

**Central Dudley Area Committee - 31<sup>st</sup> January 2012**

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

**Urban Environment - Matters Raised At The Central Dudley Area Committee -  
4<sup>th</sup> October 2011**

**Purpose Of Report**

1. To update Committee on a number of issues raised at the 4<sup>th</sup> October 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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**Director of the Urban Environment**

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

1. Action Notes from 4<sup>th</sup> October 2011 Committee.

## Appendix 1

### DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD ON 4<sup>TH</sup> OCTOBER 2011

#### 1. PETITION - REQUESTING ONE-WAY SYSTEM - CINDER BANK TO THE SLING

**Background:** A petition was received from residents of New Road and the Sling, Netherton requesting that a one-way system to New Road from Cinder Bank junction until the Sling be introduced and the Sling be adopted in order that traffic can travel along the Sling to join Cinder Bank. 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 detailed explanatory letter was sent to the lead petitioner on the 28th October 2011. The Sling is an unadopted highway. Resources have not been available in the past, are not available at the present time, and are unlikely to become available for the foreseeable future, to publicly adopt The Sling, bring the highway up to nationally recognised standards, then permanently maintain the highway to those standards.

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

#### 2. DUDLEY SOUTHERN BYPASS - TRAFFIC CALMING

**Background:** A member of the public drew attention to a recent news report which stated that Dudley Southern Bypass is a dangerous road and requested that speed equipment be installed with a view to preventing "boy racers" using the Bypass on a nightly basis. DUE acknowledged the concerns raised and confirmed that the issues affecting the road and Cinder Bank Island are currently being monitored and this would continue until the end of the financial year. The Chairman expressed concern and requested an investigation into reducing the monitoring time.

**Comments:** The complex traffic issues relating to Cinder Bank are still being monitored, with a view to considering further traffic management measures as part of a future year's annual Local Safety Scheme programme.

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

#### 3. CORBETT'S GARAGE/CHAMPION CHURCH - SAFE CROSSING PROVISION

**Background:** A letter from a member of the public was received requesting that, in consultation with residents, Dudley Council review traffic measurement at Cinder Bank between Corbett's Garage and Champion Church and to consider safety provision for children crossing Cinder Bank on route to School.

He also suggested that consideration be given to removing a middle refuge by 41 Cinder Bank and facilitating pedestrian crossing by improving the existing middle refuge by Corbett's Garage. DUE indicated that the issues relating to traffic measurement at

Cinder Bank had been investigated, however, it was confirmed that other areas in the Borough had ranked higher and had been included in the Safety Scheme

**Comments:** Necessary assessments will be carried out during the 2012-13 financial year. Following an analysis of the investigation results, consideration will be given to the possible inclusion of Cinder Bank in a future annual Pedestrian Crossing Programme.

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

#### 4. **FOOTPATH - OVERFIELD ROAD**

**Background:** Cllr M Davis referred to the footpath in Overfield Road and requested that officers narrow the path, as it is currently wide enough to drive a car through.

**Comments:** The prevention of cars using these footpaths will require the installation of bollards/barriers etc. Officers from DUE will undertake a feasibility study.

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

#### 5. **SPEEDING VEHICLES - WARRENS HALL ROAD**

**Background:** Cllr Ali drew attention to speeding vehicles using Warrens Hall Road with particular mention to the sharp bend and requested that the matter be investigated.

**Comments:** The Council's Police partners have been informed of complaints regarding vehicles being driven in Warrens Hall Road at speeds greater than the 30 mph speed limit permits. An investigation will be conducted during 2012-13 and consideration will be given to the possible inclusion of Warrens Hall Road in a future year's annual Local Safety Scheme programme.

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

#### 6. **OAKHAM ROAD SIGNAGE**

**Background:** Cllr Ali requested that signage be improved in Oakham Road in the short term to alert drivers to slow down and that officers investigate the possibility of installing a pedestrian crossing in the vicinity of Tansley Hill Road in the longer term.

**Comments:** A letter was sent to Cllr Ali on the 28th October 2011. The Police have been contacted by Council officers. Police officers have carried out enforcement, with some success. Consideration is being given to the introduction of "30 mph, Kill Your Speed" temporary safety campaign signs. An investigation will be carried out in 2012-13 into the possible introduction of pedestrian assistance measures in Oakham Road in the vicinity of Tansley Hill Road and the possible future introduction of a one-way street in Tansley Hill Road in the vicinity of Oakham Road.

