

Old Marston Parish Council Tree Management Policy

GENERAL POLICY

This policy defines Old Marston Parish Council's approach to tree management on its land. It is intended to be a point of reference for the public, councillors and officers to ensure a consistent and structured approach to the management of the parish council's trees. This policy sets out a proactive and systematic method of management that will both conserve and enhance our tree population and the amenity value of our land. For sites of special character, or that have trees of particular significance, this general policy will be supplemented with the site's particular management needs.

TREE PROTECTION

Due care will be taken by the parish council to ensure that damage to trees by mowing and strimming by appointed contractors is prevented. Longer grass margins around trees may be left. Protection will be provided for newly planted or young trees where appropriate, e.g. strimmer guards or timber-sided planting boxes.

TREE INSPECTIONS

The parish council has a duty of care for its trees and will inspect trees in high risk areas by a recognised tree surgeon as necessary. High risk areas will include such areas as adjacent to the public highway, major footpaths and other areas of high use such as the parish council's play areas.

The parish council will also consider requests to conduct tree work on the council's land from members of the public. If the request concerns a potentially dangerous tree, the tree will be inspected on the same or next day. If the request is of a non-urgent nature, an inspection will be undertaken within 30 days. In all cases, the member of the public will be informed of this inspection policy and will be informed of any action to be taken resulting from the inspection.

The council recognises the importance of mature and ancient trees and will balance safety with a duty to protect the environment. Higher levels of risk will be acceptable in areas of lower footfall (e.g. the middle of a woodland site) as opposed to highly visited areas (e.g. play areas). This will allow the parish council to keep veteran trees to encourage biodiversity without creating undue risk.

TREE FELLING

The parish council will avoid felling trees unless it is necessary. This will usually be for health and safety purposes, or to prevent the spread of serious tree diseases and

pests. However, the parish council reserve the right to fell trees to prevent overcrowding, to improve habitats or restore landscapes in line with site management or where a tree is inappropriate to its location and has a significantly detrimental impact on the appearance or amenity of a site.

WOODY DEBRIS

Subject to a safety assessment and if appropriate to the specific site, large woody debris will be left in situ for the creation of wildlife habitats. Where possible, the trunks will be left standing, or lying on the ground in habitat piles. Tree stumps will also be left in situ where it is safe to do so as they provide a valuable wildlife habitat whilst they rot down.

HEDGES

Hedges are an attractive feature on our sites and provide an important habitat for a wide range of species, offering food, shelter, protection from predators, wintering and nesting sites, and act as transit corridors. It is recognised that trimming hedges too severely can have a detrimental impact on their wildlife value. Where there is no negative impact on health and safety (e.g. visibility for motorists), the parish council aims to have taller, bushier hedges. However, the parish council will ensure that hedge growth does not impair the safety of highway users nor impede their access. Unless for urgent health and safety reasons, hedge cutting will not be conducted between March and August.

In England and Wales, the 1997 Hedgerows Regulations made it against the law to remove or destroy certain hedgerows without permission from the local planning authority. The Wildlife and Countryside Act 1981 prohibits damage to the nest of any wild bird, while that nest is in use or being built, which effectively makes the removal or trimming of a hedgerow an offence in the nesting season.

MAINTENANCE

Tree work will be prioritised and carried out according to the identified hazard and risk. After investigation and inspection, the parish council will produce a programme of works within the available budgets. The emphasis will be on planned, rather than reactive, tree maintenance. The following categories will be used to categorise our tree works:

- **Emergency:** Dangerous trees requiring immediate attention
Timescale for works: Same day or next day wherever possible
- **Category One:** Essential works to mitigate hazard

Target timescale for works: Within 12 weeks of identification

- **Category Two:** Desirable works, e.g. to improve tree health, loosening/removing tree ties as the trees grow

Target timescale for works: Within 6 months of identification

- **Category Three:** Non-essential works, e.g. thinning out, formative pruning

Target timescale for works: Within 12 months of identification

Tree maintenance will be conducted by trained council officers, a competent person or by contractors subject to the nature of the work. All tree works will be conducted to comply with BS 3998: 2010 Tree Works - Recommendations.

Tree pruning will be carried out when deemed necessary following an assessment.

Pruning will be carried out:

- for health and safety reasons e.g. to remove some of the lower branches of a tree located near a road to enable traffic to pass safely
- where it benefits the health of the tree e.g. pollarding will be conducted regularly on certain species where it extends the lifespan of the tree and prevents splitting
- where it is in-line with site-specific management plans

There may be times when the tree maintenance the parish council conducts, does not meet the expectations of members of the public requesting works. In this situation, members of the public are advised to follow our **Complaints Policy and Procedure**.

When the parish council will not undertake tree pruning or removal maintenance:

- in response to natural occurrences that do not pose a health and safety risk, such as falling nuts, bird droppings, falling leaves, or sap exudation
- where trees have a negative impact on television reception, where the canopy is blocking lighting, with the exception of street lighting
- where the tree is blocking views from a residence
- during the nesting season (March to August), unless the work is for urgent health and safety reasons. It is an offence to intentionally damage or destroy the nest of any wild bird while it is in use or being built; therefore tree works will avoid this if a tree contains roosting bats (it is a criminal offence to recklessly or intentionally disturb bats, or to damage or destroy a roost). If work is required for health and safety reasons, the advice of English Nature will be sought.
- trees overhanging an adjacent property unless it poses a health and safety risk

- removal of dead branches (conduct crown cleaning) from trees located in relatively quiet locations due to their ecological value. However, if the dead or diseased branches pose a health and safety risk or are felt to be impacting upon the tree's health, crown cleaning will be conducted.

Adopted:	Minute Reference	Signed by Chair
16 th May 2022	22/05/20	Duncan Hatfield
15 th May 2023	23/05/19	Duncan Hatfield
May 2024		

TREE PRESERVATION ORDER – Oxford City Council responsibility

Tree Preservation Orders (TPOs) protect trees where appropriate in the interests of amenity. TPOs can protect individual trees, groups of trees, areas of trees or woodlands.

Trees that are suitable for protection in this way are usually those that are visible from a publicly accessible place, and their removal would cause significant harm to the environment.

Before making an order we need to be sure that:

- The trees are at risk and that it is expedient to make an order.
- There will be a reasonable degree of public benefit

For more information see the government's guide [Protected trees: a guide to tree preservation procedures](#).

Work on Trees Protected by a TPO

You need our permission before you carry out any works to a tree that is protected by a TPO. The maximum penalty for carrying out works to TPO trees without consent is £20,000.

Such work includes:

- Cutting down
- Uprooting
- Topping
- Lopping
- Wilful damage or wilful destruction

It is not an offence to undertake work to a TPO tree that is dead, dying or has become dangerous. However, the burden of proof that that a tree is exempt from the need for consent because of the condition of the tree(s) lies with the person carrying out the

work. Anyone proposing to do work under this exemption is strongly advised to contact us.

To look up Tree Preservation Orders on the Oxford City Council website go to: https://www.oxford.gov.uk/info/20198/trees_woodlands_and_hedges/696/tree_preservation_orders to look up tree preservation orders, consent is needed to work on a protected tree, if you wish to undertake felling or crown reduction, please discuss your proposals with Oxford City Council before submitting an application.