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## **MINUTES OF THE LAND MANAGEMENT AND ASSETS COMMITTEE HELD AT 19.32 PM ON 17<sup>TH</sup> MARCH 2026 IN THE COUNCIL CHAMBER, MEMORIAL HALL, FRESHWATER**

**PRESENT:** Councillors Turan (Chair), Cameron, Cox, Hobbs, Jarman, Pakel, Whistance

**MEMBERS OF THE PUBLIC:** 1

**CLERK:** K Gibson

**MINUTES:** M Gardiner

1. **APOLOGIES** To receive any apologies for absence.  
Councillors Armstrong, Bamford
2. **DECLARATIONS OF INTERESTS** To receive any declarations of pecuniary or non-pecuniary (personal) interests relating to items on the agenda. **NONE**
3. **MINUTES** To agree the minutes of the meeting held on 20th January 2026 (PAPER A). (EC/BC) **AGREED**
4. **WILDFLOWER PATCH ON STROUD PLAYING FIELD** To discuss and agree the proposal put forward by Councillor Pakel (PAPER B to follow).

It was proposed to take forward Councillor Pakel's motion to full council – to create a strip of wildflower 2m x 20m on Stroud Field with a budget request of £320 to cover the expenses of Tom Murphy (Consultant) (CP/DW) **AGREED**

5. **ASSET MAINTENANCE SCHEDULE** To review and discuss the asset maintenance schedule and agree any amendments. Please note this is a first draft working document and is not completed (PAPER C)

Reviewed – Councillor Cox requested an additional field listing work waiting to happen

6. **TREE POLICY & WOODLAND MANAGEMENT PLAN** To review and discuss comments from Wayne Isaacson Consultancy Ltd on the wording of the tree policy and agree a way forward for the Woodland Management Plan. (PAPER D & PAPER E)

Reviewed – the Clerk to agree the exact wording (were currently it may be ambiguous) with Wayne Issacson in preparation for Full Council.

7. **ALLOTMENTS** To review and discuss the allotments.  
It was proposed to arrange cutting of the main path monthly March/October (EC/DW) **AGREED**.  
To consider the logistics of transporting rotted manure to the site for soil improvement. Councillor Whistance agreed to investigate the matter further.
8. **MOA PLACE PHONE BOX** To review and discuss future uses for the moa place phone box.  
It was proposed that this be a Councillor led initiative – to include shelving to house seasonal offerings (Councillor Cameron to lead and liaise with the lengthman). BC/CP **AGREED**
9. **LAND MANAGEMENT WORKING GROUP MEETINGS** To discuss plans for the committee members to meet for informal working groups.  
It was discussed and agreed that Councillors would meet on an informal basis as and when required.
10. **UPDATES FROM COUNCILLOR CAMERON ON THE FOLLOWING**
  - Flooding involving our assets
  - Freshwater Bay Stones
  - Planting – volunteers and plans for autumn bulb planting

Circulated to Councillors.
11. **FUTURE AGENDA ITEMS**
12. **DATE FOR THE NEXT MEETING:** 16<sup>th</sup> June 2026

**Meeting closed at: 8.47pm**

## **Tree Policy**

I have reviewed your Tree Management policy and have made a few comments.

Importantly, there is no mention of HSWA, and how FPC fulfils its duties.

I have used a word doc to do this simply. Please find attached. Let me know if you have any queries.

## **Woodland Management Plan.**

I have had a look at the WMP that I have prepared and this is all still relevant and appropriate.

However, it is written on the FC Small Woodland Template which cannot be used to claim any woodland grants. To be able to apply for grant funding the Full FC template must be used.

Back when I prepared the WMP, Stroud Copse was not big enough to qualify for any grant funding. Hence the FC Small Woodland option. However, since then the criteria has changed and smaller woodlands (over 0.5ha) have now been included.

There is a grant of ?1500 available for the preparation of a Full Woodland Management Plan. Please see FC website for conditions, eligibility etc.

There may be a little more work on my part, but mainly I would just need to transfer the existing information into the new template.

As always, any questions just shout.


Best wishes


Wayne

### **Wayne Isaacson**

Dip Arb L6 (ABC) MICFor MArborA

Chartered Arboriculturist

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Freshwater Parish Council

Tree Management Policy

2025

Approved and Adopted 2<sup>nd</sup> September 2025



## Freshwater Parish Council Tree Management Policy

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### 1. Introduction

This policy sets out Freshwater Parish Council's approach to the management of trees owned and managed by the Freshwater Parish Council. It seeks to adopt a balanced approach that recognises both the substantial benefits provided by trees and the responsibilities of the Parish Council to ensure public safety.

Trees provide a wide range of quality-of-life benefits, including:

- Enhancing the landscape and village character.
- Reducing climatic extremes, cooling air, improving air quality, provide shade, stabilising soil, filtering pollution, and reducing noise.
- Providing habitats for wildlife and supporting biodiversity.
- Contributing to residents' wellbeing by creating attractive, tranquil spaces.

