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## Sevington with Finberry Parish Council Tree Policy and Tree Risk Management Plan

### 1. Introduction

Trees are our history and our future. They define the landscape where we live, work and play. Research proves that humans feel better when they are in the company of trees. Even in our village we require contact with the natural world and trees bring this right into heart of our village, minimising the impact of the built-up environment by providing colour, shade, and shelter. They act as way-markers and signposts for us and provide homes for wildlife. By careful selection of species, it is possible to provide trees that will contribute to improved air quality, reduce noise, and control run-off from heavy rain.

Trees are integral to our wellbeing, health, and quality of life. Parish and Town Councils have a statutory duty to conserve nature and wildlife as set out in the Natural Environment and Rural Communities Act (NERC) 2006. The NERC Act stipulates that public authorities have a duty to have regard for conserving biodiversity through their policy and decision making. Conserving biodiversity can include restoring or enhancing a population or habitat.

Sevington with Finberry Parish Council is responsible for the management of all parish council owned trees growing on its land and on public open spaces. By law, the Council is required to manage and undertake work to any council owned tree which constitutes a statutory nuisance and, in order to discharge this duty, has a programme of inspection and maintenance works aimed at keeping the population safe from harm and preserving the health and future wellbeing of its tree stock.

There are, however, a number of conflicts which may arise where the Council's trees are located close to neighbouring properties and the aim of this guide is to set out the Council's policies in dealing with these conflicts and to clarify the Council's legal obligations to deal with these issues.

### 2. Maintenance of Council owned trees

Trees are maintained to reduce the risk of harm to people and property to an acceptable level. Tree maintenance on Council owned trees may on occasions be undertaken for other reasons, but this is at the discretion of the Parish Council. Sevington with Finberry Parish Council owns 1 tree in the village of Finberry, planted to commemorate the Queen's Platinum Jubilee and marked with a commemorative stake, planted on HML land beside Avocet Way and behind Song Thrush Drive. (Appendix A). The Management Company (HML) are responsible for all the other street trees around the village of Sevington with Finberry not on private land.

### 3. UNSAFE TREES

Requiring Immediate Action - If a Council owned tree is in such a condition that it poses a very high risk to people or property, the Council will attend the site as an emergency as soon as is reasonably practicable. If work cannot be completed, areas at risk will be cordoned off until resources are available. If the tree is not owned by Sevington with Finberry Parish Council and it poses a risk, then HML will be contacted to make it safe. Sevington with Finberry Parish Council will not enter a private residence to remove a privately owned tree.

#### **4. REPLACEMENT TREES**

For any Sevington with Finberry Parish Council owned tree that has to be removed, we will endeavour that a replacement tree is planted. This may not necessarily be in the same place. Appropriate guidance and advice will be gained from a professional at the time. All owned or identified trees/hedgerows that HML are responsible for – we will work closely with them and encourage them to replace any that are removed. Any planned developments (larger than a single property) – we will engage with the developer and local planners to ensure that a reasonable amount of tree planting is included. If it is not possible on the development then they should find a suitable location locally within the parish boundary.

#### **5. VANDALISM**

Sevington with Finberry Parish Council will investigate any reports of vandalism to any tree owned or managed by the Council and use enforcement and legal action for prosecution of offenders. Vandalism includes wanton damage of newly planted trees and any unauthorised pruning felling or similar work to mature trees. You are not allowed to remove living material from Council land without consent and unauthorised persons are not allowed to use a chainsaw of any type, in parks, public open spaces or other Council land. If you see someone who may be removing living material without consent (i.e. a person not associated with a relevant sign written vehicle and / or without clothing that clearly identifies who they are) or they are using a chainsaw, please telephone Sevington with Finberry Parish Council direct on 01233 750415.

#### **6. RISK ASSESSMENT**

All Sevington with Finberry Parish Council owned trees will be subject to a tree survey carried out by a tree professional, with a report produced of their findings. This will happen as a minimum every year, however the council can conduct a tree survey sooner if circumstances change. This may be due to weather, climate etc. Individual trees may be subject to more regular checks due to their age/condition. A visual check will be carried out by the Parish Councillors who live on Finberry on a regular basis and any issues found reported to the Parish Clerk. Accident/Injury caused by a Parish Council Owned Tree can happen. In the event this has happened the Parish Clerk should be informed straight away on 01233 750415.

#### **7. OBSTRUCTIONS**

Street Lighting – Sevington with Finberry Parish Council will undertake work to trees owned or managed by the Parish Council to ensure that streetlights are not substantially blocked by the presence of trees. If a privately owned tree is causing an obstruction to streetlight, powers exist under the Highways Act to make them remove the obstruction.

Signal and Signage - Sevington with Finberry Parish Council will undertake work to trees owned or managed by the Parish Council to maintain clear lines of sight for traffic signals and street signage (associated with a street, road, or highway). A tree should not obstruct the vision of an approaching driver. If a privately owned tree is causing an obstruction to a traffic

signal or street sign, powers exist under the Highways Act to make the owner remove the obstruction. The Management Company should be informed.

Pavements/Footpaths - Sevington with Finberry Parish Council will undertake work to trees owned or managed by the Parish Council to maintain a minimum 2.5 metres height clearance over a footpath associated with a street, road or highway, and 3 metres where there are cycling rights. Any works necessary to prevent an obstruction to the width of a footpath associated with the highway due to the presence of a Council owned tree will be considered on a case-by- case basis. If a privately owned tree is causing an obstruction to a footpath associated with the highway, powers exist under the Highways Act to make the owner of the tree remove the obstruction.

Sevington with Finberry Parish Council will not undertake works for pruning or removal from trees for the following: This is classified as natural occurrences only expected from trees.

- Tree leaf litter
- Seed drop
- Fruit/Berry/Nut drop
- Pollen
- Sap drop
- Bird Droppings
- Interference with Satellite/Television and other forms of Communication
- Interference with Security cameras/sensors
- Blocking views
- Loss of natural light (unless instructed by HML Legal team or court order)

If a council owned tree is touching a residential property then this can be addressed by contacting the clerk on 01233 750415 or email [clerk.swfpc@gmail.com](mailto:clerk.swfpc@gmail.com). If the tree is protected by a Tree Preservation Order (TPO) or is in a Conservation Area, permission must first be obtained from the local planning authority before any work is commenced.