

Due by: 28/02/2019		Visit Date: 11 Feb 2019	
Site address	Church Litten, Newport		
Visit Officer	JW		
Application Type	TPO not applicable	CA - Newport	
Application reference no: TW-0460-18			
<p>Site Notes: There has been one previous notification of work to this tree in January 2008, which was to reduce the crown of the tree where it overhangs the road. This work was carried out in the same year.</p> <p>The tree is located on the south western corner of Church Litten Park approximately six metres from Medina Avenue, which is a busy main road. The tree is adjacent to a pedestrian access point to the park from which a footpath leads north into the town centre under the crown of the tree, approximately one metre from its trunk. The crown spread of the tree overhangs the park, Medina Avenue and the recreation ground of Node Hill 6th form campus.</p> <p>The nearest properties are on the southern side of Medina Ave approximately 15 metres from the tree.</p> <p>The tree is owned by the Isle of Wight Council, and is on council-owned land. Therefore, an independent opinion on the condition of the tree was sought from Andrew Southcott, an independent arboricultural consultant. His findings can be found in Appendix A of this report and these, along with the findings of the council's Tree Officer, have informed this decision.</p>			

Tree 1	Height	DBH	Age
Species: Horse Chestnut	22m	1000mm	Mature
Condition The tree is in a poor condition with signs of decline in the upper crown seen to manifest itself as large scale die back and the remaining crown is seen to be thinning. There are two fungi seen on the trunk of the tree both of which are causing some form of rot.			
Work requested: Fell		Reason: The tree is thought to be unsafe and could pose a threat to the surrounding area.	

Inspection findings: The tree was initially inspected by the council tree officer on the 17 September 2018, at which time it was found that the crown had died back in approximately 25% of its volume, this being predominantly in the upper crown, leaving large sections of dead wood hanging over the foot path below. Two forms of fungi were found in the trunk of the tree. Meripilus giganteus was seen around 30% of the base of the trunk, and Ganoderma sp. Fungi found approximately three metres from ground level. Both these fungi cause rot in trees.



The Meripilus is white rot fungi that removes the cellulose and pectin from the wood and generally causes decay in the host tree roots. Due to the manner of decay the wood will split and fracture reducing the structural stability of the tree and the roots that support it. A further symptom of this fungi is die back in the crown of the tree, which is due to the slow decline in the roots reducing the

level of water and nutrients reaching the crown.



The Ganoderma is a heart rot fungus that causes the delignification of the wood making it spongy, with less rigidity causing it to become weaker and with less ability to carry heavy loads making the infected area prone to collapse in the later periods of infection. It is noted that the tree has also got a pocket of decay that extends from the ground to the fungal bracket. The full extent of this decay is unknown but from probing it is seen that this is of significant size.

The crown of the tree has been seen to die back heavily in the upper half leaving significantly large deadwood, that over hangs the path, park and recreation area of Node Hill 6th form campus.

These findings have been verified following the independent site visit and assessment undertaken on 29 January 2019 (see Appendix A).

Legislation:

It is noted that this is a tree protected by virtue of being in a conservation area and as such this is not an application, but rather a notification to carry out the work. The process being for the council if it were to object to its removal it would have to place a Tree Preservation Order (TPO) on it to prevent such an occurrence (Paragraph: 114 –134 Gov. PPG “Tree Preservation Orders and trees in conservation areas”).

Analysis of Inspection :

It is seen that the tree has two significant fungi causing rot in both the trunk and roots. The Meripilus is seen in several areas around the base of the tree and shows that it is not just infected a localised area. The scale of die back in the upper crown of the tree is a symptom typical of this fungi and damage it is causing the roots of the tree this is further seen in the thinning of the crown. The Ganoderma is thought to have already caused decay to the trunk and the consultant’s further investigations (which included probing and sounding the tree) shows that this is a large area of internal decay. The report goes on to say that the decay is in an area that beneath a large branch that overhangs the road and is of particular concern. This would be because of the support the infected area is expected to give the large branch is now undermined.

The independent arboriculturist’s report identifies that the two fungi are causing significant decay to the tree and undermining the stability of the tree. This has resulted in a significant reduction in the support necessary for the large branch over the road.

A significant risk of collapse on to the busy road, park or school has been identified.

To reduce this risk the possibility of reducing the tree was considered, but it was recognised that such a course of action would not fully address the risk the tree presents. Furthermore, the tree would still require removal in due course.

Treatment: There is no form of treatment for pathogens such as Meripilus and Ganoderma and it is not possible to prune the infected areas out of the tree without the removal of the tree. It is unlikely that the tree will prevent the spread of decay, as Horse chestnut are poor at compartmentalising areas of fungal infection and put up little defence to the spread of the pathogen throughout large areas of the tree, ultimately causing its collapse and demise.

Managing risk

The Isle of Wight Council's Recreation and Open Spaces Service are responsible for managing council-owned trees in the council's parks and have identified that there is a risk that needs to be managed. As identified above, due to the nature of the fungi only the removal of the tree will sufficiently reduce the level of risk.

If the local planning authority were to object to the removal of the tree and it were to fail, then that culpability would fall to the council and as such leave it open to compensation claims. If a fatality occurs as a result of the tree failure it could leave the council open to prosecution for corporate manslaughter.

Conclusion: It is recognised that this is a large tree and a significant feature in the street scape, which plays an important part of the verdant setting of the park. However, given the condition of the tree and its size and its location there is a high risk that it could fail causing damage to surrounding structures and harm to members of the public in the vicinity at the time of the failure, potentially causing a fatality.

The options available to the council in determining a section 211 notice are limited. Due to this it is advised that, in accordance with the legal section 211 process, the local planning authority does not object to the removal of the tree.

Recommendations: The independent arboricultural assessment recommends the tree is felled due to the scale of fungal infection and the danger this presents to the surrounding area. He does consider the possibility of reduction of the tree but feels this would not fully address the risk the tree presents, and the tree would still require removal in due course.

The findings of the report agree with the original findings of the council's Tree Officer and therefore their recommendation is to fell the tree due to the danger it presents to people and the surrounding area.

Decisions

There is no objection to the felling of the Horse chestnut tree as detailed in application TW/460/18

Reason: The tree has been found to have its structural integrity undermined by two fungal pathogens (*Ganoderma* and *Meripilus giganteus*) to such an extent that its potential failure is likely in the near future, thus creating the significant risk of causing large scale damage and potential harm to the general public.

Advisory Notes:

- All work should be carried out to a minimum of BS3998 2010 "Recommendations for Tree Work" or current industry "best practice". Working practices should comply with guidance and regulations issued by the Health & Safety Executive.

Reason: To ensure the health and future amenity value of the trees.

- It is also recommended that the tree is replaced with a parkland tree of similar potential and size in maturity. It is thought that whilst a replacement tree of this type would be appropriate it is felt that it should be planted further from target areas such as the road and physical structures.