

## **HALESOWEN AREA COMMITTEE**

Wednesday 16<sup>th</sup> November, 2005, at 6.30 p.m.  
at Lutley Community Centre, Brookwillow Road, Halesowen

### **PRESENT**

Councillor Jackson (Chairman)  
Councillor Burston (Vice-Chairman)  
Councillors Boys, Crumpton, Mrs Dunn, Mrs Faulkner, James, Ms  
Nicholls, Ms Partridge, Mrs Shakespeare, Taylor, Mrs Turner, K Turner  
and J Woodall

### **Officers**

Area Liaison Officer, Head of Policy (Executive and Support), Principal  
Engineer (Transportation Policy), Senior Engineer, Head of Design and  
Projects, Town Centre Manager (Directorate of the Urban Environment),  
Senior Solicitor (Gary Collins) and Mrs M Johal (Directorate of Law and  
Property)

Approximately 34 members of the public were in attendance.

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### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 14<sup>th</sup>  
September, 2005, be approved as a correct record and signed  
subject to an amendment to Minute No 24 (Apologies for  
Absence), to replace "Body" with "Boys".

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### **DECLARATIONS OF INTEREST**

Declarations of Personal and Prejudicial Interest, in accordance with the  
Members' Code of Conduct, were made by the following Members for the  
reasons indicated:

Councillor Burston declared a personal interest in respect of Agenda Item  
No 11 (Halesowen Bus Station Highway Enabling Works) in view of him  
being employed by CENTRO.

Councillor James declared a prejudicial interest in respect of Agenda  
Item No 13A (Manor Farm Planning Applications) in view of him being a  
Member of the Development Control Committee.

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40                    APOLOGY FOR ABSENCE

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

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41                    SPECIAL MEETING OF THE AREA COMMITTEE

The Chairman announced that a Special Meeting of the Area Committee was due to be held on 7<sup>th</sup> December, 2005 at Cornbow Hall to discuss the Primary School Review and therefore any questions in relation to this should be raised at that meeting and that no discussion would take place at this meeting.

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42                    ADDITIONAL AGENDA ITEM 13A – MANOR FARM PLANNING APPLICATIONS

The Chairman reported that an additional report (Manor Farm Planning Applications) had been circulated and was due to be considered as Agenda Item 13A.

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43                    PETITION

It was reported that a petition containing 5,332 signatures from parents, children, family and local residents against the proposed closure of Holt Farm Primary School had been submitted to the Directorate of Children's Services for consideration.

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44                    YOUTH ISSUES

A representative from the Halesowen Youth Centre briefly gave an update and informed the meeting that new computers had been installed and an environmental project was being pursued with Leasowes. The Centre had a good turnout with approximately sixty young people and he extended an open invitation to anyone interested to attend on a Tuesday or Thursday evening.

RESOLVED

That the verbal update report be received and noted.

- (a) A resident referred to a petition previously submitted in October 2002 and queried the progress on developments in providing car parking space on unused land at Butchers Lane. It was further stated that the problem had escalated due to new residents and also residents owning extra cars.

The Head of Design and Projects reported that a feasibility study had been commissioned on land at Butchers Lane, which had now been completed. Further information was awaited on the costs involved.

- (b) Reference was made to a previous meeting of the Committee where it had been agreed to commission a study into charging periods for car parking and progress on the study was queried.

The Head of Policy (Executive and Support) advised that the introduction of one hour car parking was being pursued and he undertook to provide a response direct to the questioner in respect of the charging periods.

- (c) Concern was expressed in relation to the closure of the Morrisons store in Halesowen and also of the future closure of Kwik Save and on the impact it would have on the centre due to shoppers going elsewhere. It was queried whether free parking could be offered to attract customers. It was further queried why a Town Plan had not been pursued for the area to enable full consultation on all issues to take place.

The Chairman advised that the decision to close the store had been taken by Morrisons as part of a national review and the Council had no power to get involved.

In relation to the Town Plan, the Head of Policy (Executive and Support) reported that, in developing Town Plans, priority had been given to the Dudley Town Centre master plan, followed by Brierley Hill. Focus would then be directed on Halesowen. Significant planning applications would continue to be submitted to the Committee for full consultation and discussion.

The Head of Policy (Executive and Support) confirmed that consideration was being given to the implications of Town Centre developments on parking provision and charges. A Member further commented that free parking should be approached with caution due to commuters taking advantage and using the facility for parking their cars and then continuing their journey via public transport. The Area Liaison Officer further commented that free parking would result in a gap in a budget shortfall, which would have to be addressed.

