

**Tree Survey, Appraisal
and
Arboricultural Impact Assessment**
in accordance with BS 5837 : 2012
Trees in relation to design, demolition and construction - Recommendations.

Trees in relation to
Proposed highway improvement works
**Manor Nursery, High Street, Angmering,
West Sussex.**

Prepared for
Hanbury Properties.
March 2014

ARBORTECH (Consultancy)

The Arbor Centre, Osiers Farm, Clay Lane, West Ashling,
Chichester, West Sussex, PO18 8DJ.

Informative : Retained Trees & Development Sites.

TREES NEED ROOTS FOR :

- Anchorage i.e Stability.
- Water and nutrient uptake i.e general health.
- Energy storage i.e for drought periods.
- Breathing i.e Vertical gaseous exchange

DAMAGING TREE ROOTS MAY :

- Kill the tree.
- Weaken the tree.
- May cause the tree to fail.

TREE ROOTS CAN BE DAMAGED BY :

(Any may deny their needs for survival)

- Root severance
- Soil compaction.
- Escape of toxic fluids i.e Oil, Bitumen.
- Impermeable surfaces i.e Concrete



Tree Survey.

A **Tree Survey** records information about the trees on (or adjacent) a site, independently of any design proposal. Trees, groups of trees and woodlands are assessed for their physiological and structural condition and preliminary Health & Safety works are recommended. In addition the trees are categorised for their quality and value within the existing context. The tree categories are then differentiated on a tree survey plan.

The results of the Tree Survey may be included in the preparation of a Tree Constraints Plan which should be used to assist with layout design.



Arboricultural Impact Assessment.

Further to a tree survey, consideration is given to how a proposed development and retained trees will co-exist and interact in the present and future. It can identify and remove any potential conflicts between trees and the requirements of the development.

An AIA aims to identify, evaluate and mitigate the direct and indirect impacts on retained trees, that may arise as a result of the implementation of the layout proposal.



Arboricultural Method Statement for Protection of Trees during Construction.

This is a statement which is used to describe how construction works can be carried out close to trees and how the above and below ground parts of the trees will be adequately protected during this process.

Works are carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations and good arboricultural practice.

1. INTRODUCTION

Client : Hanbury Properties.

Report Ref : Hanb/SurvAp/10314

Site : Manor Nursery, High Street, Angmering, Littlehampton, BN16 4AW

Date of site visit : 8th March 2014

1.1 Instruction and Purpose of the Report.

Preparation of an Arboricultural report to include:

- Tree Survey and Appraisal.
- Arboricultural Impact Assessment.

1.2 Documents provided :

Hanbury Properties provided me with :

- Topographic survey dated January 2014 by Shaw Colgate Surveyors.
- Proposed Highway Improvement Works Drawing. Drawing Ref : 033/01 Rev A. dated February 2014 by Milestone Transport Planning.

1.3 Relevant background information :

The High Street approach to Manor Nursery is situated partially within the Angmering Conservation Area.

1.4 Scope of the report.

- The report is based on the site visit and the information provided, listed in 1.2 and 1.3 above.
- The work is undertaken in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.
- This report includes a preliminary Visual Tree Assessment (VTA) from ground level.
- All dimensions are estimated.
- No detailed investigations have been undertaken.
- This report is reliant on plans provided.

1.5 About Us : Details provided in Appendix 5.

2 TREE SURVEY

2.1 Identification and location of the trees :

The trees are identified on the 'Tree Survey Plan' included as Appendix 2 and 'Tree Retention/Removal Plan' at Appendix 3

The 'Tree Survey Plan' should be read in conjunction with Appendix 4 'Tree Survey Notes.

2.2 Tree observations: The trees were visually inspected and the information recorded on the 'Tree Survey Schedule' included as Appendix 1.

3 TREE APPRAISAL

Trees T7-T9 located to South of High Street.

- 3.1 This line of trees stand in an elevated position on the southern side of the High Street approach to Manor Nursery. The trees are growing directly beneath/adjacent multiple overhead service cables and associated utility poles.

- 3.2 Although the trees currently contribute to the amenity of this localised area, this contribution is not considered sustainable for the reasons;



Figure 1. Multi-stemmed Sycamore viewed from High street, indicating proximity of overhead cables and service poles.

Limited safe useful life expectancy.

- 3.3 At some point in the past these trees have been coppiced (cut to ground level) which has produced a multi-stemmed tree structure. This may have been in response to the overhead utility service installation and/or maintenance. It has resulted in poor conformation with associated irremediable weaknesses for these trees. (See Figure 1 above).
- 3.4 These trees have been assessed as C/U category in accordance with BS 5837 2012 tree quality assessment i.e trees of low quality which in the context of the current land use are unlikely to be retained for longer than 10 years.

