

SOURTON PARISH COUNCIL FREEDOM OF INFORMATION POLICY

BACKGROUND

- a. The Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) place legislative requirements on all public authorities, including local councils.

The laws established the legal Right to Know; a presumption in favour of public access to information held by public authorities, subject to certain exemptions; and other measures to improve public sector transparency.

The Council is obliged to provide information:

- Through a publication scheme
- In response to requests made under the general right of access.

- b. When responding to requests, there are set procedures that the Council needs to follow. These include:

- The time limit public authorities are allowed for responding to requests.
- The fees or amount that public authorities can charge for dealing with requests. Public authorities are not obliged to deal with requests if the costs of finding the information exceed a set amount known as the appropriate limit.
- Public authorities need not comply with vexatious or repeated requests. (See Appendix 1 for some of the indicators that the Council will use to identify a vexatious request).

The Act also recognises that there are valid reasons for withholding information by setting out a number of exemptions from the right to know, some of which are subject to a public interest test.

POLICY STATEMENT

As part of a society where information rights and responsibilities are respected by all, Sourton Parish Council will aim to move away from the need for individual freedom of information requests and complaints towards a culture of routine, proactive and substantially increased transparency on the part of the Council, by:

- Being open and transparent and endeavouring to provide the public with access to the official information that it holds, as a matter of course.
- Making people aware of their rights to access the official information the council holds.
- Making as much routine information as possible available through the Council's Publication Scheme and website.

- Providing reasonable advice and assistance to applicants for information, including pointing applicants to possible sources of the information they seek if it is not held by the Council.

DEALING WITH REQUESTS FOR INFORMATION

a. Members of the public have a general right of access to information held by Sourton Parish Council, specifically:

- To be told whether or not the information is held by the Council, and
- If it is, to have the information communicated to them.

Note: There are certain exemptions and limitations to this general right, but just because a document is marked “Confidential” does not automatically mean that it is exempt information, although it may be covered by certain exemptions. Each case will be dealt with on its merits.

b. Requests for information must be in writing, must give the applicant’s name and return address and must describe the information requested in such a way that we are able to locate it. A written request includes an e- mail. (For environmental information, the request does not have to be in writing.)

c. All requests for information will be logged on a record sheet.

d. Receipt will be acknowledged but if it is possible to respond with the information requested, this will be done instead. If further information is required in order to locate the information requested, this will be undertaken as quickly as possible.

e. All correspondence, phone calls, e-mails etc., that follow the original request will be recorded.

f. The Council has 20 working days in which to deal with a request for information. If it is not clear what information is required, the 20-day period does not begin until clarification is received from the applicant as to exactly what is required. (For environmental information the response period is extended to 40 working days for information that is complex and bulky.)

g. Some information may only be available to view in person at Sourton Village Hall. In these circumstances an appointment to view the information will be arranged within a reasonable timescale.

h. A charge will be made for the photocopying of information requested as follows:

- 5p per single b/w A4 size sheet
- Additionally, postage will be charged at cost.
- If the cost of finding, sorting and editing the information requested is more than £20 then, under the FOI Act, the Council does not have to provide the information. (Under EIR, environmental information cannot be refused on the grounds of cost).

- i. Any requests for information that is not contained in the Publication Scheme will be passed to the council Clerk to deal with under the FOI Act. A certain amount of guidance on dealing with requests is held by the Clerk, but it may be necessary that further specific guidance will be required from the Information Commissioner's Office.
- j. The applicant will be kept informed at all stages of the process of supplying the information requested, particularly if it is a complex request, when guidance may have to be sought from other agencies.
- k. If a request is refused, the refusal notice will give the reasons for refusing the request and advise the applicant as to their rights of appeal – both internally by way of a complaint and, following that, by way of an appeal to the Information Commissioner.

REVIEW PROCESS

- a. If the information requested cannot be supplied, the reasons for this will be communicated to the applicant immediately. The applicant has the right to ask for a review of the decision to refuse disclosure, initially to the Council, but ultimately to the Information Commissioner. The review process will be undertaken in accordance with the ICO Code of Practice
- b. Any internal review will be made to the Council and will be dealt with by elected members who will distinguish between a request for an internal review, which seeks to challenge either the outcome or the process of the handling of the initial response, and a general complaint, which will be handled as general correspondence. If the original decision not to supply the information is upheld by the Council, but is still not accepted by the applicant, then the applicant is able to appeal to the Information Commissioner.
- c. The council will notify that applicant of the internal review process and inform the applicant of their right to complain to the Information Commission if they are still dissatisfied following the outcome of the council's internal review.
- d. Any request for an internal review must be made by the applicant within 40 working days of them being notified of the decision by the council to refuse their request. Unless complex, the council will complete the review within 20 working days of being notified of the request. If complex the review will be completed within 40 days and the applicant will be notified of this.
- e. The internal review will be undertaken by the 3 members of the Complaints Committee who will re-evaluate the handing of the request and take account of any concerns raised by the applicant.
- f. Reasons for refusing information must be in accordance with the respective provisions of the legislation, including consideration of the public interest test where this applies.