- (d) A representative from the Tanhouse Tenants and Residents Association queried why children's play areas on the Estate were unacceptable to the Council. He further stated that five areas had previously been identified on the Estate, however the matter was not pursued and an explanation was not given. Problems were being experienced with anti-social behaviour caused by children having nowhere to play safely and by teenagers having nowhere to meet or congregate.

The Area Liaison Officer undertook to refer the matter to the Directorate of Adult, Community and Housing Services for a response and further stated that consideration could be given to allocating funding from the Committee. A Member further reported that the Housing Area Panel had considered the matter recently and it had been suggested that a fenced green area could be allocated for children to play. A letter, along with full details of the plans would be sent to all residents in the Tanhouse area in the New Year to express their views. He further reported that the Tanhouse Tenants and Residents Association had an amount of £42,000, which could be used towards developing the facility.

A Member requested that clarification be given on whether planning permission would be required, if there were legal deductions from the £42,000, whether the money was ring-fenced and the mechanism to spend the money clearly stated.

- (e) The Committee were informed that the firework display which was due to take place on 19<sup>th</sup> November, 2005 alongside the Christmas lights "switch on" in the Town Centre could not now take place because of public safety concerns. The representative from the Halesowen Chamber of Trade reported that the safety requirements, as requested by the Safety Advisory Committee, had been put in place and the Committee were asked for their support to allow the event to continue.

Members commented that the event had taken place for the past twelve years and that if safety precautions were in place then the event should be allowed to continue. Members requested that urgent concerted efforts should be made by officers to resolve the situation as soon as possible.

The Head of Design and Projects confirmed that urgent discussions would take place in the morning with a view to alleviating the problems.

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WARD ISSUES

(a) Councillor Mrs Turner

- (i) Complained about the heavy goods vehicles parking on Wassell Road whilst delivering to Tesco Express and queried progress in relation to the suggested short stay car park.

The Senior Engineer reported that there were differing views from residents of Hagley Road, Wassell Road and Cookley Close as to what they wanted and the matter was still being investigated.

- (ii) Assurance had been previously given that the overgrown trees in Hungtingree Road would be trimmed, however the work had still not been completed. It was further commented that the branches now had telephone wires going through them. Reference was also made to the trees that had been burned down in Huntingtree Park but that only some of those had been cut down. The position about replacing the trees that were taken down was also queried.

The Senior Engineer undertook to investigate the matter.

(b) Councillor K Turner

- (i) Reiterated the problems with heavy goods vehicles blocking Wassell Road and the inconvenience caused to residents.
- (ii) Informed the meeting that a display had been placed in the foyer by "Hands at Work in Africa" who worked in areas where HIV/AIDS was at its highest.
- (iii) Thanked the Officers involved in placing the central refuge on the B4183 on Hagley Road and Rosemary Road junction.
- (iv) Referred to a recent accident that had taken place on the junction of Huntingtree Road and Dunstall Road and said that there had been four accidents in a short space of time. The accidents were not recorded as there was no personal injury and he pointed out that residents were living in fear due to the sheer speed and volume of traffic.

- (v) Complained about people driving at high speeds and using the roads on Fatherless Barn Estate as “rat runs” to avoid Drews Holloway. It was requested that the roads should be changed to a 20 mph speed limit and also signs indicating that a residential area was being approached should be erected.

The Senior Engineer reported that consideration was being given to speed visors, however this was not a permanent measure. It was pointed out that signs displaying “30 mph kill your speed” could be erected, however a blanket 20 mph limit for Fatherless Barn Estate would not be appropriate.

A Member commented that even if signs were displayed they would not necessarily deter people and would be ignored. It was suggested that due to the numerous speeding complaints in Halesowen, the police should be more proactive and consider having mobile speed units in addition to the signs.

- (vi) Reported that the grass and vegetation on Fatherless Barn Estate had been treated with weed killer, however the dead weeds now remained and it was requested that they be trimmed.

The Senior Engineer undertook to refer the matter to the relevant officer.

- (vii) Informed the meeting that the Highways Agency had agreed to carry out the proposed work on the A456 to make it safer.

(c) Councillor James

Reference was made to the Black Country Consortium and the Black Country Study that covered all aspects in the Black Country including transport, roads and economic regeneration. He expressed concern that the document suggested getting rid of greenbelt areas, which would have an impact on Junction 3 in Halesowen, as it was a greenbelt area. It was requested that Members of the Area Committee and the public should submit letters opposing the suggestion.

The Area Liaison Officer undertook to make representations on behalf of the Area Committee prior to submission of the final document.

(d) Councillor Mrs Shakespeare

Reported that the Shell Corner Community Partnership was being launched and invited Members and the public to attend one of the two forthcoming events.

