

HSP 66 Tree management

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1. Introduction

Trees make a substantial and valuable contribution to the character of Elizabeth Finn care homes. They are enjoyed by residents and provide screening and provide a valuable habitat for wildlife.

2. What the Regulations require

EFHL has a duty of care to the residents, staff and visitors to our properties.

If a tree falls and causes injury or damage, the landowner could be held negligent if they failed to take sufficient care of the tree. Therefore, EFHL has a duty of care to ensure that all trees on EFHL land are kept in an acceptable condition and do not put people or property at unreasonable risk.

The law requires only that a “reasonable and prudent landowner” should “take reasonable care to avoid acts or omissions which cause a reasonably foreseeable risk of injury to persons or property”.

3. Tree Management

The Estates Manager is the initial contact point for all enquiries regarding trees.

Elizabeth Finn Homes Ltd have a risk-based approach to tree management. The management strategy ensures that EFHL meet the duty of care required by law by; regular tree surveys (inspection and assessing obvious tree defects); managing risk at an acceptable level by identifying, prioritising and undertaking safety work according to level of risk.

Tree management falls into the following categories: -

- Tree Survey & Risk Assessment – regular visual tree inspections.
- Emergency works – assessing and rectifying obvious tree defects.
- Planned Management – managing safety work according to level of risk
- Replanting

4. Tree Survey & Risk Assessment

Tree surveys are undertaken to British Standard BS5837 (Trees in relation to design, demolition and construction). The primary purpose of this report is to confirm the physiological and structural condition of the trees within the site boundary and formulate management proposals in line with industry best practice.

Inspection frequency is recommended to be typically every 2 years – although there is advantage in seeing trees at different times of year, both in winter and in leaf.

Following inspections, the trees are assigned a risk classification, which will inform their prioritisation for maintenance work and next inspection.

Site zoning regime for EFHL homes

Risk Zone	Description
High risk	Trees within immediate location of Care home. Areas near resident pedestrian routes / Car Parks / adjoining properties.
Medium risk	Trees within areas occasionally visited by staff.
Low risk	Trees within remote areas rarely visited by resident, staff or visitors. Areas of surplus land. Small trees

5. Emergency Tree work

Emergency tree work is unforeseen work that needs to be carried out at short notice. Examples could be if tree snapped or blown over, large branch broken off, blocking access to property.

This may be due to storm damage but trees can also be quite seriously decayed with no visible signs and perfectly healthy trees can suddenly shed branches in windless conditions.

EFHL Maintenance teams/ Gardeners will alert the Estates Manager to obvious tree problems (eg fallen branches) and will carry out initial inspection for damage after severe weather conditions. The Estates Manager will organise extra inspections by expert consultants should these be considered necessary.

All tree work will be carried out by a qualified tree surgeon and carried out in accordance with BS 3998 / 2010 and any subsequent revisions.

6. Planned Management Work

Planned management work is organised by the Estates Manager with the homes Maintenance staff to ensure minimum disruption to the home. A tree may be a risk to people and property but does not require immediate attention – for example - if it is dead, bark loose, smaller branches falling, or infected by fungi.

Planned maintenance should be scheduled to ensure smooth running of the site. This work includes crown lifting, thinning and stump removal.

7. Tree Protection

There are two categories of tree protection that can be placed on trees. Unauthorised work to protected trees carries large financial penalties.

Tree Preservation Orders (TPO's)

A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, wilful damage or destruction of trees (including cutting roots) without permission.

- An application for work must be submitted to the local council prior to any work on a tree subject to a preservation order.

- No work to trees subject to a TPO can be carried out without prior written consent from the local Council.

Trees in Conservation Areas

It is an offence to cut down, lop, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice

- All trees in conservation areas are protected, except trees with trunks less than 7.5cm in diameter (measured 1.5m above the ground).
- An application for works to trees in a Conservation area must be submitted prior to work starting.
- The local council have six weeks to consider the proposed works and respond. No work can be carried out during this time.

Applications for work on trees will be managed by EFHL Estates Manager.

Table 1: Tree Protection designation within EFHL homes

Care Home	Tree Preservation Orders in place	Conservation Order	Details
Cotswolds	No	No	
Eversfield	No	<u>Yes</u>	Reigate Conservation Area
Grove Court	No	No	
Halliwell	<u>Yes</u>	No	
Merlewood	No	No	
Rashwood	<u>Yes</u> ¹	No	¹ Area TPO in place
Rush Court	No	No	
The Lodge	No	<u>Yes</u>	

8. Storage of Information

Tree Surveys are stored under the home's maintenance records. They are filed under Contractor information / CT38 Tree Surveys.

9. Associated documents

- RAG 71 Gardening

10. A Summary of the main points

Check that:

- Regular Trees surveys are completed.
- Recommendations within Tree Surveys are acted upon.
- Protection status of trees (and any required authorisation) is confirmed prior to work being started.
- Any defects that are identified are actioned immediately.

11. Document history

Author	Steve Andrews (Health & Safety Manager)
Date of Implementation	05/06/2023
Date of next full review	01/01/2027

Issue	Date	Author	Reason
1.0	05/06/2023	Steve Andrews	New Procedure.
2.0	02/02/2024	Steve Andrews	Full document review – added section 9 (Associated documents). Removed reference to Hampden House.
2.0	23/02/2024	Steve Andrews	Banner updated, no other changes, issue number kept same.