



# Health & Safety Duty of Care Report©

Site: 4 The Grove, Highgate, London N6 6JU

Client: Jamie Oliver c/o Tim Dignum

Date: October 2017 Surveyor: Hugo Loudon



**AMENITY TREE  
MANAGEMENT**

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HERITAGE TREE SERVICES ABORICULTURAL HEALTH & SAFETY SURVEY FOR:  
 Site: 4 The Grove, Highgate, London N6 6JU  
 Contact: Tim Dignum

**Instruction:**

Heritage Tree Services Ltd received instructions from Tim Dignum for Jamie Oliver to carry out a basic Health & Safety appraisal of trees at the above site in September 2017.

**Inspection:**

The **VTA** (Visual Tree Assessment) was carried out in accordance to *Mattheck & Breloer 1994* and *Lonsdale 1999* methodology, from ground level and catalogues all significant trees on site. Where considered appropriate, the trunk may have undergone percussive hammering using a rubber mallet to assess hollowing, and basal defects carefully prodded using a steel probe. The potential target factors recorded will also dictate the level of risk in terms of human occupancy, dwellings and property, highways and pedestrian footpaths, etc. The definition is given a Target Risk of High, Medium or Low with the following Priority Ratings: URGENT (works required now); P1 within 6-12 months; P2 within 12-18 months; P3 within 2-3 years; P4 possible future issues/good management, or where recommended monitor within two years of survey date.

Tree or Group No.	SPECIES	AGE	PHYSIOLOGICAL STATUS	STRUCTURAL STATUS	ARBORICULTURISTS OBSERVATIONS	RECOMMENDED WORKS	TARGET RISK	PRIORITY RATING
			Good Fair Poor Dead	Good Fair Poor Dead			High Medium Low	U 1 2 3 4
T1	Japanese Pagoda Tree	M	F	F	Some large diameter deadwood present in canopy. Over developed stem to the east. Hardstanding removed from base that was causing compaction issues.	Remove major deadwood and reduce over developed stem by 2.0-2.5m. Incorporate 'top dress biochar' and light, slow release fertiliser around base, Spring '18.	M	1
T2	Ornamental Plum	M	G	F	Heavy canopy blocking westerly views.	Lightly reduce canopy overall to 2.0m leaving a flowing balanced outline.	M	2
T3	Mulberry	Vet	P	G	The veteran Mulberry has trifurcated union. Old bracing present, currently holding tree together.	Add Oak 'arty' driftwood prop x3 to aid potential weak union at trifurcation. Inspect bracing every 12 – 24 months. If deteriorating, replace.	M	1

T4	Cornus kousa	LM	G	G	Some shading over greenhouse.	Reduce shading issues by reducing laterals to the west by a minimal 0.5m.	M	2
T5	Pear	Y	F	F	Pear tree displays 'root rock' with possible stability issues caused by girdled roots in the future.	Install mulch circles to aid holistic measures and better root development, and possibly re-stake.	M	2
T6	Robinia	M	F	F	Over dominant Ivy infestation reducing foliage and therefore tree's ability to photosynthesise. Ivy does provide some screening and food/habitat for wildlife.	Reduce top 4.0m of Ivy allowing tree some solar gain and to stop tree dying.	M	2
T7	Apple	M	F	F	Apple tree pruned overall some three years ago, shows 'adventitious' growth	Carry out overall canopy reduction by 1.0m to spur points.	M	2
T8	Ash	M	G	G	Some significant dead wood present.	Remove dead and dying wood. Thin canopy by 10% to allow dappled evening sunlight onto patio.	L	2



T1 - Japanese Pagoda Tree. Some substantial deadwood could be removed. Additionally, the stem to east is slightly over-developed/exposed and could be reduced by 2-2.5m to avoid a secondary 'pseudo leader' developing and reduce vulnerability to damaging wind loading.



T2 - The ornamental Plum could be lightly shaped overall by 2.0m to retain far reaching views to west. The original vision of the architect had when designing the house and terrace, most probably.



T3 - The ancient Mulberry has a partially collapsed 'trifurcation'. The historical bracing appears visually sound. Additional propping using old Oak driftwood would contribute to structural assistance.



T4 - Late mature *Cornus kousa* produces early morning shade over the greenhouse. Not considered a significant issue. However, light mitigation pruning of laterals to west by 500mm would be worthwhile.



T4 - Cornus kousa foliage.



T5 - Pear trees displaying 'root rock' so potential girdled roots (future stability issues). These may need re-staking. Installation of mulch circles will be good holistic practice.



T6 Robinia - somewhat of a dilemma; the Ivy infestation is so dominant, it may diminish the trees phototropic ability, killing off the majority of foliage, and eventually the tree. The Ivy produces screening from next door but provides ecological habitat and late food (flowers) for bees. The solution would be to removing top 4.0m of Ivy to leave some functioning foliage.

