



Worth Parish Council

Tree and Land Management Policy

ADOPTED October 2019

REVIEWED October 2021

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1. **INTRODUCTION**

- 1.1 The Worth Parish Council Tree and Land Management Policy sets out a proactive method of management that will both conserve and enhance the Parishes tree population and the amenity value of its land.
- 1.2 For sites with specific management needs, this general policy will be supplemented with site specific management plans.
- 1.3 This policy is intended to provide a guideline for the management of trees and land in Worth Parish Council owned locations. It is not exhaustive and is subject to change. The policy will be reviewed every 2 years and proposed amendments will be submitted to the Council for approval.
- 1.4 As a landowner, Worth Parish Council has a legal duty of care to all persons using its land to ensure that it has taken reasonable action not to put people or property at risk of injury. Landowners are not expected to maintain their trees in a completely safe condition, but risk needs to be evaluated and controlled.
- 1.5 To maintain this duty of care, the Parish Council ensures that its trees are regularly inspected. Our approach to tree management focuses on being proportionate, reasonable and balanced when considering risks from trees.

2 **The value of trees**

- 2.1 Trees are essential to life and have many positive impacts on many aspects of our lives and on the environment, including:
 - Contributing to and improving the amenity value and appearance of our town, contributing to residents' quality of life and sense of well-being
 - Reducing air pollution and releasing oxygen for us to breathe
 - Reducing wind speed
 - Providing shelter and a haven for all sorts of wildlife, including birds, bats and insects
 - Reducing noise levels
 - Providing shade
 - Reducing flooding
- 2.2 Worth Parish Council acknowledges the importance of maintaining a varied and sustainable tree population that is appropriate to the character of all Council-owned land and will allocate sufficient resources to ensure that it is able to manage the trees that it owns, in line with its Business Plan and key objectives for the Parish Council.
- 2.3 Worth Parish Council will take advice from professional arboricultural consultants in relation to recognising and putting in place any specific management regimes for locally important trees.

2.4 The tree policy is split into the following sections. Further details on each section are set out below.

- Risk zones & Frequency and method of inspection
- Tree works and contractors – safety, standards of work, insurance, training, emergency works, wildlife
- Tree Preservation Orders, Conservation Areas and the management of veteran/ancient trees
- Tree planting and maintenance
- Pests, diseases, biosecurity
- Requests for tree works
- Further information/resources.

3. Risk zones & Frequency and method of inspection

Zone	Risk Level	Description	Frequency of Inspection	Areas Included
Zone 1	High	High use areas including intensively used footpaths, bridle paths, car parks, sports clubs and areas adjacent to public highway	Annual visual inspection and/or after winds in excess of 40 mph/heavy snow fall. Carried out by experienced WPC groundsmen Health and Safety surveys carried out every 3 years by Arboriculture consultant	• Entrance to Copthorne Village
Zone 2	Medium	Lesser used footpaths/bridle paths, general recreation/common land areas, allotments	Visual inspection after winds in excess of 40 mph/heavy snow fall. Carried out by experienced WPC groundsmen Health and Safety surveys carried out every 5 years by Arboriculture consultant	• Crawley Down Allotments • Crawley Down Village Green • Crawley Down Cricket Ground* • Crawley Down Scout Hut • Burleigh Way car park • King Georges Field/Pavilion • Copthorne recreation Ground • Copthorne Green
Zone 3	Low	Areas in which there are no formal public footpaths, densely wooded areas	No routine inspection procedure; as required	None

*The Council is responsible for the perimeter/boundary only, not the open space area

4. Tree works and contractors

4.1 It is important to the Parish Council that its trees are maintained to a high standard. Poor tree pruning can look unsightly but also reduce the life

expectancy of a tree. The Parish Council uses appropriately accredited consultants and contractors to undertake surveys and works on its behalf.

