

Mold Town Council

Tree Policy



Adopted by Mold Town Council on 26.06.24

VERSION 1 – 26.06.24

REVIEW DATE – 26.06.27

Summary

This policy sets out Mold Town Council's position regarding trees on its land. It does not apply to trees located on land owned by Flintshire County Council or any other organisation or individual.

It sets out the broad principles of how existing trees will be managed and where new tree planting may take place.

The Well-being of Future Generations (Wales) Act 2015 contains well-being goals that public bodies, including Town Councils, must work to achieve. One of the seven well-being goals is to maintain and enhance biodiversity and ecological resilience.

The Council is committed to the preservation of existing trees and the appropriate planting of new trees where this supports the local and national strategies in respect of tree planting.

Policy Statement:

The only land owned by Mold Town Council is Mold Cemetery. The trees planted in the Cemetery contribute to the vital function of reducing pollution, absorbing rainfall, binding soil and providing an environment for local flora and fauna as well as playing an important role with regards to wellbeing of local residents and visitors.

Existing Trees

Mold Town Council is committed to the maintenance of its trees.

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

- To maintain the tree in a healthy condition.
- Where the tree is diseased and will not recover.
- Where a tree is touching or about to touch a structure with the likelihood of damage to that property.
- The tree has become dangerous to the point where there is an unacceptable risk to people or property.
- Where it is necessary as part of the development of the Council's assets, and full consideration has been given to alternatives.
- When trees are obstructing a road or path.
- When it has been advised by a suitably qualified Arboriculturist.

Trees will not be felled for (these items are in keeping with Flintshire County Councils 'Urban Tree and Woodland Plan – 2018-2033'):

- Allegedly too tall
- Shade (unless oppressive)
- Loss of view
- Dropping leaves or other seasonal debris
- Interfering with TV reception

- Affecting the efficient working of solar panels
- Touching overhead telecommunication wires
- Overhanging branches

Planting of Trees

When planting new trees on Mold Town Council owned land there will be regard to the surroundings. Consideration will be given to the proximity of buildings or structures that might be overshadowed or could suffer from root damage from newly planted trees. Where planting is in proximity to other trees or habitat, such planting will have regard to the existing ecology so as to enhance rather than damage this.

Risk Management

Mold Town Council instructs a Tree Safety Survey to be completed every three years by a qualified contractor. Following this survey if needed, all remedial work is instructed to ensure the safety of residents, visitors and surrounding structures.

The Council does not employ its own arboriculturist and relies on contractors to undertake examination and tree surgery. Officers are responsible for identifying potential risks, but advice on tree condition and associated management will require specialist input. A budget for tree management is in place and is reviewed annually.

Complaints and Requests

All complaints or requests are to be directed to the Town Clerk – townclerk@moldtowncouncil.org.uk. Complaints and requests will be considered in line with this policy at Cemetery Committee Meetings of the Town Council.

Common Law Right

Property owners have a Common Law right to remove nuisance associated with trees.

The following advice is given to anyone wishing to exercise their Common Law right:

- a) You can only consider removing parts of the 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.
- b) You are strongly advised to consult with an Arboricultural Association Registered tree surgeon for guidance on how best to prune back encroaching trees, unless the works are small enough to do with hand secateurs or similar.
- c) Before you consider doing any works to a tree(s) you must find out if it is protected by a Tree Preservation Order or whether it is within a Conservation Area. If the trees are protected, you will need to gain consent by making an application/ give notice to Flintshire County Council. If you fell or prune a tree that is protected, you may be subject to prosecution and unlimited fines.
- d) Whilst the law requires you to offer any wood back to the tree owner, where the wood is not wanted, you are responsible for making adequate provision to dispose of any wood or cuttings at your own cost. For clarity ***Mold Town Council does not***

require the return of the wood or cuttings. Please do not place, return or tip this on to Mold Town Council land. If you do so the Council will seek to recover the cost of disposal and associated administration costs which are likely to be higher than your own cost of disposal.