

A guide to making a request for work to be carried out to trees which are owned by BCP Council.

Introduction:

The Parks Operations Arboriculture Team is responsible for the management of Bournemouth's street trees, and those within its parks, gardens, woodlands, public open spaces and countryside sites.

Together these sites cover an area in the region of 1,000 hectares with a tree stock numbering tens of thousands including 16 woodlands registered with the Forestry Commission Accessible Woodland scheme.

Trees are a valuable resource for the town. They soften our man-made landscape and can screen unsightly views, making our town greener and more attractive.

The presence of trees in the urban landscape has actually been shown to reduce stress levels and provides habitat and food for a wide variety of wildlife. Trees also improve the air we breathe by filtering pollution, trapping harmful particles and producing oxygen.

Unfortunately, the very characteristics that make trees so valuable to us can, at times, also bring them into conflict with residents. As a Council we are responsible for maintaining our trees in a healthy and safe condition so that they do not cause any legal nuisance, such as branches obstructing footpaths or roads, or obscuring street-lamps and signs; and resources are provided to carry out a rolling programme of routine works.

We have many thousands of trees under our stewardship. The majority of these are located close to housing, roads or public open spaces. As such, safety is a major priority. We have an ongoing programme of tree inspections and works to remedy potential safety problems. Such proximity sometimes raises issues of tree related complaints from property owners. The decision on whether we will prune a tree is guided by legal precedent from which the Council's tree pruning policy is based.

This guide is designed to advise you on when we will and when we won't prune our trees and how to make a request for works. Many issues associated with trees, including leaf fall and shading, are part of the natural processes of trees and are generally considered part of the normal adjunct to living in proximity to them. There is no legal requirement on a tree owner to prune or fell their tree in these situations. As such whether works are carried out are at the discretion of the tree owner.

What to do if you think there is a problem with a tree owned by BCP Council

Consider the following statements in regards to your concerns with the tree:

1. **I think it is dangerous.**

If you are reporting a dangerous tree, branch or situation involving a tree please telephone:

Monday to Friday 9.00am until 5.00pm - (01202) 451629

OR

Evening and weekends - (01202) 451145

Give as accurate a location as you can for the tree and as much information as you can as to why you consider the tree to be dangerous.

Please note that depending on the information given by you, this type of call may initiate an immediate response (even outside of normal office hours).

2. **I don't think it is dangerous, but I'd like it to be pruned.**

The Council are the same as any other tree owner in that we are not obliged to prune or fell our trees unless they present a significant risk or damage to property.

We may intervene providing the work will not adversely affect the long-term health and stability of the tree.

In this case you will need to submit a Tree Work Request Form (see pages 5 & 6).

3. **I believe roots from a Council owned tree are causing damage.**

If you consider that damage is attributable to a Council owned tree submit your claim in writing to: **The Insurance Section, Town Hall, St Stephens Road, Bournemouth, BH2 6DY**. You should include any evidence such as photographs or reports.



When will BCP Council normally agree to tree works?

Below are situations when BCP Council **will** normally agree to carry out tree works:

- To remove trees or branches that pose a significant risk.
- To maintain statutory height limits above the road and footways
- To clear growth that is obscuring street lights and signs
- Prune to clear growth that is in contact with your property (if reasonably beyond the scope of the resident to remedy the problem)
- Prune our trees if they are causing a significant nuisance that is beyond the scope of the resident to remedy



When will BCP not normally agree to tree works?

In line with the Council tree pruning policy we **will not** normally prune or fell our trees for the following reasons; however each situation will be assessed on its own merits:

- In cases of loss of light or shading – including solar & photovoltaic cells
- Because of leaf litter (including fruit and twigs)
- For minor incursion caused by branches
- To create or to reinstate views
- Because of bird droppings or honey dew etc
- Because of poor TV/Satellite reception
- To clear telephone lines; unless requested to do so in writing by the service provider

What you can do yourself?

