



Curo Tree Management Procedure

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Director of Estates Services

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1. Summary

Curo is firmly committed to maintaining and enhancing its communal tree stock as a vital part of the environment.

Trees are a highly valued feature. They make an enormous contribution to the character and beauty of our landscape and contribute to a rich biodiversity. Curo values its trees and recognises both the human and environmental benefits of having a healthy and sustainable tree population.

Curo also recognises that although trees are a positive feature, they can be a cause of a range of problems, from being a nuisance or inconvenience, to potentially causing serious injury or even death. As a tree owner we have a direct responsibility for ensuring our trees do not pose a danger to the public or property and are managed appropriately. This procedure sets out our approach to tree management.

2. Procedure scope

This procedure applies to all trees under our ownership / management of Curo, regardless of their location, and to those trees in the private ground space of our customers that pose a safety risk to the public and potential damage to property.

Although we believe this management procedure to be as comprehensive as possible, Curo acknowledges that it does not cover every situation. We reserve the right to exercise discretion in application of this procedure when to do so would be in the best interests of Curo and its customers.

3. Defining a tree

A High Court ruling in 2009 concluded that for Tree Preservation Orders there are no limitations in terms of size for what is to be treated as a tree. In other words, saplings are trees, as well as more established plantings. However, other than that there is no legal definition of what constitutes a tree for more general purposes. The following definitions have therefore been formulated to provide the boundaries within which this procedure operates.

Tree:

A tree typically has a single trunk growing in excess of 6m tall and bearing lateral branches. It has a more or less permanent shoot system supported by a single woody trunk that is more than 180mm in diameter. For the purposes of this procedure, saplings will NOT generally be regarded as trees.

Shrub:

A shrub is a woody plant smaller than a tree and distinguished from a tree by its multiple stems arising at or near the ground (rather than a single trunk); a shrub is usually less than 6m tall.

4. Tree management procedure

Curo will generally only undertake remedial works to trees where the trees pose an unacceptable level of risk to public safety or property i.e. if a tree is dead or dangerous or if the tree is causing damage to property. It is not reasonable to prune or remove healthy trees due to their size and proximity to buildings, roads or other infrastructure. Curo will manage any risk through tree inspections and undertake any necessary works to abate hazards due to mechanical faults within the tree's structure, diseases or fungal infections and other conditions relating to tree health.

5. Common Law right on encroaching trees

You have a Common Law right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice is given if you wish to exercise your Common Law right with respect to encroaching trees:

- a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. There is not a legal right to cut or remove any part of a tree that does not overhang your property.
- b) You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are such that you could do the works with hand secateurs or similar.
- c) Before you consider doing any works to a tree / trees you should find out who owns them and if they are protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application to your local council.

You are advised to discuss with your neighbour your intention to prune encroaching branches. Legally you do not own the encroaching branches and you should first offer them to your neighbor. If your neighbour does not want the cuttings, you should make appropriate arrangements to dispose of them yourself.

If the encroachment relates to a Curo-owned tree, any cuttings must be disposed of appropriately. Curo does not require or expect to have these returned.

Pruning of branches should be carried out in accordance with best practice. Appropriate guidance should be sought from a suitable qualified tree contractor.

6. Tree maintenance

Curo maintains all its trees in communal areas within an active programme of management.

Ongoing maintenance includes the removal of major deadwood (deadwood greater than 50mm in diameter), formative pruning (to remove problems in tree

form when the tree is young to avoid problems later) and the removal of trees when they come to the end of their safe and useful life. Remedial tasks include lifting low branches and maintaining access along pathways, drives and highways as defined in our Estates Standards Documentation. The way that trees are managed very much reflects their species and inherent genetics, where they are and ultimately the amount of space they have to grow.

Trees in parks and green spaces are managed to reflect the circumstances of any one site and the type, age and condition of the trees. Trees in parks generally have more room to grow compared to the street and typically grow to their full height and spread.

Some species of tree produce basal/sucker/shoot (epicormics) growth each year. Curo will remove this growth from trees where it will cause an obstruction as part of a cyclic works programme. Maintenance of basal/sucker/shoot will be carried out during cyclical inspection rounds and consequential works.

