

SLYNE WITH HEST PARISH COUNCIL

TREE POLICY

RESPONSIBILITY

Slyne with Hest Parish Council Trees and hedges on Parish Council owned land

Recreation Field, Memorial Hall Field, Church Triangle, Peacock Lane gardens, Pound and Stocks, Burial Ground, Foreshore

Leaseholders Trees or hedges on land leased to Slyne with Hest Bowling Club, Slyne with Hest Football club, Farmer

Bowling green and surrounds at the recreation field, land at Bottomdale

Lancaster City Council Trees & hedges on Lancaster City Council land within the parish in line with Lancaster City Council's Tree Policy -refer to

www.lancaster.gov.uk

City Council housing land - 'Manors'

Lancashire County Council Trees and hedges on County Council land -highways and roadside verges -refer to www.lancashire.gov.uk reporting service for any issues

Private Ownership -any trees and hedges on privately owned land

POLICIES FOR COUNCIL TREES

Tree-dangerous requiring immediate action:

Council tree that is dead, dying or dangerous

Policy: If a council owned tree is in such a condition that it poses a very high risk to people or property and is considered to be an emergency situation, depending on the location the Police will be alerted, and contact made with Lancaster City Council's Emergency Tree Contractor or a local tree expert. The Council will aim to have the tree made safe within one hour or as soon as possible thereafter.

Very High risk - emergency situation.

Tree-dangerous requiring action but not imminent danger :

Council tree raising concern that tree may be dangerous (part or whole tree)

Policy: If a tree is identified as dangerous, but the risk to the public is not immediate then the tree will be made safe depending on the degree of risk identified at the time of inspection. If High Risk action taken within 6 months or if Medium Risk within 18 months.

All Trees on Parish Council land

Policy: to inspect all trees at least every three years for signs of deterioration and potential danger.

HIGHWAY ISSUES

A council tree causing an obstruction to a sight line/junction on the highway:

Policy: The council will undertake work to a tree in council ownership to maintain clear site lines at junctions and access points (associated with a street, or road).

A council tree causing an obstruction to roadway (height or width obstruction) or road signs or lighting columns on the highway:

Policy: The council will undertake work to a tree in council ownership to maintain roadways obstruction free with clear signs and street lights

A council tree causing an obstruction to a public footpath associated with a street, road, or highway and public right of way (height/width restriction) due to the growth of branches:

Policy: The council will undertake work to a tree in council ownership to maintain clear access along highways, roads and footpaths

A council tree alleged to be causing any other highway or access issues:

Policy: The council will undertake to make an inspection of the tree (or hedge) in an attempt to resolve the problem.

A tree or hedge on private land causing any of the above obstructions:

Advice: If a privately owned tree or hedge is causing an obstruction powers exist under the Highways Act to make the owner remove the obstruction.

Policy: The council will make a written request to the owner to carry out work on the tree or hedge to remove the obstruction, within a time scale -usually one month from the date on the letter.

If they do not, the council may use its authority to do the work and recharge the owner.

The Local Authority has powers to require a private individual to make safe a tree via Local Government Miscellaneous Provisions Act 1976

OVERHANGING TREES OR THEIR BRANCHES

Trees on Council Land

A parish council tree encroaching on to private property (due to branches or roots)

Policy: The Council will not prune or fell a tree in council ownership to alleviate the nuisance of overhanging branches.

A complainant will be informed of the council policy within 21 days of receipt.

Under English Common Law there is a general right to cut overhanging branches back to a property boundary. It is advised that the owner of the tree/hedge is consulted however the owner of the tree/hedge (in this case the parish council) is not usually obliged to cut them back.

A person intending to cut overhanging branches must not go beyond the boundary or 'top' someone else's trees without their permission and normally the branches should be returned unless disposal of them is agreed otherwise beforehand.

Following inspection, the Council would normally expect to agree to any requests for the removal of branches which could be a danger but not to simply prevent leaf fall in autumn, prevention of bird droppings, shading of garden areas or similar circumstances.

A person will be advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are trivial meaning the works could be done with hand secateurs or similar

Note: If the tree is protected by a tree preservation order (TPO) or in a conservation area application for written permission from Lancaster City Council is required before work is undertaken. In order not to be in contravention of legislation to protect nesting birds it is advised that work on trees and hedges is not carried out between 1st March and 31 July in any year

Acknowledgment: Reference made to Lancaster City Council's Tree Policy

Adopted 20.07.2020 Minute Ref 2884