

Tree condition survey
at
The Butts Public Open Space, Alton
for
Alton Town Council

sapling arboriculture ltd

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Tree Condition Survey Sheet

Site: The Butts public open space

Date: 6th September 2016

Weather: Clear with light wind.

Surveyed by: Ben Abbatt

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T1	Horse Chestnut	10 to 15	Mature	<p>Fair Intermediate canopy. Slightly sparse foliage. Crown grows predominantly to North away from T2. Three large stems from 2 - 2.5m with tight forks. Mechanical damage to base and roots. Longitudinal seam on opposing East and West sides of stem from 2m to 1m.</p>	Selective tip reduction of c20 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Final height to be 18m and 7m radial canopy spread. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages.	Moderate
T2	Horse Chestnut	10 to 15	Mature	<p>Fair Intermediate canopy. Slightly sparse foliage. Three large stems from 2 - 2.5m, good unions. Evidence of past branch failure in crown. Bark cracking and loss from buttress on South West side. Western stem sub divides. Shorter stem lost upper part of canopy. Longer stem wound at c12m with cable bracing above. Additional nylon bracing visible at c12-14m between 3 stems. Wood degradation visible in top of shorter stem on South side.</p>	No works required.	-
T3	Horse Chestnut	<10	Young	Removed	-	-

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T4	Horse Chestnut	<10	Young	Good Dominant canopy. Normal leaf and twig size, structure and density. Single straight, upright stem. Moderate mechanical damage to base and roots.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate
T5	Horse Chestnut	<10	Young	Good Yellowing foliage. Low small branches rubbing on weld mesh guard. Mechanical damage to base and roots.	Remove and plant replacement specimen (e.g. Tulip Tree) including cutting and removing turf within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Low
T6	Horse Chestnut	>15	Mature	Fair Dominant canopy. Slightly sparse canopy in particular in upper canopy. Numerous stems from 2.5 - 3m, 2 tight unions. Past pruning wound on East side now a cavity opening, good wound wood. Mechanical damage to base and roots. 6 other significant wounds between 4-6m at base of main stems. Good reactive growing but potential areas of internal wood degradation.	Selective tip reduction of c30 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages.	Moderate
T7	Horse Chestnut	<10	Young	Good Dominant canopy. Normal leaf and twig size, structure and density. Single, straight upright stem. Low branches. Mechanical damage to base and roots.	Crown lift to 3m all round. Crown lift to 5m over carriageway. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate Moderate Low
T8	Horse Chestnut	<10	Young	Good Dominant canopy. Yellowing foliage. Low branches over footway. Mechanical damage to base and roots.	Crown lift to 3m all round. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate Low

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T9	Horse Chestnut	-	-	Removed	-	-
T10	London Plane	<10	Young	Good Dominant canopy. Normal leaf and twig size, structure and density. Single, straight upright stem. Low branches over footway.	Crown lift to 3m all round. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate Low
T11	Horse Chestnut	-	-	Removed	-	-
T12	Manna Ash	<10	Middle aged	Good Intermediate canopy. Normal leaf and twig size, structure and density.	No works required.	-
T13	Manna Ash	>15	Middle aged	Good Intermediate canopy. Normal leaf and twig size, structure and density. Partly suppressed under crown of railway sycamore. Low branches over footway.	Crown lift to 3m over footway.	Low
T14	Ash	<10	Middle aged	Removed	-	-
T15	Ash	<10	Mature	Fair Normal leaf and twig size, structure and density. Bacterial canker evident on branch work but not extensive at this time. Single stem with slight lean towards and over adjacent railway embankment. Ivy at base inhibiting survey. Deadwood in upper canopy and slight decline.	Crown lift to 3m over footway. Remove ivy and debris at base.	Low

