

Uckfield Town Council



TREE POLICY

Policy Number 48		
Issue No.	Date completed	Details of amendments
01	24.11.08	EL061.11.08
02	24.11.14	EL48.11.14

1 Introduction

- 1.1 Trees and woodlands have many landscape and wildlife benefits and even dead trees have a high wildlife value.
- 1.2. The Town Council owns significant areas of land within the Town and is responsible for the management of the trees and shrubs in those areas.
- 1.3 The Town Council appreciates the importance of encouraging the planting of native species, but accepts that in certain locations the planting of non-native and ornamental trees could be appropriate. However, wherever possible priority will be given to planting native trees on land owned or land which is donated to the Town Council.

2. Tree Preservation Orders

- 2.1. Wealden District Council has a duty, under the Town and Country Planning Act 1990, when dealing with development proposals, to retain trees and woodland to enhance their contribution to the landscape character of the District. This duty involves the administration of Tree Preservation Orders (TPO) and other forms of tree and hedge protection.
- 2.2. The District Council actively monitors sites and where a contravention of a TPO occurs formal enforcement action may be considered necessary. Anyone who cuts down, uproots, or wilfully destroys a tree or hedge or tops, lops or wilfully damages a tree or hedge in a way that is likely to destroy it is guilty of an offence. Anyone found guilty of this offence is liable upon conviction, to a fine of up to £20,000.
- 2.3. Many of Uckfield Town Council's trees are covered by Tree Preservation Orders and permission must be sought from the District Council before any works can take place.

3.0. Aims

- 3.1 The Council feels it is important that trees, whether protected by TPOs or not, are not felled or lopped unnecessarily on the basis of perceived threats and simple inconvenience.
- 3.2 Uckfield Town Council's policy regarding trees in its ownership is to retain trees and woodlands wherever possible.

4.0 Care of Trees

- 4.1 The Council does, however, have a duty of care to ensure that trees remain safe and will carry out appropriate works if a tree is dangerous.
- 4.2 The Council will carry out a survey of trees in its ownership over a cycle of five years.
- 4.3 Should residents adjacent to woodland feel that tree work is required, they should in the first instance write to the Town Council detailing the problem, e.g. overhanging branches etc. The Council will assess each request individually and respond accordingly, but at all times will have regard to this policy.

- 4.4 Should a resident wish to obtain a professional assessment of the trees from an experienced and qualified tree surgeon or Arboriculturist, the Council would consider such an assessment and may reassess the request.

5.0 Common Law

- 5.1 Under Common Law anyone can prune branches that overhang their boundary, only to the boundary, providing they return the debris to the tree's owner. However, unnecessary pruning can damage a healthy tree and reducing the height can be highly disfiguring and result in decay of structural parts of the tree.

- 5.2 Anyone wishing to exercise this Common Law right should ensure that all works comply with BS 3998: 2010 Tree work recommendations. A copy of which can be obtained from the British Standards Institution, 389, Chiswick High Road, London W4 4AL by Tel: 0208 996 7000 or downloaded from their website
<http://shop.bsigroup.com/ProductDetail/?pid=00000000030089960>

- 5.3 Before carrying out work to any trees, it is up to the individual to check whether or not any Tree Preservation Order or other statutory protection exists. This information can be obtained from Wealden District Council, Vicarage Lane, Hailsham, East Sussex, BN27 2AX. Tel: 01323 443322. Additional information about TPOs can be found at www.wealden.gov.uk

- 5.4 Anyone wishing to prune a tree, under this law, should advise the Council in writing prior to any work being undertaken.

6.0 Tree Wardens

- 6.1 Tree Wardens are volunteers who are appointed by the Town Council who gather information about their local trees and get involved in local tree matters. They report any concerns regarding dangerous or diseased trees and any unauthorised works on trees under Preservation Orders. Anyone interested in becoming a volunteer can contact the Town Council for further information. Periodic training can also be arranged for volunteers.