



Bury Parish Council

TREE MANAGEMENT POLICY

Introduction

Trees and hedges are an important part of rural and urban landscapes. They provide vital habitats and food for wildlife; and in some cases, human consumption, windbreaks in open areas, absorb carbon dioxide, help control extremes of temperature next to buildings, provide shade, privacy and can assist with deadening traffic noise. Research also shows they can provide psychological and health benefits, helping to reduce stress.

Bury Parish Council is committed to a long-term strategy of planting, protecting, retaining, improving, and developing its stock of trees within the village, for the benefit of current and future generations.

Where replacement or new planting is required, it will encourage the planting of appropriate native, and if appropriate, fruit bearing species. Where tree felling is necessary the Council will strive to replace the tree removed, and place them in an appropriate location nearby. There will be similar replacements in relation to hedging whips.

English Common and Statute Law states that land/tree owners have a duty of care to visitors, residents and passers-by when on their land and take reasonable steps to reduce the risk of death or injury. In compliance with this the Parish Council is also committed to monitoring the health and safety of its tree stock and taking appropriate action in terms of tree surgery or removal where such risk is identified.

Areas of Responsibility

The Parish Council's direct responsibility for tree planting and management of trees and hedges is limited to those planted within land owned by the parish. The Parish Council are responsible for the trees and hedges:

- Around the edge of the sports field.
- On the area known as The Pound
- The hedge on the side of the footpath from Owls End to the Jubilee play area.
- Within the parish cemetery.

The Council also wishes to encourage other land and property owners and developers within the Parish to adopt similar principles for the management of trees and hedges, taking into consideration their positive impact on the local environment.

It should be noted that trees and hedges on other land, not owned by the Council or private owners, come under the authority of Cambridgeshire County Council; the local Highways Authority.

The responsibility for cutting back trees and hedges that overhang the public highway from neighbouring land, inhibiting pedestrian or road traffic movement or vision rests with the owner/ occupier of that land; whether this is the council or private property owners.

Legally, the owner of the property also has the responsibility to trim a tree where future growth will bring it into contact with power lines. If this is the case, residents are advised to contact the energy company which operates the power line as they will bring in a tree surgeon and ensure safe working around power lines and may be willing to cover the associated costs. If they do not the owner will be required to have the tree trimmed, which can be dangerous, so a qualified tree surgeon should always be used.

It should be noted what areas of Bury are classified as a Conservation Area and many trees across the village are protected by a Tree Preservation Order (TPO). Huntingdonshire District Council have a department dedicated to tree preservation:

<https://www.huntingdonshire.gov.uk/environmental-issues/trees/protected-trees/>

What is a Tree Preservation Order?

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An [Order prohibits](#) the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent.

What are a tree owner's responsibilities?

Owners of protected trees must not carry out, or cause or permit the carrying out of, any of the prohibited activities without the written consent of the local authority. As with owners of unprotected trees, they are responsible for maintaining their trees, with no statutory rules setting out how often or to what standard. The local planning authority cannot require maintenance work to be done to a tree just because it is protected. However, the authority can encourage good tree management, particularly when determining applications for consent under a Tree Preservation Order. This will help to maintain and enhance the amenity provided by protected trees.

Arboriculture advice from competent contractors and consultants, or the authority, will help to inform tree owners of their responsibilities and options. It is important that trees are inspected regularly and necessary maintenance carried out to make sure they remain safe and healthy.

Tree Management on Land Owned by Bury Parish Council

The next tree survey is due in 2024 and from then on a 2-yearly basis by an arboriculture consultant. This survey will provide a detailed health and safety assessment of all relevant trees including;

- location mapping and species details of all trees
- identification of age and condition
- remedial tree surgery operation recommendations; classified as urgent, to be undertaken within a recommended timeframe.
- re-inspection frequency recommendations

Tree planting opportunities following on from this survey;

- remedial work will be programmed and carried out as recommended by an agreed tree specialist.
- re-inspections will be carried out following the frequency recommendations.
- additional inspections will be carried out following storm events and/or on advice or concerns expressed by residents.

The Council's open spaces contractor and Clerk will take the role of non - professional inspections, advising when additional professional inspections to specific trees would be of value within the five-year cycle and raising any concerns with the full council. Where works are required, they will be programmed as necessary. All spend will be agreed at full council meetings. If urgent work is required, the clerk will authorise work and spend in line with the council's financial regulations.

Concerns and requests by residents in relation to trees on Parish Council land

In line with the above tree management policy the Parish Council will try and ensure timely removal of dead, dying or dangerous branches or trees. However, if any member of the public suspects such work is required they should contact the Parish Clerk at parish.clerk@buryparishcouncil.co.uk

Occasionally, the Parish Council will receive requests from residents who live adjacent to land owned by the Parish Council to carry out tree work which has not been highlighted as essential for either the health of the tree or the health and safety of the public.

The 2019 report identified:

Two trees have signs of boring from *sesia apiformis*. This is defoliating moth that can cause death in poplar trees. Four trees require pollarding to prevent premature failure. A cluster of 3 trees should be removed within the next five years (2024) without replacement due to heavy leaf miner infestations.

The Parish Council has no obligation to carry out the following tree works;

- cut back branches overhanging private property.
- ‘top’ trees or remove branches to increase daylight or decrease height in relation to property.
- remove branches or trees affecting views or interfering with TV reception.
- remove branches or trees to prevent falling leaves, honeydew from aphids or other minor debris.
- remove roots from drains or repair root damage to structures where the tree has not been proven to be the principal cause.
- remove branches nearly touching buildings, walls, roofs, fences etc.
- remove branches or trees to prevent access by squirrels or other livestock.

The Parish Council will not carry out any work on privately owned trees and members of the public wishing for any of the above works, or in relation to trees not owned by the council should make their own arrangements.

Carrying out tree works and pruning guidance:

In Common Law a property owner can cut back overhanging branches to the boundary of their property. The Parish Council would normally have no objection to property owners carrying out tree work or engaging a contractor at their expense, provided that;

- permission is first sought if work requires access to neighbouring land or to a tree on that land.
- the tree is not situated in a conservation area or protected by a TPO.
- any work done to a tree is not detrimental to its health or stability. For their own protection, members of the public should obtain advice from a qualified tree surgeon.
- tree pruning is carried out to an acceptable standard, in accordance with the British Standard Recommendations for tree work.
- where the neighbouring land belongs to the Council the property owner notifies the Council of the proposed work and commencement date before the work begins.
- Where tree works are to be carried out from the Council property the contractor must supply the Council with appropriate public liability insurance cover and risk assessment.

Planting of new trees

The Parish Council aim to maximise tree planting. Where there are opportunities for additional planting, this will be carried out on the advice of the arborist who has carried out the most recent Tree Survey. Local residents’ views will also be sought on the species, where appropriate, the option of planting trees that will produce fruit for public consumption will also be explored.

Hedge management

Hedge management on parish land is integral to grounds maintenance work and the council will liaise with residents where such work is necessary on boundary land between private and council land. Regardless of ownership the Wildlife and Countryside Act states that a hedge should not be cut or trimmed if the action damages active birds’ nests. This period normally runs between March and August.

Tree Surveys

Tree surgery and planting work is organised on an ad hoc basis. Hedge maintenance to the hedge alongside the path from Owls End to the Jubilee Play Area is carried out by Mr Badcock by separate arrangement from the grounds maintenance contract.

The 2019 Tree Survey was carried out by Ethical Arboriculture.