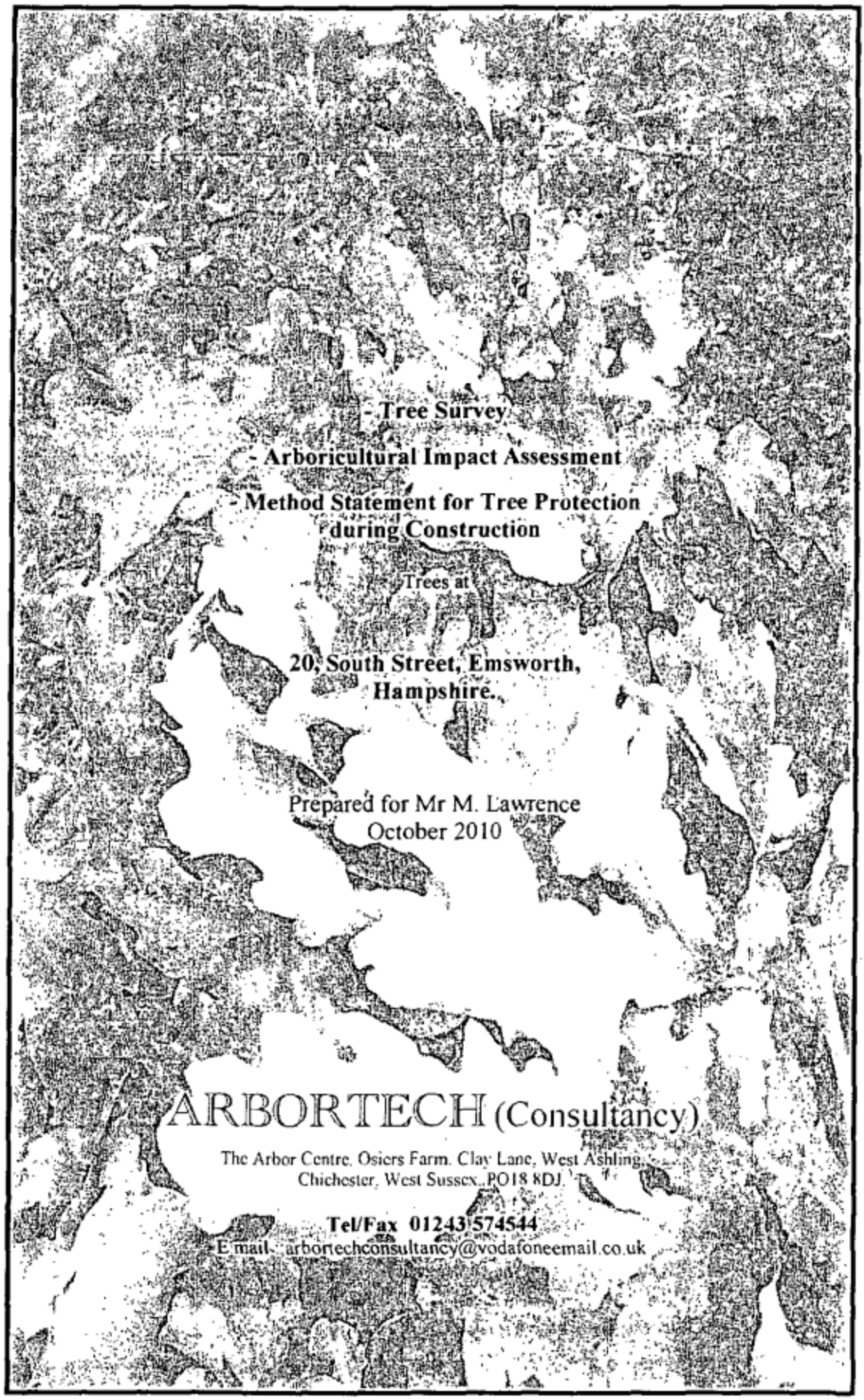
PERMIT



- Tree Survey
- Arboricultural Impact Assessment
- Method Statement for Tree Protection during Construction

Trees at

20, South Street, Emsworth, Hampshire.

Prepared for Mr M. Lawrence
October 2010

ARBORTECH (Consultancy)

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

Tel/Fax 01243 574544

E mail - arbortechconsultancy@vodafoneemail.co.uk

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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 5837:2005 *Trees in relation to construction – Recommendations* and good arboricultural practice.

1 INTRODUCTION

Client : Mr M. Lawrence.