T3 - Mulberry with 9mm galvanised (bit rusty) cable which is actually holding the tree together and preventing it breaking into three! Additional propping recommended. Cable should be inspected for integrity every 12-24 months.



T3 - Trifurcation area partially collapsed in Mulberry.



T3 - Veteran Mulberry tree.





T7 Apple tree - pruned overall some three years ago, shows 'adventitious' growth. Carry out overall canopy reduction by 1.0m to spur points.



T1 Japanese Pagoda Tree - Old hard standing removed. A good move as compaction and physiological conditions are not ideal and potentially damaging. Incorporate 'top dress biochar' and light, slow release fertiliser.

HEALTH & SAFETY KEY	Explanation
<b>T, G, H or S</b>	Tree or Group numbers on enclosed list – (T = tree; G = group; H = hedge; S = shrub). Tree location within plot - hash tag (#) signifies tree outside boundary or in alternative ownership.
<b>Species</b>	Defined in Latin and/or Common names.
<b>Age</b>	<b>Y:</b> Young tree less than fifteen years old and <math>< \frac{1}{2}</math> fully grown. <b>EM:</b> Early mature tree at $\frac{2}{3}$ to virtually full size, and halfway through its safe life. <b>M:</b> Mature fully-grown tree with safe useful life expectancy. <b>OM:</b> Over-mature tree fully grown, possibly declining in vigor with potential historic or ecological value. <b>Vet:</b> Veteran, usually very old and of significant historic, habitat or cultural value.
<b>Status</b>	<b>Physiological</b> and <b>Structural</b> condition: GOOD / FAIR / POOR / DEAD
<b>Observations</b>	<b>Root Condition:</b> The visual assessment of the rooting area, taking into consideration any evidence of physical damage, soil compaction or heave, excavation work and/or drainage problems. <b>Stem Condition:</b> The visual assessment of the stem and main scaffold branches observing any visible faults and wounds, and other exterior signs which may suggest possibility of internal faults. If decay is suspected, a sounding hammer may be used. <b>Leaf &amp; Bud:</b> The visual assessment of the amount and condition of foliage cover, and/or bud development, when compared against the foliage of the surrounding trees of the same species.
<b>Recommended Works</b>	The arboriculturalist's recommendations for prescriptive works and requirements for re-inspection or testing.
<b>Target</b>	Recorded as <b>HIGH, MEDIUM</b> or <b>LOW</b> indicating potential risk to person, dwelling, boundary fencing, pedestrian footpath, highway, etc. <b>Note: High target does not imply a higher risk, and simply is an observation of potential targets within tree locality.</b>
<b>Hazard Ratings</b>	<b>URGENT - ACTION REQUIRED NOW</b> <b>PRIORITY 1</b> – works within 6-12 months. <b>PRIORITY 2</b> – works within 12-18 months. <b>PRIORITY 3</b> – works within 2-3 years. <b>PRIORITY 4</b> – possible future issues/good management, monitor within two years of survey date.

## ***Legalities:***

- Duty of Care – in England and Wales under the common law of duty of care, the person or organisation responsible for trees must take reasonable care to avoid acts or omissions, that could reasonably be foreseen, which would be likely to cause harm to persons or property.
- Occupiers Liability Act 1957 and 1984 – these Acts place a duty upon the occupier to take such care as is reasonable to ensure that visitors to their land shall be safe from harm.
- The Health and Safety at Work Act 1974 – this Act places a duty on every employer to conduct his undertaking in such a way to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected by the day to day activities of the business are not exposed to risks to their health and safety.
- Implications of the Legal Framework – the person or organization responsible for these trees thus has a legal obligation to take reasonable measures to review the condition and any risks posed by the trees in their care, and if expert advice is sought in this regard to follow these recommendations. Failure to do this may lead to a claim of negligence under common law or prosecution by the Health and Safety Executive under the Health and Safety at Work Act.

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**Specific - Trees**

All tree inspections, unless specified, have been undertaken from ground level and using non-invasive techniques. Comments contained within the report on the condition and risk associated with any tree relate to the condition of the tree at the date and time of survey. Please note that the condition of trees is subject to change. This change may occur, but is not limited to biological and non-biological factors as well as mechanical/physical changes to conditions in the proximity of the tree. Trees should be inspected at intervals relative to identified site risks and in accordance with relevant HSE and Central Government guidance. Heritage Tree Services Ltd can provide further information on this matter if required.

Please note: no statutory control checks have been undertaken (unless specified). Where tree surgery works have been identified these works are based on the assumption that planning is approved. No tree works should be undertaken prior to determination of this application without up to date confirmation of the Tree Preservation Order / Conservation Area Status of the vegetation. All works should be undertaken in accordance with the appropriate Duty of Care. This should include, for example, site specific risk assessments and due diligence inspections for the presence of protected species.

Any comment relating to 3rd party trees has been made without full access to the tree(s). Should these trees have any impact on the proposed development we would advise you to instruct us to contact the 3rd party and undertake further inspection work.

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