

ELM PARISH COUNCIL

Tree Management Policy

1. Introduction

- 1.1 This policy is for the management of trees owned and managed by Elm Parish Council (EPC). It is intended to act as a point of reference for members of the public, Councillors, Council employees and contractors to ensure a clear, consistent, and structured approach to the management of trees.
- 1.2 A principle of law is that land/tree owners have a duty of care to visitors, residents, passers-by and trespassers when on their land. This means that EPC has a duty to do all that is reasonably practical to reduce the risk of death or injury to those on EPC land.
- 1.3 Any queries arising concerning trees growing on EPC land should be raised with the Clerk at: clerk@elm-pc.org.uk or, 07471 235906.
- 1.4 Trees growing adjacent to the public highway or on other open spaces are likely to fall under the responsibility of Cambridgeshire County Council or, Clarion Housing.

2. Maintenance of trees owned by the Parish Council

- 2.1 EPC will ensure that a formal 'Tree Condition Survey' of trees on EPC land is undertaken by a qualified arboriculturist every three years (approx.), unless the need arises for a more frequent inspection. The survey will focus on trees which present an unacceptable risk and will include trees located within falling distance of persons, property and areas deemed of high occupancy (for example; play areas, playing fields, the Towpath, routes used by pedestrians/dog walkers).
- 2.2 Interim informal inspections will be carried out as appropriate (after periods of stormy weather for example) and, in high-use areas (play areas) on a weekly basis (as part of play area check protocol).
- 2.3 The last formal inspection was undertaken in February 2022; a programme of tree works has been arranged based on the report's findings.
- 2.4 EPC will allocate sufficient resources (in the Annual Budget) to ensure that it is able to manage the trees that it owns
- 2.5 EPC will ensure that any arborist or tree surgeon undertaking work on parish owned land will provide evidence of their public liability insurance and copies of risk assessment/ method statements.
- 2.6 In the process of maintaining EPC owned trees, consideration will be given to any possible impact on local wildlife and eco-systems and work will be scheduled to minimise the perceived impact.
- 2.7 Whilst maintaining EPC owned trees; those highlighted as presenting an unacceptable risk which can only be mitigated by felling; consideration will be given to replacing the tree with a suitable specimen in the nearest suitable location.

3. Maintenance NOT falling under the responsibility of the Parish Council

- 3.1 Elm Parish Council has no obligation to carry out the following tree works;
 - Cutting back branches overhanging private property.
 - 'Topping' trees or removing branches to increase daylight or decrease height in relation to a 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 damage to structures, where the tree has NOT been clearly identified as the principal cause.
 - Remove branches or trees to prevent access by wildlife (e.g. squirrels, birds).

- 3.2 EPC will consider any complaints regarding trees growing on Council land, taking into consideration this policy and/or advice sought from a qualified arborist or tree surgeon.
- 3.3 If members of the public wish to carry out work on EPC owned trees, they should seek Council's permission and make arrangements using the guidance below;

4. Tree maintenance arranged by Members of the Public

- 4.1 In common law, a property owner can cut back overhanging branches to the boundary of their property. EPC would normally support property owners carrying out tree work, or engaging a contractor at their own expense provided that;
- If access to parish owned land or, to a tree on that land is required, permission must be sought from EPC in advance.
 - The tree is not protected by a Tree Preservation Order (TPO), or within any Conservation Area. If a tree is protected, the appropriate planning procedure must be followed. Contact Fenland District Council Planning Department for further guidance.
 - Any work carried out is not detrimental to the health or stability of the tree. For their own protection, members of the public are advised to always seek advice from a qualified arborist or tree surgeon.
 - Tree pruning work is carried out to an acceptable standard in accordance with the British Standard Recommendations for Tree Work 3998:2010.
 - The property owner notifies EPC of the proposed work and commencement date.
- 4.2 EPC does not undertake work on privately owned trees.

5. Action Plan following diagnosis or disease or fungal activity

- 5.1 Trees identified as having a requirement to be re-inspected will be examined in late Spring or once in full leaf. If there has been no further deterioration, the tree will be re-inspected the following year.
- 5.2 If the tree has deteriorated, a further inspection will take place in late Summer and a full assessment made. An action plan will be agreed, seeking advice from a specialist contractor.
- 5.3 If a tree is showing clear signs of decay and/or fungal disease, and there is a risk to the general public or property, removal or remedial works will be undertaken as recommended by a specialist contractor.

6. Policy Declaration

- 6.1 Elm Parish Council;
- Values the importance and amenity value of trees and hedgerows within the environment. It recognises how they; add variety to the landscape, provide valuable habitats for wildlife, remove carbon dioxide from the atmosphere and subsequently produce oxygen.
 - Does not support the removal of trees and hedgerows that offer positive amenity unless there is a health and safety risk to members of the public or property.
 - Encourages residents to retain existing trees and hedgerows within the curtilage of their property.
 - Aims to preserve and increase the number of trees within Elm Parish for future generations to enjoy.

Date of next Specialist Tree Survey due in February 2025.

Adopted: 13th December 2023 Minute ref: 156.23

Review date: May 2025