

## **BRIERLEY HILL AREA COMMITTEE**

Thursday, 7<sup>th</sup> July, 2005, at 7.00 p.m.  
at the Kingswinford School, Water Street, Kingswinford.

### **PRESENT:-**

Councillors Blood, Burt, Debney, Ms Foster, Ms Harris, Harley, Islam, Miller, Ms Pearce, Southall, Tomkinson, Tyler and Mrs Wilson.

### **Officers**

Mr E Lawson (Area Liaison Officer), Chief Executives Directorate, Senior Solicitor (Directorate of Law and Property), Assistant Director (Directorate of Social Services), Quality & Complaints Officer (Directorate of Social Services) Principal Engineer and Group Engineer (Traffic and Transportation), Head of Sport and Recreation and Town Centre Manager (Directorate of the Urban Environment), Senior Education Officer and Education Youth Officers (Directorate of Education and Lifelong Learning), and Ms K Smith (Directorate of Law and Property).

Together with Sergeant Ridney and approximately 80 members of the public.

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### 1 **ELECTION OF CHAIRMAN**

#### **RESOLVED**

That Councillor Mrs Wilson be elected Chairman of the Committee for the ensuing municipal year.

(Councillor Mrs Wilson thereupon took the Chair)

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### 2 **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 5<sup>th</sup> April, 2005, be approved as a correct record and signed.

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### 3 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Mrs Jordan, Ms Patrick and Mr J Woodall, Directorate of the Urban Environment, and Mrs J Portman Directorate of Education and Lifelong Learning.

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DECLARATIONS OF INTEREST

Councillors Debney, Southall and Mrs Wilson declared a Prejudicial Interest in accordance with the Members' Code of Conduct in agenda item 12 (Kingswinford Skate Park) in view of their being members of the Development Control Committee.

Councillor Miller declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 16 (Wheel clamping on private land and rights of landowners to charge for car parking) as he worked in Kingswinford.

Councillor Southall declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 20 (Capital Allocations – application 3/05, Holy Trinity Church, Wordsley), as he is on the electoral role of that church.

Councillor Blood declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 20 (Capital Allocations – application 2/05, Belle Vue Ground Force) in view of being Chairman of the committee.

Councillor Ms Harris declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 13 (Public Forum) in view of being Chairman of Dudley Castle and Beacon Primary Care Trust.

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APPOINTMENT OF VICE CHAIRMAN

RESOLVED

That Councillor Tyler be appointed Vice Chairman of the Committee for the ensuing municipal year.

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MARK OF RESPECT

The Chairman led a two minutes silence for victims and families of those affected by the London bombings that had occurred that day.

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## TERMS OF REFERENCE AND PROTOCOL FOR AREA COMMITTEES

A report of the Area Liaison Officer was submitted setting out the terms of reference and protocol for Area Committees. Reference was also made to a revision to the terms of reference of Area Committees agreed at the Annual Meeting of the Council held on 19<sup>th</sup> May, 2005, in respect of the second term of reference regarding local community plans in that the Council agreed that it should no longer be a specific requirement to produce a separate local community plan. However, this would not prevent any individual Area Committee from developing its own plan if appropriate.

RESOLVED

That the information contained in the report, and appendices to the report, submitted on the terms of reference, as revised, and the protocol for Area Committees, be noted.

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## CO-OPTED MEMBERS

A report of the Area Liaison Officer was submitted on the co-option of persons to serve as members of the Committee for the 2005/06 municipal year.

The Area Liaison Officer advised that a nomination had been received for Mrs J Lewis to represent the Dudley Association of Governing Bodies on the Area Committee. Members of the committee reiterated the view held by them previously that as all members of the public were welcome to speak on all agenda items at all meetings of the Committee, the co-option of members was not necessary.

RESOLVED

That no person be co-opted to the Committee at the present time.

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## APPOINTMENT OF WORKING GROUPS

A report of the Area Liaison Officer was submitted on the appointment of working groups of the committee for the ensuing municipal year.

RESOLVED

That the following working groups be appointed for the 2005/06 municipal year with their existing terms of reference and with the composition and membership indicated.

- (1) Community Plan and Young Peoples Group Working Group

To comprise the Chairman plus one member of each ward in the area of the Area Committee – to be notified.

- (2) Capital Allocations Working Group

To comprise the Chairman plus one member of each ward in the area of the Area Committee – to be notified.

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### APPOINTMENT TO OUTSIDE BODIES

A report of the Area Liaison Officer was submitted on the appointment of representatives to serve on various outside bodies for the 2005/06 municipal year.

