

**Central Dudley Area Committee – 8<sup>th</sup> September 2009**

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

**Urban Environment - Matters Raised at the Central Dudley Area Committee - 9<sup>th</sup> June 2009**

**Purpose Of Report**

1. To update Committee on a number of issues raised at the 9<sup>th</sup> June 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, 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 policy on equality and diversity. 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**  
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**Background documents used in the preparation of this report:-**

1. Action Notes from 9<sup>th</sup> June 2009 Committee.

## Appendix 1

### **DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD 9<sup>th</sup> JUNE 2009**

#### **1. NETHERTON TRAFFIC MANAGEMENT WORKING GROUP**

**Background:** It was resolved that the Traffic Management in Netherton Working Group be appointed for the 2009/10 Municipal Year with its existing Terms of Reference.

**Comments:** Written report submitted to this Committee.

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

#### **2. PETITION - REQUEST FOR 2 SEPARATE PEDESTRIAN CROSSINGS - STOURBRIDGE ROAD, HOLLY HALL**

**Background:** A petition was received from local residents, parents and pupils of Holly Hall School requesting the provision of pedestrian crossings in two separate areas on Stourbridge Road, these being adjacent to Avenue Road and in the vicinity of Cochrane Road, in light of a recent serious accident involving a school child.

**Comments:** The Cabinet Member for Transportation has agreed for the current proposals to introduce a pedestrian refuge along Stourbridge Road near to its junction with Avenue Road to be reviewed, and also for the feasibility of introducing a pedestrian crossing to be assessed. Subject to any technical considerations and the suitability of the site, this proposal would be subject to a formal advertisement at which time observations and comments would be invited from the respective Ward Councillors, emergency services, bus operators and the general public.

Budgets for the current financial year are committed, with lists of reserve schemes having been prepared. If additional resources should become available, the petitioners' request for a pedestrian crossing in Stourbridge Road near to the Cochrane Road junction will be added to the list of potentially suitable sites to be assessed later this year for possible inclusion in a future programme of works.

Following the assessment process, similar advertising and consultation procedures to those outlined above would be applicable for Stourbridge Road near to Cochrane Road.

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

#### **3. PETITION - REQUEST FOR SURFACING OF WALTERS ROW**

**Background:** A petition was received from residents of Walters Row, an unadopted road, presented by Cllr Davis, requesting that the surface of the road be improved and asking that the Council refrain from using the frontages of the properties in the road for parking until the damage to the surface is repaired. Members of the public in

attendance spoke in support of the petition, except one who wanted the road to remain in its current condition as he considered that, in its current state, vehicular traffic was deterred from using the road. This petition to be referred to DUE for consideration.

**Comments:** A comprehensive investigation is being undertaken in relation to the history of Walters Row and Deeds have been forwarded by some residents of Walter's Row which will go towards helping to determine if the Council could intervene to assist in the ongoing maintenance. Regular updates with regards to progress will be provided to Committee.

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

#### **4. FOOTBALL PITCH - SLEDMERE**

**Background:** An official of a local junior football club, expressed extreme dissatisfaction with the condition of the pitch at Sledmere, allocated to his team. He drew attention to its poor maintenance, the length of the grass and ruts in the pitch making it dangerous. Due to the condition of the pitch, the team have been forced to play at away grounds. The official referred to the yearly fee and strongly expressed the view that value for money is not being obtained. He has apparently raised the issue with the Council before but, to date, has received no reply.

**Comments:** This site typically holds water as it was constructed on an old reservoir. It is not known whether a drainage system was considered at the time that the pitches were installed. Green Care hold regular meetings with the league's representative (Football Forum) and have targeted this site on several occasions with soil de-compaction and aeration equipment to try to improve drainage on the site, which has had minimal impact when coupled with the last 2 extremely wet seasons (and this one).

Over-use of the pitches contributes to compaction and therefore drainage difficulties and as such Green Care strive to 'rest' the pitches during the closed season. To this end, Green Care leave the grass to grow long on the pitches which are then prepared at the start of August for the start of the football season.