- 3.5 Whilst considering the safety implications in the event of tree failure, it should be noted that :

- The trees are growing in an elevated position upon a bank immediately adjacent the public access road.
- The trees range from 10-13m in height.
- The prevailing wind direction (South West) is towards the road.

3.6 Unsuitable species and location.

- Any benefits provided by the trees is limited in time, mainly due to tree condition and conformation, given the tree location adjacent public access road.
- The trees are located beneath utility service poles and numerous overhead cables (See Figure 1).
- It is evident, due to location and structure that the trees require regular and ongoing maintenance with associated costs, for safety and practical reasons to limit encroachment upon the utility services.
- The dense foliage creates areas of dense darkness when in leaf and the wet leaves create a slip hazard upon leaf fall.
- This species has limited benefits for wildlife.

- The majority of the trees are Sycamore which are a vigorous species and self-set readily.

Management Options.

- 3.7 In consideration of the above; the management options for these trees are very limited and the only sensible course of action is to re-coppice or fell.
- 3.8 The benefits of re-coppicing would only be short-term before the trees regained height and the situation came full cycle. There is also a potential that some individuals would not respond to this management.
- 3.9 Felling is considered the most sensible course of action to limit the risk of random tree failure and due to the overriding principle that this species is unsuitable for the location (beneath/adjacent utility service cables).
- 3.10 It is therefore suggested that an opportunity has arisen to actively manage the situation by way of tree removal and replacement with an improved native planting scheme.
- 3.11 This would have the benefits of :
- Limiting risks posed by the existing trees to users of the public access road.
 - Providing a more sustainable contribution to the localised area in the long-term.
 - Increase species diversity for public and wildlife.
 - Improve light levels for public access.
 - Provide suitable species for the location to limit the potential for interference upon utility services.
- 3.12 Some suggested native tree species (in consideration of the ultimate height limitations-overhead service cables).
 Hawthorn (*Crataegus monogyna*)
 Blackthorn (*Prunus spinosa*)
 Rowan (*Sobus aucuparia*)
 Elder (*Sambucas nigra*)
 Hazel (*Corylus avellana*)
 Holly (*Ilex aquifolium*).
 Spindle (*Euonymus europaea*)
 Guelder Rose (*Viburnum opulus*)
 Dogwood (*Cornus*)
 Dog Rose (*Rosa canina*)
 These species provide seasonal benefits for wildlife and public amenity.

Trees T1, T2, T3, T4, T5, T6, T10 and G1.

- 3.13 These trees are to be retained and where necessary protected from the impacts of the proposed highway improvement works in accordance with BS 5837 : 2012.

4 ARBORICULTURAL IMPACT ASSESSMENT.

4.1 Table 1. Summary of the impact of the proposed highway improvement works.

BS5837:2012 Tree Quality Category	Trees to be retained	Trees to be removed.	Tree Protection Barriers in accordance with BS 5837:2012
A – High	-	-	-
B – Moderate	-	-	-
B/C	T10	-	Comment : Existing wall to be retained
C – Low	T1, T2,		YES
C/U	T4, T5, T6, G1,		YES
		T7, T8, T9	
U Unsuitable	T3	-	YES
Tree Retention / Removal Plan is included at Appendix 3.			
<u>Tree Retention :</u> Trees T1-T6, T10 and G1 are to be retained and protected in accordance with BS 5837 : 2012 as per Appendix 3.. <u>Tree Removal :</u> Trees to be removed are of low quality, which in the context of the current land use are unlikely to be retained for longer than 10 years. They are to be removed and replaced by an improved planting scheme. <u>Planting Scheme.</u> A new and improved planting scheme is proposed to mitigate for any tree loss. The location of the proposed planting is indicated at Appendix 3, together with species selection. Further detail is also included within the ‘Tree Appraisal’ at Section 3 <u>Tree Protection :</u> Where necessary retained trees are to be protected in accordance with BS 5837:2012 ‘Trees in relation to design, demolition and construction - Recommendations’. The proposed tree protection measures are indicated at Appendix 3.			

Tree Constraints.

Tree Root Protection Areas (RPAs).