Funding	Works Category	Details	Target Time	Response
Tree Service Budget (listed in priority order)	Emergency	Response to trees that are perceived as imminently dangerous.	Onsite within 24 hours. (Or cordon off until resources available)	
	Urgent Works	Response to trees that are perceived as dangerous but where work needs to be undertaken at a safe time.	Works completed within 30 days.	
	Planned	Works to trees which have been identified through inspections and require further planning and organization, to be undertaken subject to review and budget availability.	Any time up to 12 months from the day of inspection but determined by available budget – works will be prioritised.	
	Nuisance	Work to abate or remove actual or potential nuisance caused by a Curo trees.	Completed within 12 months of inspection. (Budget constraints)	
	Management (Budget Constraints)	Improvement works to enhance street scene or public space.	Undertaken within 3-year cyclical rota, providing funds become available.	

7. Dangerous trees requiring immediate action

Procedure: If a Curo-owned tree is in such a condition that it poses a very high risk to people or property and is considered to be an emergency situation, immediate action will be taken to make the tree safe.

Curo response to this tree-related enquiry: If an emergency situation arises, urgent action will be taken to make the situation safe. We will cordon off high risk zones and undertake works to make safe (potentially completing works in stages as deemed appropriate by our contractors).

An emergency is defined as a tree that is in immediate danger of collapse or causing an obstruction, and requires urgent attention, as outlined below.

Customer advice:

- If a tree poses an immediate and present danger urgent action will be taken to make the tree safe.
- If a tree's condition could be described as any of the following, it may warrant urgent attention:
 - a) Snapped or blown over.
 - b) Rocking at its base - roots are damaged.
 - c) Uprooted but held up by another tree or building.
 - d) Large branch has broken off, is hanging off or hung up within the tree.
 - e) Completely blocking road, footpath, access to property.
 - f) Fallen onto house or car.
- Trees can be made safe by pruning or felling. We employ the most cost-effective approach. However, for certain high value and ancient/veteran trees we would consider other options to reduce risk to an acceptable level, including those which would reduce the likelihood of:
 - a) the tree or parts of the tree failing;
 - b) persons being close to the tree if it did fail.

Emergency occurrences should be reported to the main Curo Customer Contact Team line on 01225 366000.

8. Defect tree requiring action but not an imminent danger

Procedure: If a tree is identified as dangerous, but the risk to the public is not high, the tree will be made safe depending on the degree of risk identified at the time of inspection.

Curo response to this tree-related enquiry: If not an emergency situation, a site inspection will be undertaken within 30 days of notification. Where the enquiry has come from a customer or a member of the public, they will only be notified of the decision/outcome if requested.

Customer advice:

Signs to look out for which may mean that a tree is a risk to people or property, but the risk does not require an emergency response include a tree which is:

- Dead.
- Dying - few leaves in summer or dieback in the crown.

- Losing bark.
- Affected by mushrooms or other fungi growing on or near the tree.
- Affected by old splits and cracks in the trunk or large branches.
- Losing smaller branches which are falling from the tree.

9. Overhanging trees and trees touching buildings

Procedure: Curo will not prune or fell a tree in Curo's ownership to alleviate overhanging branches. Where branches are causing damage by touching a building, a site inspection will be made and the customer notified within 30 days of appropriate action.

Curo response to this tree-related enquiry: Site inspection is not required unless damage has been caused.

Customer advice: If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees*.

10. Trees too big/tall

Procedure: Curo does not prune or fell a tree merely because it is considered to be 'too big' or 'too tall'.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: A tree is not dangerous just because it may be considered too big for its surroundings. Other problems would need to be shown such as those described in section 7 above ('Dangerous trees requiring immediate action') in order for Curo to consider it to be dangerous. Possible issues will be assessed as part of cyclical inspection rounds.

11. View

Procedure: Curo does not prune or fell a Curo-owned tree to improve the view from a private property.

Our response to this tree-related enquiry: Site inspection not required.

