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**DUDLEY METROPOLITAN BOROUGH COUNCIL**

**BRIERLEY HILL AREA COMMITTEE – 1<sup>st</sup> JULY, 2008**

**REPORT OF THE BRIERLEY HILL AREA LIAISON OFFICER**

**MATTERS RAISED AT THE BRIERLEY HILL AREA COMMITTEE**

**PURPOSE OF REPORT**

1. To update Committee on a number of issues raised at the Brierley Hill Area Committee on the 3<sup>rd</sup> April, 2008, that relate to services provided by the Council.

**BACKGROUND**

2. The Council provides a number of services that have considerable impact on local communities.
3. Requests for service and information are received at Area Committee on a regular basis from both members and the general public, relating to a range of services. 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, a progress report is attached.

**FINANCE**

5. Other than Children's Services exploring funding options for additional car parking on the play area adjacent to the Nine Locks Community Centre, there are no immediate financial implications arising from this report.

**LAW**

6. Anti-Social Behaviour Orders are largely governed by the Crime and Disorder Act 1998.
7. Provisions relating to Highways including trees thereon are contained in the Highways Act 1980.
8. Provisions relating to the Council's Housing stock are contained in the Housing Act 1985.

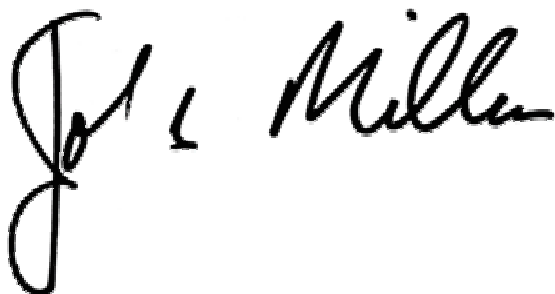
9. Section 51 of the Environmental Protection Act 1990 places a duty on the Council as Waste Disposal Authority for its areas to provide places where its residents may deposit their household waste free of charge.
10. Traffic Regulation Orders are made under Section 1 of the Road Traffic Regulation Act 1984.
11. 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.
12. 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.
13. Section 2 of the Local Government Act 1972 allows the Council to do anything that it considers is likely to promote or improve the economic, social or environmental wellbeing of its area.

### **EQUALITY IMPACT**

13. This report is consistent with the Council's Equality and Diversity policy. There is no direct effect on children or young people.

### **RECOMMENDATION**

14. The Committee is recommended to note the contents of this report.



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Brierley Hill Area Committee Liaison Officer

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## **List of Background Papers**

### **DUDLEY METROPOLITAN BOROUGH COUNCIL**

#### **BRIERLEY HILL AREA COMMITTEE – 1st JULY 2008**

#### **REPORT OF THE AREA LIAISON OFFICER**

### **PUBLIC FORUM**

#### **ISSUE:**

**Councillor Tomkinson expressed concern at the recent change made requiring vehicular traffic to turn left at the Bell Street South junction. She expressed the view that no change should have been made.**

#### **RESPONSE:**

This particular highway scheme is now at a very advanced stage with the layout of the new road having been approved for some time, so that any opportunities to accommodate modifications would undoubtedly be difficult.

It is against this background, that a number of existing traffic movements have had to be reviewed but, in safety terms, the retention of a facility for right turning traffic out of Bell Street South is no longer considered appropriate.

This or any other changes associated with the 'Parallel Route' are subject to due process and as part of the advertising process associated with the making of Traffic Regulation Orders. It will still be possible for further comments and/or objections to be raised during the advertising process which will then be formally considered by the Cabinet Member for Transportation.

#### **ISSUE:**

**A letter from the Chair of the Nine Locks Community Association to the Chairman of the Committee of the possible use of land at the top of Hill Street for additional parking, aimed at mitigating the unauthorised use of the Community Centre car park.**

#### **RESPONSE:**

A meeting has taken place involving representatives from the Nine Locks Community Association, the Brierley Hill Community Forum, Children's Services and highway engineers to progress ways of minimising car parking difficulties. An application for funding from the 2008/09 Capital Fund is being put together and will be considered during the autumn in order to develop additional car parking on the disused adjacent play area.

#### **ISSUE:**

**Various education related issues were raised that required a response from Children's Services. These have been collated and are appended to this report**

**ISSUE:**

**A letter was submitted regarding the adequacy of speed ramps installed in Adelaide Street and surrounding area, in the light of young persons driving at speed and a number of young children being resident in the area.**

**RESPONSE:**

Speeding issues are strictly an enforcement matter for the police authority and that whilst the Council has already introduced complementary measures in the form of speed ramps, these do have to comply with certain standards that include specific requirements on the height of the ramp.

