TREE ASSESSMENT REPORT

The Black Horse, 14 Overend, Elton, Peterborough PE8 6RU



18th December 2024
Client: Mark Bailey
Observations and recommendations following an inspection of trees at the property on 4th December 2024

[redacted]
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Contents

1 Introduction 1

2 Method 1

3 Overview 3

4 Statutory protection and designations 4

5 Tree Inspection Findings and Explanations 5

6 Conclusions and Recommendations 10

7 Statutory protection and legal considerations 11

8 Contracting work 11

9 Monitor and re-inspect 12

Appendix A: References 13

Appendix B: Tree Location Plan 14

Appendix C: Tree Survey Data 15

1 Introduction

1.1 I am a Registered Consultant of the Arboricultural Association. (RC Licence No: RC202) and have worked as a consultant for over 20 years. I hold the Arboricultural Association's Technician's Certificate and the Royal Forestry Society's Professional Diploma, which is a level 6 qualification equivalent to an Honours degree.

1.2 I was instructed by the Client to document an inspection of trees on or adjoining the Black Horse public house.

1.3 Instructions were:

- To assess the health and condition of the trees
- To identify any hazards and assess the level of risk associated with any hazards found
- On the basis of the information gathered, to provide recommendations for any works required to reduce the level of risk to an acceptable level
- To generally comment on pertinent tree management matters

2 Method

Inspection

2.1 I inspected three trees as shown to me by the client.

Assessment

2.2 I use the VTA (Visual Tree Assessment) method as described by Claus Mattheck, which is now widely used within the arboricultural industry as the basis for identifying tree defects. Other methods have also been described but all models consider the outward signs given by the tree in its overall setting, physical form, vigour and bark symptoms.

2.3 There follows a consideration of factors relating to the species of the tree such as:

- more prone to drop dead wood
- more significant effect of a decay fungus
- brittle wood
- short safe useful life
- prone to drought stress
- good habitat or conservation value
- undesirable qualities – prickly leaves/stems, berries/fruit, poisonous parts

2.4 There is also a consideration of any presence and significance of Decay Fungi. A decay fungus may cause a stem or branch to become hollow or alter the strength of the wood. There has been valuable research carried out recently into the significance of various decay fungi. We now recognize five colonization strategies and understand far more about the components of the wood that are decayed with each fungus/host combination. This results in better decisions being made about the best course of action to be taken. In addition, the biomechanical properties of wood have been researched and the criteria for the failure of a given component can now be applied to accurately assess the likelihood of failure.

2.5 Ivy is often thought to affect the health of trees. This is not true. The greatest threat to a tree is through the increased wind resistance of the ivy in the crown of the tree. Where heavy ivy infestation and a decay fungus or structural defect are found together, it will often be necessary to control the ivy in some way. Ivy can also prevent a proper inspection from taking place as bark cannot be seen and structural defects may be obscured. Generally, ivy can be left as habitat for nesting or a late food source for bees.

2.6 Bacteria, viruses, insects, birds and mammals can also have a significant impact on the health and condition of a tree.

Reporting

2.7 Only the three trees specifically shown to me have been referenced in this report.

2.8 A Tree Location Plan showing the locations of trees referenced in this report can be found at Appendix B. My complete notes can be found in a table at Appendix C.

Limitations

2.9 There are some limitations to the method:

- As trees and shrubs are living organisms whose health and condition can change rapidly, conclusions and recommendations are only valid for one year. The health, condition and safety of trees should be checked regularly.
- The soil was not examined and no soil samples were taken. Should soil analysis be indicated, this will be recommended in the report.
- No invasive investigations were carried out to assess the internal condition of the trees. Should this be required, it will be highlighted in the report.
- No tree can be guaranteed to be safe. So long as trees are retained, zero risk cannot be achieved. The recommendations in this report are based on a reasonable and proportionate response to risk.

3 Overview

3.1 The Black Horse is a stone-built public house or inn dating back to the 18th century, originally serving as a Post Office. It sits on a generous plot featuring auxiliary buildings, a seating area, and a large lawn used for events.

