Chandler's Ford Parish Council

Policy for Trees on Public Land Owned by the Parish Council

Introduction

Chandler's Ford Parish Council is responsible for the management of all trees located, within its ownership, in parks, open spaces and woodlands. The Council has a statutory duty of care under the Health and Safety at Work Act 1974 and the Occupiers Liability Acts 1954 and 1984 to ensure so far as is reasonably practicable its trees are safe and not a danger to the public.

This Policy outlines how the Council will manage its tree stock.

1. The Council is committed to protecting, improving and developing the Parish's tree stock in public places. This will be achieved in two main ways:

a. through the adoption of a continuous programme of tree survey and maintenance (as per the guidance given in www.forestresearch.gov.uk 'Common Sense Risk Management of Trees'; and

b. through seeking a continuous improvement in the quality and quantity of trees on public land. A range of native species will be selected for new and replacement planting taking into account their suitability to each site.

2. The Council's priority in the management of the Parish's trees will be that of public safety and maintaining the health and longevity of the trees. Where a tree constitutes a significant hazard to people or property, then the appropriate works will be undertaken.

3. Trees on public land will be encouraged through minimal intervention to develop as well-balanced individuals of a natural form characteristic of their particular species. Works on such trees will be carried out to the highest standards of arboriculture practice and in accordance with all relevant health and safety legislation. The Council will ensure all tree works are carried out to BS3998:2010 'Recommendations for Tree Work' (plus revisions) and will produce a specification for all tree works.

4. The Council will maintain its trees above highways and footways and clear growth that is obscuring streetlights and signs in line with the relevant sections of the Highways Act 1980 and Hampshire County Council Highway Policy as it may apply to the Council's land, powers and duties.

5. The Council will not, unless legally obliged to do so, undertake works to otherwise healthy and well-formed trees for reasons of:

• Branches overhanging adjacent property / gardens etc.

• Size or height (trees are naturally large organisms).

• Shedding of leaf, seed, fir cone, twig, flower litter and fruit debris and general vegetative detritus.

• Loss of light or shading.

• Interference with transmitted signals (TV, satellite or other forms of electronic communication or reception).

• Honeydew secretion.

• Reduced security by virtue of concealment or reduced visibility.

• Alleged damage to property / gardens by roots or branches (direct or indirect).

• Bird droppings.

• Solar panels.

• BT & electricity company services.

• Vermin.

• Vandalism e.g. thrown apples.

• Hayfever/ allergies.

• Dampness/ algae/ moss.

• To create or reinstate private views.

Your rights extend to your boundary; under existing Common Law, providing there is no protection on the tree (Tree Preservation Order, Conservation Area), landowners may prune unprotected trees or hedges overhanging their land as far as their boundary without the consent of the landowner. However, you must not trespass on to your neighbour's land to do this. In addition, you should offer to return the arisings. Liability will be attached to you if the resultant works cause instability or lead to the decline or death of the tree. Arisings should be disposed of responsibly; dumping on Council land is fly-tipping and may be subject to prosecution.

6. The Council will ensure that trees on public land are retained wherever possible and are given appropriate protection from the effects of development and construction activities including the installation of underground utilities.

7. The Council will ensure that all woodlands on public land are managed appropriately in accordance with accepted aboricultural practices and with respect for their value as important landscape features, wildlife habitats and recreational amenities.

8. The Council will only notify local residents in advance where major tree works will cause direct disruption to adjacent residential properties.

Complaints

The Parish Council is committed to managing and protecting the local tree population while ensuring that the interests of neighbouring properties are considered. In the event of complaints or concerns from neighbours regarding trees under the Council's responsibility, the following approach will be taken:

- Acknowledgement of Complaints
- Assessment of Impact
- Resolution
- Communication

While maintaining the health and conservation of trees is a priority, the Parish Council will aim to find reasonable solutions that balance the needs of the tree, the local environment, and the neighbouring properties.

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