

URBAN ENVIRONMENT SCRUTINY COMMITTEE

MONDAY 9TH SEPTEMBER, 2013

**AT 6:00PM
IN COMMITTEE ROOM 2
THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

**HELEN SHEPHERD
ASSISTANT DEMOCRATIC SERVICES OFFICER
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**You can view information about Dudley MBC on
www.dudley.gov.uk**

IMPORTANT NOTICE

MEETINGS IN DUDLEY COUNCIL HOUSE

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

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Your ref:

Our ref:

Please ask for:
Miss H Shepherd

Telephone No.
(01384) 815236

29th August, 2013

Dear Councillor

Urban Environment Scrutiny Committee
Monday, 9th September, 2013 – 6.00pm

You are requested to attend a meeting of the Urban Environment Scrutiny Committee to be held on Monday 9th September, 2013 at 6.00pm in Committee Room 2 at the Council House, Dudley to consider the business set out in the agenda below.

The agenda and public reports are available on the Council's Website www.dudley.gov.uk and follow the links to 'Councillors in Dudley' and the Committee Management Information System.

Yours sincerely



Director of Corporate Resources

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitute members serving for this meeting of the Committee.

3. DECLARATIONS OF INTEREST

To receive Declarations of Interest in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the Minutes of the meeting of the Committee held on 27th June, 2013 (copy attached).

5. PUBLIC FORUM

To receive questions from members of the public.

6. PARKS, NATURE RESERVES & OPEN SPACES STRATEGY (PAGES 1 - 4)

To consider a report of the Director of the Urban Environment.

7. TRAFFIC REGULATION ORDER PROCESSES (PAGES 5 - 10)

To consider a report of the Lead Officer.

8. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE 11.8 (IF ANY).

To: All Members of the Urban Environment Scrutiny Committee:

Councillors Ali, Duckworth, Hale, Hanif, Harley, J Jones, Jordan, Sykes, K.Turner, Tyler and Mrs Westwood.

URBAN ENVIRONMENT SCRUTINY COMMITTEE

Thursday, 27th June, 2013 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Tyler (Chair)
Councillor Hale (Vice Chair)
Councillors Ali, Burston, Hanif, Harley, J Jones, Jordan, Marrey and K Turner

Officers

Assistant Director of Adult, Community and Housing Services (Housing Strategy and Private Sector) (Lead Officer to the Committee) and the Democratic Services Manager (Directorate of Corporate Resources);
Assistant Director of the Urban Environment (Environmental Management);
Assistant Director of the Urban Environment (Culture and Leisure); Assistant Director of the Urban Environment (Economic Regeneration and Transportation) together with other Officers from the Directorate of the Urban Environment.

1 DEATH OF COUNCILLOR G DAVIES

Members referred to the recent death of Councillor George Davies and his significant contributions to the work of previous Scrutiny Committees, particularly relating to regeneration and housing issues. All persons present stood in silent tribute as a token of respect to his memory.

2 APOLOGIES FOR ABSENCE

An apology for absence from the meeting was submitted on behalf of Councillor Sykes.

3 APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Marrey had been appointed as a substitute member for Councillor Sykes for this meeting of the Committee only.

4 DECLARATIONS OF INTEREST

No member declared an interest in any matter to be considered at this meeting.

5 TERMS OF REFERENCE AND ANNUAL SCRUTINY PROGRAMME, 2013/14

A report of the Lead Officer and Director of Corporate Resources was submitted on the Terms of Reference of the Committee and the items included in the Annual Scrutiny Programme for detailed consideration by this Scrutiny Committee during 2013/14. Appendix 1 to the report submitted set out the Terms of Reference of the Committee and Appendix 2 gave more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 of the report.

The Committee noted that the areas chosen for scrutiny were sufficiently flexible to include detailed consideration of specific topics of particular interest to Members. This would be discussed further during the informal scoping exercise. In relation to the scrutiny of support to local business, it was suggested that the scope of the work should include the wider business community and not just those companies or individuals who were affiliated to recognised representative bodies.

Following a presentation of the content of the report and its Appendices by the Lead Officer and comments arising, it was

RESOLVED

- (1) That the Terms of Reference of the Committee, as set out in Appendix 1 to the report submitted, be noted.
 - (2) That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2 to the report submitted, be noted.
 - (3) That an informal development session be held for Members and Officers at the conclusion of the formal business of this meeting to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
 - (4) That the Committee note the possible inclusion of a "Public Forum" session on the agendas of future meetings of the Committee.
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FORWARD PLAN OF KEY DECISIONS

A report of the Director of Corporate Resources was submitted on the Forward Plan of Key Decisions for the four-month period commencing 1st June, 2013, and on the recommendation from the Overview and Scrutiny Management Board that this Scrutiny Committee consider whether it wished to recommend that any items contained in the Appendix to the report submitted, setting out a Schedule of Key Decisions, should be scrutinised.

