AG Tree Services LTD
Tree Surgery, Consultancy & Woodland Management

Visual Inspection and Health Appraisal

of

Semi-Mature and Mature Trees

at

24 Herrison Cottages, Charlton Down, DT2 9RJ

Commissioned By:

Mr Hugh Davies

Completed By:

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Broadmayne
Dorset
DT2 8EZ

Date of Report:

23rd October 2020

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1. Introduction

1.1 I am the senior consultant practitioner with AG Tree Services Ltd. I possess the Foundation Degree (FdSc) in Arboriculture awarded by the University of Central Lancashire and the Professional Tree Inspectors certificate, awarded by Kingston Maurward College, Dorchester. I am an associate member of the Institute of Chartered Foresters and remain current by attending seminars and workshops regularly as part of my continued professional development.

1.2 I have over 15 years experience in arboriculture and have worked for numerous clients throughout the south-west of England and south Wales, including large private estates, numerous local authorities and parish councils, the Forestry Commission, Environment Agency and Ministry of Defence.

1.3 This inspection and report was commissioned by Mr Hugh Davies, who is in the process of purchasing the property of 24 Herrison Cottages, Charlton Down.

2. Scope and Limitations of the Report:

2.1 The scope of the inspection and report affirms the clients' instructions, which were; to evaluate the risks from falling trees and branches on the property of 24 Herrison Cottages, Charlton Down and to propose management to bring any identified risks to an acceptable level. This report has been prepared containing recommendations, which gives consideration of liability implications by the land owners.

2.2 This report considers the tree's condition and its environment solely on the day of inspection, Friday 23rd October 2020. The inspection was undertaken from the ground, using binoculars where necessary and the weather was overcast with patches of light drizzly rain for the duration of the site visit.

2.3 No soil analysis or root excavations were undertaken.

2.4 Any information or legal descriptions given to AG Tree Services Ltd are understood to be accurate.

2.5 No legal responsibility is assumed by AG Tree Services Ltd for matters arising from this report and AG Tree Services Ltd will not give testimony or attend court unless subsequent contractual agreements are made.

2.6 Any alterations to this report will invalidate it in its entirety.

2.7 Unusually high or unpredictable winds or storms may cause failure to trees or tree parts. Extremes of weather are unforeseeable and as a consequence, AG Tree Services Ltd cannot be held liable for any such failures.

2.8 This report is solely for the use of the addressee and all rights are reserved. No part of this report may be used, reproduced or transmitted without written permission of AG Tree Services Ltd.

2.9 The responsibility lies with the land owners, agents and managers for any work recommended in this report and subsequently undertaken. It is recommended that any contractors used should be able to prove a level of competence and should possess full public and employer's liability insurances. All employees should possess the relevant NPTC/City and Guilds qualifications for the type of work they are carrying out and all necessary site, task and machinery risk assessments should be completed by the contractors. All tree work carried out should comply with 'BS3998:2010 Recommendations for Tree Work'.

2.10 This report is valid until 23rd April 2021.

3. Liability for Trees

Owners, in addition to any person(s) responsible for the management of trees owe a duty of care to those who visit their land. The liability comes under civil and criminal laws and includes the following, which summarises some liability but is by no means exhaustive:

3.1 Civil Liability

Owners and tree managers have a duty of care under common law to take reasonable care to protect the safety of those (being any person who can be reasonably foreseen) who may come within the vicinity of a tree. The standard of care that is used for benchmarking purposes is that of the "reasonable and prudent landowner". Breach of this duty of care may lead to action arising against the tree owner/manager under the tort of negligence. The tort of nuisance also dictates that land owners/managers have a similar duty of care to neighbouring land.

The Occupiers' Liability Act provides that person(s) with control over land (occupier) is obliged to take reasonable care such that any visitor (under the 1957 Act) or a trespasser (under the 1984 Act) will be reasonably safe, where the occupier knows of the potential

presence of such people on their land and of the risk posed to them by features of the land such as trees. A higher standard of care is owed to a visitor than that to a trespasser. An even greater duty of care is owed to a child as occupiers must expect children to behave with less care than adults.

Warning notices, warning of specific dangers posed by a tree (or trees) may be sufficient to absolve an occupier from liability in that they may, by such notice, have taken all reasonable care for the visitor's safety in the circumstances. However, in general, warning notices should not be relied upon alone to protect against a danger as they may not exclude or restrict liability under the Occupiers' Liabilities Acts resulting from negligence.

