangering the Roads network as part of the requirements of the Roads (Scotland) Act 1984.

15. My neighbour's trees are blocking my light. What can I do?

There is currently no height restriction on trees. You may be able to cut back the overhanging branches back to the boundary. However, before either you or your neighbour undertakes works to any trees it is important to check the trees are not covered by a Tree Preservation Order or located within a Conservation Area.

If you are unable to resolve issues relating to blocking of light and shading caused by a tree on a neighbour's land then The High Hedges (Scotland) Act 2013 may provide a solution to problems caused by hedges which grow over two metres tall, and block out light. The Act gives home owners and occupiers a right to apply to a local authority for a high hedge notice, and empowers local authorities to enforce decisions made in relation to high hedges in their local area.

Making an application to the local authority for a high hedge notice is a **last resort rather than the first port of call**.

If the tree is on Council ground then a potential applicant should take all reasonable steps to resolve the issue with the Council as landowner themselves before making their application. For further information you can contact the council's Planning Department or visit the council's website.

The definition of a "high hedge" in accordance with the Act is "a row of two or more trees or shrubs, rising to a height of more than two metres above ground level, and which forms a barrier to light".

The High Hedges (Scotland) Act 2013 concerns hedges and is not designed to impact on woodlands and forests which as a general rule are not planted as hedges. However in some cases woodland and forest edges that border a property may take form and have the effect of a high hedge.

For trees or shrubs to be considered as a high hedge, **they must first be a hedge**. A hedge is defined by the Oxford English Dictionary as:

“A row of bushes or low trees (e.g. a hawthorn, or privet) planted closely to form a boundary between pieces of land or at the sides of a road”

As a landowner, the Council considers a hedge to be a hedge if it meets all three points below;

1. Intention at time of planting – if the shrubs/trees were planted as a linear feature then it is considered a hedge.
2. Spacing of shrubs/plants – if specimens were planted less than 600mm apart then it would be considered a hedge. If greater than 600mm then it would be considered woodland planting.
3. Maintenance in the past – the feature should have been maintained as a hedge in the past

16. I have a big tree near my property. I am worried about the damage the roots may be doing to my house. What should I do?

The roots may potentially cause damage to built structures in two ways:

Direct Damage – this is caused when the physical expansion of tree roots or stem lifts paving stones or cracked walls etc. Due to the weight of a house it is unlikely that physical expansion will affect it, but garden walls and small structures such as garages or outbuildings might be at risk.

Indirect Damage – this can be caused to larger structures such as houses when tree roots grow underneath the foundations, extract the water there causing clay soils to shrink and the structure to subside, however subsidence due to shrinking clay soils is extremely rare in Scotland.

If a building has been built on clay soil near an existing tree and that tree is then removed, the soil may expand which can cause heave (the opposite of subsidence). Modern building standards mean that the risk to newer buildings tends to be isolated and the council will expect new buildings to be built to industry guidance and therefore they should not subside due to trees that were in existence at the time they were built.

It must be noted that tree-related subsidence is rare in North Lanarkshire. However, should you believe that trees are the cause of cracking to property then you should consult with your Insurers to determine the cause.

17. Tree roots are blocking my drains. What can I do?

It is very unusual for roots physically to break drains and associated pipe work. However, tree roots can be opportunistic and if an old pipe with poor joints is leaking into the surrounding soil this will attract the roots that may then exploit the existing weakness. Then, when repairs are required, a proliferation of tree roots often leads to the blame being placed with a nearby tree. However, replacement of faulty drains/pipes with modern materials will usually eliminate the leak and stop problems from re-occurring. If you believe tree roots have caused damage to structures you should consult your insurers or an expert.

As a general policy the Council will not undertake the topping, thinning or felling of trees to prevent roots entering damaged pipes. Repair of the defect in the pipe is the

only certain remedy that will prevent future problems. Modern materials and joints will significantly reduce pipe damage and subsequent root encroachment.

18. How can I tell if a tree on my ground is safe?

Such assessments are best made by qualified experts. This is not a service which can be offered privately by the Council's arboriculturalists. Details of tree contractors and consultants operating throughout the UK are available from the **Arboricultural Association**.

19. My tree doesn't look very healthy. Can the council advise me? If not, where else can I seek advice?

There are many types of fungi that affect wood. They are often indicative of a wider problem and are a valuable tool in diagnosing what may be wrong with your tree. Removing fungal fruiting bodies from trees will not get rid of the fungus as it is usually by this stage well established within the tree. If you find fungi growing on your tree, call an expert to identify the potential problem. Further details of tree contractors and consultants operating throughout the UK are available from the **Arboricultural Association**.

20. I have a tree outside my property with prolific basal growth and want it removed...

Basal growth is the term used to describe the growth from the base and/or stem of a tree in the spring and summer. This growth occurs on a range of tree species, and it is usually most pronounced on Lime trees. As this problem is growth related, it often means that all trees will develop the problem at the same time. This is often in late May/early June although it depends on weather conditions. Report any occurrences on Council- owned trees through Northline on telephone number: 01698 403110. Your query is then directed to Arboricultural services who will inspect the site.

21. Trees are affecting sightlines and visibility on roads

Any enquiries raised by a member of the public regarding trees affecting sight lines on roads or obscuring traffic signs should be directed to the Roads Department in the first instance. Contact Northline on 01698 403110 to report any such issues.

22. Who do I contact to request the advice or assistance of Arboricultural services?

Contact Northline on telephone number 01698 403110.