The Freshwater Parish Council has a duty of care to take reasonable steps to reduce the risk of death or injury to those on Parish Council land, while preserving the village's trees for future generations. Whilst the presence of trees is hugely beneficial their respective growing habits can create varying degrees of inconvenience to, and conflict between, residents living nearby.

Where removal of trees is required, replacement planting with native non-invasive species, will be sought wherever possible. Queries regarding Parish Council trees should be directed to the Clerk at [clerk@freshwater-parish.gov.uk](mailto:clerk@freshwater-parish.gov.uk) or 01983 752000.

Commented [W11]: See comment section 6.

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## 2. Tree Inspection

- All Parish Council-owned/leased trees will be inspected every 2 - 3 years by a qualified tree inspector.
- Additional inspections may be arranged following storm events or where concerns are raised.
- Recommendations will be considered by the Parish Council in line with this policy.

**Commented [WI2]:** Some areas will have triggers for more frequent inspection. I can provide a table with frequencies for each of the sites on the tree survey. The recent court case Cavanagh v Whitly PC suggests min 2 years in busy areas, while Ash die back disease would need 1 annual inspection. Although longer maximums may be ok for risk in rarely used areas, 3 years is a good max for the size of FPC estate, as you can also monitor maintenance requirements.

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## 3. Tree Maintenance

The Freshwater Parish Council adopts a proactive but preservation-focused approach to maintenance:

- Only essential or minimal works will be undertaken.
- All works must be carried out by a qualified tree surgeon appointed by the Parish Council.
- Works will comply with relevant British Standards.
- Routine works will be scheduled outside of the bird nesting season (February–July). Where works are unavoidable in this period, thorough checks will be carried out to ensure no nesting or bats are disturbed.
- Where safe and appropriate, deadwood will be retained on site to benefit wildlife habitats.
- Where it is not possible to retain dead/chopped wood on site then an alternative local site will be sought for the logged wood (circa 30 cm lengths and suitable for wood burners) to be accessed without charge by local residents.
- Only where there is no safe or available local site will the contractor be charged with disposal.

**Commented [WI3]:** Consider rewording this to say that only necessary works will be done, or that you won't carry out unnecessary works. It currently sounds a bit negative.

**Commented [WI4]:** BS 3998:2010 Treework - Recommendations

**Commented [WI5]:** Nesting birds or

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## 4. Tree Works

Works will be carried out when:

- A tree or branch is dead, dying, or dangerous and poses a risk to public safety.

**Commented [WI6]:** Consider A tree or branch is hazardous and poses an unreasonable risk to public safety. All trees pose some risk.

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- Trees or branches cause unreasonable obstruction to highways, rights of way, signage, or property access.
- A tree causes an unacceptable trip hazard.
- A tree is proven beyond reasonable doubt to cause serious structural damage, confirmed by an independent professional.

**Commented [W17]:** The legal test for structural damage liability is 'On the Balance of Probability' rather than 'Beyond Reasonable Doubt'.

**Works may also be carried out when:**

- The species is inappropriate for its location.
- Trees obstruct streetlighting, heritage vistas, or maintenance operations.
- Thinning benefits adjacent or more favourable specimens.
- Works protect biodiversity or heritage structures.

**The Parish Council will not carry out works solely to:**

- Reduce the size of a healthy tree or cut back branches overhanging private property.
- Remove leaves, sap, blossom, fruit, nuts, or bird droppings.
- Remove wildlife considered a nuisance (e.g. bees, wasps).
- Improve natural light, views, or TV/satellite reception.
- Prevent shading of solar panels.
- Remove roots from drains or repair damage unless the tree is proven to be the principal cause.

**Commented [W18]:** A tree would only have to be a contributory factor in damage liability, it does not need to be the principle cause. You could leave this in, it may deter some, but you may not be able to defend it.

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**5. Residents Carrying Out Works**

Property owners may exercise Common Law rights to cut back encroaching branches to their boundary, provided that:

- Only overhanging growth is removed.
- The health and stability of the tree is not compromised.
- The Parish Council is notified in advance if works are to Freshwater Parish Council owned trees.
- Checks are made for Tree Preservation Orders (TPOs) or Conservation Area status before works commence.

**Commented [W19]:** Although polite and neighbourly. Home owners don't have to give any notice for pruning overhanging branches. So this wouldn't be enforceable in any way.

**Commented [W10]:** I would add in the requirement to gain TPO consent...*Thorough checks are made for Tree Preservation Orders (TPOs) or Conservation Area status, and any required consent is obtained from the Local Planning Authority before any works commence.*

- It is strongly advised that a professional tree surgeon is consulted for guidance on how best to prune back encroaching trees, unless the works are trivial meaning that works could be carried out with hand secateurs or similar;

**Commented [W11]:** Full stop

The Parish Council reserves the right to recover costs for corrective works if its trees are damaged. The Council cannot intervene in disputes over non- Parish Council trees.

