

## **BROCKENHURST PARISH COUNCIL**

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## **TREE MANAGEMENT POLICY**

### **1 Introduction**

1.1 This policy sets out Brockenhurst Parish Council's approach to the management of trees on land it owns or leases, namely:

- St Nicholas Churchyard, the part for which it is responsible
- The playground at the village hall in Highwood Road
- The War Memorial Garden in Sway Road
- The allotments at Black Knowl off Meerut Road

1.2 Other councils, organisations, companies and private individuals may need to be contacted if a tree(s) is located on their land.

1.3 If a tree falls and causes injury or damage, the relevant landowner could be held negligent if they have failed to take sufficient care of the tree. Therefore, as a landowner, the Council has a duty of care to ensure that all trees on Parish Council-owned or leased land are kept in an acceptable condition and do not put people or property at unreasonable risk.

### **2 Inspection**

2.1 All trees on Council-owned/leased land will be inspected by a qualified tree inspector, currently under contract with New Forest District Council, and any recommendations made will be considered by the Council in line with this policy.

Trees at the Churchyard will be inspected annually. The Allotment trees will be inspected every two years and the trees at the playground and War Memorial will be inspected every three years. Subject to any urgent matters arising.

### **3 Maintenance**

3.1 The Council will adopt a proactive approach to tree maintenance. However, only essential/ minimal works will be undertaken in order to manage a tree because the Council supports a policy of tree preservation. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at that time.

3.2 Regular inspections will be carried out to identify issues at the earliest juncture, so that preventive action can be taken where possible. Areas close to roads, buildings and with high public usage will be prioritised.

3.3 As a guide, tree works will be undertaken in the following circumstances:

- Where an inspection has identified the tree as potentially hazardous or an immediate danger.
- If the works are vital to the tree's long-term survival. Dead, dying or diseased trees will be fully removed only when there is no other option, or when the risk of a later removal would be a health and safety issue.
- To abate an actionable nuisance where branches are touching buildings e.g. physical contact with walls, windows, gutters.
- When previous maintenance regimes have determined future works are of the same specification for that specimen e.g. pollarding, crown reduction.

3.4 The impact on local wildlife of all tree works, specifically felling and pruning, will always be thoroughly considered, with the impact minimised where possible.

3.5 Routine, scheduled tree works will be carried out, wherever possible, outside the bird nesting season (February-July). Where works must be carried out between February and July, then thorough checks will take place to ascertain that no birds are nesting in that vicinity.

3.6 Where appropriate, dead and fallen wood will be left on site unless there are sound conservation and safety reasons for its removal.

3.7 All tree work will be carried out by a qualified tree surgeon appointed by the Parish Council and in accordance with BS/3998/2010 Recommendations for Tree Work 2010 (and any subsequent revisions). All works must have Parish Council approval and must be carried out by the Parish Council's appointed Tree Surgeon based on their professional advice.

3.8 When a tree must be felled, wherever possible at least two or more replacement tree(s) should be planted either adjacent to the original, or at another location on Parish Council owned/leased land and with appropriate permissions sought.

## **4 Protected Trees**

4.1 A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.

4.2 It is an offence to cut down, lop, top, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice to the New Forest National Park Authority (NFNPA).

4.3 Additional approval will be obtained from the Tree Officer at NFNPA for trees on which there is a TPO.

## **5 Requests for Tree Work**

5.1 Whilst the Council will consider the impact of trees in each case on individual merit, the Council will not fell or prune trees on Parish Council-owned or leased land if it is for any of the following non-arboricultural reasons:

- Solely to alleviate problems caused by natural and/or seasonal phenomena e.g. falling leaves, fruit, seeds/berries, bird droppings, pollen etc.
- Solely for reasons of increasing sunlight/views to properties and gardens.

- Solely for the reason that the tree(s) is/are causing interference with television or satellite reception. In most cases the problem can be resolved by relocating the aerial or satellite dish. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning to enable clear television reception would only be considered in exceptional circumstances.

5.2 Adjacent landowners have a common law right to prune back tree branches to their boundary, providing that would not lead to tree death and providing the tree in question is not protected by a TPO or situated within a Conservation Area.

5.3 Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Tree felling and branch pruning in response to root invasion in gardens would not normally be appropriate as such works are likely to worsen the problem. The encroachment of roots into adjoining land is not considered to amount to actionable nuisance.

5.4 Landowners are reminded that if access to Council-owned or leased land is required to carry out pruning they will require written permission from the Parish Council before carrying out such works.

5.5 The Parish Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to the Parish Clerk.

Adopted: February 2022

Next review: February 2023

To be reviewed annually or sooner if a change in tree inspector