

## TREE AND HEDGE POLICY

### 1. Introduction

This is a policy for the management of trees owned and managed by the Melbourne Parish Council (MPC). Trees help to add variety to our landscape and provide valuable habitats for many species while providing us with cleaner filtered air. MPC aims to preserve its trees for future generations to enjoy.

### 2. MPC has a duty of care to visitors when on our land

This means that the MPC has a responsibility to take reasonable steps to reduce the risk to those on MPC land at the:

- *Thomas Cook Gardens*
- *Packhorse Road Cemetery*
- *The Old Burial Grounds remains in the ownership of the CofE , however the PC has the responsibility to meet the maintenance costs of the trees in that location.*

Any queries on trees belonging to MPC, should be made to [melbourneclerk.mpc@gmail.com](mailto:melbourneclerk.mpc@gmail.com) who will liaise with the SDDC Tree Officer who has undertaken responsibility for the plotting of all trees assigned to us.

Roadside trees are the responsibility of Derbyshire County Council (DCC) highways department - <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/road-maintenance/grass-cutting/trees-hedges-and-grass-verges.aspx>. This link connects to the DDC hub where members of the public should complete the on-line form.

The MPC does not currently give permission for memorial trees to be planted on its land because of the shortage of required space. Any trees planted on PC land without permission may be removed.

### 3. **MPC will carry out the following on PC owned trees**

In maintaining our trees we will:

- Remove dead, dying and dangerous trees
- Remove dangerous and damaged limbs

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

MPC does not carry out works to privately owned trees.

### 4. **MPC will not carry out the following on MPC 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
- Cut back branches to improve satellite and/or mobile 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, roof, fences etc.
- Remove branches or trees 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:

## **5. 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. Normally the PC would 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 the land; if access to PC land or to a tree on that land is required, 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 PC has the right to refuse permission for someone else to undertake the work and also the right to seek compensation/replacement should the work be detrimental or carried out without the necessary permissions.

Adopted: January 2021  
Reviewed: Every 2 years