The site has been inspected and it appears that a motorbike has accessed the site and has caused rutting which will be renovated prior to the commencement of the season.

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

#### **5. DUDLEY SOUTHERN BYPASS "BOY RACERS"**

**Background:** A member of the public requested that the Council take measures to prevent the inappropriate usage of the Dudley Southern By-Pass by "boy racers". The member of the public referred to the speed limit of 40 mph and advocated the installation of speed cameras along the by-pass and approach roads.

**Comments:** A request will be made to the West Midlands Camera Safety Partnership for consideration to be given to the possible future introduction of speed cameras on Dudley Southern Bypass and adjacent roads at the same time as other West Midlands

requests for safety cameras are assessed.

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

## **6. CENTRAL NETHERTON AIR QUALITY**

**Background:** Cllr J Martin requested the submission of a report on air quality in the Central Netherton area for the last 12 months.

**Comments:** A summary report compiled by the Environmental Protection Team has been forwarded to Cllr Martin. The report essentially says that there are some areas of poor air quality in Netherton but it will be a priority area in the Air Quality Action Plan which is currently being drafted.

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

## **7. STORM DRAINS SURVEY - CASTLE AND PRIORY WARDS**

**Background:** Cllr A Finch requested the undertaking of a survey on the storm drains in the Castle and Priory Wards.

**Comments:** The recent storms have resulted in numerous flooding issues and requests for service increasing the already high workload for the gully emptying resource. The Team continue to try and prioritise responses to the areas of greatest need.

Street Maintenance colleagues have contacted Cllr Finch who has agreed to provide a specific list of blocked gullies when he does his next 'walk about'. Whilst awaiting the list, an inspection has been undertaken in the North Priory area, that generally found the highway gullies to be in good order. Five gullies have been identified that need digging out and they will be attended in early August.

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

## **8. MAINTENANCE OF TREES - PRIORY ESTATE**

**Background:** Cllr Mrs Aston requested an update on the current position regarding the plan for the maintenance of trees on the Priory Estate.

**Comments:** A proposed scheme has been drawn up by Traffic to provide one-way systems and 'build-outs' in order to provide wider access to pedestrians and to protect approximately 50% of the street trees. This is currently with Works Management for feasibility and costing. It should be noted that this will depend on finance and is currently only applicable to the roads on the eastern side of Priory Road.

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

**9. SLEDMERE SCHOOL - ILLEGAL PARKING ON DOUBLE YELLOW LINES**

**Background:** Cllr Waltho referred to unlawful parking by parents on double yellow lines in the vicinity of the Sledmere School and requested that the Council's Parking Enforcement Officers investigate and, if necessary, maintain a presence.

**Comments:** There are in excess of 100 schools in the Borough and these have varying types of parking restrictions, some of which are supported by a Traffic Regulation Order and therefore enforceable, some are advisory markings only. Parking Management have established a list of all schools with enforceable restrictions in order that they are routinely visited, in proportion to our available resources, whether requested or not.

There are two vehicular access points to Sledmere school, one in The School Drive, off Buffery Road, and one in Warrens Hall Road. Neither of these roads have double yellow lines and the "school keep clear" zigzag markings are of an advisory nature only.

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

**10. DUDLEY CENTRAL MOSQUE - PARKING TICKETS**

**Background:** Cllr Waltho expressed the view that parking tickets being issued in the vicinity of the Dudley Central Mosque, during large functions are done so disproportionately in comparison to other areas.

**Comments:** Dudley Central Mosque falls within the wider Dudley Town Centre area and the level of enforcement reflects that location. The enforcement officers are enforcing the restrictions on the public highway and not specific premises. If motorists attending specific venues or functions are minded to park in contravention of the restrictions in place, which are clearly marked, they are no more or less liable to receive a Penalty Charge Notice than any other motorist in the area.

