# **Public Document Pack**



Democratic Services White Cliffs Business Park Dover

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11 January 2024

**Dear Councillor** 

# NOTICE OF DECISION TAKEN BETWEEN MEETINGS - (DD06 23) HIGH-RISK TREE WORKS AT CRABBLE ATHLETIC GROUND

Please find attached details of a decision taken by Councillor Charlotte Zosseder, Portfolio Holder for Community and Corporate Property, to fell 36 high-risk beech trees at Crabble Athletic Ground.

The deadline for call-in of this decision is 10.00am on Wednesday, 17 January 2024.

If call-in is not activated, the implementation date for this decision will be noon on 17 January.

Members of the public who require further information are asked to contact Democratic Services on 01304 872303 or by e-mail at <a href="mailto:democraticservices@dover.gov.uk">democraticservices@dover.gov.uk</a>.

Yours sincerely

**Democratic Services Officer** 

Rose Grety - Smil

**ENCL** 

1 NOTICE OF DECISION TAKEN BETWEEN MEETINGS - (DPH06 23) HIGH-RISK TREE WORKS AT CRABBLE ATHLETIC GROUND (Pages 2-23)

# **Decision Notice**

# Decision Taken Between Meetings

Decision No:	DPH06	
Subject:	HIGH-RISK TREE WORKS AT CRABBLE ATHLETIC GROUND	
Notification Date:	11 January 2024	
Implementation Date:	17 January 2024	
Decision taken by:	Councillor Charlotte Zosseder, Portfolio Holder for Community and Corporate Property	
Authority:	Paragraph 12 of Section C (General Responsibilities Delegated to all Members of the Executive) of Part 3 (Responsibility for Executive Functions) of the Constitution	
Decision Type:	Executive Non-Key Decision	
Call-In to Apply?	Yes (Call-in will expire at 10.00am on 17 January 2024)	
Classification:	Unrestricted	
Reason for the Decision:	To seek approval for a budget of £70,000 to undertake works including:	
	<ul> <li>Removal of 36 over-mature beech trees at Crabble Athletic Ground that have been identified as a high risk.</li> <li>Replacement of the trees with more manageable species</li> </ul>	
	<ol> <li>Subject to compliance with any Tree Preservation Order legislation and/or consents required under any land covenants, to authorise the Strategic Director (Place and Environment), in consultation with the Portfolio Holder, to procure the works.</li> </ol>	
Decision:	That the Portfolio Holder for Community and Corporate Property:	
	<ol> <li>Approves the necessary budget for the removal of 36 over-mature beech trees from the Crabble Recreation Ground and their replacement with more manageable species.</li> </ol>	
	<ol> <li>Authorises the Strategic Director (Place and Environment), in consultation with the Portfolio Holder, to procure the works.</li> </ol>	

- 1. Consideration and Alternatives (if applicable)
- 1.1 See attached report.
- 2. Any Conflicts of Interest Declared?

Dover District Council 2

None.

- 3. Supporting Information (as applicable)
- 3.1 See attached report.

Subject: HIGH-RISK TREE WORKS AT CRABBLE ATHLETIC GROUND

Notification Date: 11 January 2024

Implementation Date: 17 January 2024

Decision Taken by: Councillor Charlotte Zosseder, Portfolio Holder for Community

and Corporate Property

Authority: Paragraph 12 of Section C (General Responsibilities Delegated

to all Members of the Executive) of Part 3 (Responsibility for

consultation with the Portfolio Holder, to procure the works.

**Functions) of the Constitution** 

Decision Type: Executive Non-Key Decision

Call-in to apply: Yes (Call-in will expire at 10.00am on 17 January 2024)

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			2. Authorises the Strategic Director (Place and Environment), in	

# 1. **Summary**

- 1.1 The Council owns and is responsible for the maintenance of trees at the Crabble Athletic Recreation Ground.
- 1.2 There is a large quantity of over-mature trees on the site, predominantly beech species. Recently one of the trees failed and caused damage to a private property adjacent to the ground. Beech trees can be unpredictable and do not tolerate heavy reductions when fully mature which limits the options available to manage this situation.