- g. If the outcome of the review process is that the information previously withheld be disclosed, the applicant will be informed of when the information will be disclosed

REVIEW

This policy will be reviewed annually (or earlier if required by changes to legislation or additional documentation) and amended as necessary based on good practice or evidence taken forward.

This policy was adopted on	April 2026
Signature Of Chairman	C Mott
Date of next review	April 2027

APPENDIX 1. Reference: Information Commissioner's Office - Dealing with Vexatious Requests

Some of the indicators to be used by Sourton Parish Council to identify whether a request for information is vexatious. These indicators should not be regarded as either definitive or limiting.

Abusive or aggressive language

The tone or language of the requester's correspondence goes beyond the level of criticism that a public authority or its employees should reasonably expect to receive.

Burden on the authority

The effort required to meet the request will be so grossly oppressive in terms of the strain on time and resources, that the authority cannot reasonably be expected to comply, no matter how legitimate the subject matter or valid the intentions of the requester.

Personal grudges

For whatever reason, the requester is targeting their correspondence towards a particular employee or office holder against whom they have some personal enmity.

Unreasonable persistence

The requester is attempting to reopen an issue which has already been comprehensively addressed by the public authority or otherwise subjected to some form of independent scrutiny.

Unfounded accusations

The request makes completely unsubstantiated accusations against the public authority or specific employees.

Intransigence

The requester takes an unreasonably entrenched position, rejecting attempts to assist and advise out of hand and shows no willingness to engage with the authority.

Frequent or overlapping requests

The requester submits frequent correspondence about the same issue or sends in new requests before the public authority has had an opportunity to address their earlier enquiries.

Deliberate intention to cause annoyance

The requester has explicitly stated that it is their intention to cause disruption to the public authority or is a member of a campaign group whose stated aim is to disrupt the authority.

Scattergun approach

The request appears to be part of a completely random approach, lacks any clear focus, or seems to have been solely designed for the purpose of 'fishing' for information without any idea of what might be revealed.

Disproportionate effort

The matter being pursued by the requester is relatively trivial and the authority would have to expend a disproportionate number of resources in order to meet their request.

No obvious intent to obtain information

The requester is abusing their rights of access to information by using the legislation as a means to vent their anger at a particular decision, or to harass and annoy the authority, for example, by requesting information which the authority knows them to possess already.

Futile requests

The issue at hand individually affects the requester and has already been conclusively resolved by the authority or subjected to some form of independent investigation.

Frivolous requests

The subject matter is inane or extremely trivial and the request appears to lack any serious purpose. The request is made for the sole purpose of amusement.

SOURTON PARISH COUNCIL

Grant Application Form

Please complete this form and attach the relevant information and send to: The Clerk to Sourton Parish Council, Coombe Farm, Lake, Sourton, Okehampton, EX20 4HQ, or email to parishclerk@sourtonpc.org.uk

Name of organisation	
Applicant's contact details	
Position within organisation	
Telephone	
Email	
Is your organisation a registered charity?	
If yes, charity number	
Project for which grant is required?	
Total Cost of project	
Have any funds been requested from other sources?	
Amount requested. Was that application successful?	
Amount of grant requested from Sourton Parish Council	
When are the funds required?	

Details of the bank account to receive the grant funds	Account name: Sort Code: Account Number:

Sourton Parish Council Grant Scheme

Sourton Parish Council has statutory powers to make funds available to local organisations for the overall benefit of Sourton and its residents.

This document outlines Sourton Parish Council's guidelines for grant making. It also formalises the application process to ensure access, openness and fairness to the groups and organisations we aim to support.

We will ensure that our grant making activity is fair and transparent, and supports strategic priorities identified in our Neighbourhood and Parish plans, and issues facing Sourton.

General information for applicants

It is Sourton Parish Council's intention (subject to budget restrictions and available resources) to support initiatives from local community groups and organisations.

Who is eligible to apply?

