



Ongo Homes

Tree Policy

May 2017

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| Agreed on: | 22 May 2017 – health check |
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1. Our policy is...

- 1.1 To value our wide tree cover and recognise the immense potential for human and environmental benefits associated with a healthy and sustainable tree population. Trees play an important role in enhancing the urban environment of social housing in many ways, so we want this policy to ensure a consistent approach to our tree stock.

2. It applies to...

- 2.1 All trees situated on land owned by us – this includes individual properties' gardens and communal areas.
- 2.2 The organisation and our employees, committee, partners, tenants and leaseholders, and so to any external organisation supported or engaged by us.
- 2.3 The Tree Policy will interpret and implement the policy frameworks on trees in respect of:
- Management of all our trees in gardens and amenity areas.
 - Environmental Issues
 - Maintain and manage our tree stock and their values.
 - Provide advice and guidance

3. Because we want to...

- 3.1 Ensure we provide a service to residents which enable them to have enjoyment and an understanding of their environment and surroundings of which our housing tree stock is very much a part of.
- 3.2 The specific objectives of the Tree Policy are to:
- Provide advice and guidance to residents on the sustainable management principles of Ongo Homes tree stock.
 - Provide a Planned Schedule of tree maintenance from the outcome of our garden and communal tree survey.
 - Ensure we are in line with the guidelines on Tree Preservation Orders (TPO) and Conservation Areas.

4. We will...

- 4.1 Provide a planned maintenance schedule on any tree situated on Ongo Homes land.
- 4.2 Make sure all trees situated on our land enhance the quality of life, the urban environment of social housing, screen unsightly structures and activities, give privacy and soften hard lines of buildings, and also bring colour, contrast and diversity to the surroundings.
- 4.3 Carry out a tree survey every five years on our current garden and amenity space tree stock, of which maintenance will be prioritised based on recommendations from the survey, this will be planned maintenance and NOT reactive maintenance, unless the tree is requiring urgent safety attention.

- 4.4 Where a tree is located in a tenant's garden, we will contact all affected tenants to advise of visits.
- 4.5 Carry out ad-hoc inspections on trees **only** where there is a concern for safety.

5. Guidance

- 5.1 For all identified urgent tree works or ad-hoc inspections where there is a concern for safety, we will attend within 24 hours to carry out any necessary tree safety works.
- 5.2 If a tenant wishes to undertake work to a tree or plant a tree in their garden, permission must be granted by the Regeneration Department along with TPO/Conservation checked and approved.
- 5.3 Where works are undertaken to a tree which is located on land that forms part of a leasehold agreement, the leaseholder will be consulted and charged accordingly.
- 5.4 Instances will occur where a tree, on land owned or managed by Ongo Homes, is found to be affecting Ongo Homes property or tenant. All issues arising will be considered by the Regeneration Team and any vulnerabilities (i.e. age or any disabilities/mobility issues) will be taken into account when making any decisions on the next steps.
- 5.5 Appendix 1 will provide details the circumstances for when we will not undertake tree maintenance and also other relevant information.

6. Making sure we do what we say...

- 6.1 A spreadsheet is maintained by the Contracts & Buildings Officer on a regular basis detailing dates surveys and inspections have been and are due to be carried out.
- 6.2 The Contracts & Buildings Officer maintains the Client Portal that shows completion times and photos of works completed.

7. Other things to bear in mind...

- 7.1 This policy also links to our:
- Neighbourhood Management Policy
 - ASB Policy
- 7.2 The main pieces of legislation and regulation relevant to this policy include:
- Environmental Protection Act 1990
 - Wildlife & Countryside Act 1981; 1985; 1991
 - Town & Country Planning Act 1990
 - Town and Country Planning (Trees) Regulations 1999
 - Forestry Act 1967
 - Tree Preservations Orders currently in place via North Lincolnshire Council.
 - Highways Act 1959; 1971; 1980; 1986; 2004

- Telecommunications Act 1981; 1984

8. We'll look at this again...

8.1 In three years time unless anything changes.

APPENDIX 1

Tree Maintenance

Tree Management

A tree survey has been implemented on all garden and amenity Ongo Homes tree stock, which will provide Ongo Homes with a planned maintenance schedule based on recommendations and priorities, this will be planned and NOT reactive maintenance. These will be re-surveyed every five years.

Safety

Where there is a clear and foreseeable risk to the safety of residents, visitors or to the property that is directly related to the condition of the tree, action will be taken to minimise the risk. This includes trees that are damaging due to extreme weather conditions. Following an Arboriculture Report we will inspect trees as soon as possible, which in any case will not exceed 24 hours, decide on any work which may be required and how quickly such works need to be carried out.

Damage to properties.

Direct damage to properties must be demonstrated, damage may include trunks or branches damaging garden walls and fences, note Ongo Homes tenants fencing is their own responsibility to maintain or replace that is situated on their own boundary, also branches that are touching roofs, guttering or windows, wherever possible we will action any works necessary to alleviate any damages.

