



Tree Mangement Policy

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1.0 Introduction

- 1.1 Livin are committed to maintaining the 7000+ trees in their ownership as they make an important contribution to the character and environment of our communities today and in the future.
- 1.2 Trees have an important role in sustaining wildlife conservation and protecting/developing a wide range of habitats whilst positively contributing to people's quality of life and well-being.
- 1.3 Whilst we recognise trees are a positive feature, they may cause of a range of problems and as such Livin have a direct responsibility for ensuring our trees do not pose a danger to our tenants, the public or properties and that we manage them correctly.
- 1.4 We have appointed an independent arborist to inspect our tree stock on a 4-year cycle to identify any immediate or potential hazards. The findings of the tree survey form the planned maintenance programme of works over the following 4 year based on the level risk.

2.0 Policy, Scope and objectives

- 2.1 This policy applies to all trees under our ownership / management, regardless of their location.

Our objectives are to:

- protect and maintain our tree stock in a good and safe condition.
- ensure compliance with BS 3998 (British Standard for Tree Works) and best practice when carrying out tree works.
- encourage tenants to embrace Livin's management and maintenance of its tree stock.

3. The importance and benefits of trees

3.1 Trees help to create an attractive environment, enhancing the neighbourhood for our tenants and others. They also:

- Improve air quality by filtering airborne dust, smoke and fumes;
- absorb traffic noise in built-up areas;
- help limit noise pollution;
- reduce temperature extremes by providing shelter in hot weather and insulation in cold weather;
- help prevent flooding and soil erosion;
- act as a privacy screen;
- reduce the 'greenhouse effect' by filtering carbon dioxide from the air and absorbing and storing it for extended periods through photosynthesis;
- support conservation and biodiversity by providing food and habitats for birds and other wildlife;
- provide many psychological and health benefits and have been shown to reduce stress.

4.0. Legislation

4.1 There is a wide range of legislation that must be adhered to in relation to tree management including but not limited to:

- The Forestry Act (1967) requires certain permissions and licences to be granted where felling of trees is proposed within a woodland setting.
- Tree Preservation Orders
- Town & Country Planning Act (1990) also makes special provision for trees in conservation areas.
- Wildlife & Countryside Act (1981, as amended CROW Act 2000) states that it is illegal to intentionally or recklessly damage or destroy the nest of a wild bird while that nest is in use or being built.

- Bats are a European Protected Species and are protected by the Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to or destroying a roost site, preventing access to a roost site and killing bats are all criminal offences that can lead to imprisonment or a fine. Felling trees with bat roosts for health & safety reasons without first consulting Natural England may still be an offence under the Regulations.
- The Hedgerow Regulations (1997) introduced powers allowing important rural/native hedgerows to be protected.
- Anti-social Behaviour Order Act (2003); Part 8 High Hedges give Local Authorities the powers to deal with complaints or disputes about high hedges affecting residential properties.

5.0 Inspection of trees

5.1 Livin work on a risk-based approach to tree management and the tree inspections are carried out every 4 years. Tree inspections are also carried out on an ad-hoc basis following reports from the following sources:

- Livin tenants and staff
- General public
- Local Councillors
- Utility companies
- Emergency workers (e.g. Northern Powergrid)

6.0 Tree Maintenance

6.1 Planned tree maintenance work is carried out on a 4-year programme based on information gathered during the planned tree survey inspections.

- 6.2 Reactive tree maintenance is carried out on specific trees in response to reports received by Livin as above.
- 6.3 Tree maintenance does not mean that a tree will necessarily be removed. Trees will be maintained and made safe using the most appropriate method either by pruning or felling, using a risk-based approach to determine the works required and the timing of it.
- 6.4 The following categories will be used when prioritising tree maintenance works:

Priority	Category	Timescale
1	Urgent public safety	Attend & make safe within 24 hours
2	Essential works	Within 6 months
3	Routine	Up to 4 years depending on the risk

Priority 1 - A tree could warrant immediate attention if, for example

- It has snapped or blown over;
- It is rocking (roots are damaged);
- It is uprooted but held up by another tree or building;
- A large branch has broken off or is hanging off the tree;
- It or its branches are blocking the road or footway / public right of way;
- It or its branches are blocking access to property;
- It has fallen on to a structure, such as a building or car.

Priority 2 - A tree may be a risk to people or property but does not require immediate attention if: for example

- It is dead;
- It is dying (few leaves in summer or dieback in the crown);
- A significant amount of its bark is loose and falling off;
- Old splits and cracks are in the trunk or large branches;

7.0 Tree pruning

7.1 Tree pruning will be considered for the following reasons:

- Branches cause an obstruction to a public footpath highway or right-of-way
- The arborist considers the tree to present a risk to the public or property
- The tree causes a legally actionable nuisance to a property
- Roots are causing a major disruption to pavements or kerbs (this would be referred to the Council's Highways Department for advice)
- The tree obstructs or interferes with street lighting
- The tree obstructs signage or obscures sightlines on the highway
- Loss of light is having a significant impact on a resident eg if housebound

7.2 Adjacent Landowners have a common law right to prune back tree branches to their boundary, providing that the tree is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area. The works should be carried out in accordance with good arboriculture practice.