Reference was made to the item on the Dudley Local Enterprise Zone and the need for this to be referred to in the detailed scrutiny on support for local businesses.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Forward Plan of Key Decisions for the four-month period commencing 1st June, 2013, be noted and that information on the Dudley Local Enterprise Zone be included in the detailed scrutiny work on support for local businesses.

The meeting ended at 6.15 p.m.

CHAIR

DUE Scrutiny Committee – 9th September 2013

Report of the Director of The Urban Environment

Parks, Nature Reserves & Open Spaces Strategy

Purpose of Report

- 1 To provide members with an overview of the current development, management and maintenance arrangements for the Borough's parks, nature reserves and open spaces, highlight the key management issues and seek agreement to any areas where more detailed scrutiny may be needed at future meetings This report will be complimented by a more detailed presentation to Committee on the night

Service Overview:

- 2 The Borough of Dudley covers an area of 9800ha (38 square miles) and approx 30% of this is publicly accessible Parks, Nature Reserves and Open spaces, all of which is developed, managed and maintained by Green Care Services, which can be summarised as follows:
 - **Habitat management for bio and geodiversity on** staffed nature reserves at Fens Pools, Saltwells, Wrens Nest, and The Leasowes, together with strategic management of Cotwall End Valley, Bumble Hole and Barrow Hill nature reserves. In addition the co-ordination and administration of the statutory Local Access Forum.
 - **Management and day to day grounds maintenance:** of approx. 1600ha of land, including such activities as; grass cutting, shrubs maintenance, seasonal bedding displays, sports pitches maintenance and renovation, together with inspection and repair of outdoor facilities such as play areas.
 - **Management and day to day maintenance of** the borough's tree stock comprising of an estimated 60,000 individual trees and 320ha of woodland, in accordance with the Council's adopted Tree Strategy,
 - **Long term development and community engagement** of the borough's parks and green spaces, including: support to and liaison with the 'Friends' network over 33 individual parks (listed in appendix 1 to this report) securing external funding and promoting activities and events. In addition bookings for pitches and bowling greens, letting sites for grazing and supporting allotment associations' management of our sites.

Future Improvements

3. Over the last 10 years in excess of £10million of external funding has been secured by the Council, to improve parks and open spaces. Whilst this has improved a significant number of sites, and led to the recent recognition of Green Flag status for several sites there is still an aspiration for further improvements against a challenging backdrop of major reductions in core council funding and reduced opportunities to use the likes of section 106 funds as this is replaced by Community Infrastructure Levy (CIL).
4. It is therefore critical that bids for external funding are made within the context of a robust strategy which brings together existing policy but also defines an agreed hierarchy for parks, nature reserves and open spaces. Whilst the Unitary Development Plan and the Greenspaces Strategy (adopted June 2009) provide a strategic policy context, it is now proposed to create an additional document which could specifically be used to direct future parks improvements and associated funding bids.
5. At the same time, pressure on the council's revenue budgets, especially for non statutory functions will be intense and therefore any future improvements must take into consideration the implications on long and short-term maintenance costs.

Land Management Issues

6. There are also a number of other pressing land management issues including:
 - A large waiting list for both allotments and grazing land in the borough, which could only be accommodated through the creation of new sites.
 - In addition to the major Nature Reserves there are considerable areas of land which are not managed on a day-to-day basis therefore this is a potential area of future pressure from the public in relation to nuisance issues and tree management.
 - Whilst the Play Pathfinder project created a high-level strategy for play development there is no agreed strategy for future provision and replacement, yet there is continual expectation and requests for new facilities from the public

Finance

- 8 The services detailed in the body of the report are funded by budgets held by the Street & Green Care Division of Environmental Management.

Law

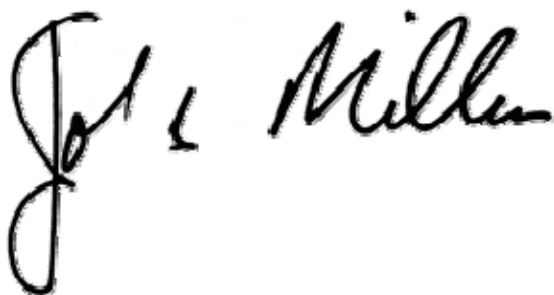
- 9 Under Section 111 of the Local Government Act 1972 the Council is empowered to do anything which is calculated to facilitate, or is conducive to, or incidental to the discharge of its functions

Equality Impact

10. The project is borough wide, inclusive and accessible to all in line with the Council's equality and diversity policies. Most major parks and nature reserves have been audited for physical accessibility and new developments are always designed in line with the Greenspaces Access Design Guidelines/ Standards

Recommendation

11. That, Members note the contents of this report and the information presented verbally at the meeting and then agree areas for more detailed scrutiny at the meetings on 29th October and 25th November.



