

From: Harris, Beryl (Cllr)
Sent: 28 June 2011 21:16
To: Gruber, Nik
Subject: FW: Trees Outside my House

Attachments: PA250096.JPG

Hello Nik

I hope you are well we seem to have a quiet patch ! Please can you look at this enquiry and copy me in with your views and suggestions

I look forward to hearing from you in due course

Kind regards Beryl Harris Cllr

From: Peter Williams [mailto:panda@mybetterlife.co.uk]
Sent: 27 June 2011 14:31
To: Harris, Beryl (Cllr); Hannides, John (Cllr); Harris, Les (Cllr)
Subject: Trees Outside my House

You'll see from my address below that I reside in Bassett – we back on to the Dunkirk Road –sports ground car park. I have attached a photograph of the surrounding trees and our house.

I wonder whether you can help me.

Because of our location we are surrounded by 'Oak' trees (I believe they are all oak) which are located either in the car park or sports ground.

I have on several occasions 'complained' about the trees to the council.

Basically

- The trees are very high
- The trees obscure sunlight from the house and garden
- The lack of sun light means – loads of moss on the roof (cleaned again last year), lawn etc. Plants don't grow very well.
- The trees are a source of falling leaves (both to the street, our garden and of course the sports centre), sticky tree residue, bird droppings and broken / rotten twigs and branches.
- The council have a strict agenda about street cleaning which I believe is done on a time interval basis rather than when the street needs cleaning. In practice this means me cleaning the pavement and road around my house on a regular basis.
- I frequently use a blower for the tree leaves, twigs etc and often followed by a jet wash to clear away bird droppings.
- The fact that we are at the bottom of the cul-de-sac means other 'street dirt' run towards the drain outside our property.

I have had visits from the tree people and the answer appears to NO – first. In fairness the council seems to have some policy regards these trees which means the only thing they have done to them recently is cut the ivy near the bottom of one of the trees leading to new falls of leaves early in the year (not long after the oak tree leaves had stopped falling).

I know there are other neighbours nearby who would also like to see the trees substantially pruned / reduced in size or removed altogether.

My own comments are as follows:-

- **The street cleaning is a real issue.** I understand it is a council's responsibility to clean the streets. There is clearly no intention to fulfil this requirement i.e. the cleaners visit according to a rota (based

on a time interval) rather than a need to clean the streets. [I think it was about 2 years ago when I spoke to the one of the street cleaning group and was advised they come every 16 weeks (this may have changed or perhaps never was the case)]. I just couldn't imagine what the mess would be if I didn't clean the road and pavement myself. How much of a **safety hazard** there would be would be anyone's guess.

- If the council were to fulfil the above obligation then there would obviously be **a cost involved**.
- I can't help notice that the sports centre car park seems to get looked after somewhat better than the road and pavement in front of our property.
- In the past I suspect these trees may have been removed **if – it had suited the council**. I don't have the relevant details but I believe the original intention (1950's) was to build 2 houses across the end of the cul-de-sac (the numbering confirms this i.e. 24,25,gap,gap,28,29,30 etc. Probably 4 or 5 years ago I recollect the council considering building houses on the Dunkirk Road car park – this was abandoned but I don't think it was for the trees and I suspect they would have been felled.
- These trees are within a sports ground where there are many trees to admire and easy to look after etc.
- The closest of the trees is about 3 feet from the house and clearly overhangs the house substantially.
- I can't help think that there will be a storm one day and substantial damage will occur either to property, vehicles, people or all.
- We – and others – would like to consider doing the 'green thing' and save money and consider the installation of solar panels. My own roof would be ideal for this purpose i.e. facing almost South – except the shadow from the trees makes this impractical.

I guess I'd just like to be rid of the trees.

I'd appreciate any thoughts and comments which could assist in reducing this problem.

Regards

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From: Peter Williams [panda@mybetterlife.co.uk]

Sent: 18 August 2011 13:42

To: Gruber, Nik; Hannides, John (Cllr); Harris, Beryl (Cllr); Harris, Les (Cllr)

Cc: Yeats, Nick; Allen, Chantelle; Goddard, Jayne (Open Spaces); 'Legg, Des'; Richardson, Susie; Arrowsmith, Tracey; Buston, Claire; Gamblin, Dennis

Subject: RE: Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

I am addressing this response to Nik Gruber and the Bassett councillors – to whom I had addressed my original concerns – and have copied Nik Gruber's colleagues on the original email list and Dennis Gamblin (see below).

Thank you for your comprehensive reply.

I don't have a 'grudge' with the 'tree department' neither am I generally disappointed with the works carried out and I certainly have not (or implied) any criticism about the professional standard of any work carried. I am more frustrated with the surroundings and the council's somewhat intransigence to my concerns – that is why I have contacted the Bassett Councillors.

I'd just wish the situation to be more in favour of the residents rather than the trees!

I have been prompted to respond at this time because of a letter (received earlier this week dated Friday 12th August 2011) from the "Corporate Policy & Performance" department at Southampton City Council. I decided to 'phone the department directly and try to speak to Dennis Gamblin (the originator of the letter). Mr. Gamblin was apparently on holiday and I spoke to Lindsey Malpas (not sure of spelling). Having explained some of the problems – I was told my comments would be passed on. **Wow - about 8:45 this morning (18th August) 2 'tree men' arrived (Clive and colleague) and proceeded to remove most of the dead ivy from the tree (thank you to all concerned).** Later this morning we had very heavy rain and I was on hand to sweep some of the leaves away from the drains before my garage was partially flooded. (In heavy rain the water overflows the pavement and down towards my garage).