Customer advice:

- There is no legal right to a 'view'.
- If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees – see 5. *Common Law Right on Encroaching Trees*.

12. Light

Procedure: Curo does not prune or fell a tree to improve natural light into a property. However, please see customer advice below as there will be certain circumstances in which this might change.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice:

- In law, there is no general right to light with regard to vegetation. Any right to light would need to be established under the Prescription Act 1832, provided the light has been uninterrupted for at least 20 years. A legal right to light can be enjoyed only in relation to a specific opening (such as a window) in a building; there is no right to light in connection with open land, such as across a garden.
- If natural light is being blocked by the growth of a hedge, action may be taken to reduce the problem under the High Hedges Act – see *13 High Hedges Act Part 8 Antisocial Behaviour Act, 2003*.
- If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees – see *5. Common Law Right on Encroaching Trees*.

13. High Hedges Act, Part 8 – Antisocial Behaviour Act, 2003

Under this legislation, a local planning authority has the powers to assess and manage complaints relating to high hedges around domestic properties – whereby a homeowner/tenant believes their reasonable enjoyment of their property is being impacted.

What a homeowner/tenant can do legally within your own property boundary:

You have the right to prune growth of a neighbour's tree/hedge back to your boundary line if such growth overhangs onto her land. The exception to this is if you live in a conservation area or a Tree Protection Order is in place; if so, council approval must be sought detailing such intentions. Pruning beyond the boundary line is not legally allowed.

How a high hedge is defined within the act:

All points below *must* be true to fulfil the full definition of a high hedge within the act. In abbreviated terms, the hedge must be:

- growing on someone else's land;
- made up of a line of 2 or more trees or shrubs;
- mostly evergreen or semi-evergreen;
- more than 2 metres tall; and
- a barrier to light or access (even if there are gaps).

Initial steps to mitigate the issue:

Engagement in discourse must first be made directly with the land/hedge owner to try and reach a solution amicably to the problem. It is advisable to make a record of the details of such conversations in case the Local Planning Authority (LPA) require this evidence at a later stage.

Making a formal complaint to the council:

If no remedy is found (and the above definition of a high hedge is fulfilled) a formal complaint to your LPA can be made (note: if negotiations have not taken place directly with the neighbour the council are likely to ignore the request).

Any complaint must also provide supporting evidence of the harm a hedge is causing to the reasonable enjoyment of an owned home or garden. The above must be undertaken independently by the homeowner/tenant directly with the LPA – Curo cannot undertake this process on your behalf.

The LPA will then consider the formal complaint and act according to their own findings from this point.

Should the LPA assess the case and support the need for actions they will serve a remedial notice to the hedge owner.

14. Road - sightlines obstruction

Procedure: Curo will undertake work to a tree in Curo's ownership to maintain clear sightlines (where reasonably feasible) at junctions and access points (associated with a street, road or other highway).

Curo response to this tree-related enquiry:

- If an emergency situation arises, a tree contractor will be instructed to attend the site to make the situation safe. An emergency is defined as a tree that is in immediate danger of collapse or is causing an obstruction requiring urgent attention.
- If not an emergency situation, a site inspection will be undertaken and the customer notified of what action is considered appropriate within 30 days.

Customer advice: Standards for visibility vary according to the class and speed limit in force. If a tree within the private garden space of a Curo customer is causing an obstruction to the visibility at a road junction (sight line), powers exist under the Highways Act 1980 to make the owner of the tree remove the obstruction. If they do not, Curo will do the work and recharge the owner.

15. Traffic signal/street sign obstruction

Procedure: Curo will undertake work to a tree in our ownership to maintain clear sightlines (where reasonably feasible) for traffic signals and street signs (associated with a street, road or other highway).

Curo response to this tree-related enquiry:

- If it's an emergency situation, our contractor will be instructed to attend the site to make the situation safe. An emergency is defined as a tree that is in immediate danger of collapse or is causing an obstruction requiring urgent attention.
- If it's not an emergency situation, a site inspection will be undertaken within 30 working days of Curo being notified.

