

Tree Policy

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| Policy name | Tree Policy |
| Effective from | November 2025 |
| Effective to | November 2027 |
| Approved by | Risk & Compliance Group |
| Date approved | November 2025 |
| Policy owner/department | Asset Management |
| Policy author | Grounds Maintenance and Cleaning Contract Manager |
| Version number | 3.0 |

Version Control

| Versi on | Date | Changes | Reason for the changes | Approver |
|-------------|-------------|--|---------------------------|----------------------------------|
| 1.0 | Nov 2021 | | Original version | Ian Foster & John Cheetham |
| 2.0 | Nov 2023 | <ol style="list-style-type: none"> 1. Policy has been re-formatted to utilise and confirm with the latest YHG Policy Template. 2. New paragraphs added under section 8.4 Tree Safety to describe the customer correspondence that will be undertaken with respect to tree removal work. 3. The introduction of Surveying & Maintaining trees within customer's gardens. | | Conan McKinley |
| 3.0 | Nov 2025 | <ol style="list-style-type: none"> 1. Updated job titles from Tree Surveyor to Tree Officer. 2. Section 8.2 – individual customer gardens including in | 1. Job titles changed | Daniela Blomeley |

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| | | <p>inspection programme as per legal guidance.</p> <p>3. Section 8.3.1 frequency of surveys changed from between 3-5 years depending on risk.</p> <p>4. Section 8.3.2 additional paragraph detailing shorter surveying frequencies for exceptional circumstances.</p> <p>5. Section 8.3.12 inclusion of YHG not felling or pruning trees for personal medical reasons.</p> <p>6. Reference to YHG Neighbourhood Management Policy relating to grounds maintenance and tree debris.</p> <p>7. Section 13 and 14, management of policy changed to Grounds Maintenance and Cleaning Contract Manager and Tree Officers.</p> <p>8. Related documents: details about new Trees Section on YHG website and notification of tree felling letter.</p> | <p>2. Individual gardens included in tenancy agreement. Seeking legal advice</p> <p>3. As per industry standards.</p> <p>4. To ensure high risk trees are managed correctly.</p> <p>5. Following influx of service enquiries for this reason, and as per local authority practice.</p> <p>6. Not included in previous version.</p> <p>7. Change in job role titles. Responsibility of updating policy changed to Contract Manager role.</p> <p>8. Not included in previous version.</p> | |
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| The YHG Plan | |
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| Passionate people <input type="checkbox"/> | Efficient business <input type="checkbox"/> |
| Safe buildings <input type="checkbox"/> | Viability <input type="checkbox"/> |
| Safe environment <input checked="" type="checkbox"/> | Advocating <input type="checkbox"/> |
| Secure and connected <input type="checkbox"/> | Working in Partnership <input type="checkbox"/> |
| | Growth <input type="checkbox"/> |

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| Relevant National Standards or Regulation | <ul style="list-style-type: none"> • Home Standard • Tenancy Standard • Neighbourhood and Community Standard |
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| Relevant Legislation | <ul style="list-style-type: none"> • The Town and Country Planning Act 1990 – Part VIII; special controls in relation to trees • The Town and Country Planning (Trees) Regulations 1999 • The Planning (Part II) (listed buildings and conservation areas) Act 1990 • The Forestry Act 1967 • Plant Health (Forestry) Order 2005 • The Local Government (Miscellaneous Provisions) Act 1976) • Anti-Social Behaviour Act 2003: Part 8 in 2005: Requires action to address high hedges. • The Highways Act 1980 • The Occupiers' Liability Act 1958 and 1984 • The Health and Safety at Work Act 1974 • The Wildlife and Countryside Act 1981 |
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| Partner Responsibilities | Environmental Services Team |
|---------------------------------|-----------------------------|

1. Purpose of the Policy

The aims of this policy are to undertake the following:

- Ensure we provide a safe environment for customers, colleagues and third parties to live and/or work in.
- Establish the key principles that Your Housing Group (YHG) will utilise to ensure tree safety across YHG's tree stock.
- Ensure YHG discharge its landlord's duty specifically detailed in the following legislation - Health and Safety at Work etc. Act and Occupier's Liability Act (1937) and Occupiers Liability Act (1984)

- Inspect trees that are in YHG ownership demonstrating reasonableness in the management of the risks to which people may be exposed to ensure compliance with our legal responsibilities.
- Ensure YHG tree portfolio remains healthy.
- Achieve tree inspections in accordance with YHG inspection regime to ensure compliance.
- Ensure compliance with all relevant tree legislation.
- Provide clear lines of responsibilities for the management of tree safety.
- Provide a commitment to customers who are affected by tree safety to communicate and raise awareness regarding the key issues.

