

London Borough of  
Richmond upon Thames

# TREE POLICY



# Background

Within its highways and parks the Council is responsible for over 25,500 trees, 107 hectares of woodland and 12.5 kilometres of wooded towpath. Together with trees in private property they provide a connection to nature and a range of valuable habitats supporting biodiversity.

The policy seeks to protect and enhance the borough's treescape within the context of national and regional policies and legislation and to promote awareness of the value of trees in our environment.

In recent years the threats to ecology and our way of life posed by climate change have become clearer with high temperatures and drought in the summer of 2022 followed by exceptionally wet months and very cold spells, putting our trees under stress and adding complexity to their management.

This is all the more important because of the crucial role trees play in mitigating the effects of climate change by, for example, providing shade and reducing temperatures during extreme heat. We are committed not only to safeguarding what we have but also adding to the canopy cover through increasing tree planting, particularly in areas with fewer trees.

Sometimes trees pose issues for pedestrians and private homeowners, and we will seek to strike a balance between maximising the benefits trees provide and other interests. There are various pieces of legislation relevant to the Council's responsibilities which help the formulation of a reasonable approach.

The resultant policy is designed to support all stakeholders, including ward councillors and residents, in achieving the security, preservation and enhancement of the borough's streetscape and green spaces into the future.



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## Benefits of the urban treescape

Trees provide a wide range of benefits to people living in and visiting the borough. These are categorised below under the headings of **Environmental**, **Health**, **Social** and **Economic**.

### Environmental

- Trees **support many species of flora and fauna** in a period of significant decline in populations, for example, [insects](#) and [birds](#).
- Many flowering species (such as lime, chestnut, and cherry) are **important sources of nectar**, [supporting populations of insects](#) including pollinators such as bees.
- Trees **absorb carbon dioxide** and as such play a role in reducing or 'drawing down' emissions that would otherwise stay in the atmosphere and contribute further to global heating and climate change.
- Tree canopies can **intercept and trap pollution**, including dusts and particulate matter, helping to improve the quality of the air that we breathe.
- Trees help to **reduce noise pollution** within our busy transport network.
- Trees help to **soften the urban setting**, through providing a green backdrop and public visual amenity, providing a connection with our natural environment.
- Trees **intercept radiation** that would otherwise be received by built urban infrastructure. This helps to reduce the 'Urban Heat Island Effect', which is the process by which surfaces such as roads and pavements absorb radiation, release heat at night, and have negative impacts on human health during the hot summer months.
- The function of trees and their canopies play a vital role in [cooling people and buildings](#).

- Trees play a role in **reducing localised flooding**: canopies intercept rainwater, reducing and interrupting the flow of water to ground level. Tree roots remove water from the soil and therefore act to reduce ground water levels following heavy rainfall events.
- Trees and their root systems help to support and **create a healthy soil environment**, providing further habitat for many species, promoting aeration and better capacity for the filtration of rainwater, and providing stability in soils that may be vulnerable to erosion.
- Trees **promote sustainable travel** such as walking and cycling, providing shaded and pleasant routes to undertake such journeys, reducing the reliance upon and damaging impacts of fossil fuel-based transport.

## Health

- Trees **mitigate the impacts of heatwaves**, cooling the air and reducing serious health impacts. Trees provide shade, intercepting sunlight, limiting exposure to harmful UV radiation and reducing risk of skin disease. By reducing the 'Urban Heat Island Effect', trees bring about cooler night-time temperatures, mitigating the risk of heat related mortality and illness.
- Trees help to **create inviting areas for exercise**, having a positive impact upon our physical health.
- Trees **intercept harmful dust and particulates** from the air, reducing their impact on people with respiratory or lung diseases.
- Trees **provide access to nature**, reducing the stress of living in an urban environment; they provide a sense of belonging, with a [positive effect on our mental health and wellbeing](#).
- Trees provide a point of interest and **promote community activity**. Groups of people can come together to conduct tree trail walks or to help develop tree management plans within highways and parks. Such activities bring about social cohesion, reduce loneliness, and promote mental health.