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

**11. SOUTHERN BYPASS FOOTBRIDGE - REPLACEMENT OF LIGHTS**

**Background:** Cllr Ali requested the replacement of lights on the Dudley Southern Bypass footbridge.

**Comments:** A scheduled road closure on the Bypass is being awaited before the vandalised cable festoon can be refixed. As soon as a date is scheduled, endeavours will be made to bring the footbridge back into lighting.

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

**12. STREET LIGHTING UPGRADE - SCOTTS GREEN CLOSE**

**Background:** Cllrs Davis and Mrs Roberts requested an upgrade in street lighting at Scotts Green Close.

**Comments:** The road has been placed on the Improvement Requests Register following Cllr. Davis' request in October 2008. There are presently two requests registered for this road; later in the summer the Register will be recompiled to determine priority. If Scotts Green Close attracts sufficient priority to be funded immediately, the works will be undertaken this financial year.

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

**13. WHITE ROAD MARKINGS - HIGH STREET, DUDLEY**

**Background:** Cllr Davis drew attention to the need for re-provision of white lines along the entrance to the High Street in Dudley in the vicinity of Netto.

**Comments:** The road markings in the vicinity of the High Street are currently being refreshed and any additional requirements will be included as necessary as part of this.

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

**14. BOTTOM CHURCH - PARKING ENFORCEMENT**

**Background:** Cllr Davis expressed his concern that parking enforcement in the vicinity of "Bottom Church" in Dudley, was being carried out disproportionately in relation to the extent of any problems of unlawful parking.

**Comments:** "Bottom Church" in Dudley is located on Castle Street and is a main access/egress for the bus station. In addition to the "no parking at any time" (double yellow lines) restriction there is also a loading ban in operation Monday to Saturday (indicated by a single yellow kerb marking and appropriate plates.) Blue badge holders may not park where a loading restriction is in force and therefore, with the exception of a loading bay and the "disabled badge holders drop off and pick up point only" there is very little lawful parking in this street. Enforcement officers are only able to issue a Penalty Charge Notice when a contravention of the Traffic Regulation Orders has been observed and it cannot therefore be disproportionate to the unlawful parking.

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

**15. VICARAGE PROSPECT - LITTER PICK**

**Background:** Cllr Davis requested a litter pick at Vicarage Prospect.

**Comments:** A litter pick has been completed at Vicarage Prospect.

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

**16. DUDLEY LEISURE CENTRE - SWIMMING TIMES**

**Background:** Cllr Davis expressed concern regarding the time allocated at Dudley Leisure Centre to children from the Brierley Hill Swimming Club for swimming sessions



(10 pm - 10.45 pm) and expressed the view that a more reasonable time should be allocated.

**Comments:** Dudley Council has offered 19 replacement hours to Brierley Hill Swimming Club, including straight replacement hours at Crystal Leisure Centre for the club's Sunday meeting.

Contact has been made with partners in Sandwell who have offered the club straight replacement hours for their Monday and Tuesday sessions at the Tipton Swimming Centre, which is two miles away from Coseley.

The late slots were not necessarily intended for children and young people, it is expected that the club would structure its training sessions such that the older members of the club trained during the later slots.

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

## **17. HIGHWAYS MINOR WORKS CAPITAL PROGRAMME 2009/10**

**Background:** It was resolved that, subject to resolutions (2) and (3) below, the proposed local safety schemes, safer routes to school and pedestrian crossing initiatives outlined in appendices A, B and C of the report now submitted, be supported

That the Cabinet Member for Transportation be asked to take back for further consideration the issue for pedestrian crossings to be provided along Stourbridge Road in the light of the support of the Committee for the petition for pelican crossings received earlier at the meeting.

That the Cabinet Member for Transportation be asked to consider the possible amendment of the Local Safety Scheme proposed at Burton Road, The Broadway, Dudley as referred to in Appendix A to the report now submitted.

**Comments:** Cllr Alan Finch's request relates to Burton Road's junction with Old Park Road. He has expressed a community concern for a right turn lane to be provided from Burton Road into Old Park Road. Whilst it is doubtful whether one could be provided as the road narrows considerably at this junction, further investigations will take place and the situation will continue to be monitored.

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