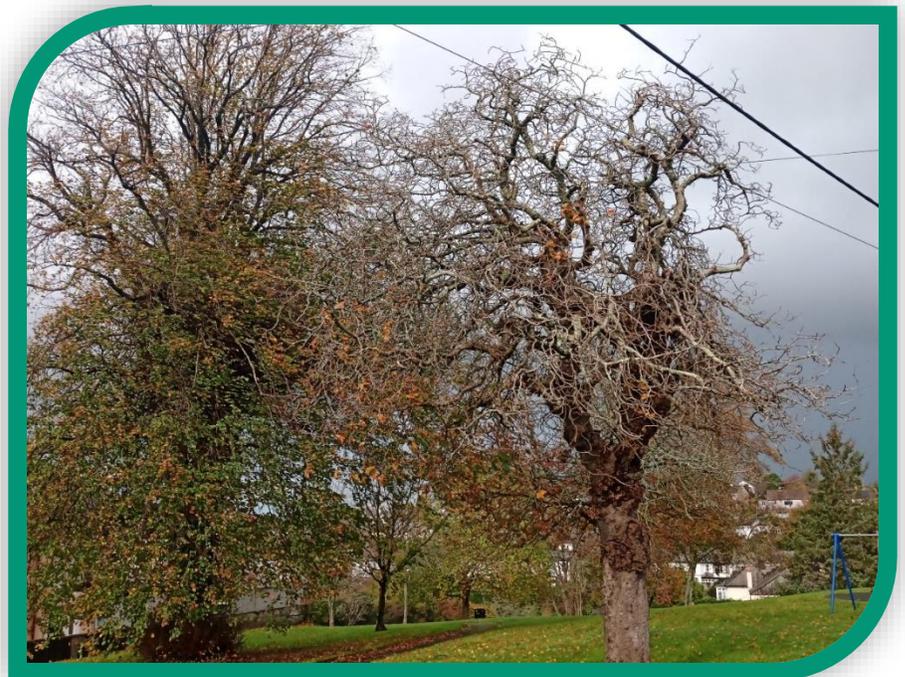


Liskeard Town Council Tree Survey and Management Report.



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14th November 2022

TREE SURVEY AND MANAGEMENT REPORT

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Date:	14 th November 2022
Report ref:	CTC141122HS

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EXECUTIVE SUMMARY

The trees on all three Town Council sites are generally in good condition with only minor works required. Eastern Avenue requires some longer term management to sort out the areas of hazel coppice/overgrown boundary features. Ash dieback appears to be present in Liskeard and the ash trees will require on going monitoring to assess the impact of the disease and the timing of remedial works.

It will be important for the Town Council to continue to manage and inspect the trees to ensure the safety of the general public using the Town Council managed sites.

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1. INSTRUCTIONS

- 1.1 I am instructed by Jacqui Orange, Facilities Manager at Liskeard Town Council, Cornwall to inspect and report by visual inspection on the condition of trees at three Council managed sites in Liskeard. I am asked to advise on the health and safety of the trees with regards; structure, pest and disease and fungal decay and where necessary make recommendations regarding health and safety tree works or future management works.

2. LIMITATIONS

- 2.1 Trees and shrubs are living organisms whose health and condition can change rapidly. The health, condition and safety of trees should be checked on a regular basis, preferably at least once a year. The conclusions and recommendations of this report are only valid for a period of one year. These periods of validity may be reduced in the case of any changes in conditions in the proximity of the trees or built structures.
- 2.2 I have not carried out an inspection of the drainage or service systems or buildings and foundations.
- 2.3 The report is of preliminary nature, if further details are required these will be highlighted in the recommendations.
- 2.4 The trees have been inspected from ground level, should a more detailed climbing inspection be required this will be highlighted in the recommendations.
- 2.5 I have not examined the soil or removed samples for analysis. If samples are required this will be highlighted in the recommendations.