3.2 The property fronts directly onto Overend Road (B671), which runs north into Elton.

3.3 The rear of the site looks to the west across open parkland which is part of the Elton Hall Estate.

3.4 A stone wall separates the lawned area from Overend Road along the eastern boundary of the site. It continues around the northern boundary, where it serves as a shared boundary wall with All Saints Church and its associated cemetery.

3.5 In my estimation, site usage is high, particularly in the summer months. The Yew is directly adjacent to the outside bar within the site; the Horse Chestnuts are within falling distance of buildings, they overhang seating and are within falling distance of the road where it is likely that there will be parked cars and possible that there will be moving cars.

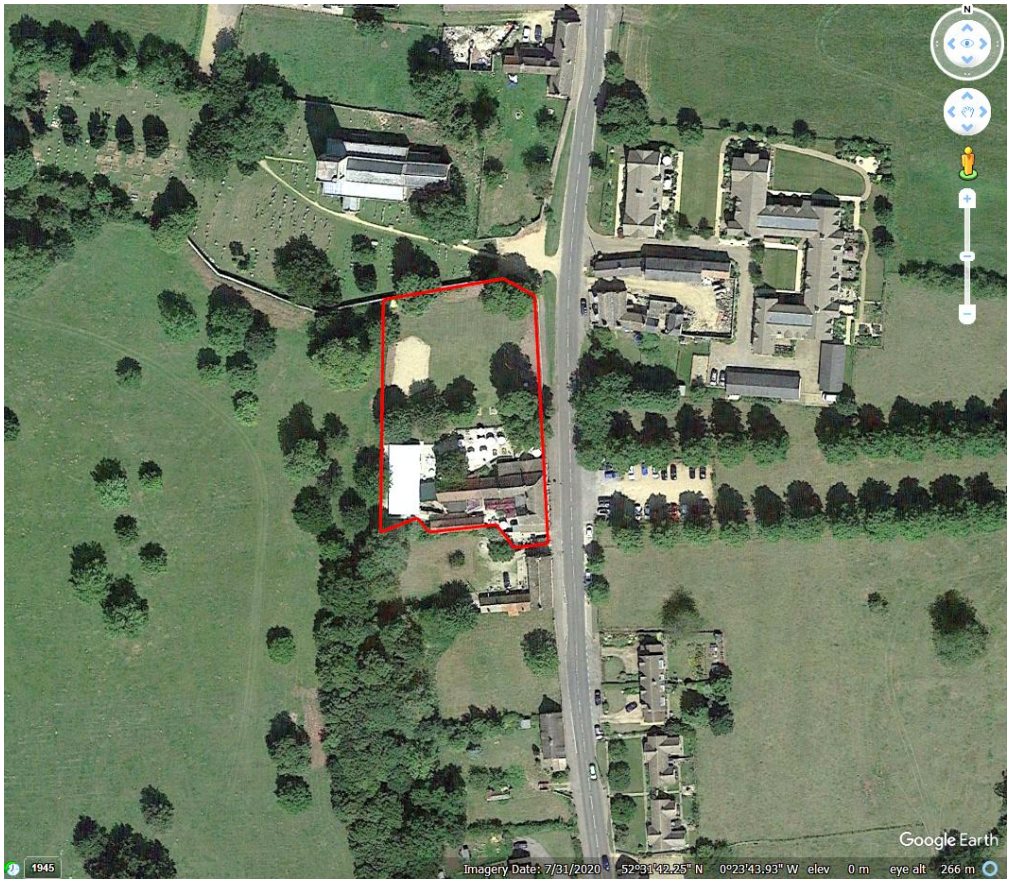

Fig. 1 Location of property. Image date: 31/7/2020 © Google Maps 2024

4 Statutory protection and designations

Conservation Area

4.1 The property lies within a Conservation Area.

4.2 In a Conservation Area, all trees with a stem diameter of 75mm (measured at 1.5m above ground) are protected by Conservation Area legislation. The LPA must be given notice of any work intended so they can visit the site and then either protect the tree(s) with a TPO or allow the works to go ahead. Their decision must be made within a six-week period. If no decision is made within the six-week period, the work may be carried out, providing it is done within a two-year period.

