



TREE MANAGEMENT POLICY

**For trees on land owned and managed by Heathfield
and Waldron Parish Council**

March 2024

1. INTRODUCTION

The Parish Council owns and manages various parcels of land throughout the parish and recognises the need to put in place a suitable policy for the inspection and management of trees on its land. As landowner, the Council may be held liable for any loss or damage resulting from falling branches or from a fall of the tree itself.

Whilst statistical information is sparse in relating to injuries by falling branches or trees and number of recorded incidents is low, the Council has to be aware of its duties in this regard and, should a claim be made, a suitable system of inspection and management would need to be in place to enable any claims of negligence to be refuted.

The National Tree Safety Group however state that tree owners should take a balanced and proportionate approach to tree safety management and emphasises the benefits that the presence of trees bring to us all.

As in all areas of risk management, the term “reasonable steps” is frequently used and is open to interpretation. The existence of a management plan which sets out simple stages which can be achieved and evidenced as such, forms an important part of the process.

The expectation is that areas of greater public use – such as recreation grounds, close to residential housing and public open spaces should be monitored and assessed to an appropriate level, in contrast to remote areas which are rarely accessed by the public. To assist the process all trees above 1.5m high and/ or with a stem diameter of greater than 75mm will be surveyed on a 3 year cycle.

2. THE THREE INSPECTION LEVELS

There are three levels of monitoring and assessment of trees on Parish Council land, as follows:

Level One:	Informal Observation undertaken by the General Works contractor and his staff – during normal duties but at least bi-annually, particularly in the Autumn. Photographs of trees showing areas of concern to be supplied to the Clerk for action – to be reported to next available LAB meeting. Following particularly high winds/storms, inspections to take place as soon as possible thereafter to enable urgent works to be identified and carried out to any dangerous trees
Level Two:	Formal Inspection by Members and Officers (including Tree Warden) and record of trees requiring on-going monitoring or showing areas of concern. Close examination of trees at ground level. At least one person would need to be trained by an external provider to undertake basic tree inspections
Level Three:	Detailed Inspection by a tree specialist which will involve access to and examination of all parts of the tree

Inspections are best made in September or early October except after severe storms, as stated in Level One.

The frequency of inspections shall be as follows, unless otherwise determined by the Council:

- Informal observation by the Council's contractor – at least bi-annually but particularly following storms with high winds
- Formal inspection by Members and Officers – annually
- Detailed Inspection – at least every 3 years or more often as determined by LAB Committee

In circumstances where members of the public or other bodies raise concerns about particular trees or groups of trees, an initial inspection will be undertaken by the Council's contractor or a tree surgeon, to enable a decision to be taken as to any future action required.

Following inspection, the following actions will be taken:

Where urgent action is required this will be approved by the Clerk, Chair and Vice-Chair of the Leisure, Amenities and Burials Committee, or in their absence by another member of the Committee. The Grounds Maintenance Contractor, or one of the tree surgeons used by the Council, will be instructed to undertake work on the tree to ensure it is safe, this may include felling it. The action taken will be reported at the next LAB meeting.

If urgent action is not required a quote will be presented to the LAB committee meeting for approval.

Tree maintenance will be carried out by trained contractors or tree surgeons, subject to the nature of the work. All tree works shall be undertaken in compliance with BS3998: 2010 Tree Works – Recommendations.

3. GENERAL POLICY FOR NON-ESSENTIAL WORKS

Non-essential works are things such as pruning, thinning out and crown lifting. Such works will only be carried out when deemed necessary following an inspection.

Pruning/lifting works will be carried out:

- For health and safety reasons – for example, to remove the lower branches of a tree to enable people to pass underneath it safely, or to facilitate maintenance of a recreational area
- Where it benefits the health of the tree – for example, pollarding of certain species where it extends the life of the tree and prevents splitting
- Where it complies with site specific management plans
- Where the removal of dead branches is necessary for health and safety reasons or to ensure the continuing health of the tree

Thinning out/pruning/lifting works will **not** be carried out:

- In response to natural occurrences that do not pose a health and safety risk – for example, falling acorns, bird droppings, falling leaves or sap production
- Where trees have a negative impact on television, satellite and internet reception or where the canopy is blocking lighting, with the exception of street lighting
- Where the tree is blocking views from a nearby property
- During the nesting season (March to August) unless the work is urgent (as identified during an inspection) *Note: it is an offence to intentionally damage or destroy the nest of any wild bird while it is in use or being built*
- If the tree contains roosting bats *Note: it is a criminal offence to recklessly or intentionally disturb bats, or to damage or destroy a roost.* If such work is required, the advice of English Nature will be sought
- Trees and branches overhanging an adjacent property unless it poses a health and safety risk *Note: In respect of trees which are situated on Parish Council's land on the Green Lane estate, the Council's policy is that landowners may carry out such work to any branches overhanging their property, although at their own expense, providing permission is granted from Wealden District Council to ensure compliance under any Tree Preservation Orders in existence in the area, and the Parish Council gives approval as landowner in advance of the work being carried out. Any work undertaken should comply with BS 3998:2010 tree work recommendations. The work cannot make the tree unstable, if it does the person organising the work would be held liable.*
- Removal of dead branches from trees located in quiet unpopulated areas, due to their ecological value – for example Darch's Wood, where dead wood is left on the ground to encourage flora and fauna to populate it

4. TREE PRESERVATION ORDERS

Wealden District Council are responsible for making and ensuring compliance with existing TPO's. The Council will ensure that works to any tree covered by a TPO will be subject to an application to WDC for permission and works will only be carried out in compliance with any permission given.

A list of current Tree Preservation Orders in the parish is available from Wealden District Council.

Adopted by LAB Committee:
L Hurst March 2024