I'll take some of your point in more detail:-

1. Your paragraph *"...I am disappointed you have not been satisfied..."*. I certainly have not and do not wish to imply any criticism of you or your staff in your professional capacity to look after trees. I am not qualified, in any way, to pass a professional judgement on the way the trees are cared for - I am however a resident with concerns. I can't help wonder however – why one tree is singled out to have the ivy removed when adjoining trees look similar and if ivy is 'so damaging' why wait until it's 20-40 feet up a tree and 2-3 inches in diameter.
2. Yes – I have had a number of visits from various members of your team and relative some tidying up has been put into place from time to time. On one occasion I was told you were obliged to carry out work within 12 months – and sure enough approximately 364 days (+23 hours!) later someone arrived. Last year a young lady visited – this subsequently lead to the ivy being cut. I stress this was not at my request and the work was done earlier this year – causing further substantial dropping of leaves – not long after the natural leave shedding in the late autumn had stopped. We have had, until this morning a massive, substantially dead ugly brown ivy tree / plant. The leaves and twigs have continued to fall for from early this year (just after the cutting I assume). Personally I regard ivy as a nuisance but I'd rather look at green ivy rather than dead brown ivy. I'd also prefer the leaves and twigs stayed in place rather have to clean the area.
3. You state "...Whilst considered to be in a safe condition..." - I don't even know how to gauge the 'safe-status' of a tree. I suspect most trees are regarded as safe until they are not – there are many falling trees every year causing damage and I suspect they were usually regarded as safe. Equally I haven't requested a 'guarantee' that they will be safe. I am just expressing the sort of view that visitors and neighbours express – i.e. can't something be done about those huge trees which are so close to your house and garden? Many of these oak trees are - I suspect around 100 feet tall - and within just a few feet of our house. I suspect most individuals would have a degree of concern when there are such huge trees towering and overhanging their own property.
4. You state *".... we will not therefore "lop" or "top" trees as this will often result in profuse regrowth and can make the tree susceptible to decay...."* Again personally I'd much prefer to see trees closer to the ground (with or without regrowth). Many of the trees have, I suspect, been trimmed over the years at the lower levels and consequently there is negligible foliage or branches below 30 or 40 feet (guesstimate). Such branches clearly would have damaged my property.
5. You mention the holly. Yes the holly – in the Dunkirk Road car park which adjoins our house was probably something in the order of 30+ feet high. I had trimmed the substantial overhang into our garden - probably to the height of 8 to 10 feet. The council were able to further trim the holly to a higher level but still left substantial overhang at a higher level still and I was surprised that that these holly trees could not have been 'lopped'. In the run up to Christmas last year however, some enterprising 'tea-leave' chopped the whole lot down to a height of about 6 feet – i.e. we now just see the stumps and some re-growth and dead holly branches – but the overhang problem was solved. [Just wondering whether they'd do the same job for the oak furniture manufacturers !]
6. You state *"... I have also been advised by the Central District Parks and Street Cleansing Manager that Lordswood Gardens is visited by the street cleansing team approx every 5/6 weeks as part of zonal cleaning. This frequency would increase to monthly during Oct, Nov and Dec when the leaf clearing becomes the main priority in that area..."* Whilst I realise this activity is outside your direct line of responsibility I feel very strongly that this is just not the case. It is difficult to 'prove' that such an event does or does not take place. I am not aware of the street being cleaned this year!!! I also cynically suggest that you state *"....is visited...."* and maybe there is a definition of street cleaning that I am not aware of. The street maybe visited but it is not cleaned. Put simply, I understand the council has a small motorised vehicle used to clean residential areas such as Lordswood Gardens – the last time I saw this vehicle was a long time ago. When such a vehicle has been into the area it obvious where it has been used and where not (cars may have been parked in the street for example and the vehicle goes around them). The last time I remember the street being cleaned was by a sub-contractor of the gas company responsible for the new mains gas. The street was cleaned just before our 'street party'. I stated in my original letter that I frequently clean the area adjoining our house myself – because it has not been cleaned. In the autumn / early winter I frequently sweep the leaves into a pile and when that gets substantial I have called 'action line' and the leaves do get removed.

7. There are other points of a more general nature which are again part of my logic of contacting the Bassett Councillors. You have stated the council's policy regards tree care and if those are the policies then they are your policies but policies can be changed! I also mentioned in my original letter to the councillors :-
 - a. The original numbering when the houses were built – goes 25, gap, gap, 28 (my house). Clearly there was consideration that houses would be built across the end of cul-de-sac which would have necessitated removing several of the trees.
 - b. I also suspect that when these properties were built the trees were much smaller and the council probably had different policies towards tree in those days.
 - c. A few years ago there was some thought of – by the council - developing the area of the Dunkirk Road car park for housing. As I recollect, again some or all of the trees would have been removed.
8. The above point is made purely to indicate whatever 'tree policy' the council may have it is probable that on the above occasions the council would have sanctioned the removal of the trees – because it suited the council.
9. I also mentioned the installation of solar panels. Clearly 50+ years ago the idea of solar panels had not been thought of and the idea of trying to conserve energy (fossil fuels) was not considered any sort of priority. The front of my property faces almost due south and would be ideal for the installation of solar panels - but is not feasible because of the trees. In this day and age it seems almost wrong to prevent households being able to implement such energy saving plans. Again maybe now or sometime in the future policies could be changed to allow such energy saving plans to be given more consideration..

In conclusion :-

- I'd like to see the size of the trees substantially reduced.
- Despite what has been said I still feel a little concerned in a storm with these trees hanging above us.
- I'd like to be able to consider the installation of solar panels.
- I'd like the streets to be substantially cleaner – less leaves, less bird droppings and swept etc.
- I'd like to see more daylight!
- Not to be liable to drains overflowing in heavy rain because the leaves and other debris wash down to the corner drain outside my property.

Regards

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From: Gruber, Nik [mailto:Nik.Gruber@southampton.gov.uk]
Sent: 06 July 2011 10:56
To: panda@mybetterlife.co.uk
Cc: Hannides, John (Cllr); Harris, Beryl (Cllr); Harris, Les (Cllr); Yeats, Nick; Allen, Chantelle; Goddard, Jayne (Open Spaces); Legg, Des; Richardson, Susie; Arrowsmith, Tracey; Buston, Claire
Subject: Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

Dear Mr Williams,

Thank you for your email dated 27th June 2011 which has been passed to me for a response.

I am disappointed you have not been satisfied with the works carried to trees which adjoin your property over the past few years. The Council's Tree Officers including myself are all professional, qualified arboriculturists, making decisions for the best possible tree care in the City whilst following the Council's policy on trees and trying to accommodate the numerous requests from residents. I will attempt to address the issues raised in your email with the following information.

The various trees adjoining your property have been inspected on numerous occasions and are considered to be in a safe condition. They are living organism and obviously their condition can change and the Council cannot guarantee against possible failure during storm events. However, there are no obvious defects and they are an important part of the sylvan character of this area. They are prominent trees and provide a significant contribution to the street scene and it is considered the area would be worse off without them. Unfortunately, along with all the benefits of having trees in the environment there can sometimes be minor nuisance from falling leaves, debris etc, along with shading at certain times of the day.

Under Southampton's Tree Operational Risk Management System (STORMS) we operate the following procedure: -

Requests for work on council owned trees are categorised according to the traffic light trees system. The process takes account of how urgent the work is. The categories are as follows:

Red - tree needs urgent attention and works will be carried out within 12 weeks.

Amber - tree needs attention to stop it becoming dangerous and will be worked on within 6 months.

Green - tree works are not essential but are carried out as part of the council's good neighbour policy. Generally green category trees require works such as removing branches that significantly overhang gardens. Only 10% of all work is available for these works so only selected green category works will be carried out within a maximum of 18 months of the enquiry.

Please note that the council has limited resources and there are some works that the council is unable to undertake, these are:

Trees affecting television reception

Trees obstructing light

Fruit falling from trees

Trees obstructing views

Tree works that are agreed will be carried out to British Standards and current Arboricultural best practice, we will not therefore "lop" or "top" trees as this will often result in profuse regrowth and can make the tree susceptible to decay.

Further information on this can be found on our web site <http://www.southampton.gov.uk/s-environment/trees/tree-management.aspx> or by contacting the Tree Team.

From our records I note there have been three visits from Tree Officers over the past four years and five jobs raised which include a reduction of the Holly hedge, reduction of an Oak, removal of deadwood, reduction of a long lateral branch and severing ivy. I have also been advised by the Central District Parks and Street Cleansing Manager that Lordwood Gardens is visited by the street cleansing team approx every 5/6 weeks as part of zonal cleaning. This frequency would increase to monthly during Oct, Nov and Dec when the leaf clearing becomes the main priority in that area.

