Havebury Homes
Tree Management Policy

HS 047

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Approved by (inc date)	*Leadership Team*		
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Author *(Document Owner)*	*Head of Housing*		
Accountable Director (*Relevant ED)*	*Director of Operations*		
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1. Policy statement

1.1 A principle of Common Law and relevant Statute Law is that landowners have a duty of care to visitors, residents, passers-by and indeed trespassers when on their land. We, as tree owners, have a direct responsibility to ensure that our trees do not pose a danger to the public or property. To address this risk, we will ensure:

- An overall assessment of risk is completed to identify high, medium and low risk trees
- A system of tree inspections is in operation in relation to risk
- A record of trees and inspections is maintained
- Systems and processes are identified that control and mitigate risks as identified from inspections

2. Purpose

2.1 This policy is intended to be the framework for managing and controlling the risk from trees on our land and the responsibility of residents with trees in their gardens. It takes account of health and safety legislation alongside industry best practice to ensure there is a consistent and proportionate response to the management of trees.

2.2 It is important to note that trees that are within conservation areas or protected by tree preservation orders will be managed within legislative requirements and local authority guidance.

2.3 A tree budget is allocated annually which will be used primarily to maintain a healthy stock and reduce the risk of injury and claim from residents and the public. Further details are set out in the Tree Management Procedures P052 which should be read in conjunction with this policy.

3. Scope

3.1 National Tree Safety Group (NTSG) produces the guidance manual, 'Common Sense Risk Management of Trees.' This guidance has been used to develop the principles we will adopt to managing the stock as follows:

- Health, safety, and maintenance of trees in public spaces, communal areas, and residents' gardens.
- completion of a comprehensive survey of the stock, independent of our Arboricultural Maintenance Services Contractor
- Expectations placed on the Arboricultural Maintenance Services Contractor in providing details of their Tree Management Programme.
- Our approach to trees in resident's gardens either during occupation or void periods.
- Recovery of costs through service charges and re-charging in appropriate cases
- We will manage tree risk using a planned and proactive approach, proportionate to the quantified risk posed by trees to the safety of residents and the public.
- We will try to retain trees where possible unless the risk is too great, or the cost is prohibitive.

4. Tree Management

4.1 This policy has been created with consideration to current national, regional and corporate policies and legislation, including:

- The Health and Safety at Work Act (1974)
- The Health and Safety at Works Regulations (1999)
- Occupiers Liability Act (1957 & 1984)
- Anti-Social Behaviour Act (2003)
- The Wildlife and Countryside Act (1981)
- Highways Act (1980)
- Town and Country Planning Act 1999
- Anti-social Behaviour, Crime and Policing Act 2014

4.2 Most of our tree stock is situated away from the Highway but where trees are adjacent to roads and footpaths, we have a duty to maintain a safe highway, which may include pruning, or removing trees for the following reasons:

- Obstruction by trees, for example.
- Low hanging branches
- Irreparable damage to highway trees by passing vehicles.
- Dangerous trees (for example storm or wind damage or dead, diseased or dying)
- Tree roots causing a trip hazard.

4.3 We will carry out works to trees growing on our land where they are:

a. Obstructing footpaths or roads
b. Causing, or likely to cause, damage e.g. touching or damaging buildings
c. Roots causing damage to drainage systems, or subsidence.
d. Obscuring street lighting
e. Dead or to be in such poor condition to be a danger to people or property (this doesn't include potential slip/trip hazard from falling debris such as seasonal leaf fall, honeydew etc.)
f. Damaging a path causing a hazard, where root pruning or repair is not an option.

4.4 Considering the many benefits that trees provide, works will not be authorized or carried out to trees for any of the following reasons

- Loss of light/reduced light to property assets
- Effects on TV or mobile phone reception (other than damage)
- Obstruction to views
- Minor or seasonal issues such as: Honeydew (dripping sap), bird droppings, leaf/fruit/flower fall, smells generated by trees

4.5 Our tree management programme is carried out so that it is compliant with relevant statutory provision for protection and conservation of wildlife. This includes not carrying out works to trees or otherwise disturbing birds during their breeding season and checks in relation to the presence of protected species.

4.6 Our associated procedure will clearly outline our responsibility to the management of trees in residents' gardens. The tenancy places responsibility on the resident. However, there may be occasions when we decide to provide

support, particularly if the circumstances relate to health and safety or vulnerable residents. Each situation will be considered on an individual, case by case basis.

4.7 When a property becomes vacant, the Voids team will review the location and condition of trees within the boundaries of the void property. Where trees are present and their condition or location indicates a need for work to be carried out, the voids team will arrange for an assessment of the trees and identify works which are required. Any identified tree work can be carried out outside of the void period and in tenancy so as to not delay the void period unless there is an identified risk to persons or property.

4.8 We will undertake a program of new tree planting where it is reasonable and/or practicable.

4.9 Whilst the Local Planning Authority sets conditions to protect existing trees or require new planting within development schemes, the development team consult early in their process with internal stakeholders to ensure input into planting plans and tree placement.

5. Tree Inspection & Maintenance

5.1 We will maintain a database to show the location, species, and other details of our tree stock in communal areas.

5.2 We procure specialist external contractors to undertake

- Tree survey services to assess the potential risks from trees in communal areas. The purpose of this contract is to place our trees under longer term and consistent management. Each tree and group is assessed on the risk it poses, placing it in a High, Medium, or Low category of risk. In accordance with BS guidance, High risk trees will be surveyed each year, medium risk trees every two years, and Low risk trees every three years. We will run this survey-and-resurvey annually and continuously, capturing new trees on new land acquisitions each year.
- The management of trees on our land which will involve works to remove health and safety risks identified through the tree surveys.

5.3 The tree inspection surveys and works will be undertaken by separate contractors to avoid potential for any conflict of interest. Following the tree inspection survey, and alongside our Arboricultural Maintenance Services Contractor, we will devise a proactive tree management programme.

5.4 Ad-hoc works will be issued appropriate to risk alongside the tree management programme.

5.5 Periodic checks will be carried out and documented by the Neighbourhood and Estates Team as part of general estate management.

5.6 Significant risks will be recorded and reported for action in line with prescribed timescales relating to severity.

5.7 The Neighbourhood Managers will review and monitor in line with

procedures.

6. Responsibilities

6.1 Leadership team is responsible for approving this policy. Delegated staff are responsible for the oversight and implementation of this policy in line with our tree management programme.

7. References

Related External Documents	
Reference	**Link to reference**
Health and Safety at Work etc. Act 1974	Health and Safety at Work etc. Act 1974
The Management of Health and Safety at Work Regulations 1999	The Management of Health and Safety at Work Regulations 1999
Occupiers' Liability Act 1957	Occupiers' Liability Act 1957
Occupiers' Liability Act 1984	Occupiers' Liability Act 1984
Anti-social Behaviour Act 2003	Anti-social Behaviour Act 2003
Wildlife and Countryside Act 1981	Wildlife and Countryside Act 1981
Highways Act 1980	Highways Act 1980
The Town and Country Planning (Development Plan) (England) Regulations 1999	The Town and Country Planning (Development Plan) (England) Regulations 1999
Anti-social Behaviour, Crime and Policing Act 2014	Anti-social Behaviour, Crime and Policing Act 2014
Related Internal Documents	

8. Document control *(mandatory section)*

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