3. SITE DETAILS

- 3.1 I inspected the three sites at Rapson Fields, Eastern Avenue and Thorn Park on Friday the 1st November 2022. A site plan of each site and tree schedule of tree surveyed was completed and used to produce individual management plans for each site.
- 3.2 The following information is presented regarding the trees:
- Tree number as shown on plan (The trees are marked with numbered silver metal tags).
 - Tree species.
 - Tree size and age
 - Comments on condition of trees leaves, shoots and main framework, any defects, fungal fruiting bodies, pest, disease or any other defects.
 - Recommendations for works.

4. FINDINGS

- 4.1 The survey results and recommendations for work are set out in individual management plans for each site found in the appendices of this report. Each plan contains a site description, photographs and table of recommended works, with time frame, along with a tree survey schedule and tree location plan.
- 4.2 There were early signs of Ash dieback (*Hymenoscyphus fraxineus*) in many of the ash trees. All the sites should be closely monitored for this disease and appropriate action take, the latest information can be found on the Forestry Commission website; (<https://www.forestry.gov.uk/ashdieback>).
- 4.3 Dutch elm disease was also present on site, and again the Elm trees should be regularly inspected and any dead trees removed as appropriate.
- 4.4 The other main diseases present was *Phytophthora ramorum* on maple and bleeding canker on Horse chestnut at Eastern Avenue. These infection may never cause major problems and can be monitored during yearly inspections.

5. CONCLUSIONS

- 5.1 The trees on all sites are generally in good condition and only require minor work.
- 5.2 The lack of management of the hazel and other boundary features mean there is potentially more work at Eastern Avenue, but this work can be programmed into long term maintenance plans and are not urgent.

6. RECOMMENDATIONS

- 6.1 Works should be carried out as per the works schedule, if works are significantly delayed the trees should be re-inspected to ensure their ongoing safety.
- 6.2 As the sites are public open spaces as a minimum the trees should be inspected yearly (by a competent person/member of LTC) and then the trees should be inspected by a suitably qualified Arboriculturalist every 3 years. The TC should also check the trees following a storm event and that all such inspections should be recorded. Should there be any concerns about the safety of a tree the TC should have it checked by an Arboriculturalist.

7. Legal Constraints

- 7.1 Individual trees and woodlands in any location may be protected by legislation for various reasons. The reasons for protection can include visual amenity, biodiversity, wildlife protection or to avoid unnecessary tree loss. Substantial penalties can be incurred for contravention of legal protection. The main type of protection in an urban setting is when trees are protected within a Conservation Area or by a Tree Preservation Order (TPO) or if they are occupied by specific wildlife.

7.2 Conservation Area

In Conservation Areas, trees of a diameter greater than 75mm, measured at 1.5m from ground level are automatically protected (except in certain circumstances) under the Town and Country Planning Act 1990. Notice of intent is required to be given to the Local Planning Authority (LPA) before work is carried out. An application form can be downloaded from the LPA website. The LPA has six weeks to decide whether the tree should be made subject to a Tree Preservation Order. If the LPA do not respond within the six week period, then the tree work that has been applied for may proceed.

7.3 Tree Preservation Order (TPO)

A Local Planning Authority (LPA) can protect trees and woodlands with a Tree Preservation Order in the interest of good amenity. In general, it is prohibited in the Town & Country Planning (Tree Preservation) (England) Regulations 2012 to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the Planning Authority's permission. It will be necessary to apply to the LPA for permission to carry out any work on protected trees. The LPA has eight weeks to respond to the application to either refuse or permit the work applied for.

The LPA can also make alternative work recommendations.

If an application for work is refused, or allowed subject to conditions, or if the council fails to deal with the application within 8 weeks, the applicant has a right of appeal to the Secretary of State under the provisions of section 78 of the Town and Country Planning Act 1990 (as amended). At the time of inspection I believe the tree is within a Conservation Area and covered by a TPO. The work specified in this report is necessary for reasonable management and should be acceptable to the LPA. However, tree owners should appreciate that they may take an alternative point of view and have the option to refuse consent.

