



Tree maintenance policy

The Parish Council is not responsible for managing any trees within the Parish of Cotford St Luke. There are trees owned by Somerset Council and many not adopted by anyone or on Crown Land.

Parish Council are not responsible for these trees, however, please see clause below relating to these trees.

This council will not fell / remove healthy trees.

Tree Works

Cotford St Luke Parish Council will carry out tree maintenance works for the following reasons only:

- To reduce the risk of injury to persons.
- To reduce the risk of damage to property.
- To comply with legal obligations.

Tree works will **not** be undertaken in the following circumstances:

- To improve television or internet signals.
- To improve the energy capture of solar panels.
- To allow more light into properties.
- Due to nuisance caused by honeydew from aphids.
- Due to nuisance caused by falling leaves, flowers or fruit.
- Due to nuisance caused by pollen.
- Due to nuisance caused by bird droppings.
- Due to minor structural damage to non-supporting structures such as garden walls.
- Fears that they may damage a building or surface with no evidence
- Where tree roots have entered sewers (tree roots rarely break drains, but roots will enter a broken or damaged drain).
- To allow the construction of a new access or driveway to a property.
- If the tree is considered by a member of the public to be too big or too tall.
- Because they overhang an adjacent property, where no damage is likely (each case is assessed individually)

There are also times that the Council will not undertake tree work, such as whilst the tree or hedge is in flower, and during bird nesting season.

We also reserve the right to treat each tree request on a case-by-case basis. It may be that there are other circumstances which influence our decision to maintain or fell a tree that are conflicting with this policy.

Crown Land/unadopted trees

The Parish Council takes the safety of its residents very seriously.

The Parish Council has commissioned a tree inspection on the Crown land trees detailed in the appendix map.

A schedule has been compiled to address any trees requiring work on safety ground.

Funds from Parish Council reserves has been allocated for this work.

Any further concerns relating to any trees in the Parish raised by residents will only be investigated if a clear cause for concern with evidence has been raised.

The above tree policy criteria applies, and no investigations will be made unless clear cause for safety concerns are highlighted.

Common Law Right

If trees are causing a nuisance to you or your property, you have a Common Law right to prune them. If you wish to undertake pruning works to a tree under Common Law, we ask that you take note of the following advice.

1. You can only remove parts of a tree from the point where they cross the boundary of your property. You have no legal right to cut or remove any part of a tree that does not overhang your property.
2. You are strongly advised to consult an Arboricultural Association Registered tree surgeon (www.trees.org.uk) for guidance on how best to prune back encroaching trees, unless the works are small enough to do with hand secateurs or similar.
3. Before you consider doing any works to a tree(s) you should find out if it is protected by a Tree Preservation Order or whether the tree is in a Conservation Area. If the trees are protected, you will need to gain permission for the works from the Council.

To find out if a tree has a Tree Preservation Order and how to apply for permission to work on a tree, please visit www.somersetwestandtaunton.gov.uk/planning/trees-and-tree-protection or call the Council on 0300 304 8000.

4. You are advised to discuss with your neighbour your intention to prune overhanging branches. If you use your Common Law right to prune back a council owned tree, we ask that you dispose of the branches yourself in a responsible way and do not leave them on Council land.

