

Fulbeck Parish Council

Tree Management Policy

1. Tree Management Policy

Introduction - Trees are one of the few landscape features that cross all the boundaries of modern living. Fulbeck Parish Council (the 'Council') is rural and trees play a very important role by providing many quality-of-life benefits including enhancing the landscape, reducing climatic extremes, improving air quality, and providing habitats for wildlife. Their presence can help towards creating tranquillity and reducing everyday stress. Trees also have many other benefits - for example, they provide shelter, cool the air, stabilise soil, filter air pollution, reduce noise and create wildlife habitats. Whilst the presence of trees is hugely beneficial their respective growing habits can create varying degrees of inconvenience to, and conflict between, residents living nearby. The purpose of the Tree Management Policy is intended to adopt a balanced and even-handed approach to dealing with any identified issues of concern.

2. Objectives

The Tree Management Policy sets out the Council's approach to the proactive management of trees on land owned/managed by the Council and to its statutory responsibilities, under the Town and Country Planning Act, 1990 legislation, with regard to land owned by others. This Policy is also intended to act as a source of information and reference regarding the management of tree issues in the parish.

3. Land Owned or Managed by the Council

3.1 Tree Planting

3.1.1 The Council will encourage new tree planting in the spirit of good horticultural and arboriculture practice and comply with the relevant British Standards. Dependent upon the proposed planting location the Council will normally plant trees varying in size from 45cm height (whip size) to 14- 16cm girth, (heavy standard) through to 60cm and above, (semi mature).

3.1.2 The Council will aim to create a balance of appropriate indigenous and exotic varieties dependent upon the location of the new planting. Where proposed planting is close to an area of conservation significance it is expected that indigenous species will be planted.

3.1.3 The fundamental aims of tree planting will be to:

- maintain perpetuity of tree cover in the area served by the Council;
- contribute towards the mitigation of climate change;
- provide all year-round interest;
- encourage species' diversity;
- provide wildlife habitats;
- provide screen, shelter and windbreaks;
- replace removed trees;
- commemorate and remember the community;
- improve air quality;

- assist in reducing erosion, and
- develop community involvement.

3.1.4 The Council will select trees that reflect the importance of their planted position and the anticipated maintenance needs throughout their respective lives.

3.2 Strategy for tree Planting and Management the Council will, with the assistance of professional services as appropriate, seek to develop a strategy and programmes of:

(i) tree planting and

(ii) preventative and remedial work to trees in its care, including combating tree disease. The objectives will include:

- positively developing and managing the tree population;
- providing and maintaining a high quality and sustainable tree stock. Native species will be planted to maximise indigenous flora and fauna, where appropriate;
- developing and promoting a better understanding and awareness of the value of trees to the community - for example, by engaging schools and community groups in tree planting and conservation projects;
- providing the highest standards of tree care by stringent adherence to the British standard BS 3998: 2010 Tree Work - recommendations, as well as adopting relevant arboriculture legislation and research development;
- taking all reasonable steps to fulfil duties and obligations to ensure tree safety for public and property;
- resisting the unnecessary removal of trees unless there are justifiable reasons due to
 - a) risks to public and personal health and safety
 - b) arboriculture concerns or (iii) any other legal reasons, and
- assessing all requests for arboriculture works to trees growing on land owned or managed by the Council.

3.3 Tree Pruning - the Council will not normally undertake tree pruning work or remove trees in direct response to any natural or seasonal phenomena, for example:

- falling leaves;
- sap exudation, (honeydew);
- falling fruits, nuts, seeds, blossom or pollen;
- bird droppings;
- reduction or increased moisture to gardens;
- germinating seeds from Council-owned trees; the Council will also not normally undertake any tree pruning work due to:
 - loss or interference with television or satellite signal reception;
 - loss of sunlight or man-made lighting during any part of the day;
 - blocking or obstruction of a view from a residence;
 - overhanging branches

3.4 Trees Adjacent to Structures The planned installation of a structure, or the presence of an existing structure, on either a homeowner, or other third-party, land provides no automatic justification for the excessive reduction or removal of a tree or trees on the land for which it is responsible. The Council well may, however, agree to tree works that are reasonable and represent good arboriculture practice.

