

**Central Dudley Area Committee - 7<sup>th</sup> June 2011**

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

**Urban Environment - Matters raised at the Central Dudley Area Committee - 15<sup>th</sup> March 2011**

**Purpose Of Report**

1. To update Committee on a number of issues raised at the 15<sup>th</sup> March 2011 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 equal opportunities 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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**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 15<sup>th</sup> March 2011 Committee.

**DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD ON 15<sup>th</sup> MARCH 2011**

**1. PETITION - REMOVAL OF DOUBLE YELLOW LINES ON BUSHEY FIELDS ROAD, RUSSELLS HALL**

**Background:** A petition was submitted by residents requesting the removal of double yellow lines on Bushey Fields Road, Russells Hall on the side of the road where properties are situated and then replaced with No Waiting restrictions from 10.00 am to 11.00 am and 2.00 pm to 3.00 pm.

**Comments:** The Petition was referred to the Petitions Officer for consideration in the first instance. Traffic Engineers will prepare a report to a future Area Committee.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**2. PETITION - PARKING PROBLEMS IN ABBOTSFORD DRIVE**

**Background:** A petition was submitted by residents in AbbotSFord Drive in relation to parking problems and requested the introduction of a Traffic Regulation Order.

**Comments:** The Petition was referred to the Petitions Officer for consideration in the first instance. Traffic Engineers will prepare a report to a future Area Committee.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**3. PETITION - REQUEST FOR REMOVAL OF ONE-WAY SYSTEM - PARKWAY ROAD, DUDLEY**

**Background:** A petition was received from residents of Parkway Road and surrounding areas requesting the removal of the one-way system recently installed in Parkway Road, leading to Himley Road. In submitting the Petition, the organiser addressed the Committee.

**Comments:** The Petition was referred to the Petitions Officer for consideration in the first instance. A meeting took place between a Traffic Engineer and the petition organiser on 26<sup>th</sup> April 2011. As the petition organiser does not accept that the one-way street is necessary, a further meeting will take place between the Assistant Director for Economic Regeneration and the petition organiser, prior to the Council giving consideration to the petition organiser speaking to a future meeting of the Select Committee for the Environment.

**Proposal:** That the Area Committee note the information contained in this paragraph.

#### **4. OBJECTIONS TO TROs ON BLACKACRE ROAD**

**Background:** Questions from two different members of the public were submitted objecting to the proposed Traffic Regulation Orders for Blackacre Road and expressing fear that the traffic problem would be moved into surrounding streets should any Traffic Regulation Order be introduced. It was suggested that opening King Street to traffic would solve the problem.

**Comments:** Proposals for Blackacre Road were discussed under Agenda Item 12 where a report had been submitted. The Cabinet Member for Transportation has asked for the proposals to be reviewed, prior to the implementation of any works taking place.

The bus safety measures in King Street are in place to assist long-term transportation strategies for bus services to and from Dudley Bus Station. There are no proposals to delay buses by permitting general traffic to use the purpose-built bus lanes in King Street.

**Proposal:** That the Area Committee note the information contained in this paragraph.

#### **5. TESCO REDEVELOPMENT - TOWN GATE RETAIL PARK**

**Background:** A member of the public submitted a number of questions in relation to the Tesco redevelopment at the Town Gate Retail Park and the adjacent redevelopment of the Burnt Tree Island road interchange. Written response to be sent to the questioner (details emailed 17.03.11).

**Comments:**

1. Tesco have been consulted at all stages of the development of the Burnt Tree Scheme and their proposals for the redevelopment of the Town Gate site have been accommodated at their expense following representations to the Compulsory Purchase Enquiry held in July 2007.
2.
  - a) TESCO were obliged under the planning application P08/1441 to contribute via the Section 106 process. This application was fully supported by a Transport Assessment. Its conclusions evidenced no greater number to trips from the new store than the original store and other stores that were on the site. No extra direct contribution for highways was made in this regard. Monies were however paid towards bus stops and shelters and air quality monitoring equipment.
  - b) The store contributed £25k towards the provision of new bus stops/shelters on the 'showcase route' outside the store and a sum of £67,225.61 was paid for air quality monitoring equipment in the Burnt Tree locality (which have been purchased). Tesco are to provide their delivery vehicles which meet EURO IV emissions and to make reasonable endeavours to get 50% of their vehicles to EURO V emissions.
  - c) Contributions as outlined. Planning had not requested direct monies for Oakham Road.

In addition, I can confirm that Tesco were fully consulted during the development of the scheme and that they raised objections to the Compulsory Purchase Order. During the Public Enquiry the Council reached agreement with Tesco who were also well advanced at that time with their proposals for the new store. The Agreement covered the operation of the new lights and inclusion of certain modifications to their access arrangements that are addressed in a subsequent Section 278 Agreement.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## **6. GOVERNMENT RULING ON PARKING ON PAVEMENTS**

**Background:** A member of the public queried whether the Council intended to comply with the Government's rule on parking on pavements.