The following organisations may apply to Sourton Parish Council:

- A Sourton based charity
- An organisation serving the needs of the residents of Sourton
- A Sourton based club/association/charity serving a specific section of the community or the community as a whole
- A local branch of a regional or national organisation/group which serves the needs of the residents of Sourton

Who and what is not eligible to apply?

We will normally reject applications from:

- Projects which are the prime statutory responsibility of other government bodies or would normally be funded by a local or regional authority
- Projects which improve or benefit privately owned land or property
- Support for individuals or private business projects
- Applications by "for – profit" commercial organisations

- Projects which have already been completed or will have been by the time the grant is issued
- From regional and national organisations unless it can be clearly demonstrated that the grant would be used specifically for the residents served by Sourton Parish Council
- From organisations with political affiliations or those established for the purpose of forwarding a party-political agenda

What can be funded?

The project should be something that makes the local community a better place to the social, environmental and /or economic profile of Sourton. Priority will be given to those applications which add value over applications for running costs.

Projects demonstrating a proportion of self-funding will be favourably considered.

Level of funding

This process is intended to support organisations in small projects, typically below £100. There is no lower limit. A request for £20 will be given as detailed consideration as one for £100.

The following are unlikely to be considered a grant priority

- Projects where there is a large shortfall in the funding needed required to complete the project or
- Projects where the amount of the grant would be a very small part of the overall cost of the project
- Projects that simply replace existing facilities with no significant improvement

Conditions of grant

- Sourton Parish Council support must be acknowledged as appropriate on all publicity and promotional material including posters, advertisements, press releases and leaflets.
- Financial support can only be used for the purpose for which the grant is given.
- Grants must not be distributed to any other organisation.
- Proof of appropriate spend shall be provided to Sourton Parish Council if requested.

- Should a project be cancelled for example, or the funds, or part of, not be required, then any surplus grant funds must be returned
- Unless part of the objective of the event was specifically to raise funds for a community project, should an overall “profit” result from an event, the original grant money is to be returned

Applications should be submitted in writing (letter, email) using the grant application form to:

The Clerk Sourton Parish Council

The application should detail:

- The organisation requesting support
- The amount requested, along with details of any funding sourced elsewhere and when the money is required
- The project for which the money is sought, including any relevant areas which might support your application under the decision-making criteria listed below

Decisions will be based on the following criteria

- General eligibility
- Impact on key local need
- Community support
- Value for money
- Environmental impact
- Community involvement
- Feasibility
- Effectiveness

Timescale

Applications will be reviewed at the September and March meetings of the Parish Council and the applicant advised of the decision as soon as possible after the meeting.

This policy was adopted on	April 2026
Signature Of Chairman	C Mott
Date of next review	April 2026

Sourton Parish Council Freedom of Information Publication Scheme

The model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

Lists and registers.

Information held in registers by law and other lists and registers relating to the functions of the authority.

The services we offer.

Advice and guidance, booklets and leaflets, transactions, and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available.

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme.

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- Photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information.

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests.

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Information available from Sourton Parish Council under the Freedom of Information Act model publication scheme

This template guide covers only information we currently hold. If we do not hold some of the information listed below, we will mark it as 'not held' in the table.

Information to be published	How the information can be obtained	Cost
<p>Class 1 - Who we are and what we do.</p> <p>(Organisational information, structures, locations and contacts)</p> <p>Current information only</p>	<p>Hard Copy and or website</p>	
<p>List of Council members and their responsibilities as well a list of Council Committees</p> <p>Details of any representation on local public bodies</p>	<p>Hard copy and website</p>	<p>5p per sheet/free</p>
<p>Postal address</p> <p>Email address</p> <p>Contact details for Parish Clerk and Council members.</p> <p>Where possible, provide named contacts including contact phone numbers and email addresses</p>	<p>Hard copy</p> <p>Hard copy and website</p> <p>Hard copy and website</p>	<p>5p per sheet/free</p>

Location of main Council office and accessibility details	n/a	
Staffing structure	n/a	
Class 2 – What we spend and how we spend it. (Financial information about projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	(Hard copy or website)	
Statement of accounts and internal audit report in the format included in the Annual Return form.	Hard copy and website	5p per sheet/free
Finalised budget	Hard copy and website	5p per sheet/free
Precept	Hard copy and website	5p per sheet/free
Borrowing Approval letter	n/a	
All items of expenditure above £100	Hard copy and website	5p per sheet/free
Financial Standing Orders and Regulations	Hard copy and website	Hard copy and website
Grants given and received	Hard copy and website	Hard copy and website
List of current contracts awarded and value of contract.	Hard copy	5p per sheet
Members' allowances and expenses	n/a	
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum	(Hard copy or website)	
Annual governance statement in format included in the Annual Return form.	Hard copy and website	5p per sheet/free

