

Tree Works for Council Housing Properties Policy



Sandwell
Metropolitan Borough Council

Document title	<i>Tree Works for Council Housing Properties Policy</i>		
Owner	<i>Jim Brennan, Head of Tenancy and Estate Management</i>		
Approved by			
Status	<i>Draft</i>	Version	<i>2.0</i>
Effective from		Approved on	
Last updated	<i>23/09/2025</i>	Last updated by	<i>Jim Brennan</i>
Review date	<i>October 2028</i>		
Purpose	<i>This policy outlines Sandwell Council's position on the maintenance of trees on council housing properties.</i>		

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1. Purpose

- 1.1 This policy outlines Sandwell Council's position on the maintenance of trees on council housing properties.
- 1.2 This policy aims to ensure the safety and well-being of tenants, while clearly outlining the responsibilities of both tenants and the council, regarding tree maintenance and related issues. The policy outlines the circumstances in which tree works will be completed by the council.

2. Scope

- 2.1 This policy applies to all trees located on council housing properties. This policy does not apply to trees in communal spaces. The management responsibility of trees in communal spaces lies with the council.

3. What do we mean by tree works?

- 3.1 When using the phrase 'tree works', Sandwell Council are referring to any actions taken to manage, maintain or remove trees on council housing properties. This work could include cutting back overgrown branches, removing dead, dying or diseased trees, or making a tree safe.
- 3.2 For Sandwell Council, tree works help to maintain the safety, environmental quality, and aesthetic value of council housing properties.

4. Policy Statement

- 4.1 Sandwell Council is dedicated to the safe and effective management of trees on council housing properties.
- 4.2 Through regular inspections, expert assessments, and responsible maintenance, the council aims to protect tenants, their property, and the environment.
- 4.3 The council will prioritise works on trees that are dangerous, dead, dying, or diseased, and will encourage tenants to manage healthy trees responsibly.

Our Criteria for Logging Tree Issues

- 4.4 Tenants or officers may report a tree for inspection in the following conditions:
- Fallen Tree (Emergency)
 - Broken or Hanging Branch (Emergency)
 - Tree Trunk is Rocking (Emergency)
 - Dead Tree
 - Split Tree or Trunk
 - Overgrown Tree
 - Tree Blocking TV Reception
 - Damage to Property
 - Tree Blocking Light
 - Other Issues

Council Responsibility

- 4.5 The council will only carry out tree works for trees that are dangerous, dead, dying, or diseased. Our expert tree inspectors will assess the condition of reported trees to determine if they meet this criteria.

- 4.6 The council may complete works on trees that are deemed to be unsafe. If the tree has not been properly maintained, the council may recharge the tenant for the works.
- 4.7 When undertaking tree works, the council will assess the risk posed by the tree which will influence the timing of the works and any adherence to nesting season.

Tenant's Responsibility

- 4.8 Tenants are responsible for the maintenance of trees on their property, provided the tree is not dangerous, dead, dying or diseased.
- 4.9 The council will not recommend specific companies for tree work but encourages tenants to seek services from Arboricultural Association-approved contractors, who are accredited and have undergone appropriate training.
- 4.10 Tenants can cut back any branches that are over hanging their boundary, and must offer any branch cuttings back to the tree owner before disposal.
- 4.11 Tenants wishing to remove trees in their garden must seek permission from the council before doing so.

Prohibited Planting

- 4.10 Tenants are not permitted to plant trees or shrubs on communal land. If any unauthorised planting occurs, tenants may be asked to remove it. If the council is required to remove the plants, tenants may be recharged for the cost of the removal.

- a) Recharge: if a tenant fails to maintain their property, including gardens and trees, the council may carry out the work and charge the tenant.
- b) Planting trees in gardens: tenants must be considerate when planting trees in their garden, i.e. the right tree in the right place.
 - Things to consider:
 - The type of tree
 - The overall size of the tree
 - The location; not planting too close to the house, other buildings, or boundaries.
 - Possible nuisance to your neighbours, i.e. blocking sunlight, fallen blossom, leaves, fruit and branches etc
- c) When choosing a tree, it is recommended that preference be given to British native trees and smaller trees such as fruit trees, as this will help support the local biodiversity. Trees like Leyland Cypress, that grow quickly, should be avoided.

High Hedge Legislation

- 4.11 There may be occasions where the council will consider tree work outside the criteria of dangerous, dead, dying, or diseased trees. Such decisions will be made on an ad-hoc basis, and each case will be evaluated on its own merits. Reasons for work outside of this policy could include, but are not limited to, disability and old age preventing a tenant from maintaining trees.
- 4.12 It is important to note that High Hedge legislation is applicable to private households and does not apply to council properties. However, if a tree on private property is reported and deemed to be dangerous, dead, dying, or diseased, it may be referred for enforcement action.

Reasonable Adjustments

- 4.13 There may be occasions where the council will consider tree work outside the criteria of dangerous, dead, dying, or diseased trees. Such decisions will be made on an ad-hoc basis, and each case will be evaluated on its own merits. Reasons for work outside of

this policy could include, but are not limited to, disability and old age preventing a tenant from maintaining trees.