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T16	Birch	>15	Mature	Fair Intermediate canopy. Normal leaf and twig size, structure and density for mature Birch. Single straight upright stem. Areas of bud proliferation throughout crown. Twiggy deadwood.	No works required.	-
T17	Ash	>15	Mature	Fair Intermediate canopy. Slightly sparse upper canopy. Typical occasional moderate (25 - 100mm diameter) deadwood throughout.	Remove deadwood >25mm diameter.	Low
T18	Sweet Chestnut	<10	Young	Good Dominant canopy. Normal leaf and twig size, structure and density. Single, straight upright stem. Weld mesh guard attached.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm. Crown lift to 2.5m all round. Remove stake and guard.	Moderate Moderate Low
T19	Horse Chestnut	>15	Mature	Fair Slightly sparse and yellowing foliage in upper canopy. Metal cable bracing at 6m, fibre cable bracing at 8m. Historic failed primary branch above street light with mature regrowth. Pruning wound cavity on South West side at 2m has been filled with concrete. Wound on stem at 200mm to 1000mm exposing wood. Buttress roots on carriageway side down to carriageway edge. Scar of dysfunctional bark on South East side of stem from 2m to ground level.	Selective tip reduction of c20 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Final height to be 20m with 8m radial canopy spread. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages. Readjust cable bracing following tree works.	Moderate Moderate

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T20	Horse Chestnut	20	Mature	Fair Intermediate canopy. Sparse canopy. Three large stems from 4m, good unions. Bark cracking on branch over 'hammerhead' and car parking.	Crown reduction to final height of 17m with 7m radial canopy spread.	Moderate
T21	Horse Chestnut	>15	Mature	Fair Dominant canopy. Normal leaf and twig size, structure and density. Dense epicormic adventitious growth from stem and branches to c9m impeding survey. Minor bark cracking on branches over carriageway. Historic failed primary branch to South with mature regrowth. Three large stems from 4m with unions obscured by dense epicormic growth.	Remove epicormic growth to 12m and advise Arboriculturalist once clear to allow resurvey to be carried out.	Moderate
T22	Horse Chestnut	<10	Middle Aged	Good Dominant canopy. Normal leaf and twig size, structure and density. Single straight upright stem. Mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate
T23	Horse Chestnut	c16	Mature	Fair Dominant canopy. Sparse canopy throughout. Branch to South East has separated from main canopy. Two large stems from 3m. Wound on East side just below main union (previously concreted). Wound on North side just below main union (previously concreted). Overlong branches over carriageway.	Tip reduction of South East branch by 3m. Selective tip reduction of c20 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Final height to be 16m with radial canopy spread of 7m. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages. Crown lift to 5m over carriageway.	HIGH Moderate

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T24	Horse Chestnut	<10	Young	Fair Yellowing foliage. Moderate bleeding from branch union at 2m, East side. Single straight upright stem. Mechanical damage at base.	Remove and plant replacement specimen of Sweet Chestnut.	Low
T25	Horse Chestnut	<10	Young	Poor Yellowing and sparse foliage. Moderate bleeding canker. Recent stem failure. Mechanical damage at base.	Remove and plant replacement specimen of Tulip Tree.	Low
T26	Horse Chestnut	<10	Young	Fair Wound on stem at 1.8m. Moderate mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	HIGH
T27	Tulip tree	<10	Young	Good Dominant canopy. Good vitality shown by twig and leaf size, structure, colour and density. Severe mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	HIGH
T28	Horse Chestnut	>15	Mature	Good Normal leaf and twig size, structure and density. Minor mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Low
T29	Horse Chestnut	<10	Middle Aged	Fair Dominant canopy. Sparse and slightly yellowing foliage. Moderate Horse Chestnut Bleeding Canker. Yellowing sparse foliage. Single, straight upright stem. Severe mechanical damage at base.	Remove and plant replacement specimen of Platanus x hispanica. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Low
T30	Sweet Chestnut	<10	Young	Removed	Replace with Sweet Chestnut. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Low

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T31	Tulip Tree	2	Young	Good Grass grown at base. (Replacement for Red Horse Chestnut previously recorded).	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Low
T32	Ash	22	Mature	Fair Previously intermediate canopy, now dominant. Normal leaf and twig size, structure and density. Overlong branches to North and South.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm. Selective tip reduction of c20 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Final height to be 22m with 8m radial canopy spread. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages.	Moderate
T33	Birch	>15	Veteran	Removed	-	-
T34	Birch	-	-	Removed	-	-
T35	Horse Chestnut	>15	Mature	Fair Intermediate canopy. Normal leaf and twig size, structure and density. Minor deadwood (less than 25mm diameter) throughout. Topped at 9m with mature regrowth. Two large stems from 4m, good union. Overlong branches over carriageway.	Reduce branch length over carriageway to radial spread of 6m. Reason: to reduce potential for branch breakages. Inspect for decay and wood degradation in top of North (roadside) stem for extent of residual wall supporting mature regrowth. Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate Moderate Moderate