Parish Plan	n/a	
Annual Report to Parish or Community Meeting	Hard copy and website	5p per sheet/free
Quality status	Hard copy and website	Hard copy and website
Local charters drawn up in accordance with DLUHC's guidelines.	n/a	
Data Protection impact assessments (in full or summary format) or any other impact assessment (e.g. Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant	Hard Copy	5p per sheet
Class 4 – How we make decisions. (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	Hard copy and website	5p per sheet/free
Agendas of meetings (as above)	Hard copy and website	5p per sheet/free
Minutes of meetings (as above) – exclude material that is properly considered to be exempt from disclosure.	Hard copy and website	5p per sheet/free
Reports presented to council meetings – exclude material that is properly considered to be exempt from disclosure	Hard copy and website	5p per sheet/free
Responses to consultation papers	Hard copy	5p per sheet
Responses to planning applications	Hard copy	5p per sheet
Byelaws	n/a	

<p>Class 5 – Our policies and procedures</p> <p>(Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only</p>	(Hard copy or website)	
<p>Policies and procedures for the conduct of Council business:</p> <ul style="list-style-type: none"> • Procedural standing orders • Committee and sub-committee terms of reference • Delegated authority in respect of officers • Code of Conduct • Policy statements 	<p>Hard copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy</p>	<p>5p per sheet/free</p> <p>5p per sheet</p> <p>5p per sheet/free</p> <p>5p per sheet/free</p> <p>5p per sheet</p>
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <ul style="list-style-type: none"> • Internal instructions to staff and policies relating to the delivery of services • Equality and diversity policy • Health and safety policy • Recruitment policies and details of current vacancies • Policies and procedures for handling requests for information • Complaints procedures (including those covering requests for information and operating the publication scheme) 	<p>Hard Copy</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p> <p>Hard Copy & website</p>	<p>5p per sheet</p> <p>5p per sheet/free</p> <p>5p per sheet/free</p> <p>5p per sheet/free</p> <p>5p per sheet/free</p> <p>5p per sheet/free</p>
<p>Records management, personal data and access to information policies</p> <p>Include information security policies, records</p>	n/a	

retention, destruction and archive policies, and data protection (including data sharing and CCTV usage) policies		
Class 6 – Lists and Registers Currently maintained lists and registers only.	(Hard copy or website; some information may only be available by inspection)	
Information legally required to hold in publicly available registers (in most circumstances existing access provisions will suffice)	Hard copy	5p per sheet
Assets register, including details of public land and building assets	Hard copy and website	5p per sheet/free
Disclosure log indicating the information provided in response to FOIA and EIR requests. These are recommended as good practice.	Hard copy and website	5p per sheet/free
Register of members' interests	Hard copy and website	5p per sheet/free
Register of gifts and hospitality	n/a	
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(Hard copy or website; some information may only be available by inspection)	
Allotments	n/a	
Burial grounds and closed churchyards	Hard copy and website	5p per sheet/free
Community centres and village halls	n/a	
Parks, playing fields and recreational facilities	n/a	
Seating, litter bins, clocks, memorials and lighting	Hard copy and website	5p per sheet/free
Bus shelters	Hard copy and website	5p per sheet/free
Markets	n/a	
Public conveniences	n/a	
Agency agreements	n/a	
Services for which we are entitled to recover a fee and details of those fees (e.g., burial fees)	n/a	

Additional Information	Hard copy	5p per sheet
Information not itemised in the lists above		
Contact Details:		
Mrs Abi Horn, Parish Clerk, Coombe Farm, Lake, Sourton, Okehampton, Devon, EX20 4HQ 07453561940 parishclerk@sourtonpc.org.uk		

Schedule of charges

This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 5p per sheet (black & white)	Actual cost *
	Photocopying @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 ⁿ class

Statutory Fee		In accordance with the relevant legislation (quote the actual statute)
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* The actual cost incurred

Sourton Parish Council

This policy was adopted on	April 2026
Signature Of Chairman	C Mott
Date of next review	April 2027

Tree Policy

Introduction

Trees are a highly valued feature of the parish of Sourton; they make an enormous contribution to the character and beauty of our landscape and create /maintain environments rich in biodiversity. Sourton Parish Council values its trees and recognises both the human and environmental benefits of having a healthy and sustainable tree population.