Although I appreciate your concerns I feel there is little further that can be done under the circumstances. Please contact the Tree Team immediately should the condition of these trees change or if you become concerned with their safety.

Regards,

Nik Gruber
Senior Tree Officer
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From: Peter Williams [panda@mybetterlife.co.uk]
Sent: 08 September 2011 14:08
To: Harris, Beryl (Cllr); Gruber, Nik
Cc: Dyer-Slade, Jon; Harris, Les (Cllr); Hannides, John (Cllr); Arthur Ruberry
Subject: Update to - Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

Attachments: Trees_at_28_Lordswood_Gardens.pdf; 20110908_01_debris.JPG

I refer to recent email exchanges (including many photographs) regarding the trees adjacent to 28 Lordwood Gardens (and neighbours) and further to a visit from Cllr Beryl Harris and Nik Gruber on 7th September when we met together with Mrs. Doreen McCormack (number 29), Arthur Ruberry (number 30) .

I have addressed my email in the past to the councillors because I really would like Southampton Council to consider the points I am making and many go beyond the sole considerations of Mr Gruber's department (see blow – trees, road cleansing and car park security).

I have attached a plan of the layout of my house and trees relative to the cul-de-sac, Dunkirk Road Car Park and the Sports Centre.

I believe there was an understanding of all the relevant points. I'll try and outline part of the conversations as appropriate:-

1. Mr Gruber described the council's policies and how large oak trees can be 'looked after'. Obviously trees are regarded as part of our heritage and an important part of our habitat. The large oak trees should – as I understand – only be subject to minimal cutting / trimming otherwise the trees maybe 'weakened' or produce even more growth.
2. There are probably 50 + large oak trees within 100 metres of my property perimeter – many at the rear of the property and in the Sports ground. Whilst some of these trees are very large they are further from my property than the trees (shown in the plan) in the grounds of the Dunkirk Road car park. I suspect houses 28, 29 and 30 could all be damaged if some of these large trees broke away at ground level (i.e. the top of tree landed the full height of the tree from the base) and fell in the direction of houses 28,29 or 30.
3. The trees detailed in the plan are much closer and some overhang my property. This is a major concern to me. These trees are 20 – 25 metres or more in height and tower above the house. During August a substantial part of a tree (#6 in the diagram) broke away from the main part of the tree. The break occurred about ½ way up the tree and resulted in a 'branch' (the size of many trees) probably 20-30 feet in length and 2-3 feet in diameter – weighing several tons - falling from the tree towards the car park. If the tree had fallen towards the house then severe damage would have been caused.
4. Mr Gruber explained that he had had a look at the tree and confirmed there was no obvious 'defect' in the tree.
5. We all recognise changes do occur - not least to our surroundings. Many years ago the area we know as Dunkirk Road car park was just trees, subsequent permission was given to be used as a car park, and considerations made (in the last 10 years) to develop the site completely. Also the numbering system in Lordswood Gardens goes 25, gap, gap, 28, 29, 30 etc – i.e. it had been a consideration to build 2 further houses at the end of the cul-de-sac. The point to be made is that different policies exist at different times and to achieve different purposes. It would appear that when circumstances suit the council, then trees would probably have been felled. I find it difficult to believe that permission to build this property would have been given 60 ish years ago if it was thought that future council policies would allow such trees to grow to such a height. Permission

must have been given to remove substantial parts of the trees to enable the properties to have been built.

6. I realise it is not within Mr Gruber's remit but comments about street cleaning were raised again. As previously stated I had conversations with a street cleaner 2 – 3 years ago and was advised that Lordwood Gardens was 'scheduled' for cleaning every 16 weeks (and I was lucky to get that!). Mr Gruber had thought (had been told I believe) that the streets are 'visited' every 4 -6 weeks and more frequently in the winter. We had the street cleaned some 2 weeks ago (Tuesday 23rd August) and that – to the best of my knowledge - was the only time this year (except for the Southern Gas's contractor before the April street party). I clean part of the street on a regular basis – because it needs doing (not a love of street cleaning)!! The storm (Tuesday 6th September) has left a substantial covering in the street. Twigs, small branches, acorns etc. At other times bird droppings, resin etc. If I thought / believed the council would be here to clean the streets within the next week or so then I'd leave it. I understand it is a legal obligation for the council to clean the street. In the specific example of this cul-de-sac then this requires cleaning on an 'as needs basis'. The street **needs a 'visit'** every 1-2 weeks to ensure the street is tidy whilst the trees remain (photograph of current debris attached – leaves, twigs, acorns, bird droppings).
7. When the leaves fall I have frequently swept , raked, blown leaves (in the street) probably to a pile approaching the size of a car. The council will collect these when requested. I have perhaps gathered as many as 100 bags (smaller black ones) from my garden.
8. The absence of natural daylight can be depressing. Again this doesn't appear to be a consideration but we have lights on at all times (possible exception of the kitchen in the morning). The heating is on (thermostatically controlled) all year because the house is kept cool by the trees (no air conditioning needed!). We moved here 12 years ago and I can remember using the garden! Again we get negligible time when one would wish to sit outside – this was not as bad 12 years ago (I believe the previous owners had a 'running battle' with the council and managed to have the foliage reduced).
9. The roof of the property has been cleaned twice during the last 12 years to remove the substantial moss growth (1-2 inches deep in places).
10. The ivy surrounding the tree (# 5 on the plan) was cut – as part of caring for the trees process – and resulted in continuously falling leaves from early this year until the present time – more path and road sweeping. Mr Gruber arranged for the dead, brown ivy to be removed 2 weeks ago (the same Tuesday 23rd August) and this should cease to be the problem it has been. The 'dead' ivy has been left around the tree in the Dunkirk Road car park. There also appears to be the smaller branches from the recent fall (3 above). I regard this as a potential fire risk. Again – another department – but we have had several cars 'torched' in the car park – there was an attempt to restrict access to the car park by way of 2 vertical pillars, a gate between them and a height restricting barrier. One of the vertical barriers appears missing, the gate doesn't appear to be used and the height restriction – which is still in place – prevents a fire engine direct access to the site. If a car is 'torched' at this end of the car park (as has happened) then it is frightening enough to hear the explosion and see a fire some 20-30 feet from the house without knowing there is lots of dead timber left courtesy of SCC !
11. I'd like to be able to install photo-voltaic solar panels (i.e. generate electricity not hot water) and this is not possible with the shade generated on my - almost ideal south facing - roof. Again this is something 'new' which should at least be considered when reviewing the 'tree policies'. I believe it was April 2010 that the government brought substantial FITS tariffs into place for the use of solar panels. This in turn was done to help the country meet the EU obligations for use of renewable energy sources. I'd like to do my bit and save money on my energy bills. I suspect as energy prices increase this will become more and more important and failure to utilise some of these alternatives

could be a potential 'blight' on property – caused by council inflexibility regards policies towards trees at the expense of residents. Surely a change to policies must be considered sooner rather than later if SCC is not to be seen to as an authority denying people access to this 'technology' and on a collision course with central government.

