



Tree Management Policy

1. Introduction

Trees are one of the few landscape features that cross all the boundaries of modern living. Boxley Parish is largely rural and trees play a very important role by providing many quality-of-life benefits including enhancing the landscape, reducing climatic extremes, improving air quality, and providing habitats for wildlife. Their presence can help towards creating tranquillity and reducing everyday stress.

Trees also have many other benefits - for example, they provide shelter, cool the air, stabilise soil, filter air pollution, reduce noise and create wildlife habitats.

Many of the trees in Boxley Parish are protected by Tree Preservation Orders and work cannot be carried out on these trees without the appropriate planning permission. Planning permission is also required for work on trees in Conservation Areas.

Whilst the presence of trees is hugely beneficial their respective growing habits can create varying degrees of inconvenience to, and conflict between, residents living nearby. The purpose of the Tree Management Policy is intended to adopt a balanced and even-handed approach to dealing with any identified issues of concern.

2. Objectives

The Tree Management Policy sets out Boxley Parish Council's approach to the proactive management of trees on land owned/managed by the Parish Council and to its statutory responsibilities, under the Town and Country Planning Act, 1990 legislation, with regard to land owned by others

This Policy is also intended to act as a source of information and reference regarding the management of tree issues in the Boxley area.

3. Land Owned or Managed by Boxley Parish Council

3.1 Tree Planting

3.1.1 Boxley Parish Council will encourage new tree planting in the spirit of good horticultural and arboricultural practice and comply with the relevant British Standards. Dependent upon the proposed planting location the Council will normally plant trees varying in size from 45cm height (whip size) to 14-16cm girth, (heavy standard) through to 60cm and above, (semi mature).

3.1.2 The Council will aim to create a balance of appropriate indigenous and exotic varieties dependent upon the location of the new planting. Where proposed planting is close to an area of conservation significance it is expected that indigenous species will be planted.

3.1.3 The fundamental aims of tree planting will be to:

- maintain perpetuity of tree cover in the area served by Boxley Parish Council;
- contribute towards the mitigation of climate change;

- provide all year-round interest;
- encourage species' diversity;
- provide wildlife habitats;
- provide screen, shelter and windbreaks;
- replace removed trees;
- commemorate and remember the community;
- improve air quality;
- assist in reducing erosion, and
- develop community involvement.

3.1.4 Boxley Parish Council will select trees that reflect the importance of their planted position and the anticipated maintenance needs throughout their respective lives.

3.2 **Strategy for tree Planting and Management**

Boxley Parish Council will, with the assistance of professional services as appropriate, seek to develop a strategy and programmes of (i) tree planting and (ii) preventative and remedial work to trees in its care, including combating tree disease. The objectives will include:

- positively developing and managing the tree population;
- providing and maintaining a high quality and sustainable tree stock. Native species will be planted to maximise indigenous flora and fauna, where appropriate;
- developing and promoting a better understanding and awareness of the value of trees to the community - for example, by engaging schools and community groups in tree planting and conservation projects;
- providing the highest standards of tree care by stringent adherence to the British standard BS 3998: 2010 Tree Work - recommendations, as well as adopting relevant arboricultural legislation and research development;
- taking all reasonable steps to fulfil duties and obligations to ensure tree safety for public and property;
- resisting the unnecessary removal of trees unless there are justifiable reasons due to (i) risks to public and personal health and safety (ii) arboricultural concerns or (iii) any other legal reasons, and
- assessing all requests for arboricultural works to trees growing on land owned or managed by the Council.

3.3 **Tree Pruning**

Boxley Parish Council will not normally undertake tree pruning work or remove trees in direct response to any natural or seasonal phenomena, for example:

- falling leaves;
- sap exudation, (honeydew);
- falling fruits, nuts, seeds, blossom or pollen;
- bird droppings;
- reduction or increased moisture to gardens;
- germinating seeds from Council-owned trees;

Boxley Parish Council will also not normally undertake any tree pruning work due to:

- loss or interference with television or satellite signal reception;
- loss of sunlight or man-made lighting during any part of the day;
- blocking or obstruction of a view from a residence;
- overhanging branches

3.4 Trees Adjacent to Structures

The planned installation of a structure, or the presence of an existing structure, on either a homeowner's, or other third-party's, land provides no automatic justification for the excessive reduction or removal of a tree or trees on the land for which it is responsible. The Parish Council well may, however, agree to tree works that are reasonable and represent good arboricultural practice.

3.5 Boxley Parish Council will not agree to:

- remove, or significantly reduce the size of, tree(s) where shading of solar panels is the sole reason for the works,
- undertake works where there is doubt as to the cause of shading, or
- undertake work on any trees identified and confirmed to be supporting roosting bats until Natural England has been consulted. The Council will then act upon the advice received,
- carry out work to trees when birds and/or bats are nesting.

Where birds are found to be nesting in trees, works will normally be delayed until the end of the nesting season.

Where any protected species are found in the vicinity of works, compliance with the relevant legislation and guidance surrounding the protection of the species will be followed.