We also recognise that although trees are a positive feature, they can be the cause of a range of problems, from being a nuisance or inconvenience to potentially causing serious injury or even death. As a tree owner we have a direct responsibility for ensuring our trees do not pose a danger to the public or property and are managed appropriately. This policy sets out Sourton Parish Council's approach to tree management.

We aim to inspect our tree stock at an appropriate frequency, depending upon number of pedestrians, vehicles and other targets either passing beneath or within falling distance of the tree, to ensure continued public safety. Following inspection, the trees will be assigned a risk classification which will inform their prioritisation for maintenance works.

Policy scope

This policy applies to all trees under Sourton Parish Council ownership/management, regardless of their location.

Set out below is an overview of responsibility for tree related issues which are not specifically managed by Sourton Parish Council.

West Devon Borough Council (WDBC) administer Tree Preservation Orders, Conservation Areas, Hedgerow Regulations, and planning applications relating to trees.

Trees growing on land which forms part of the adopted highway are the responsibility of the Highways Authority, Devon County Council.

Tree owners are directed to the Arboricultural Association's list of approved contractors and consultants (<https://www.trees.org.uk/>).

Although we believe this policy to be as comprehensive as possible, we acknowledge it does not cover every situation. SPC reserve the right to exercise discretion in application of this policy when to do so would be in the best interests of the Council and its residents.

The importance of trees in the urban and rural landscape

Trees are important features in the landscape. They help to create an attractive environment, making the Parish a better place to live, work, study, and visit. They bring colour and contrast, give privacy and soften the hard lines of streets and landscapes. Not only do trees have a visual quality, but they also enhance the environment in less obvious ways:

- they improve air quality by filtering airborne dust, smoke, and fumes;
- they absorb traffic noise in built-up areas and can help limit noise pollution;
- they reduce temperature extremes by providing shelter in hot weather and insulation in cold weather; trees adjacent to buildings can reduce air conditioning and heating costs;
- they act as a screen, increasing privacy in residential roads and gardens;
- they convert carbon dioxide to oxygen, increasing the quality of the air locally and helping to reduce the 'greenhouse effect';
- they provide food and habitat for birds and other wildlife, thus supporting nature conservation value and biodiversity;
- research has shown that trees provide many psychological and health benefits and have been shown to reduce stress significantly.

Trees on Sourton Parish Council managed land

The Council has discretionary power to provide and maintain trees on open spaces and amenity land under the Open Space Act 1906. As such we have a responsibility to maintain trees within our ownership/management to ensure they are in a safe condition and not causing an unreasonable danger or actionable nuisance. All enquiries regarding trees on Sourton Parish Council managed land should be directed to the Council by email: parishclerk@sourtonpc.org.uk phone: 07453561940.

Inspection of trees

4.1.1 Informal observations – undertaken by people with good local knowledge and familiarity with local trees who are not tree specialists. Informal inspections are on-going, a part of daily life.

4.1.2 Formal observations – the inspection is not incidental to other activities, ground level checks to identify immediate instability, uprooting or other structural failure. Undertaken by people without tree related qualifications but do have a general knowledge of trees and the ability to recognise normal and abnormal appearance and growth for example fractured branches, rocking root plate. Frequency is determined by prioritising by risk, the decision is the judgement of Parish Council Clerk applying sensible reasonable behaviour. Appendix 1 contains details of how often formal observations will be carried out.

4.1.3 Detailed inspection – should be applied to individual, high value trees with high-priority concern in well-used areas. Carried out by a competent specialist and usually applied to trees valued for their heritage, amenity or habitat and those suspected of posing a high level of risk. Appendix 2 contains details of regularity of tree inspections in areas that the Parish Council manages.

Tree maintenance

Our tree maintenance work will be conducted because of information gathered during pro-active tree inspections. However, reactionary tree maintenance will always form a key element of overall tree maintenance operations and normally originates from the following:

- programmed and routine inspections by a qualified tree inspector/consultant.
- reports from residents;
- enquires from County, District and Parish Councillors;
- reports from utility companies;
- cyclic maintenance;
- emergency works (e.g., resulting from high winds).

The following categories will be used when prioritising tree works:

Priority	Response
Priority 1: Urgent Public Safety	From within 24 hours to one week depending upon the risk
Priority 2: Non-urgent but essential work	Between 1 to 6 months depending upon risk and time of year
Priority 3: Desirable	12 months where possible
Non-priority	No action proposed

A tree could warrant immediate attention if, for example:

- it has snapped or blown over;
- it is rocking (roots are damaged);
- it is uprooted but held up by another tree or building;

- a large branch has broken off or is hanging off the tree;
- it or its branch is blocking the road or footpath;
- it or its branch is blocking access to property;
- it has fallen on to a structure, such as a building or car.