**Comments:** A letter has been sent to the questioner to the effect that Dudley Council will be considering the Government's recommendations and the implications for the future management of the problem of pavement parking during 2011-12. Two implications are that the long legal process to introduce new Traffic Regulation Orders would have to be successfully completed for each proposal and also that signs would have to be introduced on-street at each location before enforcement action could be taken. Therefore, there is the issue of more sign clutter on our streets to be borne in mind.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## **7. TRAFFIC SAFETY ISSUES - COCHRANE ROAD**

**Background:** A member of the public drew attention to safety issues along Cochrane Road and requested that safety measures be introduced.

**Comments:** An investigation will commence during 2011-12 into the possible inclusion of Cochrane Road in a future year's annual Local Safety Scheme programme.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## **8. RUSSELLS HALL ESTATE - CHILDREN'S PLAY AREA**

**Background:** A member of the public submitted a question in relation to the Russells Hall Estate and in particular the children's play area which had been flooded due to bad drainage. Investigate and written response to be sent to the questioner (details emailed 17.03.11).

**Comments:** DUE Officers inspected the site and there was visual evidence of puddling on the path which approaches the play area from Overfield Road. The worst section of this path has now been resurfaced and compacted. Operatives will return to resurface the entire path leading to Overfield Road within the next couple of weeks.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## 9. **BUFFERY PARK BENCHES**

**Background:** A member of the public requested an update on the proposed benches on the Buffery Park opposite Selbourne Road.

**Comments:** The work on the benches to improve the park for disability access is currently under review with "Access in Dudley", the group who did the original audit for the Park. It is hoped to resolve the problems with siting benches on Selbourne Road by providing an alternative pathway, which was costed but proved to be outside the current budget available. Alternative solutions are being investigated.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## 10. **PEDESTRAIN CROSSING FACILITIES - OAKHAM ROAD**

**Background:** In referring to traffic problems on the Oakham Road, a member of the public raised concern that no pedestrian crossing facilities exist along the entire length of the Road.

**Comments:** A written response has been sent to the questioner to the effect that, options have been investigated for facilitating pedestrian movements across Oakham Road, but it has been found that there is no obvious desire line that warranted the construction of a fixed crossing such as a "puffin" or "zebra" crossing. The Council will continue to monitor the situation and should this change will bring forward any justifiable measures. It is anticipated that once the Burnt Tree Scheme is complete, traffic patterns will return to normal.

**Proposal:** That the Area Committee note the information contained in this paragraph.

## 11. **POTHoles - ST THOMAS' WARD**

**Background:** Cllr Ali referred to the pot holes in St Thomas's Ward and requested that these be investigated.

**Comments:** There is no data to suggest that St Thomas's Ward is significantly worse than any other across the Borough. Each area has its own local highways inspector walking each street on a regular basis to identify any highway defects. Any serious defects receive urgent attention.

The additional funding provided by the Council and the Government for pothole repairs is much welcomed and will help to resolve this major issue which affects not just Dudley but the Country at large.

If Cllr Ali can identify any specific locations that are considered dangerous, officers will be pleased to deal with the matter at the earliest opportunity.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**12. QUARRY BANK BENCH**

**Background:** Cllr Sparks reported that the new bench located in the park in Quarry Bank is being pushed over regularly and requested that Officers arrange for the bench to be secured to rectify the problem.

**Comments:** The bench has now been secured in position.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**13. ZEBRA CROSSING - HIMLEY ROAD**

**Background:** Cllr M Davis requested that consideration be given to a zebra crossing on Himley Road in the region of the Hilly House Public House.

**Comments:** The assessment for Himley Road in the vicinity of the Hilly House Public House has been completed. This section of highway has not ranked as highly as other requested locations and cannot be considered for inclusion in the 2011-12 annual Pedestrian Crossing Programme.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**14. SECTION 106 AGREEMENTS**

**Background:** Cllr M Davis commented on section 106 Agreements and stated that Russells Hospital had never contributed to a Section 106 Agreement to his knowledge.

**Comments:** There was never a financial contribution to a Section 106, however it was agreed that Russells Hall would undertake highway works to increase the island size and provide public art work.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**15. PARKING RESTRICTION - DIBDALE STREET**

**Background:** Cllr Ahmed requested that a parking restriction on Dibdale Street be investigated.

**Comments:** Dibdale Street, Dudley, will be added to a list, for investigation, from which future years' annual Traffic Regulation Order programmes will be selected.

**Proposal:** That the Area Committee note the information contained in this paragraph.

**16. LIGHTING - CASTLE GATE/CINDER BANK ISLANDS**

**Background:** A general comment from a Member of the Committee was made in that the lighting at Castlegate and Cinder Bank Islands needed investigating.



**Comments:** Although floodlighting schemes would compliment the public art on Castle Gate and Cinder Bank Islands, both the installation and maintenance costs would be considerable. Unfortunately, in the current economic climate, these type of schemes could not be considered.

**Proposal:** That the Area Committee note the information contained in this paragraph.