- 4.2 The 'Root Protection Area' is the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability and where protection of the roots and soil structure is treated as priority (Calculated in accordance with BS 5837 : 2012 Paragraph 4.6).
- 4.3 In accordance with BS 5837:2012 para 4.6.3, it has been considered appropriate to offset the RPAs for trees adjacent the 'High Street to reflect the existing site constraints which limit tree rooting. Existing site constraints which limit tree root growth :
In RPA of T1 – T6 & G1 : metalled road surface and soil compaction (inhospitable rooting environment).
In RPA of T10 : This tree is 'effectively' growing in a contained 'planter'. There is an existing wall to be retained South of the tree with a raised soil level to the North of the wall. These roots are most likely to be contained in this 'planter'.
- 4.4 Dimensions for individual Tree Root Protection Areas are included in the 'Tree Survey Schedule' at Appendix 1.

Tree Crowns.

- 4.5 Aerial tree crown dimensions are included in the 'Tree Survey Schedule' at Appendix 1.

TREE PROTECTION.

Construction Exclusion Zone.

- 4.6 BEFORE any machinery or materials are brought on to site and before commencement of highway improvement works;
Tree Protection Barriers are to be installed to protect Root Protection Areas and aerial crown portions in accordance with BS 5837:2012 as indicated at Appendix 3.
- 4.7 Measures for tree protection will be required prior to, during and post construction.
"The protected areas should be regarded as sacrosanct, and once installed, barriers and ground protection should not be removed or altered without prior recommendation by the project arboriculturist and where necessary, approval from the local planning authority"(BS 5837:2012 Paragraph 6.2.1.3)

Tree Protection Barriers.

4.8

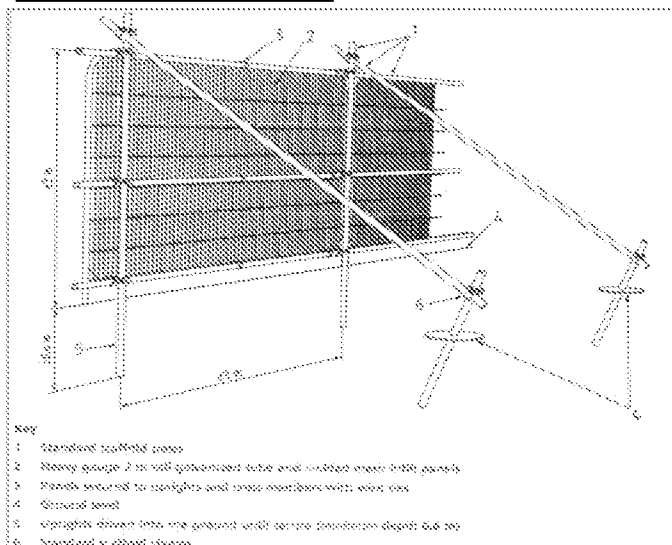


Figure 2. Tree Protection Barriers in accordance with BS 5837:2012.

Signage.

- 4.9 Waterproof signs are to be attached to the protective barriers stating clearly that the barrier is 'Tree Protection' and 'Not to be moved without authorisation'.

4.10 Hand dig Site Investigations.

Manual labourers will need to follow a 'Method Statement for hand-digging within the RPAs' and the works will need to be supervised by an Arboriculturist in accordance with Section 6.3 of BS 5837 : 2012. Only 'Roots smaller than 25mm diameter may be pruned *back*' in accordance with Section 7.2.3.

General Protection Measures.

Soil Level Changes.

- 4.11 No machine excavation, soil stripping or site grading should be undertaken within RPAs of retained trees, to avoid root severance/disturbance.

Storage of construction materials

- 4.12 No construction materials or any material likely to be injurious to a tree i.e Oil, Bitumen, Cement (concrete mixing), should not be stacked or discharged within the Tree Root Protection Area or within 10m from a tree stem. Allowance should be made for any slope of the ground, so that damaging materials cannot run towards the trees.
- 4.13 At no time should the Root Protection Area be breached for storage purposes.

Machinery/Equipment near tree canopy.

- 4.14 Great care should be exercised when using piling rigs, mobile cranes or similar equipment near the spread of the canopy of trees so as not to damage them in any way. The site manager/supervisor should take responsibility for supervising the approach, exit and on site activities of delivery, muck-away vehicles and site machinery.

Fires

- 4.15 Fires should be avoided where possible. If not possible; they should not be lit in a position where their flames or heat can extend to foliage or branches. Size of fire and wind direction should be taken into account.

Topography of the Site.

- 4.16 Care should be taken to avoid ‘run off’ from toxic fluids during construction, which may be harmful to trees i.e concrete mixings, diesel, oil.

5 RECOMMENDATIONS.

5.1 **Tree Inspection :**

T3, T5 and T6 (Sycamore) : Clear base of trees and undertake a more detailed tree inspection.

