

## **Silchester Parish Council Tree Policy**

### **Background**

This is a policy for the management of trees owned and managed by the Silchester Parish Council (SPC) on behalf of the residents of the village of Silchester.

A principle of English Common and statute Law is that land / tree owners have a duty of care to visitors, residents, passers-by and indeed trespassers when on their land. This means that the Parish Council has a responsibility to take reasonable steps to reduce the risk of death or injury to those on Parish Council land. This has particular relevance to Silchester Common which represents the most significant area of land under Council control.

Any queries on trees belonging to Silchester Parish Council should be made to the Clerk of Silchester Parish Council on (0118) 9815131 or email: [clerk@silchester.org](mailto:clerk@silchester.org)

Trees situated within the public highway, adjacent to the road or on roadside verges, are generally the responsibility of Hampshire County Council. You can contact them at [info@hants.gov.uk](mailto:info@hants.gov.uk) or Telephone 0300 555 1388

Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner, filtered air. Silchester Parish Council aims to preserve Silchester's trees for future generations to enjoy.

### **Work that Silchester Parish Council will carry out on Council owned trees**

As a general rule SPC's approach to dead or dying trees on Silchester Common is to leave them standing in order to promote habitat for micro-fauna. However, SPC will remove any tree or limbs, living or dead that represent a danger to the public or property.

SPC will operate a three tiered approach to ensuring that the trees that it manages are in a safe condition and ensuring that they do not cause a legal nuisance. The frequency that trees should be inspected will depend upon the likelihood of harm being caused to persons or property if the tree becomes unsafe. Consequently, trees will be separated into two zones (See Appendix). Zone 1 is trees in falling distance of a public highway, property, and areas near high footfall. Zone 2 is trees in all other areas.

Tier One - After a reported incident or concern by a member of the public to the clerk in regards to a tree owned by SPC, than an inspection of the tree will be carried out as soon as it is practical to do so.

Tier Two - Inspection of trees in Zone 1 areas will be carried out every 2½ years. This period of time between inspections has been chosen for two reasons. The resources available to SPC to carry out inspection is limited, thus this is the mostly judicious use of that resource. Trees being inspected every 2½years will enable the inspector to assess the trees in differing seasons, thus picking up seasonal changes in the tree biological function over a 5 year period (dead branches in spring and fruiting bodies in autumn).

Tier Three - Inspection of trees in Zone 2 areas will be inspected on an ad hock basis with members of Silchester Parish Council and the commons working party assessing trees as they go about their regular management work.

The trees will be inspected by a person with a working knowledge of trees (but who need not be an arboriculturalist) and if works are required this will be programmed as necessary through the SPC. The inspections are a visual inspection of the tree, looking for biological signs, such as undersized leaves, discoloured foliage, dead branches, large or numerous cankers, fungal fruiting bodies and signs of structural weakness.

Where appropriate, SPC will seek the advice of a professionally qualified arboriculturalist, tree surgeon or Local Authority Tree Officer and commission work if necessary.

All inspections of trees will be documented and reported to the SPC clerk as soon as is practicable.

### **Work that Silchester Parish Council will not carry out to Council owned Trees**

We have 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 clearly demonstrated to be the principal cause.
- Remove branches or trees to prevent potential root damage to structures.
- Remove branches nearly touching buildings, walls, roofs, fences etc.
- Remove branches or trees to prevent access to squirrels or birds.
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If members of the public would like tree works carried out as per this Section, they should make their own arrangements as described below.

### **Carrying out tree works yourself and pruning guidance**

In common law, a property owner can cut back overhanging branches to the boundary of his / her property. The Parish Council would usually have no objection to property owners carrying out tree work or engaging a contractor at their own expense, provided that:

- access is not gained onto the neighbouring land or to a tree within that land; if access to our land or to a tree on that land is required, our permission must be sought.
- the tree is not situated in a Conservation area or protected by a Tree Preservation Order (TPO).
- any work done to a tree is not detrimental to its health or stability; for their own protection members of the public are advised to obtain advice from a qualified tree surgeon.
- any arising created by the tree pruning work are disposed of correctly and not left on the councils land.
- for tree pruning work, whoever does the work, it is carried out to an acceptable standard, in accordance with the British Standard Recommendations for Tree Work 3998:2010.
- the property owner notifies us (before the work begins) of the proposed work and commencement date.

### **The Council does not carry out works to privately owned trees**

Date: 01/10/2016

Approved by Council: 07/11/2016