# 2. Introduction and Background

2.1 The Council has regular condition surveys undertaken by consultants of the trees on

Dover District Council 4

- the periphery of the ground. The most recent condition survey in 2023 highlighted minimal works to the trees with only two urgent items raised which the Council dealt with promptly, see details of the survey outcomes at Appendix 1.
- 2.2.1.1 Following the failure of a large tree which occurred approximately two weeks after the condition survey was completed, the Parks & Open Spaces Manager instructed an additional Risk Analysis Survey that considered the potential impact of the trees on the public and surrounding property, considering factors such as footfall below the trees (attached at Appendix 2). The purpose of the report was to assess the risk posed by the trees to person and property should another failure occur, rather than assessing the general condition.
- 2.3 Condition surveys can identify immediate concerns with trees and highlight visible defects or diseases, but they are a snapshot in time. Such surveys are undertaken visually, so it may be difficult to understand the internal mechanics of a tree and therefore a survey would not necessarily identify internal defects unless there were obvious signs.
- 2.3.1 The Risk Analysis Survey highlighted concerns including the increasing number of failures and the shallow chalk soil which increases risk of windthrow. It concluded that a large number of trees present a high risk and recommended that a total of 36 should be felled. In addition, the report recommended that a prominent tree at the entrance should be reduced and flexibly braced.
- 2.3.2 The 36 beech trees to be felled are split into two locations; 15 of the trees are on an embankment adjacent to Crabble Avenue, while the remaining 21 trees are adjacent to Kingswood Villa properties. This second group of 21 trees is subject to a Tree Preservation Order (TPO). It is intended that the Council as landowner will fell the trees pursuant to section 198(6)(a) of the Town & Country Planning Act 1990 after giving 5 days' notice to the Council as local planning authority.
- 2.3.3 The Council will also ascertain whether legal consent is required due to covenants on the land.
- 2.3.4 A bid has been submitted to the Mid-Term Financial Plan (MTFP) for £70,000 which would cover the cost of works recommended by the Invicta Arboriculture report and also replacement of the felled trees with more manageable species. Removal of the over-mature trees is likely to be controversial, but this would be mitigated by a succession plan.
- 2.3.5 Due to the sensitive nature of removing mature trees and in this case such a large quantity, the Parks & Open Spaces Team will engage with the Council's Communications and Community Teams to engage with residents and explain the rationale behind the works.

# 3. Identification of Options

- 3.2.1 Option 1: Continue managing the trees by way of condition surveys.
- 3.2.2 Option 2: Wait until the MTFP budget is decided and, if the bid for £70,000 is approved, proceed with the works post April 2024.
- 3.2.3 Option 3: Undertake the works immediately.

#### 4. Evaluation of Options

4.2.1 Option 1: This option is not recommended because of the identified risk to property and person.

- 4.2.2 Option 2: Considered an option but carries a risk to the authority for an extended period of time through winter weather. This approach is reliant on a successful bid to the MTFP for £70,000 budget during the next financial year.
- 4.2 Option 3: This is the preferred option and protects the authority from liability in relation to the high-risk trees identified, due to the urgency of these works. Given the risk to the authority the officer recommendation is to complete the felling works with immediate effect from the Council's contingency budget in this current financial year. The replanting could follow next financial year if the MTFP bid is approved.

# 5. **Resource Implications**

5.1 These works will be funded from the Special Revenue Project Contingency.

# 6. Climate Change and Environmental Implications

- 6.2.1 Removal of the trees will have a significant impact on the street scene as well as the environment. However, this impact should be weighed against the identified risks.
- 6.2.2 To mitigate against the environmental impact of removing the over mature trees, they will be replaced as part of the project at a ratio of 2 to 1 minimum. A mixed native planting of smaller species will ensure a legacy of successive planting (different lifespans of tree species) as well as resilience to disease and pests by having a diverse range of species.