Future Considerations :

- 5.2 Trees on site should be inspected on a regular basis by a qualified arboriculturist.
- 5.3 **Implementation of tree works :** The contractor should carry out any tree works to BS 3998 Recommendations for Tree Work (2010).

Building near trees :

- 5.4 Construction in proximity to trees (existing and removed) should be specified by a structural engineer taking into account the potential for volumetric changes of some soils and current guidance set out in National House Building Council Chapter 4.2 (Foundations) Building near trees and the potential for direct root damage.

6 OTHER CONSIDERATIONS

Trees subject to statutory controls :

- 6.1 Consultation with the local planning authority will be required prior to any pruning works to trees covered by a tree preservation order or located in a conservation area.

Risk

- 6.2 The Occupiers Liability Act 1957 & 1984 places a “common duty of care” upon the owner occupier of a site to take reasonable steps to minimise the risk of personal injury or damage to property arising from any tree on that site.

Wildlife.

- 6.3 Your attention is drawn to the wildlife and Countryside Act 1981 and related legislation which provides statutory protection for nesting birds and bats including roosting sites, some mammals, invertebrate species and plants.
- 6.4 It would be prudent to undertake a Bat survey prior to carrying out any works to trees with significant cavities and to avoid works at times when birds are likely to be nesting.

Trees outside the property.

- 6.5 Trees located in adjacent properties are effectively out of the control of the owners of this site. By common law, branches from trees on adjacent properties extending over boundaries can be pruned back to the boundary line without the permission of the owners. However, the material belongs to the tree owner and the same guidance on statutory controls apply.

7 BIBLIOGRAPHY / REFERENCES

British Standard 5837 '*Trees in relation to design, demolition and construction - Recommendations*' : 2012.

British Standard 3998 '*Recommendations for Tree Work*' (2010)

Conservation of Habitats and Species Regulations (2010).

Occupiers Liability Act 1957 & 1984.

Town & Country Planning Act 1990.

Wildlife & Countryside Act 1981 (As amended)

CRoW Act 2000

APPENDIX 1

Tree Survey Schedule

To be read in conjunction with 'Tree Survey Notes'

Tree No	Species	Height (m)	Diameter (mm) as Annex C	Branch spread	Height above ground(m)		Age Class	Structural	Physiological	Category & RPA radius
					1 st branch	Canopy				
T 1	Poplar	20	750#	N 10 S E 5 W 10	6 North	6	Mature	Good	Fair/Poor	C N 7.2m, S10.8m E & W 9m
Notes : Close grown with T2. Located upon bank. Slight stem lean to North. Previously crown lifted to approximately 7m. Significant deadwood in crown. Crown over-arching road. Overhead cables passing beneath canopy to North.										
T 2	Poplar	20	750#	N 3 S E 7 W 0	8-9 North	8	M	Good	Fair/Poor	C N 7.2m, S10.8m E & W 9m
Notes : Close grown with T1. Located upon bank. Stem lean to South East. Previously crown lifted to approximately 7m. Branch tear wound in lower/mid crown to East.										
T 3	Sycamore Acer pseudoplatanus	8	400	N 1.5 S 1.5 E 4 W 5	N/A	N/A	SM	Good	Poor	U N 3.8m S 5.8m E & W 4.8m
Notes : Located upon bank. Utility pole located immediately to South of tree. Multi-stemmed from base-500mm (5 stems). Stems appear to originate from a decayed stump. Prolific basal and undergrowth. Extensive Ivy extending into upper crown. Fairly stilt rooted (bank erosion to North). Tree height reduced due to growing beneath multiple overhead utility cables.										

Tree Survey/Appraisal and Arb'Impact Assessment at Manor Nursery, Angmering. ©
 Prepared by ARBORTECH(Consultancy), March 2014.

Tree No	Species	Height (m)	Diameter (mm) as Annex C	Branch spread	Height above ground(m)		Age Class	Structural	Physiological	Category & RPA radius
					1 st branch	Canopy				
T4	Elm Ulmus	11	180	N 4 S 0 E W	5 North	6	J	Good	Good	C/U N 1.8m S 2.6m E & W 2.2m
Notes : Located upon a bank. Single upright stem. Ivy extending to mid stem. Species will succumb to Dutch Elm Disease.										
T5	Sycamore Acer pseudoplatanus	12	280	N 6 S 1 E 1 W 5	7 North	7	SM	Fair	Poor	U N 2.7m S 4.1m E & W 3.4m
Notes : Located upon a bank. Utility pole located immediately to South of tree. Single stem with lean to North West over road. Suppressed by trees growing to South. Basal growth. Extensive Ivy into upper crown, Crown encroachment upon overhead utility cable passing through mid crown.										
T 6	Sycamore Acer pseudoplatanus	15	700	N 8 S 6 E 6 W 6	8 North	8	M	Poor	Fair	C/U N 6.72m S 10.08m E & W 8.4m
Notes : Located upon a bank. Poor conformation : Multi-stemmed from ground level (9 stems) with some tight compression unions. Prolific basal growth. Extensive Ivy on stems to South and 1 stem to North East. Minor deadwood in crown. Crown encroachment upon overhead utility cables passing between stems.										

