HATFIELD BROAD OAK PARISH COUNCIL

Reviewed: 02.12.2024
Next Review Date: December 2025

Tree Policy

This is a policy for the management of trees and managed by Hatfield Broad Oak Parish Council.
A principle of English Common and statute Law is that land/tree owners have a duty of care to visitors, residents, passers- by and indeed trespassers when on their land.

Any queries on trees belonging to Hatfield Broad Oak Parish Council, should be made to the clerk email: parishclerk@hatfieldbroadoakpc.gov.uk

Trees on other spaces may be the responsibility of Uttlesford District Council 01799 510510. https://www.uttlesford.gov.uk/

Trees situated within the public highway, adjacent to the road or on roadside verges are generally the responsibility of Essex County Council you can contact them on 0345 743 0430 or https://www.essex.gov.uk.

Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner, filtered air. Hatfield Broad Oak Parish Council aims to preserve Hatfield Broad Oak's trees for future generations to enjoy.

1. Work that Hatfield Broad Oak Parish Council will carry out on Parish Council Owned Trees.

In maintaining our trees, we will:

- Remove dangerous limbs and trees
- Where appropriate remove damaged limb(s), dead and dying trees
- Maintain vehicle sight lines on Parish Council Land as required by highways

It is our policy to survey our trees on a regular basis, but if trees require work under this section,members of the public should contact: parishclerk@hatfieldbroadoakpc.gov.uk

The trees will be inspected and if works are required this will be programmed as necessary.

For all work carried out on private land by contractors employed by the Parish Council, prior permission would be sought before any work commenced.

2. Work that Hatfield Broad Oak Parish Council will not carry out to Parish Council Owned Trees.

We have 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.

Tree Policy

- Remove roots from drains or repair root damage to structures, where the tree has not been clearly demonstrated to be the principle cause.
- Remove branches or trees to prevent potential root damage to structures.
- Remove branches nearly touching buildings, walls, roofs, fences etc.
- Remove branches or trees to prevent access to squirrels or birds.

If members of the public would like tree works carried out as per this section, they should make their own arrangements as described below. The Parish Council reminds residents and landowners that pruning may be carried out on unprotected trees (i.e. not subject to a Tree Preservation Order) where they overhang your property, **VERTICALLY** in line with your boundary.

3. Carrying out Tree works yourself and Pruning Guidance.

In common law, a property owner can cut back overhanging branches to the boundary of his/her property. All pruning material must not be thrown back over the boundary, as this could be classed as flytipping.

The Parish Council would usually have no objection to property owners carrying out tree work or engaging a contractor at their own expense, provided that:

- Access is not gained onto neighbouring land or to a tree within that land; if access to our land or to a tree on that land is required, our permission must be sought.
- Where trees are in public community areas and access is required to carry out pruning, you will require written permission before carrying out such work from the community area.
- The tree is not situated in a Conservation area or protected by a Tree Preservation Order (TPO). Applications can be made to Uttlesford District Council for permission to work on a tree with a TPO or in a conservation area.
- Any work done to a tree is not detrimental to its health or stability; for their own protection members of the public are advised to obtain advice from a qualified tree surgeon.
- For tree pruning work, whoever does the work, it is carried out to an acceptable standard, in accordance with the British Standard Recommendation for Tree Work 3998:1989.
- The property owner notifies us (before the work begins) of the proposed work and commencementdate.

The Council does not carry out works to privately owned Trees

4. Tree Removal

The Parish Council will avoid felling trees unless it is necessary. Tree felling will usually be for health and safety purposes, or to prevent the spread of serious diseases and pests. The Parish Council reserve the right to fell trees to prevent overcrowding, to improve habitats, to restore landscapes in line with site management or to

Tree Policy

remove a tree that is inappropriate to its location and has a significantly detrimentalimpact on the appearance or amenity of a site.

5. Severe Weather Closures

Parish Council Owned Land:
In line with the tree management practices of the National Trust at Hatfield Forest, the policy for Hatfield Broad Oak is to endeavour to temporarily close the open spaces at the Village Green and Recreation Ground in the event of severe weather or other conditions that may pose a risk to public safety. These closures will be enacted to protect the public from potential hazards, such as falling branches or unstable trees, which may arise due to high winds, storms, or other adverse weather conditions.

The closures will be communicated in advance where possible, and the areas will remain closed until it is deemed safe for the public to return. This proactive approach is designed to ensure the ongoing safety of the community and to preserve the integrity of the local environment.

6. Emergency Procedures

If a tree presenting a hazard is observed by a member of the public and is deemed potentially dangerous and constitutes an emergency, then the appropriate authority should be notified to enable a prompt response to be made.

An emergency would be classed as:

- Imminent danger to property or persons.
- A blocked road resulting from a fallen tree.

Emergency Contact Number, Essex Highways, **0345 603 7631**

For Trees located in the Village Green, the Recreation Ground or Ann Lees Path that are causing imminent danger to property or persons please see telephone numbers for the clerk and councillors on the Parish Council website https://www.hatfieldbroadoakpc.gov.uk/councillors.

If you are in doubt as to the rights you may have or actions you are considering taking regarding trees owned or managed by the Parish Council, please contact the clerk to discuss before proceeding.

The Parish Council also takes further advice as necessary when managing trees, in particular the tree survey and they also consider the policies of larger authorities which give a greater explanation of tree law.