

BACKGROUND.

Trees, hedges, grass areas and ditches are an important part of both rural and urban landscapes.

They –

- Provide vital habitats and food for wildlife.
- Provide windbreaks in open areas.
- Reduce pollution by cleaning the air.
- Prevent flooding.
- Help control extremes of temperature next to buildings.
- Assist with deadening traffic noise and.
- Can provide psychological and health benefits as well as reducing stress.

In addition, with the current focus on ‘Climate Change,’ trees in particular play an important part in addressing this issue through the sequestration of carbon dioxide

Swanscombe and Greenhithe Town Council (‘the Council’) is committed to a long-term strategy of planting, protecting, retaining, improving, and developing the stock of trees, hedges, shrubs on land belonging to the Council and in addition will seek to improve the quality and quantity of trees and vegetation within the Town.

The Council may, where replacement of new planting is required, encourage the planting of appropriate native species and, where tree felling is necessary, strive to replace trees or hedging whips for each tree removed and place them in an appropriate location.

The Council will seek to encourage other land and property owners within the Town to adopt similar principles for the management of trees having consideration to wildlife and the whole community where possible.

INTRODUCTION.

This Tree Planting/Management Policy (*‘the Policy’*) is designed to be a framework for the management and planting of trees not only on land which the Town Council owns or manages but also on land within the Town boundary. The Policy will also inform the approach to Tree Surveys; consultations with businesses; assessment of Planning Applications and enquiries from residents.

The Council has a duty of care to ensure that work is not undertaken on protected trees within the Town without the appropriate permissions being sought.

The Council, as a consultee, will consider the impacts on trees and related ecosystems of any Planning Applications placed before it, including residential, commercial or highways and pathways applications (Traffic Regulation Orders).

SECTION A – TREE MANAGEMENT.

TREE MANAGEMENT PRINCIPLES.

A principle of English Common and Statute Law is that land and tree owners have a duty of care to visitors, residents, passers-by and even trespassers on their land. The Council has a statutory duty under several Acts of Parliament to ensure, **so far as is reasonably practical**, its trees are safe and not a danger to the public.

The Council will ensure that trees on land within its ownership, or management, are retained wherever possible and are given appropriate protection from the effects of commercial and residential development and construction activities, including installation of underground utilities, paths, and cycleways

The Council will avoid felling trees unless deemed necessary usually for health and safety reasons or to prevent the spread of serious tree diseases and pests. The Council will reserve the right to fell trees to enhance or maintain a habitat, to prevent overcrowding, to restore landscapes in line with a particular site-management plan or to remove a tree that is inappropriate to its location, and which has a significantly detrimental impact on the appearance or amenity of a site

The main principles adopted by the Council under this Policy are to: –

- retain trees wherever possible.
- assess trees on their likely risk to people and property with the assessment based on competent advice from a Qualified Arborist.
- set up a regular programme of inspections (Tree Surveys).
- identify trees that present the greatest risk, taking remedial action as necessary using fully qualified practitioners and where felling is recommended to ensure correct permissions are in place and that the tree has been assessed for protected wildlife.
- endeavour to undertake work outside of the period from 1st March to 31st August unless advised otherwise by a Qualified Arborist or it is imperative that such work is undertaken.
- notify nearby residents in advance where major tree works will take place adjacent to residential properties.
- ensure all tree work are carried out to the relevant British Standard for 'Recommendations for Tree Work'
- make clear the circumstances in which the Council will not consider remedial work (*See 'Exceptions from Consideration for Remedial Works' below*)

EXCEPTIONS FROM CONSIDERATION FOR REMEDIAL WORKS.

