

RED HOUSE FARM ALLOTMENT SOCIETY

POLICY – TREES

It is the policy of Red House Farm Allotments Society to overview and advance the cultivation of trees on the sites so that the interests of all parties are amicably fostered.

The Committee of Red House Farm Allotments Society recognises its duty as far as possible to satisfy its legal and contractual obligations to the Landlords, Council and Members and encourage good practice in the cultivation of trees on the site.

Through the Council the Society, and every Member, has a legal obligation to the Landlords, according to the 1st Schedule, Part 2, Paragraph 2(c) of the Small Holdings and Allotments Act 1908, “not except with the consent of the landlord.....any right to fell or cut timber or trees.”

Similarly, according to the Society’s Agreements with the Council, paragraph 12, the Society has agreed, “Not without previous consent in writing of the Council to cut or lop or permit to be cut or lopped any timber or timber like trees on the Land and not injure or permit to be injured any such trees.” The Society also recognises the objectives of the Council in its Tree Management Policy.

www.northynteside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=29101 and the legal duties, which can occur.

Each Member has the right, according to Section 22 of the Allotments Act 1922, to cultivate his/her allotment garden, “for the production of vegetable or fruit crops for consumption by himself or his family.”

This policy is to clarify the boundaries of these rights and undertakings.

Thus, Members may plant, train, prune or fell any tree on their own plot which meets the purpose of Section 22, including e.g. fruit, bay or holly trees. In doing so Members should have regard to legal requirements e.g. not disturbing nesting birds or bats and follow good practice for each variety of tree. Members should have consideration for all neighbours so that, when the tree grows to maturity, it does not encroach on others through its root structure or by taking another’s light and is not allowed to foster pests and diseases. Among others the Royal Horticultural Society provides cultivation guidance, easily obtained on its website, rhs.org.uk.

Members should remove self-seeded saplings from their plots as soon as they become aware of them. They may not be a concern when small but, if neglected, could be expensive to remove when mature. If young trees are beyond the capacity of the Member to tackle they should be referred to the Committee.

A Member must not cut, prune, treat or lop trees which are not on his/her plot. However, Members may prune another neighbour Member’s overhanging tree, returning the pruning’s to the owner.

If Members have timber trees on their plots, which need addressing, they must be referred to the Committee, who will contact the Council to obtain permission. Similarly, the Committee are responsible for referring to the Council timber trees in communal areas.

If a Member is in doubt as to whether permission is needed to address a particular tree he/she should seek guidance from the Committee.

Approved by the Committee on.....

C Meikle

Chairperson