



DERBY DIOCESAN ADVISORY COMMITTEE

WORK TO TREES IN CHURCHYARDS - REQUIREMENT FOR A FACULTY

Minor work on trees can be undertaken by the parish, without any requirement for diocesan permission (though that of the local authority may be necessary), including formative pruning such as taking out weak forks and selecting a leader, shortening wide sweeping laterals, removing crossing branches and dead shoots and also crown-lifting as the tree grows taller. Split, hanging or dead branches that are small and in easy reach can be removed.

Felling and more substantial lopping and topping will normally require a faculty. In addition, almost any work on a tree that is the subject of a tree preservation order requires the consent of the local planning authority; and six weeks' notice must be given to the authority before a tree is touched if the tree is in a conservation area. Consent to fell a tree, either from the chancellor or from the planning authority, may be subject to a condition that a replacement tree is planted. Further, if the tree is old or has small cavities, it may contain bats or other protected species, and English Nature should be involved as early as possible.

For such work it is important to use well-trained tree surgeons who are sufficiently insured rather than passing traders who offer to do the job cheaply. The local authority may hold a list of qualified people as does the Arboricultural Association. Contractors should work to British Standard 3998:1989.

Extract from The Churchyards Handbook CCC Publication 4th Edition

Summary of Faculty Procedure

1. Complete Form 16 and send to the DAC Secretary with:
 - a. A tree surgeon's report and recommendations.
 - b. Any correspondence with the Local Authority.
2. The application will be submitted to the next meeting of the Diocesan Advisory Committee for their advice.
3. Provided there are no further queries and there is agreement to the proposals, the DAC Secretary will issue a certificate raising no objections to the proposals.
4. The application and certificate will be forwarded to the Registrar who will send the appropriate papers to the Vicar and Church Wardens so that a Public Notice detailing the work can be displayed for 28 days.
5. Following this period, the Chancellor will make his decision on the faculty and the faculty will be issued provided that Local Authority consent has also been obtained if it is required.