# 7. Corporate Implications

- 7.2.1 Comment from the Director of Finance (linked to the MTFP): Accountancy have been consulted and have no further comment to add. (KW)
- 7.2.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 7.2.3 Comment from the Equalities Officer: 'This report seeking to approve a budget to remove 36 over mature beech trees from the Crabble Recreation Ground and their replacement with more manageable species does not specifically highlight any equality implications. However in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 http://www.legislation.gov.uk/ukpga/2010/15/section/149
- 7.3 Other Officers (as appropriate):

## 8. Appendices

Appendix 1 – Dover - Crabble Athletic Ground Condition Survey Outcomes

Appendix 2 – Invicta Arboriculture Crabble Sports Ground Report

Appendix 3 – Tree Location Plan

# 9. **Background Papers**

As above appendices

Contact Officer: Darran Solley, Parks & Open Spaces Manager

District	Site	Object ID	Species	DBH	Height
CT17	Crabble Athletic Ground, CT17 0QJ	2403	Acer pseudoplatanus (Sycamore)	95	16
CT17	Crabble Athletic Ground, CT17 0QJ	6730	Fagus sylvatica (Common Beech)	42	26
CT17	Crabble Athletic Ground, CT17 0QJ	2395	Pinus nigra (Black Pine)	65	20
CT17	Crabble Athletic Ground, CT17 0QJ	6643	Pinus nigra (Black Pine)	70	20
CT17	Crabble Athletic Ground, CT17 0QJ	6644	Pinus nigra (Black Pine)	70	20
CT17	Crabble Athletic Ground, CT17 0QJ	2389	Pinus nigra (Black Pine)	67	21
CT17	Crabble Athletic Ground, CT17 0QJ	2401	Pinus nigra (Black Pine)	65	19
CT17	Crabble Athletic Ground, CT17 0QJ	2461	Fagus sylvatica (Common Beech)	79	24
CT17	Crabble Athletic Ground, CT17 0QJ	2471	Fraxinus excelsior (Ash)	85	16
CT17	Crabble Athletic Ground, CT17 0QJ	6739	Fagus sylvatica (Common Beech)	63	30
CT17	Crabble Athletic Ground, CT17 0QJ	6726	Fagus sylvatica (Common Beech)	68	30
CT17	Crabble Athletic Ground, CT17 0QJ	6739	Fagus sylvatica (Common Beech)	63	30
CT17	Crabble Athletic Ground, CT17 0QJ	6730	Fagus sylvatica (Common Beech)	42	26

Spread	Status	Technology	Technology (description)
11	Proposed	FLH	Fell - Retain high stump
14	Proposed	INS	Inspect
8	Proposed	DWR	Deadwood - Remove
12	Proposed	DWR	Deadwood - Remove
10	Proposed	DWR	Deadwood - Remove
12	Proposed	DWR	Deadwood - Remove
12	Proposed	DWR	Deadwood - Remove
11	Proposed	FLH	Fell - Retain high stump
16	Proposed	МОВ	Management objective
16	Proposed	INS	Inspect
18	Proposed	DWR	Deadwood - Remove
16	Proposed	RVD	Remove debris / vegetation to allow inspection of base
14	Proposed	RVD	Remove debris / vegetation to allow inspection of base

Note	Date proposed
(monolith) at 1-2m to retain habitat value.	07/07/23
base and lower stem following ivy & vegetation clearance.	07/07/23
all deadwood throughout crown over 30 mm in diameter or 1 m in length to manage risk of harm or damage through branch failure. Also to aid future crown condition assessment.	07/07/23
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all deadwood throughout crown over 30 mm in diameter or 1 m in length to manage risk of harm or damage through branch failure. Also to aid future crown condition assessment.	07/07/23
all deadwood throughout crown over 30 mm in diameter or 1 m in length, large branch directly above road.	07/07/23
monolith at 3-4m to retain habitat value, due to developing decay at base and suspected root decay.	07/07/23
reassess risk from dead tree retention with local knowledge of site use, options include further inspections, monoithing, fencing to exclude public from fall zone or felling.	07/07/23
base and lower stem following ivy & vegetation clearance.	07/07/23
all deadwood throughout crown over 30 mm in diameter or 1 m in length to manage risk of harm or damage through branch failure. Also to aid future crown condition assessment.	07/07/23
and provide access around the full circumference of the base and trunk to facilitate visual inspection.  Works to be completed shortly before next scheduled inspection.	07/07/23
and provide access around the full circumference of the base and trunk to facilitate visual inspection.  Works to be completed shortly before next scheduled inspection.	07/07/23

