

# Tree Management and Grounds Maintenance Policy

Originator:	Policy and Strategy Team
Approval Date:	November 2020
Review date:	November 2023

1	Introduction
1.1	One Vision Housing (OVH) aims to provide quality homes that meet demand, in safe and sustainable neighbourhoods. OVH recognise that effective management and maintenance of its 'green' space and trees is crucial to achieve this objective.
1.2	This Policy sets out how OVH will manage communal green spaces and trees located either within its publicly owned space or curtilages of properties it owns and manages.
1.3	<p>The application of this policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England as outlined below:</p> <ul style="list-style-type: none"> <li>Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so</li> <li>Registered providers shall co-operate with relevant partners to help promote social, environmental and economic wellbeing in the areas where they own properties</li> </ul>
1.4	<p>The policy meets the following OVH corporate aims:</p> <ul style="list-style-type: none"> <li>To provide the environment to deliver business success</li> <li>To provide homes that meet demand in safe and sustainable neighbourhoods</li> <li>To provide excellent services that meet or exceed customer and stakeholder expectations</li> <li>To make a positive impact in our communities which we operate</li> </ul>
1.5	<b>Access and Communication</b>
1.5.1	OVH is committed to ensuring that its services are accessible to everyone. OVH will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for it or use its services.
1.6	<b>Equality and Diversity</b>
1.6.1	OVH is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive

	<p>regard for the following core strands of equality; Age, Disability, Gender, Race, Gender Identity / Expression, Sexual Orientation, Civil Partnership and Marriage, Pregnancy and Maternity, Religion and/or Belief.</p>
1.7	<p>OVH also recognise that some people experience disadvantage due to their socio-economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.</p>
1.7.1	<p>OVH will also ensure that all services and actions are delivered within the context of current Human Rights legislation. OVH will endeavour to ensure staff and others with whom it works, will adhere to the central principles of the Human Rights Act (1998).</p>
1.8	<p>The Policy should be read in conjunction with the following documents:</p> <ul style="list-style-type: none"> <li>• OVH Complaints and Feedback Policy.</li> <li>• OVH Repairs and Maintenance and Planned Works Policy</li> <li>• OVH Service Charge Policy</li> <li>• The Town and Country Planning (Tree Preservation)(England) Regulations 2012</li> </ul>

**2 Statement of Intent**

2.1	<p>OVH will comply with all legislation, best practice and health and safety guidance in relation to the management and checking of all 'green' spaces and trees that are its responsibility.</p>
2.2	<p>OVH has carried out a comprehensive audit of all green spaces it has responsibility for maintaining including trees. The audit which establishes a baseline position for future maintenance and inspection regimes also incorporates trees that may be within the curtilage of its rental property stock.</p>
2.3	<p>Where OVH carries out grounds maintenance services in communal gardens and this is agreed in advance with tenants, it reserves the right to levy service charges to recuperate the costs of carrying out these works (See the OVH Service Charge Policy for full details).</p>

**3 Policy**

3.1	<p><b>Communal Gardens and Trees</b></p>
3.1.1	<p>OVH is responsible for effective maintenance of communal land it owns or manages including trees and hedges. OVH will carry out maintenance work on communal gardens on scheduled basis in accordance with the approved specification.</p>
3.1.2	<p>OVH operates a risk based approach to tree management on communal land, which includes formal inspection undertaken by a competent arboriculture contractor and informal inspection carried out by OVH staff.</p>
3.1.3	<p>OVH employs competent and qualified arboricultural contractors or will train its own staff to perform this role, to carry out a survey of trees on communal areas that it owns or manages as part of its grounds maintenance programme.</p>

3.1.4 OVH also encourages staff and members of the public to report tree defects that can visually be identified such as health, condition and structural weakness or circumstances in relation to trees that pose risk or danger to people or property.

3.1.5 Where reports are received from staff or members of the public, OVH will inspect the tree which may involve sending a competent contractor to make further assessment, if necessary and take appropriate action.

### 3.2 **Circumstances for OVH to Consider Tree Management Works**

3.2.1 OVH will consider carrying out tree maintenance works if confirmed by a competent contractor or officer that the tree is:

- Overhanging roads (below 5.2 metres)
- Overhanging footpaths and/or signage
- Touching an adjacent structure
- Affecting stability of structure
- Diseased
- Structurally unsafe
- Preventing access
- Significantly damaged
- Potentially hazardous to health
- Dead
- Outgrown space allocated

3.2.2 OVH will not carry out tree maintenance work for the following reasons:

- Dropping leaves in gardens
- Sap falling onto paths or cars
- Overhanging gardens
- Garden is overshadowed
- Affecting TV reception
- Fruit falling from tree

### 3.3 **Tenants' Gardens and Trees**

3.3.1 Tenants are responsible for the maintenance of their gardens (which include lawns, hedges, shrubs and trees) including keeping it clean and tidy.

3.3.2 OVH appreciates, however, that it may not always be possible or safe for tenants to satisfactorily maintain trees and large shrubs, especially those which may be well-established, that are within the curtilage of their properties.

3.3.3 To ensure that established trees do not pose a risk to health and safety to individuals, impact on the quiet enjoyment of properties or pose a risk to property condition in any way, OVH will periodically inspect all trees and large shrubs on premises it owns including those in gardens of rented properties on a cyclical basis.

3.3.4 Based on the findings of the inspection OVH will carry out maintenance work on established trees or shrubs as required and may, if cost effective and practical to do so, remove the tree(s) or shrubs altogether.

3.3.5 OVH will also respond on a reactive basis to any trees that develop issues (such as those outlined in 3.2.1. above) in between inspection periods, which OVH are made aware of.

