

# North Yorkshire Council

## Transport, Economy, Environment and Enterprise Overview & Scrutiny Committee

29 April 2026

### Development and Adoption of a Tree and Woodland Policy

#### Report of the Corporate Directorate – Environment

#### 1.0 PURPOSE OF REPORT

- 1.1 To appraise the Transport, Economy, Environment and Enterprise Overview & Scrutiny Committee (TEE&E O&S Committee) on proposals for the development and adoption of a Tree and Woodland Policy for North Yorkshire Council (NYC). This will draw on best practice in the sector to ensure consistent, safe, and the sustainable management of trees across the county.

#### 2.0 SUMMARY

- 2.1 As a landowner, the Council has a duty of care to ensure that members of the public and staff are not put at risk because of any failure by the Council to take reasonable precautions to ensure their safety. There is a need to keep records and regularly survey the council's tree asset, to assess trees in or near public spaces, whether they represent a foreseeable risk to persons or property, and to take remedial action as appropriate.
- 2.2 NYC does not currently have a unified Tree and Woodland Policy and that may result in inconsistent practices and potential legal and safety risks. This report recommends adopting a harmonised countywide approach to improve governance, public engagement, and environmental stewardship.
- 2.3 The proposed NYC Tree and Woodland Policy will provide a comprehensive framework for managing trees on council-owned land and in responding to public concerns. It will include structured survey regimes, risk management aligned with ISO 31000 (guidelines for managing risks in organisations) and guidance on tree-related issues such as diseases, nuisance complaints, insurance claims and development pressures.

#### 3.0 BACKGROUND

- 3.1 North Yorkshire Council recognises the human and environmental importance of trees and identifies standards for their management. Trees are vital assets that contribute positively to biodiversity, climate resilience, public health and landscape character. Therefore, the NYC policy will cover:
- Benefits of trees: environmental, social, and economic.
  - Threats: disease (e.g. Ash dieback, Ramorum disease and acute oak decline) development pressures, insurance claims, and vandalism.
  - Legal duties: duty of care, common law responsibilities, and statutory obligations.
  - Risk management: adoption of the VALID approach [Tree Risk-Benefit Management & Assessment](#) which is a robust tree risk evaluation method, and ISO 31000 standards.
  - Public engagement: transparent processes for tree works, complaints, and insurance claims.

- 3.2 The development of a Tree and Woodland Policy is anticipated to positively contribute to achieving the ambitions in the Council Plan around place, health and living well. Good tree policy and management can support the Council's ambitions around carbon reduction through the protection and increased canopy cover of trees through our partnerships on woodland creation, whilst helping to mitigate climate impacts such as flooding and excessive heat as outlined in our Climate Change Strategy 2023-30.
- 3.3 In preparation of a draft policy the Tree and Woodland team have undertaken extensive internal consultation within NYC via a number of management team briefings, follow up meetings and direct service input into policy drafting.
- 3.4 Members of the TEE&E O&S were appraised of the approach to policy development at their meeting on 17 October 2024. The full draft policy is appended at Appendix A for consultation. Subject to feedback from Members, it is proposed to bring forward a final policy draft and recommend for approval at a future meeting of the Executive, currently scheduled for 16 June 2026 in the Forward Plan.

#### **4.0 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The option to not develop a new policy and to retain legacy policy and guidance in relation to tree management was considered. It is recommended that this option is rejected as the opportunity and benefits of a harmonised approach for the whole of North Yorkshire would be missed.

#### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The policy will assist Officers and Members in taking a cost effective and risk-based approach when dealing with casework and assessing potential tree works.
- 5.2 Adopting the Tree and Woodland Policy gives rise to no additional financial commitments for the Council, rather it provides a framework for the delivery of the service. The delivery of the policy objectives are to be carried out within the existing net budget of £301k in 2025/26 for the Tree & Woodland service. Work is underway to address the service budget pressure with ongoing discussions with Highways, Housing and Property Services regarding the cost to them for managing the tree assets associated with their service areas.

#### **6.0 LEGAL IMPLICATIONS**

- 6.1 Preparation of the Policy and procedures is part of the Council's statutory functions.
- 6.2 The Town & Country Planning Act 1990 sets out the powers and duties local planning authorities have to manage and control development, and which includes considering trees potentially affected by that development, or subject to tree protection. This includes legal protection for trees through Tree Preservation Orders as well as consideration of works within Conservation Areas and works requiring planning permission.
- 6.3 The Highways Act 1980 (HA 1980) provides the statutory framework for the Highway Authority in dealing with legal issues arising from trees within or affecting the highway. Highway trees are managed in accordance with the Highway Authority's policy for maintenance and inspections of highway trees.
- 6.4 The Policy document section 2 provides further detail about legislation impacting on trees. The Tree and Woodland Policy are intended to be for information only and is not a comprehensive guide to the relevant legislation and does not provide legal advice.

6.5 Proper consideration as outlined in section 7.0 is being given to equalities issues that are pertinent to the policy.

## **7.0 EQUALITIES IMPLICATIONS**

7.1 In preparing the policy the Council has had regard to its duties pursuant to the Equalities Act 2010. An initial equality impact assessment screening form has been completed and identified no adverse equality impacts. (see Appendix B)

## **8.0 CLIMATE CHANGE IMPLICATIONS**

8.1 The Tree and Woodland Policy provide a clear framework for service delivery while delivering significant climate change and environmental benefits. Trees help mitigate climate change by absorbing carbon, improving air quality, and regulating local temperatures through shading and shelter. The policy supports biodiversity, strengthens habitats, and improves resilience to climate impacts such as surface water runoff and flooding. Trees also enhance landscape character, urban environments, historic settings, privacy, and improve amenity value, with management guided by recognised environmental best practice. (see Appendix C)

## **9.0 REASONS FOR RECOMMENDATIONS**

9.1 Existing local authority sector policies, such as the recently published example by Durham County Council, have demonstrated the value of having a structured, proactive approach to tree care. NYC will benefit from a similar policy to:

- Ensure legal compliance and reduce liability.
- Improve public confidence and transparency.
- Support climate and ecological goals.
- Enable consistent responses to service requests and complaints.
- Manage risks from disease and the aging tree stock.

## **10.0 RECOMMENDATION**

10.1 For TEE&E O&S Committee to consider the draft NYC Tree and Woodland Policy and for any comments to inform the final version of the document, prior to it being presented to the Executive for approval.

### **Appendices:**

Appendix A – NYC Tree & Woodland Policy (Draft April 2026)

Appendix B – Equalities Impact Assessment

Appendix C – Climate Change Risk Assessment

**BACKGROUND DOCUMENTS:** [Development of a Tree & Woodland Policy, NYC, Oct 2024](#)

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