A tree may be a risk to people or property but does not require immediate attention if: for example

- it is dead;
- it is dying (few leaves in summer or dieback in the crown);
- its bark is loose and falling off;
- mushrooms or fungi are growing on or near the tree;
- old splits and cracks are in the trunk or large branches;
- smaller branches or twigs are falling from the tree.

Trees will be made safe via pruning or felling, and we would use the most cost effective approach. However, for certain high value trees we would consider other options to reduce the risk to an acceptable level. This would include options to reduce the likelihood of the tree failing or the likelihood of persons being close to the tree if it did fail.

Publicising tree felling / pruning

Where works are minor such as pruning (including repeat cyclical pruning of trees) or involve removing trees that are less than 15 cm diameter (6 inches) at a height of 1.3 metres, we will not publicise the works.

Where works are more impacting, for example, felling larger trees, carrying out works to a veteran tree or a tree with a Tree Protection Order (TPO), we will erect an informative site notice on or very close to the affected tree. If more than one tree at the same location is affected it may be more appropriate to erect a site notice including a map / schedule.

Where a competent officer has determined that the tree should be felled on public safety grounds there will be no public consultation and no right of objection.

Dealing with tree care

To ensure that requests for works to trees are dealt with efficiently, consistently, and fairly, our policy in relation to the more common types of requests is outlined below.

Obstructing / Overhanging Tree Branches

Tree branches can cause obstructions to public footpaths, roadways / signs, streetlights, and open spaces. Appropriate pruning to eliminate hazards caused by obstructive branches will normally be acceptable, providing efforts are made to retain the shape of the tree.

We will undertake work to trees in Council ownership / management to maintain a minimum 5 metres clearance over roads and 2.4 metres over formal footpaths.

We will not prune trees that overhang neighbouring properties unless the trees are dangerous or causing an actionable nuisance (i.e., touching the walls, roofs, windows, gutters, garage etc). This will ensure that damage to property such as aerials, tiles or gutters is avoided.

Adjacent Landowners do have a common law right to prune back tree branches to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

Shading and Loss of Light

Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden. Therefore, tree works to improve light levels will not normally be considered.

Where elderly, infirm, or disabled persons who spend a significant amount of time within their home are affected by loss of light, or it can be established that the presence of trees is detrimental to the health of such residents, further consideration will be given to the management approach to trees. This consideration will also take into account the quality and importance of the tree in question, as well as the benefits to the wider community.

Loss of View

Trees will only be pruned or removed to restore views when necessary to retain important public viewpoints or there is potential to bring about significant public benefit and/or enhance the local landscape or townscape. Historical records may be used to determine the level of management required. Pruning of trees for highway sight-line requirements will be dealt with on a case by case basis.

Trees affecting reception (Television / Satellite / Solar Panels)

Pruning in the short term may help improve television reception. However, in the long term the flush of quick, extra growth associated with pruning can exacerbate the problem. In most cases the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a booster. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances.

Similarly, we will not prune or fell a tree in our ownership / management to improve natural light to a solar panel. Whilst we recognise the need for renewable energy sources, trees are also important in tackling climate change.

Overhead Cables / Telephone Wires

Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain a clearance between trees and their apparatus to ensure continuity of supply. This may sometimes involve the loss of trees. Where works to trees are necessary as a result of proximity or conflict, we will encourage utility operators to adopt the most appropriate long-term solution, giving consideration to tree health, local tree cover and visual amenity.

Problems caused by branches interfering with privately owned telephone wires can usually be eliminated through appropriate pruning and tree removal would not usually be considered.

We will not prune or fell a tree in our ownership / management to prevent or reduce interference with telephone wires. We would recommend contacting the telephone service provider in such circumstances.

General / Minor Nuisances

We will not fell or prune trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of our control. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be normal and acceptable consequences of living near trees. Examples of such problems are:

- falling leaves, sap, blossom, fruit, nuts, bird, and insect droppings;
- insects associated with trees (spiders, wasps, flies etc);
- reduction or increase of moisture to gardens;
- suckers or germinating seedlings in gardens;
- leaves falling into gutters, drains or onto flat roofs;
- the build-up of algae on fences, paths, or other structures.

Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out.

Falling leaves, sap, blossom, fruit, nuts, bird, and insect droppings are not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with these issues alone.

We would not normally prune or fell a tree under our ownership / management that bears poisonous fruit / foliage (such as laburnum or yew).

However, where it is known that unsupervised young children are likely to be exposed to berries or foliage that will make them ill if eaten, we will investigate and take action, where appropriate.