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T36	Horse Chestnut	c18	Mature	<p>Fair Dominant canopy. Slightly sparse upper canopy. Major (more than 100mm diameter) and minor deadwood (less than 25mm diameter) throughout canopy. Series of overlong branches standing outside main canopy. Nylon cable bracing at c8m with metal cable bracing at c6m. Three large stems from 2m, good unions Previous pruning wound at 2.1m just above unions.</p>	<p>Reinsert cable bracing and amend / replace as required.</p> <p>Selective tip reduction of c30 overlong branches standing outside main canopy edge by up to 3m to natural target pruning points. Final height to be 18m with 8m radial canopy spread. Maximum wound size to be 75mm diameter. Reason: to reduce potential for branch breakages.</p> <p>Clear lamp by 2m.</p>	<p>Moderate</p> <p>Moderate</p> <p>Low</p>
T37	Ash	>15	Mature	<p>Fair Intermediate canopy. Slightly sparse foliage in upper canopy. Large branch grows towards and over Minden House. Typical minor (less than 25mm diameter) and occasional moderate deadwood (25 – 100mm diameter) throughout.</p>	<p>Remove deadwood more than 25mm diameter.</p> <p>Reduce branch towards Minden House to radial length of 6m.</p>	<p>Moderate</p> <p>Moderate</p>
T38	Lime	>15	Mature	<p>Good Intermediate canopy. Normal bud and twig size, structure and density. Low branches close to lamp.</p>	<p>Clear lamp by 2m.</p>	<p>Low</p>
T39	Horse Chestnut	>15	Mature	<p>Fair Intermediate canopy. Slightly sparse canopy. Large branch at 4.5m growing towards T32 has extensive bark cracking. Two large stems from 4m, good union. Strip of dead bark on West side from base to 3m. Premature leaf fall. Probably short term tree.</p>	<p>Reduce branches towards T32 and T38 to 5m radial length.</p>	<p>Moderate</p>

No	Species	Height (m)	Age class	Condition (Physiological and structural)	Recommendations	Priority for works
T40	London Plane	<10	Young	Fair Dominant canopy. Good vitality shown by twig and leaf size, structure, colour and density. Mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate
T41	Sweet Chestnut	<10	Young	Good Dominant canopy. Good vitality shown by twig and leaf size, structure, colour and density. Low branches over footway.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm. Crown lift to 3m over footway.	Moderate Low
T42	London Plane	<10	Young	Fair Sparse foliage. Moderate mechanical damage at base.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate
T43	Sweet Chestnut	<10	Young	Good Dominant canopy. Good vitality shown by twig and leaf size, structure, colour and density.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm.	Moderate
T44	Sweet Chestnut	<10	Young	Good Dominant canopy. Good vitality shown by twig and leaf size, structure, colour and density. Low branches over footway.	Cut turf and remove within 0.5m radius of tree base to depth of 50mm and replace with wood chip to settled depth of 75mm. Crown lift to 3m over footway.	Moderate Moderate

General management works:

Crown lift all trees to 3m on an annual basis with a maximum wound diameter of 75mm.

Resurvey to be complete by 30th December 2017

General notes:

The tree survey has been carried out in relation to the landowner's duty under the Occupier's Liability Act 1984 and common law. The tree survey was carried out from ground level, identifying significant tree features that may have significant bearing upon the condition and management of the tree and giving appropriate recommendations and priorities. All dimensions are estimated. No soil investigations will be carried out.

To carry out the tree survey reasonable access around the base of the tree is required. Where this is not feasible, these parts of the tree may not be able to be inspected. If view of the entire structure of the tree(s) is limited, for instance by the properties in private ownership, this is a limitation to the tree survey and some parts of the tree may not be able to be fully surveyed. The tree survey will be carried out from the ground with the aid of binoculars if necessary. The tree will not be climbed as part of this survey.

