

Lydiard Millicent Parish Council

Tree Management Policy

Introduction

Trees and hedges are an important part of rural and urban landscapes. They provide vital habitats and food for wildlife; and in some cases human consumption, windbreaks in open areas, absorb carbon dioxide, help control extremes of temperature next to buildings, provide shade, privacy and can assist with deadening traffic noise. Research also shows they can provide psychological and health benefits, helping to reduce stress.

Lydiard Millicent Parish Council is thus committed to a long-term strategy of planting, protecting, retaining, improving, and developing its stock of trees within the Parish, for the benefit of current and future generations. This is in line with its recognition of a Climate Emergency and ecological considerations. Where replacement or new planting is required it will encourage the planting of appropriate native, and if appropriate, fruit bearing species.

Where tree felling is necessary the Parish Council will strive to replace two trees for each tree removed, and place them in an appropriate location nearby. There will be similar replacements in relation to hedging whips. English Common and Statute Law states that land/tree owners have a duty of care to visitors, residents and passers-by when on their land and take reasonable steps to reduce the risk of death or injury. In compliance with this the Parish Council is also committed to monitoring the health and safety of its tree stock and taking appropriate action in terms of tree surgery or removal where such risk is identified.

Areas of Responsibility

The Parish Council land areas of responsibility are:

Jubilee Club House and Recreation Field, Land at The Mews, Lydiard Millicent Cemetery, The Community Field, Land at Forge Fields, Lydiard Green and Lydiard Plain.

- The Parish Council's direct responsibility for tree planting and management of trees and hedges is limited to those planted within land owned by the parish.
- However, the Council also wishes to encourage other land and property owners and developers within the Parish to adopt similar principles for the management of trees and hedges, taking into consideration their positive impact on the local environment.
- It should be noted that trees and hedges on other land, not owned by the Parish Council or private owners, come under the authority of Wiltshire Council; the local Highways Authority.
- The responsibility for cutting back trees and hedges that overhang the public highway from neighbouring land, inhibiting pedestrian or road traffic movement or vision rests with the owner/ occupier of that land; whether this is the council or private property owners.
- Legally, the owner of the property also has the responsibility to trim a tree where future growth will bring it into contact with power lines. If this is the case, residents are advised to contact the energy company which operates the power line as they will bring in a Tree surgeon and ensure safe working around power lines and may be willing to cover the associated costs. If they do not the owner will be required to have the tree trimmed, which can be dangerous, so a qualified tree surgeon should always be used.
- Finally it should be noted that a central area of Lydiard Millicent is classified as a Conservation Area and all trees in this area are protected, even if they do not have a Tree Preservation Order (TPO). Wiltshire Council must be given six weeks' notice before any work on trees within this area is undertaken.

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Tree Management on Land Owned by Lydiard Millicent Parish Council

A Tree Survey will be carried out on a 3-yearly basis by an arboriculture consultant. The initial survey report is to be sourced in January 2024.

This survey will provide a detailed health and safety assessment of all relevant trees Including:

- location mapping and species details of all trees
- identification of age and condition
- remedial tree surgery operation recommendations; classified as urgent, to be undertaken within 12 months or within 18 months
- re-inspection frequency recommendations
- tree planting opportunities

Following on from this survey:

- remedial work will be programmed and carried out as recommended by an agreed tree specialist
- re-inspections will be carried out following the frequency recommendations
- additional inspections will be carried out following storm events and/or on advice or concerns expressed by residents.
- new tree planting opportunities will always be explored
- The Parish Handyman will take a lead role in non -professional inspections, raising any concerns with the Clerk.
- Where works are required, they will be programmed as necessary. All spend will be agreed at Parish Council meetings. If urgent work is required, the Clerk will authorise work and spend inline with the Council's financial regulations.

Concerns and requests by residents in relation to trees on Parish Council

In line with the above tree management policy the Parish Council will try and ensure timely removal of dead, dying or dangerous branches or trees. However, if any member of the public suspects such work is required they should contact the Parish Clerk at clerk@lydiardmillicnet-pc.gov.uk

Occasionally, the Parish Council will receive requests from residents who live adjacent to land owned by the Parish Council to carry out tree work which has not been highlighted as essential for either the health of the tree or the health and safety of the public. The Parish Council will seek advice from a tree specialist.

However, the Parish Council has 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 proven to be the principal cause.
- remove branches nearly touching buildings, walls, roofs, fences etc.
- remove branches or trees to prevent access by squirrels or other livestock

The Parish Council will not carry out any work on privately owned trees and members of the public wishing for any of the above works, or in relation to trees not owned by the Parish Council should make their own arrangements.

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Carrying out Tree Works and Pruning Guidance

In Common Law a property owner can cut back overhanging branches to the boundary of their property. The Parish Council would normally have no objection to property owners carrying out tree work or engaging a Contractor at their expense, provided that;

- permission is first sought if work requires access to neighbouring land or to a tree on that land.
- the tree is not situated in a conservation area or protected by a TPO.
- any work done to a tree is not detrimental to its health or stability. For their own protection, members of the public should obtain advice from a qualified Tree Surgeon.
- tree pruning is carried out to an acceptable standard, in accordance with the British Standard Recommendations for tree work.
- where the neighbouring land belongs to the Parish Council, the property owner notifies the Council of the proposed work and commencement date before the work begins

Planting of New Trees

The goal of the Parish Council is to maximise tree planting. However additional tree planting on the Recreation Ground should be limited to within 2 metres of the boundary as the main area needs to remain as open ground for recreational activities.

Similarly, the option of planting additional trees on Lydiard Plain should not be implemented as this land should always be kept and maintained as open common and grassland.

Where there are opportunities for additional planting, this will be carried out on the advice of the Arborist who has carried out the most recent Tree Survey. Local residents' views will also be sought on the species, where appropriate.

Hedge Management

Hedge management on Parish Council land is integral to grounds maintenance work and the Council will liaise with residents where such work is necessary on boundary land between private and Council land.

Regardless of ownership the Wildlife and Countryside Act states that a hedge should not be cut or trimmed if the action damages active birds' nests. This period normally runs between March and August.

Adopted by the Council on 5 June 2024