#### RESOLVED

That appointments to the Organisations indicated below be made as follows:

<u>Name of Organisation</u>	<u>Representatives</u>	<u>Period of Office</u>
Brierley Hill Committee for the Welfare of the Physically Handicapped	Councillors Ms Harris, Mrs Wilson and Islam	Annual
Community Associations		
(a) Brockmoor	Councillors Ms Foster, Mrs Jordan and Tomkinson	Annual
(b) Dingle	Councillors Mrs Pearce, Debney and Southall	Annual
(c) Fens Pool	Councillors Ms Foster, Mrs Jordan and Tomkinson	Annual
(d) Hawbush	Councillors Ms Harris, Mrs Wilson and Islam	Annual
(e) Kingswinford	Councillors Mrs Patrick, Burt, Blood, Harley, Miller and Tyler	Annual

(f)	Ninelocks	Councillors Ms Harris, Mrs Wilson and Islam	Annual
(g)	Pensnett	Councillors Ms Foster and Mrs Jordan and Tomkinson	Annual
(h)	Wall Heath	Councillors Mrs Patrick, Burt and Tyler	Annual
(i)	Wordsley	Councillors Mrs Pearce, Debney and Southall	Annual

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### RECEIPT OF PETITIONS

It was reported that the following petitions had been received and would be referred to the officers indicated for attention:

From Councillor Mrs Foster on behalf of residents of Haywharf Road, Mullet Street and Dell Road, requesting traffic calming – referred to the Director of the Urban Environment.

From Councillor Islam on behalf of residents of Springfield Road and surrounding area, objecting to the proposed twenty metre high mobile antennae mast to be put on derelict land at the bottom of Springfield Road – referred to the Director of the Urban Environment for reporting to the Development Control Committee.

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### YOUTH ISSUES

Jean Garwood, Youth Officer, informed the Committee about the proposed summer activities within the Brierley Hill District. These included a Positive Activities for Young People programme, activity schemes, outdoor pursuits, girls only residential, Mendi workshop and Cyber Bus visits to Wall Heath. A joint residential to the Frontier Centre, Northamptonshire including young people from Pensnett, Kingswinford, Quarry Bank and Brierley Hill wards had also been organised.

In addition to the activities outlined on the handout distributed to Members, all centres would be running their own normal programme of activities.

RESOLVED

That the presentation on the summer activities within the Brierley Hill District be noted.

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13

KINGSWINFORD SKATE PARK

(Councillor Mrs Wilson having declared a Prejudicial Interest in this item, vacated the Chair) Councillor Tyler, Vice Chairman, took the Chair)

A report of the Director of the Urban Environment was submitted on the proposed skate park for the Brierley Hill Area and progress to date. The Committee had supported the provision of a skate park at the Kingswinford Youth Centre location and the planning application had been submitted but later withdrawn due to the level of public opposition.

The report outlined two options that were now available:

RESOLVED

That the Committee support option two namely, to reject Kingswinford Youth Centre as the preferred site for a skate/wheeled sports facility and for officers to consider alternative sites.

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PUBLIC FORUM

The following questions were raised and responded to:

- (1) A letter was submitted to the committee registering disapproval and alleging that Members had done a “u-turn”, when voting at Council on the proposed closure of Brierley Hill Leisure Centre.

Members responded to the written accusation and clarified their own personal positions with regard to the voting that had taken place.

- (2) The issue of publicity when sites for the erection of mobile telephone masts were proposed was raised. It was requested that alternative means of advertising be looked at to ensure local residents were aware of the proposals.

The Area Liaison Officer replied that the comments would be forwarded onto the Directorate of the Urban Environment for consideration.

- (3) Several residents raised concerns with regard to the purchase of 44 Cot Lane, Kingswinford by Social Services as a residential care home for three looked after adults. Residents were concerned over the possible increased volume of traffic in the area, the fall in value of their properties and the possibility of disruption from the residents of the home.

The representative of Social Services responded to the questions raised confirming that the increase in traffic would be similar to that of an average family moving into the house with two or three cars. With regard to the fall in house prices that was a matter for the housing market and the possibility of disruption from the residents was deemed to be negligible.

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15                    SUSPENSION OF COUNCIL PROCEDURE RULE

Pursuant to Council Procedure Rule 22.1, it was

RESOLVED

That Council Procedure Rule 22.1 be suspended to enable the meeting to continue after 9.30 pm

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16                    POLICE ISSUES

Sergeant Ridney, of West Midland Police based at Kingswinford Police Station, updated the Committee on crime and disorder figures for the area. It was also reported that six new Police Community Officers had been appointed to the area to help tackle anti social behaviour issues and ways of deterring youths by means of Anti Social Behaviour Orders and Behaviour Contracts. With regard to various types of motorcycles being used "off-road", this was an increasing problem with motorcycle sales in the area having increased by 50%.

RESOLVED

That the contents of the presentation be noted.

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17                    SALE OF CARS ON HIGHWAYS AND PRIVATE LAND

A report of the Director of Law and Property was submitted on the legal position with regard to the sale of cars on highway and private land and on ways in which the Council could take action to prevent this.

Under “The Clean Neighbourhoods and Environment Act 2005, (Section 3), effective from 7<sup>th</sup> June 2005, it would be an offence for a person to offer for sale two or more motor vehicles parked on a road. Therefore, It was proposed that in the first instance, the Directorate of the Urban Environment tackle known car dealers/garage owners who placed vehicles for sale off their garage forecourts, onto grass verges and highways. However, it was proposed that the Area Committee request the Select Committee on the Environment to examine the most appropriate and effective means of regulating and enforcing measures to combat the sale of cars on highway land, and make recommendations to the Cabinet Member for the Environment.

