

# Tree Maintenance Procedure

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## Why have a tree maintenance procedure?

So, we can use our resources where they're needed the most to prioritise essential tree works and focus on safety first. We want to be consistent with our customers & our partners about tree queries, so they know what we'll do and what we won't.

## What trees do we cover?

Trees we own, on our land, in communal areas or in our customer's gardens. Our communal trees are surveyed every two years by an approved contractor. Between those times, people may get in touch with us about a tree. If they do, we'll go and inspect to make sure everything's ok, if we think we need to. Trees in our customers' gardens, are inspected as and when a customer gets in touch with us.

## Who's responsible for tree inspections?

The grounds maintenance team are responsible for tree maintenance. They'll inspect trees and organise works if required. Sometimes, they might refer to a specialist if they need to.

Job Title	Responsibility
Contracts Manager	Strategy, policy, procedure & communal tree surveys
Grounds Manager	Resources, activity & re-active tree surveys
Grounds Supervisor	Reactive tree inspections, LPA checks & works
Grounds Teams	Low level tree works. Suckers, stakes & ties. Low branches.

### What we need from our customers?

If someone gets in touch with us about a tree, we'll ask questions, so we can get a better understanding of the problem and how it's affecting them.

Things like:

- Where is the tree?  
*So, we can work out who owns it and if it is ours, how we get to it.*
- What's the name, address & contact number of the person calling?  
*So, we can update them after an inspection. And they know what works if any, are required.*
- What's the problem?  
*So, we can advise whether it's a safety issue or not. If it's not, we won't inspect.*

### We will inspect...

Safety issues, things like:

- The tree's dead or is dying
- There's a broken or damaged branch
- There's dead wood in the canopy
- The tree's causing physical damage to the house or property (or is highly likely to)
- The tree's obstructing or encroaching onto footpath or road or car park
- The tree's obstructing or encroaching services e.g. electricity, phone lines
- The tree's roots are causing a trip hazard in a public area

### We won't inspect...

Non-safety issues, things like:

- The tree's blocking light into the property or garden
- The tree's dropping leaves, seeds, fruit or honeydew (excreted sap)
- The tree's overhanging the boundary
- The tree's causing moss, algae or lichens to grow on hard surfacing
- The tree's too big or too tall
- The tree causes an allergy
- The tree sways in the wind

## What does a tree inspection involve?

We'll contact our customer to arrange a site visit to inspect the tree. If we need to, we may refer to a specialist.

It's a visual inspection from ground level and we're looking for obvious hazards, that might cause an accident. Our aim is to prevent someone being injured or their property being damaged.

If we do find a hazard, we'll work out how we can either remove it or reduce it, to make it safe. That involves us deciding what works are required, based on our observations. We'll explain the work to our customers, so they know what to expect.

## What happens after the inspection?

We'll contact our customer to let them know what works, if any, are required. If work is required, we have a legal duty to fulfil, before we can start. We must contact the Local Planning Authority (LPA), because we need to check for any planning restrictions, including:

- Tree Preservation Orders (TPO's)
- Conservation Areas (CA's)
- Site of Special Scientific Interest (SSSI's)

If any are present, we'll need to complete a planning application for the works. This can take up to 6 weeks for consent, to be granted or rejected. Works must be carried out, exactly as stated on the consent. A copy of the consent must also be provided to our contractor.

**Note:** It's a criminal offence to carry out works to a tree, subject to any of the above planning restrictions. Failure to get consent, could result in fines & prosecution.

## What happens in the event of an emergency?

If a tree is covered by a TPO, CA or SSSI, we have a legal duty to submit a five-day notification. That means we must let the LPA know about it, before we do any work. However; if there's an imminent risk of injury or damage, we'll start immediately and we'll take photos, so we can provide evidence to afterwards to the LPA and avoid prosecution.

## Are there any exceptions (exemptions)?

Some works are exempt from planning law, providing we don't cut into live wood. That means we can start anytime. They include:

- Dead wooding
- Ivy removal & severance
- Removal or adjustment of tree stakes & ties

## How much does the work cost?

The cost varies. Each job is unique. We'll arrange a quotation for works from one of our approved contractors. We'll provide them with a map & location of the tree and a description of work, with a copy of the LPA consent, if consent is required. We'll discuss and agree target dates for completion of work, based on safety.

We'll ask our contractor to contact our customer, if access is required. It's their responsibility to keep our customer updated, but we'd like to know if they don't, so we can remind them about their commitment.

## Who pays for the work?

### Communal Areas...

Our customers pay for the work, because get the main benefit of our communal areas. We want to be as fair as we can, so we have mapped our communal trees and set up some rules to help:

- If the tree's within the curtilage of a block of flats, we'll link it to the block, using the unique property reference number (known as the UPRN). We'll share the costs between everyone in the block to make it as fair as possible.
- If the tree's within the common areas of the road or street, we'll link it to the road or scheme, using the unique property reference number (known as the UPRN). We'll share the costs between everyone in the street or scheme to make it as fair as possible.

### Customers Gardens...

If our customer planted the tree or it's seeded itself and been left to grow unchecked, we'll advise them to carry out the work themselves or pay a contractor to do it. Customers can pay us to arrange a quote and organise the works, if they wish to. In which case, we'll ask our customer to sign a letter of consent agreeing to the costs. There are exceptions, and we'll consider each one on its own merits.

## Do we need to consult?

We do if work costs more than £250 per person, per annum, per scheme and there are leaseholders in the block, road or scheme. We'll do this before work starts, unless there's an imminent risk of injury or damage. Safety is important to us, so work will start without delay.

If work's likely to have a negative impact on our customers or their neighbours, we'll also consult. For example: if the removal of a tree exposes a property to noise, nuisance or an eye sore.

## What other policies or legislation does it relate to?

- The Tree Risk Management Plan (TRMP)
- The Occupiers Liability Act
- The Health & Safety at Work Act
- The Wildlife & Countryside Act (1981) B
- The Countryside Rights of Way Act (2000)
- The Conservation (Natural Habitats, & C) Regulations (1994)
- The Highways Act (1980)
- The Local Government (Miscellaneous Provisions) Act (1976)
- The Town & Country Planning Act (1990)
- The Town & Country Planning (Trees) Regulations (1999)
- The Corporate Manslaughter and Corporate Homicide Act (2007)

### Is there a review process?

We'll review this procedure in the event of changes to legislation and best practice. Also, in the event of an accident, incident or near miss. Or, in the event of a merger or restructure.

Author	Owner	Date approved	Review date
Alex Flarty	Alex Flarty	20/10/2021	20/10/2022