

# The Law

In its simplest terms the duty is to do what is reasonable and not be negligent.

## The Law

The following statute law is relevant to the risk of damage and injury posed by trees:

**Health & Safety at Work Act 1974 s.2 & 3**

**Occupiers Liability Acts (1957 & 1984)**

**Management of Health and Safety at Work Regulations 1999**

## Case Law

The 'Acts' above are supported by case law establishing interpretation for future cases:

**Noble -v- Harrison 1926**

**Donoghue v Stevenson 1932**

**Chapman v Barking & Dagenham London Borough Council 1997**

## Top Tips

- Use qualified professionals to NVQ level 5 and above.
- Keep accurate records and take action to 'obvious features' (dead tree, large fungus etc)
- Have a tree policy.
- Align and acknowledge the Health and Safety Executive SIM – [Management of Risk from Falling Trees](#)

“Clear concise advice with obvious subject experience and expertise, many thanks”.

Client Testimonial