In the case of subsidence and structural damage it is the duty of the person claiming (Ongo Homes or Private Homeowner) to prove beyond reasonable doubt that a specific tree is causing the subsidence or structural damage and the findings presented in a written report completed by a professional body and submitted to Ongo Homes.

Roots

Roots will always take the line of resistance and therefore will not “break through” loaded solid walls they will only find access where they are already cracks so there is little possibility of roots causing direct damage to loaded structures unless there were previous problems in the structure.

When a tree is felled for what ever reason, the tree will be taken down to stump level and treated or where possible stump grinded, we do not remove underground tree root systems.

APPENDIX 1

Overhanging Branches

It is not the responsibility of Ongo Homes to prevent their trees from overhanging an adjacent property; each case will be referred to our tree survey recommendations/issues. If branches do overhang a property then the resident has the right to cut off the branch without the 3rd party owner's permission (this still requires Ongo Homes permission) ensuring the works is done to arboriculture standards and significantly does not harm the tree. The branches can only be cut back as far as the boundary and there is not right to cross the boundary to do so.

TPO (Tree Preservation Order) and Conservation area legislation still applies and therefore must be checked through local planning authority or Ongo Homes, Regeneration Department and permissions granted where applicable.

Branches obscuring signs, street lighting columns, public highways

Where trees are:-

- Blocking Street Lights, road signs
- Obstruction to the highways and public footpaths to which the public access of vehicles and pedestrians or obstructs or interferes with the view of the driver of the vehicle, as per Highways Act.

Ongo Homes will consider carrying out work to alleviate the problem while retaining the tree. In extreme cases removal of the tree and replacement with more suitable species may be appropriate.

Television Reception

Ongo Homes will not normally carry out work to tree in order to improve television reception... Aerials and satellite dishes should be carefully sited at the time of installation, with consideration being given to how neighbouring trees may grow in the future. Where there are no other remedies, such as relocation of aerials, to improve television reception.

BT Cables

It is not the responsibility of Ongo Homes to keep lines clear of tree branches or foliage; if the cables are going through the crown of the tree within a tenant's garden then any issues with the line would need to be reported to the service provider as per Telecommunications Act 1984. The service provider will only be able to clear with a 'fault' where the tree is actually affecting the line, noise, loss of service during high winds, slow broadband or damaging cables etc...

Openreach – 0800 023 023 or your contracted service provider.

APPENDIX 1

Falling Leaves or debris and aphid problems

Pruning of trees or felling will not be undertaken to alleviate or reduce the fall of leaves, seeds or fruits; it is the responsibility of Ongo Homes tenant to remove whatever has fallen in their own garden. Pruning will also not be undertaken when a tree hosts aphids with associated stickiness, for example honeydew, or produces large amounts of fruits.

Tree and Bird droppings

Ongo Homes will not prune or fell a managed tree to remove or reduce bird droppings from trees, or to remove bird dropping from private land. Bird dropping may be a nuisance but the problem is not considered a sufficient reason to prune or remove a tree.

Birds nesting are protected under the Wildlife and Countryside Act 1981, and no works to trees will take place until birds have flown.

Obstruction of light to houses or gardens.

It is usually very difficult to prune a tree in order to give lasting improvement in light levels to a property. Often the extent of pruning required to the tree or destroys its amenity value and thick re-growth following pruning can make shading problems worse.

Ongo Homes will only undertake tree maintenance work to alleviate light obstructions following arboricultural good practice and in reference to the tree's Arboriculture Report.

Tree considered too big / too tall

Ongo Homes will not prune or fell a managed tree because it is considered to be "too big" or "too tall".

A tree is not dangerous just because it may be considered too big for its surroundings.

Tree and personal medical complaint

Ongo Homes will not prune or fell a managed tree where a request has been made to do so because of a personal medical condition.

Some exposure to a claim of Statutory Nuisance but no case law requires tree owners to consider personal health impacts.

Felling of trees

Will only fell a tree if it is deemed necessary and will not fell trees only taking into account tenants personal needs and reasons.

We would endeavour to keep high valued trees, wherever possible.

For every tree that is felled, we will plant another, sometime more appropriate species of tree, in its place. However, this may not be in the same location as the felled tree.

APPENDIX 1

Tree and TPO (Tree Preservation Order) and Conservation Areas

Tree Preservation Orders enable North Lincolnshire Council to protect important trees, they can be placed on any tree, group of trees or woodland that has significant amenity value.

Any tree works including felling have to have a TPO application, Arboriculture Report and any other relevant documentation submitted to Planning and Regeneration at North Lincolnshire Council where these will be granted or refused, process takes approx eight weeks once submitted.

Penalties – Doing tree work without the councils consent is an offence, if convicted by a magistrate, the maximum penalty is £20,000. Crown courts can impose unlimited fines.

Competencies of Contractors

Health and Safety law requires Ongo Homes to employ contractors that are competent and can carry out the duties asked of them in a responsible and safe manner, All contractors supply Ongo Homes with proof of their competencies, insurance, risk assessments, method statements and certification of safe use of plant and equipment.