

TYERSAL COMMUNITY FORUM MINUTES
Wednesday 29th September 2010

Present: Cllr Lewis (Chair), Gavin Forster (WNW Area Management, LCC) Phil Staniforth (Parks and Countryside, LCC), PCSO Dave Woodhouse, M Walker, M Knowlton, I Punt, J Varley, J Artist, G Stephenson, B Parkin, D Wilson, D Crow, C Bradley, I & V Warren, C Mills, K Smith, A Hodgson, E Foster, D Hellawell, C Metcalf, S Hodgson, M Haley, J Ramans, L Willicome .

ACTION

1.0 WELCOME

1.1 Cllr Lewis welcomed everyone to the meeting.

2.0 APOLOGIES

2.1 Apologies were received from Councillor Jarosz, Mr G Campbell, PC White

3.0 MINUTES OF THE LAST MEETING

3.1 The minutes of the last meeting were agreed as a true record.

4.0 MATTERS ARISING

4.1 6.4 – the works to improve the footpaths around the school that were raised at the previous meeting have now had the works completed.

5.0 Police update / PACT meeting – completed after the forum meeting

6.0 Environmental Action Team - Ruth Turner - Environmental Health Officer

6.1 Ruth gave an overview of her role and her teams involvement with the likes of noise nuisance, flytipping and dog fouling. In the local area of Tyersal there have been a number of properties that have been investigated recently some of which have been outlined in a letter from Cllr Jarosz.

6.2 The two properties that have been an issue are both being pursued but both have issues to why enforcement action is not currently being taken. An agreement has been reached with the owners to improve the areas and this should be resolved in due course.

6.3 Ruth confirmed the staffing levels of the Outer West -
Ruth Turner - Environmental Health Officer
Andrew Mackman – Technical Officer
This is to cover the wards of Pudsey, Calverley & Farsley and Farnley & Wortley

6.4 The team does not enforce on tidy gardens but does focus on tipping.

- 6.5 A resident raised concerns over Tyersal Ave/Terrace. There are significant issues around a hedge obstructing the highway. RT to report this to highways to allow them to enforce on this problem.
The rosebushes that are also causing problems is a more difficult issue to resolve due to it being in the garden.
There is also a tree over hanging a neighbouring property, there is a range of information available on this topic on the Leeds City Council website (www.leeds.gov.uk) search for 'protected trees'
- The Landscape Team have produced a number of free guidance leaflets about protected trees, to help tree owners and others interested in trees.
- They are available as downloads from the links on the web page. We can also send these out through the post or they can be collected from:
- The Development Enquiry Centre
The Leonardo Building
2 Rossington Street
Leeds LS2 8HD
- For further details, telephone 0113 247 8148 or e-mail landscape.planning@leeds.gov.uk
Also see the attached appendix for more information
- 6.6 Tyersal Crescent – there is a strip of land around 5ft wide that seems to still be being missed on a regular basis by Streetscene. RT to look at this as part of the work with the unpaid service team and this can be suggested for it to be improved in due course. In the longer term it is suggested that the land is picked up as part of the ongoing highways maintenance works.
- 6.7 The ginnel that runs from the school to the park is becoming an issue. A tv was dumped there a few weeks ago, the plastic was removed but the glass has been broken and is now spread over the path. There seems to have been an increase in the amount of rubbish being left there. RT to have a look at this site with the payback team and discuss the long term maintenance with the public rights of way team.

RT

RT

6.8 Bulky waste info

If you have large items of household waste that need disposing of from your property and cannot get to a household waste sorting site, we have a bulky waste collection service available. To book a collection please telephone the environmental contact centre on 0113 222 4406. Please be aware that the approximate wait time from booking a bulky collection to receiving the collection can be up to 8 weeks.

Please remember that the environmental contact centre is open Monday to Friday between 08:00 - 18:00. Please be aware that Monday morning is the busiest time at the contact centre.

The council will

- collect up to four large items or ten bags at any one time
- only collect items that are manageable for two people to lift and carry
- only take listed items - see download
- collect items from 7am - 5pm

Residents should

- leave items to be collected in a safe, convenient place on the property
- put items out for collection by no later than 7am on the day of collection
- contact the council if you no longer need the service or if you change the list of items to be collected at least two days before collection
- unlock any gates
- move any vehicle that could cause obstruction

keep pets in the house or on a lead on the day of collection

7.0 Youth Services

7.1 No one from Youth Services was able to attend the meeting. Cllr Lewis asked that someone from Youth services should attend the next meeting for a full update on the current services being delivered in the Tyersal estate.

8.0 Parks & Countryside – Phil Staniforth

8.1 The new play area is open, the contractor has completed the works and left the site with practical completion being signed off. We are currently in the defects period which will allow the minor issues to be addressed.

8.2 The landscape architect has met on site with the contractor and a couple of things have been highlighted that will need to be addressed. The first being the top soil and the seeding of the mounding. The second being the loose item of play equipment that has since been closed off.

8.3 A resident raised concerns over the lack of dog fouling signs on the site. PS confirmed that this would be looked at as part of the snagging and if the contractor is not due to put them in this issue will be addressed through spend of the contingencies.