Typical significant defects that are to be identified can be referred to in "Hazards from Trees, a general guide" by David Lonsdale and "The body language of trees" by Claus Mattheck published by the Forestry Commission and the Department of the Environment respectively.

The tree survey can only be an assessment of the tree at the time of the survey and the tree(s) should be re-surveyed on a regular basis. An appropriate time period between surveys may be up to 5 years depending upon the condition of the trees, their maturity and the target(s). Recommendations for the period between surveys will be given.

As trees are dynamic structures their condition and health may change in a short period of time, particularly in relation to changes in their immediate environment and circumstances. Therefore the survey is an assessment of the trees at the time of the survey only. If there is a significant change in the immediate environment and circumstances then this should be brought to the attention of the arboriculturalist so that they may advise accordingly.

I have not checked whether the site is within a Conservation Area or whether the trees are under Tree Preservation Order (TPO). Prior to any tree works confirmation of whether these legal restrictions apply to the site or trees ought to be sought from the Local Planning Authority (LPA). If the trees stand within a Conservation Area designated under the Town and Country Planning Act the LPA will normally require 6 weeks notice of intention to carry out any tree works as detailed in the survey. If the trees are under TPO then the LPA will normally require an application for any tree works. Some tree works are exempt, for instance if the trees are dead or dangerous, and certain works can be carried out without application. It is necessary to give the LPA at least five days notice prior to carrying out any of these tree works under these exemptions. This survey, with recommendations, can be used to support any such application or notice.

Wildlife issues are of significant concern to the general public. A balance has to be found between the protection of wildlife and the need for safety when managing trees. The Wildlife and Countryside Act (1980) and Countryside Rights of Way Act (2000) give statutory protection to wild birds, bats, mammals, some invertebrates and plants. It is important to ensure that this legislation is properly considered when carrying out any works to trees.

Bird nests were not identified whilst on site. However, any Arborist carrying out the tree works should ensure that there is no disturbance to nesting birds prior to the works being carried out. Further guidance upon the appropriate timing of the works can be sought from DEFRA, if necessary. Where nesting birds are found further information should be sought from DEFRA 08459 33 55 77 or helpline@defra.gsi.gov.uk. Prior to any works being implemented the tree contractor must identify whether there are any bats or birds using the tree as roost or nest. If such habitation is identified then the tree contractor must obtain the necessary licence from Natural England (0845 601 4523 www.naturalengland.org.uk) to carry out the works.