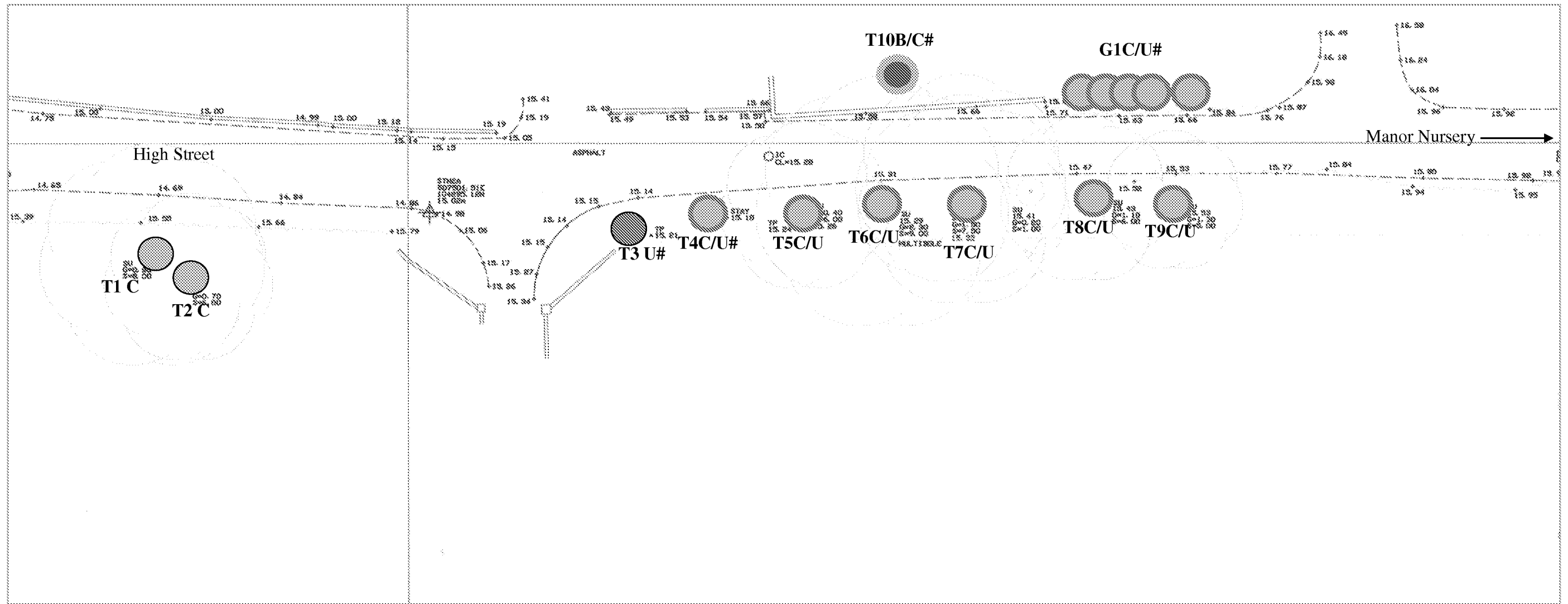
Tree No	Species	Height (m)	Diameter (mm) as Annex C	Branch spread	Height above ground(m)		Age Class	Structural	Physiological	Category & RPA radius
					1 st branch	Canopy				
T7	Sycamore Acer pseudoplatanus	13	660	N 5 S 5 E 4 W 0	7 North	7	SM	Good	Poor	C/U N 6.32m S 9.48m E & W 7.9m
Notes : Located upon a bank. Multi-stemmed from ground level (7 stems) with some tight compression unions. Basal growth. Extensive Ivy into upper crown. Minor deadwood in crown. Crown encroachment upon overhead utility cables passing between stems and to North of crown.										
T8	Sycamore Acer pseudoplatanus	13	500	N 6 S 3 E 3 W 4	7 North	7	SM	Good	Poor	C/U N 7.2m S 4.8m E & W 6m
Notes : Located upon a bank. Multi-stemmed from ground level (4 stems). Basal growth. Extensive Ivy on stem to North West.. Previous crown lifting to a height of approximately 7m. Overhead utility cables passing to North and South of crown.										
T 9	Sycamore Acer pseudoplatanus	10	320	N 5 S E 2 W 4	6 North	6-7	SM	Good	Poor	C/U N 3.04m S 4.56m E & W 3.8m
Notes : Located upon a bank. Multi-stemmed from ground level (3 stems). Prolific basal growth.										

