



For Information

Tree Management Policy

Adopted: 4 April 2022

Chairman: Cllr. Jean Brown

Minute Ref.: 22/047

Administered by Clerk and Responsible Financial Officer to Barrow Parish Council.

1. Introduction

A principle of English Common and Statute Law is that the owner of the land where a tree is growing have a duty of care to visitors, residents, and passers-by when on their land.

Therefore, the Parish Council has a responsibility to ensure the Council's tree stock is regularly inspected and managed to ensure public safety and to minimise risk to property.

2. Aims and Objectives of the Council

- To value trees for the significant contribution they make to the wellbeing and quality of life within the Parish.
- To promote biodiversity, climate issue mitigation and visual amenity.
- To manage and maintain trees in a way which promotes their safety and health.

3. How the Council will meet its Aims and Objectives:

The Parish Council will meet its stated aims and objectives by:

- Ensuring its tree stock is inspected and maintained in a cost-effective manner, maximising visual amenity, and associated environmental benefits whilst minimising risks to public safety and property.
- Ensuring that any work undertaken on Parish Council trees is done to a high standard, is appropriate and in line with best arboriculturally practice.
- Ensuring the appropriate management of trees which are important for biodiversity, as wildlife corridors or as landscape features.
- Promoting the positive contribution made by trees to open spaces, including the value which they have for wildlife
- Identifying opportunities for appropriate tree planting schemes.

4. Tree inspections.

The Parish Council's tree stock will be visually inspected by a qualified arborist every three years depending on the location and risk assessment. The Parish Council will also conduct its own routine visual assessment. Additional checks will be carried out after periods of bad weather to identify damaged trees. The Parish Clerk will retain records of all safety checks.

The Council recognises the importance of mature and ancient trees and will balance safety with a duty to protect the environment, ensuring only essential works are undertaken to preserve a tree.

5. Requests from residents.

The Council will consider requests to conduct tree work on the Council's land from residents. If the request concerns a potentially dangerous tree, the tree will be inspected as soon as possible and within 48 hours. If the request is non-urgent, the Clerk will place the request on the next Parish Council Agenda. If agreed, an inspection will be undertaken within three months. In all cases the local resident will be informed of any actions taken.

6. Specific Policies:

6.1 Fallen, dead and dangerous trees:

The Parish Council will respond promptly to tree matters involving safety and will remove fallen and dead trees (except where biodiversity issues prevail) and dangerous and unsafe trees and branches. Trees which are in decline will be monitored to ensure they pose no risk to people or property.

Where it can be demonstrated that a tree from the Parish Council's stock is the direct cause of damage to property, the Parish Council will act to rectify the problem. In cases of damage to property it must be clearly demonstrated that the tree is the principal cause of any damage.

The effects of tree litter such as leaves, twigs, fruit etc. will not be considered as direct damage and no action will be taken by the Parish Council.

6.2 Tree pruning:

Except in exceptional circumstances, the Parish Council will **not** prune its tree stock to alleviate the obstruction of light or telecommunication signals where branches overhang neighbouring properties.

Works will only be carried out on trees which are restricting the efficiency of solar panels where the solar panels pre-date the presence of the tree.

6.3 Instances where the Council will NOT undertake tree pruning or maintenance:

- In response to natural occurrences that do not pose a health and safety risk, such as falling leaves, fruit, berries, seeds, bird droppings and pollen.
- Solely for reasons of increasing sun light/views to properties and gardens.
- During the nesting season, unless work is for health and safety reasons.
- If a tree contains roosting bats unless work is for health and safety reasons.
- Where trees have a negative impact on television reception.
- To remove dead branches from trees located in relatively quiet locations due to their ecological value unless work is for health and safety reasons.
- On trees overhanging an adjacent property, unless work is for health and safety reasons.

Note that landowners have a common law right to prune back tree branches to their boundary, providing that would not lead to tree death and providing the tree is not protected by a Tree Preservation Order or within a Conservation Area.

6.4 Birds and other wildlife:

When carrying out tree works the Parish Council will comply with all relevant legislation in respect of the protection of nesting birds and other wildlife. Only essential tree works will be carried out during the bird nesting season. Work will not be carried out on trees to address the issues of bird droppings.

Prior to works being carried out on a mature tree the potential for bat roosts will be assessed. If it is found that there are features within the tree that are likely to be suitable for bat roosts, a survey will be carried. If bat roosts are found to be present appropriate mitigation measures will be implemented before any work takes place.

6.5 Tree removals and replacements:

There will be a presumption against removal of existing trees and where this is necessary replacement will be in the same location, or if this is not possible in another more suitable location, will be considered.

Should it be necessary for the Parish Council to fell a tree, it will look to replace that tree with a UK native species of a suitable size and type to fit the growing conditions.

6.6 The Parish Council will:

- Work with partners and community groups to identify opportunities to increase its tree stock through appropriate tree planting.
- Consider planting new trees in appropriate locations to meet a variety of objectives, including habitat creation, the screening of unsightly development, the provision of shelter, enhancement of the landscape and climate issue mitigation.
- When planting or adopting new trees or tree belts, the Parish Council will be sensitive to the potential for damage or inconvenience, or the impeding of access, as the trees mature.

6.7 New developments:

The Parish Council will recognise and take positive action to prevent the potential conflict of interest where developments are proposed near existing trees, tree belts and wooded areas.

6.8 Mature and ancient trees:

Mature and ancient trees will be managed in a way that preserves their unique characteristics.

6.9 General considerations:

- The Parish Council will make adequate resources available to ensure that they comply with their duty of care in respect of tree safety.
- All tree works carried out on behalf of the Parish Council will comply with appropriate Standards and Legislation in respect of tree protection and will be undertaken by competent and qualified contractors.
- This policy will be reviewed every 3 years or when there are major changes to legislation or best practice in respect of tree management. The next review will be in March 2025.

Any queries on trees belonging to Barrow Parish Council should be made to the Parish Clerk telephone 07582 670562 or email clerk@barrowparshcouncil.org.uk

-o0o-