

Central Dudley Area Committee – 20th January 2009

Report Of The Director Of The Urban Environment

Urban Environment - Matters Raised At The Central Dudley Area Committee - 5th November 2008

Purpose Of Report

1. To update Committee on a number of issues raised at the 5th November 2008 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.

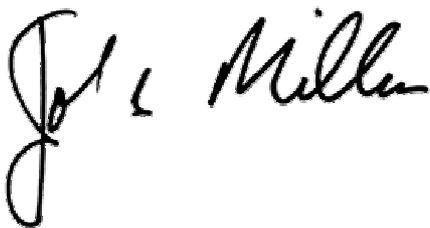
9. Traffic signs are provided under powers contained in Section 64 of the Road Traffic Regulation Act 1984, subject to regulations made by the Secretary of State for Transport.
10. Guardrails may be provided under Section 66 of the Highways Act 1990.
11. Pedestrian crossing facilities are provided under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



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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 5th November 2008 Committee.

DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD 5TH NOVEMBER 2008

1. **DUDLEY ROW/PORTER STREET - TRAFFIC REGULATION ORDER**

Background: Mr P J Thomas expressed concerns about parking restrictions in Hall Street in the vicinity of Dudley Row and Porter Street and wanted to know the reason for the introduction of the TRO.

Comments: The introduction and revocation of yellow lines involves a long legal process which includes formal consultation of the views of the emergency services. At the present time, it is considered that the yellow lines in both of these streets should remain as both of these TROs are still needed by the emergency services for emergency access to all areas. A letter to this effect has been sent by the DUE Traffic Section to Mr Thomas.

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

2. **SCOTTS GREEN CLOSE - STREET LIGHTING**

Background: Cllr M Davis considered that the lack of street lighting in Scotts Green Close was encouraging anti-social activity and asked for this to be investigated.

Comments: DUE Street Lighting Officers have investigated the existing street lighting installation in Scotts Green and have found that the levels of lighting produced no longer meet the existing British and European Standard and as such the lighting requires improvement. Scotts Green Close has therefore been placed on the Lighting Improvement Requests Register for future improvement. Prioritisation is carried out on the basis of requests received, crime statistics for the hours of darkness and engineering condition of any existing street lighting. When the work is carried out will depend upon the aforementioned factors.

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

3. **ST JAMES'S ROAD FLATS - OBSCURED STREET LIGHT**

Background: Cllr M Davis referred to a previously reported tree which is blocking the light outside the flats at St James's Road and which still needs attending to.

Comments: This has now been assessed, but no action is planned at this time to remove or reduce mature trees to the rear of the flats which are blocking light (in line with Tree Strategy). However, a horse chestnut tree to the side of the property has been identified for removal due to poor condition and there are also some young self-set trees to the side of the property which will be removed to avoid future problems. However, the proposed work is unlikely to impact on the initial complaint.

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

4. **SCOTTS GREEN CLOSE/MIDDLEPARK ROAD/ASHENHURST ROAD - TRAFFIC REGULATION ORDER**

Background: Cllr M Davis requested a TRO providing for residents-only parking in the Scotts Green Close, Middlepark Road and Ashenhurst Road area in light of difficulties with Russells Hall hospital parking.

Comments: The council does not currently have a policy regarding Residents-Only Parking. It is possible that a Residents-Only Parking Policy might be introduced in the future, at which time Scotts Green Close, Middlepark Road and Ashenhurst Road could be considered for inclusion in a Russells Hall Area Scheme.

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

5. **AINTREE WAY, MILKING BANK - SPEEDING TRAFFIC**

Background: Cllr Mrs Roberts referred to an item previously raised at Committee that action be taken to restrict the speed of traffic along both carriageways of Aintree Way, Milking Bank.

Comments: Aintree Way, in the vicinity of the primary school, will be considered during 2009-10 for possible inclusion in a future year's annual Safer Routes to School programme.

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

6. **AINTREE WAY - GRASS VERGES**

Background: Cllr Mrs Roberts requested that action be taken to prevent parking on grass verges at Aintree Way near the school, particularly when football practice takes place on the nearby pitch. She suggested the provision of concrete bollards might be appropriate and asked to be kept informed of action taken.

Comments: Consideration can be given next year to the provision of bollards to protect this attractive landscaped area from vehicular intrusion.

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

7. **CHARLOTTE STREET - OBSCURED ROAD SIGN**

Background: Cllr Ahmed requested that bushes be cut back in Charlotte Street which are blocking the road sign.

Comments: The bushes have been cut back as requested.

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

8. **ALEXANDRA PLACE, DUDLEY - POTHOLES/UNEVEN PAVEMENTS**

Background: Cllr Ahmed drew attention to potholes and uneven pavements in Alexandra Place and requested that action be taken.

Comments: Alexandra Place is part maintainable highway and part Council Housing. The maintainable highway was resurfaced a few years ago. Officers from DUE will contact colleagues in DACHS in relation to the area outside DUE jurisdiction.

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

9. **EDNAM ROAD/ST JAMES'S ROAD - PEDESTRIAN CROSSING**

Background: Cllr Ahmed requested the provision of a pedestrian crossing at the Ednam Road/St James's Road junction.

Comments: Ednam Road, near to St James's Road, will be considered during 2009-10 for possible inclusion in a future year's annual Pedestrian Crossing Programme. St James's Road, near to Parson's Street, will be considered during 2009-10 for possible inclusion in both a future year's annual Pedestrian Crossing Programme and a Safer Routes to School Programme.

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

10. **THE BROADWAY, DUDLEY - SPEEDING TRAFFIC**

Background: Cllr A Finch requested that action be taken regarding vehicles exceeding the speed limit along the Broadway, Dudley.