Customer advice: If a tree that's within the private garden space of a Curo customer is causing an obstruction to a traffic signal or street sign, powers exist under the Highways Act 1980 to make the owner remove the obstruction. If they do not, Curo will do the work and recharge the owner.

16. Streetlight – obstruction

Procedure: Curo will undertake work to a tree to ensure that trees do not unduly obstruct streetlights.

Curo response to this tree-related enquiry: A site inspection will be undertaken, and the customer notified if requested, within 30 days of Curo being notified.

Customer advice: If a tree within the private garden space of a Curo customer is shown to be causing an obstruction to street lights, they will be contacted and instructed to remove the obstruction under the Highways Act 1980. If it is necessary that Curo undertakes this work, the customer will be charged in full for the costs.

17. Drains

Procedure: Curo does not prune or fell a tree, or cut the roots to prevent roots entering a drain that is already broken or damaged.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: Tree roots typically only invade drains that are already broken or damaged. Tree roots found in a drain are usually symptomatic of an underlying problem requiring repair of the broken pipe. If you are concerned about the condition of your drains, you are advised to contact your water and sewerage company. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees – see 5. *Common Law Right on Encroaching Trees*.

18. Trenching works adjacent to trees

Procedure: Consent from Curo is required for any form of trenching works that is to be carried out, under or through a Curo-owned or maintained trees root plate.

Curo response to this tree-related enquiry: An agreement will be entered into between the trenching operators and Curo, whereby any works carried out must follow and adhere to industry best practice and guidance in the form of The National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees - Volume 4 (NJUG Vol. 4).

Where such an operation shall be undertaken within the 'Root Protection Area', Curo's Tree Inspector shall have to be consulted and where necessary undertake an onsite inspection.

19. Tree next to a building site or proposed development

Procedure: Curo is not required to prune or fell a tree to allow building works to proceed, whether planning consent was necessary or via permitted development. We expect that our trees are taken into consideration during the initial surveying/permission phase of the development and adequate protection is given to Curo-owned trees during the development.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see *5. Common Law Right on Encroaching Trees*.

20. Personal medical complaint

Procedure: Requests to undertake work to a Curo-owned tree because of a personal medical condition will be treated on a case-by-case basis and on advice from a qualified medical practitioner.

Curo response to this tree-related enquiry: Site inspection required depending on advice given by the complainant's medical practitioner.

Customer advice: If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - *5. Common Law Right on Encroaching Trees*.

21. Crime and anti-social behavior

Procedure: Where a Curo-owned tree is associated with criminal activity and/or anti-social behavior, measures to reduce the problem will be considered on a site-by-site basis.

Curo response to this tree-related enquiry: Site inspection will be undertaken within 30 days of Curo being notified of the issue, if required.

Customer advice: Where a tree is associated with criminal activity and/or anti-social behavior, the police should be contacted in the first instance. Steps to reduce the problem will typically require the coordination of several agencies including the police. Just pruning or felling a tree is not always the answer to the problem.

22. Bird droppings

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce bird droppings from trees, or remove bird droppings from private land.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice:

- Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Warm soapy water will usually be sufficient to remove the bird droppings as long as this is done promptly.
- Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law) and so any and all works must not disrupt nesting birds. In the UK the nesting season typically runs from March-August but is influenced by annual climatic variations so may vary.
- If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see *5. Common Law Right on Encroaching Trees*.

23. Blossom

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce blossom from trees, or remove fallen blossom from private land.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: Tree blossom usually heralds the start of spring. Blossom is a natural occurrence, which cannot be avoided by pruning. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees see – *5. Common Law Right on Encroaching Trees*.

24. Fruit, berries and nuts

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce the nuisance of fruit, berries or nuts, or remove fallen fruit from private land. However, where fallen fruit is leading to significant anti-social behaviour

problems we will consider measures to reduce the problem including whether a phased removal and replacement with alternative species is reasonable.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: Fruit trees such as apple, cherry and pear have the double benefit of spring blossom and autumn fruit. This makes fruit trees good for wildlife and a source of free food. Equally, where fruit trees are established but there is a significant anti-social behaviour problem we may consider phased removal and replacement. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees.*

25. Poisonous berries

Procedure: Curo has no general policy to remove trees bearing poisonous fruit or foliage (such as Yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.

