**ATWORTH ARBORICULTURE LTD**

**VISUAL TREE INSPECTION OF**

**TREES FOR RODE PARISH COUNCIL**

**Prepared for:**

**Rode Parish Council.**

**Atworth Arboriculture Ltd, 189 Purlpit, Atworth, Melksham, Wiltshire, SN12 8HJ.**

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**1. Scope of Survey**

1.1 The survey is concerned with the arboricultural aspects of the site only.

1.2 No discussions took place between the surveyor and any other party concerning the trees.

1.3 The trees were inspected on the basis of the Visual Tree Assessment method expounded by Mattheck and Breloer (The Body Language of Trees, DoE booklet Research for Amenity Trees No 4, 1994).

1.4 Recommended tree works will be required to be in accord with British Standard 3998:2010 Tree Work [BS3998].

1.5 The planning status of the trees on site was not investigated.

1.6 Any observations made with regard to the condition of built structures are from the view of a lay person.

**2.** **Survey Method**

2.1 The survey was conducted from ground level, with the aid of binoculars, to report any changes in condition and identify any trees presenting a hazard to life and property.

2.2 The height of each tree was estimated.

2.3 No tissue samples were taken nor was any internal investigation of the subject trees undertaken.

2.4 No soil samples were taken.

2.5 In some cases where groups of trees exist they are discussed collectively as individual identification has been deemed unnecessary.

2.6 Where ivy smothers the trunk or crown it was not possible to fully survey the tree. Where it exists in abundance it has been noted within the tree survey schedule.

2.7 The survey is not a subsidence risk assessment and no consideration has been given to any influence the root system of the trees inspected may be having on the subsoil when making final conclusions.

* 1. The trunk diameters were measured in millimeters at 1.5 meters above ground level or below the union between multi stemmed trees
  2. The crown diameter was estimated by pacing and is given as an average figure.

**3 Locations:**

I was shown the locations of the trees by Hugh Williams

The Mead 4 trees

The Mead near the allotments 3 tree

Lower Street 2 trees

Halfpenny Row 1 tree

Village Hall 1 tree

Marsh Road 3 trees

Cheap Street 1 tree

**7. Recommendations**

7.1 Recommendations for maintenance are given within the appended survey schedule. The recommended works should be carried out to a minimum standard "Tree Work" BSI 3998: 2010 and only contractors capable of working to that standard should be employed. Contractor’s staff should also have appropriate craft certificates of competency.

7.2 In the exercise of your duty of care in terms of tree safety, it is recommended that the subject trees should be re-inspected annually and no less than every two years or after extremely strong winds or a change in site circumstances.

7.3 There have been, over the last five years, a number of high profile court cases involving death and injury from trees, two described below. For that reason, it is strongly believed that there is a need to demonstrate that work is carried out to improve safety to life and property. It is recommended that Appendix B describing Acts of Parliament and Trees be considered.

**The Birmingham Case.** Birmingham City Council (BCC) was operating a reactive tree management system. A tree fell and killed three people. The Health and Safety Executive brought and won a court case against BCC under the Health and Safety at Work Act 1974. Expert witnesses confirmed that the tree had obvious defects that would have been noted and acted upon had the tree been inspected by a suitably experienced Arboriculturalist. BCC had not ensured that their property was safe for staff, contractors or the public because they did not have a proactive system of inspecting and maintaining their trees.

**Chapman v Barking and Dagenham LBC.** A Council owned tree failed and caused harm. The summary included the following:

"I am satisfied that, despite all encouragement and advice both from external sources and to some extent from their own officers, the defendant Council did not at any relevant time appreciate the distinction between making lists of trees and routine maintenance, as opposed to systematic expert inspection as often as would reasonably be required. I find that no such inspections were ever made, that it was a clear duty on the defendants to make them and that they have failed in that duty."

This case indicates that Councils and landowners have a duty to employ an expert to systematically inspect their trees.

**Wildlife**

8.1 Consideration should be given to wildlife, birds and bats. Care needs to be taken to protect the valuable habitat and to balance these interests before carrying out work to trees. The Wildlife and Countryside Act 1981 (as amended) protects the roosts and nesting sites of birds and bats and requires consultation with the statutory bodies, ie Natural England before carrying out harmful operations. For instance heavy fines of up to £5000 for each bat killed are now in place. The Countryside and Rights of Way Act 2000 also makes it an offence to damage or destroy bats and other species. Stronger legislation is now in place with the Habitat Regulations amended in 2007 from the EC, listing many of the species under threat. It may be prudent to carry out a bat survey prior to where any work is to be carried out to mature trees with significant cavities and bark crevices and to check carefully for nesting birds. Trees heavily covered in ivy are potential roosting sites and should be checked by tree surgeons prior to carrying out work and perhaps delaying works until nesting is finished. If in doubt always seek advice from the statutory body and the site Conservation Officer if one is in place.

**9. Date of inspection and weather conditions**

9.1 The site was inspected on the 9th February 2022, the weather was dry and sunny.

Signature 002

Vince Cainey BSc

April 18th 2022