(e) Councillor Taylor

Requested that, in respect of the ongoing bus lanes debate, the bus station and other access issues should be considered as an integral and joint issue and queried what action officers were intending to take.

In responding, the Head of Policy (Executive and Support) reported that a written question had been submitted commenting on the traffic problems and the regular gridlock occurring in the Town Centre and it was queried whether consideration could be given to getting rid of the bus lane and introducing a two lane system. There were several planning and access issue problems around the Town Centre, however urgent consideration was being given as to how best to deal with them and an access management strategy was planned.

(f) Councillor Ms Nicholls

Complained about people parking on Whittingham Road on double yellow lines particularly between 3pm – 4pm on weekdays whilst collecting children. Coaches parking on Furnace Lane caused further problems.

A representative from West Midlands Police reported that enforcement did not eradicate the problem, however he indicated that officers were working on a long-term solution.

(g) Councillor Mrs Faulkner

(i) Concurred with comments made about parking on Whittingham Road and further reported that several coaches were parked on Whittingham Road and Furnace Lane at the same time. Parents parked their cars on both sides of the road and a coach recently damaged a car as it tried to squeeze through. This was also dangerous because parents were collecting children.

(ii) Expressed concern at the heavy goods vehicles “rat running” through residential roads to avoid the new bypass built by Sandwell Council. The roads had speed cushions and were unsuitable for heavy vehicles. It was requested that a letter be submitted to Sandwell Council highlighting the problems caused by vehicles avoiding the bypass.

The Senior Engineer undertook to write to Sandwell Council expressing the concerns raised.

- (iii) It was reported that due to the excessive speed of cars reaching 50-60 mph on Fairfield Road, the Highways Agency were liaising with the Police with a view to consideration being given to the possibility of a mobile speed camera.
- (iv) Complained about the noise from fireworks and commented that 120 decibels was too high and that fireworks should be classed as anti social behaviour as they caused distress.

The Cabinet Member for the Environment agreed with the comments made and also indicated that she had had several complaints in relation to noise. Children, the elderly and animals had been frightened at the sheer volumes of noise and she also agreed that category 3 fireworks (120 decibels) were too loud to be let off in the garden. Setting off fireworks outside legal hours was also an issue, however enforcement by the police was difficult due to not being able to identify the location of the property in residential areas. It was further commented that firework shops were being opened in various locations with short licences and it was requested that the Council should be proactive in checking to ensure that fireworks were not being sold to under 18's. She indicated that if anyone experienced problems with fireworks they should write directly to her.

- (v) Commented that the rerouting of the 139 bus had caused annoyance to residents, as they now had to catch two buses doubling the fare. It was requested that a letter be submitted to West Midlands Travel expressing the concerns raised.
- (h) Councillor Crumpton
- (i) Referred to a previous petition in relation to the nuisance emanating from Fish 4 Dogs and reported that a meeting had been held with officers from the Directorate of the Urban Environment who had advised that it was a complex issue. The premises did not have a licence and officers were stating that efforts should be made to work with the owner.
  - (ii) It was reported that the weeds on Hill Bank and Caslon Roads had been treated, however discoloured weeds now remained and it was suggested that a longer-term solution should be considered.
  - (iii) Several requests had been made to cut down trees on Brook Crescent, Wollescote, which were now growing over residential bungalows causing damp. The Member had been advised that the work would cost several thousand pounds, however it was pointed out that it was a necessity.



- (iv) Thanked the organisers involved for the event on Sunday for Remembrance Day.
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47                      RESPONSES TO QUESTIONS RAISED AT THE MEETING HELD ON 14<sup>th</sup> SEPTEMBER, 2005

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A report of the Area Liaison Officer was submitted informing the Committee of the written responses made to questions asked at the previous meeting.

RESOLVED

That the information contained in the report now submitted, be noted.

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48                      DELEGATED CAPITAL BUDGET

A report of the Area Liaison Officer was submitted on requests for funding from the Delegated Capital Budget.

RESOLVED

- (1) That approval be given to a grant of £4,110 to the Caslon Primary School Day Nursery Unit for the purchase of outdoor play equipment.
  - (2) That the action of the Area Liaison Officer, in consultation with the Chairman and Councillor Body, in approving a grant of £294.00 to the Huntingtree Senior Men's Leisure Centre, for the purchase of a new cooker, be noted.
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49                      CRADLEY FORUM

A report of the Area Liaison Officer was submitted on details of the Cradley Forum.

Arising from the presentation of the report Members commented that the Cradley Forum was well attended with approximately 50 members of the public in attendance. The Forum allowed the community to have their say and focused on relevant community issues and it was not Member led.