Reference : Lawr / ATMeth / 30910

Site Details : 20, South Street, Emsworth. Hampshire

Date of site visit : 28th September 2010

1.1 ***Instruction.***

I have been instructed by Mr Lawrence to prepare an arboricultural report to include:

- Tree Survey.
- Arboricultural Impact Assessment.
- Accompanying Method Statement for Tree Protection during Construction.

in accordance with British Standard 5837 : 2005 Trees in relation to Construction – Recommendations.

1.2 **Documents and Background Information provided :**

Helyer Designs Ltd provided me with :

- Proposed Plans and Elevations Drawing. 09115/011.

Mr T. Davies of Helyer Designs Ltd informed me that :

- The Bay tree is subject of a Tree Preservation Order.
- The site is located within Emsworth Conservation Area.

Also of note :

- Ground level on site i.e footprint of the proposed development, is located at a depth of approximately 1m below the adjacent ground level to the North (historic).
- The British Geological Soil Survey Map appears to indicate the underlying soil in this area to be Clay with Gravel.

1.3 **Scope of the report.**

- This report includes a preliminary visual tree assessment (VTA) from ground level, based on the site visit and the information provided, listed in 1.2 above.
- All observations were undertaken from ground level.
- All dimensions are estimated.
- No detailed investigations have been undertaken.
- This report is reliant on plans provided. Where the location of trees (not shown on the plans) have been added, the accuracy of their location cannot be guaranteed.
- At the time of the site visit, visibility of crown structure was limited due to trees in leaf .
- Only trees over 150mm in diameter (at 1.5m in height) have been included within the report.
- Terms and Conditions Apply

1.4 **Limitations of use and copyright:** As set out at front of report.

1.5 **Qualifications and experience :** I have based this report on my site observations and the information provided, and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture and list the details in Appendix 7.

1.6 **The New Development Proposal.**

Replacement Outbuilding/Studio.

2 TREE SURVEY

2.1 Identification and location of the trees :

The trees can be identified within this report by way of a tree number. The tree numbers correspond with those on the Tree Survey Plan at Appendix 2.

2.2 **Tree Comments/ Observations:** I visually inspected the individual trees and recorded the information on the Tree Survey Schedule included as Appendix 1 – To be read in conjunction with Appendix 5 Tree Survey Notes.

3 ARBORICULTURAL IMPACT ASSESSMENT

This Arboricultural Impact Assessment aims to identify, evaluate and explore methods of mitigation for the direct and indirect impacts on retained trees that may arise as a result of the implementation of the layout proposal.

3.1 Summary of the impacts of the proposed development.

Tree Retention.
Consideration has been given to significant trees and trees of importance for screening or making an important contribution to the landscape character of the area to ensure that the impact of the development is minimised.

Tree to be retained :
T1.

Tree Removal
T2 - dead and liable to stem failure.

Tree Pruning.
T1 Bay. It is proposed that minor crown lifting is undertaken to the South – by 1.5m, to avoid crown contact with the replacement building and to allow for access facilitation during construction works.

4 ARBORICULTURAL CONSTRAINTS.

4.1 Tree Root Protection Areas (RPAs).

Root Protection Areas indicate the minimum area in m2 for retained trees to be protected in accordance with BS 5837:2005, in order to avoid damage to roots or the rooting environment.

Table 1 below indicates the dimensions of the 'Root Protection Areas' (RPAs). These are illustrated on the Tree Constraints Plan at Appendix 3.

Tree No	Category	Root Protection Area Dimensions
T1	C	See Tree Protection Plan - Figure 1. An **offset square with equal length sides of 9.7m** located on land to North. **In addition :** See Tree Protection Plan - Figure 2. **Hatched Area on site** where caution is to be exercised during construction (within RPA as offset (20%) square: North –5.82m, South –3.88m East and West -4.85m).
T2	R	-

Table 1 Tree Root Protection Areas

4.2 **Crown proportions.**
Dimensions of the tree crowns are provided in the *'Tree Survey Schedule'* at Appendix 1.

5. TREE PROTECTION.

5.1 **Tree Root Protection.**
All significant trees to be retained on this site can be suitably protected in accordance with the guidance set out in British Standard 5837.

To prevent physical damage to retained trees or disturbance/compaction within the rooting environment by construction activities; Measures for tree protection will be required prior to during and post construction phase.

The accompanying 'Method Statement for Tree Protection during construction' below, should be implemented to ensure adequate tree protection .

5.2 **Tree Protection Barriers (TPB)** forming Construction Exclusion Zone.
It will be necessary to install a construction exclusion zone by way of a tree protection barrier set at the correct distance to encompass the Root Protection Areas of significant tree (T1) to be retained. The Barriers should comply with the recommendations set out in Section 9 of the British Standard 5837 : 2005.