Curo response to this tree-related enquiry: Site inspection will be undertaken subject to specific circumstances.

Customer advice: If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees.*

26. Pollen

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce the release of pollen.

Our response to this tree-related enquiry: Site inspection not required.

27. Leaves/foliage

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce leaf/foliage fall or remove fallen leaves/foliage from private property.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice:

- The loss of leaves / foliage from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.
- The maintenance of gutters is the responsibility of the owner/occupier. Curo is not obliged to remove leaves that may have fallen from Curo-

owned trees. Where gutters are regularly blocked by fallen leaves owners/occupiers may wish to fit gutter guards to provide a low-maintenance solution.

- If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees*.

28. Sap

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce honeydew or other sticky residue from trees.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: Honeydew is caused by greenfly (aphids) feeding on the tree, which excrete a sugary sap. Often the honeydew is colonised by a mould, which causes it to go black. Where honeydew affects cars, warm soapy water will remove the substance, as long as this is done promptly. There is little that can be done to remove the aphids which cause the problem and pruning the tree may only offer temporary relief. Re-growth is often more likely to be colonised by greenfly, thereby potentially increasing the problem. Some trees, such as limes, are more prone to attack by greenfly and in some years greenfly are more common, especially following a mild winter. Honeydew is a natural and seasonal problem. Where new trees are planted, we try to choose trees which are less likely to cause this problem. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees*.

29. Wildlife - Wild animal/insect pest

Procedure: Curo does not prune or fell a Curo-owned tree to remove or reduce incidence of perceived pests such as bees, wasps, or wild animals.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees*.

30. Utility cables – overhead lines (OHLs)

Procedure: Curo will undertake work to Curo-owned trees to prevent damage to overhead telephone wires, if damage is occurring to poles, OHLs or other utility equipment.

Curo response to this tree-related enquiry: Site inspection required.

Customer advice: The local utility provider undertakes clearance work of their OHLs on a cyclical basis and should be contacted by the customer in the first instance.

31. Tree and TV/satellite/telephone/broadband reception

Procedure: Curo does not prune or fell a Curo-owned tree to prevent interference with TV or satellite, telephone or broadband reception as there is no legal right to TV, satellite, telephone or broadband reception.

Curo response to this tree-related enquiry: Site inspection not required.

Customer advice: It maybe that your service provider will be able to suggest an alternative solution to the problem, for example relocating the aerial/dish or a means to boost the signal. If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see 5. *Common Law Right on Encroaching Trees.*

32. Subsidence damage to property (tree-related)

Procedure: Curo will prune or remove a Curo-owned tree only where damage has been caused to buildings and other structures as a result of the action of a Curo-owned or maintained trees. We vigorously defend claims of tree-related subsidence damage and require that the claimant and/or their representative supplies sufficient evidence to establish that the vegetation is responsible.

Curo response to this tree-related enquiry: A site investigation shall be undertaken with 30 days where the property affected is under the ownership/management of Curo only.

Customer advice:

- Private Ownership - If you believe that your property is suffering subsidence damage due to the action of trees in Curo ownership (or that you are concerned about potential damage), you should first contact your property insurer. You should discuss your concerns with your insurer to agree an appropriate course of action.
- The burden of proof lies with the claimant, and should you wish to make a formal claim for damages or to formally notify us of your concerns about damage you shall have to supply supporting evidence.
- Should you, or those acting on your behalf, wish to make a claim for damages, or make formal representation of your concern about future damage, alleging that a Curo-owned or maintained tree is causing (or may cause) subsidence damage to your property, you should contact Curo.

33. Direct damage caused By tree

Procedure: Curo will prune or fell a tree in Curo ownership to resolve a direct damage issue, a site inspection will be made and the customer notified of appropriate action.

Our response to this tree-related enquiry: Site inspection is required.