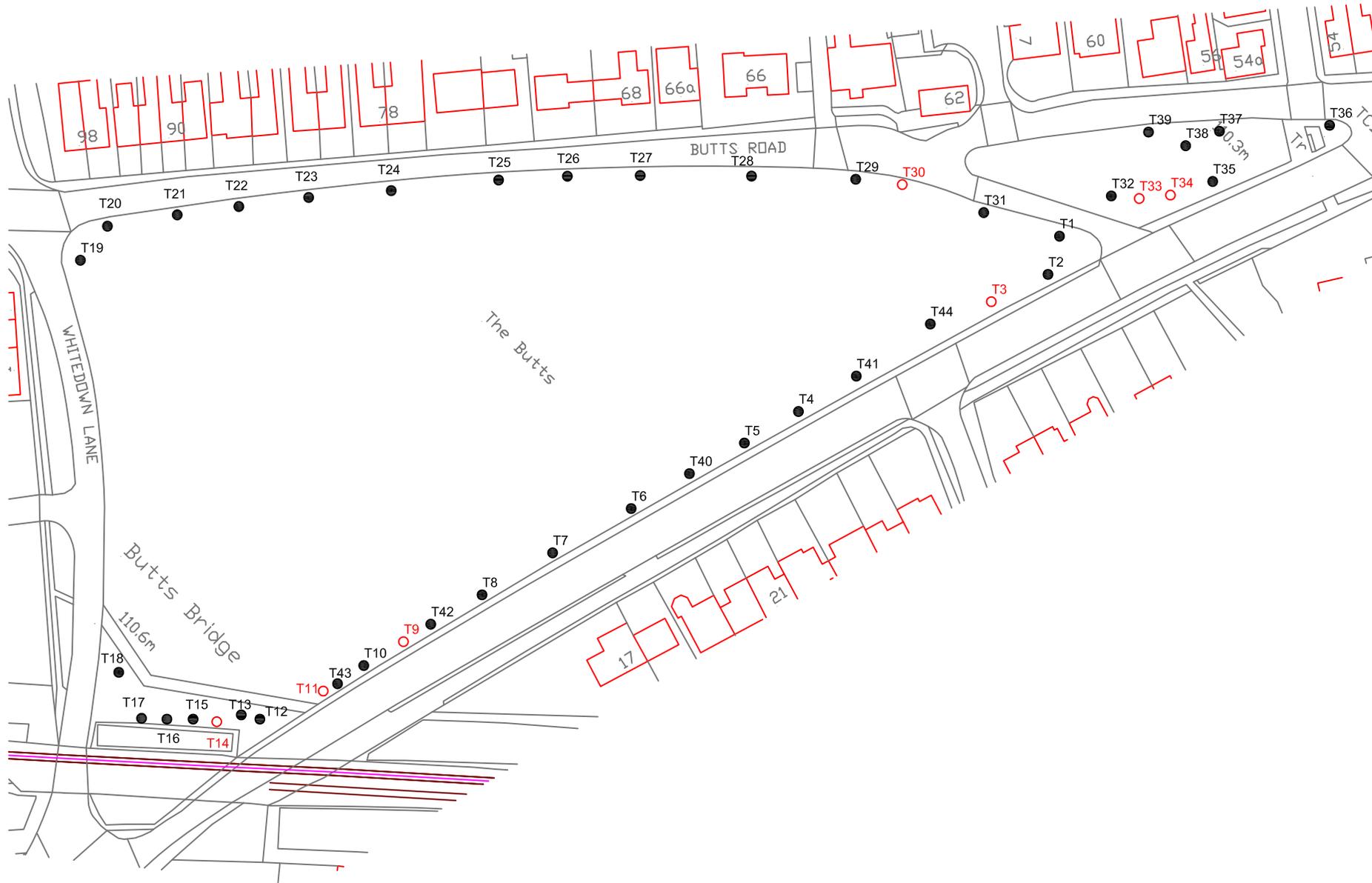
In this instance, considering the size of the trees, their location and features I believe that there is a medium potential of bats using the mature trees as a roost site. A bat survey prior to tree works is not recommended as it would be difficult to determine the location of any exit point from the roost within the tree by a bat survey and also confusion may also arise from bats travelling from other roosts. Any such exit could more easily be identified by a competent tree worker. During the tree works the contractor should carry out the tree works with bats as an active consideration and follow the current industry best practice, e.g. Arboricultural Association Guidance Note 1 Bats in the context of tree work operations 2011, which a competent tree contractor should be familiar with.

Biosecurity measures: To minimise the potential for contamination of the tree from other tree works it is appropriate to sterilise tools to be used before and after the works are implemented. Appropriate disinfectant includes Propellor or Cleankill Sanitizing spray. Loose debris is to be brushed off prior to treating with disinfectant to ensure appropriate application. See [http://www.forestry.gov.uk/pdf/FCMS028-guidance.pdf/\\$file/FCMS028-guidance.pdf](http://www.forestry.gov.uk/pdf/FCMS028-guidance.pdf/$file/FCMS028-guidance.pdf) for further information on Biosecurity and <http://www.forestry.gov.uk/forestry/inf-d-9fjd2d> for disinfectant information.

