



Highways and Transport
Parkhouse Building
Barron Way
Kingmoor Business Park
Carlisle
Cumbria CA6 4SJ
cumberland.gov.uk

Owner/Occupier
6 Foxhouses Road,
Whitehaven
Cumbria
CA28 8AE

4th March 2024
Our reference: RRNP2-6

Dear Owner/Occupier,

**HIGHWAYS ACT 1980 – SECTION 154 (1)
CUTTING OR FELLING OF TREES ETC., THAT OVERHANG OR ARE A DANGER TO ROADS
OR FOOTPATHS**

TREE LOCATED ON THE A5094 – LAND AT 6 FOXHOUSES ROAD, WHITEHAVEN

I understand that you are the owner or occupier of the above land, upon which there is a tree which is growing in such a way as to endanger or obstruct the passage of pedestrians and/or vehicles.

The location of the tree is shown on the attached plan and a brief description of the defects and remedial works required to remove the danger/obstruction is detailed below.

Please ensure that the work outlined to remove the danger/obstruction is completed within **9 months** of receipt of this letter.

When the work has been completed, please inform us by using the information below. This will prevent us from having to contact you again. If the tree is not in your control please inform us, by using the link <https://www.cumberland.gov.uk/parking-roads-and-transport> or calling the Highways Hotline on 0300 373 3730.

Failure to carry out the required work within the required timescale will result in this matter being referred to our Legal Services in order that a statutory notice is served on you under **Section 154** of the **Highways Act 1980**, for completion of the works.

Please note that the Cumberland Councils survey is limited to inspect from the roadside and as such is not a comprehensive survey, therefore you may wish to have the tree fully inspected by a qualified arboriculturist to determine its overall health and condition prior to completing the required works.

Details regarding Ash Dieback can be found via the following link <https://legacy.cumberland.gov.uk/roads-transport/ashdieback.asp> or by scanning the QR code, and from the enclosed leaflet from LEAF.

We can provide details of the tree surgeons that are approved to work on Cumberland Council sites upon request.



Please also be aware that if the removal of the tree will endanger footpath or highway users, traffic management may be required to ensure your site safety. Further details regarding this process can be acquired through the Highways Hotline.

Should it be necessary for you to close the road to remove the tree safely then it will be necessary to contact a qualified traffic management company who can apply for an urgent road closure and install the necessary signage. Closing a road without the relevant permissions is an offence.

For your information, a minimum clearance of at least 2.00 metres (6'6") from the carriageway edge and 5.00 metres (16'6") above any carriageway and 2.44 metres (8'0") above any footway or highway verge is required.

Before commencing any work, it is advisable that you establish if the tree is protected by a Tree Preservation Order (TPO) or is situated in a Conservation Area and follow the appropriate procedures.

Also, the Forestry Commission should be informed with a courtesy call if a tree is going to be felled, this is to comply with **The Forestry (Felling of Trees) (Amendment) Regulation 1987** (Felling Licences).

The following link has been provided to inform you of current Tree felling permissions needed for roadside trees. <https://www.gov.uk/government/publications/tree-felling-getting-permission>. Please contact your local Forestry Commission Woodland Officer for further information.

Funding options are available via the **Tree Health Pilot Scheme**. The link below can be used to find out if you are eligible to take part <https://www.gov.uk/government/publications/tree-health-pilot-scheme-2023>.

Your attention is also drawn to the provisions of the **Wildlife and Countryside Act 1981** for protecting birds, their nests and their eggs. When carrying out the necessary work to make your hedge(s), tree(s) or shrub(s) safe you must ensure that you take reasonable steps to avoid destroying the nest of any wild bird which is no longer in use or being built.

Your cooperation in dealing promptly with this matter would be greatly appreciated.

Yours Faithfully



Location Plan, Photograph/s and Works Required to be undertaken attached.