12. Finally we like to look at trees – in the distance and not from under them. During our meeting today a word "intimidating" was used (by Councillor Harris) and that sums up the sort of feeling I have towards these trees that tower above us. As one approaches the cul-de-sac the trees look great but stand under them and one feels somewhat different. We have some friends stay in the past a refused to park under the trees! I suspect it is a feeling that can only be 'felt' – i.e. no matter how much I say that it bothers me to have trees 50,60 feet or more above my property, it means little unless someone else has expressed the same sort of feeling. I still remember walking from my flat in West London after the hurricane and seeing trees lodged in the roof's of houses. Those trees were 'bonsai' compared to these trees and potentially could do a lot more damage.

In conclusion Mr Gruber has promised to undertake what he is able to - tidying up the trees, removing some 'dead' branches, removing a small quantity of foliage and removing the dead timbers in the Dunkirk Road car park area adjacent to my property.

FINALLY.

When I add the above together – i.e. the trees, the road cleaning, the car park security and energy reduction the whole picture represents a larger problem than the individual portions. The only solution I feel that removes the concerns (i.e. safety) , road cleaning, renewable energy generation is to remove the 7 oak trees (in my plan) in the Dunkirk Road car park. In practice this seems the only choice available (other than to move) to address these problems. Mr Gruber has – I believe – made it clear he will work positively within his constraints (which are the looking after of trees) and would only be able make a small difference. In practice I will take no comfort to know that a 55 foot tree is hovering over my head / property when it used to be 65 foot. Put another way – if I am to be hit by a truck at 60 mph – then I don't really care whether it is a 10 ton truck or a 15 ton truck – I just want to remove the possibility of being hit by a truck! Mr Gruber has also stated that 'pollarding' would not be advised and potentially open a major 'wound'

The recent tree fall (3 above) has again reminded us just how vulnerable we are. We have been continually assured there is nothing obviously wrong with the trees and they are healthy and still a multi-ton part of a tree is now in the car park just a few feet from our house.

I'd suggest anyone would be concerned if this were their own property or that of a close friend or family member .

Regards

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From: Harris, Les (Cllr) [mailto:Councillor.L.Harris@southampton.gov.uk]
Sent: 26 August 2011 08:49

To: Peter Williams; Hannides, John (Cllr); Harris, Beryl (Cllr)
Cc: Gruber, Nik
Subject: RE: Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

Dear Peter

I note you are moving this to a complaint, so I can only make few observations in general about your concerns.

The tree policy has been in force, in this city, for some time now, and generally it is working well. Like you I have numerous very large trees in and around my garden, and every year like you, I have a huge number of leaves to clear up, and broken branches which have fallen from the trees.

Unfortunately that is the price we pay for living in a leafy area. The council do make every effort to keep the leaves on the highways clear by regular cleaning and collection/ blowing of leaves out of the way.

The cutting down of trees is really the very last resort, and where trees are cut down they are always replaced by at least 2 for 1. There is no policy that allows for mature trees to be felled in order for the provision of Solar panels. I will look into this matter to see if there are any national policies, but I suspect that there will not be much sympathy for this as trees are as much of a national asset as is green power.

The tree officers are very knowledgeable and are very keen to preserve trees in a good and healthy way, and I have every confidence in their expertise. I am sure that if you have problems with overhanging branches or similar concerns, they will do their utmost to resolve the situation where possible, bearing in mind the health of the tree and safety of the public.

I will check to ensure that there is regular cleaning of the streets in your area.

I hope this helps you understand the situation from my point of view, but if you have any other matters you wish to discuss please come back to me.

Regards

Les Harris
Cllr

From: Peter Williams [mailto:panda@mybetterlife.co.uk]
Sent: 25 August 2011 13:59
To: Hannides, John (Cllr); Harris, Beryl (Cllr); Harris, Les (Cllr)
Subject: RE: Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

I have just emailed a response to Nik Gruber and yourselves about the trees adjoining my property but would like to add this extra note directly to yourselves as councillors.

I contacted yourselves in the first place because I had a complete feeling of intransigence dealing with the tree department.

Is direct contact with yourselves a possible route to a 're-think' or consideration on some of the issues raised?

I suspect I also raise questions which are probably outside Nik Guber's area of responsibility. I have mentioned I suspect that on at least 2 occasions the council has considered removing these trees (i) when the houses were built the numbering system allows for 2 houses across the end of the cul-de-sac and (ii) considered a development on the Dunkirk Road car park which would almost certainly necessitated the removal of trees. The trees have been substantially trimmed in the past – to allow the house to be built – this can be seen on the photos attached to previous email. I suspect that when the houses were built and

permission granted it would have been envisaged or even a requirement that the council would look after / trim the trees on a regular basis.

I know I have very large trees adjoining my property which certainly gives me continuous areas of concern. The trees maintain the house in almost continuous shade after late morning. The trees shed loads of leaves in the autumn (and the ivy for the last 6-9 months). Bird droppings , resin etc periodically deposited on whatever lies below. (I have been known to wash the car 3 days running!). The street becomes filthy as a result. The council **does not** frequently clean the streets (Nik Gruber suggests 4 – 6 weeks and more frequently in the Autumn). The street cleaners were here on Monday or Tuesday (just after I had cleared the area outside my house on the Sunday - almost 2 full green council bags!) and I can't remember them being here previously this year. I don't want a slanging process about when the streets are cleaned but I only clean the street myself because of the accumulated mess – and I have done this on many occasions this year (broken twigs can roll under your feet – i.e. could cause a fall). In the autumn people will come and collect the leaves – which I have brushed into a pile (the size of a car or more) or bagged.