7.4 Habitats Regulations

Bats, nesting birds and some mammals are protected under the Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and (as amended) Wildlife and Countryside Act 2000. A risk assessment will be required prior to commencement of any tree work or felling to assess the likelihood of disturbing or endangering any protected wildlife or habitat. If any protected species are present in any of the trees, or if the tree has a known bird nest or bat roost, then consultation with the Statutory Nature Conservation Organisation (SNCO) must be undertaken, prior to commencement of work.

APPENDICES

APPENDIX A. THORN PARK MANAGEMENT PLAN

Management Plan for Thorn Park.

Thorn Park is situated in the middle of a residential area with dwellings to all boundaries. There are two play areas within the park and a mixture of individual ornamental and larger forest tree spread across the park.

The Park trees are generally in good condition and have received management where required.

The attached plan shows the position of the trees within the park and details of the trees are contained within the Thorn Park tree works table below.

Due to the use of the public access to this area of open space the trees should be checked on a regular basis and following any significant storm event.

The Table below shows the works required to individual trees within the park:

Tree	Condition	Works	Time Frame (Months)
914 Red horse chestnut	Average condition	No works	N/A
915 Lime	Ivy starting to grow up trunk, basal epicormic regularly cut. Canopy low over grass and encroaching on footpath	Sever ivy at base Crown lift over grass to allow grass maintenance.	12mths
916 Ash	Ash dieback present poor condition	Remove and replant	6mths
920 Ash	Previously pollarded, good regrowth however early ash dieback infection	Probably pollard in winter 2023	12mths
328 Hawthorn	Small hawthorn adjacent to hedge minor deadwood but no works required	No works	N/A

322 Spruce	Good condition	No works	N/A
923 Horse chestnut	Previously pollarded ivy on main trunk	Sever ivy at base	12mths
327 Oak	Two broken branches hanging in tree	Remove broken branches	3mths
326 Plane	Good condition	No works	N/A
329 Sorbus	Average condition	No works	N/A
928 Sorbus	Average condition	No works	N/A
324 Silver birch	Average condition	No works	N/A
930 Horse chestnut	Leaf minor presence in Chestnut early leaf loss only control would be to pick up all leaves	No works	N/A
323 Sorbus	Poor condition major decay and die back in main stem branches beginning to die back	Remove and replant	12mths

Thorn Park contains Ash which shows signs of Ash dieback, the trees should be regularly inspected during the summer to monitor the extent of this fungal infections (symptoms include dead leaves and twigs and possible lesions on stems).

Photo 1&2: Ash 916 & 920 showing signs of Ash dieback disease.



Photo3: Oak 327 with two broken branches



APPENDIX B. RAPSON FIELD MANAGEMENT PLAN

Management Plan for Rapsons Field Skate Park.

Rapson Fields Skate Park and MUGA are situated within a larger park area, but only the area immediately around the skate park is managed by Liskeard Town Council. There is only one significant tree associated with the park. T913 on the attached plan is a mature hybrid black poplar growing in an area of scrub to the east of the skate park.

The tree is generally in good condition and has never received any pruning. This species of poplar is prone to losing branches as they mature due to their fast growing nature resulting in a weaker wood and branch unions. Should branches start to fail It is recommended that the tree receives a total crown reduction.

