



**EASTLEIGH BOROUGH COUNCIL**  
**POLICY FOR TREES ON PUBLIC LAND**

Introduction

Eastleigh Borough Council is responsible for the management of all trees located within its parks, open spaces, woodlands and open spaces. The Council has a statutory duty of care under the Health and Safety at Work etc. Act 1974 and the Occupiers Liability Acts 1954 and 1984 to ensure so far as is reasonably practicable its trees are safe and not a danger to the public.

This Policy outlines how the Council will manage its tree stock.

1. The Council is committed to protecting, improving and developing the Borough's tree stock in public places. This will be achieved by:
  - a. adoption of a Tree Risk Management Plan setting out a continuous programme of tree survey and maintenance; and
  - b. through seeking a continuous improvement in the quality and quantity of trees on public land. A range of species will be selected for new and replacement planting taking into account their suitability to each site. The Council will strive to replace two trees for each tree removed.
2. The Council's priority in the management of the Borough's trees will be that of public safety, and maintaining the health and longevity of the trees. Where a tree constitutes a demonstrable hazard to people or property, then the appropriate works will be undertaken.
3. Trees on public land will be encouraged through minimal intervention to develop as well balanced individuals of a natural form characteristic of their particular species. Works on such trees will be carried out to the highest standards of Arboricultural practice and in accordance with all relevant health and safety legislation. The Council will ensure all tree works are carried out to BS3998:2010 'Recommendations for Tree Work' (plus revisions) and will produce a detailed specification for all tree works.
4. The Council will maintain trees above highways and footways and clear growth that is obscuring street lights and signs in line with the relevant sections of the Highways Act 1980 and Hampshire County Council Highway policy.

5. The Council will not unless legally obliged to do so undertake works to otherwise healthy and well-formed trees for reasons of:
- Branches overhanging adjacent property / gardens etc.
  - Size or height (trees are naturally large organisms).
  - Shedding of leaf, seed, fir cone, twig, flower litter and fruit debris and general vegetative detritus.
  - Loss of light or shading of gardens, rooms or solar panels.
  - Interference with transmitted signals (TV, satellite or other forms of electronic communication or reception).
  - Honeydew secretion.
  - Reduced security by virtue of concealment or reduced visibility.
  - Alleged damage to property / gardens by roots or branches (direct or indirect).
  - Bird droppings and vermin.
  - Interference with BT & electricity company services.
  - Vandalism e.g. thrown apples.
  - Hayfever/ allergies.
  - Dampness/ algae/ moss.
  - To create or reinstate private views.

Under Common Law, providing the tree is not the subject of a Tree Preservation Order or within a Conservation Area landowners may prune unprotected trees or hedges overhanging their land as far as their boundary without the consent of the owner of the tree or hedge. If the resultant works cause instability or lead to the decline or death of the tree, liability will be attached to the person arranging or carrying out the work. They must not trespass on the neighbouring land to carry out the work, and should offer to return the cut material (arisings). However, the Council will not accept arisings from work to its trees, and these should be disposed of responsibly; dumping on Council land is fly-tipping and may be subject to prosecution.

6. The Council will ensure that trees on public land are retained wherever possible and are given appropriate protection from the effects of development and construction activities including the installation of underground utilities.
7. The Council will ensure that management of woodlands on public land, is appropriate and in accordance with accepted arboricultural and silvicultural practice, and respects their value as landscape features, wildlife habitats and recreational amenities.
8. Where possible, the Council will notify local residents in advance where major tree works will take place adjacent to residential properties.

Revised - October 2011