

**Central Dudley Area Committee – 10<sup>th</sup> March 2009**

**Report Of The Director Of The Urban Environment**

**Urban Environment Matters Raised At The Central Dudley Area Committee - 20<sup>th</sup> January 2009**

**Purpose Of Report**

1. To update Committee on a number of issues raised at the 20<sup>th</sup> January 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. There are no immediate financial implications arising from this report.

**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.

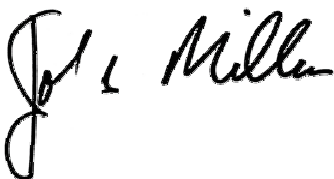
9. Traffic signs are provided under powers contained in Section 64 of the Road Traffic Regulation Act 1984, subject to regulations made by the Secretary of State for Transport.
10. Guardrails may be provided under Section 66 of the Highways Act 1990.
11. Pedestrian crossing facilities are provided under 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.



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

Contact Officer: Matt Williams  
Telephone: 01384 814510  
Email: [Matt.Williams@Dudley.gov.uk](mailto:Matt.Williams@Dudley.gov.uk)

**Background documents used in the preparation of this report:-**

1. Action Notes from 20<sup>th</sup> January 2009 Committee.

## Appendix 1

### DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD 20<sup>th</sup> JANUARY 2009

#### 1. PETITION - FIELD MEWS, NETHERTON - GRIT BIN

**Background:** Cllr Cotterill submitted a petition from the residents of Field Mews, Netherton requiring the installation of a grit bin on the corner of Bowling Green Road and Field Mews.

**Comments:** This application was refused on the grounds that there is no appreciable gradient in the vicinity.

DUE officers have discussed the issue with Cllr Cotterill and he is aware of the decision and the reasons behind it.

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

#### 2. CHRISTMAS AND NEW YEAR WASTE COLLECTIONS

**Background:** Mr Martin Smith of 18 Lincoln Road, Dudley complained on behalf of tenants and residents from the Netherton area about the Christmas and New Year rubbish collections. Mr Smith asked if the public could expect lessons to be learned and a better service to be provided at Christmas and New Year 2009/10.

Councillor M Davis said the leaflets circulated regarding the arrangements could have been stated in more strong terms. He asked if they could be looked at.

**Comments:** A review of complaints received in relation to refuse collection, in Netherton, over the Christmas period remains inconclusive as only 9 complaints relating to missed collections have been received. Given the time of year, this would not be deemed excessive. In addition, ward members have received very little criticism in relation to the service. However, we always encounter some difficulties throughout the Christmas holiday period which was compounded by inclement weather this year.

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

#### 3. LITTER - OFF QUARRY BANK HIGH STREET

**Background:** Mr Ken Rock referred to a huge litter problem in side streets off Quarry Bank High Street and Saltwells Nature Reserve, the bottom of Coppice Lane and High Street. Also litter in Stour Valley Walk. He asked to be informed why the litter picker had not been replaced.

Councillor Sparks asked for details of the arrangements for street cleansing, including names of streets, frequency, which areas have been done and how often and for the information to be provided for all wards, including those in other townships.

**Comments:** A comprehensive report in relation to street cleansing in the Quarry Bank area and beyond is being compiled and will be brought to Committee at the first meeting of the new cycle.

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

4. **LITTER AND OVERGROWTH - RUSSELLS HALL ESTATE**

**Background:** A member of the public drew attention to problems with litter and other rubbish on the Russells Hall Estate. She alleged that there are areas of Council owned property that are becoming unkempt and drew attention to brambles growing on pavements.

**Comments:** A litter pick will be organised on the Russells Hall Estate.

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

5. **WEEDSPRAYING - QUARRY BANK**

**Background:** Mr Rock asked why weed spraying was not being undertaken in Quarry Bank.

**Comments:** Two highway weed spraying operations are scheduled throughout the Borough each year, but due to the wet season (national legislation prevents spraying in wet weather) and limited resources only one was achieved last year in Quarry bank. The climatic conditions were also a negative factor due to improved weed growth. However, the worst area which is believed to be West Street will be hoed off to obtain a better start to this season, and scheduled spraying will be picked up again in May weather permitting.

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

6. **HURLEYS FOLD/DIBDALE STREET - OVERGROWN IVY**

**Background:** Cllr Mrs Roberts asked for overgrown ivy to be cleared at the junction of Hurleys Fold and Dibdale Street.

**Comments:** A Highway Inspector has been asked to visit the site and take appropriate action.

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

7. **STRAY DOGS AND DOG FOULING - RUSSELLS HALL ESTATE**

**Background:** The above member of public also drew attention to the problem of stray dogs and dog fouling on the Russells Hall Estate. She asked why this has not been attended to by the dog warden.

**Comments:** A Fixed Penalty Notice (FPN) was recently issued to someone who was caught allowing their dog to foul in Osprey Drive, this person was issued with a fine for failing to clean up, Enforcement Officers will continue to monitor the area.

With regard to stray dogs, a stray Husky type dog was collected as a stray from Ashenhurst Road in early December 2008.

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

**8. OLD PARK INN PUBLIC HOUSE, CORBYNS ROAD - JUMBRELLA**

**Background:** A member of the public drew attention to the fact that, notwithstanding the refusal of planning consent, the jumbrella and fence at the public house in Corbyns Road had not yet been removed.

