

Tree Policy

Audience:	Customers, Stakeholders, Colleagues, Board Members
Policy Owner:	Executive Director: Housing & Customer Experience
Policy Lead:	Head of Supported and Retirement Living
Approved by:	Senior Leadership Team
Approved date:	September 2025
Next review date:	September 2028

1. Context, purpose and scope of the policy

Context:

We have not previously had a dedicated tree policy, but recent reviews of our neighbourhood services have identified the need for one.

We also identified inconsistencies in how tree-related requests and risks are handled, especially regarding trees on customer boundaries, unmanaged garden growth and health and safety concerns.

Recent press reporting has further highlighted the potential health and safety risks associated with trees. This experience, supported by customer feedback via TP10 reporting and grounds audits, has exposed gaps in clarity and timely intervention.

Purpose:

This purpose of this policy is to provide a clear and proactive approach to tree management across our communal and individual areas, ensuring fairness in decision-making and recharges. It sets out who's responsible for tree health and safety and supports environmental objectives by planning for tree planting and renewal.

Scope:

This policy applies to:

- Trees, large shrubs and high hedges within Moat-managed communal areas.
- Trees within individual customer boundaries as noted in tenancy or lease agreements.

It excludes:

- Trees on land managed by third-party agents (see Managing Agent Policy).
- Standard shrubs that are not tree-like in scale.
- Grounds maintenance. The grounds maintenance service you can expect from us can be found in our Neighbourhood Management Policy.

Our contractors and partners must comply with this policy where trees are our responsibility. Our internal procedures provide detailed guidance on implementing this policy.

2. Definitions

- **Communal areas:** Shared green spaces owned and maintained by Moat, used by multiple customers.
- **Individual areas:** Garden or green space within the boundary of a customer's home as defined in tenancy or lease agreements.
- **Responsible Person:** The individual or organisation responsible for management and compliance of a block or estate.
- **Tree Preservation Order (TPO):** A legal protection for trees or woodland granted by the local planning authority.
- **Invasive plants:** Species identified in Schedule 9 of the Wildlife and Countryside Act 1981, banned for planting or spread.
- **Managing agent:** An external organisation or individual appointed by Moat to manage and maintain properties or land on our behalf, including responsibility for trees within those areas.
- **BS 3998:2010:** A British Standard that sets out good practice for pruning and managing trees safely and responsibly.
- **BS 8545:2014:** A British Standard that provides guidance on how to plant, establish and care for new trees in a way that supports their long-term health and growth.
- **Geographic Information System (GIS):** a computer-based mapping system that shows where trees are located and stores information about them.
- **Third-party:** individuals, companies or organisations working to deliver services for you on behalf of Moat. They are not, however, direct Moat employees.
- **Recharge:** the action of recovering costs for necessary works we've completed that aren't our legal responsibility.

3. How this policy supports our strategy

Corporate Strategy: Enables more transparent, fair engagement with customers about costs, responsibilities and support where tree maintenance is concerned.

'Pride in homes and places' (corporate priority): Ensures safe, well-maintained neighbourhoods by proactively managing tree hazards and improving communal green infrastructure.

Equality, Diversity and Inclusion Strategy: Supports aim 3 of our Equality, Diversity and Inclusion Strategy 2025-2028: Understanding and meeting the needs of our customers (everyone living in Moat homes).

4. Policy principles

- We clearly explain who's responsible for tree work in different areas and what charges may apply (fairness and transparency).
- We believe prevention and regular monitoring reduces risks and costs over reactive responses (proactive stewardship).
- We encourage approaches to tree planting and maintenance that support biodiversity, climate resilience and customer wellbeing wherever practical (environmental awareness).
- The health and safety of customers, colleagues and visitors remains our guiding principle (health and safety).
- We offer help or guidance to customers struggling with tree maintenance, balanced with clarity on when responsibilities lie with them (collaborative).

5. Aims and objectives

Aim:

- To ensure that trees on Moat communal areas and within individual areas are safe, well-managed and contribute positively to our neighbourhoods.

