



South Bucks Tree Surgeons Ltd

ARBORICULTURAL REPORT

PREPARED FOR : Cadmore End C of E School

SURVEY LOCATION: Lane End, High Wycombe, HP14 3PE

PREPARED BY: CHARLES MACBETH

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1.0 Summary

1.1 A survey of the trees has been commissioned to assess & identify any works that need to be carried out in the interests of safety.

2.0 Instructions and Scope

2.1 We have been instructed by Cadmore End C of E School to carry out a hazard evaluation.

2.2 The survey has been carried out on a 'negative reporting' basis, whereby only those trees most in need of works have been recorded in Tree Survey.

Negative reporting is a generally accepted method of surveying trees (including by the Health & Safety Executive) and makes effective use of available resources.

2.3 The survey – along with the recommended follow up surveys – will assist in ensuring that the owners of the trees are fulfilling their legal duty of care (in-so-far as tree inspection within the specified areas is concerned) under the Occupiers' Liability Acts 1957 and 1984.

3.0 Tree Survey Method

3.1 The trees in question were surveyed from ground level. No climbing of trees was undertaken, although binoculars were used where necessary to facilitate more detailed inspection of aerial features.

Visual Tree Assessment was used, along with a steel probe and a sounding hammer.

3.2 The heights of the trees have been estimated as the accuracy of these measurements is generally not critical to the decision making process when recommending necessary tree works.

3.3 Details of the trees most in need of works have been recorded in tree survey with details of the works and recommended timescales for carrying them out.

Priority categories have been identified for the carrying out of the works and have been attached as a KEY.

3.4 In recommending appropriate works, consideration has been given to the locations of the trees and the likelihood that they would cause damage or injury were they to fail (the 'target rating' of the trees). Again the KEY specifies.

4.0 Limitation

4.1 My assessments are based on professional experience and expert observation on the dates and at the times of the inspections.

4.2 No liability can be assumed to rest with South Bucks Tree Surgeons Ltd should site conditions or features alter after my inspections.

4.3 This report has been prepared for the sole use and benefit of the client. Any liability of South Bucks Tree Surgeons Ltd shall not be extended to any third party.

4.4 Attention is drawn to the scope of the report and the tree survey method as detailed in this report. The limitations inherent in these sections should be noted.

WILDLIFE & LEGISLATION

The following should be noted with regard to potentially relevant protected species legislation with potential to affect the timing of tree removal, except in the case of urgent and danger trees, site clearance and tree management operations.

Animal Species	The Law
Badgers NOTES: EXTRA VIGILANCE DURING BREEDING SEASON – FEBRUARY TO MARCH	There are a number of laws that relate to Badger protection: <i>The Domestic legislation is</i> <ul style="list-style-type: none">- <i>Protection of Badgers Act 1992</i>- <i>Animal Welfare Act 2006</i>- <i>Wildlife and Countryside Act 1981</i>- <i>Animal Health Act 1981</i>- <i>Natural Environment and Rural Communities Act 2006</i>- <i>Hunting Act 2004</i> <i>International law</i> <ul style="list-style-type: none">- <i>Bern Convention on the Conservation of European Wild Animals and Habitats 1979</i>- <i>EU Habitats Directive 1992/43/EEC</i>- <i>Conservation of Habitats and Species Regulations 2010</i> In essence - Badgers and their setts are protected under the ' Protection of Badgers Act 1992 ', which makes it illegal to kill, injure or take badgers or to interfere with a badger sett. The term 'badger

	<p>sett' is normally understood to mean the system of tunnels and chambers, in which badgers live, and their entrances and immediate surrounds. The 1992 Act specifically defines a sett as "any structure or place which displays signs indicating current use by a badger". Interference with a sett includes blocking tunnels or damaging the sett in any way.</p> <p>12 months ago guidelines changed regarding badger setts. Traditionally, it was stipulated that if tree works were to be conducted a protection zone could be established using hi-viz tape 20m around the circumference of the sett. However, this has changed and we now must follow the guidelines in the 'action' section.</p>
<p>Bats</p>	<p>The relevant legislation protecting bats are:</p> <ul style="list-style-type: none"> - <i>The Wildlife and Countryside Act (1981)</i> - <i>Countryside and Rights of Way Act, 2000;</i> - <i>Natural Environment and Rural Communities Act (NERC, 2006);</i> - <i>Conservation of Habitats and Species Regulations (2010).</i> <p>In essence:</p> <p>Bats and their roosts are legally protected, whether bats are occupying the roost or not. In most cases works can take place as long as you plan ahead and follow certain rules. It is illegal to:</p> <ul style="list-style-type: none"> • Disturb a bat or groups of bats in their roost • Damage or destroy a bat roosting place, even if there are no bats present at the time • Obstruct access to a bat roost • It is also illegal to capture, injure or kill a bat • Possess, advertise, sell or exchange a bat, or part of a bat dead or alive. <p>The local planning authority should be aware of whether a bat survey has been carried out prior to work being instructed.</p> <p>The planning authority is obligated by law (Natural Environment and Rural Communities (NERC) Act 2006) to make sure that they have all the information on the presence of protected species on site.</p> <p>If a survey has not been carried out on a proposed development site,</p>

	<p>we are within our rights to contact the council and request that a survey be completed (we are happy to assist in every way required). You are also entitled to see the bat survey under the Freedom of Information Act.</p>
<p>Nesting Birds</p> <p>NOTES:</p> <p>EXTRA VIGILANCE DURING NESTING SEASON –</p> <p>EARLY MARCH TO LATE AUGUST</p>	<p>There are several laws protecting wild birds in the UK:</p> <ul style="list-style-type: none"> • <i>The Wildlife and Countryside Act covers England, Scotland and Wales.</i> • <i>Protection of Birds Act 1954</i> • <i>In addition, the Nature Conservation Act gives further protection to wildlife in Scotland.</i> • <i>International wildlife trade is governed by CITES.</i> <p>Wild birds are defined as: Any bird of a species that is resident in or is a visitor to the European territory.</p> <p>All birds, their nests and eggs are protected by law and it is an offence to:</p> <ul style="list-style-type: none"> • Intentionally kill, injure or take any wild bird • Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being build. • Intentionally take or destroy the egg of any wild bird • Have in one’s possession or control any wild bird, dead of alive, or any part of a wild bird, which has been taken in contravention to the Act or the Protection of Birds Act 1954 • Use traps or similar items to kill, injure or take wild birds. • Have in one’s possession or control any bird of a species – unless registered. • Intentionally or recklessly disturb any wild bird while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

- Regarding wildlife it is also worth highlighting that in an emergency situation regarding a tree - the criminal prosecution service (Wildlife and Country Side Act), states:

“a person shall not be guilty of an offence under section 1 if s/he shows that the act was the accidental result of a lawful operation and could not reasonably have been avoided”