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

## 7. TRAFFIC SURVEY - CINDER BANK

**Background:** Cllr Ali referred to the Traffic Survey recently carried out on the Dudley Southern Bypass in the vicinity of Cinder Bank; the number of accidents that had occurred on that stretch of road and requested that measures be put in place to stop speeding vehicles.

**Comments:** Monitoring of traffic movements and vehicle speeds in the Dudley Southern Bypass near to Cinder Bank is taking place, in co-operation with the Council's Police partners.

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

## 8. TRAFFIC SIGNALS - BURNT TREE

**Background:** Cllr Ali referred to the traffic signals at Burnt Tree and indicated that although the new system is working well, he expressed concern at how quickly the signals are changing on Bunns Lane and Tividale Road. He requested that the signals be adjusted accordingly.

**Comments:** A new telecoms link is required in order for the traffic signals to operate at their optimum performance. This computer assistance line should be introduced in 2012. The community view seems to be that the traffic signals should not help Bunns Lane to become a recognised "rat run" for commuters.

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

## 9. DUDLEY TOWN CENTRE - EMPTY SHOPS

**Background:** A member of the public drew attention to Dudley recently topping the league of medium sized towns for empty shops (roughly one in three compared with the national average of one in seven) and asked to be advised about plans Dudley has to remedy the situation. The same member of the public also referred to the unpopularity of the revamp of the market and the one-way system in the Town Centre. Written response required to the questioner.

Members agreed with the comments made and requested that a further presentation be given at the next meeting of the Area Committee on the Dudley Town Centre Regeneration. The Committee also requested that the Leader of the Council and the Cabinet Member for Regeneration be invited to answer questions raised by the public.

**Comments:** The Dudley Town Centre Regeneration report of the Director of the Urban Environment submitted to this Committee (Agenda Item 8) refers.

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

**10. DUDLEY TOWN CENTRE - MARKET AREA REVAMP**

**Background:** The same member of the public also referred to the unpopularity of the revamp of the market and the one-way system in the Town Centre. Written response required to the questioner.

Members agreed with the comments made and requested that a further presentation be given at the next meeting of the Area Committee on the Dudley Town Centre Regeneration. The Committee also requested that the Leader of the Council and the Cabinet Member for Regeneration be invited to answer questions raised by the public.

**Comments:** Consultations regarding these issues are ongoing. Stone Street's new one-way traffic flow has enabled shoppers parking to be extended in Stone Street. The Dudley Town Centre Regeneration report of the Director of the Urban Environment submitted to this Committee (Agenda Item 8) refers.

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

**11. AIR QUALITY MONITORING - CINDER BANK**

**Background:** A further letter from the same member of the public was received requesting DUE officers to monitor traffic congestion, to install an air quality monitor in the vicinity of 153/154 Cinder Bank and to provide a report to the next Area Committee. PVG confirmed that he had spoken to the questioner prior to the meeting and indicated that Cinder Bank would continue to be monitored.

**Comments:** The air quality monitoring continues in Cinder Bank as previously confirmed, results will be provided once they become available.

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

**12. EXTENSION OF OPENING HOURS FOR DUDLEY LEISURE CENTRE**

**Background:** A further letter from the same member of the public was received again requesting support from the Area Committee to extend the opening hours of Dudley Leisure Centre from 7 am to 9.30 pm on the grounds that it would enable Dudley Leisure Centre to positively engage in competition with private sector leisure facilities. I confirmed that the request would be reconsidered given the fact that the Area Committee supported the extension of hours. Written response required to the questioner.

**Comments:** A further written response has been sent to the member of the public dated 13<sup>th</sup> October 2011. Arrangements for a trial of earlier opening times are being made to take place some time in 2012.

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

### 13. **CLOSURE OF PUBLIC TOILETS**

**Background:** A further letter from the same member of the public was received requesting that the public toilet in Netherton be reopened and urging the Committee to pass a resolution in relation to the closure of public toilets in the interest of public safety and well being within its area. It was also noted that Dudley Council does not have any offices in Netherton whereby local residents could raise local issues.

Members then expressed general concerns in relation to the closure of public toilets in the Borough and it was suggested that DUE officers investigate the possibility of re-opening these facilities. I acknowledged the concerns raised and undertook to provide a written response to Members.

**Comments:** A detailed letter/email has been sent to all Members regarding the closure of public conveniences. The closure of public conveniences is not something that the Council would choose to do, however it is only one element of an initial multi million pounds savings package and reflects the many difficult decisions that senior politicians have had to make across a range of Council Services.