- 4.2 The Parish Council ensures that all of its contractors and consultants have the appropriate insurance cover.
- 4.3 All contractors when working on the public highway are required to comply with: NRSWA guidance and street works and road works code of practice.
- 4.4 Contractors and consultants should adhere to the relevant British Standard Guidance including BS3998:2010 Tree Work Recommendations, BS5837:2012, BS3936 and BS4428. Utilities contractors should refer to NJUG guidance.
- 4.5 At times we may need to consider emergency works including dangerous or fallen trees. Where the tree is owned by the Parish Council, we will inspect them as soon as practically possible, assess the risk, determine the extent of the hazard and implement health and safety measures where appropriate.
- 4.6 The Parish Council and its contractors will adhere to the Wildlife and Countryside Act 1981. Tree works are generally planned to limit their impact on wildlife such as nesting birds (season runs from March to August although some birds may nest earlier or later than this), unless the work is for health and safety reasons.
- 4.7 Tree work will not be conducted 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 the Bat Conservation Trust or Natural England will be sought.

5. Tree Preservation Orders, trees in Conservation Areas and ancient trees

- 5.1 Mid Sussex District Council has duties and responsibilities under the Town and Country Planning Act, Government Regulations and Circulars to protect trees within its administrative area in the interest of amenity. These duties and responsibilities extend to making Tree Preservation Orders (TPO) and to special provisions for trees within Conservation Areas.
- 5.2 The maximum fine for the wilful destruction of a TPO tree is £20,000 per tree; in a Crown Court, the fine is unlimited. Wilful damage carries the maximum fine of £2,500 per tree.
- 5.3 Many trees throughout Worth Parish and the district as a whole are protected through individual Tree Preservation Orders (TPOs)
- 5.4 Both the Parish Council and individual property owners are obliged to seek permission from Mid Sussex District Council before undertaking tree works to any tree covered by a TPO or sited in a conservation area. This includes the pruning of trees under a preservation order or in a conservation area that are

over-hanging a property boundary. A tree becomes protected by a conservation area if it has a trunk diameter exceeding 75mm when measured at chest height (approx. 1.5m above ground).

- 5.5 The District Council has up to eight weeks to determine applications for works to TPO trees.
- 5.6 The District Council hold a list of registered works to TPO and conservation area protected trees that is published in the weekly planning applications, tree work applications and decisions list. This list can be viewed at: www.midsussex.gov.uk
- 5.7 There are currently no ancient trees or woodland sites on Worth Parish Council owned land. Should an ancient tree or ancient woodland be identified on Parish Council-owned land, the Parish Council will manage the tree accordingly, under professional guidance. It is anticipated that some trees on Parish Council owned land could be identified and managed to become ancient trees of the future.

6. Tree planting and maintenance

- 6.1 From time to time, trees need to be felled. To maintain the tree population across the Parish Councils open spaces, generally where a tree has been felled, a new tree will be planted although not necessarily in the same location that it has been removed from.
- 6.2 The right tree for the right location will be practiced. Consideration will be given to species that will enhance an area, achieve a mix of species (native/non-native), form a feature, be planted for conservation value, achieve publicity, enable sponsorship, and encourage community engagement.
- 6.3 The care and maintenance of new trees is important. Trees when first planted are at their most vulnerable. A new tree is more likely die in first 5 years than any other time. Planting considerations will include support (ground anchoring, stakes, ties), irrigation methods (pipes, gator bags), watering schedules, protection (trimmer guards).
- 6.4 Ongoing maintenance will include regular inspection, loosening ties, mulching, and removal of stakes.

7. Pests, diseases and biosecurity

- 7.1 The Parish Council will seek advice from and work with relevant professionals and agencies such as the Forestry Commission should there be any pest or disease outbreaks that may affect the local tree population.
- 7.2 Any action taken will be balanced and proportionate to the risks associated with the pest or disease.

8. Requests for tree works

- 8.1 The Council receives regular requests from residents for tree works to be undertaken. We must maintain a consistent approach when responding to these requests and have the following approach in place.

