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Tree Management policy

1. Introduction

1.1. This policy sets out the Parish Council's approach to the management of trees on land owned by Eckington Parish Council only. Other Councils, organisations, companies and private individuals may need to be contacted if a tree(s) is located on their land.

1.2. This document has been created to provide guidance for the public, Councillors and Council employees to ensure a clear and consistent approach is adhered to regarding management of trees by Eckington Parish Council.

1.3. If a tree falls and causes injury or damage, the relevant landowner could be held negligent if they have failed to take sufficient care of the tree. Therefore, as a landowner, the Council has a duty of care to ensure that all trees on Parish Council-owned land are kept in an acceptable condition and do not put people or property at unreasonable risk.

2. Inspection

2.1. All trees on Council-owned land will be inspected every three years by a qualified tree inspector and any recommendations made will be considered by the Council in line with this policy.

3. Maintenance

3.1. The Council has adopted a proactive approach to tree maintenance. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at that time.

3.2. Regular inspections will be carried out to identify issues at the earliest juncture, so that preventative action can be taken where possible. Areas close to roads, buildings and with high public usage will be prioritised.

3.3. As a guide, tree works will be undertaken in the following circumstances

3.3.1. Where an inspection has identified the tree as potentially hazardous or an immediate danger

3.3.2. If the works are vital to the tree's long-term survival. Dead, dying or diseased trees will only be fully removed when there is no other option.

3.3.3. To abate an actionable nuisance where branches are touching buildings e.g. physical contact with walls, windows, gutters.

3.3.4. When previous maintenance regimes have determined future works are of the same specification for that specimen e.g. pollarding, crown reduction.

3.3.5. When a tree with no maintenance regime reaches a size or age where a maintenance regime should be initiated, to manage the tree in a suitable way for its location.

3.4. The impact on local wildlife of all tree works, specifically felling and pruning, will always be thoroughly considered, with the impact minimised where possible.

3.5. Where appropriate, dead and fallen wood will be left on site unless there are sound conservation and safety reasons for its removal.

3.6. All tree work will be carried out by a qualified tree surgeon appointed by the Parish Council.

4. Protected Trees

4.1. A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.

4.2. It is an offence to cut down, lop, top, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice to the District Council.

5. Requests for Tree Work

5.1. Whilst the Council will consider the impact of trees in each case on individual merit, the Council will not fell trees on Parish Council-owned land if it is for any of the following non-arboricultural reasons:

5.1.1. Solely to alleviate problems caused by natural and/or seasonal phenomena e.g. falling leaves, fruit, seeds/berries, bird droppings, pollen etc.

5.1.2. Solely for reasons of increasing sunlight/views to properties and gardens.

5.1.3. Solely for the reason that the tree(s) is causing interference with television or satellite reception. In most cases the problem can be resolved by relocating the aerial or satellite dish. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning to enable clear television reception would only be considered in exceptional circumstances.

5.2. Adjacent 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 in question is not protected by a TPO or situated within a Conservation Area.

5.3. Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Tree felling and branch pruning in response to root invasion in gardens would not normally be appropriate as such works are likely to worsen the problem. The encroachment of roots into adjoining land is not considered to amount to actionable nuisance. Adjacent landowners have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a TPO or situated within a Conservation Area.

5.4. Landowners are reminded that if access to Council-owned land is required to carry out pruning you will require written permission from the Parish Council before carrying out such works.

5.5. In cases of non-essential tree works, but where the tree is causing a significant loss of amenity to one or more residents, requests for pruning / pollarding / crown reduction and other maintenance will be considered. The council is not obligated to pay for this work and may only authorise the work if the resident is willing to contribute towards the costs.

5.6. The Parish Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to:

5.6.1. Eckington Parish Council, Eckington Civic Centre, Market Street, Eckington S21 4JG

5.6.2. clerk@eckington-pc.gov.uk

6. Parish Council-Owned Land:

Eckington Cemetery
Circular Drive, Renishaw
Ducksett Allotments
Ducksett Play Area
Gleadless Allotments
Golden Ball Sports Field and Play Area
School Street Allotments
Stead Street Triangle
Marsh Lane Allotments
Warren Crescent Play Area

7. Parish Leased Land

Ash Crescent Play Area
Darcy Road Play Area
Emmett Carr Lane Play Area
Idas Road Play Area
Ridgeway Play Area