The conventional convenience in Netherton was dated, in relatively poor condition and was prone to regular acts of vandalism and levels of graffiti, compounded by increasing costs to maintain in reasonable order. As such, and in recognition of the reduced budget provision now available for public conveniences, the request of the committee to re-open this and other toilet blocks for public use cannot be supported.

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

### 14. **ABANDONED PROPERTY - NEW ROAD, NETHERTON**

**Background:** A further letter from the same member of the public was received in relation to an abandoned and derelict property in New Road, Netherton. It was noted that the property belongs to Dudley Council and is leased to a Housing Association. The questioner indicated that the property has been boarded up for three years, is attracting rats and is used by people taking illegal drugs. (The Area Liaison Officer undertook to investigate and provide a response to the questioner). I said that I would arrange for Pest Control to visit the property as a matter of urgency.

**Comments:** A DUE Officer has visited the property and although there were issues 12/18 months ago with vermin, there was no evidence at all to suggest that vermin are present on the site again, although the site is completely overgrown.

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



15. **UNAUTHORISED PARKING - ST JOSEPH'S RC PRIMARY SCHOOL**

**Background:** SEE 4.8 ALSO Cllr Waltho drew attention to the unauthorised parking outside St Joseph's RC Primary School and requested that the matter be investigated.

Cllr Miss Arshad also drew attention to the unauthorised parking outside St Joseph's RC Primary School and requested that the matter be investigated.

**Comments:** Where restrictions are enforceable, our Civil Parking Enforcement Officers can take appropriate action. Obviously, given the number of schools around the Borough, our visits have to be restricted. However, St Joseph's has been visited recently and two Fixed Penalty Notices were issued.

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

16. **FLOOD STREET CAR PARK**

**Background:** Cllr Ali drew attention to the potential problems with youths parking on Flood Street Car Park and requested that the matter be investigated.

**Comments:** Although two pay and display machines have recently been vandalised, no complaints regarding this car park in relation to "boy racers". Parking Services continue to liaise as required with the Police.

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

17. **UNAUTHORISED PARKING - OAKHAM ROAD**

**Background:** Cllr Miss Arshad requested that unauthorised parking on the Oakham Road be investigated.

**Comments:** Unfortunately, apart from limited restrictions at the junction of Dixons Green Road, there are no parking restrictions to enforce on Oakham Road at the present time.

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

18. **POOR ROAD SURFACING - BUXTON ROAD, HOLLY HALL**

**Background:** Cllr Zada referred to the poor road surfacing on Buxton Road, Holly Hall and requested that the matter be investigated.

**Comments:** Buxton Road is included in the Highway Maintenance Programme for this year, the provisional date for this work is March 2012.

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

**19. MESSY PAVEMENTS - LONDON HEIGHTS ESTATE**

**Background:** Cllr M Davis referred to a complaint he had received in relation to the messy state of the pavements on the London Heights Estate and requested that the matter be investigated.

**Comments:** Safety inspections for the London Heights area were undertaken on the 19th November. A number of minor defects were noted and marked out for repairs but nothing was noted that requires urgent attention. However, that said, the footways in both London Heights and Whitehall Drive appear to be approaching the end of their life with trench scarring and surface deterioration evident. A request has therefore been submitted for the footways to be assessed with a view to including them into a future programme of works for surface treatment.

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

**20. NEW HOUSING DEVELOPMENT - MIDDLEPARK ROAD, RUSSELLS HALL**

**Background:** Cllr M Davis referred to the mess the new Housing Development in Middlepark Road, Russells Hall (Broadmeadow) has caused and requested that area be cleared.

**Comments:** A DUE Officer has monitored the area over the last few weeks but has not noted any particular problems other than a slight staining on the carriageway. This is fairly typical for development sites and is difficult to completely prevent. There is no hazard to highway users at present.

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

**21. STREET LIGHTING - PEARCE CLOSE**

**Background:** Cllr M Davis again referred to the lighting in Pearce Close and Scotts Green Close and again requested that the matter be investigated.

**Comments:** Detailed responses have been emailed to Cllr Davis. Unfortunately neither Scotts Green Close or Pearce Close have attracted sufficient priority in the Improvement Requests Register for the works to be undertaken this year. Scotts Green Close currently lies 10th in the table and we have funding only to undertake the first two schemes on the Register. By virtue of an improvement in after dark crime, Pearce Close is now 140th.

Both roads will remain on the Improvements Register and the case for further improvement re-examined, after the above changes are made, when funding and priorities allow.

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