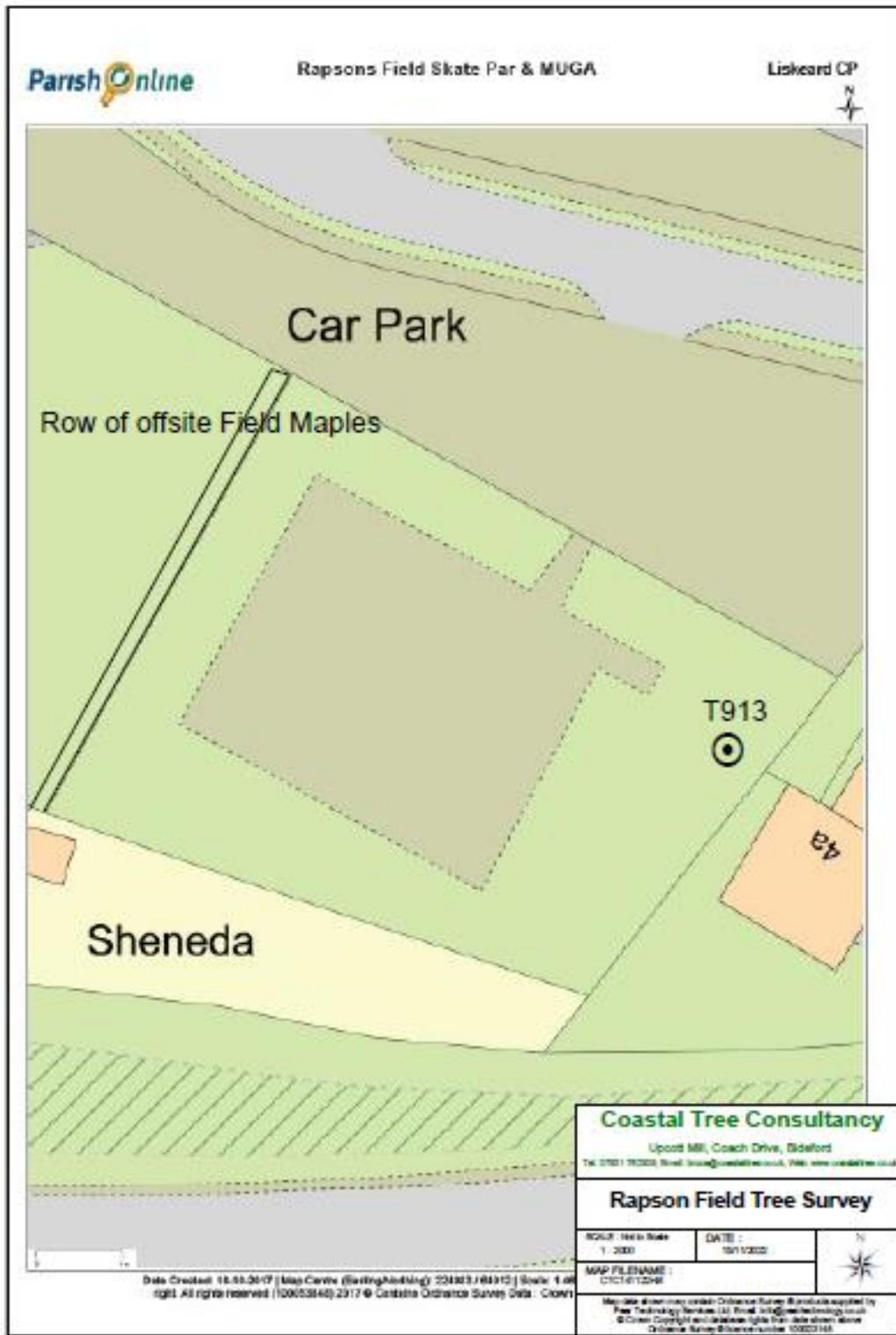
Photo1: Hybrid black poplar in area of scrub to side of Rapsons Field



Tree	Condition	Works	Time Frame (Months)
913 Hybrid poplar	Large mature tree one previous branch breakage	No works at this time	N/A

Any pruning works will result in the need to carry out repeat pruning approximately every 5 years.

There is a row of mature Field maple to the west of the park, these trees require no works and pose no health and safety risk.



APPENDIX C. EASTERN AVENUE MANAGEMENT PLAN

Management Plan for Eastern Avenue.

The trees at Eastern Avenue are situated within and around the boundary of an area of sloping open space between two different housing estate roads, and adjacent to a currently dry drainage ditch and culvert there are a number of areas of hazel coppice.

The open space trees have received minimum management.

