

Council prosecuted after member of the public killed by falling tree

Staffordshire County Council has been prosecuted for failing to inspect and maintain trees on a public footpath, following the death of a member of the public.

North Staffordshire Justice Centre heard how, on 3 October 2019, a man walking his dog on the Isabel Trail in Stafford was struck and killed by part of a falling oak tree.

An investigation by the Health and Safety Executive (HSE) found that the tree, a multi-stemmed mature hybrid oak, approximately 12-14 metre high and with a crown radius of between seven and ten metres, had defects from which it was foreseeable that it was likely to fall and cause injury. The tree was located within the boundaries of the Isabel Trail.

Local authorities, including Staffordshire County Council, are legally required to suitably and sufficiently manage the risks and hazards posed by the trees within their responsibility remit. Staffordshire County Council had a programme of proactive inspection and maintenance across the county, but the Isabel Trail had been omitted for many years.

Staffordshire County Council of 1 Staffordshire Place, Stafford pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974. They were fined £300,000 and ordered to pay costs of £13,164.90 and a victim surcharge £181.

Speaking after the hearing, HSE inspector Lyn Mizen said: "This tragic incident could have been averted if the required periodic tree safety inspections, as per the Staffordshire County Council's own Code of Practice, had been carried out. Local Authorities need to ensure they have suitable inspection systems in place, including monitoring and audit provisions, to guard against situations such as this, and to ensure they have enough suitably trained and competent tree inspectors to enable compliance with their tree management policies and codes of practice."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. hse.gov.uk
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

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