3.2 Criminal Liability

The Health and Safety at Work Act 1974 places a duty on employers to ensure, so far as is reasonably practicable, that employees (section 2(1) and members of the public (section 3(2)) and other persons such as self-employed people – section 3(3)) are not put at risk.

The Management of Health and Safety at Work Regulations 1999: Regulation 3 requires employers and self-employed persons to make suitable and sufficient risk assessments regarding health and safety.

Breaches of criminal law can result in a criminal prosecution against the owner, lessee, licensee, or occupier of the land on which the tree is located along with any person entrusted with the management of the tree.

4. Site Details and History

The Dorset village of Charlton Down lies approximately 4 miles north of the county town of Dorchester and was developed on the former Herrison Hospital site, a former Victorian Hospital for the mentally afflicted, which closed in 1992.

The hospital was officially opened in 1863 as an asylum and lots of the old avenues of trees around the village were thought to have been planted in the early years by the patients.

It falls with the administrative jurisdiction of Dorset Council (formerly West Dorset District Council). At the time of writing this report Local Authority digital mapping shows that are no Tree Preservation Orders (TPOs) covering the surveyed trees but they are all located within a Conservation Area.

Public records (Cranfield University, 2020) indicate the soils on the site are typically shallow lime rich soils over chalk or limestone.

5. Investigations and Observations

5.1 Semi-Mature and Mature Trees

Details of all observations made on trees found on the property are found in the Tree Survey Data and Work Schedule at Annex A and are summarised in this section.

The approximate location of trees and tree groups are shown on the Tree Location Plan at Annex B.

A number of trees are covered in ivy – these have been noted in this section and advise given on the management of ivy in Section 6 (Conclusions and Recommendations) of this report.

A mature elder tree (T1) was noted in the southern corner of the property (Plate 1). This tree is covered in ivy and is touching the overhead telephone cables.

There is a mature sycamore tree (T2) on the south-eastern boundary (between the surveyed property and number 18). This also has branches touching the overhead telephone cable (Plate 2).

Plate 1 – The elder tree (T1) on the southern corner boundary

Plate 2 – The sycamore tree (T2) on the south-eastern boundary

There are two further mature sycamores along this south-eastern boundary but are in the rear garden of the property, between the hedge and boundary fence. The first one (T3) has been pollarded at approximately 4.5m and is very close to the boundary fence (Plate 3). The second one (T4) appears in good condition and requires no remedial work.

Plate 3 – The stem of the sycamore tree (T3) in close proximity to the boundary fence

Near the rear boundary there are two mature multi-stemmed sycamore trees between the hedge and the boundary fence. The one near the eastern corner (T5) has compression forks in the stem unions where the stems bifurcate and there is insufficient room for one of the stems to put on incremental growth (Plates 4&5). The north-eastern most stem from this tree is also very close to the boundary fence (Plate 6).

Plate 4 – Compression fork on lowest union of T5

Plate 5 – 2nd compression fork on T4 and the two stems touching

Plate 6 – North-eastern stem almost touching the boundary fence

Multi-stemmed sycamore (T6) also has two compression forks at the unions where the stems bifurcate (Plate 7) and also a crossing branch resulting in the concave growth of a stem at a height of approximately 2.25m (Plate 8).

Plate 7 – The compression forks on T6

Plate 8 – The crossing branch on T6

The remaining trees are all along the north western boundary.

T7 is a semi-mature and T8 is a mature sycamore tree. Both are twin stemmed and are covered in ivy. T9 is three semi-mature sycamore stems that are likely all growing from the same root stock. This is also covered in ivy.

Plate 9 – The ivy seen covering the stems of T7, T8 and T9

T10 is a mature sycamore tree (Plate 10) which is heavily suppressed by the large beech adjacent. The main leader is growing out over the garden rather than the typical apical dominance which happens in sycamores of a similar age. There is also a large lateral branch which grows out towards a neighbouring property to the north-west and is forming a lever arm.

The largest tree on the property, which can be seen on the approach to 24 Herrison Cottages, is a large mature beech tree (T11). This tree appears to be the end of an avenue of beech trees flanking a path to the north-east of the property. This tree is covered in ivy (Plate 11)

Plate 10 – Suppressed sycamore tree T10

Plate 11 – Ivy around the lower stem of the beech tree (T1)

There are a group of young/semi-mature holly trees around T9, T10 and T11 which are not large enough to cause any issues but afford a good screen.