The attached plan shows the position of the trees within the open space and details of the trees are contained within the Eastern Avenue table of works below.

Due to the use of the public access to this area of open space the trees should be checked on a regular basis and following any significant storm event.

Eastern Avenue Table of tree works;

Tree	Condition	Works	Time Frame (Months)
314 Ash	5 stems from base surface roots, scar bark damage on lower trunk, very early ash dieback, twiggy deadwood	Monitor in summer if condition worsens consider felling	12mths
902 Ash	Large single stem tree, ash dieback present some larger Deadwood in canopy.	Remove larger Deadwood in lower canopy Monitor in summer possible crown reduction or removal required winter 2023	6mths & 12mths
315 Norway Maple	Good condition slightly suppressing neighbouring tree 316.	Would benefit if Ash is removed	N/A
316 Norway Maple	Suppressed canopy Deadwood in canopy stem bleeding on main trunk historical bark lesions on lower trunk possible sites off infection.	Limited longer-term future removal will give other trees and shrubs more room to grow	12-24mths

317 Oak	Young oak slightly suppressed by surrounding trees ivy on main trunk minor deadwood due to shading.	Sever ivy at base, remove minor deadwood	12mths
G1 Hazel, mixed native	Linear group on edge of slope overhanging parking area mainly coppiced Hazel.	Would benefit from cutting back overhang especially in top corner close to neighbouring property.	12-24 mths
G2 Hawthorn	Small understory trees mainly 5 or 6 hawthorn one appears completely dead one leaning badly pulling root plate out the ground	Remove dead and leaning tree	6mths
318 Oak	One dead stem one alive.	Remove dead stem	3 mths
907 Spruce	Small suppressed tree, poor condition due to neighbouring trees	No works	N/A
319 Oak	3 stems from close to base bark damage on main stem decay in base of secondary stem, branch broken at tip of second secondary stem no danger of falling but recommend removal	Remove damaged branch	12mths
320 Sycamore	Tree at ends of cul-de-sac slightly included bark at stem Union although appears sound, ivy growing up main trunk otherwise good condition	Sever ivy at base	12mths
321 Ash	Twin stem from one meter tight Union early leaf loss, ash dieback present	Monitor in summer to check extent of dieback, pruning or removal may be required winter 2023	12mths
G3 Hazel	Sloping area either side of stone culvert, mature Hazel clumps with some Hawthorn,	Crown lift over footpath	6mths

	no risk, clumps close to footpath may require cutting back in summer, slightly overhang the neighbouring properties		
T322 Lawson cypress & Leyland cypress	Group of five Lawson and leylandii Cypress stems branches low over footpath and neighbouring property.	recommend crown lifting over footpath and off of neighbours fence line and garden shed	6mths

The Eastern Avenue open space contains some Ash which are showing signs of Ash dieback disease. These trees should be regularly inspected during the summer to monitor the extent of this fungal infection (symptoms include dead leaves and twigs and possible lesions on stems).

Photo 1: Sloping site with hawthorn to the right and oak, sycamore and ash to the left of the path.

