

Central Dudley Area Committee – 15th March 2011

Report of the Director of the Urban Environment

Urban Environment - Matters raised at the Central Dudley Area Committee - 18th January 2011

Purpose of Report

1. To update Committee on a number of issues raised at the 18th January 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 18th January 2011 Committee.

DIRECTORATE OF THE URBAN ENVIRONMENT - MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE HELD ON 18TH JANUARY 2011

1. **PETITION - OBJECTIONS TO INTRODUCTION OF TRO IN BLACKACRE ROAD**

Background: A petition was submitted from residents objecting to proposals to introduce a TRO in Blackacre Road, Dudley. 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: It is planned that a report regarding the Traffic Regulation Order proposals and lesser alternatives for Blackacre Road should be presented to the 15 March 2011 meeting of the Central Dudley Area Committee.

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

2. **WOODSIDE PARK - CRUMBLING STEPS/DETERIORATING PATHS**

Background: A resident of Avenue Road, Woodside, Dudley raised health and safety issues in relation to crumbling steps and deteriorating pathways in Woodside Park. The resident stated that the park is in a really bad condition and is a danger to the public. Investigation and written response required.

Comments: During the autumn of last year Parks Development undertook major works to resurface paths within the park. There are still some paths within the park to be resurfaced and we hope funding will be made available. Over 100 m of blue brick edging kerb was stolen last year from the park. Some soiling/seeding works where these bricks were uplifted from along the edge of the pathway is required, the majority to the tarmac path surfaces still awaiting tarmacing is satisfactory at present and will be monitored. The steps within the park are breaking up in places on both risers and arrangements are being made to undertake repairs at an early date.

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

3. **PARKING PROVISION - ARCH HILL STREET, NETHERTON**

Background: A resident of Littleton Close, Netherton drew attention to the lack of parking provision in Arch Hill Street, Netherton and surrounding areas and requested that officers work with the Tenants and Residents Association to investigate the possibility of introducing a car park in the area.

Comments: It is unlikely that funds would be available in the foreseeable future for the provision of parking facilities for the residents of Arch Hill Street. Double yellow lines are proposed only around the junction of Arch Hill Street and Halesowen Road. This would have no effect on legitimate parking. Although there is a "prohibited driving except for access to properties" Order operating in Arch Hill Street, the nursery in the park counts as a legitimate property to be visited, as its access is from Arch Hill Street.

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

4. IMPACT OF THREE BAG LIMIT ON RECYCLING

Background: A resident of Oakham Road, Dudley asked what impact the 3 bag limit has had on recycling. I indicated that an increase in recycling had been identified, although the amount of recycling varies across the Borough. I stated that the trial of plastic recycling in certain areas has seen an increase by 50%. Written response to be submitted to the questioner.

Comments: A letter has been sent to the resident to the effect that recycling data is still being collected for the 2010/11 financial year, therefore it is not possible to compare recycling performance from this year to last. Additionally, a recycling trial and changes to the waste collection service introduced in September 2010, mean that a comparison of a full year on year would not give a true reflection of performance.

A comparison of Quarter 3 (October/November/December) in 2009/10 and 2010/11 demonstrates an increase in recycling performance across the Borough. In 09/10, 3112 tonnes of recycling was collected at the kerbside which increased by 4.7% to 3257 tonnes in 10/11. There has also been a significant increase in the participation of residents in the recycling trial areas. Before the introduction of the new recycling service, 70% of residents were recycling; following the introduction of the new service this increased to 87%. The tonnage of material collected from the trial areas has increased by an average of 76% per day on the trial rounds.

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

5. PARKWAY ROAD - NEW ONE-WAY SYSTEM

Background: A resident of Fulbrook Road, Dudley asked who sanctioned the making of Parkway Road into a one-way system. The resident said the change has caused "absolute chaos, creating some of the worst traffic conditions that side of the town has ever experienced". It was also the resident's view that the plan was never backed by all 3 ward councillors and referred to an admission by Cllr Roberts in the Press that it was a bad idea.

Comments: A letter regarding this matter has been sent to the resident on 31 January 2011 which states that two petitions were sent to CDAC on the 7th November 2007 complaining of the high amounts of traffic using Parkway Road as a through route from Grange Road towards Himley Road and petitioners were concerned about their safety. Under Freedom of Information legislation, copies of both these petitions were sent to residents on 25th January 2011. Ward Councillors were consulted on the 14th May 2009 and the proposals were publicly advertised between 8th July and 5th August 2009, no objections were received to the proposition.

A Decision Memo was signed authorising the one-way street scheme by the Cabinet Member for Transportation on the 5th November 2009. The one-way traffic order was sealed by the Council on 15th June 2010 and came into operation on the 21st June 2010.

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

6. **OAKHAM ROAD TRAFFIC PROBLEMS**

Background: A resident of Oakham Road conveyed his thanks to the Police for the recent operation carried out to alleviate the traffic problems in Blackacre, but again drew attention to the problems affecting Oakham Road and asked what the Local Authority would do to rectify traffic and safety problems there. He also asked if Oakham Road is a classified or unclassified road.

Comments: A letter has been sent to the resident confirming that Oakham Road is a classified road and as such carries all forms of traffic. It was also noted that temporary traffic movements associated with the Burnt Tree highway improvement works would be reduced by the autumn. An investigation will now commence into the future possibility of including Oakham Road in the vicinity of Hillman Drive in a subsequent year's annual Local Safety Scheme programme.