These requirements require speed ramps to be a minimum of 25mm in height and no more than 100mm in height although current guidance suggests that a maximum height of 75mm should normally be considered appropriate.

An inspection has been carried out by Highway Surveyors who have reported that the height of the existing ramps is within these prescribed limits.

The Police have been made aware of the concerns raised so that they can also consider taking any enforcement action that they deem appropriate.

**WARD ISSUES RAISED BY MEMBERS AT THE APRIL COMMITTEE****ISSUE:**

**A meeting was requested by Cllr Boleyn between the appropriate officers of the Directorate, the ward members for Brockmoor and Pensnett and the RSPCA to discuss the matter of stray and illegally grazed horses.**

**RESPONSE:**

All the respective ward members have been contacted to seek their availability and as a result, a joint meeting has been arranged to take place on 16th July.

**ISSUE:**

**Councillor Lavender indicated his disappointment at the withdrawal of the number 261 bus service from Wall Heath to Dudley via Russells Hall Hospital and asked if the Council could attempt to dissuade Centro from withdrawal.**

**RESPONSE:**

Although the Local Authority does not control the level of services provided by bus operators, proposals relating to various changes in the provision of bus services within the Borough were brought to the attention of the Council through a series of Area Bus Panel meetings arranged by Centro around December 2007.

Since that time, Centro have been kept fully informed about the concerns that have been raised by both residents and Ward Members in relation to the effects that the withdrawal of the No. 261 bus service from Wall Heath would have on the local community.

Centro have considered the points that have been raised but, having regard to operational efficiency and commercial viability of this particular bus service, it is still their intention that the proposed changes will come into operation with effect from the 27<sup>th</sup> April 2008.

Against this background, the final decision remains with Centro and there seems little else that the Council can put forward that has not already been raised.

**ISSUE:**

**Councillor Jordan requested the provision of a lay-by for parking in the vicinity of the junction of High Street, Pensnett with Pensnett Road, in view of the impact to local residents of double yellow lines installed in the vicinity.**

**RESPONSE:**

The introduction of double yellow lines along Pensnett Road, Brockmoor is still to be formally advertised however, they are intended to form part of an overall strategy of traffic management that will be complementary to both the Brierley Hill 'Parallel Route' highway improvement scheme and the wider area in general.

At this stage, the introduction of a lay-by facility in this area is not considered necessary as the proposals seek to remove potential obstruction problems arising from parked or unattended vehicles and would not prevent deliveries to the local properties. Given that the residents in this area also have garages to the rear of their properties, parking should not be an issue, it is felt that the introduction of a lay-by facility in this area is not necessary.

**ISSUE:**

**Councillor Harley drew attention to a large pothole at Council garages at Portway Close.**

**RESPONSE:**

A site inspection has been carried out and the work completed.

**ISSUE:**

**Councillor Harley requested an update on the position regarding the shops at Beech Road, Kingswinford.**

**Response:**

As previously reported, the Beech Road shops, maisonettes and garage site formed one of a number of sites included in the Brierley Hill Small Sites Project. This project was funded by Brierley Hill Regeneration Partnership, and its purpose was to establish the options for the future use of a number of problematic sites in the area. The project established that there were a number of options for Beech Road and further work has recently been carried out to establish their financial viability. A report is being prepared and there will be consultation with traders, residents and local councillors in order to agree the most appropriate option for this site.

A verbal update on this issue will be provided at the meeting.

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## **APPENDED REPORT**

### **RESPONSE BY CHILDREN'S SERVICES TO THE VARIOUS ISSUES RAISED**

#### **ISSUE:**

**1. A question was asked on when consultation promised at a public meeting held on 24 January 2008, concerning proposals for the Pensnett/Crestwood Academy would take place.**

#### **RESPONSE:**

Consultation on major changes to school organisation such as establishing an academy, is a requirement of government legislation and guidance. With regard to the proposals to establish an academy to replace Crestwood and Pensnett schools there are several stages in the process. These stages are:

1. Inclusion of the proposals within the strategy for Building Schools for the Future which covers all secondary schools in Dudley. This is likely to be an on-going discussion with the Department for Children, Schools and Families for many months.
2. Identify a sponsor for the academy. A process is in place to appoint a sponsor. Discussions with the sponsor will include a communications plan to ensure information is shared widely with parents and other interested parties. The plan will also identify ways of ensuring that views, ideas and concerns are listened to and where appropriate, acted upon.
3. When a sponsor is appointed, an outline description of the academy will be produced. This "Expression of Interest" will describe all the arrangements including numbers of places, age range, admission procedures, provision for SEN and so on. The Expression of Interest is approved by government before moving on to the feasibility stage. It is expected that the first contact will be in July.
4. Feasibility is likely to start in August or September. The feasibility work and the Expression of Interest will contribute to the draft Funding Agreement. The Funding Agreement is a contract signed by the Secretary of State and the sponsor. It should reflect the views of parents and others. The draft Funding Agreement should be sufficiently detailed to enable formal consultation. It is expected that consultation would start around October 2008.