There is a group of ash and sycamore saplings south-west of T11 which are not large enough to currently cause any issues.

5.2 Other Observations

There is an apple tree planted in the lawn of the rear garden of the property. This was not surveyed as it is only around 2.5m tall and not deemed large enough to cause any issues.

There are several clusters of bamboo currently providing a linear feature in the rear garden (Plate 12).

Plate 12 – The apple tree and bamboo shown with sycamores T5 and T6 in the background

6. Conclusions and Recommendations

6.1 Semi Mature and Mature Trees

There was no work which was deemed as requiring immediate remedial work to reduce the risk of failure.

The recommendations for remedial work to avoid risk in the future are all preventative measures and are listed at Annex A (Tree Survey Data and Work Schedule).

It is recommended that trees T1 and T2 are pruned to give a minimum of 0.5m clearance around the telephone cable. The maintenance of trees around telephone cables lies solely with the land owner and when branches rub on the cables, it often causes disruption to the telephone and/or internet service. This work is recommended as good practice for avoidance of any such damage.

Whilst ivy affords nesting and good late food sources for birds, it also increases the sail area of tree crowns and subsequently the loading stresses on the tree increases. This can increase the risk of failure of defective parts of the tree and subsequently, ivy covered trees in areas with high target area values is not recommended. Ivy also hides defects from surveys and inspections which is undesirable. Ideally, the ivy on trees T1, T7, T8, T9, T10 and T11 should be addressed by severing a ring of the ivy on the stem to kill the growth

above. This is not deemed a priority but is recommended as a method of abating potential hazards.

Sycamore tree T3 and the north-eastern most stem on T5 are too close to the boundary fence to allow incremental stem growth for many more years before they will push the boundary fence. It is recommended that these are removed before this becomes an issue.

Compression forks, as seen on T5 and T6, usually originate as a consequence of phototropic growth but the result is often that the stems run out of room for incremental growth and mutually crush themselves, enclosing bark which acts as a crack before encompassing annual rings are put on to help weld the stems together. The 'ears' are a reference to adaptive growth. Mattheck (2007) states that the safest compression fork is one with 'small ears' whereas 'large ears' or 'no ears' are the likeliest to fail. No 'ears' were noted on any of the compression forks that were observed on T5 or T6. Management of compression forks is either to remove one of the stems, reduce the tree so that the leverage and subsequent loading is reduced or remove the tree in its entirety. My suggestion would be to remove all bar one stem on T5 and remove T6 in its entirety.

Sycamore tree T10 is heavily suppressed by the large beech adjacent and will always grow out in search of light. This can result in lever arm type growth as it is currently displaying. This can lead to branch failure in the same way as a lever acts with the end weight not spreading load evenly over the length of the branch. The remedial work to reduce such risk to acceptable levels is to reduce the length of the branches or to remove the tree in its entirety. The removal of the whole tree should be seriously considered as branch reductions would only be a temporary reprieve.

6.2 General Recommendations

Bamboo can often become invasive, spreading along rhizomes underground which can pass easily under boundaries. It is recommended that the bamboo is managed to retain it at an acceptable size (which will require the regular digging out of clumps and/or installation of a physical barrier underground to control the size) or its removal (which usually requires a chemical application to kill all rhizomes).

Due to the trees being located within a Conservation Area, an S211 Notification must be made prior to the commencement of any tree work operations and the Local Planning Authority (Dorset Council) have up to 6 weeks to either allow the proposed work or decide whether a TPO should be made to protect the trees.

Any remedial tree work should be carried out in accordance with the industry best practice guidance given in BS 3998: 2010 'Tree Work - Recommendations'.

The Wildlife and Countryside Act 1981 (as amended) protects, with certain exceptions, all birds, their nests and eggs. A survey should be carried out to ensure disturbance of nesting birds is avoided and contractors must be made aware that it is an offence to destroy such nests or take or injure such birds during the course of tree work operations.

Trees offer roosting opportunity for many species of bats found in the UK. A tree should be surveyed prior to carrying out any tree work operations by a suitably qualified person and if a bat roost is suspected, a licence to work on the tree must first be obtained from Natural England.