## Social

- Trees that are integrated into the landscape **provide a sense of place and of belonging** to a community. Our trees provide a cultural connection and a link to the past.
- Trees **provide an educational resource**, helping us to study subjects such as botany, environmental studies, and history.
- Trees are a key indicator in the changing of seasons, **providing seasonal interest** including flowers, fruit, autumn colour, and dormancy.
- Trees help to **put Richmond 'on the map'**; the green environment, which includes many heritage trees and 'tree trails', encourages people to visit and live in the borough.

## Economic

- The presence of trees can **increase the value of properties** and make areas more inviting and attractive to prospective property owners.
- A green environment makes for a better working environment; trees help to **sustain mental focus and productivity**.
- Trees help to **create welcoming areas** within our town centres, encouraging people to visit and stay for longer periods, using shops and restaurants.
- Trees help to **regulate local temperature extremes** thereby reducing the costs of heating and cooling buildings.
- The presence of trees **makes for a healthier population**, reducing the burden upon the health services.
- Economic values can be used to quantify the role that trees play in **improving our environment**, for example through atmospheric carbon capture and storage.
- Trees **promote investment in activities** such as tree planting and aftercare, recruitment from within the arboriculture sector and investment in educational resources that benefit the community.



# Policy framework

This policy document responds to various overarching national, regional and local policies.

## These include:

- [National Planning Policy Framework](#)
- [The London Plan 2021](#)

In its 25 Year Environment Plan, the national government has recognised the vital role of trees and the importance of boosting the resilience of trees and creating new green spaces. The government has committed to planting 1 million urban trees and 11 million additional trees across the country, and to appointing a national Tree Champion to help drive a step change in tree planting.

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[Regionally, in the 2018 London Environment Strategy \(LES\), the Mayor of London has committed to making more than half of London green by 2050.](#)

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This includes ensuring that there is no overall loss of green cover through new development proposals and increasing tree cover by 10% from current levels by 2050. The London Urban Forest Plan published in 2020 sets out the goals and priority actions to protect, manage and expand London's urban forest.

Locally, several policies adopted by the Council have a bearing on the successful management and maintenance of our treescape. These are:

- [Corporate Plan 2022-2026](#)
- [Climate Emergency Strategy 2019-2024](#)
- [Air Quality Action Plan 2020-2025](#)
- [The Local Plan 2018](#)
- [Parks Strategic Principles 2011](#)
- [Biodiversity Action Plan](#)

## Legal framework

Statutory obligations influence how the Council manages trees within its control; these are principally the [Highways Act 1980](#) and the [Occupiers' Liability Act 1957 & 1984](#).

Statutes such as [The New Roads and Streetworks Act 1991](#), [Health and Safety at Work Act 1974](#) and the [Wildlife and Countryside Act 1981](#) govern how contractors working within the borough must operate.

The [Environment Act 2021](#) introduces a duty to consult before felling street trees.

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[The Council has limited powers to intervene in the management of trees within private property, and these are set out within The \[Local Government \\(Miscellaneous Provisions\\) Act 1976, Section 154 of The Highways Act 1980 and The Antisocial Behaviour Act 2003.\]\(#\)](#)

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[The Town and Country Planning Act 1990](#) places a duty upon the Council to assess the impact of tree loss within the borough; where the loss is likely to have a significant impact upon the local and wider landscape the Local Authority must consider protecting trees through the Tree Preservation Order (TPO) process.

## Meeting the responsibility

Richmond Council recognises the environmental, health, social and economic benefits that our trees provide. We have a responsibility to safeguard and enhance these benefits for current and future generations.

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[We operate within a policy and legal framework that ensures a responsible approach towards managing trees for safety and landscape preservation. We set out to act as reasonable neighbours, recognising that whilst trees offer a wide range of benefits they can sometimes be viewed as being a source of issues affecting private property.](#)

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We have set out a series of policies to ensure that there is clarity in relation to the Council's management of its trees.

