

Lindfield Parish Council

TREE POLICY

1 SUMMARY

This is a policy for the management of trees owned and managed by the Lindfield Parish Council. Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner, filtered air. Lindfield Parish Council aims to preserve Lindfield's trees for future generations to enjoy.

The Parish Council owns trees in the following locations:

- Denmans Lane allotments
- Wilderness Field

Trees on other open spaces may be the responsibility of Mid Sussex District. Trees situated within the public highway, adjacent to the road or on roadside verges, are generally the responsibility of West Sussex County Council.

Any queries on trees belonging to Lindfield Parish Council, should be made to the Parish Council Office, telephone 01444 484115 or email: clerks@lindfieldparishcouncil.gov.uk

2 DUTY OF CARE

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.

3 WORK THAT LINDFIELD PARISH COUNCIL WILL CARRY OUT ON COUNCIL OWNED TREES

In maintaining our trees, we will:

- Remove dead, dying and dangerous trees
- Remove dangerous and damaged limbs

It is our policy to survey our trees on a regular basis. The trees will be inspected and if works are required this will be scheduled as necessary.

4 WORK THAT LINDFIELD 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.

If members of the public would like tree works carried out, on Parish Council owned tree, as per this Section, they should make their own arrangements as described below.

5 TREE WORKS ON PARISH COUNCIL OWNED TREES

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).

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- 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.
- 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 3998:1989.
- The property owner notifies us (before the work begins) of the proposed work and commencement date.

It is the responsibility of the landowner, not the Council, to ensure that a tree is not protected by planning legislation such as a Tree Preservation Order, growing within a designated Conservation Area, or subject to a Planning condition before carrying out or authorizing works

6 PRIVATELY OWNED TREES

The Council does not carry out works to privately owned trees (excluding work carried out in conjunction with other local authorities).

Date agreed:	13 August 2020
Date for policy review:	August 2021
Committee:	Environment and Amenities