Customer advice:

- If you believe that your property is suffering damage due to the action of trees in Curo ownership, you should first contact your property insurer. You should discuss your concerns with your insurer to agree an appropriate course of action.
- The burden of proof lies with the claimant, and should you wish to make a formal claim for damages or to formally notify us of your concerns about damage you shall have to supply supporting evidence.
- If you wish to exercise your Common Law right to remove (abate) the nuisance associated with encroaching trees - see *5. Common Law Right on Encroaching Trees*.

34. Damage to walls, fences and paths

Procedure: If a Curo-owned tree is found to be causing damage to a wall, fence or path we will investigate and take action as appropriate. Curo will normally only consider tree removal if the walls, fence or path is irreplaceable and of exceptional importance e.g. a retaining wall or of historical interest, or if there is a risk to public health in leaving the tree which cannot otherwise be mitigated.

Our response to this tree-related enquiry: Site inspection is required.

Customer advice:

- It is often possible to rebuild or repair garden walls and fences to take account of adjacent trees. This can be achieved in a number of ways (for example installing a section of railing or bridging foundations around the base of a tree).
- If a damaged wall or fence was constructed after planting of the tree, it may mean that the design or construction has failed to take the presence of nearby trees into account.
- It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude, root pruning may be suitable (assessed on a case-by-case basis), or the path re-instated around the tree with flexible materials provide for a suitable replacement surface.

35. Tree(s) located in tenants' gardens

Procedure: Curo does not actively inspect or manage trees that are in residents' gardens.

Curo response to this tree-related enquiry: Curo will only undertake a site inspection if safety concerns have been raised against the tree within residents' gardens.

Customer advice: If you have safety concerns regarding a tree in your garden, please contact Curo. Providing photographic evidence can be beneficial.

If you are concerned about a tree in a neighboring garden, it's advised that you speak to the resident who garden it is in. As a matter of course, Curo does not carry out site visits to inspect trees in residents' gardens that are reported by neighbors or the public.

Curo will only carry out tree management works in residents' gardens where the tree poses an unacceptable level of risk.

36. Tree(s) located in leasehold properties

Procedure: Curo does not actively inspect or manage trees at leasehold properties.

Curo response to this tree-related enquiry: Curo will only undertake a site inspection if safety concerns have been raised against the tree within a leasehold property.

Customer advice: It is primarily the responsibility of the occupants within leasehold properties to manage trees within their boundaries. Private homeowners who want a Curo leaseholder to undertake pruning or felling works to a tree in their garden should raise the issue with the leaseholder. Curo will not cover the cost of the works; this is the responsibility of either the leaseholder or/and the private resident. Further permission may need to be gained from the local authority.

Curo will only carry out tree management works in a leaseholder's garden where the tree poses an unacceptable level of risk.

37. Vandalised trees and unauthorised pruning

Procedure: Curo will look into any reports of vandalism and where possible replace destroyed trees with ones of a substantial size. We will also look to specify tree guards and stakes infrastructure of a robust nature to try and ensure the trees establishment and long-term survival.

Our response to this tree-related enquiry: Site inspection is required.

Customer advice:

- Removal of a vandalised tree will be undertaken as a last resort. Follow-up re-planting of trees shall be carried out in the following winter period where practical.
- Curo plant trees for the benefits of the community. Curo will only replace a vandalised tree **once**. If a newly planted tree, planted to replace a vandalised tree is subject to vandalism we will not replace the tree again.
- Any unauthorised works to Curo trees in communal garden spaces, except in the case of overhanging branches will be treated as criminal damage. Curo will take acts of malicious damage to trees seriously and seek prosecution where appropriate.

38. Tree inspection – risk management

As a tree owner, Curo has a responsibility for the health and safety of people on or near to the land Curo own, and has potential liabilities arising from the falling of a tree or branch. Curo recognises that under the Occupier's Liability Act (1984) we owe a duty of care 'Common Law' to all people that might be injured by a tree. We will therefore take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property. We also understand that under the Health and Safety at Work Act (1974), we have responsibilities to ensure the safety and welfare of members of the public as well as staff.