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John Millar
Director of Urban Environment

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List of Background Papers

- The Greenspace Strategy and the UDP
<http://www.dudley.gov.uk/resident/planning/planning-policy/local-development-framework/adopted-parks-and-green-space-strategy/>
<http://www.dudley.gov.uk/resident/planning/planning-policy/unitary-development-plan/>

Appendix

Dudley MBC Parks Forum – membership list (August 2013)

The total number of active Friends Groups varies over time but those currently on the membership list for The Parks Forum are as follows:

Alder Coppice
Bernard Oakley Memorial Park
Buffery Park
Bumblehole LNR
Clayton Park
Cotwall End Valley LNR
Green Park
Huntingtree Park
Homer Hill
Hope Street
High Fields
King George V Park, Wordsley
King George VI, Kingswinford
Lakeside, Amblecote
The Leasowes
Marsh Park
Mary Stevens Park
Milking Bank
Netherton Park
Norton Covert
Pensnett Wildlife Group (Fens Pools LNR)
Priors Mill
Priory Park
Saltwells LNR
Sedgley Beacon
Sedgley Park Farm
Silver Jubilee
South Road (Swan Pool Park)
Southern Down Road
Stevens Park, Quarry Bank
Stevens Park, Wollescote
Turls Hill and Swanbrook Valley
Vale Street
Woodside Park
Wrens Nest NNR

These groups represent a mixture of formal parks, recreation grounds, open spaces, nature reserves and woodlands

Urban Environment Scrutiny Committee – 9th September 2013

Report of the Lead Officer

Traffic Regulation Order Processes

Purpose of Report

1. To seek the Committee's views on the virtual scrutiny process suggested by Members to review Traffic Regulation Order (TRO) processes.

Background

2. The making of Traffic Regulation Orders to control waiting and traffic movement is enshrined by Legislation contained in the Road Traffic Act 1984. The Act dictates the Statutory processes necessary to make Regulations. In addition to this, at this time, a number of additional processes are undertaken in order to satisfy the Council's Constitution and inform the decision making process as indicated at Appendix A.
3. The service currently processes all feasible requests made for TRO's and undertake Statutory and wider consultation as indicated at Appendix B. This approach has led to a significant backlog of requests as a consequence of the volume of requests, and in recent years a reduction in staffing resource as a result of budget pressures.
4. At the request of former and current Cabinet Members for Transportation, officers have investigated streamlining the process with the view to providing operating efficiencies and a more transparent service to members and the public. It is suggested this would include an approved policy on delivering the service, a robust selection criteria and an annual programme of works as operated in other areas of the overall Traffic & Transportation Service.
5. At present Elected Members other than the Cabinet Member for Transportation, do not have a formal opportunity to comment on the proposals following public consultation or at the point where views of the local residents are known. It is therefore suggested that a cross party working group of Members be created to agree the content of any future programme.
6. Having been considered by the Chair of the Scrutiny Committee it has been agreed that the process will be scrutinised "virtually" and for this purpose it is recommended that a trial be undertaken to prepare an annual programme, the outcome of which can be considered by the Committee.
7. As an initial suggestion, to act as a basis for discussion, Appendix C is attached. Officers from DUE will be at Committee to talk Members through the scoring criteria

Finance

8. TRO's are delivered using capital funds from the Integrated Transport Block.

Law

9. Traffic Regulation Orders are made under powers contained in Section 1 of the Road Traffic Regulation Act 1984 subject to regulations laid down by the Secretary of State.

Equality Impact

10. The control of obstructive parking, and the prevention of intrusive lorry movements in residential areas, assists vulnerable road users, including children, older people and disabled people.
11. The proposals contained in this report are consistent with the Council's Equality and Diversity Policy.

Recommendation

12. It is recommended that the review:-
 - Ensures the TRO process for individual requests is clear to all stakeholders;
 - Determines a transparent criteria for testing the priority and practicality of individual requests;
 - Agrees a criteria for an initial sift of requests to identify and prioritise any imminent safety issues;
 - Ensures all requests are effectively processed;
 - Determines whether existing Consultation processes are robust;
 - Considers the feasibility of creating a Cross Party Members Advisory Group to consider TRO's;
 - Undertake and prepare a trial programme for consideration of the committee.

