



Hazardous tree or wildlife habitat?

Advice for tree owners

Tree owners have a legal duty of care under the owner's liabilities for injury to others caused by the fall of a tree or branch. The formal duties come from the Occupiers Liability Acts of 1957 and 1984.

What does this mean?

It means that as a tree owner, it is important to understand how healthy your tree is and whether it poses any obvious defects that would be a risk to others and could cause them harm.

Risk, hazards and defects

The level of risk is relative to the number people and the presence of valuable property that could be harmed or damaged in the event of root, branch or tree failure.

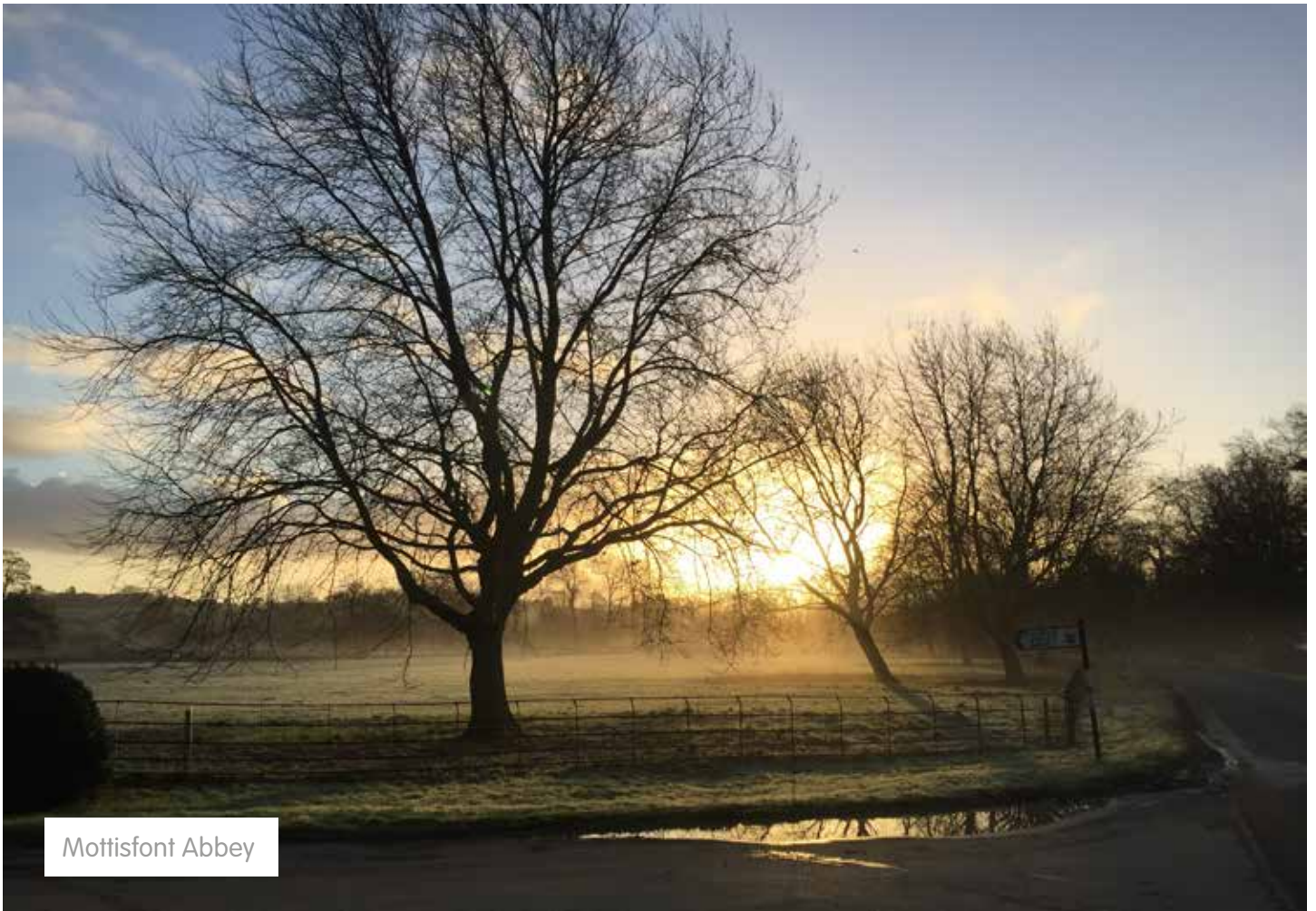
The hazard is the potential to cause harm from a branch, trunk or crown failing structurally on a person or property causing injury or damage. Obvious defects would be those defects that pose risks only where there is likelihood of harm.

How can I tell if a tree is mine?

Sometimes trees are located on boundaries and it is not always clear initially who actually owns a tree. Check you deeds for your property and if needed do a land registry search to ascertain land ownership.

How do I tell the health of my tree?

