



## **TREE POLICY**

### **INTRODUCTION**

This is a policy for the management of trees owned and maintained by Bury Parish Council (BPC). It is intended to act as a point of reference for councillors and members of the public to ensure a clear, consistent, and structured approach to the management of our trees. BPC has a responsibility to take reasonable steps to manage its trees to reduce the risk of death or injury to those on parish council land. Trees help to add a variety to our landscape and provide valuable habitats for many species, while providing us with cleaner air. BPC aims to preserve its trees for future generations to enjoy.

### **TREE RISK ASSESSMENT & LEVEL OF RESIDUAL RISK**

It is not possible to eliminate all risks from trees however there are often indications that a tree may be in decline. BPC employs a professional and independent arboricultural consultant to undertake a Risk Assessment every 3 years, or more frequently where an individual tree has been found to require closer attention. The assessment records the condition and required maintenance schedule for BPC-owned trees and identifies any which pose a risk to health and safety. The tree maintenance schedule aims to reduce the risk to an acceptable level. The legal framework does not require the elimination of risk altogether, but that the residual risk is minimised to a tolerable level.

### **TREE MAINTENANCE SCHEDULES & PUBLIC REQUESTS FOR MAINTENANCE**

Tree inspection and maintenance schedules will be put out to tender and works carried out in accordance with the Risk Assessment. BPC will also consider any complaints or requests for maintenance from the public regarding trees on BPC-owned land, considering its tree management policy and/or advice from a qualified tree surgeon. If a BPC-owned tree is inspected and found to be in such a condition that it poses a high risk to people or property and is an emergency, instruction will be given to our tree contractor to make the tree safe as soon as practicably possible. If a tree is identified as requiring action, but the risk to the public is not immediate, then the tree will be made safe depending on the degree of risk identified at the time of inspection.

### **TREE WORKS WILL TAKE PLACE WHEN**

- There are dead, dying, or dangerous trees and branches that are found to be a danger to public safety.
- Trees or branches are creating an unreasonable obstruction to a public highway, highways signage, public right of way or access to property.
- A tree is causing an unacceptable trip hazard on the public highway, public right of way or access to property.
- A tree which is proven beyond reasonable doubt to be the cause of serious structural damage to buildings as identified by an independent competent professional assessor.

### **TREE WORKS WON'T TAKE PLACE WHEN**

- We will not prune or fell a tree because it is considered to be 'too big' or 'too tall', or to cut back branches of a healthy tree overhanging private property.
- We will not prune or fell a tree to remove or reduce any of the following categories, other than in extreme circumstances: Leaves, Sticky sap, Blossom, Tree pollen, Bird droppings, Falling fruit/berries/nuts.
- We will not prune or fell a tree to remove or reduce incidence of perceived pests such as bees, wasps, or other wildlife.
- Where the roots of a BPC owned tree are entering a drain, BPC will investigate and agree remedial action and the appointment of cost of that action with the landowner.
- We will not prune or fell a tree to improve natural light or the view from a property.
- We will not prune or fell a tree to prevent interference with TV or satellite TV installation/reception or to prevent the shading of solar panels.
- BPC has no authority to intervene in a dispute between neighbours where non-BPC owned trees are causing a nuisance or damage to property.

### **CARRYING OUT TREE WORKS YOURSELF**

You have a legal right to deal with the nuisance associated with trees encroaching onto a property. The following advice is given where there is a wish to exercise the right to Common Law with respect to encroaching trees:

- Before carrying out works to trees including pruning, it is essential that checks are made as to whether the trees are protected by a Tree Preservation Order or if they are in a Conservation Area. If either of the above applies, consent is required by making an application / giving notice to the South Downs National Park Authority. Remove only those parts of the tree from the point where they cross the boundary of the property.
- There is no legal right to cut or remove any part of a tree that does not overhang the property.
- It is strongly advised that a professional tree surgeon is consulted for guidance on how best to prune back encroaching trees, unless the works are trivial meaning that works could be carried out with hand secateurs or similar.
- BPC must be informed of any plan to carry out work on BPC-owned trees
- BPC reserves the right to recover costs if a tree is damaged, and requires corrective action by BPC, as a result of works carried out on a BPC-owned tree by a member of the public.