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Tree and Hedge Management Policy - Guidance for Residents

The Parish Council is responsible for the management of all trees on land owned, leased or managed by the Council.

Residents regularly enquire about trees/hedges and the following information will answer all of the most frequently asked questions.

A council owned tree/hedge overhangs my property

The Council has no legal obligation to prune overhanging trees and hedges unless they are causing direct damage to an adjacent property or are dangerous.

As a result we will not prune trees and hedges that overhang a neighbour's property unless they are dangerous or are causing an actionable nuisance.

As an adjacent landowner you are entitled to prune encroaching tree and hedge branches or roots back to the boundary of your property. Legally, you are required to retain the pruning's and offer them back to us, we are not obliged to accept them but may agree to do so.

Where access to Council land is required in order to undertake tree/hedge works, you must seek permission from us at least two working days in advance, unless the tree/hedge is dangerous in which case an application will be dealt with immediately.

It is a requirement that all Contractors working on Council land are suitably qualified to carry out the proposed work. We also require that adequate public liability insurance is in place and that appropriate risk assessments and method statements have been completed. We will request evidence of this before permitting access.

A tree on council land is blocking light to my property

It is usually very difficult to prune a tree in order to give a lasting improvement in light levels to a property. Often the extent of pruning required to alleviate light obstruction can be damaging to the tree or destroy its amenity value, and thick re-growth following pruning can make shading problems worse. The Council will therefore resist this course of action except in exceptional circumstances.

- There is no right to light under the law and therefore we have no legal obligation to take action. However, we will consider approving works (pruning or felling) in the following circumstances: •
- Trees over 12m in height where the distance between base of the tree and the window of the nearest habitable room is less than 5m
- Trees smaller than 12m high where the distance between base of the tree and the window of the nearest habitable room is less than half the height or 5 metres whichever is the less.
- Where the separation between the edge of the tree canopy and a vertical line through that window is less than 2m.

A 'habitable room' means a dining room, lounge, kitchen, study or bedroom but specifically excludes WCs, bathrooms, utility rooms, landings and hallways.

Where a situation falls within these guidelines cases will be considered individually and any agreed works prioritised according to proximity and the orientation of the affected window.

A tree on Council land is interfering with my television and radio reception

Interference with television or satellite reception causes frequent complaints. Interference is worse when leaves are on trees and in bad windy and rainy weather. Satellite reception is more sensitive to interference than television reception.

There is no right to good reception and in many cases it is possible to resolve issues of poor reception by finding an engineering solution. We will only consider requests to prune trees to improve reception where all the following conditions are true:

- Efforts have been made to find an engineering solution to the problem and have not been successful
- The work required is consistent with good arboriculture practice and will not unduly affect the amenity or health of the tree
- The work required can be executed within financial resources available

A tree/hedge on council land is creating a nuisance

We will not fell or prune Council owned trees/hedges solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of our control. There are a variety of potential nuisances associated with trees/hedges, most of which are minor or seasonal and considered to be social problems associated with living near trees/hedges.

Examples of such problems are:

- Falling leaves, sap, fruit, nuts, bird droppings or blossom
- Reduction or increase of moisture to gardens
- Suckers or germinating seedlings in gardens
- Leaves falling into gutters, drains or onto flat roofs
- The build-up of algae on fences, paths or other structures

Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out. As with leaves, honeydew is not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with honeydew.

A tree/hedge on Council land is causing damage to my property

We will cut back trees/hedges from properties where they touch windows, walls, roofs or gutters. This will ensure that damage to property such as aerials, tiles or gutters is avoided.

Cases of direct root damage will be considered on an individual basis. A balance will be struck between the nuisance experienced by individuals and the benefits offered by the tree/hedge to the wider community.

We will not normally take action in response to complaints that Council trees/hedges are damaging drains. Trees/hedges do not have the capacity to break into a sound drain, but they will ruthlessly exploit any existing fault.

The removal of one tree will not prevent other vegetation from exploiting the same opportunity.

The appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight.

I have reported a problem how soon will the tree/hedge be inspected?

Unless there is a genuine emergency, which will receive immediate response, Inspections resulting from your enquiries will be processed within 30 days.

Telephone calls, correspondence and e-mails will be responded to as soon as possible. You will be informed of how long it will take your enquiry to be dealt with and be given an indication of the date when an inspection will take place.

Following the inspection, you will be informed of what action is planned and when work, if any, is to be carried out. This work will be undertaken in accordance with a priority-based system.

It will not be standard practice to consult with residents for works that are considered to be routine maintenance works, or where due to Health and Safety implications removal needs to be undertaken quickly.

Priority system for remedial tree/hedge work

We will implement a policy for pruning and felling trees based on the Council's legal obligations as a land owner and manager of trees/hedges and the financial resources available.

There will be a presumption against the removal of trees/hedges, which are healthy, but subject to complaint, unless the basis of the complaint has an overriding justification and no alternative management practice can be implemented.

Where remedial work to a tree/hedge is identified as being necessary following an enquiry, this will be added to a scheduled programme of Arboricultural works and be undertaken in accordance with the following priority-based system:

Each particular job will be categorised and will reflect on the urgency of the situation, the degree of inconvenience being caused and the best time of year for the work to be undertaken.

Tree Survey Report

Each tree in the ownership of the council will be independently inspected every three years by qualified and experienced independent arboriculturalists. The reports provided following each survey indicate the action needed to ensure public safety and to promote good management for the future health of our trees. These reports form the basis of our tree management programme and only where circumstances have changed since the report was issued will additional works be considered. Recommended works are carried out in order of priority.

Dangerous Trees

If you see a tree on Council or public land that you feel is dangerous please call us to let us know. We will inspect the tree as a matter of urgency and take any necessary action to remove the danger.

Storm Damage

When storms or high winds occur we may receive a high number of reports of damaged trees. We will assess the level of urgency for each reported problem and will deal with them as quickly as we can in order of priority.

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