Tree No	Species	Height (m)	Diameter (mm) as Annex C	Branch spread	Height above ground(m)		Age Class	Structural	Physiological	Category & RPA radius
					1 st branch	Canopy				
T10	Magnolia	8	360	N 3.5 S 5 E 5.5 W 9		6	M	Good	Fair	B/C N 3.5m S 1.5m E & W 5m
Notes : Main stem bifurcates at 500mm and South stem further bifurcates at 1m. Spreading crown (East-West). Over-extending stem to West.										
G1	Group of 5 x Lawson cypress	8	150 Average	N } S }5 E } W }8		0	SM	Fair/Poor	Fair	C/U N 2.16 S 1.44 E & W 1.8m
Notes : Evergreen species.										

APPENDIX 2

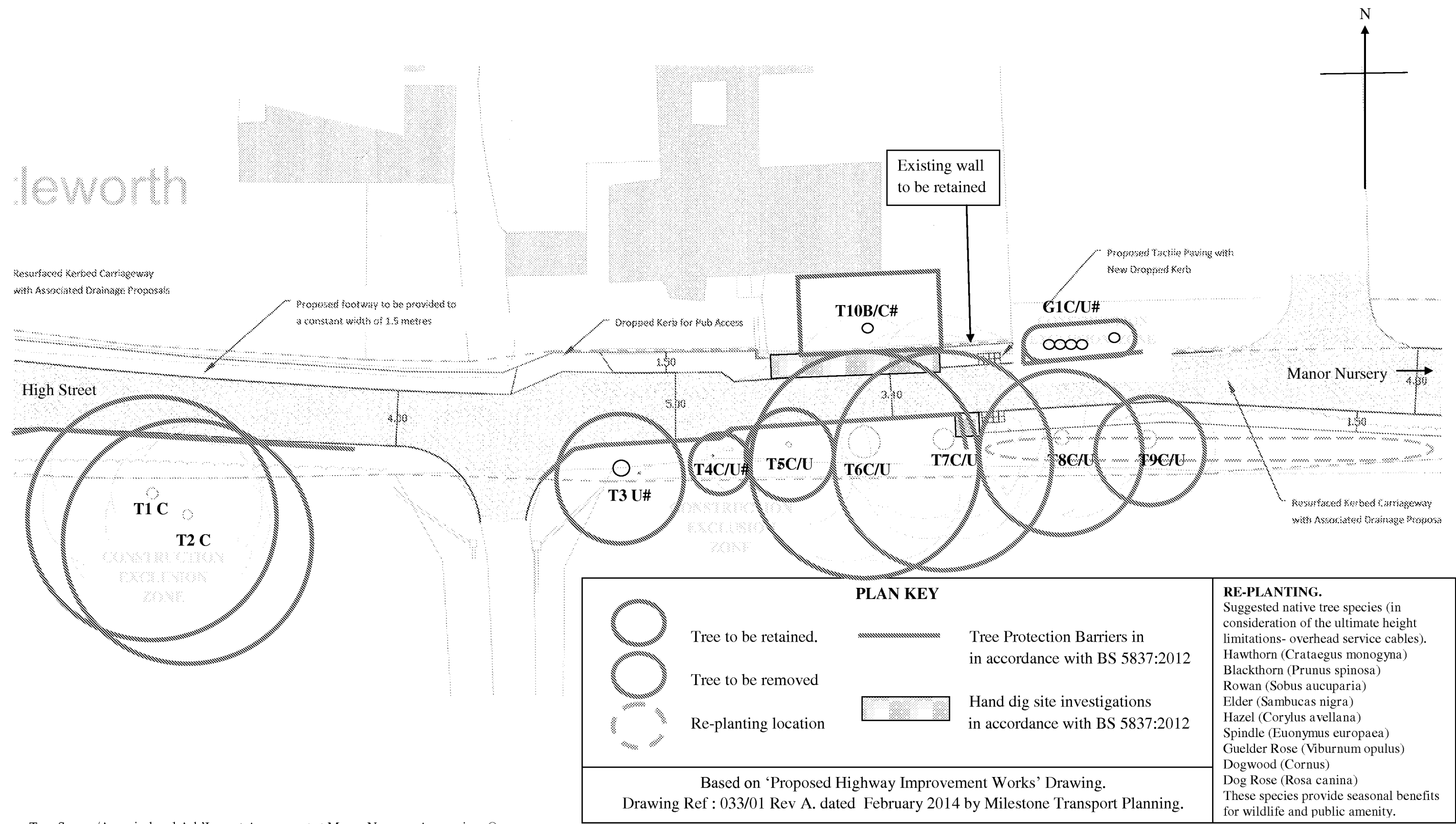
TREE SURVEY PLAN

To be read in conjunction with Appendix 4 'Tree Survey Notes'.



