

Central Dudley Area Committee - 4th October 2011

Report of the Director of the Urban Environment

Urban Environment - Matters raised at the Central Dudley Area Committee - 7th June 2011

Purpose Of Report

1. To update Committee on a number of issues raised at the 7th June 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 7th June 2011 Committee.

DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD ON 7TH JUNE 2011

1. PETITION - REMOVAL OF MR SIZZLE MOBILE HOT FOOD SELLER

Background: A petition was submitted by customers of a mobile hot food seller, Mr Smith, operating as Mr Sizzle, protesting about proposals to remove individual units as part of the Market Place redevelopment proposals. It was noted that the petition would be referred to the Petitions Officer for consideration in the first instance and then to DUE for a report to a future Area Committee.

Comments: During the redevelopment of Dudley Market and High Street it is hoped that there will be the minimum disruption for street traders. A plan of the proposed redevelopment is expected to become available towards the end of October 2011 for public consultation. The plan should detail the envisaged provision for street trading. At present a schedule of works is not available although as the project progresses one will be developed.

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

2. PETITION - REQUEST TO CLOSE PATH LEADING FROM BUNNS LANE TO IRIS CLOSE

Background: A petition was received from residents of Iris Close requesting that the path leading from Bunns Lane into Iris Close be closed off as the path attracts young people causing anti-social behaviour. It was noted that the petition would be referred to the Petitions Officer for consideration in the first instance and then to DUE for a report to a future Area Committee.

Comments: A letter dated 29th June 2011 has been sent to the first named petitioner to confirm that the matter is now being considered by the Council's Footpaths Officer in co-ordination with the Police. The next course of action will be determined following investigations.

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

3. PETITION - REQUEST FOR TRAFFIC CALMING MEASURES IN THE OAKHAM ROAD AREA

Background: A petition was received from residents of Oakham Road and surrounding areas requesting that traffic calming measures and improvements be introduced on roads in the Oakham area to make the area safe for local people. It was noted that the petition would be referred to the Petitions Officer for consideration in the first instance and then to DUE for a report to a future Area Committee.

Comments: On 30 June 2011, a letter was sent to the three Ward Members indicating that investigations would be carried out during 2011-12 to determine the justification, in

relation to other requested locations, for Local Safety Schemes, Safer Routes to School Schemes and Pedestrian Facilities for the Oakham area to be possibly included in a future year's annual Highways Minor Works Capital Programme.

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

4. **REQUEST FOR TRAFFIC MEASUREMENT/TRAFFIC CALMING/AIR QUALITY MEASUREMENT AT CINDER BANK, NETHERTON**

Background: A letter was received from a member of the public requesting that DUE officers review traffic measurement at Cinder Bank, Netherton between Corbett Garage and Champion Church and consider safety provisions for children crossing Cinder Bank en route to School.

Mr Rahman also expressed concern in relation to the speeding of vehicles along Cinder Bank and asked to be informed about any measures that are in place to monitor air quality in the Netherton area.

A member of the public asked if the Council planned to introduce any traffic calming measures on Cinder Bank, Netherton in view of recent serious accidents.

Comments:

Traffic Measurement/Calming - On 13th July 2011, a letter was sent to Mr Rahman expressing the following points:

- An investigation has been recently carried out in Cinder Bank.
- During the site assessment, a number of issues were observed that precluded the option of introducing a pedestrian crossing. There is a large concentration of street furniture that would interfere with the visibility of both drivers and pedestrians.
- There are also side roads and vehicle accesses near which pedestrian crossings could not be sited.
- Significant amounts of on-street parking take place because of local businesses and also by residents who do not have the benefit of off-street parking facilities.
- The ability to park at the side of the road is a necessity for both business customers and householders.
- Accordingly, pedestrian crossing facilities for the section of Cinder Bank in the vicinity of Swan Street and Simms Lane could not be considered further whilst present circumstances remain.
- The situation will continue to be monitored.

Air Quality - A detailed letter dated 4th July 2011 has been sent to Mr Rahman stating that Dudley Council has monitored air quality in Netherton at various locations for several years and intend to continue to monitor into the future.

