

## 1. Scope of Policy and Aim

This policy sets out how Soha Housing Ltd manages its tree stock on communal land, void property gardens and in resident's gardens and our approach to inspecting and maintaining trees.

Soha's aim is to fulfil its statutory duties towards residents, members of the public and other stakeholders and meet its corporate and environmental objectives in its approach to managing trees.

This policy has considered the Equality Act 2010 and its protected characteristics which are race, gender, gender re-assignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, pregnancy and maternity and explicitly provides equal access to this service. Contractors delivering the service are expected to comply with the Equality Act 2010 and Soha's Equality, Diversity and Inclusion Policy.

## 2. Policy Statement and Implementation

Soha recognises that trees provide many benefits not only to the environment, to people's health and wellbeing and to wildlife but that they also have aesthetic value and as such seeks to preserve the life of trees on our land wherever practicable.

In acknowledging the many benefits trees have we have taken a risk-based approach to the management of our tree stock under the parameters that a tree is either:

- **Dead, dying or dangerous**
- **Where there is risk of injury to person or property**

As such, we do not carry out pruning or felling work for any of the following reasons:

- Trees are tall (20m and over) or large (spread of 5m or more)
- Trees moving naturally in the wind
- Tree is blocking light
- Fallen leaves, seeds, pollen, nuts or fruit
- Neighbours trees are overhanging your garden (unless dangerous or damaging your property)
- Poor TV reception
- Guttering is blocked
- Bird Mess
- Insect activity/sap

Soha will have procedures in place for ensuring trees on communal land are regularly inspected and maintained as required to limit the risk to person or property from falling trees and branches. Soha will also have procedures in place for managing trees in void property gardens and resident's gardens in accordance with its legal requirements.

### **Trees on Communal Land**

Every 4 years Soha will commission a tree condition survey to be carried out on trees that are on communal land owned by us. This survey will be carried out by a qualified arboricultural contractor. The purpose of the survey is to confirm the condition of the trees and produce a report which prioritises any work found to be required.

As a result of the tree condition survey, we will create a 4-year Tree Maintenance Programme and the work will be carried out in priority order as follows:

- Year 1 High priority
- Year 2 Medium priority
- Year 3 & 4 Low priority

Emergency work will be completed immediately upon the advice of the arboricultural contractor.

Where possible all tree maintenance work will be completed in accordance with the survey recommendations, however there may be times when ad-hoc work is identified. Where this is the case, a qualified contractor will assess the tree and provide a report of recommended work.

### **Tree Planting**

In accordance with Soha's Environmental & Sustainability Strategy, we will plant two trees for every one tree that we have felled on communal land due to it being dead, dying or dangerous. The exact location of the new trees may differ due to suitability of the location, soil and other factors.

Residents must not plant any trees on any Soha land without specific written permission, this includes residents gardens.

### **Trees in tenants' gardens**

Tenants and leaseholders are responsible for the maintenance of their gardens, which includes trees, shrubs, hedges and lawns.

If a tenant is concerned about a tree in their garden we will send a qualified member of staff or a contractor to carry out a visual inspection.

Cases where we can assist in obtaining a quotation are as follows:

- **Tree(s) are dead, dying or dangerous**
- **Tree(s) are causing direct damage to your property, for example the branches are touching the roof.**

If, on inspection, a tree is deemed to be high risk then Soha can arrange the recommended work, subject to access, road closures, inclement weather. The cost of this work is usually recharged to the tenant, however under some circumstances Soha may agree to fund all or part of the work.

**We will not agree to carry out pruning or felling works to trees for the following reasons:**

- Trees are tall (20m and over) or large (spread of 5m or more)
- Trees move naturally in the wind
- Tree is blocking light
- Fallen leaves, seeds, pollen, nuts or fruit

- Neighbours trees are overhanging your garden (unless dangerous or damaging your property)
- Poor TV reception
- Guttering is blocked
- Bird Mess
- Insect activity/sap

Soha aims to undertake a tree condition survey of trees in tenant's gardens over the next two years. The undertaking of the survey does not commit Soha to funding the recommended work and the cost may be recharged to the tenant. As per our communal tree survey, any work found to be required will be completed in order of priority.

Residents must seek written permission from Soha before planting any trees in gardens. Consideration will be given to the species and location of the tree, along with any potential future impact its growth may have on the property and surrounding environment.

### **Dead & Diseased Trees**

Not all dead and diseased trees need to be removed immediately. Many will stay upright and decay slowly over time, acting as a natural habitat for insect and bug life. All trees will be assessed individually, and advice will be taken from our Arboricultural contractor on the suitable action.

### **Trees in void properties**

When a property becomes vacant a member of staff will carry out a visit to check the condition of the property and garden.

If a tree is found to be within 2 metres of the house and/or is over 4 metres in height or appears to be dead, dying or dangerous, an inspection will be arranged to assess the trees condition and work will be carried out as per the recommendation.

Prior to completing any recommended work, the member of staff will need to check if there is legislation in place protecting the tree such as a Tree Preservation Order, Conservation area restrictions, or a restrictive covenant is in place because this means that the Local Planning Authority will need to approve any suggested work.

In most cases any recommended work will not be completed until after the property is let subject to; priority of work, Local authority consent, nesting birds and other factors, so as not to delay new tenants moving into their new home.

### **Trees on Private Land**

Where a tree that is causing damage to a Soha property is on land that does not belong to Soha, we will seek to contact the owner and advise them of the situation and obtain an agreement from them to carry out the work or make the situation safe depending on the level of risk.

If the landowner fails to carry out the work within the agreed period, Soha will escalate the case to the local authority or seek civil action against the owner.

Where the situation is urgent due to significant and immediate risk or danger to people or property, Soha will in consultation with the landowner, decide to carry out the work to make the tree safe if it is possible to do so. If the private owner refuses to work with us, Soha reserves the right to seek civil redress to resolve the situation.

### **3. Resident Involvement**

Tenant groups were consulted prior to drafting this policy and are also involved with agreeing estate service standards and contract specifications and the selection and monitoring of Soha's estate maintenance contractors,

### **4. Appeals**

If a resident is unhappy with any aspect of this policy, they have a right to appeal using SP07 Complaints Policy.

### **5. Responsibility**

The Director of Property Services is responsible for the effective implementation of this Policy.

### **6. Monitoring and review**

KPI's will be developed to monitor and demonstrate the effectiveness of this service; this will include the monitoring customer feedback and complaints and post inspection of completed work. Expenditure will be included in the monthly performance report and will be reported on a quarterly basis to Soha's Estates Portfolio Holders.

### **7. Context**

- Occupiers Liability Act 1957 and 1984
- The Wildlife and Country Planning Act (1990)
- The Health and Safety at Work Act 1974
- Local Government (Miscellaneous Provisions) Act 1976
- The Health and Safety at Work Regulations 1999
- Town and Country Planning (Trees) Regulations (1999)
- The National Planning Policy Framework (NPPF) The Highways Act 1980
- SP07 Complaints Policy

#### The Neighbourhood and Community Standard

##### **Safety of shared spaces**

Registered providers must work co-operatively with tenants other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces.

#### Safety & Quality Standard

##### **Health and safety**

When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

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***[SP48 Tree Management Policy, approved November 2025]***

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