



Ongo Homes

Tree Policy & Guidance

November 2023

Owner: Neighbourhood Services Performance & Support Manager

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4.0	Health Check	December 2023	HoST	December 2026
3.0	Health Check	October 2020	HoST	September 2023
2.0	Health Check	May 2017	Head Of Service	May 2020
1.0	New Policy	July 2016	Community Voice	July 2017

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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 Ongo Homes – 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...

- Ensure we provide a service to residents which enables them to have enjoyment and an understanding of their environment and surroundings,
- 3.1 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 using the results of our garden and communal tree survey
 - Ensure we are in line with the guidelines on Tree Preservation Orders (TPO) and Conservation Areas
 - Improve the local biodiversity by maintaining or planting trees in a way that maximises sustainability and delivers a positive environmental impact

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 tree surveys on our current garden and amenity space tree stock, with maintenance being prioritised based on recommendations from the survey. Where possible 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 them to make them aware of any required visits.
- 4.5 Carry out ad-hoc inspections on trees where there is a concern for safety.
- 4.6 Consider tree planting as part of biodiversity projects where suitable locations are identified. Careful consideration will always be given to the type, size and location of trees to ensure maintenance issues are minimal and they bring positive impacts to the community.

5. Guidance

Tenants are not permitted to initiate any work on trees that are planted at Ongo properties or on amenity land. Any activity required for trees can only be directed by Ongo's neighbourhood services team.

- 5.1 If a tenant requests the planting of a tree at their property then it should be considered as a location for Ongo's own tree replacement activity.
- 5.2 There are two aspects to the management of trees on Ongo's land. The maintenance and day to day attendance of trees is carried out by the Neighbourhood Services team. The legal aspect and liability that attaches to the existence of trees on Ongo's land is dealt with through the Asset Management team.
- 5.3 For all identified urgent tree works or ad-hoc inspections where there is a concern for safety, we will aim to attend within 24 hours to carry out any necessary tree safety works.
- 5.4 If a tenant wishes to undertake work to a tree or plant a tree in their garden, permission must be granted following the permissions process. Tenants must check with the relevant Local Authority regarding any Tree Preservation Orders or if the land falls under a Conservation area.
- 5.5 The Estate Improvement Request Procedure is to be followed for all new tree planting projects.
- 5.6 Where works are undertaken on a tree that is located on land that forms part of a leasehold agreement, the leaseholder will be consulted and charged accordingly.
- 5.7 There may be instances where a tree located on land owned or managed by Ongo Homes, is found to be affecting a property or tenant. All issues arising will be considered by Ongo and any vulnerabilities of residents (i.e. age or any disabilities/mobility issues) will be considered when making any decisions on the next steps.
- 5.8 Appendix 1 provides details of 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 Neighbourhood Services team detailing dates for surveys and inspections that have been completed or that are due to be completed.
- 6.2 The grounds maintenance contractor 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
 - Alterations and Improvement policy and procedure
 - Aids and Adaptions policy
 - Environmental & Sustainability policy
 - Estate Improvement Request procedure
- 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

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 carried out 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.

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 damaged due to extreme weather conditions. Following an Arboriculture Report we will inspect trees as soon as possible, within 24 hours whenever practicable, to decide on any work which may be required and how quickly such works need to be carried out.

Damage to property.

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. Branches that are touching roofs, guttering or windows, wherever possible we will action any works necessary to alleviate any damage.

Claims for any damage caused to vehicles by fallen branches, tress or debris must be made through their insurance company for the vehicle in order to claim compensation. 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 there 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 whatever 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.

Tree roots above ground level do not appear overnight, we will not fell a tree where roots are showing above ground level.

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 work 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 no right to cross the boundary to do so.

APPENDIX 1 - Tree Maintenance

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

Branches obscuring signs, street lighting columns, public highways

Where trees are: -

- Blocking streetlights or road signs
- Obstruction to the highways and public footpaths to which the public have 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 a tree 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.

Overhead Cables

We will carry out tree surveys to identify any tree works to alleviate cables running through trees.

In certain cases Northern Power Grid may need to be involved when Ongo Homes are unable to carry the works.

We will carry out necessary works where any overhead cables are causing or could cause damage or an issue in the future.

Solar Panels/PV

We will not fell trees to accommodate solar panels.

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 tenants 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 droppings 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 is 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 destroys its amenity value and thick re-growth following pruning can make shading problems worse.

APPENDIX 1 - Tree Maintenance

Ongo Homes will only undertake tree maintenance work to alleviate light obstructions following arboriculture (tree-farming) 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 "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 but will be considered if it has an impact on any adaptations to our properties.

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, more appropriate species of tree, in its place. However, this may not be in the same location as the felled tree.

Tree and TPO (Tree Preservation Order) and Conservation Areas

Tree Preservation Orders enable local authorities 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 via the Planning portal to the relevant local authority where these will be granted or refused. Please note this process is lengthy and Ongo Homes has no control on the time taken for each local authority to make their decision.

Penalties – Doing tree work on a protected tree without the local authority's 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.