2. Scope of the Policy

- All trees situated on land owned by YHG including communal areas of offices, general needs estates, supported housing & sheltered housing.
- The individual gardens of other rented properties owned by YHG or managed by YHG on behalf of a third party.
- Where properties are managed on behalf of external property owners, statutory responsibility will be detailed in the terms of the management agreement.

3. Definitions

Health and Safety Executive (HSE): Non-departmental public body in the United Kingdom responsible for the encouragement, regulation and enforcement of workplace health, safety and welfare, and for research into occupational risks in England and Wales and Scotland.

Orchard Housing management system (OHMS): YHG's electronic housing management system.

Tree Preservation Order (TPO)/Conservation Area Consent: This is a part of town and country planning in the United Kingdom. A TPO is made by a Local Planning Authority (a local council) to protect specific trees or a particular area, group, or woodland from deliberate damage and destruction.

LANTRA (acronym from LANd and TRAining): An organisation which works with employers in the agriculture and land industries to ensure that workers in those industries have the necessary skills and training.

National Proficiency Test Council (NPTC): An organisation of City and Guilds land-based services providing a wide range of land-based qualifications.

4. Consultation

Review and update of this policy is done in consultation with the following:

- YHG Customer Connect Panel
- YHG Customer Services Committee
- Risk and Compliance Group

5. Background and Context

YHG's Environment Strategy will address our response to climate change and biodiversity loss. The pivotal role that trees have in stabilising and mitigating climate change is widely recognised by government, the scientific community and industry advisory groups. HM Government's 25 Year Environmental Plan draws this to our attention:

“By using our land more sustainably and creating new habitats for wildlife, including by planting more trees, we can arrest the decline in native species and improve our biodiversity” (Prime Minister, 2017).

In all the work that YHG undertake in respect of trees we will ensure the following:

- YHG's tree resource is managed sustainably.
- We endeavour to maximise the multiple benefits that trees provide.
- We endeavour to increase our tree cover.
- We follow all industry recommendations to maintain biosecurity.
- We endeavour to increase biodiversity and tree resilience.

6. Policy Detail

6.1 The delivery of this policy is supported by YHG's Tree Safety Management Plan (TSMP).

6.2 YHG will work with third party landlords to ensure that tree inspections are undertaken in accordance with the required frequency.

6.3 All YHG's trees within the portfolio will be maintained to 'approved standards' detailed within the publication (The National Tree Safety Group - Common Sense Risk Management of Trees, 2011) and regularly inspected. Arrangements for general tree work requests and tree maintenance are detailed in the TSMP.

6.4 If reasonable access is not provided, YHG will escalate action and seek a legal or legislative remedy to ensure access is gained at the earliest possible opportunity in accordance with best practice.

6.5 Emergency evacuations relating to trees should be read in conjunction with Your Housing Group's Emergency Response Plan and YHG's Business Continuity Plan should an emergency incident be declared.

7. Responsibilities under this Policy

7.1 Under both civil law and criminal law, as an owner of land on which a tree stands, YHG has responsibilities for the health & safety of those on or near the land. It therefore has potential liabilities arising from the falling of a tree or branch. To address this duty of care, the relevant guidance requires that the YHG Board must be able to demonstrate that it has acted as 'a reasonable and prudent landowner'.

7.2 YHG's Chief Executive will retain the overall responsibility for the monitoring of the consistent implementation of this policy.

7.3 The Director of Asset Management will hold responsibility for ensuring that sufficient competent resources are in place to manage and ensure compliance with this policy.

7.4 Monthly reports will be generated for designated senior managers to ensure progress can be monitored against Key Performance Indicators.

8. Risk Management

8.1 YHG has a TSMP to support delivery of this policy and manage risk to the business posed by trees. Trees are surveying and inspected on a frequency determined by risk and works issued accordingly.

