

POTTERSPURY PARISH COUNCIL TREE POLICY

Adopted 12 November 2025

Potterspurty Parish Council is committed to managing the trees on parish land for public safety, environmental benefit (biodiversity, climate change mitigation), and amenity value.

The Parish Council regularly inspects trees in the parish and relies on its grounds contractors to report any potential problems.

1. MANAGING EXISTING TREE STOCK

We respond positively to tree issues raised regarding safety and endeavour to undertake works to alleviate damage to property. It is not possible or desirable to undertake all works requested. Pruning can be to the detriment of many trees and can have the adverse effect of accelerating additional growth.

2. PRUNING AND FELLING

2.1 The pruning or felling of trees will only be carried out when one or more of the following apply:

- a) To maintain the tree in a healthy condition which includes the regular removal of basal growth to the base of the tree at no detriment to the health or amenity of the mature tree.
- b) Where the tree is diseased and will not recover.
- c) Where a tree is touching or about to touch a structure with the likelihood of damage to that property.
- d) The tree has become dangerous to the point where there is an unacceptable risk to people or property.
- e) Where it is necessary as part of the development of the Council's assets, and full consideration has been given to alternatives.
- f) When trees are obstructing a road or path, in this case trees will be cut back to a height of 2.5 meters (if appropriate) and additional balancing work may be required. Advice regarding this will be sought from a suitably qualified arboriculturist
- g) When it has been advised by a suitably qualified arboriculturist.

2.2 Trees will NOT be pruned or felled for

- a) Cosmetic reasons, ie the prevention of droppings
- b) Seasonal dropping of leaves, pollen, seeds, blossom, fruit or twigs
- c) Overhanging into neighbouring properties where there is no risk to persons or property
- d) Blocking of light
- e) Contact with overhead telephone wires

Where Tree Preservation Orders are in place trees may only be maintained or felled when appropriate permissions have been granted by West Northants Council.

3. STANDARDS OF WORK

The Council will undertake work to trees in accordance with advice from our grounds maintenance contractors. The Council will not fell or prune any tree without adequate justification.

4. NATURAL OCCURANCES

I. Tree Litter

The Council is not legally responsible for fallen leaves, seeds, fruit, pollen, blossom, twigs or cones onto private property or any damage that this may cause. Pruning does not entirely alleviate these problems and we would not carry out works to prevent these arisings.

Where gutters are regularly blocked by fallen leaves, gutter guards may be fitted to provide a low maintenance solution at the property owner's expense.

II. Wildlife

The Council does not accept responsibility for cleaning up animal or insect droppings, bird droppings or aphid honeydew on private property.

III. Pest and Diseases

The Council will take a responsible approach towards pests and disease and will be proactive in planning for any new threats that are posed to the Council's tree population. Advice provided by the Forestry Commission, Arboricultural Association and our grounds maintenance contractors will be periodically reviewed and implemented where appropriate.

IV. Shade

There is no legal right to light. Therefore, the Council has no legal obligation to abate this nuisance. Pruning will often have negligible impact on the amount of light reaching a house and can have the adverse effect of accelerating additional tree growth. Therefore, under normal circumstances tree works will not be considered.

V. Fallen trees

The clearance of fallen trees and branches on council-owned land may be carried out by volunteers under the auspices of the Parish Council in certain circumstances. These include, but are not limited to, when trees/branches need to be removed in an emergency; when they can be safely removed without recourse to ladders.

5. EXCEPTIONS

Where elderly, infirm or disabled persons who spend a significant amount of time within their home are affected by shading there will be flexibility to look at some intervention if

it can be established that the presence of the tree is detrimental to their health. These cases will be considered on an individual basis alongside the species size and location of the tree, the aesthetic value of the tree, the benefits to the wider community and the financial resources available.

5.i The tree in question would also have to meet the following criteria:

- a) be located to the south or west of the property
- b) have a height greater than 12 metres with the distance between the trunk of the tree and the window of the nearest habitable room less than 5 metres
- c) where the gap between the edge of the tree canopy and a vertical line through that window is less than 2 metres.

6. DAMAGE FROM OVERHANGING BRANCHES

- a) The Council will cut back tree branches from a dwelling/house and garage where they touch windows, walls, roofs or gutters. This will ensure that damage to elements of a dwelling/house or garage such as tiles or gutters is avoided. We endeavour to maintain a 1.5 metre clearance from these structures.
- b) Overhanging branches not causing damage to a dwelling/house, garage, fence or wall will not be pruned back and it is the onus of the property owner to cut them back to their boundary if they perceive these to be a nuisance.
- c) If branches from a tree on Council-owned land are found to be causing damage to a boundary wall, we will investigate and take action if appropriate. The usual course would be to remove low branches up to a maximum height of 3m.
- d) We will consider tree removal if the walls or fence is irreplaceable and of exceptional importance e.g. a retaining wall or of historical interest, if there is a risk to public health or if other tree works are not appropriate.

ADJACENT LANDOWNERS

7. PERMITTED WORKS TO COUNCIL OWNED TREES

- a) Property owners have a common law right to make private arrangements to prune back Council owned tree branches overhanging their property as long as the tree is not subject to a Tree Preservation Order, within a Conservation Area or have any planning restrictions attached to them.
- b) The cutting back should only be up to the fence or boundary line. Should works be required beyond the boundary in order to cut back to suitable pruning points, approval must be sought from the Parish Council. The Council will need to meet the contractor to agree the works, see proof of insurance, qualifications, professional membership and site risk assessment before they are allowed to carry out work on Council owned/maintained land.

- c) Cuttings must be disposed of in an appropriate manner. *The Parish Council does not require these to be returned. Any cuttings left on council property will be deemed as fly tipping and will be subject to appropriate enforcement action.*
- d) It is recommended that works are undertaken by a suitably trained professional tree surgeon carrying the relevant levels of Public Liability Insurance unless the works are such that you could carry them out with hand secateurs or similar. The person undertaking these works would be liable for any works which cause injury/damage or result in the death of the tree as a result of poor practices.

8. CRIMINAL DAMAGE

Any felling or heavy pruning of Council trees on Council land is deemed as criminal damage. The perpetrator will be investigated, and under the Anti-social Behaviour, Crime and Policing Act 2014, a Community Protection Notice may be issued, breach of which would result in a fine of up to £2,500 for an individual and £20,000 for a body.

9. HIGH HEDGES

If natural light is being blocked by growth of a hedge, then action may be taken to reduce the problem under the High Hedges, Part 8, of the Anti-Social Behaviour Act 2003. West Northamptonshire Council is the authority who have the power to intervene in matters involving high hedge disputes.

10. REPLANTING

Where possible, the Parish Council will replace felled trees following the 'right tree right place' approach.

12. WILDLIFE AND LEGISLATION

The Parish Council will adhere to the terms of the 1981 Countryside and Wildlife Act, which provides protection for nesting birds and roosting bats. If work is considered vital during nesting season, appropriate checks and licenses will be obtained for the work.