# Policies

## 1 Overarching Policy

The Council's trees will be managed to ensure the maximum environmental benefit while complying with overarching national, regional, and local policies and strategic documents.

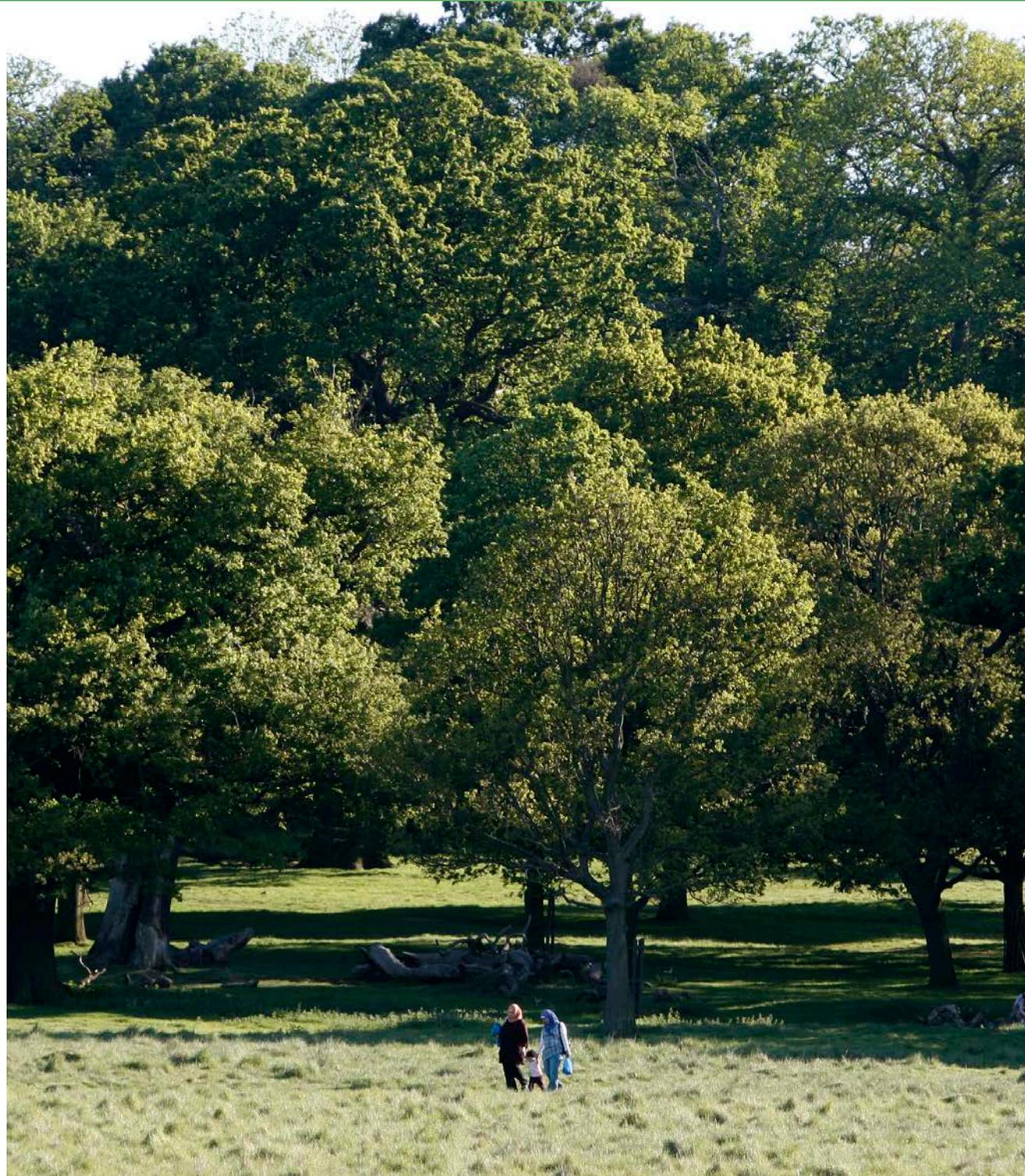
## 2 Legal Responsibility

The Council will employ expertise, systems and processes to ensure that its trees are managed in accordance with the borough's legal responsibilities.