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

7. **ENVIRONMENTAL PROTECTION ACT - CONTRADICTION**

Background: A resident of Oakham Road referred to a letter sent to him from DUE dated 23rd November saying he believed there to be a contradiction in the Environmental Protection Act. He said that section 45 (4B) states that the Council can tell residents where to put the bags and Section 45 (A1) states that they cannot. He said that if we accept that the bags can be put on the footpaths, who is liable in case of a pedestrian accident especially in these dark mornings and bad weather? He said that residents need to know if footpaths constitute a highway as it states in section 46 (5) and therefore permission needs to be given by the Highways Authority and the liability needs to be covered?"

Comments: A letter has been sent to the resident requesting confirmation of the relevant sub-sections of the Environmental Protection Act which had been quoted in the question, as discrepancies were apparent in the references made to sections of the Act. It was noted that the Council has not requested residents to place their waste bags on the pavement. The advisory leaflet circulated to residents of the service changes in September 2010 states that: "bin bags will be collected from the back of the public footpath, normally at the edge of your property". This is also illustrated on the leaflet in the form of a small picture. Placing of bags on the pavement should therefore be avoided. Both a footway and carriageway, where adopted, form part of the public highway. The Council is both the Highway and Waste Collection Authority for its area.

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

8. **PEARCE CLOSE, RUSSELLS HALL - PROPOSED LIGHTING/PARKING ISSUES**

Background: A resident of Pearce Close, Russells Hall asked for an update on proposed lighting in Pearce Close. The resident also raised concerns in relation to parking issues associated with Russells Hall Hospital.

Comments: In relation to the parking, a letter was sent to Ms Plasner dated 21st January 2011 which informed her about the Russells Hall Working Group which is considering the impact of hospital car parking on residents' lives and will make recommendations in due course. Pearce Close is one of the residential streets under review. An update report from the Working Group is to be presented to the meeting on the 15th March 2011.

In relation to proposed lighting, although street lighting works are planned for the Russells Hall Estate in the near future, as part of our ongoing replacement programme, we are currently giving priority to street lighting columns with structural defects due to their age profile. Unfortunately, the lighting in Pearce Close is not that old, although the existing light source would not meet the current British Standard. Pearce Close has been placed on our Street Lighting Request Register for consideration in the future.

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

9. **WARRENS HALL ROAD - PARKING PROBLEMS**

Background: Cllr Waltho again referred to the parking problems in Warrens Hall Road and requested that this matter be investigated.

Comments: Warrens Hall Road, Dudley, has been added to the list from which future years' annual Pedestrian Crossing Programmes will be selected.

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

10. **NORTH STREET - TRAFFIC SAFETY**

Background: Cllr Ali drew attention to traffic safety issues on the corner of North Street, following a recent accident and requested that this matter be investigated.

Comments: An Instruction has been issued for both pedestrian guardrail and yellow "bus stop" boxes to be introduced in the section of Hall Street near to the Salvation Army centre, in order to deter obstructive car parking from taking place.

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

11. **CRADLEY ROAD/HALESOWEN ROAD**

Background: Cllr J Martin referred to the "No Left Turn" from Cradley Road into Halesowen Road and requested that signage be erected, or other road improvement be considered, to resolve the issue.

Comments: Road improvements will be considered at this junction.

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

12. **FORMER DUNCAN EDWARDS PUBLIC HOUSE SITE**

Background: Cllr Mrs Aston reported that the fence had been knocked down at the former Duncan Edwards public house site and requested that the owners be contacted and requested to erect a replacement.

Comments: The owners of the site have been in contact following a letter sent to them on the 2nd February. The site was made safe week commencing 21st February.

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

13. **PRIORY ROAD TRAFFIC PROBLEMS**

Background: Cllr Alan Finch drew attention to the traffic problems on Priory Road, especially during the mornings and at tea times and requested that this matter be investigated.

Comments: This matter will be investigated and future consideration given to the possible introduction of a subsequent Local Safety Scheme.

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

14. **SCOTTS GREEN CLOSE ISLAND TRAFFIC PROBLEMS**

Background: Cllr M Davis again referred to the traffic problems at Scotts Green Island and requested that this matter be investigated.

Comments: To be dealt with as part of the Russells Hall Working Group, an update report on the Working Group is to be presented to the committee on the 15th March 2011.

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

15. **PARKWAY ROAD - ONE-WAY SYSTEM UPDATE**

Background: Cllr M Davis Referred to the problems associated with the one-way system on Parkway Road as raised by W T Chambers (item 5 above) and requested that this matter be investigated.

Comments: The Traffic Regulation Order for Parkway Road was introduced following the receipt of a petition by the residents of that street. The one way street assists vulnerable pedestrians and school children being assisted by School Crossing Patrols in neighbouring streets.

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

16. **DUNCAN EDWARDS STATUE - DUDLEY MARKET PLACE**

Background: Cllr Ahmed drew attention to the current condition of the Duncan Edwards statue in Dudley Market Place and requested that the statue be cleaned.

Comments: An email has been sent to Cllr Ahmed (and Cllr Ken Finch) to confirm that the statue will be cleaned by mid-February.

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

17. **BAPTIST END ROAD - SPEEDING TRAFFIC**

Background: A Member of the Committee suggested that appropriate officers and Ward Members arrange a meeting with the petition organiser with a view to discussing possible solutions to improve the situation. The Assistant Direct for Environmental Management indicated that the matter would be looked into.

Comments: The points made by the main petitioner have been carefully considered. The section of highway where the petitioners live is on a slight kink in the road and is in an area where the road narrows.

Baptist End Road is an important local distributor route for moving traffic to use. It is the responsibility of motorists to decide where to park their cars.

The Police will be asked to give consideration to the matter of vehicles being driven along Baptist End Road at speeds greater than the 30 mph speed limit permits."

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