8.2 Property Classification:

8.2.1 All YHG communal areas and open green space across all asset types will be assessed for the presence of trees and where a tree is present it will be included in the tree inspection programme.

8.2.2 Based on any applicable legal advice, individual customer garden areas may be included in tree inspection programme.

8.3 Tree Surveys and Works:

8.3.1 **Surveys:** YHG will undertake a tree survey programme on all trees within its ownership (requiring a survey) to ensure accurate tree records are maintained to meet legal, health, safety and maintenance requirements. Trees will be surveyed every 3 - 5 years depending on the risk.

8.3.2 **Surveys (other):** In extraordinary circumstances, in relation to factors such as age and condition, YHG Tree Officers may decide to re-survey trees every 6 - 24 months.

8.3.3 **Tree Work Requests:** Substantial pruning of a tree can often weaken its structure and should therefore be avoided for reasons other than reducing risk of harm to people or property. Pruning for any other reasons would be exceptional and at the discretion of YHG's Tree Officers.

8.3.4 **Tree Touching a Building:** If a tree that is owned by the group is touching a property (dwelling, house, garage etc) the group will act to remove the nuisance by the most appropriate means.

8.3.5 **Trees Blocking Natural Light:** YHG will not prune or fell a tree owned or managed by the group to improve natural light to a property unless it is required by a court order to do so.

8.3.6 **Leaf-fall from Trees:** YHG will not prune or fell a tree owned or managed by the group to remove or reduce leaf fall or remove fallen leaves from a private property. The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning. The falling of leaves onto a neighbouring property is not regarded in law as a statutory nuisance.

8.3.7 **Sap from Trees:** YHG will not prune or fell a tree owned or managed by the group to prevent or reduce honeydew or other sticky residue falling onto private property. Honeydew is caused by greenfly (aphids) feeding on the sap from the leaves and excreting their sugary, sticky waste. Pruning the tree may only offer temporary relief and any re-growth is often more likely to be colonised by greenfly thereby potentially increasing the problem.

8.3.8 **Blossom from Trees:** YHG will not prune or fell any tree owned or managed by the group to remove or reduce blossom fall from trees or remove fallen blossom from private land. Blossom is a natural occurrence, which cannot be avoided by pruning and is not regarded in law as a statutory nuisance.

8.3.9 **Bird Droppings from Trees:** YHG will not prune or fell any tree owned or managed by the group to remove or reduce bird droppings from the tree or remove bird droppings from private land or property. Bird droppings may be a seasonal nuisance, but the problem is not considered to be a sufficient

reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law).

8.3.10 Fruit, Berries & Nuts from Trees: YHG will not prune or fell any tree owned or managed by the group to remove or reduce the occurrence of fruit, berries or nuts falling onto footways or private land. Fruit trees such as apple, cherry and pear are welcomed in many locations with the added benefit of providing free food.

8.3.11 Wildlife and Insects in Trees: YHG will not prune or fell any tree owned or managed by the group to remove or reduce incidence of Bees, Wasps and other insects or wild animals. Bees are a protected species, and advice should be taken before considering their removal.

8.3.12 Satellite, Television and Other Communications Reception Blocked by Trees: YHG will not prune or fell any tree owned or managed by the group to enable, ease of installation, or improve reception of satellite or television receivers. It maybe that a satellite or TV provider will be able to suggest an alternative solution to the problem, for example relocating the aerial/dish or means to boost the signal.

8.3.13 Personal medical reasons:

YHG will not prune or fell any tree owned or managed by the group for personal medical reasons as there is evidence that shows the positive effects trees have on physical and mental health e.g. reduction in contracting bronchial conditions, reducing physiological stress marker such as cortisol and by releasing phytoncides, trees can help with improvements in immune, hormonal, circulatory and nervous systems.

Residents should refer to YHG Neighbourhood Management Policy and Grounds Maintenance specification (for communal areas), regarding fallen tree debris.

8.4 Tree Safety:

YHG will prune or remove trees that are:

- a) dead, diseased, or dying
- b) dangerous (e.g., through storm damage)
- c) causing damage, or likely to, to property
- d) breaking highway regulations
- e) identified as part of YHG's maintenance programme.