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## 6. Replanting

- Where felling is necessary, at least two replacement trees will be planted where possible, either adjacent or at another approved location.
- Replacement trees will be selected with regard to their position, long-term value, and maintenance needs. These trees will be native non-invasive and climate-resilient species where possible.
- Any newly planted tree that dies within five years will be replaced.

**Commented [W12]:** 'Where practical' would be better than 'where possible'. Its always possible!

**Commented [W13]:** Using only native species is quite restrictive, and partly contradictive to climate resilience. Many climate resistant species are not native. Perhaps 'native species are preferred' where practical.

## 7. Protected Trees

- Trees subject to a TPO or located within a Conservation Area are legally protected. A TPO protects trees that make a significant contribution to the local landscape, whether for visual, historic, or ecological reasons.
- No works may be carried out without permission from the Isle of Wight Council.
- Offences include felling, topping, lopping, uprooting, or wilful damage.

## 8. Woodland Management – Stroud Coppice

Freshwater Parish Council owns Stroud Coppice (1.53 hectares of semi-ancient woodland). Management responsibilities include:

- Preserving and enhancing native species and encouraging natural regeneration.
- Retaining deadwood where safe, preferring pruning to felling.
- Managing the woodland as a sustainable resource.

**Commented [W14]:** Should read ASNW or Designated Ancient Semi Natural Woodland.

**Commented [W15]:** These are more 'Aims' than 'Responsibilities'

**Commented [W16]:** Where risk is acceptable, OR where risk is not unreasonable, OR Retaining deadwood for biodiversity where this does not pose an unreasonable risk.

**Commented [W17]:** Expand to say what the resources is/is for.

- Producing and implementing a detailed woodland management plan.
- Supporting community involvement and responsible access.
- Maintaining and developing pathways, while discouraging anti-social behaviour and fires.
- Endeavouring to manage and maintain the woodland in accordance with accepted forestry, arboricultural and nature conservation best practice,

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## 9. Statutory Obligations

The Freshwater Parish Council will:

- Fulfil obligations under relevant Town and Country Planning Acts and Tree Regulations.
- Seek to ensure trees of amenity value are retained through TPOs and Conservation Area controls.
- Act as a Consultee to the Isle of Wight Council on planning applications affecting trees.

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## 10. Dangerous Trees Not on Council Land

- Where dangerous trees on private or unregistered land pose a risk to the public, the Parish Council will liaise with the Isle of Wight Council under the Local Government (Miscellaneous Provisions) Act 1976.
- Land owners may be required to undertake remedial works.
- In urgent cases, works may be carried out by the IOW Council, with costs recovered from the land owner.
- Residents should report dangerous trees to Island Roads with FixMyStreet or via the Freshwater Parish Clerk.

**Commented [W18]:** Consider narrowing this down to public using FPC land. This reads that FPC will deal with any dangerous tree anywhere. Consider changing 'dangerous' to 'hazardous'.

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## 11. Freshwater Parish Council-Owned/Managed Land

The Parish includes stretches of the Heritage Coast Line, Isle of Wight National Landscape, Conservation Areas including Afton Marshes. These are critical areas of importance as they offer a significant number of differing habitats. Many of the trees in Freshwater Parish are protected by Tree Preservation Orders (TPO's), including the

whole of Stroud Coppice which is designated as semi-ancient woodland and other Conservation Areas. Work cannot be carried out on TPO's trees without the appropriate planning permission.

**Commented [W19]:** ASNW or Ancient Semi Natural Woodland

**Commented [W120]:** Without Appropriate consent from the Local Planning Authority.

This policy applies to all Parish Council land including (but not limited to):

- Brookside Road to include areas on either side of the footpath above and into the Brook including roadside and the area around the electricity substation to the tree line and Banks of the Brook - Area off main pavement into the brook
- Granny's Meads, Jubilee Field, Library Gardens, Spinfish, Old Fire Station
- Stroud Coppice, Stroud Recreation Ground,
- Moa Place and triangle
- Land from Black Hut Green to Moa Place car park including the back ditch and the area in front of Moa Place toilets, area inside of the Skate Park.
- Norton Green - all grassed areas fronting residences in Norton Green and areas of grass fronting Pixley Hill,
- Pound Green - all grassed areas including inside the Pound
- Queens Road from Brookside to Pound Green including area outside of Freshwater Conservative Club
- West Green Middleton including the area in front of Sheepwash Farm

Certain sites are excluded from tree planting: Freshwater Bay Boat Park, Promenade Shelter and Revetment. Moa Place Toilets, Gate Lane Toilets and surrounding land, Skate Park, MUGA and School Green Road opposite the Vine Public House.

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## 12. Review

This policy will be reviewed every **three years** or sooner if required by changes in legislation or local circumstances.

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**Adopted by Freshwater Parish Council on 2<sup>nd</sup> September 2025**

Approved and Adopted 2<sup>nd</sup> September 2025