**Comments:** Planning permission for the Jumbrella was refused and the brewery has submitted an appeal against the decision which will be determined in the next couple of months. The current location of the jumbrella is unsatisfactory, however the pub owners are obliged to provide some form of smoking shelter under current legislation. Planning officers will be working to resolve the matter by finding a more suitable location within the pub grounds, providing the brewery do not win the appeal. A letter to this effect was sent to Mrs Smith on 29<sup>th</sup> January 2009.

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

**9. SALTWELLS NATURE RESERVE - CULVERT**

**Background:** Mr Rock drew attention to the fact that the culvert at Saltwells Nature Reserve near Saltwells Public House had still not been replaced.

**Comments:** A footbridge which was over the watercourse was washed away in the 2007 summer storms. Funding has now been secured for a replacement footbridge and site work is expected to start early February.

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

**10. KING STREET FOOTPATH - GRAFFITTI**

**Background:** Cllr Ali requested the removal of graffiti on the footbridge spanning King Street.

**Comments:** This graffiti is on a section of the bridge over the road area and will therefore require a Simon Platform or Street Lighting tower for access. This has been reported to Due Civil Engineers who will be taking the appropriate action.

11. **BUNNS LANE - INTERIM TRAFFIC SIGNS**

**Background:** Cllr Ali asked for interim traffic signs in Bunns Lane pending consideration being given to traffic calming measures.

**Comments:** Regrettably, funds are fully committed for the remainder of the 2008-9 fiscal year. In April, when the new financial year begins, Bunns Lane will be visited and consideration given to the introduction of warning signs.

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

12. **DUDLEY WOOD ROAD - OBSTRUCTIVE TREES ON THE FOOTPATH**

**Background:** Cllr Cotterill had received a letter from a Mr Foxall of Dudley Wood Road regarding trees "lifting the pavement" on the footpath in Dudley Wood Road causing an obstruction.

**Comments:** Due Officers have inspected the area and found there are 3 trees where the footway is lifted beyond repair. The matter has been discussed with Cllr Cotterill and it has been agreed that these trees will be removed, the footway repaired and trees replanted.

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

13. **DUDLEY WOOD ROAD/CRADLEY ROAD - SPEEDING TRAFFIC**

**Background:** Cllr Cotterill had requested feedback on action regarding speeding traffic in Dudley Wood Road and Cradley Road, I confirmed that speed reduction measures are under consideration and agreed to report on the current position to Cllr Cotterill.

**Comments:** The investigation is continuing to determine whether Dudley Wood Road could be included in a future Local Safety Scheme annual programme. Cradley Road, in the vicinity of Cradley Park Road and Bristol Road will be considered in due course for possible inclusion in a future year's annual Pedestrian Crossing Facility programme.

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

14. **VICTORIA ROAD, QUARRY BANK - GRAVEYARD**

**Background:** Cllr Sparks requested that information be presented to the Committee regarding the graveyard on Victoria Road, Quarry Bank and all graveyards in central Dudley where issues regarding ownership and maintenance applied. Information to include: who owns it, responsibility for its maintenance and security and access/egress to the graveyard and the legislative framework on these issues. (In doing so, Cllr Sparks referred to a habitat survey undertaken by the Council 20 years ago under which the above issues in relation to graveyards in the Borough were covered.)

**Comments:** A separate related report "Closed Churchyards" has been submitted to this Committee.

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

15. **DUNCAN EDWARDS/WASHINGTON ARMS PUBLIC HOUSE SITES**

**Background:** Cllr J Finch asked for an update on the derelict Duncan Edwards and Washington Arms public house sites.

**Comments:** There is a planning application relating to the Washington Arms going to Development Control Committee on Tuesday 24th February 2009.

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

16. **PRIORY ESTATE DRAINS**

**Background:** Cllr Mrs Aston, on behalf of Priory tenants and residents, requested the unblocking of drains on the Priory Estate.

**Comments:** According to work records, the majority of the estate has been done in the last 12 months, with the most recent cleansing done in Forest Road, Gervaise Drive etc in October 2008. We are not aware of any recent reports of localised flooding due to any perceived lack of gully maintenance on this estate.

If Councillor Aston has more detailed information as to specific gully problems on the Priory Estate, we would be pleased to investigate and take appropriate action.

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

17. **POTHoles**

**Background:** Cllr Mrs Coulter requested that potholes be attended to in Cedar Road, from Pedmore Road to Peartree Lane and in Peartree Lane itself.

Cllr J Martin requested that potholes at Cole Street near the junction with the shop and Gate Hangs Well public house be attended to.

Cllr Ahmed asked for potholes in Stepping Stone Street, Dudley to be repaired and suggested that the road needs resurfacing.

**Comments:** Recent bad weather has accelerated deterioration, the potholes have been repaired in Stepping Stone Street and outstanding potholes will be repaired as soon as possible.

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



**18. CROSSLEY STREET - HIGHWAY MAINTENANCE PROGRAMME**

**Background:** Cllr J Martin requested that Crossley Street be considered for inclusion in the annual Highway Maintenance Programme.

**Comments:** Crossley Street forms part of the 2008/09 Highway Maintenance Programme, which should be completed by the end of the financial year.

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