The TPBs should be installed at the onset of development and remain undisturbed throughout the construction process.

5.3 **Prior to Construction of stepped access/hard-standing** to North of proposed studio.
The exposed rooting area to South of the tree stem should be covered with hessian until construction of adjacent retaining wall and backfill with soil is undertaken. The Hessian should be removed before backfilling with soil.

5.4 **Construction of stepped access/hard-standing** to Northern elevation of proposed studio. See also relevant background information at Appendix 1 Tree Comments/Observations.

It is proposed that the stepped garden access and upper hard-standing (North) be constructed upon lintels which utilise the existing 'radial' foundations .

A supporting wall is to be constructed upon the lintel to the far North which in turn will bear the weight of steps and (upper) suspended slab hard-standing. This supporting wall will replace the original (root retaining) wall to the South with the benefit of additional space to allow for root expansion, so limiting direct root pressure.

All construction is to be designed and specified by structural engineer. Consideration should be given to the potential Clay (shrinkable) content of the soil in relation to the tree.

5.5 **Construction Site Access/Exit.**
There is no construction site access proposed through land to the North of this site.

5.6 **Utility Services.**
There are no services proposed through the below ground or aerial portions of trees on or adjacent this site.

5.7 **General Protective Measures** within T1 RPA or TPP Hatched Area – Figure 2.

Soil level changes.
No machine excavation, soil stripping or site grading should be undertaken to avoid root severance/disturbance.

Use of Site machinery/Equipment.
Great care should be exercised when using equipment near the spread of the canopy of trees so as not to damage them in any way

Storage of construction materials.
No construction materials or any material likely to be injurious to a tree i.e Oil, Bitumen, Cement (concrete mixing), will be stacked or discharged within the Tree Root Protection Areas or within 10m from a tree stem.

Fires
Fires should not be lit within influencing distance of the trees.

6. RECOMMENDATIONS

6.1 **Tree work/Management Recommendations :**
All retained trees should be inspected on a regular basis by a qualified arboriculturist.

6.2 **Implementation of tree works :** The contractor should carry out all tree works to BS 3998 *Recommendations for Tree Work (*1989) as modified by research that is more recent.

Tree works should be scheduled to avoid the season when birds are likely to be nesting. See Section 7.3.

7 OTHER CONSIDERATIONS

7.1 **Trees subject to statutory controls.**
Consultation with the Local Planning Authority will be required prior to any pruning works (other than certain exemptions) to trees covered by a tree preservation order or located in a conservation area (providing the works do not affect the health and safety of the tree(s)).

7.2 **Risk**
The Occupiers Liability Act 1957 & 1984 places a "common duty of care" upon the owner occupier of a site to take reasonable steps to minimize the risk of personal injury or damage to property arising from any tree on that site.

7.3 **Wildlife.**
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.

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.

7.4 **Trees outside the property.**
Trees located in the adjacent property 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.

8 BIBLIOGRAPHY / REFERENCES

- British Standard 5837 *'Trees in relation to construction - Recommendations'* : 2005.
- British Standard 3998 *'Recommendations for Tree Work'* (1989)
- Occupiers Liability Act 1957 & 1984.
- Town & Country Planning Act 1990.
- Wildlife & Countryside Act 1981.
- CRoW Act 2000.

APPENDIX 1
TREE SURVEY SCHEDULE

Tree Reference No	Species	Height (m)	Stem Diameter @ 1.5m (m)	Crown Spread (m)	Height of crown clearance (m)	Age Class	Physiological Condition	Structural Condition	Estimated Remaining Years	Category Grading
T1	Bay *Laurus nobilis*	7	550	N 2 S 3.5 E 4 W 2	3.4m (South) above lower level	M	Good	Fair	10	C

Observations :

The soil :

The upper soil level on the land to North appears to be of a rich friable humus layer – favourable tree rooting environment.

Root morphology (South) :

In the absence of detailed site investigations, it is considered unlikely that the roots of the Bay tree extend to the lower levels on site i.e approximately 1m lower than land to North :

The original outbuilding wall (since removed due to instability) has left the root morphology to the South of the Bay tree visible. It is apparent, due to the historic difference in ground levels as described in Section 1.2 that the rooting environment of T1 has been contained by the original outbuilding wall (North). The structural roots to the South of T1 arise from the base and run directly to the East and West (parallel with the original outbuilding wall). A small quantity of fibrous roots are also visible at this point.

Above Ground Tree Structure.

Single dominant stem with co-dominant stem arising at base to North.

No main branches arising from stem to West until a height of 3m.

To East of main stem the lowest branches arise at a height of 900mm.

Branches arising between 1-2m sweep round to South.

