

Brierley Hill Area Committee – 4th October 2007

Report of the Director of the Urban Environment

Holbeache Lane and Oak Lane, Kingswinford

Proposed Prohibition of Driving Order

Purpose of Report

1. To seek Area Committee's support for the introduction of a Prohibition of Driving Order in Holbeache Lane and Oak Lane.

Background

2. Holbeache Lane is a single track road with passing places which for the majority of its length has agricultural land on both sides, with hedges adjacent to the edge of carriageway. It links the A449 and the commercial area of Ham Lane and Oak Lane.
3. In September 2005 a Traffic Regulation Order was made closing a short length of Holbeache Lane to through traffic. Although the closure removed through traffic there were still problems arising from vehicles being driven at speed in the narrow lane and fly tipping. The second set of proposals advertised were for a much longer length as shown on drawing number TM.2601. This is the longest length that could be closed without affecting access to adjacent properties. This is intended to provide a safe, pleasant environment for walkers and cyclists.
4. Oak Lane and Ham Lane form a loop off Stallings Lane (B4175) and most of the frontage is commercial. Holbeache Lane is the only other vehicle access to the streets. The commercial land use is split into two distinct types. Manufacturing distribution and service industries in Ham Lane and a short length of Oak Lane. The majority of Oak Lane is almost exclusively recycling, scrap and associated industries and the majority of heavy goods vehicles are associated with these activities.
5. The Traffic Regulation Order made in September 2005 also contained a short length of Oak Lane as shown on drawing number TM.2601. This was intended to remove through traffic and split Ham Lane and Oak Lane thereby encouraging heavy vehicles, on Oak Lane, to use the more suitable roundabout junction with Stallings Lane.
6. However, before the work on the physical closure of the road to traffic began, protests were received from the Roma community living in the nearby caravan site. These

alleged that the method of consultation was inadequate in this case as many residents could not read. If they could have read the advertisement they would have objected as it placed the site entrance into the length of Oak Lane containing the recycling sites. Also they believed the closure point would attract fly tipping.

7. In view of the concerns expressed and further allegations that the method of consultation had infringed the human rights of the caravan site residents, the physical works were not carried out.
8. An alternative location for the prohibition of driving was drafted and put forward for advertising with the Holbeache Lane proposals.

Consultation

9. Letters and plans outlining the proposals were sent to Ward Members on 22 May 2006.
11. The proposals were advertised in the Express and Star newspaper on 27 July 2006 and on-street from 27 July to 21 August 2006.
12. Because of the previous representation from the caravan site the advertisement notice and plans were provided to the site manager, who informed residents of the proposals.
13. A letter of objection on behalf of residents of the caravan park was received. This stated their belief that any closure would encourage illegal caravans to park in the closure area and attract fly tipping.
14. A letter of support for either proposal has been received from the management of a local business who have experienced problems relating to vehicles being driven at speeds greater than the speed limit permits. This correspondent has concerns relating to vehicles using the area not being taxed or insured.
15. The Roma community objects to any proposal to close sections of public highway near to their caravan site, whilst businesses support such closures.
16. Background papers will be made available for inspection.

Finance

17. The £10,000 costs associated with the making and introduction of a Traffic Regulation Order can be met from the 2007-8 Minor Works Capital Allocation.

Law

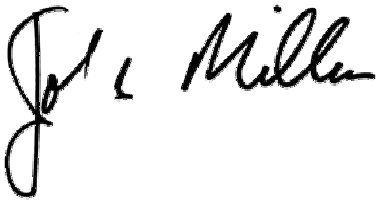
18. Traffic Regulation Orders are made under Section 1 of the Road Traffic Regulation Act 1984.

Equality Impact

19. The proposals contained within this report comply with the Council's equality and diversity policy.
20. If introduced, the proposals would assist vulnerable road users, including pedestrians and cyclists.
21. Because members of the Roma community do not read or write, the Council has gone to some lengths to ensure that all alternative proposals have been brought to the attention of the caravan dwellers

Recommendation

22. That objections be overruled.
23. That Area Committee supports the closure of Holbeache Lane and Oak Lane as shown on Plan TM.2601.
24. That the Cabinet Member for Transportation be recommended to introduce the scheme supported by your Area Committee.



.....
John Millar
Director of the Urban Environment

Contact Officer: Peter Van Geersdaele
Telephone: 01384 815437
Email: peter.vangeersdaele@dudley.gov.uk

Contact Officer: Robert Morris
Telephone: 01384 814475
Email: robert.morris@dudley.gov.uk

List of Background Papers

22.05.06 – Letters to three Ward Members
22.05.06 – Letter to Police
29.08.06 – Letter of objection to proposals
22.11.06 – Letter of support for proposals