Based on topographic survey drawing dated January 2014 by Shaw Colgate Surveyors.
Drawing not to scale. For illustrative purposes only.

APPENDIX 3
TREE RETENTION / REMOVAL PLAN
Indicating proposed re-planting
and proposed tree protection measures.



APPENDIX 4.

Tree Survey Notes

GENERAL TREE SURVEY NOTES.

- Tree species has been determined (common name and scientific)
- All tree dimensions are estimated, height and spread being measured in metres and trunk diameter measured at 1.5m above ground level or if more than one stem, an average stem diameter is stated.
- The tree age classification is made in terms of the trees site specific maturity within the landscape.

Age groups are indicated as

J	-	Juvenile tree
SM	-	Semi-mature tree
EM	-	Early mature
M	-	Mature tree
OM	-	Over mature

ASSESSMENT AND CATEGORY CLASSIFICATION.

The condition of trees included in the survey has been assessed by a person being qualified and experienced in arboriculture. In making the assessment particular consideration has been given to :

- Tree species.
- Tree dimensions.
- Health, Age and Vigour of tree.
- Tree conformation including any structural defects.
- The location of the tree, relative to the existing site and surroundings.
- The landscape and environmental/habitat value.

On the basis of this individual assessment, the trees are classified into one of the following categories, or intermediate categories

A	(GREEN)	Trees of high quality.
B	(BLUE)	Trees of moderate quality.
C	(GREY)	Trees of low quality in adequate condition until new planting established.
U	(RED)	Trees in current context cannot realistically be retained.

In addition, the above categories may be attributed one or more of the following criteria :

- 1 Arboricultural values.
- 2 Landscape values.
- 3 Cultural values including Conservation.

APPENDIX 5

ABOUT US.....

We specialise in all tree-related matters :

- ✓ Development/Planning-BS5837:2012,
- ✓ Planning Services-Tree Preservation Orders & Conservation Areas,
- ✓ Tree Hazard Evaluation,
- ✓ Woodland Management etc

We have 25 years experience in the arboricultural industry.

We aim to keep at the forefront of arboriculture; through ongoing review, training and development programmes.

Arboricultural Consultant : Mr J.R Hayes. Tech.Cert.(Arbor.A).

Technicians Certificate in Arboriculture 1998.

City & Guilds Tree Surgery for Craftsmen 1990.

Arboricultural Surveyor : Mrs J.A Hayes.

Lantra Professional Tree Inspection Award 2006

Studying Diploma in Arboriculture Level 4.

Registered Natural England Bat Class Survey Licence Holder :

Bat Conservation Level 1 : CLS002485

Bat Survey Science & Education Level 2 : CLS02485

Member of :

The Arboricultural Association.

Chartered Institute of Ecology and Environmental Management.

Arboricultural Consultants to :

Chichester Cathedral.

Chichester City Council

Chichester District Council

Goodwood Estate.

Halburn Ecological Consultants.

London Biggin Hill Airport.

Mansell Construction.

John Mowlem & Company PLC.....

References supplied upon request.

Insurance cover :

Employers liability 10,000,000

Public liability 5,000,000

Professional indemnity 1,000,000

Copy supplied upon request

TERMS OF ENGAGEMENT.