Crown mainly extending to South East (low), providing screening benefit with neighbouring properties.

Crown suppressed to North East by adjacent Silver Birch.

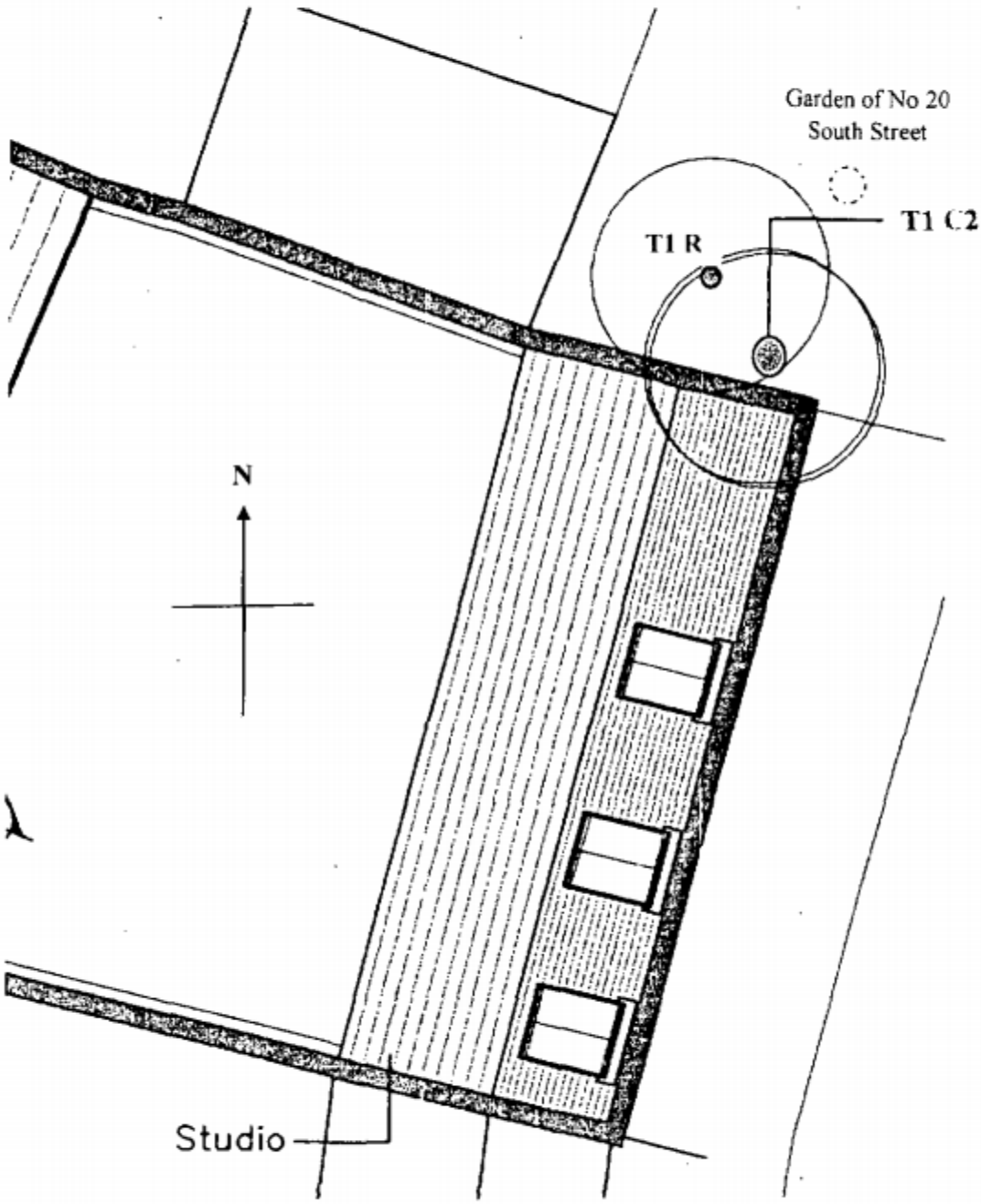
T2 Dead tree (Category R)

APPENDIX 2

TREE SURVEY PLAN – *Site layout Existing*

To be read in conjunction with Tree Survey Notes.

