



## Tree Work Policy A Guide for Residents

1. We are in a very fortunate position to live and work in the New Forest area, with thousands of visitors flocking to the region each year to appreciate the lush, picturesque landscapes that surround us. New Milton, Barton-on-Sea and district also benefit from many specimens of tree that have been standing for hundreds of years, far outdating some of the housing in the town. Thankfully proposed new developments are mindful of the value of trees, in particular native species, often significantly adding to the biodiversity for a site and bound by planning condition.
2. Significant changes in our environmental responsibilities have occurred since this policy was first issued, not least the widening actions needed to combat the effects of climate change. Furthermore, the Town Council has been proactive in managing the environment and seeking ways to encourage others to appreciate biodiversity. In recognition of this, the authority has enshrined within the Neighbourhood Plan (2016-2036) the objective 'To protect and enhance the natural environment supporting net gains in biodiversity'. There are several areas in the town, including Barton Common and Ballard Meadow and woodland that have been declared Sites of Importance for Nature Conservation (S.I.N.C.). These sites support an estimated 20,000 trees.
3. The Town Council is a major landowner in the town. As landowners responsible for trees, we have a duty of care to manage the land in the best interests for nature conservation, to support and encourage public access whilst taking reasonable steps to prevent foreseeable harm to people or property. To fulfil this, Town Council trees are proactively assessed on a cyclical basis, through a Tree Management contract with New Forest District Council. We have prioritised categories of sites as below (para. 9), and their Arboriculturist inspects the sites and advises us of the work necessary.
4. **Pruning can reduce a tree's amenity value and cause damage which could lead to decay or disease.** A tree's value is not only aesthetic, collectively they also
  - control storm water, reducing the risk of flooding
  - buffer cold winds therefore lower heating costs
  - conduct the capture & storage of carbon dioxide
  - remove air pollutants
  - increase sense of well-being
  - provide invertebrate, bird and bat habitats
  - the presence of trees can add 5-15% to the value of property, up to 27% to the value of undeveloped landmany of these can be reduced when non-essential pruning takes place.
5. There is a presumption against pruning or felling of any tree on Town Council land unless it is
  - As part of our Tree Management contract with New Forest District Council;
  - Statutory works to maintain clearances for paths and roads;
  - Necessary on designated S.I.N.C. as part of an agreed management policy where nature conservation interests require minimal tree removal to create a mosaic of habitats for wildlife;
  - To prevent foreseeable injury to persons (assessed by Town Council with NFDC);
  - To prevent foreseeable damage to property (i.e. over hanging roof of house/outbuilding. Subsidence concern must be first addressed to your house insurance company who will contact us direct. The safety of a tree will be assessed by NFDC and their decision is final);
  - To improve the growth of other trees;
  - To reduce or prevent the spread of disease or other works in the interests of good tree management.

The Town Council will ensure that at least 2 trees of native origin are planted for each tree felled on Town Council land. (Separate policy document applies).

6. This policy supersedes any previous arrangement of tree maintenance of Town Council land. If the advice is to fell a tree for one of the above reasons, the Town Council will adhere to its own Tree Replacement Policy.
7. Circumstances where the Town Council **will not** prune or fell trees include
- Overhanging branches
  - Loss of light
  - Loss of TV reception
  - Nuisance from fallen leaves, twigs, cones, Honeydew drip, deposits e.g. bird droppings etc.
8. Things you can do

Trees that are covered by Tree Preservation Order or in a Conservation Area

Neighbours must seek consent for the work from the Local Planning Authority. Most of the town is covered by the New Forest District Council tree team, contactable on 02380 285345. The northern part of Bashley ward is covered by the National Park Authority, contactable on 01590 646620. The Town Council Planning Committee is advised of all applications for works to these protected trees and will comment accordingly.

Trees that are **not** covered by a Tree Preservation Order or in a Conservation Area

Neighbours have a right in common law to prune overhanging growth back to the boundary line.

Please see next paragraph regarding the arisings from such pruning.

In both circumstances

Although the land we own is public open space, residents nor their contractors can enter the land to carry out works to trees without Town Council consent. If employing the services of a contractor for pruning, the tree surgeon will only be able to prune from your side of the boundary. If they require access to the Town Council side, they must contact us to provide a copy of their Public Liability (£5m), Health & Safety and Environmental Sustainability policy documents, as we have a duty to safeguard others using the land. If a resident's actions/instructions leave a tree in such a condition that works are needed to make it safe, or damage or injury is caused, they are likely to be liable. Any works should be kept to an absolute minimum. Arisings remain the property of the tree owner and by law should be offered back. It is the Town Council's policy to decline their return and therefore any arisings should be disposed of appropriately and not be deposited over the boundary. This can damage trees (preventing root access to air and water), can make tree assessment more difficult (important defects may be invisible beneath piled up arisings) and can also lead to damage of boundary fences. In most cases it is acceptable to appropriately dispose of arisings, by being taken off site to the green waste area at your local amenity site or removed by your contractor.

9. Tree Management Cyclical Inspections

The highest risk areas will be subjected to annual inspections. We will carry out in-house inspection of the same sites the next working day following a storm event as advised by the Met Office, as case law has determined appropriate (Whitley Parish Council vs Cavanagh 2019) All other sites will be inspected as indicated below.

ANNUAL					
1	War Memorial Recreation Ground	High use year-round	35	Fernhill Lane	Matures near primary road
7	Great Ballard Lake (SINC)	High use year-round	37	Carrick Way/Caird Avenue	High use path to supermarket
16	Fernhill Lane	Matures near primary road	42	Forest Oak Drive	Matures near primary road
21	Danewood Estate (SINC)	Matures near primary road	41	Ashington Park	High use path to supermarket
24	Rear of Western Avenue	High use, predominant wind			
	<b>2022/23</b>			<b>2023/24</b>	
2	Ashley Sports Ground		4	Chaucombe Green	
3	Former playground, Lower Ashley		5	Barton Common (SINC)	
12	Willowdene Copse, Ashley		6	Long Meadow	
15	Lower Ashley Allotments	Allotment site	20	Fawcetts Field	Including football club
17	Faircourt, York Avenue		25	Becton Lane allotments	Allotment site
18	Lymington Road allotments	Allotment site	30	Moore's Close	Part of Fawcetts Field
32	Carrick Way, Ashley (SINC)	Woodland			
				<b>2025/26</b>	
	<b>2024/25</b>		8	Brook Avenue	Opposite Ballard Lake
27	Chatsworth Park		11	Oakwood Avenue	
36	Fernhill Lane Sports Ground		13	Upper Ashley Allotments	Allotment site
38	Deer Park estate		14	Middle Ashley Allotments	Allotment site
43	Ballard Meadows (SINC)		19	Danewood estate	
44	Stem Lane	Same area as 38	26	Hollands Wood Drive	Part of Danewood estate
			28	Cull Lane	Part of Danewood estate
			33	Fernhill Lane	Same area as 16/42
			45	Earlswood Park	

A copy of this policy is available in large print, and can be viewed on our website [www.newmiltontowncouncil.gov.uk](http://www.newmiltontowncouncil.gov.uk)