



Swarden Parish Council Tree Policy

This is a policy for the management of trees owned and managed by Swarden 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. This means that the Parish Council has a responsibility to take reasonable steps to reduce the risk of death or injury to those on Parish Council land.

Any queries regarding trees situated on land belonging to Swarden Parish Council, should be made to the Parish Council Office, telephone 01233 770680 or via email:

clerk@swardenparishcouncil.gov.uk.

Trees situated on other open spaces within the village may be the responsibility of Ashford Borough Council.

Trees situated within the public highway, adjacent to the road or on roadside verges, are generally the responsibility of Kent County Council. You can read about this here:

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/soft-landscape-maintenance/trees-near-roads-and-pavements>

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

Work that Swarden Parish Council will carry out on Council owned trees

In maintaining our trees we will:

- Remove dead, dying and dangerous trees
- Remove dangerous and damaged limbs
- Replace lost trees in the same or another suitable location

To ensure all new trees planted are healthy and free from disease, they must come from a reputable nursery, who can track the history of the tree for biosecurity measures.

It is our policy to survey our trees on a regular basis, but if members of the public believe that trees situated on land owned by the Parish Council require works as listed above, they should contact:

clerk@swardenparishcouncil.gov.uk

Trees reported by members of the public will be inspected and if works are required, this will be scheduled as necessary.



Work that Swarden Parish Council will not carry out to 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.
- Remove roots from drains or repair root damage to structures, where the tree has not been clearly demonstrated to be the principal 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 the list above, they should make their own arrangements as described below.

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. 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 the 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.
- the tree is not situated in a Conservation area or protected by a Tree Preservation Order (TPO).
- 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 Recommendations for Tree Work 3998:1989.
- the property owner notifies us (before the work begins) of the proposed work and commencement date.

The Council does not carry out works to privately owned trees

The Council reserves the right to set aside this policy and carry out works to trees on land that it owns, if exceptional circumstances can be demonstrated. In the event that work is deemed necessary in exceptional circumstances, the reasons will be recorded and agreed in the minutes of the relevant Environment and Community Committee meeting.