8.0 Tree Removal

8.1 Tree removal will only be considered if a tree is:

- Dead, dying or diseased
- Arborist considers the tree to be a danger to public safety
- Causing serious structural damage to main buildings or infrastructure
- In a designated area for development / redevelopment.

8.2 Healthy trees will not be removed for, but not limited to, the following reasons:

- Problems associated with natural or seasonal phenomena e.g. pollen/fruit/leaf fall; bird or insect droppings;
- Leaves falling into gutters, drains or roofs;
- Build up of algae on fences, paths or other structures;
- Interference with satellite dish or TV reception. In most cases, the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a Booster. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances;
- The tree is perceived to be too large;
- To enable the installation or maintenance of solar panels;
- Damage to walls, fences or pathways unless there are exceptional circumstances or a risk to public health.

9.0 Tree replanting

- 9.1 Tree removal will only be considered as an exceptional circumstance and the reason for removal of the tree will determine if a new tree can be re-planted in its place.
- 9.2 Tree planting is included on Livin's new build estates and the number and species of trees planted is dependent on the topography, geography and size of the site.

10.0 Other factors affecting work to trees

- 10.1 Birds: Under the Wildlife & Countryside Act 1981 (as amended CROW Act 2000) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. For Schedule 1 birds (Wildlife & Countryside Act) it is an offence to disturb them whilst building or using a nest (see www.legislation.gov.uk for list of species). Nesting season is from 1st March to 31st August.
- 10.2 Tree work involving tree removal / reduction and hedge cutting operations should not normally be undertaken during the bird nesting season without a nest survey carried out by a competent person.
- 10.3 Bats: Bats are a European Protected Species and are protected by the Conservation of Habitats and Species (Amendment) Regulations 2012 (also known as the Habitat Regulations) and the Wildlife & Countryside Act 1981 (as amended).
- 10.4 Causing damage to or destroying a bat roost site is a criminal offence that can lead to imprisonment or fine. Trees with suitable features such as holes, cracks, crevices and dense ivy should be risk assessed for their ability to support bats, prior to any works commencing on the tree.

- 10.5 Trees, in Livin ownership, displaying signs of roosting bats will be referred to Durham County Councils Ecology team before any work commences. Any trees supporting roosting bats will not be worked on until due process has been followed and a license acquired if necessary.

11.0 Tree pruning techniques

- 11.1 Livin will ensure that all works carried out on its trees is done so in accordance with arboriculture best practice and guided by recommendations within British Standards for tree works (BS3998 (2010) or subsequent updates.
- 11.2 Pruning may vary for trees of different ages, species, health and condition, or even between trees of the same species depending on their condition, age and environment.
- 11.3 Pruning may involve one or more of the following techniques:
- Crown lifting – this involves the removal of the lowest branches of a tree so that the remaining lowest branches are at a specified height, usually 2.4m over a footpath and 5m over a road. This operation is undertaken for a number of reasons, such as to allow access under a tree; to clear branches from low structures; or to allow light under the canopy.
 - Crown thinning – The removal of a specified proportion of branch material from the interior of the crown without affecting the shape of the tree. This operation is usually undertaken to reduce crown density; form a healthy branch structure by removing dead; diseased, damaged, crossing and rubbing branches, and allow more light through the canopy.

- Crown Reduction – Reducing the overall size of the crown area by a specified percentage by pruning back the leaders and branch terminals to lateral branches that are large enough to assume the terminal roles. Crown reduction up to a maximum of 15-20% may be acceptable to semi-mature trees and where shaping and restricting size and spread is essential. Crown reduction of mature or older trees is not normally acceptable as it can severely affect tree health and may lead to the death or decline of the tree and is generally only acceptable as management of last resort.
- Dead Wooding or Crown Clean – This operation is similar to a crown thin except that only dead, diseased, crossing and rubbing branches are removed to tidy up the appearance of the tree. No healthy, sound wood is removed. This operation helps maintain a healthy, safe tree.
- Formative Pruning – The removal of problematic or potentially problematic branches, ensuring good tree development.
- Stump Grinding – Stump grinding is the practice of removing a tree stump to below ground level by mechanical means. We will carry out stump grinding where necessary to enable new trees to be planted or to remove a significant hazard. Where stump removal is not necessary, tree stumps will be removed close to ground level so as not to leave a trip hazard.

12.0 Monitoring and review

- 12.1 The Tree Policy will be reviewed in September 2028 and whenever there is a change to any relevant legislation or Government policy.

13.0 Performance

- 13.1 Livin manages the performance of the Grounds Maintenance Service via the Performance Management Framework.

14.0 Complaints

- 14.1 Customers who are not satisfied with the Grounds Maintenance Service can raise their concerns through Livin's Customer Feedback Procedure.