Comments: The subject of vehicles being driven at speeds greater than the speed limit permits in The Broadway, Dudley, will be brought to the attention of the Police. Furthermore, The Broadway will be considered during 2009-10 for inclusion in a possible future Local Safety Scheme.

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

11. **DUDLEY TOWN FOOTBALL CLUB**

Background: Cllr Ali requested that consideration be given by the Committee to the consultants' report on the options for a new ground for Dudley Town Football Club.

Comments: At its meeting on Monday 29th October 2007, Select Committee on Regeneration, Culture and Adult Education received a report from The Director of the Urban Environment entitled: "Sports Village Position Statement". The Select Committee resolved:

“That the information contained in the report submitted, on the outcome of the feasibility study into the potential development of a Sports Village in the north of the Borough, be noted in particular the conclusion reached that any further work on this project be shelved for the reasons indicated in the report.” (Minute 49)

The reasons included a lack of fit with sub-regional strategic proposals, no available or suitable sites, ongoing investment in the Council’s existing leisure facilities, a lack of external sources of capital finance, and the establishment of a home base for Dudley Town Football Club at The Dell Stadium.

The Dell Stadium meets the requirements of the competition in which Dudley Town Football Club currently compete and is suitable for the next level of competition. The Stadium also provides a suitable venue for further development which would support the Club’s aspiration to progress through the pyramid league structure in competitive football. This pragmatic approach to the provision of a suitable venue for Dudley Town Football Club is a more cost effective approach than would be the provision of stand-alone sports stadium or the development of a sports village with a mix of facilities.

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

12. NO. 71 CRABOURNE ROAD - UNSTABLE TREE

Background: Cllr Ms While-Cooper requested that the tree outside No. 71 Crabourne Road be investigated with a view to cutting it down. The resident of No. 71 reported that the tree is leaning towards the houses, going through telephone wires, and lifting the foot path and is worried that the tree will fall.

Comments: This tree has now been inspected and a 20% crown reduction has been recommended to bring the crown below the BT wires. The tree has been assessed with a score of 27 which is the band that is currently being worked through. Unfortunately, given the current workload, an estimated completion date cannot be provided at this time.

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

13. DUDLEY WOOD ROAD/CRADLEY ROAD - SPEEDING TRAFFIC

Background: Cllr Cotterill requested feedback on action regarding speeding traffic in Dudley Wood Road and Cradley Road, as reported at previous meeting of the Committee.

Comments: An appropriate letter will be sent to Cllr Cotterill, by DUE Traffic Officers, when investigations are complete.

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

14. **RESPONSIBILITY FOR ABANDONED VEHICLES**

Background: Cllr Cotterill wanted to know where responsibility lies regarding the removal of abandoned vehicles, in light of an instance which he reported but where neither the Council nor any other agencies, including Police and Fire, had taken action.

Comments: On checking with Cllr Cotterill, it was found that he actually wanted to know what enforcement powers the Council now has against those who park on double yellow lines and grass verges. As far as enforcement powers are concerned a separate report has been submitted to this Committee for information purposes.

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

15. **NETHERTON - TRAFFIC FLOW AND ASSOCIATED ISSUES**

Background: Cllr J Martin, in expressing his view that traffic flow in the central Netherton area had reached a position where a Traffic Regulation Order would be necessary, advocated the appointment of a working group of the Committee to consider required action and to recommend to the Committee accordingly.

Comments: A meeting of the working group is being arranged to take place after Christmas and prior to the next CDAC on 20th January, where the following proposals will be discussed:

- TRO's in Halesowen Street and surrounding road.
- Improvement of Northfield Road Junction with Halesowen Road.
- Modification of the Junction of Simms Lane with Cinder Bank to accommodate the Sweet Turf Development.
- Resolving the problem of the junction of Pear Tree Lane and the redevelopment of the Kwiksave site along with Cinder Bank and the wider congestion problem at the Roundabout with the By-pass .
- Weak bridges and in particular at New Road which threatens to impact on the local traffic infrastructure.

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

16. **CIVIL PARKING ENFORCEMENT MEASURES**

Background: Cllr J Martin requested the provision of statistical information on Civil Parking Enforcement measures in the central Dudley area. He requested that the information include how often Civil Enforcement Officers patrol the central Netherton area, their powers, and the action they are taking.

Comments: Following consultation with the Cabinet Member responsible for Transportation, it has been agreed not to respond to individual requests relating to the

number of Penalty Charge Notices (PCN) served in any one area, due to the resources required to collate statistics.

We do monitor the number of PCNs issued by each individual officer, as the Team offers a Borough-wide service and activities are not restricted purely to the central Dudley area.

It is anticipated that a detailed parking discussion will take place at the inaugural Netherton Working Group and this will no doubt lead to a more detailed appraisal of parking issues in the town.

A report on Civil Parking Enforcement powers will be presented on the night of the Committee for information purposes.

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

17. **BLACK ACRE ROAD/PARADISE ROAD - SWEEPING**

Background: Cllr J R Davies asked for the above roads to be swept.

Comments: The above roads have been swept as requested.

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

18. **QUEEN STREET, QUARRY BANK - ALLEDGED UNSTABLE TREE**

Background: Cllr Cotterill had previously requested that a tree be cut down in Queen Street, Quarry Bank because elderly residents nearby fear it will fall onto their properties. An on-site inspection was undertaken of the tree in accordance with the Council's Tree Strategy and although the conifer in question was found to be large, the inspection revealed that there is no significant defect and as such the tree currently presents no danger to the public.

At this CDAC Cllr Cotterill expressed concern that the tree could not be removed.

It was resolved that this issue be considered and report back to CDAC in January 2009.

Comments: This conifer has been identified for removal but is low priority and therefore an estimated completion date cannot be given at this time. Councillor Cotterill has been made aware of the situation.

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