



Tree Management and Grounds Maintenance Policy

Originator:	Policy and Strategy Team
PCHA Board Approval Date:	May 2024
Review date:	May 2027

1	Introduction
1.1	Pine Court Housing Association (PCHA) aims to provide quality homes that meet demand, in safe and sustainable neighbourhoods. PCHA 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 PCHA will manage communal green spaces and trees located either within communal areas or curtilages of properties it owns and manages.
1.3	The application of this Policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England as outlined below: <ul style="list-style-type: none"> Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
1.5	Access and Communication
1.5.1	PCHA is committed to ensuring that its services are accessible to everyone. PCHA 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	Equality and Diversity
1.6.1	PCHA 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 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.
1.7	PCHA 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> <p>1.8</p>	<p>PCHA will also ensure that all services and actions are delivered within the context of current Human Rights legislation. PCHA will endeavour to ensure staff and others with whom it works, will adhere to the central principles of the Human Rights Act (1998).</p> <p>The Policy should be read in conjunction with the following documents:</p> <ul style="list-style-type: none"> • PCHA Complaints and Feedback Policy • PCHA Repairs and Maintenance and Planned Works Policy • PCHA Service Charge Policy
<p>2</p>	<p>Statement of Intent</p>
<p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>PCHA 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, it is responsible for.</p> <p>PCHA 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> <p>Where PCHA 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 PCHA Service Charge Policy for full details).</p>
<p>3</p>	<p>Policy</p>
<p>3.1</p> <p>3.1.1</p> <p>3.1.2</p> <p>3.1.3</p> <p>3.1.4</p> <p>3.1.5</p>	<p>Communal Gardens and Trees</p> <p>PCHA is responsible for effective maintenance of communal land it owns or manages including trees and hedges. PCHA will carry out maintenance work on communal gardens on a scheduled basis in accordance with the approved specification.</p> <p>PCHA 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 PCHA staff.</p> <p>PCHA employs competent and qualified arboriculture contractors to carry out a survey of trees on communal areas that it owns or manages as part of its ground's maintenance programme.</p> <p>PCHA 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.</p> <p>Where reports are received from staff or members of the public, PCHA will inspect the tree which may involve sending a competent contractor to make further assessment, if necessary and take appropriate action.</p>

3.2 Circumstances for PCHA to Consider Tree Management Works

3.2.1 PCHA 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 PCHA 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 PCHA 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, PCHA will periodically inspect all trees and large shrubs on premises it owns including those in gardens of rented properties.

3.3.4 PCHA 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 PCHA will also respond on a reactive basis to any trees that develop issues (such as those outlined in 3.2.1. above) which PCHA 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 PCHA 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 PCHA 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 PCHA'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 PCHA become aware of trees and shrubs that may be causing issues that are located on privately owned land / properties that adjoin any PCHA properties, attempts will be made to contact the landowner 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, PCHA 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, PCHA 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, PCHA 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, PCHA will apply for a written consent from the relevant local authority or its representatives before taking any action.

3.6 **Japanese Knotweed**

3.6.1 PCHA 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, PCHA will inspect the premises to make further assessment if it's necessary to take further action.

4	Implementation	
4.1	The PCHA '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.	
5	Performance	
5.1	There are no additional reporting requirements as a result of implementation of this Policy.	
6	Consultation	
6.1	All PCHA staff and the Tenants' Policy Review Group has been consulted about the contents of this Policy.	
7	Review	
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.	
8	Equality Impact Assessment	
8.1	Was a full Equality Impact Assessment (EIA) required?	No
8.2	When was EIA conducted and by who?	EIA relevance test was conducted by Policy and Strategy Manager and the Quality and Inclusion Officer in April 2024.
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, PCHA may provide assistance to its customers who are vulnerable and are not able to maintain their gardens.
9	Scheme of Delegation	
9.1	Responsible committee for approving and monitoring implementation of the Policy and any amendments to it	PCHA Executive Management Team
9.2	Responsible officer for formulating Policy and reporting to committee on its effective implementation	Director of Operations

9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Director of Operations
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10	Amendment Log
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Date of revision:	Reason for revision:	Consultation record:	Record of amendments:
16 April 2019	In line with the review schedule	See Section 6	<ul style="list-style-type: none"> • A change 3.1.3- Reworded that PCHA employs contractors to carry out a survey of trees on communal areas that it owns or manages as part of its grounds maintenance programme • A change at 3.3.5:- inclusion that PCHA 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
17 th November 2020	To bring Policy in line with current operational practice	See Section 6	<ul style="list-style-type: none"> • Revised clauses at 2.2.and 2.3. to reflect current operational practice • 3.3 amended throughout to reflect new inspection and maintenance regime for trees and shrubs in tenants gardens • 3.4 Amended wording throughout • 5.1 amended to reflect inclusion of Risk Register reporting <ul style="list-style-type: none"> •
17 th May 2024	In line with the review schedule	See Section 6	<ul style="list-style-type: none"> • Job titles updates throughout • EIA information updated at section 8