Objectives:

1. Maintain an accurate and risk-based tree register for all trees in communal areas.
2. Develop, build and maintain a risk-based tree register for trees located in individual areas. Trees will be added to the register when a risk is identified or where trees are reported to Moat.
3. Define clear criteria for when Moat will inspect, intervene or recharge for tree issues in customers' private gardens.
4. Prioritise tree works transparently, based on safety, legal risk, environmental benefit and customer impact.
5. Ensure fair and transparent communication with customers around tree works, responsibilities and recharges.
6. Support environmental goals through one-for-one replacement of removed trees, species guidance and biodiversity protection.
7. Clarify ownership and responsibilities across Moat land, private gardens and third-party land.

6. Policy actions

This section outlines the specific actions Moat will take to deliver the policy's objectives. These actions are designed to improve safety, consistency and transparency in how trees are managed across our homes and estates.

Tree register and risk assessment

Supports Objectives 1 and 6

We will:

- Maintain accurate records of trees on Moat land to prioritise inspections, identify risks and support future decision-making.
- Maintain a GIS-enabled register of communal trees, including inspection schedules, priority ratings and high-risk identification. Inspection schedules will be prioritised based on risk determined on the most recent inspection, i.e. a young sapling with low growth may not require another inspection for 5 years whereas an older tree showing signs of disease may require an inspection within the next year.
- Extend the register to include trees in individual areas when notified by residents or observed during home visits.
- Ensure high-risk trees are prioritised for inspection and follow-up works.

Prioritisation framework

Supports Objective 3

- We'll prioritise tree works using a structured, risk-based approach that considers health, legal, environmental and customer impact factors.

Priority level	Criteria	Timescale
Critical	Current risk to life, property or critical services	Immediate
High	Certain future risk if left unmanaged	Current year's programmed works
Medium	Potential future risk if left unmanaged	Current or future year's programmed works
Low	Cosmetic issues, or non-essential requests	Unlikely to complete works

This framework will help us allocate resources fairly, efficiently and transparently.

Criteria for tree inspections outside of the planned programme

Supports Objectives 2 and 4

- We'll inspect trees outside of planned schedules when specific conditions are met. We may inspect a tree if:
 - There is a clear health or safety risk
 - A concern has been reported (e.g. by customers, neighbours, Moat colleagues or contractors)
 - The tree obstructs access to communal areas or essential services
- We'll notify customers in writing (and by other means if needed to meet their communication needs) before inspection, with clear information on outcomes (including potential recharges).

Trees in individual gardens

Supports Objectives 2, 4 and 6

- While trees in private gardens are the customer's responsibility, we will engage when safety or support needs arise.
- Customers are responsible for tree maintenance within their boundary as set out in their tenancy or lease.
- Where poor condition is identified, we may inspect and log the tree on our register — this does not commit us to funding works.
- We may offer support on a case-by-case basis based on individual needs and circumstances, and the nature of the tree. In these cases, we'll monitor the health and safety of the tree and, where critical issues are identified, we'll take on responsibility for those works. However, we do not commit to assist with the costs of ongoing maintenance.
- Recharges may apply where work is necessary but outside Moat's legal responsibility.
- Where possible, we'll capture information on garden trees during move-ins, major works or property visits.

Recharges and private tree works

Supports Objectives 2 and 4

- We aim to be fair and consistent when deciding whether to recharge customers for tree works. In deciding whether to recharge, we'll consider:
 - Individual needs and circumstances
 - Evidence provided by the customer
 - Tenancy, lease or freehold obligations.

If we need to recharge you, we'll explain what the costs are for and why we think you're responsible for them. We'll also inform you of your right to request a review of our decision to recharge the costs to you. We'll explain how this review will be carried out and give you the opportunity to provide any additional information to support your position.

Tree works decision framework

Supports Objectives 3, 4 and 6

- We'll only approve tree works that meet our agreed criteria. This will protect the environment, avoid unnecessary removals and help manage expectations. Trees may be felled only if they are:
 - Dead or dying
 - Structurally damaging
 - Inappropriate for their location
 - Scheduled for removal as part of an approved estate or biodiversity plan.
- We won't approve removal requests based on issues like light loss, fruit, leaves, pollen, or views unless exceptional circumstances apply.
- Pruning may take place to address safety risks or to restore access to services (e.g. CCTV).

- Where works are declined, we'll explain the reasons in writing, and by other means if needed to meet communication needs.