Trees considered too big / too tall.

We will not prune or fell a tree under council ownership / management because it is considered to be 'too big' or 'too tall' for its surroundings. Trees grow adaptively to support themselves in relation

to their surroundings and the typical loads they can be expected to experience. Trying to contain trees to a specific size is only a suitable management regime for certain species in specific circumstances (i.e., pollarding).

This process is initiated 'soon after (a) tree is established' and 'larger trees should not normally be treated in this way' (BS3998: 2010 Tree work – Recommendations). 'Crown reduction' can also be used to allow the retention of an important tree with structural defects, trees which cause an obstruction or trees which are likely to cause structural damage to property which would otherwise need to be removed. In all other situations, reducing the size of a tree's crown is not considered appropriate.

Personal Medical Complaint

We will normally not prune or fell a tree under our ownership/management where a request has been made to do so because of a personal medical complaint. However, where it can be established that the presence of a tree is causing a detriment to the health of residents further consideration will be given to the management approach of trees.

Ivy

Ivy (*Hedera helix*) is a native species which provides important habitat to a wide range of wildlife, especially as an important source of food and cover for birds. Ivy often grows on tree stems and branches and can restrict the full structural assessment of a tree. It is rarely a significant threat to healthy trees.

Ivy will be severed at the base of relevant trees where it restricts the full assessment of parts where a significant defect is suspected, or where ivy growth is so prolific it increases the sail area or affects the growth of the inner crown of a tree to an unacceptable level.

Once severed, ivy will be left in situ to die back. This will reduce the impact of any loss of cover/habitat to local biodiversity and will help prevent sun damage to newly exposed parts of the tree.

Damage and tree roots

Many tree conflicts arise because of the presence of tree roots and the perception that they are causing damage. Where damage is alleged, each complaint will be investigated on an individual basis. The following guidance will be used in assessing levels of nuisance and identifying appropriate action.

Root invasion in gardens; tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Landowners do have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

Most species of deciduous tree will re-sprout from the stump when cut down. Many species will produce a new growth shoot from a root if it becomes exposed to sunlight through ground erosion.

Some species readily produce shoots from their buried roots as a way to regenerate and this is often stimulated by stresses, such as heavy pruning or felling. Numerous tree species (including Cherry and Poplar) are therefore likely to produce vigorous root suckers as a response to being felled. Poisoning a stump to prevent such suckering is not always successful since application of herbicide onto a stump face often only affects the stump and the upper roots.

Tree felling or branch pruning in response to root invasion in gardens would not normally be appropriate, as such works are likely to worsen existing problems. The pure encroachment of roots into adjoining land is not considered to amount to actionable nuisance.

Damage to walls and fences

It is often possible to rebuild or repair garden walls and fences to take account of adjacent trees. This can be achieved in a number of ways (for example installing a section of railing or bridging foundations around the base of a tree). Therefore, where trees are considered to be causing damage to wall or fences, we will only consider tree removal if the walls or fence is irreplaceable and of exceptional importance e.g., a retaining wall or of historical interest, or if there is a risk to public health in leaving the tree which cannot otherwise be mitigated. If a damaged wall or fence was constructed after planting of the tree, it may mean that the design or construction has failed to take the presence of nearby trees into account.

Damage to paths

It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude they can be root pruned, or the path re-laid around the tree with flexible materials such as asphalt to provide a smooth surface. Where trees are considered to be causing damage to paths or footpaths, we will not normally consider tree removal except where there is a risk to public health which cannot otherwise be mitigated.

Damage to drains or water pipes.

There is no evidence to suggest that the tree roots can actively penetrate an intact pipe or drain, but they can find their way into drains by any existing fault and increase damage. In these situations, the owner of the drain should seek to get the drain repaired at their own expense. Tree removal will not normally be considered.

Trip Hazards

We will make safe an unacceptable trip hazard in a street, road or highway which is caused by a tree in our ownership / management.

Installation of drop kerbs

We will consider felling or pruning the roots of a tree under our ownership / management to allow the installation of a drop kerb. Each case will be considered on an individual basis.

Protected trees.

Tree Preservation Orders (TPOs)

A TPO is a legal document made, administered, and enforced by the local planning authority, to protect specified trees and woodlands with public amenity value.

A TPO prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.

Sourton Parish Council recognises its responsibilities in regard to its trees that are protected by TPOs.

Other factors constraining work to trees.

Birds

Under the Wildlife & Conservation Act 1981 (as amended) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Non-urgent major tree work involving tree removal / reduction and hedge cutting operations should not normally be undertaken during bird nesting / breeding season, which is considered to be from 1st March to 31st July.

