

Appendix (5)

Gavin Boyes

From: Rasma Sultana
Sent: 06 December 2016 16:01
To: Gavin Boyes; James White; Andrew Bucklitch
Subject: FW: Your Ref: RS/TPO (19) 2016

Hi All

Please see below letter received from Mr Azmi of 10 Plymouth Road Barnt Green and my response to him. I am in Redditch and can't remember who instructed on this matter.

Please can someone get back to him with regards to his comments that the tree is dangerous.

Thanks

Rash

Rasma Sultana

Legal Officer

Legal, Equalities and Democratic Services

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PLEASE NOTE: MY WORKING DAYS ARE TUESDAY - FRIDAY

From: Rasma Sultana
Sent: 06 December 2016 15:59
To: 'Waqar Azmi'
Subject: RE: Your Ref: RS/TPO (19) 2016

Dear Mr Azmi

Thank you for your e-mail. I have forwarded it to the Tree Officers for comment.

The legal responsibility of the tree lies with the owner of the land that the tree is on. Please seek independent legal advice with regards to any alleged damage that the tree is causing to your property as a result of your neighbours failure to maintain. Unfortunately the Council cannot provide advice on a potential civil matter.

With regards to the Tree Preservation Order I inform you that the Order is in place temporarily for 6 months. In that time the Tree Officers will undertake an assessment of the tree and a decision will be made as to whether the Tree Preservation Order will be made permanent.

Kind regards

Rasma Sultana

Legal Officer

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PLEASE NOTE: MY WORKING DAYS ARE TUESDAY - FRIDAY

From: Waqar Azmi [mailto:']

Sent: 06 December 2016 14:10

To: Rasma Sultana

Subject: Your Ref: RS/TPO (19) 2016

Dear Mrs Sultana,

Thank you for your letter informing of the Order (No.19) 2016 Trees on land at Plymouth Drive, Barnt Green.

I was a little surprised to have received this Tree Preservation Order. This is because the Tree in front of my home at 10 Plymouth Drive, Barnt Green has caused severe and extreme damage so much so that I am unable to open my front garage door or unable to close the front gates because of the upheaval across my whole drive. My children can't play outside because the grounds are cracked and raised so much so that it is a health and safety hazard.

This tree belongs to my next door neighbor and over the last two years I have been raising this issue with them but they have not taken any action or done anything to stop the damage to my home. I fear the tree roots are now entering my lounge as the carpeted floors are becoming uneven.

With this Tree Preservation Order from you and non co-operation or interest from my next door neighbour I am deeply worried and concerned for my home and welfare of my children. I really do not know what to do? I would welcome a visit from your officers who will be shocked to see the extent and severity of the damage.

I would have expected the Council to have carried out some sort of consultation or impact assessment before issuing this Preservation Order.

I would be most grateful for your advice.

With all good wishes,

Dr Waqar Azmi OBE

E-ma

Web:

Web:

Twit:

Face