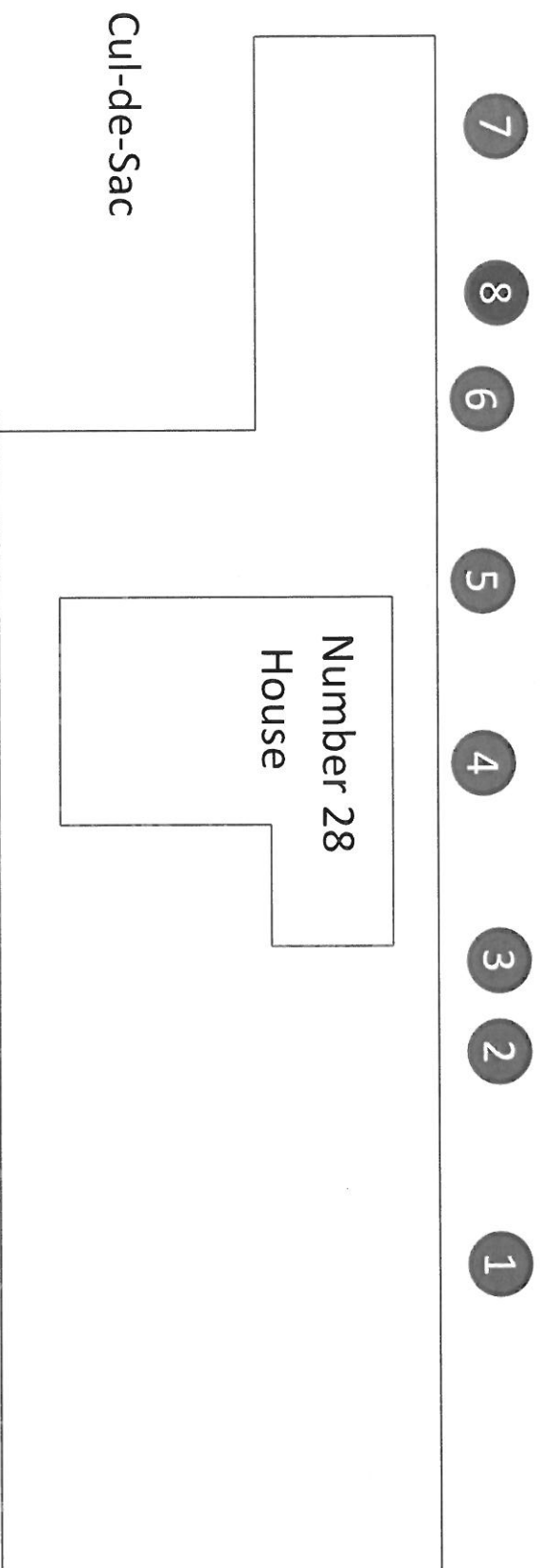
The large trees are always of concern when they literally overhang the house in places. We frequently have small tree pieces fall to the ground – normally rotten timbers. These tend to be 1-5 feet and relatively soft (because they are rotten) but still capable of causing harm. The events – detailed in my previous email - could have killed or caused serious damage had the fall been a different direction. The damage was probably caused by the heavy downfall of rain which could / will happen again.

We'd like to consider solar panels – to reduce our energy bill and do our 'green bit'. The council policies governing trees would appear to be almost completely contradictory to the energy saving requirements of our government and country!

Regards

Peter Williams
Southampton - UK
Mobile:- 07773 348117
Home:- 02380 570423

Dunkirk Road Car Park



Sports Centre with many, many trees

Notes:-

1. Tall
2. Twisted
3. Overhangs property
4. More of a stump
5. Overhangs property
6. Large
7. Large
8. Holly



From: Peter Williams [panda@mybetterlife.co.uk]
Sent: 11 September 2011 16:05
To: Harris, Beryl (Cllr); Gruber, Nik
Cc: Dyer-Slade, Jon; Harris, Les (Cllr); Hannides, John (Cllr); Arthur Ruberry
Subject: RE: Update to - Arboricultural Advice: Complaint Case No. 102000542321 - Mr Peter Williams, 28 Lordswood Gardens.

Attachments: Trees_at_28_Lordswood_Gardens.pdf; Trees_at_28_Lordswood_Gardens_2.pdf; Trees_at_28_Lordswood_Gardens_3.pdf

Hi,

Having sent my previous email I have been thinking over some of the information that Mr Gruber explained / presented regards how SCC chooses to prioritise it's actions. I am – perhaps – now understanding what has been 'nagging' me since and why I ask for further consideration of the future of the trees located in the Dunkirk Road – Sports Centre car park adjacent to 28 Lordswood Gardens.

Mr Gruber showed me a 2 dimensional 'PLAN' view (i.e. looking down on the area) of example properties (see my document 'Trees_at_28_Lordswood_Gardens_2'). Mr Gruber explained that in case 3 – i.e. where a tree is located on council ground and overhanging a house then the council would probably take some action – particularly if the tree was brushing against the house. The notes taken by Mr Gruber and myself (previously shown in document 'Trees_at_28_Lordswood_Gardens') show the trees that are regarded as overhanging at 28 Lordswood Gardens (perhaps by implication only the directly overhanging trees are regarded as a problem). The above sounds fine BUT is only a 2 dimensional representation and appears to take no account of the height of the trees.

My next document ('Trees_at_28_Lordswood_Gardens_3') attempts to illustrate the height element and shows how the argument against the much taller trees is substantially different from the problems caused by a smaller tree. All the tall trees in close proximity to 28 Lordswood are potentially VERY dangerous.

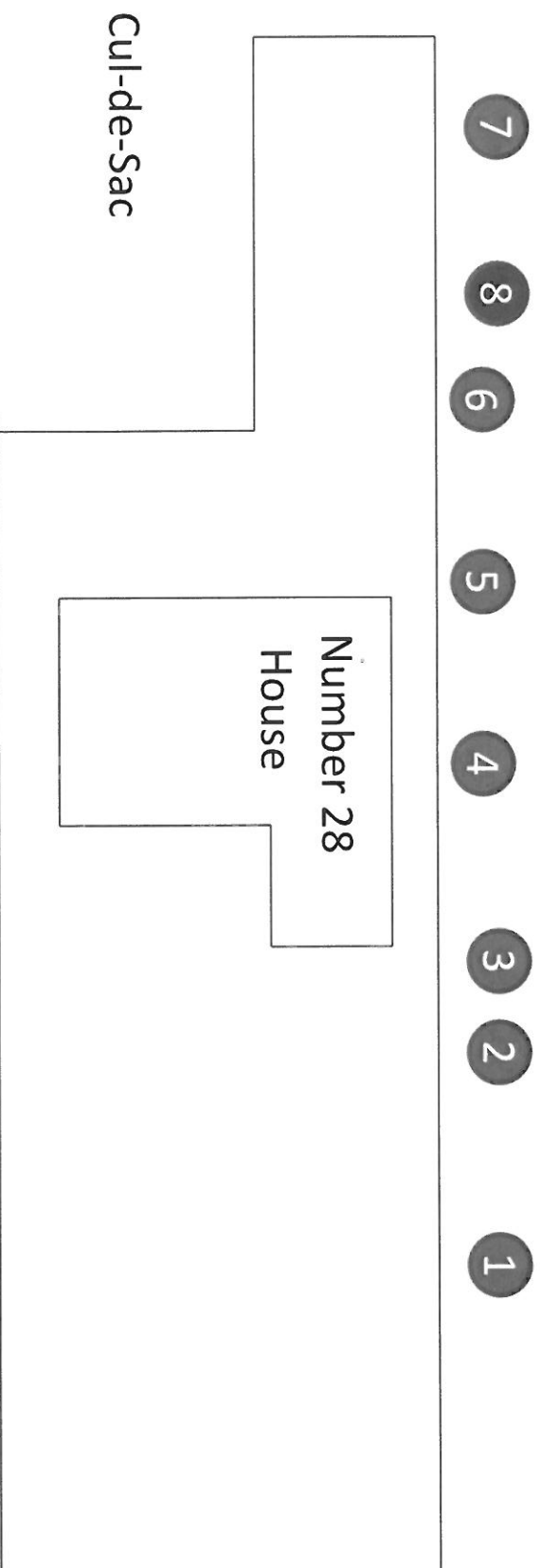
In practice the smaller tree maybe annoying or brush against the property in windy conditions but probably do little damage. Further the smaller tree would have a much smaller area to deposit any broken branches, twigs, leaves, bird droppings etc. On the other hand the very large tree (as are most in my original document) would almost certainly not brush against the house (those parts were cut away – probably at the time the house was built) but the area for debris to fall to is vastly increased. Furthermore parts of the larger tree could be substantial and fall from a much greater height. [This was the case in the recent fall previously documented, when a section weighing several tons, 20-30 feet in length fell from a height of 30+ feet].

