

## **BRIERLEY HILL AREA COMMITTEE**

Thursday, 1<sup>st</sup> September, 2005, at 7.00 p.m.  
at the Brierley Hill Civic Hall, Bank Street, Brierley Hill

### **PRESENT:-**

Councillor Tyler (Vice Chairman) (In the Chair)  
Councillors Burt, Debney, Ms Foster, Ms Harris, Islam, Miller, Mrs  
Patrick, Ms Pearce, Southall, Tomkinson.

### **Officers**

Mr E Lawson (Area Liaison Officer), Chief Executives Directorate, Senior  
Solicitor (Directorate of Law and Property), Assistant Director of the  
Urban Environment (Economic Regeneration), Town Centre Manager  
(Directorate of the Urban Environment), Assistant Director of Education  
(Directorate of Education and Lifelong Learning), and Ms K Smith  
(Directorate of Law and Property).

Together with Inspector Nock and 8 members of the public.

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### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 7<sup>th</sup> July  
2005, be approved as a correct record and signed, subject to the  
deletion of the name of Councillor Mrs Patrick from the list of  
representatives appointed to serve on Kingswinford Community  
Association.

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### **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of  
Councillors Blood, Harley, Mrs Jordan and Mrs Wilson.

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### **DECLARATIONS OF INTEREST**

Councillor Ms Harris declared a Personal Interest in accordance with the  
Members' Code of Conduct in agenda item 10 paragraph 5 (Responses  
to Questions), in view of her being Chairman of Dudley Beacon and  
Castle Primary Care Trust.

Councillor Miller declared a Personal Interest in accordance with the  
Members' Code of Conduct in agenda item 12 (School Keep Clear  
Markings), in view of his being a Governor of Glynne Primary School.

Councillor Islam declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 12 (School Keep Clear Markings), in view of his being a Governor of Brierley Hill Primary School.

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29                    YOUTH ISSUES

The Area Liaison Officer individual that there were no issues to report at this time.

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30                    PUBLIC FORUM

The Committee agreed that in future speakers during the public forum session would be requested to speak for three minutes only to enable wider discussion of issues to take place. This however, would be extended at the discretion of the Chairman if it was considered that an issue required further discussion.

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31                    POLICE ISSUES

Inspector Nock was present at the meeting and responded to questions raised by Members and the public over issues of the abuse of disabled parking facilities in Wells Road, "boy racers" in the Merry Hill area, vandalism in the churchyard at Wordsley and the lack of traffic wardens in the Brierley Hill Area Committee area.

Inspector Nock also confirmed that public consultation groups were in the process of being initiated within the area, with local groups meeting with the Police and tasking them to meet an agreed limited number of priorities within a set time limit.

RESOLVED

That the comments made be noted and that regular attendance from both police sectors at this Committee be pursued.

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32                    LAND AT WORDSLEY HIGH STREET - FORMERLY THE SITE OF THE ART INSTITUTE

Councillor Debney raised concerns over the condition of the site of the Art Institute in Wordsley High Street. The land had been sold for private development following the demolition of the original building but the land had since become overgrown and was an eyesore. The owner was proving difficult to trace.

RESOLVED

That the Director of Law and Property be recommended that urgent action be taken to either serve a compulsory purchase order or obtain an order for possession of the site against the outstanding debt for demolition, and that the Director also consider alternative means of funding the clearance of the site as quickly as possible.

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**COUNCIL POLICIES WITH REGARD TO DEVELOPMENT ON GREEN BELT AND OPEN SPACE LAND AND RELEVANT MATTERS RELATING TO THE PROPOSED DEVELOPMENT OF LAND SUCH AS AT KINVER STREET, WORDSLEY AND ST MARY'S CHURCH KINGSWINFORD**

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A report of the Director of the Urban Environment was submitted on the Council's policies with regard to Green Belt and open space land in the context of the implications for the proposed provision of car parks on land south of Kinver Street, Wordsley and land adjacent to St Mary's Church, Kingswinford.

**RESOLVED**

That the contents of the report be noted and that the Director of the Urban Environment be advised:

- (1) That with regard to proposals initiated by the Police to site a car park at Kinver Street, the Committee strongly recommend that under the special circumstances allowed for in the Unitary development Plan, that the Directorate of the Urban Environment progress the provision of a car park at this site.
- (2) That the Committee recommend that proposals to allow the site at St Mary's Church Kingswinford to be used as a site compound in the short time, to enable restoration work to take place, be approved

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**RESPONSES TO QUESTIONS**

A report of the Area Liaison Officer was submitted on written responses to questions asked at the previous meeting of the area committee.

Councillor Foster requested that a report be bought back to committee on alternative means of advertising and publicising proposed sites for the erection of mobile telephone masts.