During the ensuing debate reference was made to the Halesowen Forum, which had discontinued when the Area Committee had fully established. The Halesowen Forum had also had a good turnout with approximately 100 people in attendance and it was suggested that the Forum should be reinstated.

RESOLVED

- (1) That the information contained in the report now submitted on Cradley Forum, be noted.
- (2) That the Area Liaison Officer be requested to report back on the options for further developing community consultation, with particular regard to the existing roles and responsibilities of the Area Committee and the resources which might be available.

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HALESOWEN BUS STATION HIGHWAY ENABLING WORKS

The Principal Engineer (Transportation Policy) gave a verbal report and updated Members on the progress of the bus station.

During the presentation of the report The Principal Engineer (Transportation Policy) reminded Members that the expansion of Halesowen Bus Station required alterations to the road layout of the Queensway and that the results of the consultation held were reported on last year. Arising from the consultation results and also the need to satisfy statutory highway design requirements, he indicated that a map was now available for viewing that showed the proposed development. The road layout had been accepted by Centro and was included in the recent planning application submitted by them for the new Bus Station.

The Principal Engineer (Transportation Policy) explained that the scheme included moving the road to the West, slightly closer to the Drop-In-Centre, but without physically affecting it. Andrew Road and Church Croft remained as give way priority junctions. In addition, a new pedestrian crossing facility would be provided across Queensway providing direct access from Andrew Road car park to the Bus Station and the Cornbow Shopping Centre. In order to further improve safety, particularly for pedestrians, it was proposed to introduce a 20 mph speed limit, which was considered particularly appropriate given the town centre location and high mix of pedestrian and vehicular traffic.

It was further reported that to simplify access to the Bus Station from the South, it was the intention to prohibit the right turn into Church Croft. The right turn was utilised by a small number of vehicles and the roundabout at the junction of Hagley Road provided a U-turn facility as an alternative.

RESOLVED

That the verbal report on progress to date be noted and that the scheme as presented, be supported.

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TOWN CENTRE MANAGEMENT

A report of the Director of the Urban Environment was submitted on the activities of the Town Centre Development Team in relation to Halesowen.

In response to the concern previously expressed about the fireworks display, the Town Centre Manager informed the meeting that urgent talks would commence with the relevant bodies to try and ensure the fireworks display could be held on Saturday 19<sup>th</sup> November 2005.

He further reported that during the afternoon on 5<sup>th</sup> December, 2005, the Mayor would be switching on the Christmas lights on the Sandvik Christmas Tree in the Town Centre.

RESOLVED

That the information contained in the report and the verbal update be noted.

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SHELL CORNER FEASIBILITY STUDY

A report of the Director of the Urban Environment was submitted on actions to produce proposals for environmental improvements at Shell Corner, following a request to purchase land.

RESOLVED

That the information contained in the report now submitted, be noted and that the results of the feasibility study, upon completion, be submitted to a future meeting of the Committee.

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MANOR FARM PLANNING APPLICATIONS

(Having previously declared a prejudicial interest in this matter, Councillor James withdrew from the meeting at the consideration of this item).

A report of the Area Liaison Officer was submitted on the position of two retrospective planning applications in relation to Manor Farm (Halesowen Abbey).

The Area Liaison Officer reported that due to the short notice of the additional item, it had not been possible for a Planning Officer to attend the meeting. He further commented that the determination of planning applications, including listed building consent as in this case, was a matter for the Development Control Committee, however the Area Committee could submit their comments.

The Area Liaison Officer then summarised the history of the case, and in doing so, reported that one of the applications in relation to retrospective planning permission was for the installation of stone flood barrier cages (gabions) on the southern boundary of the garden of the farm house with associated earthworks and infilling. The gabions were originally installed, without permission, at a height of 2.3 metres and the owner had agreed to reduce the height to 1.5 metres, as part of the retrospective planning application, following consultation with the Environment Agency and English Heritage. According to expert professional advisors, reductions below 1.5 metres, or the total removal of the gabions, could potentially damage the ancient monument.

The second retrospective application related to Listed Building Consent for the erection of a porch and link to outbuildings and installation of a satellite dish and security lights. The works had been undertaken by the owner on the understanding that listed building consent was not required, based on advice from the Council.

The Area Liaison Officer further explained the complex issues involved and reported that English Heritage had suggested that the best way forward might be to include Halesowen Abbey as a national Pilot Project in relation to the government's current review of Heritage legislation. This would be a joint venture between the site owner, English Heritage, the Council and others, which would lead to a statutorily binding Management Agreement for the Abbey site and this could include provision for public access.