You have the common law right to prune vegetation (including roots) that crosses your boundary so long as you observe the following:

- Before carrying out any tree work it is your responsibility to ensure that there are no legal constraints such as Tree Preservation Orders or restrictions imposed within a Conservation Area. This can be checked by calling the **Tree Section in Planning Services on (01202) 451323**.
- You may *only* prune the vegetation back to your boundary and then only if the work done is not detrimental to the long-term health or stability of the tree or shrub.
- You may not enter Council land or property to carry out the work or instruct others to do so on your behalf (this includes climbing the tree).
- The work you carry out does not destroy or make the tree unsafe. Cutting major roots will affect the stability of a tree and you may be liable if an accident occurs. We will take legal action if it is considered a Council owned tree has been recklessly or maliciously damaged in this way.
- You should dispose of the cuttings responsibly, dumping them on Council land is unsightly and un-neighbourly and may constitute fly tipping.

What next?

If after reading this guide, you wish to make a request for us to prune or fell one of our trees then you will need to fill in a **Tree Work Request Form** included with this guide.

Additional copies of this guide and the **Tree Work Request Form** can also be obtained by telephoning **(01202) 451629**, or downloading a copy from the Councils website:

www.bcpCouncil.gov.uk

Once you have filled in and returned the **Tree Work Request Form**, we will acknowledge we have received it, and our aim is to carry out a visit and inform you in writing of the outcome, within eight weeks of receipt and registration of your request.

If we agree to carry out any works, our contractors will be instructed to complete them within six weeks of the date of our instruction. (In times of exceptional workloads this may vary.)

In some instances, if they do not meet the criteria of the pruning policy we will decline to carry out works. If the Council Officer does not object to the requested pruning being undertaken there is an option for you to pay for the works.

For liability and insurance reasons the works can only be undertaken by the Council's tree surgery partner, and only the pruning agreed by the Council's arboricultural officer can be undertaken. The work will be charged at the same preferential contract rates as we the Council pay.

If this applies to your request the decision letter you receive will include all the information needed for you to proceed if you wish to take this option.

Please note: - we can only accept requests for works made using the Tree Work Request Form (see pages 5 and 6).

What if I have a complaint about the outcome?

If you wish to query or comment on the decision we made please write to the attending officer at the address provided in previous correspondence. If you are unhappy with the service you received please write to the Arboriculture Manager at:

Tree Work Request Review, BCP Council, East Cemetery Lodge, 80, Gloucester Road, Bournemouth, BH7 6JB.

A review of your request will be carried out and you will be notified of the outcome.

If following this you still have a complaint then you can enter the Council's official complaints procedure at stage one, which in the first instance means writing to:

Parks Service Delivery Manager, BCP Council, Queens Park Pavilion, Queens Park West Drive, Bournemouth, BH8 9BY

Details of the complaints procedure can be found on line at:

http://www.bcpCouncil.gov.uk/Residents/Customer_service/Compliments_Comments_and_Complaints.asp

If you have any further questions please telephone (01202) 451629.

TREE WORK REQUEST FORM

TWR/«Enquiry_Ref»

Please read the guide carefully before filling in this form.

Your details:

Full name:	
Postal Address:	
Post Code:	
Contact Telephone No:	
E-mail:	
Signed:	Date:

Is the tree in the grounds of a council house or block of flats? Yes/No

Tree details:

Location of the tree (include a rough plan):
Species/type of tree if known:

Please continue to, and complete page 6.

Your enquiry or comments about the tree:

Please return the completed Tree Works Request Form to:

Parks Arboriculture
BCP Council
Queens Park Pavilion
Queens Park West Drive
Bournemouth
BH8 9BY



Any personal information you provide us with, will be held and used in accordance with the law and the Data Protection Act 2018. If you would like to find out more information about how we use your information, please see our Privacy Notice here: bcpcouncil.gov.uk/privacy

Office use only:

Officer: _____ Enquiry No: «Enquiry_Ref» Tree Code: L – Hw – Ho – Pr - Ce - Other

Pa = Park – Hw = Highway – Ho = Housing – Pr = Private - Ce = Cemetery – Other = Specify

Arboriculture, Parks & Bereavement Services, Queen's Park Pavilion, Queen's Park West Road, Bournemouth, BH8 9BY
T: 01202 451629 | F: 01202 304678 | bcpcouncil.gov.uk/parks