PS

- 8.4 The issue of the maintenance gate being left open was highlighted. It is often left by the grass cutters and opened again by the young people. PS to investigate
- 8.5 A resident questioned the reasoning for installing the mound, PS explained that experts encourage all grass based play space can be enhanced with mounding as informal play space. Currently the mound is looking overgrown and this will be addressed through the defects period and reseeded.
- 8.6 The item that is loose was closed off this week to restrict access until the contractor is able to reinstall the item.
- 8.7 A discussion was had around the responsibility and liability of the equipment in it current state. PS confirmed that as long as reasonable steps have been taken to address the issue LCC would not be liable
- 8.8 Horses were raised as a concern again, they seem to be from the farm adjacent to the park rather than any from the Holmewood horse fair that took place in recent weeks. The issue seems to be with the fence that provides a boundary to the park. In some places at this time of year the gaps become more evident the main issue with replacing the fence is the cost. The fence is very long and would cost a considerable amount to replace.

8.0 A.O.B

- 8.1 The issue raised that the February meeting regarding the resurfacing of the paths still seems to be an issue. GF to request an update.
- 8.2 Discussions were had about the dramatic change to the centre of Pudsey in light of the bus station works.
- 8.3 Thanks were passed to the school for a very successful quiz night
- 8.4 Concerns were raised about the footpath improvements happening on various bits of the estate but not Tyersal Drive. GF to talk to highways.

GF

9.0 Date of Next Meeting

- 9.1 Wednesday 16th February 2011 at Tyersal Residents Social Club together with the Police. Minutes of this meeting to go out before Christmas

10.0 Police PACT meeting – PCSO Dave Woodhouse

10.1 Statistics

In the last month there have been –

- 1 Burglary and 1 attempted burglary both on the same day so suspected that it was the same perpetrator
- 1 theft from motor vehicle
- Seems to be a constant stream of horse and carts taking items away

- 10.2 There was an issue with a party that overflowed in to the street but no repeat reports since.

- 10.3 There have been 4 phone calls about the horses but as mentioned previously this is a fencing issue. Also reports of 2 donkeys walking down the street in recent weeks.
- 10.4 Only 1 recent call about quad bikes but everyone should be aware of the bike line and all incidents should be reported through the non-emergency line 0845 60 60 60 6
- 10.5 Looking to develop a traffic initiative to look at the level of speeding cars on the estate. More updates to follow.
- 11.0 Date of the next PACT meeting – 13th October 7.30 Tyersal social club

Appendix 1

ARE YOUR NEIGHBOUR'S TREES OR HEDGES AFFECTING YOU?

Trees and hedges are usually viewed as environmental assets, useful to and appreciated by many people - but occasionally they can become a source of tension and disagreement between neighbours. The Council cannot currently adjudicate in disputes about trees between neighbours, but it does have a duty to respond to an application to carry out works to trees protected by legislation.

Common Law On Trees

The position in common law is that you may prune unprotected trees and hedges overhanging your land and the roots growing under your land up to the boundary, without the consent of the owner, but you must not trespass on to your neighbour's land to do this. In addition you must offer to return the timber and any fruit attached or which has fallen on to your land. (This doesn't mean dumping prunings in your neighbour's garden!) Remember you may be liable for criminal damage if any work you do - or ask others to do for you - causes the tree to die or become dangerous.

If you believe that your property may be suffering direct or indirect damage by tree roots, then you are best advised to consult an arboricultural consultant or a building surveyor. There will usually be evidence of damage such as deformation or cracking of walls, uneven surface levels or blocked drains. If this is the case, you should notify your building insurer, who may initiate further investigations and negotiate with your neighbour and their insurer. A guidance note on subsidence and trees is available from the Development Enquiry Centre.

You cannot compel a neighbouring landowner to manage their trees unless you bring forward and win a civil action, which may well be very costly. The Council has no powers to intervene. You can consult a solicitor to see if you have proper grounds to proceed with this – however, one person's nuisance will often be another person's amenity. As disputes between neighbours can develop into an emotionally charged experience, it is best to try to resolve such situations amicably, before it becomes out of hand. This can be done by explaining to the tree owner, either in conversation or by letter, how your living conditions are being adversely affected, how this is influencing your enjoyment of life, and hopefully thereby reaching agreement to carry out hedge / tree work that is mutually acceptable. Keep a record of your correspondence or discussions, as future evidence in case things go wrong. Mediation services are sometimes available – consult the Citizen's Advice Bureau for information, (tel 0870 120 2450)

Protected Trees

If your neighbour's tree is "protected", you will need the prior consent of the Council - if you proceed without this, you may be liable to prosecution. Protected trees include trees covered by a Tree Preservation Order, standing in a Conservation Area or affected by a planning condition or planning legal agreement. To find out if a tree is protected or to request a protected tree works application form, see details below., contact the Development Enquiry Centre using the details below or submit an online tree check, www.leeds.gov.uk/treecheck. An application for tree work does not have to be made by the owner - there is nothing to stop a neighbour offering to prune trees on his or her neighbour's land by prior agreement; this may or may not include an arrangement for sharing the cost. If the tree is council-owned, e.g. in a park or on a highway verge, contact the Forestry team, telephone (0113) 237 5221.

If it's on housing land, contact the local area housing office.

Nuisance High Hedge Legislation (large conifer hedges e.g. "Leylandii" etc.)

The Government has supported introduction of legislation on excessively high hedges, via the Anti- Social Behaviour Bill, which received parliamentary assent in November 2003. The regulations for this become operative on 1 June 2005. A separate guidance note "New legislation on High Nuisance Hedges" and a government leaflet "Over the garden hedge" is available from the Development Enquiry Centre, contact details below.

Sustainable Development Unit

Development Department
The Leonardo Building
2 Rossington Street
Leeds LS2 8HD

Development Enquiry Centre, telephone: (0113) 247 8000

E-mail: landscape.planning@leeds.gov.uk

www.leeds.gov.uk/planning