3.3.6 As outlined above it is the responsibility of tenants to maintain all other aspects of their gardens in a satisfactory condition and they may be subject to tenancy warnings and enforcement action if they fail to do so.

3.3.7 This may include OVH carrying out remedial works on the tenant's behalf and recharging them or in extreme cases action to recover possession of the property.

3.3.8 Where it is known to OVH that tenants have vulnerabilities which would prevent them from maintaining gardens to a satisfactory standard, it may consider carrying out essential garden maintenance free of charge on a periodic or one-time only basis.

3.3.9 Each case will be reviewed on its merits and it will be entirely at OVH's discretion to carry out this type of work and will be dependent on such factors as;

- Budget availability
- Assessment of the level of tenant vulnerability and their ability to seek help from others to carry out this work
- Level of impact the garden maybe having on tenants or others

### 3.4 **Private Owned Trees and Hedges**

3.4.1 Where OVH become aware of trees and shrubs that may be causing issues that are located on privately owned land / properties that adjoin any OVH properties, attempts will be made to contact the land owner to remedy or make safe the issue at hand, giving reasonable time limits to respond.

3.4.2 If a private owner fails to do the work within the agreed period, OVH will escalate the case to the local authority or seek civil action against the owner.

3.4.3 Where there is an urgent need to take action due to significant and immediate risk or danger to people or property, OVH will in consultation with the owner occupier, make a decision to carry out the work to make the tree or hedge safe, if it is possible to do so.

3.4.4 If the private owner refuses to cooperate, OVH reserves the right to seek civil redress to resolve the situation.

### 3.5 **Tree Preservation Orders (TPO)**

3.5.1 Where maintenance or removal of trees that are protected by the Tree Preservation Order (TPO) is required, OVH will apply for a written consent from the relevant local authority or its representatives before taking any action.

3.6	<b>Japanese Knotweed</b>	
3.6.1	OVH will inspect communal garden/spaces and premises of void properties for presence of Japanese knotweed and will take appropriate action in line with the relevant regulations, if applicable. Where reports about presence of Japanese knotweed are received from tenants or members of the public, OVH will inspect the premises to make further assessment if it's necessary to take further action.	
<b>4</b>	<b>Implementation</b>	
4.1	The OVH 'Asset Management' and 'Neighbourhood Services' Teams are responsible for implementing this Policy. However, all staff must be aware of the Policy in order to be able to answer customer queries about tree management service.	
<b>5</b>	<b>Performance</b>	
5.1	OVH have included tree maintenance on its Risk Register and will provide collated reports on all activities to maintain trees and any cases involving legal action on a periodic basis to the Senior Management Team, Business Assurance Committee and Board, as required.	
<b>6</b>	<b>Consultation</b>	
6.1	The Tenants' Policy Review Group has been consulted about the contents of this Policy on 05/04/2019. Due to Coronavirus working instructions it has not been possible to consult the Tenants Policy review Group in this review of the Policy. When it is permitted or alternative consultation methods are developed the Policy will be presented to the Group as an information item.	
6.2	All OVH Staff have been consulted in the review of this Policy.	
<b>7</b>	<b>Review</b>	
7.1	The Policy will be reviewed every three years on or as near as possible to the date of approval by the Executive Management Team (EMT). The Policy may be reviewed more frequently as required by legislation or regulation concerning the management of trees and communal land or as a result of system audits.	
<b>8</b>	<b>Equality Impact Assessment</b>	
8.1	Was a full Equality Impact Assessment (EIA) required?	Yes
8.2	When was EIA conducted and by who?	The EIA conducted by the Policy Writer and Policy and Strategy Manager in November 2015 is still relevant for this Policy review.
8.3	Results of EIA	The EIA did not reveal any differential impact on any of the groups with protected characteristics.

		Nonetheless, dependent of risk assessment, OVH may provide assistance to its customers who are vulnerable and are not able to maintain their gardens.	
<b>9</b>	<b>Scheme of Delegation</b>		
9.1	Responsible committee for approving and monitoring implementation of the policy and any amendments to it	OVH Executive Management Team	
9.2	Responsible officer for formulating policy and reporting to committee on its effective implementation	Group Director of Asset Management	
9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Group Director of Asset Management	
<b>10</b>	<b>Amendment Log</b>		
<b>Date of revision:</b>	<b>Reason for revision:</b>	<b>Consultation record:</b>	<b>Record of amendments:</b>
13 February 2018	In line with the changes in OVH business practices	See Section 6	<ul style="list-style-type: none"> <li>Inclusion of how OVH will deal with Japanese knotweed.</li> </ul>
16 April 2019	In line with the review schedule	See Section 6	<ul style="list-style-type: none"> <li>A change 3.1.3- Reworded that OVH employs contractors to carry out a survey of trees on communal areas that it owns or manages as part of its grounds maintenance programme</li> <li>A change at 3.3.5:- inclusion that OVH will liaise with customers in all circumstances where it requires to carry out work on or remove trees/ hedges, including those that do not pose imminent risk</li> </ul>
17 <sup>th</sup> November 2020	To bring Policy in line with current operational practice	See Section 6	<ul style="list-style-type: none"> <li>Revised clauses at 2.2.and 2.3. to reflect current operational practice</li> </ul>

- |  |  |  |  |
|--|--|--|--|
|  |  |  | <ul style="list-style-type: none"><li>• 3.3 amended throughout to reflect new inspection and maintenance regime for trees and shrubs in tenants gardens</li><li>• 3.4 Amended wording throughout</li><li>• 5.1 amended to reflect inclusion of Risk Register reporting</li></ul> |
|--|--|--|--|