Clearly the larger trees (20-25 metres tall) create problems over a much wider area than smaller trees. We have always considered the adjacent trees a potential danger but the recent fall has demonstrated that our property could have been severely damaged had the huge section fallen in this direction rather than toward the car park.

Regards

Peter Williams
28 Lordswood Gardens
Southampton – UK
SO16 6RY
Mobile:- 07773 348117
Home:- 02380 570423

Dunkirk Road Car Park

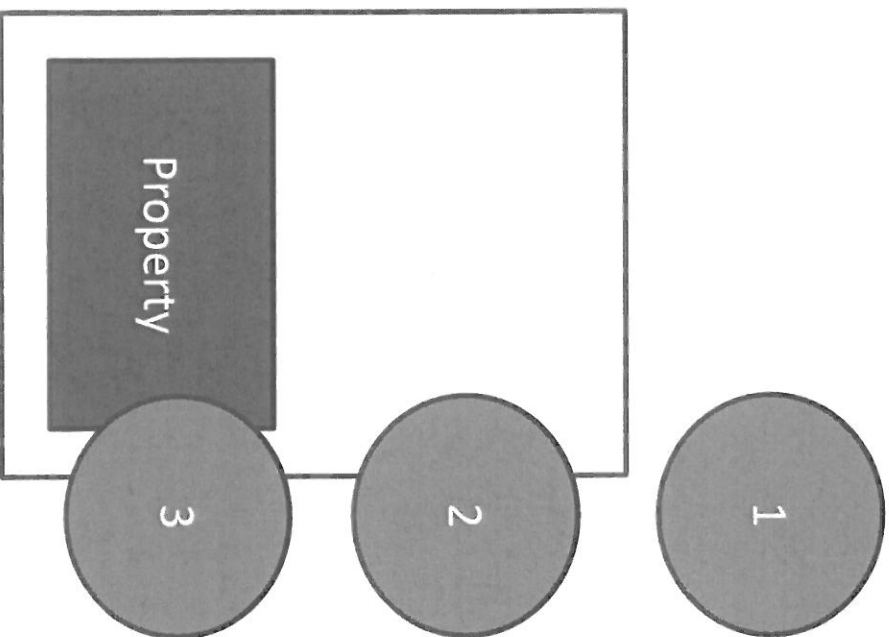


Sports Centre with many, many trees

Notes:-

1. Tall
2. Twisted
3. Overhangs property
4. More of a stump
5. Overhangs property
6. Large
7. Large
8. Holly

1. Outside the property and neither overhangs the garden or house
2. Outside the property and overhangs the garden
3. Outside the property and overhangs the garden and house

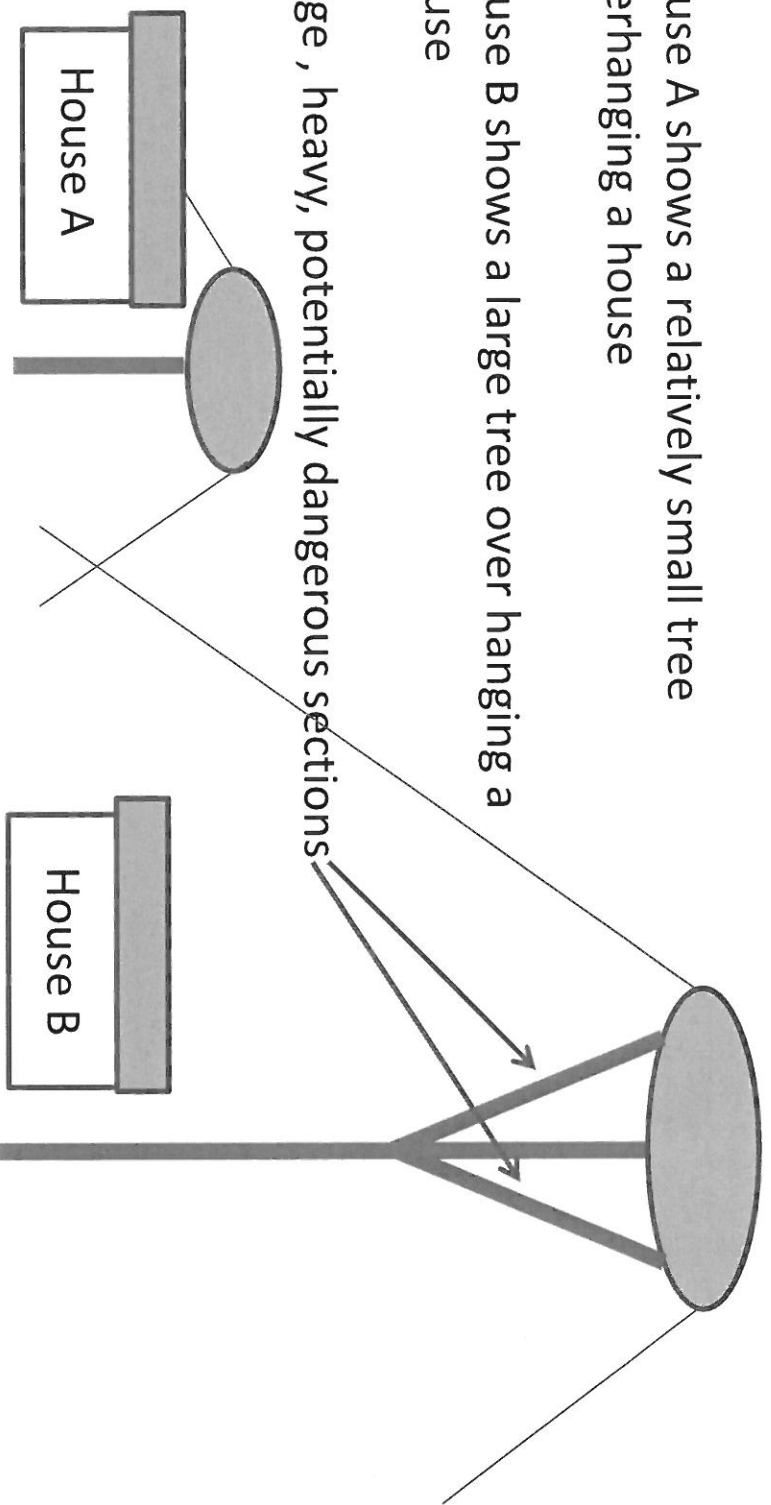


This diagram is intended to show the 2 dimensional 'PLAN' view presented by Mr Gruber.

