

## Re: Felling of beech tree- Oxborough

Info Stump <info@drstump.co.uk>

Thu 21/04/2022 11:11

To: Susan Hernandez <HernandezSusan@hotmail.com>

Cc: simonwillies30@gmail.com <simonwillies30@gmail.com>

Good day, Susan.

I hope you are well.

I thought it best I email you our action plan and the process moving forward. At this point we are following our standard procedure but there may be some variation after the 26th.

T1: Beech, common (*Fagus sylvatica*)

Location: Oxborough.

### **Action plan:**

**Pre works start date:** 15th April 2022.

Liaise with TREECARE CONSULTANTS on a required (not recommended) timeframe of works.

If they reply that the tree is marked for immediate felling this will be used as evidence. (In police caution). - have already contacted them previously and I am awaiting a response.

Action:

Compile schedule of works including Risk Assessment and method statement (RAMS) for whole site including but not limited to:

- \* Traffic management
- \* Working At Height
- \* Generic RA
- \* Ecology - Bats and birds
- \* Complete full Method statement.

**Works start date:** 26th April 2022. (Confirmed)

Schedule of works:

Ecologist on site from approx 7:30am to monitor tree for wildlife.

Set out chapter 8 and begin aerial inspection for bats and birds by approx 9:00am. - (this survey is included within our cost quotation and is standard practice on large specimen trees.)

27th April 2022. (Confirmed)

Action:

- \* Await conclusion of initial findings and design action plan moving forward.
- \* Create updated schedule of works

**Now from here, things get tricky and depend on the findings of the above. And can be a few days to a few weeks.**

If there are nesting birds, the ecologist - either our ecologist, Louise from Torc ecology or one you have independently contracted, will have to apply for a Bird licence to remove the nests, which we will have to carry

out under their supervision.

If there is a bat colony etc, then a bat licence will have to be granted prior to felling. which we will have to carry out under their supervision.

The above will unfortunately have an additional cost attached to them which you would need to confirm with your designated ecologist.

If there are bats and birds it is likely that the ecologist and police will both be present- we are technically breaking the law but H&S over rules the legislation. - this sounds serious but is really standard practice for bats and birds!

*NOTE:* If the tree can be left until after Bird nesting season, then that would reduce some of the mitigation but most of the issue is within the bat legislation. Leaving the tree is highly unlikely due to the wording of the report, which I will confirm as soon as I have heard back from Treecare consultants.

**Works start date:** 04 May 2022 (Estimated)

Attended site with all relevant parties and begin process set out in updated schedule of works.

Any questions please do not hesitate to contact me further.

Appreciatively,  
Mr Matthew Hewitt

Director  
DR STUMP LIMITED.



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On 20 Apr 2022, at 09:38, Susan Hernandez <[HernandezSusan@hotmail.com](mailto:HernandezSusan@hotmail.com)> wrote:

Thanks again Matt- I have just left her a message on her number.

Safe travels home!

Kind regards

Susan

Sent from my iPhone

On 20 Apr 2022, at 09:02, DR STUMP LTD <[info@drstump.co.uk](mailto:info@drstump.co.uk)> wrote:

Good day, Susan.

I always work with Louise from TORC ECOLOGY.

+44 1485 524950

The Office, 14 Park Hill, Dersingham, King's Lynn PE31 6NE

They're always fantastic.

I'm now flying home but have left them a brief email describing the situation.

I will catch up with her on return, it's worth giving them a call as there is mitigation requirements that we can work with.

I will also contact the Statutory Nature Conservation Organisation (SNCO)

To confirm their position, if it is likely there are bats, this will be the correct methodology. It seems your Parishioner has detailed information about the tree and it's habitat that is not to be ignored!

Mr Matthew Hewitt

Director

DR STUMP LIMITED

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On 20 Apr 2022, at 08:34, Susan Hernandez  
<[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)> wrote:

Hello Matt, good morning

No, we haven't - we had not done this as the tree was being felled in the early part of the year - and then that didn't work out.  
Could you recommend a firm to us?

Thank you and kind regards  
Susan

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**From:** DR STUMP LTD <[info@drstump.co.uk](mailto:info@drstump.co.uk)>

**Sent:** 19 April 2022 16:55

**To:** Susan Hernandez <[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)>

**Subject:** Re: Felling of beech tree- Oxborough

Good afternoon, Susan.  
Thank you for this report.

I would hold fire before sending an email, I'm waiting on confirmation of a few details.