39. Managing the risk from trees

Curo will use suitable industry-recognised tree risk assessments methods for managing the risk from trees on its sites. Such methods will have been peer-reviewed and accepted as reasonable for the use of tree risk assessments. Persons undertaking a tree risk assessment are adequately proficient in their use, have a sufficient tree qualification and either be licensed or certified in the use of the tree risk assessment method they are utilising.

In general, the tree risk methods used will evaluate risk in terms of:

- **Targets:** Firstly, people or property and their location in relation to the tree, thus allowing the inspector to determine the level of survey required.
- **Impact potential (size):** Where necessary, the tree or part thereof considered most likely to fail is then considered in terms of its size and potential to cause harm.
- **Probability of failure:** The assessment of the likelihood of the tree or branch failing based on technical knowledge and experience of the inspector.

By undertaking this approach, the tree risk method system does not place the condition of the tree as its first consideration. Instead, it allows for tree managers to consider the usage of the land on which the tree stands, which in turn will inform the process for assessing the tree.

This will therefore allow for a more targeted approach to managing Curo's tree stock and the risks associated with them.

The benefit of implementing this approach is that it moves away from the generally used terms "safe" or "unsafe". Instead, it measures the risk of significant harm from possible tree failure in a way that allows Curo to retain a proportionate approach toward risk management balanced against the vast benefits trees continue to provide both for us and for wildlife populations across on our estate.

40. Tree inspection regime

Trees in communal areas under Curo's ownership will be inspected on a 3-year cycle as standard.

Increased inspection frequencies will be initiated where deemed appropriate for the collation of additional information and risk mitigation going forward. These re-inspection schedules are based on inspection findings and risk target zone categories and are specified via set timelines for return inspections (in months).

Risk target zones are defined by public safety issues such as roadway characteristics (i.e. major roadways, congested junctions, etc.) and extensively-used public areas and buildings. Risk target zones are defined as High, Medium and Low (see table overleaf for example of zone characteristics).

The level of inspection employed by Curo can be categorised as the following:

- a) **Informal:** Essentially, day-to-day observations of trees will be made by employees who have good local knowledge of trees and location and see them during the course of their daily work. The frequency of these inspections will be ongoing and will be employed for some tree-related enquiries. Informal observations may also be applicable in instances where a tree has been previously inspected and is not due for a formal inspection. Informal inspections are key to deciding what action may be needed and when a more formal assessment is required.
- b) **Formal:** Formal tree inspections will be conducted via accredited industry professionals during specific site visits with the sole purpose of performing an inspection that is not incidental to other activities. The formal inspection will involve assessing individual trees utilising industry-standard methodology i.e. visual tree assessment (VTA). This process will assist in identifying potential defects, specifying necessary remedial works and recording the inspection process. Formal tree inspections will be conducted on foot to assess condition and notable features and the inherent risk levels posed under typical climatic conditions. All information is recorded onto tree asset management software. The frequency of

inspection is primarily predetermined by the tree’s location but may be influenced by its condition and location. Formal inspections will be used as an important means of identifying when further action is needed, including when there is a requirement for a detailed inspection. Decision making and the specification of works follows accredited training guidelines and industry standards.

- c) Detailed:** A detailed inspection will be conducted to evaluate the nature and extent of suspected defects. Depending on the location of the defect, this type of inspection will be undertaken either by a Curo’s in-house Tree Inspector or a suitable subcontracted tree professional. Detailed inspections utilise diagnostic tools and specialist equipment, typically in conjunction with aerial access equipment in forming findings of a standard that can be comparable to industry research data for analysis.

Tree risk target zone categories and examples

Target Zone	Usage criteria	Example of
High	High volumes of traffic.	Areas close to dual carriageways, railway lines, trunk roads and busy B roads.
	High likelihood of public access.	<p>Areas which contain large mature tree species and:</p> <ul style="list-style-type: none"> are close to private dwellings, schools and busy car parks. next to high-use footways. <p>Trees bordering or on immediate access routes to schools.</p>
Moderate	Moderate volumes of traffic.	<p>Areas close to B roads and busy C roads.</p> <p>Areas close to moderate-use parks, playgrounds, footpaths and picnic areas.</p> <p>Car parks adjacent to moderate-/low- use areas.</p>
	Moderate likelihood of public access.	Trees with medium-risk characteristics, such as old and veteran trees, high density of large or mature trees, areas of recent root disturbance such as footway reconstruction, trenching, drainage etc., storm damaged trees.
Low	Low volumes of traffic.	<p>Areas next to high targets which contain small tree species, and/or trees in a good condition with a low probability of failure.</p> <p>Moderate- to low-use parks, playgrounds and picnic areas.</p>
	Low likelihood of public access.	Open areas, woods, riparian and peripheral areas with limited use or access.