Industry guidance such as the National Tree Safety Groups 'Common Sense Risk Management of Trees' (NTSG, undated) advises that all treed areas on a property or within ownership should firstly be zoned in accordance with their risk, taking into account proximity to areas of high public use (whether permissive or not) and property. There is no guidance on the exact frequency required for tree inspections but there is no doubt that the frequency should be directly related to the risk. Due to the size and age of the trees and their condition and proximity to property and a well-used public path, I would expect that these trees should be inspected at least once every 3 years.

References

Cranfield University, 2020. *Soilscapes Map.* Viewed 23/10/2020, <http://www.landis.org.uk/soilscapes/>

Mattheck, C 2007. *Updated Field Guide for Visual Tree Assessment.* Forschungszentrul Karlsruhe GmbH, Karlsruhe.

National Tree Safety Group (undated). *Common Sense Risk Management of Trees.* Publisher unknown.

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Annex A – Tree Survey Data

Client: Mr Davies
Site: 24 Herrison Cottages, Charlton Down
Date of survey: Friday 23rd October
Weather Conditions: Overcast, rain drizzle
Arboricultural Consultant/Surveyor: Alan Goldstone

Tree Ref no.	Species Common name	Species Scientific name	Life Stage	Physiological Condition	Structural Condition	Observations & Identified Defects	Management Recommendations	Timescale	Estimated Cost
T1	Elder	*Sambucus nigra*	M	Good	Good	Covered in ivy Growing into overhead telephone cables	Ring ivy Prune to give at least 0.5m clearance on the cables	6 months	£96.00
T2	Sycamore	*Acer pseudoplatinus*	M	Good	Good	Growing into overhead telephone cables	Prune to give at least 0.5m clearance on the cables	6 Months	£96.00
T3	Sycamore	*Acer pseudoplatinus*	M	Good	Fair	Pollarded at approx. 4.5m Stem close to boundary fence	Remove tree	3-5 years	£180.00
T4	Sycamore	*Acer pseudoplatinus*	M	Good	Good	None	None	-	-
T5	Sycamore	*Acer pseudoplatinus*	M	Good	Poor	2 x compression forks on north-west most stems Northern stem close to boundary fence	Remove north-west stems with compression forks and stem nearest to fence, leaving just one stem	1-3 years	£420.00

T6	Sycamore	*Acer pseudoplatinus*	M	Good	Poor	2 x compression forks Branch crossing stem at approx. 2.25m	Remove tree	3-5 years	£420.00
T7	Sycamore	*Acer pseudoplatinus*	SM	Good	Good	Ivy covered	Ring band ivy	1-3 years	£36.00
T8	Sycamore	*Acer pseudoplatinus*	M	Good	Good	Ivy covered	Ring band ivy		
T9	Sycamore	*Acer pseudoplatinus*	SM	Good	Good	Ivy covered	Ring band ivy		
T10	Sycamore	*Acer pseudoplatinus*	M	Good	Good	Ivy covered Heavily suppressed by adjacent beech forcing top to grow out over garden of number 24 and low large branch to grow extended towards neighbours, forming a lever arm	Ring band ivy Reduce top and lever arm Or Fell tree	1-3 years	£120.00 Or £360.00
T11	Beech	*Fagus sylvatica*	M	Good	Good	Ivy covered	Ring band ivy	1-3 years	£12.00
G1	Holly	*Ilex aquifolium*	Y/SM	Good	Good	None	None	-	-
G2	Ash / Sycamore	*Fraxinus excelsior / Acer pseudoplatinus*	Y	Good	Good	None	None	-	-

Notes:

- Tree Ref number - correspond to those on Tree Location Plan and within the report
- Species – common and scientific names listed
- Life stage – Assessment of age class in one of the following categories; Young (Y), Semi- Mature (SM), Mature (M) or Over Mature (OM), Veteran (V).
- Physiological / Structural condition – No significant health problems (Good), symptoms of ill health that can be remediated (Fair), symptoms of ill health that can't be remediated (Poor) or Dead.
- Management recommendations – Any remedial work recommended should be in accordance with BS3998:2010 'Tree Work - Recommendations'
- Timescale – The following categories are used; 24 hours, 30 days, 6 months, 1-3 years, 3-5 years
- Estimated Cost – The estimated cost AG Tree Services Ltd would charge to carry out the work in pounds sterling and including VAT. This is an estimate only and a detailed quotation would depend on a number of variables.

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Annex B – Tree Location Plan