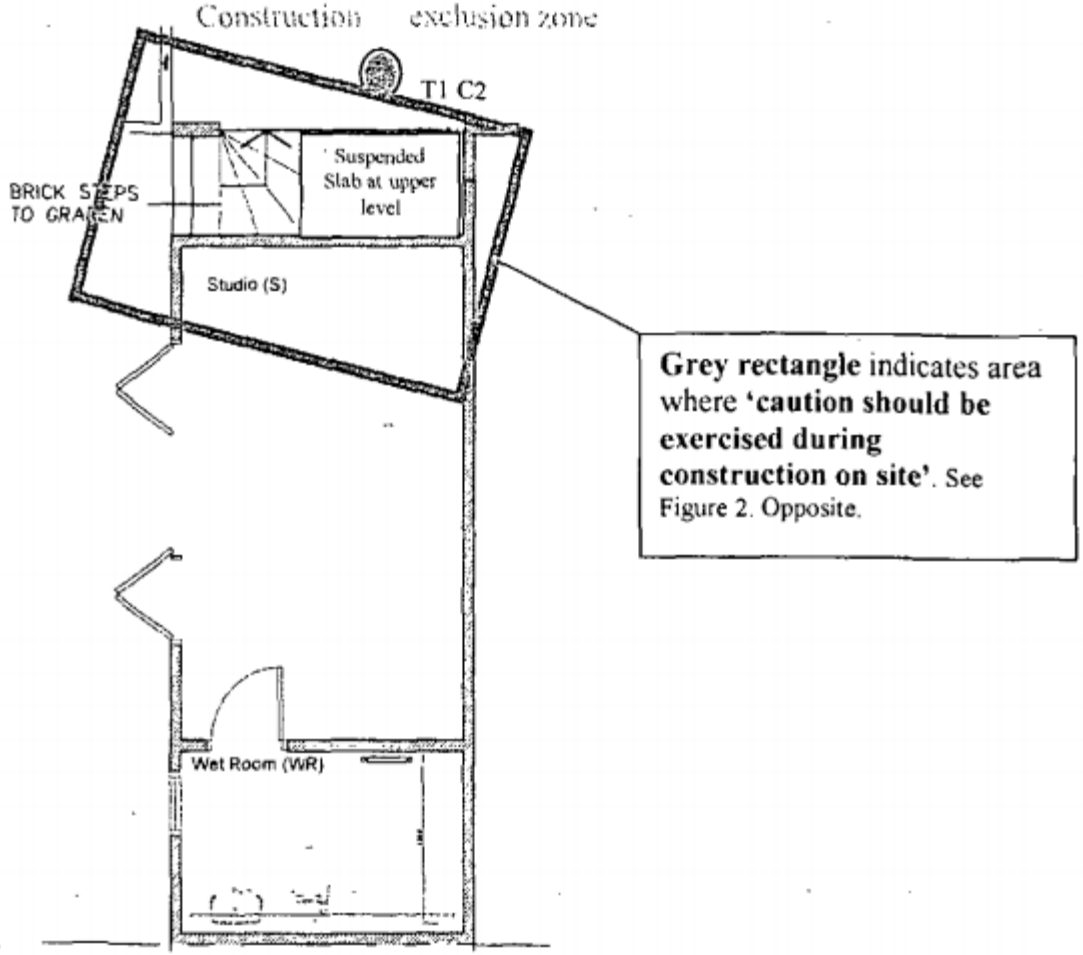
This plan is for illustrative purposes and not accurately to scale



APPENDIX 3
TREE CONSTRAINTS PLAN
Site Layout - Proposed

This plan is for illustrative purposes and not accurately to scale

Based on visual evidence of root morphology. No detailed site investigations undertaken.;



Grey rectangle indicates area where **'caution should be exercised during construction on site'**. See Figure 2. Opposite.

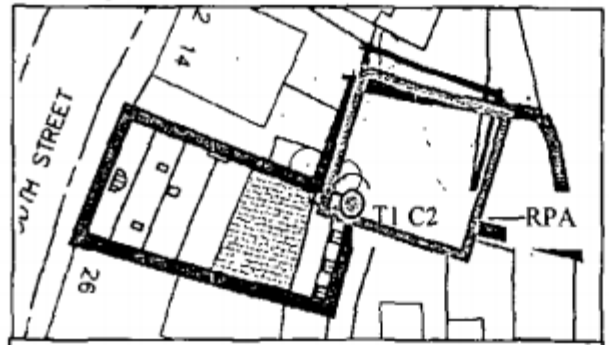


Figure 1. The above is considered the *most likely (rooting environment)* Root Protection Area (RPA) of T1C2, indicated by an offset square (grey) with equal length sides of 9.7m.