Initially a quick visual check for obvious signs that the tree is likely looking healthy and stable is a good start



Mottisfont Abbey

and could be carried out by a tree owner. If they then had any concerns then it would be worth getting it looked at by a person with working knowledge of trees and their defects to assess if it is unstable or requires action.

What sorts of defects should I look out for?

- Broken, snapped or hanging branches
- Dead branches or dead tree
- Lightning strike to trunk
- Defoliation of leaves in summer
- Discolouration of leaves or wilting leaves
- Dark staining or patches on bark
- Cavities or holes in the trunk or branches
- Leaning tree
- Root plate movement
- Fungal fruiting bodies
- Bark damage
- Swellings or bulges on the trunk or branches

How often should I get my tree inspected?

A tree owner should have their tree inspected on a periodic basis. There is no set timescale but a tree owner should do what is reasonable and prudent as a landowner. It is recommended that trees are inspected as a minimum every five years.

Who can I get to assess my tree for health and safety?

- Tree surgeon
- Arborist
- Arboriculturist
- Arboricultural Consultant

It is important to ensure that whoever you engage to inspect your tree has the appropriate competence, experience and knowledge including insurances and for more details visit www.trees.org.uk for further guidance.



An Oak tree during winter, Barton Stacey

What is a tree survey?

A tree survey is an assessment of a tree and various aspects of the tree are recorded.

Tree No	Tree species	Height (m)	Age	Stem diameter	Crown spread	Vigour	Condition	Considerations	Tree work recommendations
1	Scots pine	18m	Middle aged	320mm	N-2 E-2 S-3 W-3	Good	Fair	Branch stubs , dead wood in crown Hanging broken branch Tall and crown distorted on one side due to proximity to adjacent tree	Remove hanging broken branch

This table demonstrates the key headings used in a routine health and safety tree survey



Tree survey plan

A tree survey should be accompanied by a tree survey plan which shows the location of the tree and the reference number on the plan as a minimum.

Can I have work done to my tree?

You can carry out tree works to your tree as the tree owner but are advised to check for any legal protection on the tree prior to carrying out the works. Trees can be protected by nature of being within a Conservation Area or the subject of a Tree Preservation Order. Check first with your Local Authority to determine the status of any protection.

Brief guide to tree work terminology

- **Coppicing** - Cutting trees close to ground level with the intention of encouraging regrowth of multiple shoots
- **Crown lifting** - Removal of lower branches to achieve a stated vertical clearance above ground level or other surface
- **Crown reduction** - Operation that results in an overall reduction in the height and/or spread of the crown of a tree by means of general shortening of twigs and/or branches, whilst retaining the main framework of the crown
- **Crown thinning** - Removal of a proportion of small, live branches from throughout the crown to achieve an even density of foliage around a well-spaced and balanced crown structure
- **Deadwooding / Crown clean** - the removal of dead or damaged branches from a tree for reasons of health and safety
- **Felling** - the removal of a tree from dismantling the crown and stem to ground level or clear felling the whole tree
- **Pollarding** - Cutting a tree so as to encourage formation of numerous branches arising from the same height on a main stem or principal branches
- **Retrenchment pruning** - Form of crown reduction, intended to encourage development of the lower crown, which emulates the natural process whereby the crown of an ageing tree retains its overall biomechanical integrity by becoming smaller through the progressive shedding of small branches
- **Stump grinding** - the removal of the stump to just below ground level
- **Veteranization** - Controlled infliction of damage on a tree to achieve a specific habitat objective.

Useful contacts and references:

If you have any concerns regarding trees managed by Test Valley Borough Council - often land in public open spaces and parks - please contact Customer Services who will firstly confirm whether the land is indeed managed by the council.

Telephone 01264 368000 or 01794 527700 / Minicom 01264 368052
Test Valley Borough Council
Beech Hurst, Weyhill Road,
Andover, Hampshire, SP10 3AJ
www.testvalley.gov.uk

Land Registry contact details
Weymouth District Land Registry (DLR)
Melcombe Court, 1 Cumberland Drive, Weymouth, DT4 9TT
Tel: 01305 363636 Fax: 01305 363646
www.landregistry.gov.uk

Arboricultural Association
The Malthouse, Stroud Green, Standish, Stonehouse, Gloucestershire, GL10 3DL. Tel: 01242 522152
www.trees.org.uk/Directory-of-Tree-Surgeons

Tree management

Tree owners should check their trees as part of their general care for the house and garden. If they detect anything unusual about them, they should call a local tree surgeon, who can tell if any remedial works need to be done. It is also worth considering the future of your tree as part of its management, as trees grow and can outgrow the available space if left unmanaged.

Consider setting your tree into a tree pruning regime if it is appropriate for the tree species and also ensure to get approval first if it is protected.

Summary of tree management actions

- Check your tree regularly and keep your own records which could include a photograph of your tree each year and in each season to keep a record of any changes
- Have periodic tree inspections carried out by a competent tree person and retain the inspections
- Carry out a risk assessment to identify the risks, hazards and any obvious defects
- Take action to address the risks, hazards and defects through tree work and proactive tree management.