

**Central Dudley Area Committee – 4<sup>th</sup> November 2009**

**Report of the Director of the Urban Environment**

**Urban Environment - Matters raised at the Central Dudley Area Committee - 8<sup>th</sup> September 2009**

**Purpose Of Report**

1. To update Committee on a number of issues raised at the 8<sup>th</sup> September 2009 Central Dudley Area Committee that relate to services provided by the Directorate of the Urban Environment.

**Background**

2. The Directorate of the Urban Environment provides a number of services that have considerable impact on local communities. This diverse range of technical services focus on regenerating the Borough, maintaining our environment to high standards, protecting our communities and promoting leisure and other community services for all.
3. Requests for service and information are received at Area Committee on a regular basis from both Members and the general public, relating to matters such as traffic management, leisure and recreation, regeneration and new development. Few enquiries can be answered immediately, with many prompting further investigation, feasibility studies and public consultation, prior to being reported back to Committee.
4. To keep Committee updated, progress reports are included as an appendix and the proposal resulting from the update is set out at the end of each paragraph.

**Finance**

5. Where there are financial implications of the actions listed below that impact on Council responsibilities, these will be financed from existing Council resources.

**Law**

6. Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 empowers the Council to provide recreational facilities in its area.
7. The Council is empowered to improve highways under Section 62 of the Highways Act 1980.

8. Section 2 of the Local Government Act 2000, enables the Council to do anything that is likely to promote the economic, social and environmental well-being of the Borough.
9. Traffic signs are provided under powers contained in Section 64 of the Road Traffic Regulation Act 1984, subject to regulations made by the Secretary of State for Transport.
10. Guardrails may be provided under Section 66 of the Highways Act 1990.
11. Pedestrian crossing facilities are provided under powers contained in Section 23 of the Road Traffic Regulation Act 1984, subject to Regulations made by the Secretary of State.
12. Traffic Regulation Orders are made under Section 1 of the Road Traffic Regulation Act 1984.
13. The Traffic Calming Act 1992 amends the Highways Act 1980 to allow works to be carried out to promote safety and to preserve or improve the environment.
14. Section 51 of the Environmental Protection Act 1990 places a duty on the Council as Waste Disposal Authority for its area to provide places where its residents may deposit their household waste free of charge.
15. Part IX of the Highways Act 1980 contains provisions relating to the planting, care and control of trees in or on land adjoining the highways.
16. In the care and maintenance of its trees, the Council will owe the normal duty of care under the common law principles of nuisance and negligence.
17. Section 111 of the Local Government Act 1972 authorises the Council to do anything which is calculated to facilitate or is conducive or incidental to the exercise of any of its functions.

### **Equality Impact**

18. The proposals take into account the Council's Equality and Diversity policies. The Directorate of the Urban Environment provides a diverse range of services that affect all sections of the community.

### **Recommendation**

19. That the proposals contained in Appendix 1 attached be approved.



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**pp John B Millar**  
**Director of the Urban Environment**

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**Background documents used in the preparation of this report:-**

1. Action Notes from 8<sup>th</sup> September 2009 Committee.