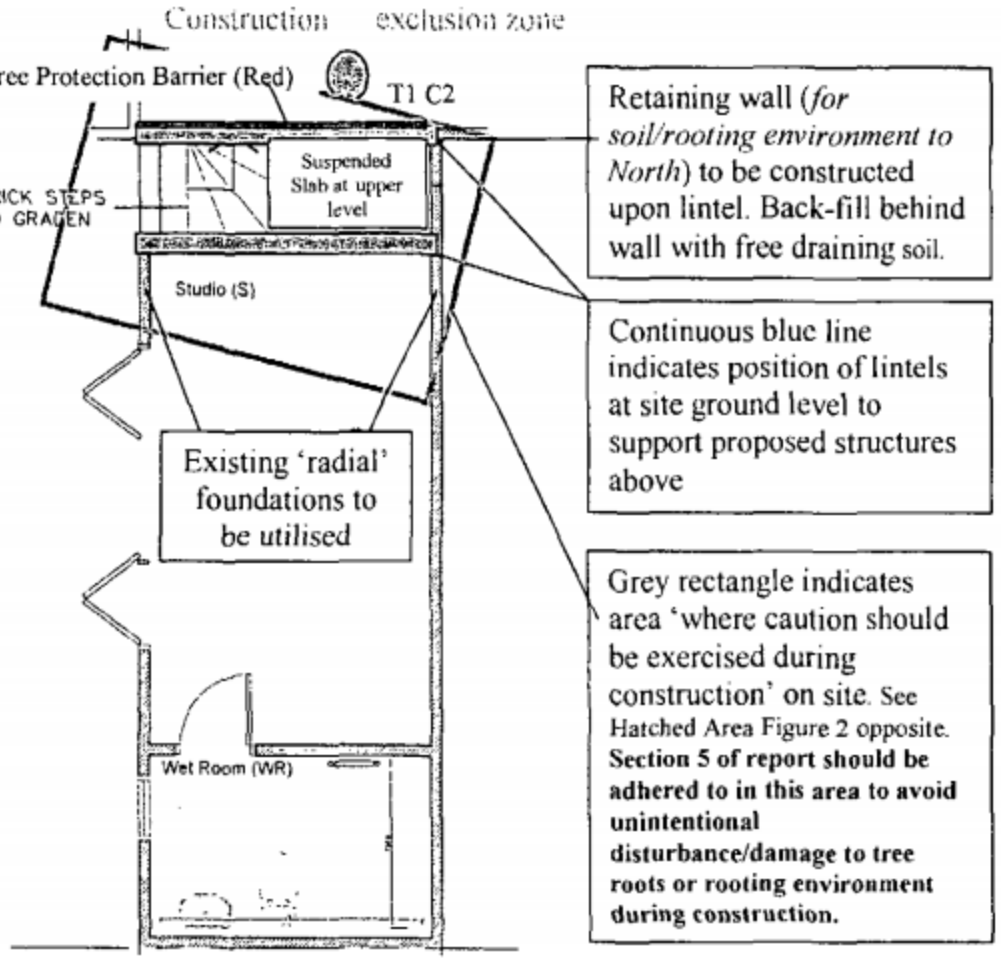
Figure 2. *However, in consideration of potential for roots being present on site, the above hatched area indicates where caution should be exercised during construction.* Root Protection Area (RPA) of T1C2 is indicated above, by an offset (20%) square (grey) Dimensions : North –5.82m, South –3.88m East and West -4.85m.

1 *All construction to be designed and specified by structural engineer.*

APPENDIX 4
TREE PROTECTION PLAN
Site Layout - Proposed

This plan is for illustrative purposes and not accurately to scale

Based on visual evidence of root morphology. No detailed site investigations undertaken.;



1 *All construction to be designed and specified by structural engineer.*

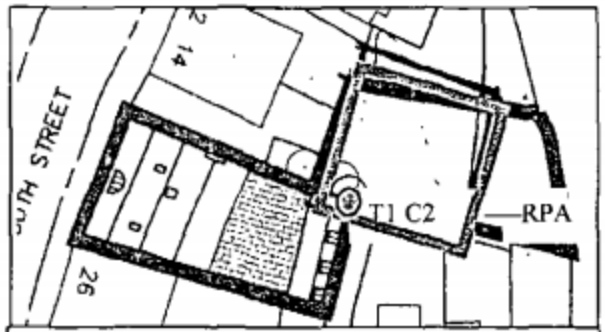


Figure 1. The above is considered the *most likely (rooting environment)* Root Protection Area (RPA) of T1C2, indicated by an offset square (grey) with equal length sides of 9.7m.



Figure 2. *However, in consideration of potential for roots being present on site, the above hatched area indicates where caution should be exercised during construction.* Root Protection Area (RPA) of T1C2 is indicated above, by an offset square (grey) Dimensions : North –5.82m, South –3.88m East and West -4.85m.

APPENDIX 4.
Tree Survey Notes

GENERAL TREE SURVEY NOTES.

