

EAST DORSET DISTRICT COUNCIL

TREE WORK POLICY (Public Trees)

Introduction

The Council is responsible for the management of trees located within its parks, gardens, woodlands, open spaces and countryside sites. The Council has statutory duties of care under the Health and Safety at Work etc Act 1974 and the Occupiers' Liability Acts 1954 and 1984, to ensure so far as is reasonably practicable its trees are safe and not a danger to the public.

Many of the Partnership's trees are protected by a Tree Preservation Order (TPO) or Conservation Area designation. In such circumstances, no works can be carried out to any tree without the express consent of the Council, acting as Local Planning Authority.

The Council's parks, gardens, woodlands, open spaces, and countryside sites noted above are home to a tree stock in excess of fifty thousand (50,000). Trees are a valuable natural resource, as they:-

- soften urban landscapes making our town green and more attractive;
- screen unsightly views;
- help reduce human stress levels and provide habitat and food for a wide variety of wildlife, particularly invertebrates and birds;
- make a vital contribution to biodiversity and wild-life value;
- help improve air quality by filtering pollution, trapping harmful carbons and producing oxygen.

East Dorset is known for its natural beauty. In order to protect its charm and character, the Council has prepared and adopted Character Assessments. The Assessment identifies rural and urban character areas, the latter being further sub-divided into neighbourhood character areas; each being analysed in terms of its historical and environmental characteristics; and its sensitivity and capacity to accommodate change.

This Policy outlines how the Council will manage its tree stock.

Tree Policy

As noted above, each Partnership Council is responsible for maintaining its trees in a healthy and safe condition to ensure they do not cause legal nuisance. Work on trees is only normally carried out if a tree is dead, dying or dangerous. However, work may also be carried out on trees which are overgrowing highways and footways, obscuring public CCTV or otherwise causing a serious public nuisance.

Accordingly, the Council will seek to:

- remove dangerous trees or branches;
- maintain trees to statutory height limits above highways and footways;
- clear growth that is obscuring street lights and signs;
- replace trees that have been removed, where appropriate and practical.

Furthermore, on request of an adjoining resident, the Council may:

- prune to clear growth that is in contact with their property and causing material harm or nuisance;
- prune to stop or mitigate a nuisance that is beyond the scope of the resident to deal with themselves.

Generally, the Council itself will not prune or fell trees:

- in cases of loss of light or shading;
- because of leaf litter;
- for minor incursions onto adjoining property caused by branches;
- to create or reinstate private views;
- because of bird droppings or honeydew;
- because of poor TV, satellite or other forms of electronic communication / reception; or
- in cases of a build up of algae on fences, paths or structures.

Discretionary tree work requests by residents

Residents wishing to undertake work to Council-owned trees require the Council's prior written permission. The Council will not normally agree to work to Council-owned trees that it would not do itself.

Applications for permission to carry out any works must be made on a Tree Work Request Form (Annex A) which should be accompanied by:

- a report from a suitably qualified professional, such as, at the Council's discretion, a suitably qualified Arboriculturalist and/or Chartered Landscape Architect, detailing the impact of the proposed works on the character of the area, with reference to the Council's Borough-wide Character Assessment, and where the works are works that the Council would not normally do itself, demonstrate why the works are considered to be necessary;
- a detailed schedule of all works and methodology for how the works to be carried out with all subject trees identified on a plan (scale 1/1250);
- payment of such application fee as the Council may set from time to time;

and be supported by a petition to the Council signed by a minimum of 20 residents all of which must be directly affected by the subject tree or trees.

Upon receipt of an application the Council may ask applicants to provide habitat surveys for birds, bats, bees or other flora and fauna, where appropriate.

The resident or residents requesting the work will be entirely responsible for meeting all the costs of the proposed works together with the costs of preparing the required application, professional reports and surveys including the Council's application fee and supervision fees.

The Council may, at its absolute discretion, grant permission on such terms and conditions as it considers appropriate, but such terms and conditions will include:

- all work being undertaken outside the nesting period and comply with the Wildlife and Countryside Act 1981 and any other recognised guidelines;

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- all works must be undertaken by an Arboricultural Association approved Tree Surgeon, who shall produce to the Council evidence of having sufficient public liability insurance to cover death or injury to any person or damage or loss to property animals and other things arising out of the Works;
- are approved and overseen by the Council's Landscape & Countryside Team (for which a further fee may be payable);
- the applicant signing a licence agreement in a form agreed by the Head of Legal and Democratic Services, such agreement to make provision for amongst other things appropriate indemnities, obligations not to cause a nuisance, danger or annoyance to the Council or to the other users of the Council's land and the making good of the Council's land upon completion of the Works.

Annex A

TREE WORK REQUEST FORM



Christchurch and East Dorset Councils
delivering services together

Please read the Partnership's Tree Policy carefully before filling in this form.
This form can be used for applications to either Council in the Christchurch
and East Dorset Partnership

Your details

Full name :

Address :

Contact Telephone No:

Email :

Tree(s) details

Location of tree(s) (include details of Local Authority and a location plan) :

Species / type of tree(s), if known :

Proposed Works

Proposed works and reasons / justification for them :

I confirm that I have read the Council's policy and have attached:

- a copy of the Aboriculturalist and/or Chartered Landscape Architect's report;
- a detailed schedule of all works and methodology for how the works to be carried out;
- a 1/1250 scale plan showing the location of the trees; and
- the application fee (non-refundable)

In the event that the Council gives permission for the Works I agree to be bound by any terms and conditions that may be imposed on any permission including payment of any fees.

Signed :

Date :

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Please submit the Tree Works Request Form to: The Tree & Landscape Section, Landscape & Countryside Team, Civic Offices, Bridge Street, Christchurch, BH23 1AZ.