3.5 The Council will not agree to:

- remove, or significantly reduce the size of, tree(s) where shading of solar panels is the sole reason for the works,
- undertake works where there is doubt as to the cause of shading, or
- undertake work on any trees identified and confirmed to be supporting roosting bats until Natural England has been consulted. The Council will then act upon the advice received,
- carry out work to trees when birds and/or bats are nesting. Where birds are found to be nesting in trees, works will normally be delayed until the end of the nesting season. Where any protected species are found in the vicinity of works, compliance with the relevant legislation and guidance surrounding the protection of the species will be followed.

3.6 Utilising tree arisings the Council will explore and develop opportunities to utilise the arisings (woodchip, logs, timber) generated by arboriculture operations for environmental benefit.

3.7 Statutory Undertakings Statutory undertakers (the providers of gas, electricity, water and telephones) are entitled to carry out works to trees to restore service or in the interests of public safety without providing notice. However, they would be encouraged to liaise the Council to agree any work deemed necessary to affected trees and to facilitate any inter-agency cooperation.

3.8 Requests for tree work on land managed by the Council.

All complaints or formal requests received for work to be carried out on trees on land owned or managed by the Council will be investigated. Where the Council accepts that action needs to be taken a programme of works will be prepared and the Council will respond in writing giving its reasons for the proposed action.

3.9 Overhanging Branches - Householders are entitled, at their own expense, to cut back branches from trees owned or managed by the Council that overhang their property provided the correct permissions have been sought in respect of protected trees.

4. Subsidence or other damage to property

When investigating claims of subsidence/heave and other below-ground damage to properties from the roots of trees on land owned or managed by the Council, evidence will be required from claimants supported by a detailed written report from a suitably qualified person. The report should address the following, as appropriate:

- a description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map;
- details of vegetation in the vicinity and its management since discovery of the damage and include a plan showing the vegetation and affected building;
- measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be of sufficient detail to show a movement consistent with the presence of the implicated tree(s) and/or any hedges/shrubs;
- a profile of a trial/bore hole dug to identify foundation type and depth of soil characteristics;
- the sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index;

- the location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out;
- proposals and estimated costs of options to repair the damage. The report from an Arboriculturist in support of the tree work proposals, including arboriculture options for avoidance or remediation of indirect tree-related damage. In the case of other structural damage to garden walls, drains, paving, drive surfaces, technical evidence must be provided by a relevant engineer, building/drainage surveyor or other appropriate expert.

5. Inspection and Maintenance

5.1 The Council will adhere to a programme set out in the three levels of inspection described below.

- 5.1.1 Level One – Every Year: Carry out an **Annual Informal Observation** which can be undertaken by persons who are not necessarily tree specialists, but who possess an understanding of trees and have local knowledge. This will include an initial survey identifying and positioning all trees and will be updated as required.
- 5.1.2 Level Two – Every 3 Years: Carry out a **Formal Inspection** including dedicated surveys comprising a mix of walk-through inspections and close examination of trees from ground level.
- 5.1.3 Level Three – Every 6 Years: Carry out a **Detailed Inspection** to be undertaken by an appropriately qualified and insured tree specialist and involving access to and close examination of all parts of the trees.

The best time to carry out inspections is in the early Autumn.

5.2 The Council will undertake all tree pruning and arboriculture works in accordance with the relevant British Standards.

6. Statutory Obligations

6.1 To fulfil its statutory obligations of protecting trees of particular amenity value through the use of the Town and Country Planning Act 1990, the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008, the Town and Country Planning (Trees) (Amendment No. 2) (England) Regulations 2008 and the Town and Country (Tree Preservation) (England) Regulations 2012.

6.2 To seek to ensure using Tree Preservation Orders and Conservation Area legislation that trees of particular amenity value in the area served by the Council are retained.

6.3 The Council will liaise with the District Council on tree issues as a Consultee on planning applications submitted.

7. Dangerous Trees not on Council land.

The Council will also liaise with the District Council under the Local Government (Miscellaneous Provisions) Act, 1976 requiring owners of private trees (not necessarily protected by legislation) to undertake remedial works to alleviate a potential danger to the public or public property. Where no owner can be found, or even where the owner is known and in cases of extreme urgency, powers may be used to undertake the work, the District Council may seek to secure reimbursement by imposing a Land Registry charge on the property should the property be sold.

8. Council Owned/Managed land

The areas of land owned or managed by the Council are;

- The Green (North End Lane).

Other areas of land that may, by prior agreement, be included in the tree inspection programme, for example;

- High Street.
- Recreation Ground.
- Village Hall Green.
- Recreation Ground.