Safety action date	Purpose of work
	Urgent
09/01/24	Necessary
	Necessary
09/01/24	Necessary
09/01/24	Necessary
	Necessary
09/12/23	To Allow Access
09/12/23	To Allow Access



17<sup>th</sup> October 2023

Our Ref: IA23/673

Mr Darran Solley
Parks and Open Spaces Manager
Dover District Council
White Cliffs Business Park
Whitfield
Dover
Kent
CT16 3PJ

Dear Darran,

You have instructed me to undertake a visual inspection and risk assessment of the mature Beech trees located within the grounds of Crabble Sports Ground, Crabble Road, Dover and to provide an arboricultural report on their structural and physiological condition and to make recommendations for their immediate and/or future management due to concerns you have over their structural integrity.

I have based this report on my site observations, and I have come to conclusions in the light of my experience as an arboriculturist.

I am a Technician Member of the Arboricultural Association.
I hold a current LANTRA Professional Tree Inspection qualification.

This report is only concerned with the single Beech tree located within the entrance to Crabble Sports Ground, the fifteen Beech trees that stand immediately adjacent Crabble Avenue and the twenty-one Beech trees that form the wooded copse at the far eastern end of Crabble Sports Ground and are shown on the site plan included at Appendix A. This plan is for illustrative purposes only and should not be used for directly scaling measurements.

All of the relevant information on the trees is contained within this report. It takes no account of any other trees. It includes a detailed assessment based on the site visit.

Trees and shrubs are living organisms whose health and stability can change rapidly especially following extreme weather events and therefore the recommendations provided are valid for a period of twelve months from the date of this report.





I carried out an accompanied site visit on 29<sup>th</sup> September 2023 in the presence of Dover District Councils Tree Officer (Johanne Daniels) and an unaccompanied site visit on 17<sup>th</sup> October 2023. All of my observations were from ground level. The weather conditions at the time of the inspections were sunny and mild with good visibility.

# Appraisal:

The Beech trees that extend around the northern, eastern and western boundaries of Crabble Sports Ground are considered to be large specimen trees that have been present for some considerable time. Without knowing their exact planting date it is difficult to age the trees precisely, however they are considered to be fully mature to over-mature specimens, that is to say that they are considered to be within the third to final quarter of their safe expected life spans for trees of this species.

The trees are considered to be even-aged with no obvious succession planting having taken place. The main issue with an even-aged tree stock is that more often than not it will grow and ultimately decline at a similar rate as is evident at Crabble. The trees have formed a dense monoculture with little species diversity due to Beeches propensity to cast dense shade that prevents competition from other species.

The trees are a striking visual feature of the site, however their structural integrity is being increasingly compromised, with many of them beginning to fail either partially or wholly and with increasing regularity. Recent examples of this have occurred within the wooded copse at the eastern end of the site with one of the trees failing completely and falling into the garden of an adjacent property destroying the shed and boundary fence-line. Upon closer inspection of the fallen tree it was obvious that the failure occurred as a result of a structurally defective fork that was also compromised by the presence of the fungal pathogen *Kretzschmaria deusta*. Whilst the structurally defective fork would have been observable, the fungal pathogen within would not have been.





Fungal pathogens aside, a visual inspection of the trees revealed that many of the Beech trees present have observable structural defects such as tight forks, weak unions, un-occluded cavities, pockets of decay and exposed shallow root systems that will in time become compromised and as such are considered to pose and increasing and unacceptable risk to residents, pedestrians, and motorists within Crabble Avenue and those accessing the sports ground via the eastern wooded copse. I include two photographs below showing typical examples of the sub-optimal structural features that may of the trees present display.