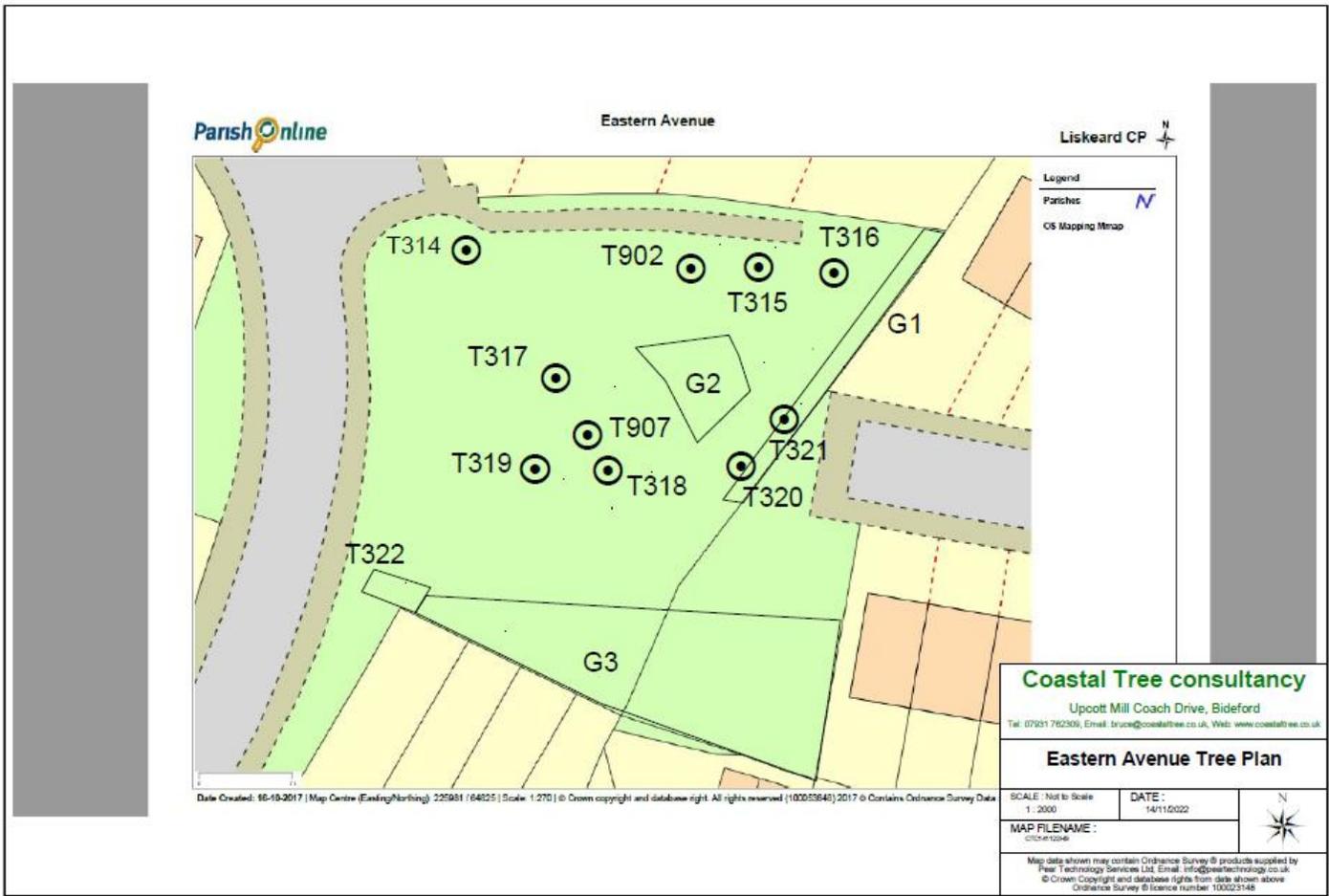


Photo 2: Hazel overhanging parking area and property of neighbouring cul-de-sac



Photo 3: Leyland and Lawson cypress low over path and neighbouring garden fence and shed





APPENDIX D. EXPLANATION OF HAZARD RISK ASSESSMENT

There are four compelling reasons to have a structured program for tree inspections.

- a) Provide documented evidence that a property owner/occupier is compliant with their legal obligations to provide an adequate 'duty of care' for visitors and users of the property.
- b) Reduce the risk of harm to people or property to as low as reasonably possible by managing the trees effectively. This involves a pro-active and systematic approach to identifying potential hazards, ranking them according to their severity and prioritising action to achieve an acceptable level of risk.
- c) Provide a prioritised and effective management schedule of works to aid budgeting and allocation of resources.
- d) Ameliorate tree defects by prescribing remedial maintenance. This will extend the safe useful life expectancy of the trees and preserve their important visual amenity and any wildlife habitats provided by them.