The Development Control Committee, at its last meeting, had agreed to defer further consideration of the retrospective applications to a future meeting. This would enable consideration to be given to the detailed written submissions from the Abbey Trust and the general principles of the arrangements for Management Agreements of heritage buildings in conjunction with a proposed presentation by English Heritage.

A representative, who had previously made extensive representations, then presented his case on behalf of Halesowen Abbey Trust, and in doing so, referred to the Trust's report, which had previously been submitted to Members of the Committee. In presenting the case the representative requested that support should be given to refuse the applications and enforcement action be taken to remove unauthorised works, which if left in place, would leave the site permanently damaged. It was also suggested that consideration should be given to setting up a Sub-Committee to include forum community representatives, English Heritage and agents for the owner, to deal with the all the other problems on the Abbey site, including loss of public access since 2001.

Following a lengthy discussion the Chairman suggested that an informal visit to the site guided by an appropriate Officer would be beneficial to provide Members with a more in-depth knowledge and full brief of the situation.

#### RESOLVED

- (1) That the information contained in the report now submitted, be noted.
- (2) That, whilst acknowledging that these matters were to be determined by the Development Control Committee, it be noted that the Area Committee expresses disappointment that modifications were made to land and buildings on the site without the necessary consents.
- (3) That, in view of the historical significance and local importance of the land and buildings at Manor Farm, support be given to the development of a Management Agreement, involving English Heritage, for the future conservation and, where appropriate, enhancement of the Abbey site, including provision for public access.
- (4) That a visit to the site be arranged, in due course, to provide Members with background information and context for further discussions on the potential development of a Management Agreement.
- (5) That a further progress report be submitted to the Committee in due course.

The Head of Design and Projects gave a verbal report and reminded Members of the unforeseen factors, which had arisen during the detailed design of the project.

During the course of the verbal report, the Head of Design and Projects reported that applications had been submitted to the Environment Agency for Impounding and Drainage Licences, however difficulties arose due to not being able to obtain a firm date for approval of the licences from the Agency. The Council were advised that its applications, which were submitted in December 2004, were due to be determined by 20<sup>th</sup> April 2005. However, due to the complexity of trying to recreate an 18<sup>th</sup> century landscape with the health and safety, engineering, legal and statutory approval requirements of the 21<sup>st</sup> century, it was not possible to submit acceptable proposals to the Environment Agency in time for this approval and the applications were rejected. An agreement had now been reached with the Agency and heritage advisors on a solution and the application had now been resubmitted. The first of the licences had been issued and the Agency had indicated that the second was due for issue by the end of November.

Officers at the Heritage Lottery Fund, who were funding the restoration, had been kept informed of progress and were satisfied with the steps that had been taken. Tender documents had been submitted to the Heritage Lottery Fund for approval, who in turn had passed them on for an independent engineer's design review, to ensure that the proposals offered the best blend of engineering safety and faithful heritage content. The design review agreed the Council's design with a minor recommendation.

The Head of Design and Projects then reported on the feasibility study for provision of a more fitting visitor centre and wardens base at the site to replace the ageing portakabin and indicated that a final report was in preparation.

At the request of Friends of the Leasowes, a public meeting had been arranged at Leasowes Community College on 30<sup>th</sup>, November 2005 at 7pm. The meeting would consist of a talk by Christopher Gallagher, (historic landscape advisor to the restoration project), on the international importance of the landscape of the Leasowes, and an update on the restoration project and details of the current challenges faced. T

#### RESOLVED

That the verbal update report be received and noted.

The Head of Design and Projects gave a verbal update.

The Committee were informed that following approval of capital funding to deliver improvements to reduce antisocial activity and illegal parking, steps had been taken to secure improvements. The Council's contractor had completed the installation of the timber bollards along the frontage to Whittingham Road, which would assist in preventing illegal parking on the site. The additional 'no parking' signs were installed and the yellow hatching was due to be completed by the end of the week.

It was further reported that the Halesowen Abbey Trust were due to install the steel gates to the car park on the 26<sup>th</sup> November, 2005, followed by the installation of the remaining bollards around the car park. Signs would also be posted advising the users of the procedure for the key holder access to the car park outside of opening hours.

RESOLVED

That the verbal update report be received and noted.

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#### DATES AND VENUES OF FUTURE MEETINGS

RESOLVED

That the dates and venues of future meetings of the Committee be noted as follows:-

7<sup>th</sup> December, 2005 – Cornbow Hall

25<sup>th</sup> January, 2006 – Halesowen College

22<sup>nd</sup> March, 2006 – Olive Hill Primary School

The meeting ended at 9.15 pm.

CHAIRMAN