House A shows a relatively small tree overhanging a house

House B shows a large tree over hanging a house

Large , heavy, potentially dangerous sections



From: Dyer-Slade, Jon
Sent: 21 October 2011 13:48
To: 'Peter Williams'; Gruber, Nik; Kneller, Brian
Cc: Harris, Beryl (Cllr); Hannides, John (Cllr); Harris, Les (Cllr)
Subject: RE: Response to your letter of 10th October
Mr Williams

Thank you for your further note and I am sure Mr Kneller will be in touch next week.

With regard to the trees and street cleansing I am sure if you wished to raise the matter at the planning & rights of way panel they would listen to the argument however, my observation was based on the fact that with over 40,000 individual trees in SCC ownership and many thousands of privately owned trees depositing literally billions of leaves onto the streets of Southampton during the year it was felt more likely that any recommendation to remove the trees would be as a result of your A & C points over a desire to keep the streets cleaner.

Regards

Jon Dyer-Slade
Head of Neighbourhood Services
Southampton City Council Tel: 023 8083 2873

From: Peter Williams [mailto:panda@mybetterlife.co.uk]
Sent: 21 October 2011 11:53
To: Dyer-Slade, Jon; Gruber, Nik; Kneller, Brian
Cc: Harris, Beryl (Cllr); Hannides, John (Cllr); Harris, Les (Cllr)
Subject: RE: Response to your letter of 10th October

Mr Dyer-Slade,

Many thanks for your response. I look forward to hearing from Brian Kneller (phone , email) but I stress that I feel that all these issues are related.

Specifically:-

1. The tree department – cut the ivy on these trees and were consequently the direct cause of consistently falling leaves for several months. Perhaps they should then clear up after themselves or alternatively agree with the cleansing department to clean the street on a 'very frequent basis'. Just ignoring the situation for months on end should not be an option.
2. The waste (from cutting the ivy to prevent the leaves continually falling) still remains 'piled' adjacent to my property.
3. Mr Gruber states that he understands street cleaning is performed 4 - 6 weeks and more often in winter. Just doesn't happen in Lordswood Gardens.
4. Your website states - quote - "...streets will be visited at least once a month..." and also "...In residential areas where roads are heavily parked residents are given advance notice and asked to move their vehicles ...". Clearly I can't verify how frequently the streets are visited but one would assume that if the street needs cleaning then a visit should result in the street being cleaned. Equally there is little point not examining the area most vulnerable to tree waste. I can't remember ever being "...given advance..." that the streets will be cleaned.

I've stated on several occasions that I believe the only way the street cleaners can be expected to maintain the streets is if the trees were removed.

Finally the reason that I request that these 7 trees be removed is simply because I have NOT seen, heard any other proposal from the council which would enable us to feel safe and maintain the clean streets. The only solution I have heard is to remove a few branches from the trees (better than nothing).

Regards

Peter Williams
Southampton - UK
Mobile:- 07773 348117
Home:- 02380 570423

From: Dyer-Slade, Jon [mailto:Jon.Dyer-Slade@southampton.gov.uk]
Sent: 21 October 2011 10:50
To: Peter Williams; Gruber, Nik; Kneller, Brian
Cc: Harris, Beryl (Cllr); Hannides, John (Cllr); Harris, Les (Cllr)
Subject: RE: Response to your letter of 10th October

Dear Mr Williams,

Thank you for your detailed email. Please find attached an electronic copy of my original letter to you as requested.

I have asked the relevant tree officer (Nik Gruber) to progress the action of discussing with the chair of the independent planning and rights of way panel with the chair when a suitable opportunity for this matter could be reviewed and have stressed that you should be notified as soon as the items has been included for a specific meeting agenda so that you have the opportunity to present at the meeting. However, it is likely that the panel would only cover the items A & C, as point B is not within their remit.

On the subject of point B, I note that you feel the street cleansing issue is not fully addressed and I would suggest that Brian Kneller (district manager for parks and street cleansing) visits you next week to discuss the cleansing arrangement in more detail so that this element of the complaint can be fully addressed. I have spoken to him this morning and he will contact you to arrange a mutually convenient time to meet next week.

I have copied this note to the recipients of your email for information. A copy of the email has also been sent to the corporate complaints officer for information as hopefully you feel this matter is still being addressed and therefore progression to stage 3 is currently not appropriate.

Regards,

Jon

Jon Dyer-Slade
Head of Neighbourhood Services
Southampton City Council Tel: 023 8083 2873

From: Peter Williams [mailto:panda@mybetterlife.co.uk]
Sent: 14 October 2011 13:21
To: Dyer-Slade, Jon
Cc: Harris, Beryl (Cllr); Hannides, John (Cllr); Harris, Les (Cllr)
Subject: Response to your letter of 10th October

Many thanks for your letter of 10th October providing a comprehensive explanation of the process you have started.

If I may just attempt to clarify – in my own mind – exactly what you have detailed and then try and summarise the issues which I believe are all related.

- I would like you to proceed with whatever process you think appropriate to take this case further. I assume by making this statement the case will stay open and that you will take (or have already taken) the action suggested in your letter – i.e. **(in bold font) I am recommending a further action that is a possible way forward which involves taking this specific case to the independent oversight group of Councillors who sit on the Planning and Rights of Way Panel....** .
- If such action is implemented and the above panel will consider my request based on the 3 key issues (A,B & C below) then I would not think it appropriate to consider taking ‘my complaint’ to level 3.

Having stated the above I would like to try and put a slightly different perspective on how and why I am requesting the above.

1. We have always been concerned about the size of the oak trees and they do occupy more space than when we moved to the area.
2. I understand my predecessor at 28 Lordswood Gardens had a ‘running battle’ with SCC about maintaining the trees.
3. I know I have requested the trees be trimmed back on several occasions.
4. SCC – tree department - has maintained the current stance – i.e. do very little other than inspect and occasionally trim.
5. SCC – tree department have trimmed / removed the substantial overhang of Holly trees along the side of the rear garden (late December 2010).
6. SCC – tree department inspected the oak trees late 2010 / early 2011. No action was taken to remove any of the Oak trees (overhang / dead branches etc). A decision was made - for the well being of the tree – to cut the ivy on a tree - just to the front and right of the house.
7. The ivy was apparently cut near the base of tree in February / March 2011 – I understand. The ivy was not removed – left to die. From that time until August we had a continuous falling of ivy leaves as the ivy turned from a healthy green to dead and brown. The concern was for the trees and not the nearby residents.
8. With very little progress I wrote a letter addressed to the three Bassett councillors. The reason for doing so was – as stated on several occasions – because I believe the trees to be a problem but the trees are the cause of problems for other departments – i.e. health and safety, road cleaning etc.
9. My email was acknowledged and forwarded to Nik Gruber – in the tree department. Mr Gruber replied on 6th July restating SCC’s policy – i.e. STORM. In practice this again means little or nothing will be done other than a periodic ‘inspection’ of the trees.
10. I received a letter dated Friday 12th August 2011 from the “Corporate Policy & Performance” department at Southampton City Council - Dennis Gamblin. I phoned the office of Mr. Gamblin who was apparently on holiday and I spoke to Lindsey Malpas (not sure of spelling). On 17th August SCC staff (Clive and colleague) arrived and removed a substantial part of the ivy and hence stopped the falling leaves. The dead ivy was left adjacent to the trees in the Dunkirk road car park – alongside my property.
11. On 18th August I provided a detailed response to Mr Gruber’s previous email which explained my reasons for bringing the matter to the attention of the councillors – I wrote ***“I don’t have a ‘grudge’ with the ‘tree department’ neither am I generally disappointed with the works carried out and I certainly have not (or implied) any criticism about the***

professional standard of any work carried. I am more frustrated with the surroundings and the council's somewhat intransigence to my concerns – that is why I have contacted the Bassett Councillors. “