Increasing incidents of extreme weather driven by climate change is exacerbating the problem of structural failure with many of the recent issues occurring as a result of gale force winds and/or heavy rainfall events. The shallow chalk soil on which the trees stand is also a cause for concern in terms of its erosion and increased risk of windthrow.

It should however be stated that compared to other everyday risks we readily accept, the overall risk to us from branches or trees falling is extremely low. Our annual risk of being killed or seriously injured is less than one in a million. Given the number of trees we live with, and how many of us pass them daily, being killed or injured by a tree is a rare event and one that usually happens during severe weather although it is not unheard of for trees to fail during calmer weather conditions.

When assessing risk we need to evaluate a number of factors, the main ones being the occupancy of the site in question, the likelihood of failure and the consequences of such failure. Crabble Avenue is a residential street comprised of terrace houses, a public House (The Cricketers), several bus stops and on street parking for residents cars. It is also a popular and well-used thoroughfare for local school children. At weekends the occupancy of the site increases significantly due to Crabble being the home grounds of both Dover Athletic Football Club and Dover Rugby Club with many supporters accessing the respective grounds via Crabble Avenue and the wooded copse at the eastern end of the site.

The trees located immediately adjacent to Crabble Avenue have been measured and stand between fifteen and twenty metres in height. A separation distance of only ten metres exists between the residential properties opposite, placing the trees well within falling distance of them, which understandably leads to increased anxiety for the residents.





Dover District Council has been spending an increasing amount of time, resource and finance in dealing with the Beech trees at Crabble Sports Ground in a reactive manner and as such a management plan for the site is proposed that will see the removal of fifteen roadside trees from Crabble Avenue and the twenty-one trees that form the wooded copse to the east, with a robust and diverse re-planting program prepared by the council that mitigates the loss of the Beech trees and provides the site with continuity tree cover for decades to come. The risk posed by the trees along Crabble Avenue and within the wooded copse has simply become unacceptable to the District Council with whom the duty of care rests.

The short term impact of such a drastic plan is clearly one of the loss of mature canopy cover over a wide and highly populated area; the initial cost to the local authority of removing the trees and ultimately reconciling the loss of the trees with the inevitable environmental consequences that will undoubtedly arise as a result of such a program of work (loss of habitat, biodiversity, pollution filtering and the sense of 'place' that the trees provide having been present for so long). To do nothing places the local authority at greater risk of legal action being taken against it should damage, injury or death occur as a result.

Serious consideration has been given to the removal of just the poorest quality trees present, however the issue with this approach is that as the trees have grown as a dense group and with Crabble Sports Ground occupying such an exposed position that there is a real risk of exposing the remaining trees to environmental factors and forces that they have not had an opportunity to adapt too, which can also lead to incidences of windthrow or partial structural failure, even in seemingly structurally and physiologically sound trees.

Further consideration has also been given to the overall reduction of the size of the trees in order to ease loading on their compromised structures and retaining them, however the extent of works required using this management approach would, in this instance, require the removal of considerable amounts of the trees canopy and in essence would result in a virtual pollard, which is neither desirable nor recommended for Beech trees, which often decline rapidly following such heavy pruning resulting in their complete loss within a year or two. The financial implications of this approach often prove to be false economy.

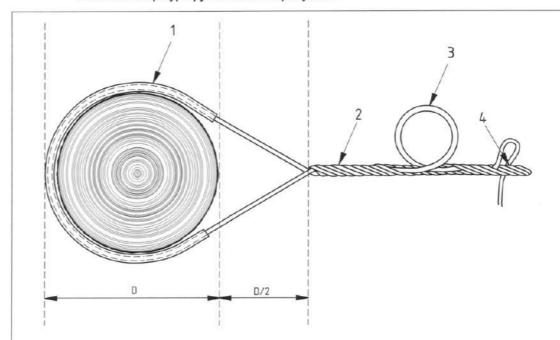
The exception to the above is the single Beech tree that stands at the entrance to Crabble Sports Ground off Crabble Road. This large, fully mature specimen tree stands at twenty-five metres in height with a canopy spread of ten metres to all four cardinal points and supports a full, wide spreading canopy that dominates the western boundary of the site. This tree, like those referred to above also has a number of noticeable structural defects; most notably the tight fork within the base of the large diameter (>300mm) north east facing stem arising at three metres above ground level along with numerous large diameter (>150mm) overextended branches throughout its canopy. In addition to this there are three immature *Ganoderma spp* fungal fruiting bodies present at the base of the tree on the south-western and eastern sides.

