

Trees...

What you need to know

Who owns it and what can I do?

- If the base of a tree sits on a boundary between yourself and your neighbour then you have joint ownership. **No** work can be undertaken on a jointly owned tree by one owner without permission from the other.
- A climber or creeper belongs to the owner of the soil that it is growing from, not the owner of the property it is growing against. If you have a climber or creeper growing against your property then you **can** remove it from your property without your neighbours permission but you **cannot** dig it up.

Overhanging branches, what can I do?

- You **cannot** demand that your neighbour cut down branches on their tree which overhang your property boundary.
- If branches are overhanging the boundary onto your property then you **can** cut them off without permission **BUT** only if you can do so without trespassing onto your neighbours property to undertake the work.
- **Do not** just throw the branches back to your neighbour, you can offer them back, however, ultimate responsibility for their disposal is yours.
- You **cannot** cut back further than your property boundary.
- Watch out for those **Tree Preservation Orders** and **Conservation Areas**. In this instance, prior consent from Blaby District Council **must** be obtained before any work can be undertaken.
- **Remember**, you are liable if damage is caused to your neighbours tree as a result of your work so **be careful** and consult a **qualified tree surgeon** if unsure.

Tree debris, what can I do?

- **FRUIT** – You **cannot** pick or keep fruit which has fallen onto your property from a neighbours tree without their permission. However, if this is overhanging the boundary onto your property and causes damage then the tree owner is liable.
- **LEAVES** – You **cannot** demand that your neighbour clear away leaves on your property from their tree.
- **ROOTS** – Similarly to overhanging branches, you **can** cut off any roots growing into your property but **remember**, you are liable for any damage which is caused to your neighbours tree as a result.

Birds nesting in tree, what can I do?

- You **must** be aware of wildlife when it comes to undertaking work on your tree as it is an **OFFENCE** to damage or destroy bat roosts or birds nests while they are either in use or being built.
- You **must** avoid tree work at certain times of the year due to the impact on local wildlife.

REMEMBER...

- There are **no restrictions** as to what you can plant or where you can plant on your own property but bear in mind the potential future implications of doing so.
- **Tree Preservation Orders** and **Conservation Areas** bring their own set of limitations and you **cannot** undertake work on a tree that falls under either category without first obtaining permission.
- If you undertake work on overhanging branches which belong to a tree from a neighbouring property, and the work results in damage being caused to the tree, then **you are liable**. Always consult a professional for anything other than the most minor of works.
- If you own a tree which causes damage to a neighbour or their property then **you are liable**. Be sure to get your tree inspected regularly.