## 3 Quality Assurance

The Council will achieve a high standard of Arboricultural management through the following:

- The Council and contractors working on its behalf will work together to ensure that standards are met, guided by detailed contract documents and specifications.
- The Council will employ competent specialist arboriculturists, who are suitably qualified and experienced in delivering tree management in line with the borough's responsibilities. Standards of working practice will be maintained through Continued Professional Development.
- The Council's Tree Service will work in partnership with industry bodies to ensure that the borough's trees are managed in accordance with current industry standards and best practice.



## 4 Tree Planting

**The Council is committed to planting a replacement for every tree that is removed and adding to those numbers.**

The Council will carry out surveys to identify new tree planting locations.

Tree planting surveys will be carried out by a competent specialist, suitably qualified and experienced in arboriculture. This process will be guided by criteria to ensure that selected sites are appropriate to accommodate trees and will not introduce unreasonable conflicts with adjacent property and infrastructure.

Where appropriate, replacement planting will take place in the same location as the former tree. Where this is no longer appropriate, the nearest suitable location for planting will be identified and planting will take place there.

Species selection will be informed by site and environmental conditions, and may be dependent upon achieving specific aims, such as providing connectivity and a source of food for wildlife, introducing rare or endangered species and trees for a specific purpose, for example to mitigate the effects of and adapt to a changing climate.

### The Council will

- seek to introduce species and trees of provenance that are tolerant to current and future environmental conditions.
- Seek to increase the resilience of the overall tree population by prioritising species diversity.

Where appropriate, the planting of native trees will be prioritised.

The Council will only procure trees from reputable nurseries who are producing trees to industry standard and are able to demonstrate that the stock is bio-secure.



Tree planting schedules will be completed by 31st July each year, allowing sufficient time to prepare in advance of the traditional planting season, which runs from November through to the end of March.

Where necessary, to minimise root damage to infrastructure such as footways and other lightly loaded structures, tree pits will be constructed using root directing barriers.

In addition to allocating an annual budget for tree planting, the Council will seek sources of external funding for planting.

## 5 Tree Surveying

The Council will seek to balance any risks posed by trees with the benefits that they provide. The principal approach to understanding risk will be through the process of tree inspection by a competent specialist, who is suitably qualified and experienced in arboriculture. Inspections will secure the appropriate management of trees to support the Council's legal responsibilities.

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**The Council will carry out inspections of its trees within streets, parks and open spaces on a ward-by-ward basis and within a 4 yearly cycle. This frequency will be increased where deemed necessary, for instance, in a high use zone, or where a tree is in a condition that requires more frequent inspection.**

**Where appropriate, for example if a plausible concern is raised by a member of the public or a ward councillor and the tree in question has not recently been inspected, inspections may take place outside established cycles.**

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Specialist assessment of heritage or important landscape trees will take place where it is not possible to adequately determine condition visually.

Inspection records will be maintained and updated using a software system specifically designed for this purpose.

[The Council will use recognised systems to establish the value of trees in guiding management and decision-making processes.](#)

## 6 Tree Pruning

The decision whether to prune a tree will be based upon the recommendations made by a competent specialist and as set out in section 5.

Established pruning regimes will be considered and where appropriate repeated on a 4 yearly cyclical basis. There may be exceptions where this timeframe is shortened to ensure compliance with legal responsibilities.

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**The Council will generally avoid aggressive and damaging pruning such as pollarding so as to retain a natural appearance where possible.**

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### **The Council will prune trees:**

- where it is in the best interest of public safety
- to eliminate any unreasonable obstruction of the public highway, footways, and other areas of public access
- to prevent branches contacting neighbouring property
- to ensure that established essential fixtures and services situated within the public highway are fit for purpose
- where they cause an unreasonable obstruction of access to private property
- where legitimate instructions have been received by a utility provider
- where trees are proven (beyond reasonable doubt) to cause significant structural damage

The Council will conduct pruning cycles on a ward-by-ward basis and will publish these schedules on its web pages.