4.3 If trees in a Conservation Area are illegally cut-down, topped, lopped, uprooted or willfully damaged or destroyed, the owner of the tree(s) and the contractor responsible for the work can both be legally prosecuted. The current maximum fine is £20,000 per tree at the Magistrates Court or unlimited fine at the Crown Court.

Tree Preservation Order

4.4 None of the trees are included in a Tree Preservation Order.

Ecology

4.5 Trees and other vegetation can often provide nesting, roosting and feeding opportunities for protected species, including bats. The Wildlife and Countryside Act 1981 (as amended) makes disturbing a nesting bird or destroying its nest an offence. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment.

4.6 Bats are protected by The Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and the Conservation of Habitats and Species Regulations (2010). People committing bat crimes can face six months imprisonment and/or unlimited fines. Additionally, any profits made as a consequence of not following lawful process can be confiscated and items used to commit the offences such as vehicles, plant or machinery can be forfeited. Visit: http://www.bats.org.uk/.

5 Tree Inspection Findings and Explanations

Please see the full survey details at Appendix C

Yew NT1

5.1 The Yew tree is located in close proximity to the outside bar, with its lower crown affecting the roof of the main building, the covering over the bar, and hanging below eye level in the paved area (see fig 2 below)



Fig 2. Picture showing Yew adjacent to the bar.

5.2 The Clients have expressed a wish to reduce the size of the tree. I consider that this should be done in conjunction with a crown lift.

Horse Chestnut 1890

5.3 This is a significant tree that is within falling distance of the public house. There is a cavity in the main stem and there are fruiting bodies of the fungal decay pathogen *Polyporus squamosus* in the cavity (see fig 3 below). This fungal decay pathogen causes a 'white rot' that tends to be localised but the loss of wood strength in the main stem combined with the shear crack on the north side of the main stem (see fig 4) significantly increases the level of risk in this setting.



Fig 3. Picture showing the cavity in Horse Chestnut 1890 arrowed yellow and the fruiting body arrowed red.



Fig 4. Picture showing shear crack in stem of Horse Chestnut 1890 arrowed and highlighted red

5.4 I consider that the tree must either be pruned or felled. I understand the clients' wishes are for the tree to be removed.

Horse Chestnut 1891

5.5 Horse Chestnut 1891 is infected with Horse Chestnut Bleeding Canker (see fig 5 below). This is a bark-killing disease that is associated most frequently with the bacterium *Pseudomonas syringae pv aesculi*. Progress of the disease varies; some trees die within a few growing seasons while others survive for some considerable time. There is currently no practical method of control.