General nuisance

- 8.2 Tree pruning or removal will not be undertaken in response to natural occurrences that do not pose a health and safety risk, such as falling leaves, fruit, flowers (blossom), bird droppings or honeydew (sap).
- 8.3 The Parish Council will not remove bird droppings from private land. Honeydew is a natural and seasonal problem. The Parish Council will not pay for private vehicles to be cleaned. Where honeydew does affect cars, warm soapy water will remove the substance. Where new trees are planted in high car use areas the Parish Council will aim to choose trees that are less likely to have this problem.

TV and radio signals

- 8.4 Tree pruning or removal will not be undertaken to prevent interference which can be made worse when leaves are on the trees or in bad windy or rainy weather. An engineering solution can usually be found to resolve these circumstances.

Light

- 8.5 Tree pruning or removal will not be undertaken to improve natural light into a property.

Views

- 8.6 Tree pruning or removal will not be undertaken where the tree is blocking views from a residence.

Telephone wires

- 8.7 Tree felling will not be undertaken to solve interference problems. Tree pruning maybe undertaken where it is deemed to be an effective measure.

Touching a building

- 8.8 Where a tree is touching a property (house, wall, garage etc.) the Parish Council will take action to remove the nuisance.

Overhanging property

- 8.9 Trees will generally not be pruned where they are overhanging an adjacent property unless it poses a health and safety risk

- 8.10 Property owners have a common law right to cut back overhanging branches as far as their boundary unless the tree is protected by a Tree Preservation Order or is in a Conservation Area.

Size

- 8.11 Tree pruning or felling will not be undertaken because a tree is considered to be too big or too tall or swaying in the breeze. A tree is not dangerous unless other problems are identified/shown.

Roads, cycleways, footpaths, street furniture

- 8.12 The responsibility of these items will vary. The Parish Council can be contacted in the first instance, but you may be referred to Mid Sussex District Council or West Sussex County Council.

Subsidence

- 8.13 If you believe any Parish Council owned tree is causing an issue, we would advise you to contact your property insurer in the first instance to discuss your concerns. The Parish Council will deal with any allegations on a case by case basis.

Drains

- 8.14 Pruning or removal will not be undertaken to prevent roots entering a drain that is already broken or damaged.

Vandalism

- 8.15 The Parish Council will generally plant larger trees in high visibility areas as they are more difficult to vandalise. The Parish Council promotes tree planting and encourages the local community to participate and care for the trees in the neighbourhood.

Anti-social behaviour

- 8.16 Where a tree(s) is/are associated with anti-social behaviour, steps may be taken to reduce the problem in association with other agencies including the Police.

9. Further information/resources for trees

- 9.1 Tree Preservation orders - You can find out more information about the status of trees in the district on the Mid Sussex District Website: treeenquiries@midsussex.gov.uk or contact Tel: 01444-477445
- 9.2 Trees on road verges and adjacent to the Highway. These are the responsibility of West Sussex County Council or in some circumstances Mid Sussex District Council.

Contact West Sussex Highways via their website: www.westsussex.gov.uk or Mid Sussex District www.midsussex.gov.uk

- 9.3 Managing trees on your property - Assessing whether a tree on your property is safe should be done by a qualified expert. This is not a service offered by the Parish Council but details of tree contractors and consultants operating throughout the UK are available from the Arboricultural Association. Reliable and trustworthy tradespersons can also be found via the Trustmark website, a Government approved scheme.

10. **Land Management**

- 10.1 The Council owns and/or manages areas of open space land within the parish, these being:

Copthorne Pavilion/King George's Field	Copthorne
Recreation Ground	Copthorne
The Green	Copthorne
Scout Hut	Crawley Down
The Green	Crawley Down
Allotments	Crawley Down

Maintenance activities for this land includes grass cutting, hedge cutting, litter picking and general upkeep. The level of maintenance will be proportionate to the use of the land, and/or any agreements that the Council has with other bodies in relation to the land.

10.2 **Sale of Council land**

The Council will not sell any areas of land in its ownership, and it believes that this should be retained for the enjoyment of future generations.