LEGAL FRAMEWORK

There is an obligation of reasonable safety owed by site owners to both visitors and to those adjacent to the site under the Occupier's Liability Act 1957 and revised in 1984. The owner of the land may be held liable for any physical harm to person or property arising from an accident that was both reasonably foreseeable and reasonably preventable in that situation. In order for an owner to foresee and prevent harm arising from tree failure, it is necessary to subject the trees to 'regular inspection' by someone competent to identify defects and interpret the significance to public safety. This should take the form of a 'Tree Hazard Risk Assessment'.

DUTY OF CARE

- The law assumes that the owner of a tree is the owner of the land surrounding the base of its trunk
- The person responsible for any tree has a duty, known in law as the **duty of care**, to take reasonable care to avoid acts or omissions which they could foresee would be likely to cause harm.
- In practice it is never possible to completely eliminate all danger. The law therefore simply requires that the owner takes reasonable care to identify possible sources of foreseeable danger and when hazards have been identified they should remove them as far as possible.
- **Negligence** is a breach of legal duty resulting in damage. For example, when a tree owner fails to take necessary action, resulting in harm to people, animals or property.
- The law does not require or expect the impossible. The duty on owners is not to take every possible step to achieve perfect safety, as this would mean almost every tree being felled. The duty of the owner is rather to take all reasonable care to ensure that people are safe. What is "reasonable" must ultimately be a matter of judgement for the tree owner and their professional advisers (tree consultants).
- In order to provide an adequate duty of care, a tree risk assessment is necessary, in which two separate factors of **Hazard** and **Risk** are addressed.

HAZARD AND RISK

- **Hazard** is the potential for a tree to mechanically fail or impact on something and cause physical harm. (See the following tree hazards below)
- **Risk** is the probability or likelihood that harm will occur during a stated period of time and the consequences of the impact.

TREE RISK

Tree Risk Assessment is comprised of three separate factors which are considered separately.

- a) **Risk** which is the estimated chance or likelihood of a previously identified tree hazard failing in the next coming year. For example a large seasoned piece of deadwood in a tree is less likely to fail than a split and hanging branch which is moving in the wind. Risks range from extremely likely to remote.
- b) **The size of the identified hazard part** of the tree is also very relevant. A small piece of dead wood may have the same risk of falling as a whole tree with basal decay but the consequences of that failure are very different; ranging from slight injury or damage to possible fatalities or major structural damage.
- c) **Target** rating relates to the location of the tree and the occupancy and intensity of use of the land surrounding it. Any person, animal or property that is in range of a potential tree hazard is known as a target. For example, a mature tree with a large split limb in a remote woodland would be considered a high hazard but a low risk. The same tree on a busy urban street would be considered a high hazard and a high risk. Target ratings range from low, moderate to high.

TREE HAZARDS

In recent years there has been an average of around six tree related deaths annually, which is a chance of 1 fatality per 10 million of the population. Compared with other daily risks such as industrial or traffic accidents, this figure is broadly acceptable and tolerable. These risks will increase slightly in highly populated urban areas with a high concentration of trees. Nonetheless, tree related accidents can be very traumatic and tragic for those involved. They also tend to get high profile coverage in the media, leading to a disproportionate apprehension of trees. This apprehension can result in unnecessary tree removal and over zealous tree pruning.

A tree's shape and form is governed by the laws of mechanics, the same as any structure, but trees are also dynamic and lay down tension and compression wood to compensate for weight and wind loading and produce reaction wood in response to decay or structural weaknesses. In fact, trees have evolved to have excessive mechanical safety factors in order to cope with extreme weather conditions.

Trees are also naturally shedding organisms and regularly drop twigs, branches and occasionally limbs as part of the natural growing process. A tree's structural integrity can also be compromised by natural faults and biological factors such as fungi, bacteria and viruses which influence wood strength at a cellular level. They can also be impacted by environmental influences such as wind, flooding, pollution, compaction, physical impact etc. The signs of possible structural weakness are usually evident from external inspection by a trained and experienced person who can evaluate the potential hazard risk and prescribe remedial action.