



TREE HEALTH RISK ASSESSMENT

CUSTOMER	Mr. Zak Bater 19 St Catherine's court Baglan, Port Talbot SA12 8AJ
SITE/ADDRESS INSPECTED	19 St Catherine's court Baglan, Port Talbot SA12 8AJ
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DATE OF INSPECTION	4 th March 2024

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1. INTRODUCTION

1.1 ASSIGNMENT

We have been instructed by Mr Bater residing at the above address, to inspect and provide a tree risk assessment on the Common/European Yew (*Taxus Baccata*) tree situated in the Northern corner of the property. No other trees were inspected as part of this report.

1.2 TREE HAZARD RISK ASSESSMENT

There are four compelling reasons to implement a Tree Hazard Risk Policy and 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) Identify tree defects and recommend 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.

1.3 DOCUMENTS AND INFORMATION PROVIDED

The tree to be inspected have been identified to be in the Northern corner of the property.

1.4 LIMITATIONS AND USE OF COPYRIGHT

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of the customer. It may not be sold, lent out or divulged to any third party not directly involved in this situation without the written consent of HJ Tree Surgery Ltd.

Trees are living organisms whose health and condition can change rapidly. The conclusions and recommendations in this report are only valid for 6 months unless otherwise stated. Any changes to the site as it stands at present, eg building of extensions, excavation works, importing of soils, extreme weather events etc will invalidate this report.

Visual tree assessment has been undertaken from ground level utilising aids such as binoculars and laser measuring aids. If a more detailed investigation was carried out or required in the future this will be highlighted in the text.

1.5 DISCLAIMER

We have no connection with any of the parties involved in this situation that could influence the opinions expressed in this report.

We have based this report on our site observations and investigations, and we have come to conclusions in the light of our academic and 12 years experiential arboriculture knowledge.

2. THE SITE

2.1 SITE VISIT

A site survey was carried out on the Monday 4th March 2024 during daylight hours. All our observations were from ground level without detailed investigations. All dimensions was estimated unless otherwise indicated. The weather at the time of inspection was overcast with a light drizzle and moderate wind from the South East.

2.2 SITE DESCRIPTION

The tree in question is positioned within the rear garden of the property, the base is approximately 4 metres away from the house and 3 metres away from the nearest boundary fence. The tree is surrounded by a grass lawn on all sides.

3. EXPLANATION OF THE HAZARD RISK ASSESSMENT

3.1 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'.

3.2 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 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.

3.3 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.

3.4 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.

3.5 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 people close to 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 overzealous 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.

4. TREE SCHEDULE

Please refer to appendix 2 for an explanation of this schedule.

Tree No: 01	Tag No: 01	Species: Common/European Yew <i>Taxus Baccata</i>
Age: Mature	Height: (m) 16m	

Form: Evergreen tree with full crown towards the light.



Hazard/Condition

Roots

No visible of recent soil cracking and no exposed roots around the base point of the stem.

Stem

The main stem is around 1.8 metres in diameter and 1.3 metres in height where it splits into a multi stem of six, each between 0.5 – 0.7 metres in diameter as their bases.

Crown

The crown spreads around 13-14 metres in diameter and overhangs the property roof by 2 – 3 metres. On the Eastern boundary it's overhanging the corner of the neighbouring property conservatory around 1 - 2 metres.

Identified hazard(s): Poisonous segments of the tree		
Risk: Probable	Size of hazard: Large	Target Rating: HIGH RISK
Overview: Although the poisonous segments of the Yew tree such as seeds and needles are small in size, the hazard it poses is large if situated in an unsuitable area. The toxic alkaloid that they contain can result in severe sickness and in some cases reported as fatal when consumed by humans or animals.		Priority Code: 2
Action: Due to the size, position and species of tree within the limited space of the rear garden, along with the risk it poses especially to children and domesticated animals, it is recommended that the tree is removed down to its base and the stump grinded out to prevent regeneration.		

Identified hazard(s): Overpopulated crown / Overhanging branches		
Risk: Possible	Size of hazard: Medium	Target Rating: MODERATE RISK
Overview: Due to size, weight and cover of the crown limbs on its extremities, there is a possible risk of injury or property damage in the event of a failure in adverse weather conditions.		Priority Code: 3
Action: 30% Reduction of the crown and thin along with dead wood removal.		

5. CONCLUSION

The recommended tree work will reduce the risk of failure to acceptable levels of risk for this location. All tree work should be carried out as specified in BS3998 2010 .

6. COMMENTS

6.1 IMPLEMENTATION OF WORKS

We advise that any recommended work be carried out by Qualified Arboricultural Contractors. The contractor should carry out all tree works to BS 3998 and as modified by research that is more recent.

NB Measures should be taken to avoid transmission of pests and pathogens from tree to tree and from site to site.

NOTE 1 Within the UK, the pathogens most likely to be transmitted on tools, equipment and vehicles are *Phytophthora* spp. causing various diseases, and the following bacteria: *Erwinia amylovora* causing fireblight, *Erwinia salicis* causing watermark disease of willows, and *Pseudomonas syringae* pv. *aesculi* causing bleeding canker of Horse chestnut. Chainsaws are a common cause of transmission, so hand tools should be used (where practicable) when working on trees infected with any of these pathogens, in order to allow disinfection to be carried out effectively.

In the case of particularly high-risk pathogens, disinfection should be carried out on anything that might come into contact with another tree [e.g. tools, hands, clothing, personal protective equipment (PPE)]. When disinfecting PPE and climbing/rigging equipment, the manufacturer's guidance should be considered to avoid degradation of the equipment.

6.2 TREES SUBJECT TO STATUTORY CONTROLS

If these trees are covered by a tree preservation order or located in a conservation area it will be necessary to consult with the local planning authority before any pruning works can be carried out (other than certain exemptions). The works specified above are necessary for reasonable management and should be acceptable to the local authority. However, tree owners should appreciate that they may take an alternative point of view and have the option to refuse consent.

6.3 FUTURE CONSIDERATIONS

The trees should be inspected **every 18 months** by a qualified arboricultural consultant and the documentation updated accordingly.

Appendix 1 - Tree schedule chart

Priority code	Priority 1 Urgent work requiring immediate action as soon as practically possible. Priority 2 Priority work within the work schedule that requires prompt attention and allocation of resources. Priority 3 Planned work to manage future hazard risk and improve tree condition. Priority 4 Non-safety work to improve tree condition, dependent on available resources or no foreseeable maintenance required or no maintenance required at present.
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PRIORITY CODE RECKONER

<i>Size of Hazard</i>	<i>RISK</i>														
	Extremely Likely			Probable			Possible			Unlikely			Remote		
Large															
Medium															
Small															
<i>Target Area</i>	H i	Mo d	Lo w	H i	Mo d	Lo w	H i	Mo d	Lo w	H i	Mo d	Lo w	H i	Mo d	Lo w

	Priority	Action
	1	Unacceptable risk – immediate response
	2	High risk – prioritised schedule
	3	Moderate risk – planned action
	4	Unlikely – low priority