Tree planting and protection

Supports Objectives 5 and 6

- We'll actively protect and replace trees to support biodiversity, climate resilience and community wellbeing.
- We'll replace removed trees on a one-for-one basis where feasible, prioritising biodiversity, shade provision, carbon capture and resident wellbeing.
- Comply with British Standards:
 - **BS 3998:2010 – Tree work recommendations**
 - **BS 8545:2014 – Young tree establishment guidelines**
- Respect Tree Preservation Orders (TPOs), protect nesting birds and bat habitats and only seek new TPOs as part of long-term estate planning.
- Where a Moat-owned tree is unlawfully removed or significantly damaged, we may seek compensation.

Customer planting requirements

Supports Objectives 2, 4 and 5

- To avoid future risks and complications, we ask customers to engage with us before planting trees.
- Tenants should inform Moat before planting new trees.
- We will provide signposting or leaflets on suitable species and soil conditions when requested.

Third-party land

Supports Objective 6

- Where trees are on land not owned by Moat, we'll still provide advice and act where possible.
- If concerns are raised about trees on third-party land, we'll investigate where appropriate, liaise with the landowner and advise customers on next steps.

7. Monitoring, reporting and review

We will:

- Monitor tree-related customer satisfaction via TP10 and track the number, cost and timing of recharges and complaints.

- Undertake quarterly reviews of high-risk trees, recharge patterns and satisfaction outcomes via team dashboards.
- Review this policy annually (with quarterly updates on actions) and conduct a full review every 3 years or sooner if legislation or customer trends change.

8. Equality, diversity and inclusion

This policy will be delivered in line with our Equality, Diversity and Inclusion Policy and our legal duty to make reasonable adjustments for disabled people / people with disabilities. An Equality Impact Assessment was completed for this policy and considered as part of the approval process.

9. Data protection

This policy will be delivered in accordance with our Data Protection Policy. A Data Protection Impact Assessment Screening was completed for this policy which found that a full Data Protection Impact Assessment was not needed.

10. Related legislation and regulations

Legislation

- The Town and Country Planning (Tree Preservation) (England) Regulations 2012: we must obtain planning permission before conducting work on trees protected by a TPO.
- The Conservation of Habitats and Species Regulations 2017: details offences in relation to protected species.
- Wildlife and Countryside Act 1981: protects certain wildlife species and plants.
- Health and Safety at Work etc. Act 1974: we must ensure, so far as reasonably practicable, that employees and the public are not exposed to risks to their health and safety.
- Occupiers' Liability Act 1957: we have a duty of care towards visitors.
- Occupiers' Liability Act 1984: we have a duty of care towards non-visitors (for example trespassers).
- Highways Act 1980: we must ensure that our trees do not obstruct or pose a danger to highways.
- The Management of Health and Safety at Work Regulations 1999: we must assess and manage risks associated with tree works we undertake.
- Forestry Act 1967: if felling a tree in a woodland setting, we must obtain the necessary permissions and licences.
- The Hedgerows Regulations 1997: certain hedgerows require specific permissions to remove.
- Planning (Listed Buildings and Conservation Areas) Act 1990: provides protections for trees in protected areas.
- The Plant Health (Forestry) Order 2005: when moving or planting trees, we need to consider pests and pathogens that pose significant threats to tree health and obtain the relevant certifications.
- Anti-social Behaviour Act 2003 (added in 2005), Part 8: councils can issue remedial notices for high hedges which adversely affect a neighbour's enjoyment of their home and/or garden.
- Section 20 of the Landlord and Tenant Act 1985: we must consult customers before completing tree works which exceed a set cost limit.
- Equality Act 2010

Regulatory Framework

- Regulator of Social Housing Consumer Standard

11. Related policies and procedures

- Neighbourhood Management Policy
- Health and Safety Management Policy
- Service Charge Policy
- Recharge Policy
- Managing Agent Policy
- Homes Lettings Policy
- Procurement Policy
- Lettable Standards
- Equality, Diversity and Inclusion Policy

12. Customer engagement

We worked alongside our Customer Advocates during the policy development phase to help shape this policy.

Document revision history

Date	Changes approved by	Details of changes made