3.6 Utilising Tree Arisings

The Parish Council will explore and develop opportunities to utilise the arisings (woodchip, logs, timber) generated by arboricultural operations for environmental benefit.

3.7 Statutory Undertakings

Statutory undertakers (the providers of gas, electricity, water and telephones) are entitled to carry out works to trees in order to restore service or in the interests of public safety without providing notice. However, they would be encouraged to liaise with Boxley Parish Council in order to agree any work deemed necessary to affected trees and to facilitate any inter-agency co-operation.

3.8 Requests for Tree Work on Land Managed by Boxley Parish Council

All complaints or formal requests received for work to be carried out on trees on land owned or managed by Boxley Parish Council will be investigated. Where the Parish Council accepts that action needs to be taken a programme of works will be prepared and the Parish Council will respond in writing giving its reasons for the proposed action.

3.9 Overhanging Branches

Householders are entitled, at their own expense, to cut back branches from trees owned or managed by the Parish Council that overhang their property provided the correct permissions have been sought in respect of protected trees.

4. Subsidence or Other Damage to Property

When investigating claims of subsidence/heave and other below-ground damage to properties from the roots of trees on land owned or managed by the Parish Council, evidence will be required from claimants supported by a detailed written report from a suitably qualified person. The report should address the following, as appropriate:

- a description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map;
- details of vegetation in the vicinity and its management since discovery of the damage and include a plan showing the vegetation and affected building;
- measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be of sufficient detail to show a movement consistent with the presence of the implicated tree(s) and/or any hedges/shrubs;
- a profile of a trial/bore hole dug to identify foundation type and depth of soil characteristics;
- the sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index;
- the location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out;
- proposals and estimated costs of options to repair the damage. The report from an Arboriculturist in support of the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree-related damage. In the case of other structural damage to garden walls, drains, paving, drive surfaces, technical evidence must be provided by a relevant engineer, building/drainage surveyor or other appropriate expert.

5. Walderslade Woodland Management Objectives

In 2021, Boxley Parish Council became the owners of Walderslade Woodlands which is approximately 38 hectares in area and its responsibilities include:

- preserving and enhancing the woodland trees, particularly those that are indigenous to the area,
- encouraging natural regeneration in the woodland,
- where possible, and subject to public safety assessments, retaining dead trees and preferring to prune rather than fell. In situ, dead timber and felled trees are left to benefit habitat creation,
- managing the woodland as a long-term sustainable resource,
- actively supporting and encouraging community involvement in the planning and operation of woodland management,
- producing and implementing a detailed woodland management plan,
- not felling a tree growing in the woodland without adequate justification,
- endeavouring to manage and maintain the woodland in accordance with accepted forestry, arboricultural and nature conservation best practice,

- taking into account landscape and historic features, wildlife habitat and amenity value in all operational and managerial aspects, and
- actively encouraging responsible access to the woodland and maintaining and developing pathways
- discouraging anti-social behaviour and the lighting of fires (eg for barbecues).

6. Inspection and Maintenance

- 6.1 Boxley Parish Council will, where possible, inspect all trees for which it has responsibility on a planned basis in order to assess whether any represent a risk to life or property. A programme of inspections will assess health and safety risks and hazards and recommend programmes of remedial work. The inspections and action taken will be recorded. Trees will be assessed in terms of maturity, vigour, life expectancy, height, trunk girth, crown spread, identified defects (e.g., dead wood, dieback etc) and any proposed arboricultural works will be accorded a High, Medium or Low rating.
- 6.2 Boxley Parish Council will undertake all tree pruning and arboricultural works in accordance with the relevant British Standards.

7. Statutory Obligations

- 7.1 To fulfil its statutory obligations of protecting trees of particular amenity value through the use of the Town and Country Planning Act 1990, the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008, the Town and Country Planning (Trees) (Amendment No. 2) (England) Regulations 2008 and the Town and Country (Tree Preservation) (England) Regulations 2012.
- 7.2 To seek to ensure through the use of Tree Preservation Orders and Conservation Area legislation that trees of particular amenity value in the area served by Boxley Parish Council are retained.
- 7.3 Boxley Parish Council will liaise with Maidstone Borough Council on tree issues as a Consultee on planning applications submitted.

8. Dangerous Trees not on Boxley Parish Council Land

Boxley Parish Council will also liaise with Maidstone Borough Council under the Local Government (Miscellaneous Provisions) Act, 1976 requiring owners of private trees (not necessarily protected by legislation) to undertake remedial works to alleviate a potential danger to the public or public property. Where no owner can be found, or even where the owner is known and in cases of extreme urgency, powers may be used to undertake the works and Maidstone Borough Council may seek to secure reimbursement by imposing a Land Registry charge on the property should the property be sold.

9. Boxley Parish Council Owned/Managed land

The areas of land owned or managed by Boxley Parish Council are Beechen Hall, Boxley Burial Ground, Boxley Village Green, Dove Hill Allotments, Franklin Drive Play Area, Impton Lane Open Space, St Mary and All Saints Closed Churchyard, Walderslade Woodlands and Weaving Diamond Jubilee Orchard.

Adopted by Council July 2023