Key to condition survey sheet

No	Tree number.
Species	Species of tree.
Height	Height measured in metres.
Branch Spread	Branch spread in metres taken at the four cardinal points to derive an accurate representation of the crown.
Height of crown	Height in metres of crown clearance above adjacent ground level.
Age Class (Age)	<p>Young A tree considered to be less than approximately 20 years old.</p> <p>Middle aged A tree in approximately the first 1/5th of its normal life span with apical dominance (rapidly growing with a clear main leader) and not yet fully at its environmental potential full height.</p> <p>Mature A tree in its 2/5ths to 5/5ths of its normal life span with apical dominance lost and at its environmental potential full height.</p> <p>Over mature A tree beyond the normal life span for the location with apical dominance lost and with symptoms of canopy decline.</p> <p>Veteran A tree of interest biologically, aesthetically or culturally because of its age and is old relative to others of the same species.</p>
Condition (Physiological and Structural)	<p>Good Full healthy canopy; but possibly including some suppressed branches or minor physical damage. A tree that requires little or no tree works and it is anticipated to be retained for over 20 years.</p> <p>Fair Slightly reduced leaf cover, minor dead wood, or isolated major deadwood. A tree that requires tree works to remove defects and/or improve the form so that it may be anticipated to be retained for over 5 years.</p> <p>Poor Overall sparse leafing or extensive dead wood. A tree that has a significant proportion of defects and/or requires considerable tree works to aid its retention and/or where the retention of the tree is not anticipated beyond 5 years.</p> <p>Very poor Large areas of crown dead. A tree that has a significant proportion of defects and/or requires considerable tree works to aid its retention.</p>
Recommendations	As per BS3998: 2010 Recommendations for Tree Works.
Priority	<p>Immediate Works should be carried out immediately as the probability of harm or damage occurring is likely.</p> <p>High These works are important to carry out as soon as reasonably possible and any budget available for tree management should be spent upon these trees before the moderate and low categories. Works in this category usually will relate to abatement of risk for harm and or damage to occur. Ideally works in this category are anticipated to be carried out within 1 month.</p> <p>Moderate These works are important to carry out as soon as reasonably possible and any budget available for tree management should be spent upon these trees before the low categories. Works in this category usually will relate to abatement of risk for harm and or damage to occur and for the good arboricultural management of the trees. Ideally works in this category are anticipated to be carried out within 3 months.</p> <p>Low Works in this category usually will relate to the good arboricultural management of the trees. Ideally works in this category are anticipated to be carried out within 12 months.</p>
Re-survey	This is the time period in which it is recommended that the tree is surveyed again. This is based upon the condition of the tree, its location, previous, current and future management. It is normally expressed at a time period from the date of the report / survey, which ever is the sooner. If no time period is noted then the default period is one year.

Site plan



General / Key:

- Tree position ●
- Tree position (removed) ○



Client:
Alton Town Council

Site:
The Butts public open space

Data:
OS data provided by
Centremaps under licence
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Drawing title:
Tree condition survey

Drawing reference:
J064 / 1617

Revision:
-

Date:
November 2016

Scale:
Do not scale from this drawing.

Sheet:
1 of 1

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Notes:

Positions of trees and groups have been located by eye and their exact position is not accurately shown by this drawing. The position of the trees and groups on this drawing is an indication only. For the correct position of the trees then please refer to the land survey data.



CONDITIONS OF ENGAGEMENT

1. Interpretation

'Client' means the person named on the Quotation for whom the Contractor has agreed to provide Specified Services in accordance with these terms.

'Contract' means the Contract for the provision of the Specified Services.

'Contractor' means Sapling Arboriculture Ltd.

'Quotation' means the Quotation to which these Terms and Conditions apply.

'Specified Services' means the service to be provided by the Contractor to the Client, as referred to in the Quotation.

2. The responsibilities of the Contractor

2.1 The Contractor shall provide the Specified Services to the Client as set out in the Quotation.

2.2 Timescales for the Specified Services will be agreed with the Client and adhered to as far as is reasonable. Where information received is out of date, inaccurate or if scheme design changes, it may not be possible to adhere to agreed timescale.

2.3 The Contractor shall provide his opinion on those matters in respect of which he has given the Client express written confirmation and subject to the limitations and conditions stated. The Contractor will not purport to express an opinion about or advise upon the condition of un-inspected parts of the land or trees and should not be taken as making any implied representation or statements about such parts.

2.4 The Contractor will only provide advice on matters within his arboricultural experience and qualifications.

3. The responsibilities of the Client

3.1 The Client shall provide the Contractor with accurate and up to date information as requested by the Contractor in a timely manner and in the format requested.

3.2 The Client shall notify the Contractor in writing of any changes to the Specified Services brief in the Quotation, scheme design or works instructions.