**RESOLVED**

That the contents of the report be noted and that the Director of the Urban Environment be requested to submit a report on alternative means of advertising and publicising proposed sites for the erection of the mobile telephone masts.

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APPLICATIONS IN RESPECT OF LAND AND PROPERTY OWNED BY THE COUNCIL

A report of the Director of Law and Property was submitted regarding land and property within the committee's area.

On consideration of the report it was

RESOLVED

- (1) That the Cabinet Member for Housing and the Cabinet Member for Leisure, be recommended to approve the sale of the land at the rear of the Bulls Head, Bull Street, Brierley Hill, as shown on the plan attached to the report submitted, to the applicant on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (2) That the Cabinet Member for Housing be recommended to refuse the application to purchase an area of land adjacent to 64 Hazel Road, Kingswinford, as shown on the plan attached to the report submitted, for the reasons set out in the report.
- (3) That the Cabinet Member for Personnel Legal and Property be recommended to review the revised plan in respect of the application to purchase council owned land adjacent to 39 Bank Street, Brierley Hill, in consultation with officers and they determine the application by delegated decision.
- (4) That the Cabinet Member for Personnel, Legal and Property be recommended to approve the sale of a reduced area of land to HVC Supplies Ltd, at the corner of Bull Street and Goldencross Way, Brierley Hill, as shown on the revised plan attached to the report submitted on terms and conditions to be negotiated and agreed by the Director of Law and Property

- (5) That the Cabinet member for Personnel, Legal and Property be recommended to approve the permission requested to site a mobile snack on Two Woods Trading Estate, Quarry Bank, as shown on the plan attached to the report submitted, subject to the applicant obtaining any necessary consents or licences as appropriate.
- (6) That the Cabinet Member for Law and Property be recommended to approve the amendment to the lease on Oak Lane Reserve Landfill Site, Oak Lane, Himley, as shown on the plan attached to the report submitted, on terms and conditions to be negotiated and agreed by the Director of Law and Property.

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36                      SCHOOL KEEP CLEAR MARKINGS TRAFFIC REGULATION ORDER (NO 3) 2005

A report of the Director of the Urban Environment was submitted on the proposed Traffic Regulation Order for School keep Clear Markings for 2005. The eleven proposed locations in the Brierley Hill Committee Area were attached to the report submitted as Appendix A.

Objections had been received from residents of Kingswood Road to the introduction of yellow "School Keep Clear" zig-zag markings and other pedestrian assistance measures but a survey of users of the entrance had been carried out and the results now showed positive support.

RESOLVED

That the Committee supports the provision of the Traffic Regulation Order to Prohibit Stopping on School Entrance Markings from 8.00 am to 5.00 pm Monday to Friday at the locations shown in Appendix A to the report.

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37                      OBJECTION TO DISABLED PARKING PLACE PROGRAMME H

A report of the Director of the Urban Environment was submitted on an objection to the application for a disabled parking place at 87 Nanaimo Way.

RESOLVED

That the Cabinet Member for Transportation be recommended that the objection to 87 Nanaimo Way be overruled subject to careful placing on site, and that the application be introduced as advertised.

## HIGH HEDGES LEGISLATION

A report of the Director of the Urban Environment was submitted on the background to the implementation of High Hedges legislation and the process of dealing with complaints.

Where neighbours could not agree a solution The Anti Social Behaviour Act 2003 (Part 8) gave local authorities powers to deal with complaints about high hedges in a role as an impartial third party. The Council however, could only consider a complaint if certain criteria were satisfied and a flowchart of the procedure of whether or not to proceed with a complaint was attached as Appendix 1. It was also noted that a fee of £405, reduced for the first three months of operation to £300, to allow the true cost of delivering the service to be measured would be charged.

After a lengthy and detailed discussion the Committee requested clarification on the following points raised :

- (1) the action or process that follows where on the applicant failed to obtain the desired result
- (2) the consultation process to be undertaken by the Local Authority to undertake proceedings
- (3) how the control of future growth of hedges would be dealt with
- (4) the role of the Councillor as an individual apart from the Council as a corporate body in relation to high hedges
- (5) the reason for the need for the Council to charge a fee

### RESOLVED

That the contents of the report be noted but the clarification on the points raised be provided and that the representative of the Directorate of the Urban Environment present a report to the next meeting of the Area Committee.

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## CAPITAL ALLOCATIONS

The Area Liaison officer reported that there were no applications for consideration at this time

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ISSUES RAISED BY MEMBERS OF THE COMMITTEE

- (1) Councillor Islam commented that urgent action needed to be taken with regard to overgrown trees in Leys Road and Leys Crescent. This situation had been ongoing for a considerable length of time and Councillor Harris requested a written report on the remedial action proposed, for 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, 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 9:10 pm

CHAIRMAN