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

5. **REQUEST FOR AN EXTENSION TO DUDLEY LEISURE CENTRE OPENING TIMES**

Background: A member of the public requested support for extending the opening hours of Dudley Leisure Centre from 6.30 am to 9.30 pm instead of 8.00 am to 9.30 pm on the grounds that it would enable more residents to use the facility. The Committee was in favour of this request. Action: Investigation and written response to questioner.

Comments: Correspondence has exchanged between DUE Officers and Mr Rahman relating to extending the opening hours of Dudley Leisure Centre. This matter remains under consideration by the Management Team at the Centre who will assess whether or not a trial is a viable proposition as they continue to review the programme.

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

6. **REPLACEMENT OF THE DUNCAN EDWARDS PUBLIC HOUSE FENCE**

Background: Cllr Mrs Aston requested that action be taken to replace the fence at the former Duncan Edwards public house site.

Comments: The owners of the site have been in contact to confirm that the fencing has once again been replaced.

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

7. **BUFFERY PARK BENCHES**

Background: Cllr Ali drew attention to the petition submitted to a previous meeting of the Area Committee relating to the benches at Buffery Park and requested an update on the matter.

Comments: New proposals have been approved by Friends of Buffery Park and the organiser of the petition. Awaiting approval from Cllr Ali, following which implementation can take place.

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

8. **POTHoles - ST THOMAS' WARD**

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

Comments: We now have 8 additional pot hole gangs at our disposal. The repair gangs are gradually working their way around each ward, so that come the Autumn, it is hopeful that the backlog of pot holes after two successive severe winters will have been dealt with. In the meantime, reports of any dangerous pot holes will always be responded to urgently.

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

9. REMOVAL OF GRAFFITI - DUDLEY SOUTHERN BYPASS FOOTBRIDGE

Background: Cllr Miss Arshad requested that the graffiti on the footbridge on the Southern Bypass be cleared.

Comments: The graffiti was painted over on the 1st July.

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

10. POTHoles - VAUXHALL STREET

Background: Cllr Ahmed asked for the potholes in Vauxhall Street to be investigated.

Comments: Minor defects were identified upon inspection. A repair gang is scheduled to be in this area in mid-July.

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

11. HIGHWAYS MINOR WORKS CAPITAL PROGRAMME - 2011/12

Background: A report of the Director of the Urban Environment was submitted on the proposed programmes of work for Local Safety Schemes, Safer Routes to School and Pedestrian Crossings within the Central Dudley area for the 2011/12 financial year. It was resolved that:

- a. The Cabinet Member for Transportation be asked to consider the possibility of including proposals to alleviate parking problems affecting North Street, in the 2011/12 Programme.

Comments: It is intended that proposals for yellow lines in North Street will be included in a future Dudley Market Place set of Traffic Regulation Order proposals.

- b. The Cabinet Member for Transportation be asked to consider the possibility of including proposals to alleviate traffic problems on the Oakham Road, in the 2011/12 Programme.

Comments: When the major Burnt Tree highway improvement scheme has been completed and allowed to settle down, with local difficulties resolved, consideration will be given to new investigations into the possibility of introducing either a Local Safety Scheme or a Safer Routes to School Scheme in Oakham Road.

- c. The Cabinet Member for Transportation be asked to consider the possibility of including proposals for monitoring the air quality in the Netherton area due to the volume of traffic, in the 2011/12 Programme.

Comments: Improvements to the Cinder Bank Island are proposed in the 2011-12 Highways Minor Works Capital Programme. These improvements should assist traffic movements in north Netherton.

- d. That the Cabinet Member for Transportation be asked to consider the possibility of including proposals to alleviate safety issues affecting Aintree Way, in the vicinity of Milking Bank Primary School and the nearby double bend, in the Minor Works Programme 2011/12.

Comments: A proposal to introduce a zebra crossing in Aintree Way near to Milking Bank Primary School was opposed by residents and a Ward Member. A new investigation for a possible Safer Routes to School Scheme in Aintree Way will commence in 2012-13.

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