

March 2017 - Press Release

Sheffield Residents ban highways contractors from their homes.

Following threats by South Yorkshire Police to arrest people for carrying out protests in their own gardens, scores of city householders have written to the Streets Ahead contractor, Amey, to refuse permission to enter their gardens or to 'oversail' the property when felling trees.

For the past four years Amey have been carrying out overhead tree work over private homes and businesses without gaining permission from the occupiers. In law a landowner or tenant can refuse permission and the work then becomes trespass.

There are real dangers in oversail work. Luke Seed, a resident of Rustlings Rd said, "when Amey made their pre-dawn raid on our street last December they were cutting large branches over our gardens and not paying proper attention to the safety of residents as they came out of their houses into the danger zone."

One of the condemned trees on Rustlings Rd, a healthy 100 year old Lime, was reprieved when a family gathered in their garden under the tree to prevent the work. But since then Amey and the Police have used threats of arrest and actual arrests to allow fellings to proceed despite residents making it clear they did not want the work to happen.

A resident of St Ronan's Rd, who did not wish to be named, said "I approached the Police Inspector and told him Amey were coming to fell a tree outside my house in a few days. I asked him if he would arrest me for standing in my own garden to protest and he said he would. I was shocked that the police would support the contractor and ignore my legal rights to withhold permission for the work."

Chris Rust, of Sheffield Tree Action Groups (STAG) said, "43 people in Western Rd, Crookes, have written to Amey to refuse permission and theirs is one of eleven Tree Action Groups around the city so Amey have received scores, maybe hundreds, of these letters and more every week. Of course none of us want to obstruct normal maintenance or emergency work so I'm sure residents will listen carefully to any reasonable request for access, but their trust has been badly damaged by recent arrests on private property and they are not prepared to allow access rights to be taken for granted."

Contact:

STAG press team: sheffieldtreeactiongroupsmedia@gmail.com

Summary of the law relating to oversail rights and warning to South Yorkshire Police
<https://sheffieldtreemap.files.wordpress.com/2017/02/warning-to-syp-oversailing-13-02-17.pdf>

Text of the letter used by STAG supporters to refuse oversail rights.

*Amey PLC
The Sherard Building,
Edmund Halley Road,
Oxford, OX4 4DQ*

Dear Sirs,

As you are the company in charge of Highway Renewal and Street Tree work in Sheffield under the Sheffield Streets Ahead Programme, I am writing to inform you that I refuse access for your staff to use my house or garden for your work. I do not wish any of your staff or sub-contractors to enter my house or garden and I refuse permission for your staff or sub-contractors to 'oversail' my house or garden to carry out work.

By 'oversail' I include both people working directly above my house or garden or any materials under their control moving through the airspace above my house or garden. If your staff or sub-contractors enter or oversail my house or garden I will treat this as trespass and will seek legal advice. You should be aware that any works undertaken by means of such trespass may be unlawful and could invalidate your contract with Sheffield City Council. If you wish to apply for access for any particular oversailing works please write to me at the address below giving at least two weeks notice.

Yours Faithfully