- The pre-development site survey is based on guidelines set out in British Standard 5837 : 2005 and good arboricultural practice.
- 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 at root flare if stem divides below 1.5m.
- 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
- 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 and value making/to make a sustainable contribution.

B (BLUE) Trees of moderate quality and value making/to make a significant contribution.

C (GREY) Trees of low quality in adequate condition until new planting established.

R (RED) In current context could be removed.

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.

A Tree Survey is primarily a data collection exercise and assessment of general tree condition at the time of surveying. It consists of a visual tree assessment from ground level. It should highlight any obviously visible signs of ill health or major defects. It is not an individual tree inspection or schedule of works, but should act as a guide for work which might be undertaken.



APPENDIX 6

Method Statement for Tree Protection during Construction

To be read in conjunction with

APPENDIX 4

Tree Protection Plan

Trees at

20, South Street, Emsworth, Hampshire.

Prepared for: Mr M.Lawrence.

October 2010

ARBORTECH (Consultancy)

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

Tel/Fax 01243 574544

E-mail: arbortechconsultancy@vodafoneemail.co.uk

CONTACT DETAILS

NAME	ADDRESS	TELEPHONE
Local Planning Authority Havant Borough Council Mr Jamie Gargett Tree Officer.	Havant Borough Council Civic Offices Civic Centre Road Havant Hampshire, PO9 2AX	Tel : (023) 9247 4174
Arboricultural Supervisor Mr J.R Hayes. Arbortech (Consultancy).	The Arbor Centre. Osiers Farm, Clay Lane, West Ashling, *Chichester*, West Sussex. PO18 8DJ Email:arbortechconsultancy@ vodafoneemail.co.uk	Tel : 01243 574 544
Architect Mr T. Davies. Helyer Designs Ltd	1 The Old Flour Mill, Queen Street . Emsworth . Hampshire . PO10 7BT Email: td@helyerdesign.co.uk	Tel : 01243 370 715

Informative : Retained Trees & Development Sites.

TREES NEED ROOTS FOR :
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(Any may deny their needs for survival)
- Root severance
- Soil compaction.
- Escape of toxic fluids i.e Oil, Bitumen.
- Impermeable surfaces i.e Concrete

1. INTRODUCTION

Client : Mr M. Lawrence.

Reference : Lawr / ATMeth / 30910

Site Details : 20, South Street, Emsworth. Hampshire

1.1 **Purpose of the Report :**
Method Statement for Tree Protection during Construction.

1.2 **Identification and location of the trees to be retained :**
All trees to be retained can be identified on the Tree Protection Plan (TPP) at Appendix 4.

1.3 **Scope**

- The works have been carried out in accordance with British Standard 5837:2005 *Trees in relation to construction – Recommendations.*
- This report is reliant on layout plan provided (Drawing No 09115/011)

2 SUMMARY of TREE PROTECTION.

Root Protection Areas of significant retained trees will require protection as follows :

T1 Bay

- Tree Protection Barriers as indicated on the Tree Protection Plan and in accordance with the methodology (Section 6.1).
- Caution to be exercised during construction in hatched area (Figure 2) as indicated on the Tree Protection Plan.
- General protective measures (Section 6.4) within RPA and hatched area (TPP Figure 2).

- The Project Manager will be responsible for ensuring that Tree Protection is maintained in accordance with this Method Statement and Tree Protection Plans.
- Compliance with this Method Statement will be a requirement of all relevant contracts associated with the development proposal.
- All contractors will be briefed on the details of the Method Statement, before commencement of contract.
- A copy of the Method Statement should be kept on site and made readily available as a usable reference document.

3. PHASING of CONSTRUCTION ACTIVITIES.

PHASE 1. PRIOR TO CONSTRUCTION :

- Undertake Tree Work.
- Install Tree Protection Barriers for retained tree as indicated on Tree Protection Plan.
- Pre-construction site meeting with Project Manager and Ground Workers.
- Give 5 days notification to Local Planning Authority prior to commencement of works, to allow for approval of tree protection on site.

PHASE 2. CONSTRUCTION

- Construction of proposed development within area where caution should be excercised during construction (Hatched area - See TPP Figure 2)

PHASE 3. POST CONSTRUCTION :

- Post Construction Assessment of Trees by Arboricultural Supervisor.

4. ARBORICULTURAL MONITORING.

Give 5 days notification to Local Planning Authority prior to commencement of works, to allow for approval of tree protection on site.
The Local Authority Tree Officer will have free access to the site.

The Project Manager will be responsible for ensuring that Tree Protection is maintained in accordance with this Method Statement and Tree Protection Plans.