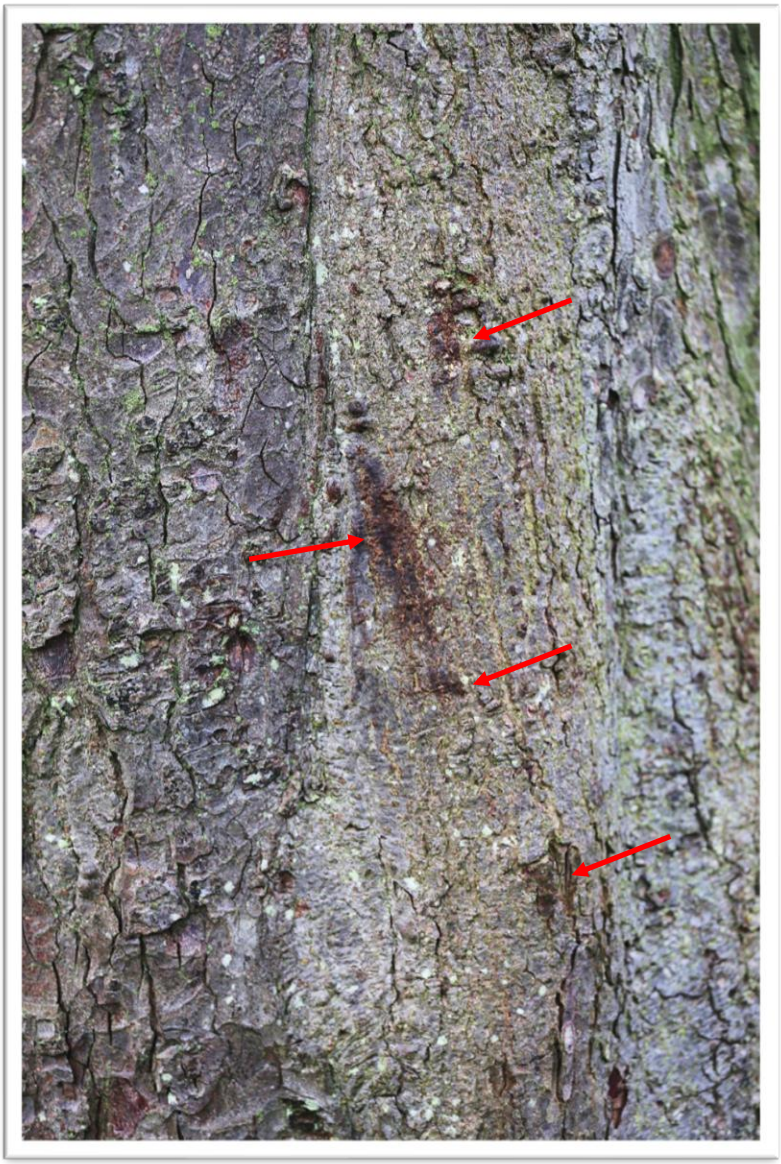

Fig 5. Picture showing bleeds caused by infection with Horse Chestnut Bleeding Canker on Horse Chestnut 1891.

5.6 There are several shear cracks in the main stem on Horse Chestnut 1891, some reaching several metres high (see fig 6 below). This significantly increases the risk of significant main stem failure. Given that the adjacent Horse Chestnut 1890 must be pruned or felled, I consider that there is no option but to reduce this tree.



Fig 6. Picture of southern shear crack in the main stem of Horse Chestnut 1891.

5.7 I also noted deadwood present in the crowns of Horse Chestnuts 1890 and 1891. Where pruned, any dead wood should also be removed to reduce the level of risk associated with falling debris.

6 Conclusions and Recommendations

Desired Work

6.1 Reduce the crown of Yew NT1 by 2m and lift crown to 2.5m above existing paved level.

Essential Work

6.2 Reduce the height of Horse Chestnut 1891 by 5m and reduce the lateral spread by up to 3m.

6.3 Remove Horse Chestnut 1890 or prune to match height and lateral reduction of 1891.

6.4 Where retained, remove dead wood greater than 25mm in diameter.

6.5 When choosing a contractor, ask that the work be performed to British Standard 3998 (ref: British Standard BS3998: 2010 'Tree Work – Recommendations'). Before the commencement of any treeworks, the contractor must ensure that the proper checks for bats and nesting birds have been carried out by an appropriately-qualified inspector.

General management principles (all trees)

6.6 Aim to maintain clearance between tree crowns and built structures of around 1.5m.

6.7 Aim to maintain a lower crown height of approximately 2.5m where trees overhang footpaths.

Tree planting

6.8 Where trees are removed, there is a significant benefit to the site if replacement planting is made, both in terms of amenity and shade.

6.9 The success of tree planting is dependent on careful planning and implementation of a robust maintenance strategy.

6.10 I am happy to be consulted further on this element in terms of species choice, design and implementation.

7 Statutory protection and legal considerations

7.1 You will need to issue a Notice in order to carry out the pruning and tree removal specified. I can do this for you.

7.2 Before the commencement of any treeworks, the contractor will ensure that the proper checks for bats and nesting birds have been carried out by an appropriately-qualified inspector.

8 Contracting work

8.1 The implementation of the recommendations in this document is entirely within the control of the Client. However, we would suggest that when hiring contractors, they should ask that the work be performed to British Standard 3998 (ref: British Standard BS3998: 2010 'Tree Work – Recommendations'). By following this standard, contractors prioritize safety, deliver high-quality work, demonstrate professionalism and comply with legal regulations.