12. Mr Gruber replied on 23rd August - **“I have carefully considered all the points you have raise and feel there is very little further arboricultural advise I can offer.”**
13. I sent a further email 25th August (with several photographs attached) and this was addressed to Jon Dyer-Slade as part of registering that I did want to escalate this matter to a complaint. My action was even more determined as a result of the huge section of tree (probably 15-25 feet in length and 2-3 feet in diameter and weighing several tons) fell from one of the trees adjoining my property.
14. I also sent an email on 25th August to the Councillors only – explaining my frustration with the responses to date.
15. 26th August – my neighbour Arthur Ruberry – emailed Nik Gruber with his concerns and with specific reference to this huge section of tree which had recently fallen.
16. SCC – Nik Gruber and Councillor Beryl Harris visited my property and met with myself and 2 immediate neighbours on 8th September (I was on holiday for 4 days during the previous week). Mr Gruber explained the tree policies in further detail. I believe all parties understood the concerns regarding the trees – the potential danger to property and well being, the debris caused by the trees etc.
17. Dead ivy and other dead timbers have been left and pushed onto the land adjacent to my property. Not only do I think this is a 'poor job' but a potential fire hazard. We have had cars 'torched' in this car and close to our house – we don't need some nice dry, dead wood to stoke a fire – courtesy of SCC.

The above is attempt to put some the activities into perspective and clearly the trees are seen to be the problem but my concerns are a little more specific:-

- A. These trees are huge and represent a real potential threat – as has been demonstrated recently. Again I must reiterate when we refer to branch falling from a tree it is a 'branch' probably 15-25 feet in length, 2-3 feet in diameter and weighing several tons. This 'branch' is larger than many trees and fell from a height above the height of many trees. This is one of the nearby trees that are inspected on a regular basis and declared healthy – yet the huge section fell after/during heavy rain in August. I suspect there are always some dead 'bits' ready to fall but again there are some very substantial 'looking branches' almost immediately above our property (see photo Dead Branches 29th September 2011, – 20110929). I believe Mr Gruber is aware of these branches and the removal is part of the work he is scheduling before the end of December (if they don't fall before). As I understand the SCC policy explained by Mr Gruber's charts - it takes no account of the height of the trees and is effectively a 2 dimensional representation of a 3 dimensional problem (i.e. an 80' high tree represents a considerably larger potential problem / hazard than a 25' tree the same distance from the house). **I believe the most effective way to remove this potential danger is to remove the trees.**
- B. The street cleaning is a real issue which appears to be dismissed or ignored – i.e. Nik Gruber *“..suggests 4 – 6 weeks and more frequently in the Autumn..”*. Council policy / website states (<http://www.southampton.gov.uk/s-environment/parksandstreetcleansing/>) *“..every street is visited at least once a month to ensure..”*, Councillor Les Harris stated *“...I will check to ensure that there is regular cleaning of the streets in your area...”*. In practice I clean the street regularly - as stated on several occasions - **because the streets are NOT cleaned by SCC**. I clean the street because the street is a mess and potential hazard. I attach photographs showing the street 'before and after' I cleaned the street on October 6th 2011. I also attach a further photograph – Debris – taken this morning (14th October) showing just how much debris has accumulated in just 8 days. This last photograph illustrates the nature of the debris – i.e. not just a few leaves but twigs, small branches, acorns etc any of which is capable of causing minor injury when dropping from 60,70 or more feet if you happen to be in the flight path! The street cleaners last 'cleaned' on 22/23 of August to the best of my knowledge (the

Monday or Tuesday after I had cleaned the street on the Sunday!). Prior to that the street was cleaned with the large full sized road sweeper in April (not by SCC but by the gas company's contractors) before the 'street party'. I am not aware of the street being cleaned on any other occasion this year other than by myself. In all honesty if the council cleaned the street every week – it wouldn't keep this section of the cul-de-sac clear of debris. I understand that only the section at the bottom of the cul-de-sac may need cleaning and clearly this section is probably not visited and certainly not cleaned at 'least least once a month'. **I believe the most effective way to ensure that SCC meets it's street cleaning obligations is to remove the trees.**

- C. I understand SCC wouldn't wish to remove trees everywhere that they represent an obstruction to the use of photo-voltaic solar panels but I am sure it is a request that SCC will face more frequently in the future. It is a clear policy and commitment of central Government to use renewable energy sources wherever possible. We have a large, substantially south facing roof which would be ideal for the installation of panels if it were not for the trees or specifically the huge size of the trees and the large area of shadow they cast. I understand SCC's STORM policy – i.e. No consideration given to shading, TV reception etc but we are just dwarfed and intimidated by these huge trees. We'd like to do our green bit and use renewable energy source and reduce our cost of energy. The energy secretary – Chris Huhne - our neighbouring MP - recently opened the nearby Fleming Park Leisure Centre's solar installation (<http://www.chrishuhne.org.uk/news/1847/chris-huhne-opens-council%E2%80%99s-solar-energy-scheme.html>). Clearly policies can change and take account of current conditions and have done so in the past. Initial policy change allowed the creation of Dunkirk Road car park by removing trees. Planning permission was given to build this property which would have necessitated a substantial removal of parts of trees. Planning permission was given to extend this property again probably requiring trees being trimmed back (depends how much was removed the first time round). The numbering system in Lordswood Gardens makes provision for 2 properties at the bottom of the cul-de-sac i.e. 24,25,gap,gap,28,29 which would have necessitated the removal of these trees. There was consideration – just a few years ago – for the development of Dunkirk Road car park (for housing) which again would have necessitated the removal of several trees. **The only way that make a solar installation feasible at this property is to remove the trees.**

Clearly the above points are linked and it is this point that I wish to be considered at a meeting of the Planning and Rights of Way Panel. We have continually felt that SCC take the care of the trees to be more important than the concerns or well being of residents. This panel – I assume – has the right to make decisions – such as this – which may conflict one department with another.

Finally I have stated that I would like the 7 trees, adjacent to my property to be removed – this was based on the plan drawn by myself and Nik Gruber when he visited. I have only requested that these trees be removed because there doesn't seem to be any other alternative to overcome the points above. The idea that trimming up to a maximum 10% seems a little like plugging the hole in the Titanic with a sticking plaster! I accept that even a small reduction is better than none.

(PS could you please provide an email copy of your letter?)

Regards

Peter Williams
28 Lordswood Gardens
Southampton - UK
Mobile:- 07773 348117
Home:- 02380 570423