RESOLVED

- (1) That the contents of the report submitted be noted.
- (2) That the Select Committee on the Environment be requested to undertake a review of the regulations and enforcement action available to combat the sale of cars on highway land, and make recommendations to the Cabinet Member for the Environment.

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18

WHEEL CLAMPING ON PRIVATE LAND AND RIGHTS OF PRIVATE LANDOWNERS TO CHARGE FOR CAR PARKING

A report of the Director of Law and Property was submitted on the legal position with regard to wheel clamping on private land; the rights of private landowners to charge for car parking, and on ways in which the Council could monitor the situation.

It was stated that the Council did not have control over the operation of private car parks, and that the operator of the private car park could set their own parking charges. However, it would be a criminal offence for anyone to immobilise, remove or restrict vehicles for a fee without a Security Industry Authority (SIA) Licence under the Private Security Industry Act 2001, which had come into force on 3<sup>rd</sup> May, 2005.

RESOLVED

That the contents of the report submitted be noted.

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19

DUDLEY BOROUGH CHALLENGE CONSULTATION PHASE III

A report of the Chief Executive was submitted updating and advising on the Council’s proposed Dudley Borough Challenge, as a consequence of the Council’s responsibility to produce a strategy framework for the next 15 years. Consultation on the draft strategy was due to end in July 2005,



when a final strategy would be drawn up and further consultation would take place. Members of the Committee and members of the public were encouraged to let the Chief Executive have their views on the draft strategy and take part in the Challenge for their neighbourhood.

RESOLVED

That the contents of the report submitted be noted and that Members comments be forwarded to the Chief Executive.

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20                    USE OF LAND AND OPEN SPACE FOR CAR PARKING AT KINVER STREET WORDSLEY AND ST MARY'S CHURCH KINGSWINFORD

This item was deferred to the next meeting of the Committee to enable a detailed discussion to take place.

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21                    BRIERLEY HILL SUSTAINABLE ACCESS NETWORK

A report of the Director of the Urban Environment was submitted on the proposed detailed planning application for the Brierley Hill Parallel Route and Waterfront Way Link as part of the Brierley Hill Sustainable Access Network scheme.

RESOLVED

That, the proposed detailed planning application submitted be noted and that Member's forward their comments onto the Director of the Urban Environment by 15<sup>th</sup> August, 2005.

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22                    CAPITAL ALLOCATIONS

A report of the Area Liaison Officer was submitted on applications for funding from this year's capital Allocation budget and to update Members on progress to date.

Upon consideration of the recommendations of the Capital allocations Working Group it was

RESOLVED

- (1) That the criteria for allocation of the budget as outlined in paragraph 2.1 of the report submitted be approved.
- (2) That the Brockmoor Community Centre application for funding of £7,000 for the installation of CCTV to improve security and to purchase essential equipment to allow the centre to operate, be approved

- (3) That the Belle Vue Ground Force application for funding of £4,000 to part fund the refurbishment of the sculptures and the path at Belle Vue Sculpture Trail, be approved, subject to confirmation by the group on their ability to maintain the trail in future.
- (4) That the Holy Trinity Church, Wordsley, application for £7,988 for the provision of a public address system for the church to enable it to be utilised effectively by community groups, be approved, subject to receipt of details of sufficient usage by community groups and local organisations.
- (5) That the Stourbridge Radio Group application for £10,000 towards fitting out and furnishing of premises for a new radio station be deferred, to enable submission and consideration of the group's business plan.

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23

PROGRESS OF ELECTED MEMBER VISITS TO SOCIAL SERVICES ESTABLISHMENTS

A report of the Director of Social Services was submitted summarising issues raised at members' visits to Social Services residential establishments in 2004/05, and seeking further nominations for 2005/06.

RESOLVED

- (1) The information contained in the report, and appendices to report submitted be noted and the protocol referred to therein endorsed.
- (2) That the following members be appointed to participate in the Social Services Rota Visits for the year 2005/06.

Councillors Debney and Tyler, Blood and Southall and Mrs Pearce and Harley

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24

ISSUES RAISED BY MEMBERS OF THE COMMITTEE

- (1) Land at Wordsley High Street (formerly the site of the Art Institute)

This item was deferred to the next meeting of the Committee.

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DATES OF FUTURE MEETINGS

That the following schedule of dates of meetings and venues for the ensuing municipal year be noted.

Thursday, 1st September, 2005, at Brierley Hill Civic Hall  
Thursday, 27<sup>th</sup> October, 2005 at Brockmoor Primary School  
Thursday, 19<sup>th</sup> January, 2006 at Crestwood School  
Tuesday, 9<sup>th</sup> March, 2006 at Brierley Hill Civic Hall

The meeting ended at 9:45 pm

CHAIRMAN