Whilst the presence of the immature decay fungi currently poses no significant risk, it is important to reduce the loading within the trees canopy to safeguard the sub-optimal structures referred to above. A prescription is therefore made for the overall reduction of the height of the tree by four metres and its lateral spread by a maximum of three metres. The Beech at the entrance to the sports ground occupies an extremely exposed position to which it has adapted to over many years. The prescribed works are considered to be in accordance with good arboricultural practice. In addition to the overall reduction of the trees canopy a further recommendation is made for the installation of a non-invasive flexible brace to add

further support to the north-east facing stem. The non-invasive flexible brace should be installed in accordance with Figure D.2 BS3998:2010 and is reproduced below for reference. Bracings with an eight tonne rating are recommended.

BRITISH STANDARD BS 3998:2010

Figure D.2 Diagrammatic illustration of components used in a non-invasive restraint system: monofilament polypropylene hollow rope system



NOTE An optional rubber shock absorber may be inserted into the rope at the mid-point of the installation to allow for low-load oscillations.

## Key

- 1 Internal expansion band and external anti-abrasion cover fitted where rope passes around the stem
- 2 Splice (rope fed into centre of rope and out again in accordance with the manufacturer's recommendations)
- 3 Tension loop to accommodate tree growth
- 4 End splice





I have undertaken three separate VALID risk assessments in respect of Crabble Sports Ground; one for the single Beech tree at the entrance of the site, one for the group of fifteen trees along Crabble Avenue and one for the twenty-one trees contained within the wooded copse at the far eastern end of the site and are included at Appendix B of this report.

I trust my appraisal of the situation is acceptable to you, however please feel free to contact me should you have any queries.

Yours sincerely,

David Sephton. Tech Cert (Arbor. A.)

J. bler.

# **Appendix A: Site Plan:**



# <u>Appendix B – VALID Risk Assessments</u>

# VALID

# Summary

# Risk



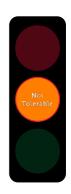


Highest Risk	Not Tolerable
Risk Reduction	Crown reduce by four metres overall
Tree Management	Crown reduce by four metres overall

Review Year 2024

Date Assessed 2023-09-29 09:13
Assessed By David Sephton
Phone Number 07810783853

Email invictaarb@icloud.com



# Tree Details and Location



Species	Height	Stem Ø	Crown Ø
	(m)	(cm)	(m)
Beech Fagus sylvatica	25	1550	20

# **Risk Inputs**

# Likelihood of Occupation





People



Event

Consequences





Stem





C

1 Very High

\_\_\_\_\_



Tight union with included bark at eight metres above ground level

Tree occupies an exposed position to which it has adapted over some considerable time.

Immature Ganoderma fungal brackets evident at base of tree on north east and south western sides

## **Notes**

The highest risk is the structural failure of the north east facing stem  $\,$ 



# Summary

# Beech (G1 (15 **Beech Trees)**



Highest Risk	Not Acceptable
Risk Reduction	Fell to ground level all fifteen trees
Tree Management	Fell to ground level all fifteen trees

**Review Year** 2024

Date Assessed 2023-09-29 10:03 Assessed By **David Sephton** 07810783853 Phone Number

Email invictaarb@icloud.com



Risk

# Tree Details and Location



Species	Height	Stem Ø	Crown Ø
	(m)	(cm)	(m)
Beech Fagus sylvatica	30 max	1000 max	20

Dover

# **Risk Inputs**

# Likelihood of Occupation







Parked





Train | Tram



Consequences



Likelihood of Failure



Stem

Branch

Deadwood

All fifteen trees currently display good overall vitality

exposure changes to the tree changes around tr

A number of structurally compromised unions are evident in the majority of trees present...