Bats

Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting / nesting site is a criminal offence which can lead to imprisonment. Trees displaying signs of roosting bats will be referred to an Ecologist before any work commences. Any trees supporting roosting bats will not be worked on until Natural England is consulted.

Restrictive Covenants

Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

Vandalism and damage to Council owned/managed trees.

Vandalism is an increasing pressure on trees. Usually, it is young newly planted trees that are damaged; however, mature trees are often damaged too. There are various ways in which vandalism can be counteracted, but none of these is 100% effective against determined attack.

The main methods of deterring vandals are to plant large numbers of very young trees, known as whips, or to plant larger robust trees depending on the site. Another method is to put guards or fencing around trees, but these have to be large enough and strong enough to offer real protection.

This latter approach tends to be the most expensive method and only appropriate in very high-profile positions. In the long run, increasing environmental awareness within schools and communities should help reduce vandalism. We will investigate any reports of vandalism / damage to trees in our ownership / management and try to repair any damage where we can.

Where possible, we will take legal action against the person(s) causing the damage.

Tree pruning techniques and who carries out the work.

Sourton Parish Council will seek to ensure that tree works are carried out to the highest standards. In carrying out tree works, we and any third party working on trees over which we have a responsibility, will ensure that pruning conserves the overall amenity value, form and shape of the tree and all tree works must be carried out in accordance with British Standard 3998 – Recommendations for Tree Work. Particular pruning specifications may or may not be appropriate for trees of different ages, species, health and condition, or even between trees of the same species depending on their condition, age and environment. Clear and acceptable pruning objectives are necessary in advance of approval of a pruning specification.

Protection and Enforcement

SPC will adopt a robust approach to damage to its property. Where SPC trees are felled or damaged without prior consent the matter will be referred to the police. Civil action will be considered to recover compensation for the loss of the tree and/or any remedial works including replanting with a suitable replacement, and aftercare. Accepted tree valuation methods will be applied, where appropriate, to establish a monetary value of the tree/s. Officer time investigating damage may also be incorporated in any claim.

SPC will also consider the use of Tree Preservation Orders in conjunction with the Local Planning Authority (WDBC) to increase the legal protection afforded to specific trees or woodlands which are considered to be under threat. Where damage is caused to a tree which is protected by a Tree Preservation Order, the Council will consider prosecution.

Tree Planting

The principle aim of new planting will be to maintain and increase tree cover within the parish and to achieve a robust and diverse tree population, well suited to the planting location and able to meet the challenges of a changing climate and pests and disease, whilst maximising amenity, biodiversity, and other tree related benefits.

All new tree planting will utilise high quality, disease free planting stock from reputable suppliers grown to British Standard 3936.

SPC recognises the contribution of native species to biodiversity and also to the character of the area, however this must be considered in tandem with the predicted impacts of climate change.

The ultimate aim will be a robust tree stock of varied age distribution and a wide range of appropriate species and genetic material.

Trees will be selected which will be specifically suited to their location for the long term and will minimise future conflicts.

SPC is committed to replanting trees following a tree removal. Wherever possible at least one replacement tree will be planted for each tree removed. Where, due to location or other issue this is not appropriate, SPC will seek to plant at least one tree on land which it manages in the vicinity so the tree cover in the local area is not diminished.

Aftercare

Good aftercare for 2-3 years after planting is essential to ensure that the investment in trees is not wasted; this is particularly true for larger 'standard' trees. Aftercare of trees can be time consuming and expensive.

SPC will actively seek to involve the local community to help with watering and aftercare of newly planted trees (also giving them a vested interest in the future health of the tree).

SPC will seek to plant tree stock, where possible, which has a lower aftercare requirement, increasing the cost effectiveness of planting schemes.

Appendix 1: Formal Observations

Formal observations will be made on the Council's tree's once a month and after storms. A record will be kept of the inspection but a record every tree inspected will not be kept. Records will include the date of the inspection, who carried out the inspection and details of trees requiring treatment and presenting a serious risk. Actions taken will be recorded.

Appendix 2: Schedule for Professional Tree Surveys

Area	Survey regularity	Last Completed Survey	Next Survey Due/Booked for
Sourton Churchyard Closed Area	Every 3 years	26 th January 2026	2029
Verge by Trescote Way	Planted as whips		2032
Granite Way at Prewely	Planted as whips		2032* Dug up by SW water

This policy was adopted on	April 2026
Signature Of Chairman	C Mott
Date of next review	April 2027