

<b>Title</b>	<b>Communal Tree Policy</b>
<b>Document Owner</b>	Director of Housing
<b>Next review Date</b>	March 2019
<b>Corporate Aim</b>	Create great neighbourhoods where people and communities flourish.

## **1. POLICY PURPOSE AND AIMS**

- 1.1 whg plays an important role in neighbourhood stewardship and is committed to ensuring trees remain healthy and safe within our communities. This Policy sets out when and how whg will maintain the trees we are responsible for through tree surveys and planned works programmes.
- 1.2 Trees located within individual customers' gardens are the responsibility of the customer. The Neighbourhood Services Team will exercise discretion to support vulnerable customers with tree maintenance issues in their own gardens but these works are not covered under this Policy.

## **2. POLICY**

- 2.1 The responsibilities of employers and land occupiers to manage the risks posed by trees is set out in a range of different legislation, the key elements of which are covered in this Policy. whg will minimise any foreseeable threats to safety in accordance with all relevant legal requirements and best practice guidance provided by the Health and Safety Executive (HSE).
- 2.2 whg will carry out a cyclical survey of all trees within our communal areas every two years with trees posing a greater risk being assessed more regularly. Detailed records will be kept of the survey findings and planned works programmes.
- 2.3 Early intervention is preferred to prevent everyday tree situations from developing into a hazard that is difficult or expensive to resolve.
- 2.4 The survey will be carried out by a specialist surveyor and will include:
- information on the condition of the tree
  - information on the risks the tree may pose now and in the future
  - any other information required to enable whg to budget for and prepare future programmes of works
  - Tagging the surveyed tree with an identification number tag for customer reference

- 2.5 In addition to the programmed surveys, ad hoc inspections of specific trees or tree groups will be made when required due to changes in site conditions.
- 2.6 This Policy seeks to promote sustainable approaches to tree management that will:
- maintain or enhance the tree population
  - facilitate the removal of dangerous or potentially hazardous trees
  - conserve veteran trees with significant ecological, historical and amenity value
  - establish a tree population with a balanced diversity
  - optimise the use of timber and other products of tree management
- 2.7 Where trees have to be removed for the reasons outlined above, whg will wherever possible prepare a re planting programme to replace felled trees with either the same species or a suitable alternative. Trees will be replaced in their original location where possible or a suitable alternative will be found.
- 2.8 whg is committed to delivering value for money for our customers and aims to undertake any required maintenance during planned work programmes. Whilst we recognise there will be some occasions when ad hoc work is required urgently for health and safety reasons, requests for emergency work will be refused if there is insufficient evidence that an urgent response is necessary.
- 2.9 Although whg always aims to do the right thing for our customers sometimes we cannot undertake maintenance in the way an individual customer would like. The following principles will be considered when responding to any requests:

### **Daylight**

- 2.10 In certain circumstances trees within our communal areas may be considered to be blocking daylight to a home. Generally whg will only consider pruning or removing a tree when the separation between the tree trunk and the window of the nearest habitable room (including dining rooms, lounges, kitchens and bedrooms but specifically excluding WCs, bathrooms, utility rooms, landings and hallways) is:
- less than six metres for trees with a height of over 12m
  - less than three metres for trees with a height over 6m or where the separation between the edge of the canopy and window is less than two metres

### **Drains**

- 2.11 Tree roots are not able to break into a sound drain but are able to exploit an existing fault. Removal of a particular tree will not prevent roots of other vegetation from exploiting the same fault unless steps are taken to repair the drain. whg will not normally consider pruning or removing a tree in response to reports of blocked drains.

### **Swaying**

- 2.12 whg will not normally consider pruning or removing a tree in response to reports of a tree or branch swaying in the wind. Branches and stems have evolved to flex and bend in response to weather conditions and will not usually present significant health and safety risks.

### **Height**

- 2.13 Customers may have concerns that a tree is too tall for its vicinity. Where such concerns are raised whg will inspect the tree and respond within an appropriate timescale. This may not result in tree pruning where such action could have a negative impact on the health of the tree or leave the tree looking unsightly.

### **Television and radio reception**

- 2.14 Customers and providers of terrestrial and satellite equipment cannot expect whg to prune or remove trees to improve or gain reception. Customers should seek to resolve issues of reception by adopting an engineering solution.
- 2.15 whg will consider the most appropriate response to trees affecting street furniture such as telephone lines and streetlights on a case by case basis.

### **Wildlife and natural phenomena**

- 2.16 The coexistence of trees with a wide range of wildlife can cause perceived nuisances. The presence of birds and squirrels can be seen as problematic in terms of leaving droppings, stripping bark or damaging buildings. Similarly the accumulation of honeydew, sap or detritus in the form of leaves, needles, pollen, fruit or seeds can sometimes be seen as a nuisance by customers.

whg provides a dedicated grounds maintenance service to ensure leaves and other detritus are cleared regularly and neighbourhoods are kept in a good condition. Tree pruning or tree removal will not normally be considered as a proportionate response to natural phenomena associated with trees and coexisting wildlife.

### **Buildings**

- 2.17 whg will seek to ensure adequate clearance is maintained between managed trees and adjacent buildings as part of our cyclical maintenance programme. Tree pruning or removal may be required in between inspections in order to prevent abrasion and damage. whg will consider all requests for building related tree maintenance on individual merits.

### **Solar panels**

- 2.18 whg recognises that solar panels make a valuable contribution to improving energy efficiency and preventing climate change. Removing or pruning trees in favour of low carbon energy production, however, is not considered to be environmentally beneficial overall. whg will consider the most appropriate response to tree growth affecting the performance of solar panels on a case by case basis.

### **Tree Preservation Orders**

- 2.19 Local Authorities can protect trees by making Tree Preservation Orders (TPO). Trees under a TPO cannot be pruned or felled without the council's permission. whg's contractor will establish and maintain effective communication lines with Walsall Council's Tree Management officer to ensure no TPO is breached.

## **3. PERFORMANCE MEASURES AND TARGETS**

- 3.1 whg will evaluate contractor performance in line with contractual agreements. The Neighbourhood Services Team will conduct an in house operational review on an annual basis.

## **4. MONITORING AND REVIEW**

- 4.1 Detailed records will be maintained allowing all relevant information to be compiled and retained for insurance purposes.
- 4.2 This policy will be reviewed every three years or sooner if required by the introduction of new legislation or regulation.

## **5. ASSOCIATED DOCUMENTS**

whg Tree Strategy (2013)  
Department for Communities and Local Government (2006) Tree Roots in the Built Environment.  
Health and Safety at Work Act 1974  
Health and Safety Executive (2007) Sector Information Minute Management of the risk from falling trees  
Highways Act 1980  
Management of Health and Safety at Work Regulations 1999.  
The Occupiers Liability Act 1984  
The Occupiers Liability Act 1957