- 8.4.1 Unless the condition of a tree poses an immediate safety risk to the public and/or YHG customers, it will only be removed following written correspondence to effected YHG customers with the opportunity for concerns to be raised and considered prior to YHG's final decision and completion of works.
- 8.4.2 If a tree poses an immediate safety risk to the public and/or YHG customers, the tree can be removed without the need for prior written correspondence to effected YHG customers. Written correspondence will, instead, be provided in a reasonable timeframe after works completion to explain and provide justification.
- 8.4.3 YHG will work within the 'best practice' guidance produced by several organisations including The National Tree Safety Group, The Arboricultural Association and The Forestry Commission which provides guidance to help duty holders comply with legislation.
- 8.4.4 YHG will undertake Tree Surveys between a 3 to 5-year timescale by Tree Officers qualified with an Arboricultural degree or equivalent to a level 4 certification on the Arboriculture Association qualification scale. Competency requirements are detailed in the TSMP.
- 8.4.5 During tree surveys, all trees within YHG ownership will be inspected for the presence of bats and other protected species to comply with relevant legislation.
- 8.4.6 Frequency of future tree surveys and re-inspections will be based on prioritising those trees that pose a greater risk to people and property through a zoning system, based upon tree height, position, condition and/or circumstance.
- 8.4.7 Routine maintenance works will be programmed to be completed on our winter work programme.
- 8.4.8 Where possible, we will replace felled trees with suitable replacement species in consultation with effected customers.
- 8.4.9 The timescale for any identified tree works required because of a tree inspection will be prioritised in accordance with the level of risk determined by the Tree Officer. All works to be completed in accordance with timescales outlined in the TSMP.

8.5 Additional Assurance

- 8.5.1 Results of YHG tree inspections are shared with contractors for review and checking prior to recommended and issued works being undertaken.

8.6 Contractor Competency

8.6.1 YHG has a responsibility to ensure that contractors are competent. All tree works will be undertaken by contractors with National Proficiency Tests Council (NPTC) qualifications, correct insurances, and meet the criteria for inclusion on YHG's procurement framework.

8.7 Internal Staff Competency

8.7.1 As part of the TSMP a detailed competence framework will operate, including regular appraisals linked to colleagues' performance management reviews, will be undertaken.

9. Data Protection, Record Storage and Retention

9.1 There are no data protection considerations as there is no personal data captured/stored.

9.2 All records relating to this service shall be stored for legal compliance in an electronic database for a minimum period of 10 years and shall be made available to the customer(s) of the premises.

9.3 We will carry out regular validation checks to identify whether properties not recorded on Orchard Housing Management System (OHMS) as having a tree present are required to be added to the OHMS electronic tree database.

9.4 All stock/land is fully reconciled to the tree inspection schedule on an annual basis.

9.5 A tree inspection record will be completed against each asset at the time of recording on the OHMS and will include new property acquisitions and new build.

10. Equality and Diversity

This Policy complies with the requirements of the Equality Act 2010 to ensure equality of treatment for all without discrimination or prejudice. This Policy has undergone a full Equality Impact Assessment in line with YHG Policy Framework Policy and Procedure.

11. Communication

Summary briefing to operational personnel. The Policy will be uploaded to Youggle and included in the monthly policy round up item.

12. Learning and Development

YHG will ensure that all colleagues undertaking key roles within the delivery and management of this area will have access to training and support applicable to their roles which will be reviewed as part of YHG's Performance Management Review arrangements.

13. Performance Management of this Policy

The Grounds Maintenance and Cleaning Contract Manager and the Tree Officers will be responsible for the performance management of this policy.

14. Review of this Policy

This Policy will be reviewed every two years as per YHG Policy Framework Policy, or sooner if required by statutory, regulatory, best practice, emerging developments, or circumstances arising from reviews of other Group wide policies.

The Grounds Maintenance and Cleaning Contract Manager will be responsible for updating this policy, when required.

Related Documents

| Document Type | Name |
|--|---|
| Connected Policies and Procedures | Tree Safety Management Plan (TSMP). Neighbourhood Management Policy. Grounds maintenance specification for communal areas. |
| Forms and Letters | Notification of tree felling letter. |
| Leaflets/Publicity Material | |
| Training Materials Available | |
| Intranet/ Website Page | Quick link to Grounds Maintenance and Trees on YHG webpage. Dedicated section to trees where residents can contact YHG with enquiries. <u>Your Housing Group: Grounds maintenance - Your Housing Group</u> |