The removal of individual trees will expose others to environmental factors they have not had an opportunity to adapt to



**Notes** 

The highest risk is the partial or total structural failure of roadside trees

#### Summary Risk

# Beech (G2)



**Highest Risk** Not Acceptable Risk Reduction Fell all twenty-one tree to ground level Tree Management Fell all twenty-one trees to ground level **Review Year** Date Assessed 2023-09-29 10:22

Assessed By **David Sephton** Phone Number 07810783853 Email

invictaarb@icloud.com



# Tree Details and Location



Species	Height	Stem Ø	Crown Ø
	(m)	(cm)	(m)
Beech Fagus sylvatica	30+	880	12 max

# **Risk Inputs**

# Likelihood of Occupation





People

Weather Affected



Consequences





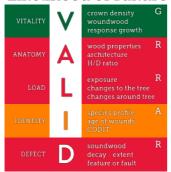




Branch



Likelihood of Failure



**Notes** 

All twenty-one trees display good overall vitality

Multiple tight unions and evidence of previous structural failures through the group

The removal of stems will expose others to environmental factors they have not had an opportunity to adapt to

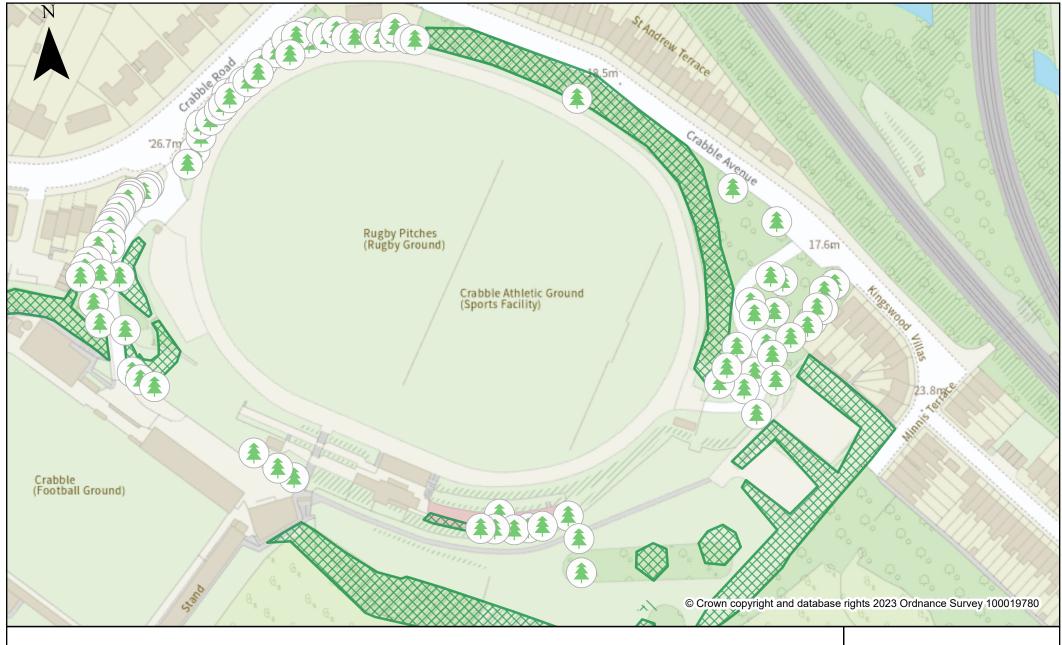
Incomplete wound occlusion evident on the majority of trees present along with multiple cavities and areas of decay

Multiple unoccluded cavities evident, large diameter deadwood and areas of decay evident. Many tight structurally compromised unions

The highest risk is the increasing frequency of structural failure

# F





**Dover District Council** 

23

Date: 01/12/2023 Scale: 1:1,571

Dover District Council Honeywood Close White Cliffs Business Park Whitfield DOVER CT16 3PJ