3.3 If a report suggests further investigation works be carried out by a specialist firm or person (e.g. Structural Engineer, Surveyor) the Client is responsible for sourcing such services and information. On no account will liability be accepted by the Contractor in respect of such matters nor if the client proceeds or acts without obtaining and acting upon the relevant further advice.

4. Assumptions

4.1 That the land, which is the subject of the inspection or survey, is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings and that good title can be shown;

4.2 That the land and its value are unaffected by any matters which might be revealed by a local land search or replies to conveyancing enquiries or by any statutory notice and that neither the land nor its condition nor its uses nor its intended uses is, or will be unlawful or contrary to planning or building regulations;

4.3 That inspection of those parts of the land or soil strata or any tree which have not been inspected would neither reveal material defects nor cause the Contractor to alter his opinion materially;

4.4 That there are no underground pipes, wires, cables or others services or installations which might be damaged as a result of work recommended or necessary; and

4.5 That no tree is subject to legislation relating to Conservation Areas, Tree Preservation Order or terms of a planning consent, in relation to which the Client must make his own enquiries of the Local Planning Authority.

5. Charges

5.1 The Client shall pay the Contractor its fee regardless of any outcome as well as reimbursing the cost of all reasonable out of pocket expenses incurred.

5.2 Payment in full (including VAT) must be paid within 14 days of the date of the invoice.

5.3 No discount nor retention or set off against the amount due is allowed unless previously agreed by the Contractor in writing.

5.4 The Contractor reserves the right to charge interest on any monies which are not received within 14 days. In accordance with the Late Payment of Commercial Debts (Interest) Act 1998 the Contractor will be entitled to charge interest (both before and after any judgement of the amount unpaid) at the rate of 10% per month over the Bank of England base rate until payment in full is made (part of the month shall be treated as a full month for the purpose of charging interest).

5.5 All unpaid accounts will be referred to the County Courts. Sapling Arboriculture Ltd reserves the right to claim compensation in respect of debt recovery costs.

5.6 Sapling Arboriculture Ltd reserves the right to withhold the release of reports and other Specified Services until payment is received in full.

6. Contractor liability

6.1 Any report is provided for the sole use of the named client and is confidential to the client and his professional advisors. The Contractor accepts responsibility to the Client alone for the stated purposes of the report, which will be prepared with the skill, care and diligence reasonably expected of a competent Arboricultural Consultant, but no responsibility whatsoever is accepted to any person other than the client himself. Any other such person relying on the report does so at his own risk. Neither the whole nor any part of the report or any reference thereto may be included in any published document, circular or statement nor may it be published in any way without the Contractor's prior written approval of the form and context in which it may appear. Liability is limited to the amount that the Contractor is insured to. Intellectual Property Rights shall remain in the ownership of the Contractor.

6.2 The Contractor shall not be held liable to the Client or deemed to be in breach of the Contract by reason of any delay in performing, or failing to perform any of the Contractor's obligations in respect of the Specified Services, if the delay or failure was beyond the Contractor's control.

6.3 (i) Subject as expressly provided in these conditions, and except where the client is sold to a person dealing as a consumer (within the meaning of the Unfair Contract Terms Act 1977) all warranties, conditions or other terms implied by the statute or common law are excluded to the fullest extent permitted by law.

(ii) Any claim by which the client is based on any defect in the nature or quality of the Company's services shall be notified to the Company within 7 days from the date of supply.

(iii) Except in respect of death or personal injury caused by the Company's negligence, the Company 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 (and whether caused by the negligence of the Company, his employees or agents or otherwise) which arise out of or in connection with the Contractor's services, except as expressly provided in these conditions.

7. Miscellaneous

7.1 Quotations are valid for 28 days from the date of the quotation.

7.2 Any dispute arising out of or in connection with the contract between the client and the Company shall be referred to the arbitration or a single arbitrator appointed by agreement between the parties or, in default of agreement, nominated on the application of either party to the Arboricultural Association.

7.3 The Contractor reserves the right to refuse work(s) if a conflict of interest is identified or arises.

7.4 The report is valid for a period of one year from the date on the report.

7.5 Each provision of these conditions limiting or excluding liability operates separately in itself and survives independently of the others.

7.6 The Contract between the Client and the Contractor shall be governed by the laws of England.