#### **ISSUE:**

**2. The Chairman of the Governors of Holly Hall School drew attention to an original intention for pupils at Pensnett School to have the option of attending either of the Academies then proposed at Crestwood or Holly Hall. Since Holly Hall would not now have Academy status, she asked if Pensnett parents had been consulted regarding their preferences. In indicating that parents of Pensnett had not been so asked, the Chairman of the Governors of that school queried what consultation might achieve.**

#### **RESPONSE:**

No parents have been asked to express preferences. Parents of pupils at Crestwood and Pensnett will be asked if they want a place at the new academy when there is

sufficient information available for them to make an informed choice. This is likely to be during the autumn term 2008.

Consultation will occur in various ways. Parents and others will be involved in receiving information about the proposals and provide opportunity to express views, ask questions, share ideas and raise concerns. The interaction will shape the proposals for the formal consultation scheduled to start around October 2008. The period up to the start of formal consultation will be useful in sharing information and providing opportunity for parents, young people and others to ask questions, share ideas or raise concerns. It is very important to engage people as early as possible to address any concerns and use local knowledge to develop better proposals.

## **ISSUE**

**3. The hope was expressed that pupils would be allocated to their parents' or carer's preferred school**

## **RESPONSE**

It is expected that all pupils at Crestwood and Pensnett will want to attend the new academy. Guarantees of places at the academy will be honoured.

## **ISSUE**

**4. An allegation was made that formal consultation had not been undertaken**

## **RESPONSE**

Formal consultation would not be expected until sufficient detail about the proposal is available to inform people's thinking. There will be numerous opportunities to gain information, express views and influence the proposals prior to the formal consultation which is scheduled for around October 2008.

## **ISSUE**

**5. A question was asked on the reasons why the Crestwood site had been preferred to Pensnett for the Academy and an assertion made that Pensnett pupils should have an entitlement to attend the Academy**

## **RESPONSE**

The Crestwood school has the advantages of having a primary school and special school on the same site. The site is also large enough to enable the construction of new buildings. Both Crestwood and Pensnett schools will close to establish the new academy and the local authority has a responsibility to ensure sufficient secondary school places. The proposals will provide places for all pupils currently attending Crestwood and Pensnett.

## **ISSUE**

**6. Concern that a press release had been issued indicating that Holly Hall school would become an Academy; when it was known it did not meet Government criteria**

## **RESPONSE**

The level of interest from the media, general public and others in proposals for school organisation changes is usually very high. The press release was factually accurate in announcing Dudley's intention to submit proposals to the government about Building Schools for the Future. It has been confirmed on many occasions that school

organisation proposals are subject to consultation and decision making arrangements set out in legislation and guidance. In December Cabinet authorised the Director of Children's Services to use the proposals as a basis for further discussions with the DCSF.

#### **ISSUE**

**7. Concern was expressed that there might be a 'domino effect' should pupils displaced from Pensnett, or who could have been allocated places there, not be able to be allocated places at Crestwood or Holly Hall**

#### **RESPONSE**

Subject to consultation and decision making, the academy will open in September 2009 and use the existing accommodation at Crestwood and Pensnett. There is more than enough space to house current numbers of pupils. There will be no requirement for pupils to transfer to other schools and no "domino effect".

#### **ISSUE**

**8. A question on where Pensnett pupils would attend, given that Holly Hall was over-subscribed**

#### **RESPONSE**

Pensnett parents will be invited to take up places in the new academy. Any parent not wishing their child to attend the academy may apply for places in other schools.

#### **ISSUE**

**9. A question was asked on the reasons why Holly Hall School had heard that Academy status would not be forthcoming from a local newspaper, rather than the Council**

#### **RESPONSE**

Dudley was not informed by the DCSF in writing that the Holly Hall proposal would not be supported. Holly Hall were aware of the difficulties involved in convincing the DCSF of the case for becoming an academy. Without written confirmation from the DCSF there was nothing for Dudley to communicate to Holly Hall.

#### **ISSUE**

**10. A further questioner asked to be advised of the future use proposed for the Pensnett School site.**

#### **RESPONSE**

The primary decision for Dudley to make is about the continual use of the Pensnett site as a school. If the proposals to establish an academy go ahead discussion about the future use of the site will begin.