The Council will not, unless legally obliged to do so, consider undertaking remedial works to otherwise healthy and well-formed trees in the following circumstances –

- to create or reinstate private views.
- loss of light or shading of gardens, rooms, or solar panels or where the canopy is blocking light.
- due to the size or height of a tree (*trees are naturally large organisms*).
- trees and branches overhanging adjacent property, outbuildings, or gardens unless they pose a health or safety risk.
- reduced security by virtue of concealment or reduced visibility.
- alleged damage to property/gardens by roots or branches (direct or indirect).
- interference with transmitted signals (TV, satellite, cable or other forms of electronic communication or reception).
- interference with BT & electricity company services.
- during the bird breeding season unless work is required for urgent health and safety reasons.
- where a tree contains roosting bats unless work is required for urgent health and safety reasons.
- presence of vermin.
- in response to a natural event that does not pose a health and safety risk such as falling of matter such as nuts, shedding of leaf, seed, fir cone, twig, flower litter, fruit debris, general vegetative detritus, and wildlife/bird droppings.
- vandalism.
- dripping secretions such as honeydew or sap.
- hayfever/allergies.
- dampness, algae, moss, and fungal growth unless required for the health of the tree or surrounding trees.

TREE SURVEYS.

The Council will have in place a planned inspection programme which ensures the trees for which the Council has responsibility are inspected as often as is necessary. Inspections will be undertaken by a Qualified Arborist who is a suitably experienced and competent person to undertake Tree Surveys based on a 'risk assessment approach'.

Areas of land with Council managed trees will have Tree Surveys undertaken on a cyclical basis.

The Arborist will produce Tree Survey Reports which identify any actions that need to be taken and qualified Contractors will be sought to undertake the necessary remedial works.

Where necessary, during Tree Surveys, the Arborist will consider how the risk of accidents can be reduced and these will be identified in the Tree Survey Reports.

TREE PRESERVATION ORDERS (TPO) & THE CONSERVATION AREA.

The Council will apply to Dartford Borough Council, as the Local Planning Authority, when remedial work is required on a tree which it owns that has a TPO or is in the Conservation Area.

LOCAL AUTHORITY POWERS.

Local Authorities have certain powers to deal with dangerous trees not on their land which overhang or affect the management of the road or land. The main highways and roads within the Town are owned and maintained by Kent County Council who will, if necessary, give notice to an owner of a tree or trees requiring them to cut or prune the tree(s); if the owner fails to comply the Authority may carry out the work and charge the owner.

ACCESS FROM PARISH LAND TO CUT TREES.

Where access from land owned by the Council is required by any person wishing to carry out work on trees owned/managed by that person permission to do so should be sought from the Council before any work commences.

NEIGHBOURING PROPERTIES – OVERHANGING BRANCHES FROM COUNCIL TREES.

Where a neighbour has concerns about branches of Council owned/managed trees overhanging their property they are required to contact the Council before attempting to undertake any work so that a dialogue can take place as, where work taken in isolation, the result can be an un-balanced tree which is not a desirable outcome. Although there is a legal right to trim overhanging branches, but only from within the adjacent property boundaries this can only be done if it does not have any detrimental effect on the tree and, the cut branches must be offered back to the Council. Any works requested must be undertaken by a Qualified Arborist approved by the Council and at the requestors' expense.

The Council will work with neighbours to resolve any problems associated with overhanging branches as there are often a variety of solutions the best of which will be sought by the Council for the individual tree in question especially as the tree may have been subject to a Tree Survey.

UNAUTHORISED CUTTING OF TREES ON TOWN COUNCIL LAND

Following the discovery of unauthorised tree works, an inspection would be undertaken by the Town Councils approved Tree Surgeon. The cost of the inspection, and any resulting works undertaken to ensure the health of the tree, would be invoiced to the person/s who undertook the original unauthorised works.

SECTION B – TREE PLANTING.

Due to restrictions placed on the planting of trees on land which is in the ownership or management of a higher tier of Local Government all planting of trees by the Council will be limited to land under the ownership of the Council or any land leased to the Council provided that all required permissions have been obtained.

The Council will investigate available funding streams to finance tree planting.