41. Inspection response times

Following the report of a dangerous tree, Curo will arrange for an initial inspection within 24 hours from point of initial enquiry. The inspection time may be shorter depending on the significance of the tree issue. Depending on the findings of the inspection a tree contractor will undertake works within a 48-hour period or less.

In an emergency outside of office hours, Curo will arrange for a tree contractor to assess and undertake any necessary work to make the tree safe. Follow-up work may be undertaken within an appropriate timeframe.

In response to tree enquiries where the defect does not pose an imminent danger but may require urgent action, Curo will arrange for the tree to be inspected within 30 working days. Time periods for these inspections vary if there are access constraints or a customer/interested party has expressed a wish to be present for the tree inspection.

42. Planting and establishing trees

Curo is committed to maintaining and increasing communal tree cover across our land. We recognise the significance of our trees and understand the social, environmental and financial benefits they provide. Curo will look to replace every felled tree located on communal land with consideration given to the use of large long-lived tree species as opposed to relatively small ornamental trees. The ultimate aim will be to create a robust tree stock of varied age and distribution and a wide range of appropriate species and genetic material to be enjoyed for generations to come.

When undertaking tree selection, consideration will be given to species which benefit local biodiversity and also reflect the character of the local area. However, species' selection will also be considered in tandem with the predicted impacts of climate change which includes projected increases in temperature, changes in the seasonality of rainfall and increased frequency of extreme events.

We will review options relating to the provenance of trees (both in terms of origin of seed and all parts of the growing process) and will look for opportunities to support those suppliers who grow high-quality, disease-free trees which are likely to be suitable for the future. This will help to reduce risks associated with the importation of trees and soil which are a significant source of pests and diseases which threaten UK trees.

The specified height of new trees will typically be between 3-4 metres (where possible) to ensure they make an immediate impact and are more resilient to vandalism. Tree specification, planting, establishment and maintenance will be carried out in accordance with good horticultural and silvicultural practices as defined by BS 8545:2014 - Trees: From nursery to independence in the landscape and BS 3998:2010 - Tree work. We will also use recommendations and other good practice guidance promoted by government agencies and professional institutions.

43. Pest and diseases

In the last 15 years, UK trees have proven to be susceptible to attack by diseases and pathogens, causing the rapid death and decline of their host. This has been seen in the introduction and impact of ash dieback on ash trees and the outbreak of Asian longhorn beetle at Paddock Wood, Kent which led to approximately 2,000 trees being felled. The issue of pest and diseases has been added to through the importation of large trees, soil and untreated wood products. The practice of large-scale plant importation into the UK has provided easy access for pests and diseases. In the future, there is the potential that climate change will provide environments which benefit the long-term development of pests and diseases and result in weather extremes which cause increased stress to urban trees.

Curo will undertake the following to try and meet the continuing threat of pest and diseases:

- Undertake regular inspections of our tree stock through proactive and reactive surveys.
- In line with industry guidance, look to conserve trees in the first instance as opposed to adopting a felling culture to deal with a pest or disease issue.
- Increase the diversity of species, age range and general tree health.
- Take part in ongoing training and make use of available resources to keep pace with the rapidly changing situation in the UK.
- Meet statutory obligations by immediately notifying relevant bodies (e.g. Food and Environment Research Agency) if notifiable pests or diseases are discovered (i.e. *Phytophthora* sp, fireblight etc.).
- Work to assist with the Government's Action Plan for Tree Health and Plant Biosecurity by reporting relevant pests and diseases.