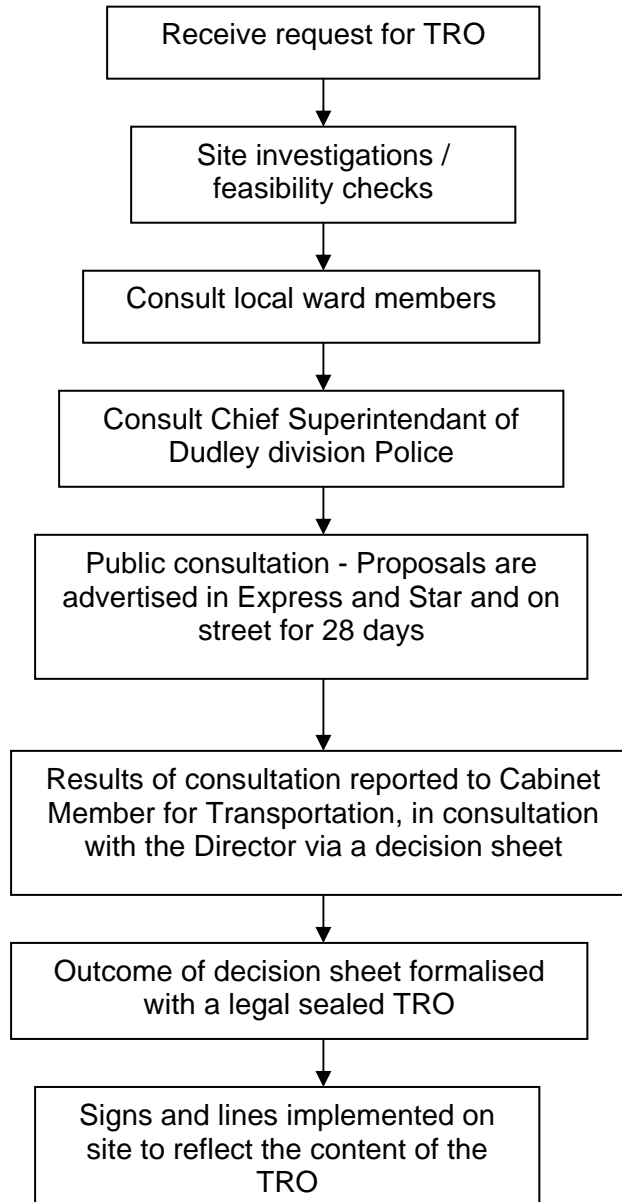


Ron Sims
Lead Officer

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APPENDIX A

Outline of current Traffic Regulation Order (TRO) statutory process



APPENDIX B

Consultation Process

Legally required	Additional consultation carried out by Dudley MBC
Public notice in the Express and Star newspaper	Public Notice posted on street for 28 days
Public Transport operators	The Auto Cycle Union
Chief Officer of NHS (for Ambulance operations)	The British Horse Society
Chief Officer of the fire brigade	Byways and Bridleways Trust
The Fright Transport Association	Commons, Open Spaces and Footpaths Preservation Society
The Road Haulage Association	The Ramblers Association
Other organisations (if any) representing persons likely to be affected by any provision in the order as the order making authority thinks it appropriate to consult	GPU Power
	South Staffordshire Waterworks Co
	Nokia
	Severn Trent Water Ltd
	British Telecommunications
	Royal Mail
	Dudley Primary Care Trust
	British Gas Plc
	Virgin Media
	Environment Agency

TRAFFIC REGULATION ORDER SCORE SHEET

Location.....

Date Received.....

From..... (contact)

Petition Yes / No

Summary of Request

.....
.....

Supporting information attached yes/no

Total score..... Scored by Initials.....

Applicant advised – date...../...../.....

PHYSICAL

CRITERIA	DEFINITION	ALLOCATION	SCORE
Road Type	Primary Route	8	
	Other Strategic	4	
	Estate	2	
	End of Route / Residential	1	
Width of Carriageway	<6.5m	3	
	6.5 to 9.0m	2	
	>9m	1	
Bus Route	Service Buses, winter gritting	5	

Sub Score =

ENVIRONMENTAL

CRITERIA	DEFINITION	ALLOCATION	SCORE
Poor Visibility, Obstructive parking	Route	8	
	Junctions	6	
	In several streets	4	
	Both sides of carriageway	2	
	One side of carriageway	1	
Duration of problem	For 24 hours	5	
	During daytime only	4	
	During peak hours only	3	
	During night time only	2	
	For short periods	0	
Affected Interests	Local Economy - Shops	4	
	Commerce - Offices	3	
	Heavy Industry – Industrial Estate	2	
	Residential properties	1	

Sub Score =

COMMUNITY

CRITERIA	DEFINITION	ALLOCATION	SCORE
Engagement	Petition	10	
	Emergency Services	8	
	Ward Councillor	6	
	Refuse Collection/Council Service	4	
	Multiple Public – more than 2 in street	2	
	Single requestor	0	
Vulnerable Road Users / Assistance for environmental travel	Pedestrians / Cyclists / Disabled Equestrian	0 (Zero) or 5	
Healthy Lifestyles	Will assist healthier forms of travel	2	

Sub Score =

Total Score (max = 51)	
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