5 TREE ROOT PROTECTION AREAS – Retained Trees.

Root Protection Areas indicate the minimum area required for tree stability and healthy root function of retained trees in accordance with BS 5837:2005.
Table 2 should be read in conjunction with the Tree Protection Plan at Appendix 4.

Tree No	Category	Root Protection Area Dimensions
T1	C	See Tree Protection Plan - Figure 1. An **offset square with equal length sides of 9.7m** located on land to North. **In addition :** See Tree Protection Plan - Figure 2. **Hatched Area on site** where caution is to be exercised during construction (within RPA with offset (20%) square North –5.82m, South –3.88m East and West - 4.85m).

Table 2. Tree Root Protection Areas – Retained Trees.

6. TREE PROTECTION MEASURES.

PHASE 1 - PRIOR TO CONSTRUCTION :

6.1 **Tree Protection Barriers.**

BEFORE any machinery or materials are brought on to site and before commencement of development : Tree Protection Barriers (as specified below) must be erected on site in the positions shown on the Tree Protection Plan (TPP) at Appendix 4 i.e to encompass area of exposed rooting environment (South). The Barriers should not come into contact or be braced against the tree stem of T1.

The Tree Protection Barriers (forming Construction Exclusion Zone) should remain sacrosanct throughout the construction process – No access within RPA.

Protective Barrier specification

- Height : Fencing should be at least 2.3m high.
- Type of fencing : Weldmesh panels 3.5m ('Heras' type).

Particular care should be exercised if inserting vertical sections into Root Protection Areas, to avoid damage to any roots which may be present.

6.2 **Signage.**

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".

PHASE 2. CONSTRUCTION .

6.3 **Construction within Hatched Area – TPP Figure 2.**

Install 2 x low level lintels upon existing 'radial' foundations as per TPP.
Construct retaining wall for tree rooting environment upon lintel as per TPP and backfill upon completion with good quality free draining soil (No construction rubble).
Continue to construct garden access steps and suspended platform.
All to structural engineers design and specification.

6.4 **General protective measures** within RPA and Hatched Area at TPP - Figure 2.

- **Root Protection Areas – Sacrosanct.**
  At no time should Root Protection Areas be breached without permission from LPA

- **Soil level changes.**
  No machine excavation, soil stripping or site grading should be undertaken within RPA/Hatched Area to avoid root severance/disturbance.

  If ground levels are to be raised by more than 150mm, this should be carried out using a granular infill i.e a 'no fines' gravel or washed aggregate. This is to allow for continued aqueous and gaseous diffusion through the soil.

- **Storage of construction materials.**

No construction materials or any material likely to be injurous to a tree i.e Oil, Bitumen, Cement (concrete mixing), should be stacked or discharged within the Tree Root Protection Areas or within 10m from a tree stem. Allowance should be made for the slope of the ground, so that damaging materials cannot run towards the trees.

- **Storage for any purpose.**
  Provision for site cabins, material deliveries etc will not be permitted within the RPA.

- **Machinery/Equipment near tree canopy.**
  Great care should be exercised when using equipment near the spread of the canopy of trees so as not to damage them in any way.

- **Fires**
  Fires should not be lit in a position where their flames can extend to within 5m of foliage, branches or trunk. Size of fire and wind direction should be taken into account.

7 PHASE 3 - POST CONSTRUCTION :

7.1 Soft Landscaping.

Landscaping Restrictions within RPA :

All landscaping works are to be undertaken sensitively by hand.

No machinery to be used within RPAs.

No soil stripping or site grading should be undertaken to avoid root severance/disturbance.

Good quality top soil may be used to level and fill hollows (below 150mm).

7.2 *Post Construction Assessment of Trees.*

Upon completion of the construction works the arboricultural consultant should undertake an assessment of the trees to determine the need for any post-construction tree surgery works.

The Project Manager to liase with Havant Borough Council to finalise Tree Protection on site.

APPENDIX 7

QUALIFICATIONS and EXPERIENCE.

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 2.
Natural England Bat Licence holder-2010/2011.

Arboricultural Consultant to :
Chichester District Council
Chichester Cathedral.
Chichester City Council
Halburn Ecological Consultants.
London Biggin Hill Airport.
Mansell Construction.
Martlet Homes Housing Association.
John Mowlem & Company PLC.....

Members of : The Arboricultural Association.

Continuing Professional Development :
We are informed of up-dated techniques in Arboriculture and regularly attend training courses to further our professional development.

Insurance cover :

Employers liability	10,000,000
Public liability	5,000,000
Professional indemnity	1,000,000

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).
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21. The contract between the Client and the Consultant shall be governed by the laws of England.