Have you had a Bat survey undertaken?  
As I mentioned previously, We will conduct a risk assessment and method statement in full prior to works commencing (when I'm back from annual leave) which I will supply prior to start date.  
This will include an ecological risk assessment also as standard.

Il get back to you tomorrow with further details once I've revised the survey.  
Appreciatively,

Mr Matthew Hewitt  
Director  
DR STUMP LIMITED

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On 19 Apr 2022, at 17:32, Susan Hernandez  
<[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)> wrote:

Hello Matt  
Well, thank you for taking the time to respond when you are on holiday - appreciated very much.  
Please see attached tree report.  
And Thank You for your comments below as I can use these to respond to our villager!

Kind regards  
Susan

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**From:** DR STUMP LTD <[info@drstump.co.uk](mailto:info@drstump.co.uk)>  
**Sent:** 19 April 2022 07:52  
**To:** Susan Hernandez <[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)>  
**Subject:** Re: Felling of beech tree- Oxborough

Good morning, Susan.

I hope you're well.

I understand his concerns.

As you remember, the RAMS were a brief cover for your committee meetings and that once approved, further -more detailed RAMS would be supplied prior to start. These will have mitigative steps in place.

It would be great if you could send the tree safety report over to me again- I'm away on annual leave and have limited access to emails but this would be great to have to respond in detail.

As for birds/ bats, we will carry out a search of the tree prior to start to identify any of these issues.

Habitat loss is a potential problem and we will put steps in place to mitigate this. However, public safety does take precedence.

It is possible to reduce the crown in some situations but unlikely in this case due to the exceptional decay in the stem wood.

Again, until a full aerial inspection can be undertaken, Mitigative steps cannot be decided.

I can take a look at the tree safety report today if you can send it over, I fly home tomorrow and will respond ASAP. Depending on its recommendations, we could delay works if necessary.

Appreciatively,

Mr Matthew Hewitt  
Director  
DR STUMP LIMITED

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On 19 Apr 2022, at 08:06, Susan Hernandez  
<[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)> wrote:

Hi Matt

Hope your Easter weekend went well, certainly the weather was spot on!

Could you take a look at the email we received from an Oxborough resident ( I don't actually know him and he's never been to a PC meeting before).

I remember when you met with me and Simon, and you mentioned about nesting birds and bats - and how this would be taken into consideration when the time came.

But, as you can see from below, it may need addressing before - and what would be the outcome if it was shown to be the case?  
thank you for checking this.

Kind regards  
Susan

Mrs. Susan Hernandez  
Clerk Oxborough Parish Council  
The Swallows, Oxborough, King's Lynn, Norfolk  
PE33 9PS  
07900 587825  
[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)

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**From:** Nathan Pearson

**Sent:** 17 April 2022 07:45

**To:** [hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)

<[hernandezsusan@hotmail.com](mailto:hernandezsusan@hotmail.com)>

**Subject:** Felling of beech tree- Oxborough

Dear Ms Hernandez,

I note from the Parish website that the beech tree is due to be removed on the 26th April. Whilst this is necessary on grounds of safety I would like to point out that birds are currently nesting in the tree. These are protected by law and so I would like to ask how the council and its contractors plan to mitigate for this? I have read the rather generic RAMS supplied by 'Dr Stump' but it does not mention birds, or bats for that matter.

Why has the work been planned in the height of the breeding season? The council had every opportunity to get this work carried out during the dormant season, but, from reading the minutes of the meetings bogged itself down in procrastination and a lack of decision making.

Why have no reasonable steps been taken to prevent nesting in the tree, if you knew the felling was likely to be in the breeding season? It is well known that jackdaws and stock doves nest in the cavities of the tree and have done so for many years. It would not have been unreasonable to arrange for these cavities to be blocked or netted to prevent access.

Has a bat survey been carried out by a suitably qualified person? The tree looks probable for a bat roost and again, this would coincide with their breeding season. I'm sure you'll be aware that all bat species are protected in the UK so again, what mitigation has been put in place for this?

Please don't tell me that the health and safety factors outweigh the loss of nesting birds and potentially bats. I agree that the tree needs to be removed but want to know what the council is doing about wildlife protection? It may be that the work has to be phased- a crown reduction now followed by removal in the autumn. I say again, you had every opportunity to carry out this work at an appropriate time. If you haven't already I urge you to seek professional opinion from a qualified ecologist before any work is done.

Yours,

Nathan Pearson.