1. Any report is provided for the sole use of the named Client and is confidential to the Client and his professional advisors. The Consultant accepts responsibility to the Client alone for the stated purposes of the report. No responsibility whatsoever is accepted to any person other than the Client himself. Any other such person relies upon the report at entirely his own risk. Neither the whole nor any part of the report or any reference thereto may be reproduced or transmitted, in any form or by any means, nor sold, hired or divulged to any third party without the Consultants prior written approval.
2. The content of any information supplied to the consultant by the client, including such items as reports, plans diagrams letters, data etc will be deemed to be true and accurate and such items will not be investigated or checked for their validity. Any information supplied subsequently found to be inaccurate, misleading or false may render the contents of the report invalid.
3. The report remains the property of the Consultant until payment has been received in full. The Client shall pay the Consultant his fee regardless of any outcome. In addition the Client will reimburse the Consultant the cost of all reasonable out of pocket expenses which he may incur. Payment in full of the total amount due must be made within 14 days and the Consultant shall be entitled to charge interest both before and after any judgement on the amount unpaid, at the rates listed below (delayed payment surcharge) per month (30 days) from time to time, until payment in full is made (a part of a month being treated as a full month for the purpose of calculating interest). No discount nor retention or set off against the same due is allowed unless agreed previously by the Consultant in writing.
DELAYED PAYMENT SURCHARGE.
Accounts not settled within the 14 day period will be surcharged as follows :
2.5% for payment within 1 month.
5% for payment within 2 months.
10% for payment within 3 months (maximum time limit)
Surcharges are not an offer of extended credit.
4. The consultant reserves the right to charge the client for a proportion of the services undertaken, should the client, further to instructions, cancel the agreed commissioned services.
5. Any information in relation to the tree(s) survey/inspection must be provided at the time of the survey/inspection process, prior to the compilation of the report document. Any information received by the consultant after this time will not have been considered and an additional re-assessment of the trees may be necessary at the clients expense.
6. In making the report, the following assumptions will be made by the Consultant (and these are therefore matters for which no responsibility can be accepted by the Consultant);
 - (i) that there are not underground pipes, wires, cables, or other services or installations which might be damaged as a result of work recommended or necessary.
 - (ii) that no tree(s) is the subject of or protected by a Tree Preservation Order or the terms of a planning consent (unless stated), in relation to which the Client must make his own enquiries of the Planning Department responsible.
7. It is possible that the report will suggest further investigation works to be carried out by a specialist firm or person eg. Structural Engineer, Surveyor, drain or electrical engineer or other. On no account will liability be accepted by the Consultant in respect of matters on which the client is recommended to obtain such other specialist advice or if the Client proceeds or acts without obtaining and acting upon the relevant further advice.
8. The report will not purport to express an opinion about or to advise upon the condition of un-inspected parts of the land or tree(s) and should not be taken as making any implied representation or statements about such parts.
9. Preliminary surveys are visual inspections which do not include any information on engineering, no root or soil samples are taken for analysis and trees are not climbed (unless stated).
10. The Consultant will inspect as much of the land and tree(s) as is practicable given the scope of his instructions and the level of fee agreed. He will be under no obligation to inspect those areas that are unexposed or not readily accessible.
11. The tree survey and inspection process requires good, clear access to the trees being inspected. Any obstructions will limit the inspection process and will be noted within the survey / inspection assessment. The removal of any obstructions such as dense undergrowth, climbing plants etc will not be undertaken as part of the process, unless this additional operation has been previously agreed with the client.
12. The statements made in this report do not take account of the effects of extreme climate, vandalism or accident whether physical, chemical or fire. We cannot therefore accept any liability in connection with these factors, nor where prescribed work is not carried out in a correct or professional manner in accordance with current good practice. The authority of this report ceases at any stated time limit within it, or if none stated after 1 year from the date of the survey or when any site conditions change, or pruning or other works unspecified in the report are carried out to, or affecting the subject tree(s), whichever is the sooner.
13. Any trees referred to in this report should be re-inspected further to storms or extreme weather conditions due to the potential for deterioration in tree condition/situation.
14. All trees referred to in this report are assessed in the situation and site usage as seen on the day of inspection.
The client should inform the consultant of any foreseeable changes/variations prior to the site visit.
15. Any verbal information given by the Consultant prior to the Clients receipt of the written report shall not be construed as a representation or warranty and should not be relied or acted upon.
16. Any claim by the Client which is based on any defect in the nature or quality of the Consultants services shall be notified to the Consultant within 7 days from the date of supply.
17. Except in respect of death or personal injury caused by the Consultants negligence, the Consultant shall not be liable to the Client by reason of any representation, or implied warranty, condition or other term, or any duty at common law, or under the express terms of any contract, for any consequential loss or damage (whether for loss of profit or otherwise), costs, expenses or other claims for consequential compensation whatsoever (and whether caused by the negligence of the Consultant his employees or agents or otherwise) which arise out of or in connection with the Consultant's services, except as expressly provided in these conditions.
18. The Consultant shall not be liable to the Client or be deemed to be in breach of the contract by reason of any delay in performing, or any failure to perform any of the Consultants obligations in relation to the services he renders.
19. The identification of fungi, insects or tree disorders are based on field observations and do not include a laboratory analysis (unless requested).
20. The contract between the Client and the Consultant shall be governed by the laws of England.