- 4.14 Sandwell Council is committed to ensuring that no resident is disadvantaged when reporting concerns or accessing our Tree Management services. We will make reasonable adjustments where needed to meet individual needs. These may include changes to how we communicate with you or how we deliver our services.

Examples of reasonable adjustments include:

- Providing information in alternative formats, such as large print.
- Using clear and plain language in our communications.
- Taking into account any vulnerabilities or specific needs within a household by risk assessing and re-prioritising tree-related works accordingly.
- Making this policy available on our website in an accessible format, enabling residents to:
 - Change colours, contrast levels, and font sizes.
 - Zoom in up to 300% without loss of content or readability.
 - Access the policy using a smartphone, tablet, laptop, or desktop computer.

Residents can request reasonable adjustments in any of the following ways:

- In person
- In writing (e.g. by email, post, or text)
- By telephone
- Through a family member (where permission has been given)
- Or, adjustments may be offered by a staff member where they identify a need that would benefit the customer.

For more information, please refer to Sandwell's [Reasonable Adjustments Policy](#).

ST*R Practice Model

Sandwell Council applies the **ST*R practice model** to its Tree Management Policy to ensure a fair, inclusive, and resident-focused approach:

- **Strengths-Based** – We work with residents to build on local knowledge and find practical solutions.
 - **Trauma-Informed** – We recognise that unmanaged tree issues can affect wellbeing and respond with sensitivity.
 - **Relationship-Based** – We prioritise clear communication and trust to strengthen our connection with the community.
- This approach helps ensure our services are supportive, respectful, and responsive to individual needs.

Trees on Communal Housing Land

- 4.15 The council is responsible for maintaining trees in the communal areas of housing estates such as blocks of flats or bungalows. The criteria that will be used for undertaking tree work is the same as that used for trees in gardens.
- 4.16 A three-year cyclical programme of tree inspections is in place to identify trees in communal areas that require work to be undertaken.

5 Development of Policy

- 5.1 This policy has been developed in consultation with relevant departments, including Housing Services and Grounds and Estate Maintenance.
- 5.2 Sandwell Council believe that good communication is integral to any policy. Therefore, we will engage with our residents by consulting with them on a draft version of this policy. There will be opportunities for residents to submit their consultation feedback both online and in person.
- 5.3 By allowing our residents to contribute to the formation of the policy, Sandwell Council aim to enhance our understanding of tenants' views and reflect this in our policy. This will also help us to engage with vulnerable residents.

- 5.4 We will share information clearly and transparently, ensuring that information is available to residents on our website.

6 Related Documents

- 6.1 This policy should be read in conjunction with the following documents:

- Tenancy Conditions (2023)
- Tree Strategy and Implementation Plan 2023 – 2028
- Tenant Handbook

7 Legal Framework

- 7.1 This policy operates within the framework of relevant UK legislation, including but not limited to:

- **The Occupiers' Liability Act 1957** – establishing responsibilities for maintaining safe property conditions.
- **Highways Act 1980** – concerning the maintenance of trees affecting public highways.
- **The Environmental Protection Act 1990** – relating to nuisance and public health issues caused by trees.
- **Town and Country Planning Act 1990** – especially in relation to Tree Preservation Orders (TPOs).
- **High Hedge Legislation** – while this specifically addresses private households, the council may take enforcement action when necessary.

8 Equality and Diversity

- 8.1 Sandwell Council is committed to ensuring that all residents have equal and fair access to our services, including how we manage and respond to reports of damp, mould and condensation.
- 8.2 We understand that every household is different, and that some residents may need extra support. We will take individual needs into account throughout the process—from reporting a problem to

completing repairs—and we will make reasonable adjustments wherever necessary.

- 8.3 Everyone will be treated fairly, with dignity and respect, regardless of their background, personal circumstances, or needs.
- 8.4 All Sandwell Council staff receive Equality, Diversity and Inclusion training, helping us understand how to adapt our usual ways of working to support residents better. This training is mandatory and monitored by our Learning and Development Team. Our approach also meets the requirements of the **Equality Act 2010** and is guided by our Equality, Diversity and Inclusion Framework.

9 Monitoring and Review

- 9.1 It is the responsibility of each setting to ensure that any information used in the writing of their policies and procedures is up to date and in accordance with current legislation.
- 9.2 All policies must be reviewed on an annual basis to ensure that they are accurate and kept up-to-date.
- 9.3 Policy editors will be notified by email 90 days prior to the due date for annual review.
- Check all links to make sure they are still valid.
 - Verify that the contact and their title are accurate.
 - Look for any procedural information that may have changed.
 - Ensure the policy is written in accordance with the most current legislation.

10 Policy Document Version Control

- 10.1 The policy will be reviewed every three years unless there are any legislative changes or recommendations from the Regulator of Social Housing or Housing Ombudsman in which case it will be reviewed in line with these recommendations.

Version	Date	Description	Updated By	Approved By
0.1	07/08/2025	First draft of policy	Owen Roberts	
0.2				