8.2 Tree work is skilled and potentially dangerous work, which must be carried out by trained and certificated staff. It is their responsibility to ensure that machinery and equipment are appropriately maintained, inspected, and operated and that work practices are in alignment with the Regulations within the Health and Safety at Work Act 1974. These include:

- Work at Height Regulations 2005
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- Manual Handling Operations Regulations 1992
- Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
- Provision and Use of Work Equipment Regulations 1998 (PUWER)

8.3 There is not a specific "Chainsaw License" in the UK; however, chainsaw operators must show that they have received adequate training (including update/refresher training) relevant to the type of work they will undertake. They are also required to wear appropriate chainsaw protective clothing whenever they use a chainsaw, and of course adhere to the requirements of the regulations mentioned above.

8.4 Anyone working in a tree with a rope and harness must adhere to the Work at Height Regulations 2005. They must carry out a risk assessment, consider all other options (such as a lift platform), and ensure that they and others on the team have received adequate training in the operation they will be carrying out (including training in rescue techniques).

8.5 For more information on the training in this industry, visit https://www.nptc.org.uk (City & Guilds NPTC) or https://www.lantra.co.uk (Lantra)

8.6 Contractors must have Public Liability Insurance (preferably £5 million) and Employer's Liability Insurance (preferably £10 million).

9 Monitor and re-inspect

9.1 Monitoring in this context means observation by you when near the trees and a re-inspection by a suitably qualified person after a weather 'event'.

9.2 Any changes that you note must be conveyed to the arboriculturalist as soon as possible.

9.3 A defendable re-inspection schedule for the trees at this location would be every 18 months. Therefore, the next inspection should be in June 2026.

Appendix A: References

Town and Country Planning Act 1990 [Available at: https://www.legislation.gov.uk/ukpga/1990/8/section/211]

Mynors, C.; Hall, S. & Nicholls, E. (2023) *The Law of Trees Forests and Hedges* London: Sweet & Maxwell.

Gov.uk (2014) *Tree Preservation Orders and trees in Conservation Areas* (Collection: Planning Practice Guidance) [available from: https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas]

British Standard 3998:2010 'Tree work – Recommendations'

Diagnosis of Ill Health in Trees (Strouts and Winter) 1994

Fungal Strategies of Wood Decay in Trees (FMWR Schwarze; J Engels; C Mattheck)

Appendix B: Tree Location Plan



© Google Maps 2024

Appendix C: Tree Survey Data

NOTE: SHORT-TERM WORKS ARE SHADED IN ORANGE
WORKS WITHIN THE CONSERVATION AREA REQUIRING YOU TO NOTIFY THE LOCAL AUTHORITY ARE NOTED AND SHADED IN DARK BLUE
WHERE WORKS ARE EXEMPT FROM THE NEED TO MAKE A NOTIFICATION, BUT WE RECOMMEND NOTIFYING THE LPA, THIS IS NOTED AND SHADED IN LIGHT BLUE

Tag/Species	Height	Age Class	Lower crown height	Crown spreads	Observations	Recommendation
NT1 Yew	9m	Mature	1.5m	North 5m South 6.5m East 5m West 6m	Branches encroaching upon building.	• Reduce crown by 2m. Lift crown to 2.5m. • Generally, prune to clear buildings by 1.5m
1890 Horse Chestnut	21m	Mature	2m	North 6m South 7m East 7m West 7m	Shear crack in main stem to 5m on North side. Cavity in main stem on West side at 2m. Infected with *Polyporous squamosus*. Main stem swollen around defect. Early signs of decay at old wounds. Scattered minor dead wood throughout crown. Early infection with Horse Chestnut Bleeding Canker. Branches restricting highway light.	• Reduce height by 5m and lateral spread by up to 3m. • Remove dead wood greater than 25mm in diameter.
1891 Horse Chestnut	22m	Mature	2m	North 6m South 3m East 5m West 5m	Shear crack in main stem to 6m South side, 8m North side and in Eastern scaffold to 13m. Branches encroaching upon building.	• Reduce height by 5m and lateral spread by up to 3m. • Remove dead wood greater than 25mm in diameter.