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**The Council may delay pruning cycles where environmental conditions and events, such as storms, have interrupted established workflows and resource availability.**

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Historic vistas under the Council's management will be maintained through appropriate tree management and consideration.

The timing of pruning will be carefully considered. Pruning of trees in flower will generally be avoided, to ensure availability of nectar and setting of seeds. Pruning of plane trees in leaf will be avoided to reduce the risk of leaf spines posing a hazard to arborists or members of the public.

The Council will conduct pruning exercises that fulfil ecological objectives, for example the veteranisation of trees to increase habitat potential.

## 7 Tree Removal

### The Council will not normally fell a healthy tree.

Trees will only be removed where there is a risk to public safety or damage to property identified by a competent specialist arboriculturist which cannot be remedied by pruning or a suitable engineering solution.

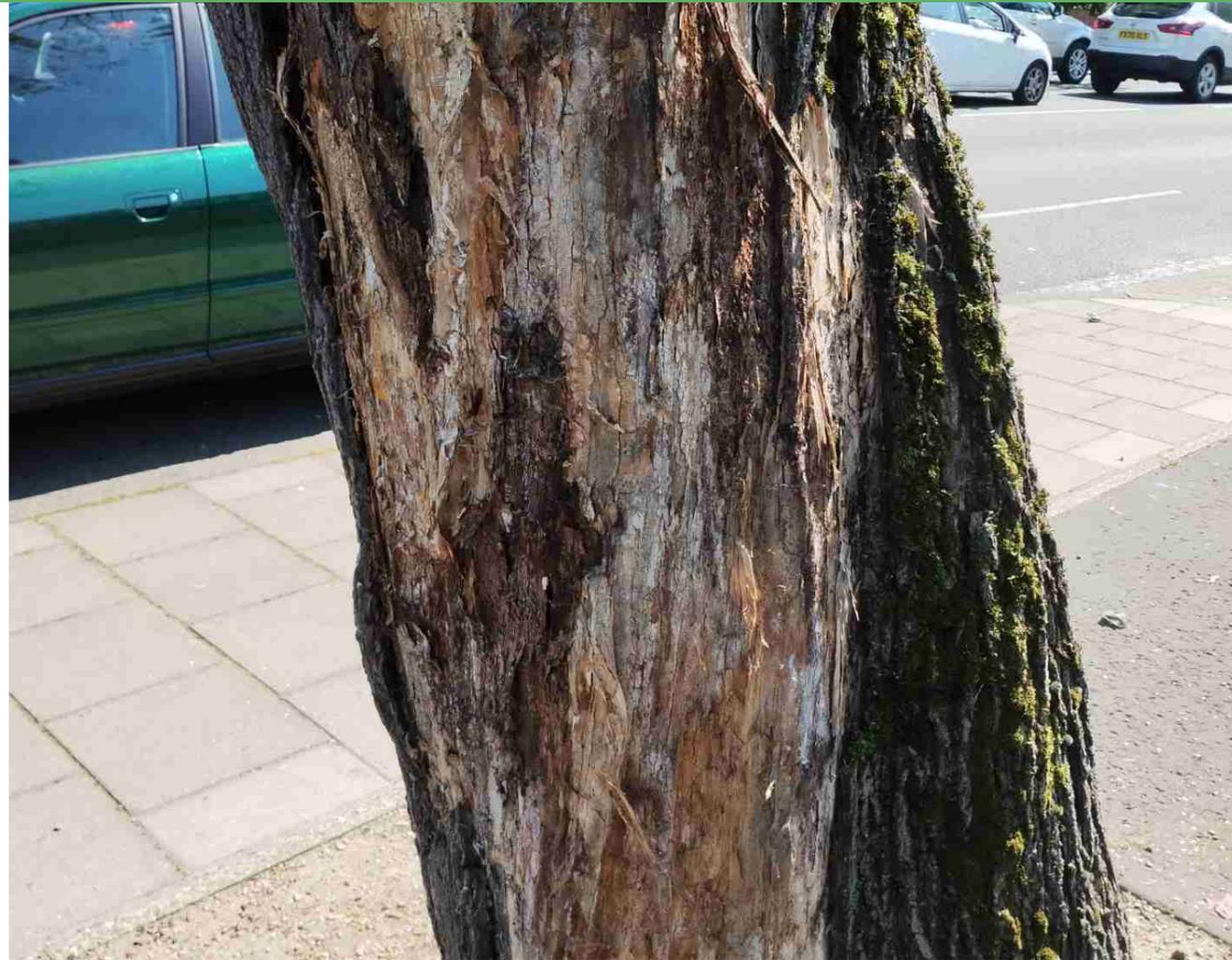
### The Council may remove trees:

- that pose an unacceptable risk of injury or damage
- which cause an unacceptable obstruction of the public highway or footpath
- that are proven (beyond reasonable doubt) to be the cause of significant structural damage
- where necessary to comply with any Statutory Plant Health Order
- to mitigate building subsidence
- to abate an actionable nuisance
- to reduce the spread of pests and disease
- where the highway and/or footway condition make retention unsustainable
- where an approved planning application or essential development works requires tree removal

The Council will consider the removal (or thinning) of trees where it will benefit adjacent specimens, for example in overpopulated formal avenues.

Tree removal may take place where necessary to improve habitats and conservation sites.

**The Council will publish schedules of trees that are to be removed on its webpages.** Notices will be attached to trees in advance of their removal, giving advance warning to members of the public. Ward Councillors will be informed of tree removals that affect the area that they represent in advance of works taking place.



## 8 Emergency Management

The Council will operate a 24-hour emergency service including a competent specialist arboriculturist. Specialist contractors will be available to attend emergencies outside normal hours.

The Council will monitor weather forecasts and ensure that sufficient emergency planning is in place to ensure that extreme weather events such as storms and heatwaves are managed appropriately.

## 9 Inappropriate Tree Work Operations

**Although the Council sometimes receives requests from residents to prune its trees it will not generally do so in the following cases:**

- **Branches overhanging properties.** Residents may exercise their Common Law right to prune back branches to their property boundary, disposing of all arisings at their own effort or expense, but before doing so must check if the tree is subject to a Tree Preservation Order or in a conservation area where permission would be needed.
- Where a tree is thought to be **overly large**.
- **Interference with satellite, TV or other media reception.** There is no legal right to television reception and the Council has no legal obligation to remove or prune trees to improve reception. When positioning a new satellite receiver, residents should carefully consider existing trees and their potential for growth, to avoid future problems.
- **Branches and/or limbs in physical contact with telephone wires.** Telephone wires are plastic-coated and faults on the line are rarely caused by contact with branches. Residents should contact their service provider to address any faults or interference on their phone line.
- **Leaf fall.** This is generally limited to a short period of the year. Residents are expected to clear any undesirable leaf litter falling on their properties themselves or at their expense; leaf litter from whatever source on publicly owned footways and highways will be addressed by the borough's Street Cleansing contractors.
- **Fruit fall.** This is generally limited to a short period of the year. Residents are expected to clear any undesirable fruit falling on their properties themselves or at their expense; fallen fruit on publicly owned footways and highways will be addressed by the borough's Street Cleansing contractors.

- **Problems associated with pollen.** It is not reasonable or possible to attempt to control tree pollen production without significant consequences for our natural environment. Removing trees that help clear harmful dust and particulates from the air that we breathe would have a detrimental effect.
- **Excreta from insects or birds.** Honeydew (aphid excreta) and bird droppings are not recognised in law as a 'legal nuisance'; however, hazards on the footway can be addressed by the borough's Street Cleansing contractors, and residents can protect their vehicles through regular car washing, covering, or parking in an alternative location.



- **Obstruction of view.** There are no rights in British law associated with maintaining trees to safeguard a private view.
- **Shading** of neighbouring properties.
- Concerns that the tree will cause **subsidence or other damage.** If residents believe that their property is subject to damage, they should contact their insurance company who will investigate and if appropriate provide evidence of building damage and causality in support of any potential claim. If tree roots are proven to be a cause of damage, the Council will take action to abate further nuisance; in the meantime, the Council may look to take pre-emptive action, such as remedial pruning. However, each case is unique and will be evaluated on a case-by-case basis.

Third parties are not permitted to access Council land to carry out works to trees that are within its control.

The Council will not remove or reposition trees to facilitate the implementation of non-essential underground or over-ground services and signs.

The Council will not remove or reposition trees to allow for the implementation of a vehicular crossover or drop kerb.

Where a tree has been removed, the location will be reserved for a replacement tree. The Council will not agree to the construction of a vehicular cross over or drop kerb in its place.

Trees will be a material consideration in the design of any new essential services to ensure that unnecessary damage to trees is avoided. During a design phase, professional advice will be available from the Council's competent specialist arboriculturists.



## 10 Tree Roots

**The Council is unable to prevent the root systems of its trees extending into adjacent private gardens and does not have a legal responsibility to do so. The Council will not undertake tree removal or root pruning where this has occurred unless as a result of a successful insurance claim.**

Where water infrastructure, such as drains and pipes have fallen into a state of disrepair, for example where a crack has developed and exposed a source of water and nutrients, the Council does not take responsibility for managing tree roots that have gained access to the service via this pre-existing fault.

## 11 Affixing to Trees

Items such as decorative lights may only be attached to the borough's trees where a suitable methodology has been submitted to and approved by a Council arboriculturist.

The Council's Tree Service will not take responsibility for any unauthorised attachments.

Where the identity of the owner of any unauthorised attachments is known they will be given a period of 20 working days to arrange removal.

After that time, the Council will arrange removal of any unauthorised attachments such as decorative lights and signs and seek remedial action and compensation where irreversible tree damage or destruction has been caused.

## 12 Private Trees and Development

The Council's Tree Service will act in accordance with the adopted Local Plan in protecting trees that are threatened by development.

[Tree Preservation Orders will be served in accordance with the GOV.UK guidance for Tree Preservation Orders and Trees in Conservation Areas.](#)



## 13 Tree Work Notifications and Applications

[The Council will only validate Section 211](#) Notifications for proposed tree works in Conservation Areas and Tree Work Applications that propose works to trees that are the subject of a Tree Preservation Order if they conform to the requirements outlined within the guidance on the Planning Portal.

## 14 Enforcement

Where Council trees have been damaged by a third party, the Council will conduct an investigation and where necessary seek compensation for losses and damages. Tree values will be established as part of this process using the Capital Asset Valuation for Amenity Trees (CAVAT) method.

Where tree work has been completed in contravention of planning law, the Council will conduct investigation and take appropriate enforcement action.

## 15 Trees and Private Property

The Council is unable to assist in civil disputes regarding privately owned trees, for example regarding issues such as those highlighted in section 9.

Private tree owners have a legal duty of care to carry out reasonable management of their trees. However, where privately owned trees are not being safely maintained and pose a clear and imminent risk of damage or injury the Council may conduct investigation and where appropriate take enforcement action. In some cases, this may require entering land to make a tree safe. Where this action takes place, the Council will pursue costs incurred from the tree owner.

The Council can become involved with High Hedges disputes; however, this will only take place following the receipt of a complaint that conforms to the [requirements outlined within the guidance on the Planning Portal and the Council's 'High Hedges' web page](#).

Where damage from Council-owned trees to private property is reported, the Council will require evidence to be provided before undertaking investigation and remedial action.

## 16 Pests and Diseases

The Council will take a responsible approach towards managing pests and diseases that have established in the borough and will be proactive in planning for any new threats that are posed to the borough's tree population.



## 17 Habitat Retention and Creation

Where possible, following tree management operations the Council will create and enhance habitat by [retaining the logs and pruning's within a park or woodland site](#) to encourage flora and fauna that are dependent upon decaying wood.

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