

BRIERLEY HILL AREA COMMITTEE

Thursday, 28th September, 2006 at 7.00 p.m.
at the Civic Hall, Brierley Hill

PRESENT:-

Councillor Mrs Wilson (In the Chair)
Councillor Tyler (Vice Chairman)
Councillors Blood, Burt, Ms Foster, Harley, Islam, Mrs Jordan, Nottingham, Southall and Tomkinson.

Officers

Mr J Millar, Director of the Urban Environment (as Area Liaison Officer), Assistant Director, Economic Regeneration and Section Engineer (Design and Implementation) (Directorate of the Urban Environment), Assistant Director, Targeted Services (Directorate of Children's Services), Principal Solicitor and Mr J Jablonski (Directorate of Law and Property).

Together with representatives from West Midlands Police and 38 members of the public.

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APOLOGIES FOR ABSENCE

Apologies from absence from the meeting were submitted on behalf of Councillors Ms Boleyn, Ms Harris, Miller and Mrs Pearce.

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DECLARATIONS OF INTERESTS

The following Members declared a personal interest in accordance with the Members' Code of Conduct in agenda item No. 10 – Capital Allocations for the following reasons:-

Councillor Blood – in respect of the application made by the Samaritans in that the representative of that organisation was known to him and in respect of the application by Round Oak Bereavement Information Network Support as the representative of that organisation was known to him.

Councillor Ms Foster – in respect of the applications made by Brockmoor Community Centre and Pensnett and District Community Association as she was a member of the Management Committee of those Associations.

Councillor Islam – in respect of the application made by Hawbush and District Community Association as he was a Local Authority representative on that body.

Councillor Mrs Jordan – in respect of the applications made by Brockmoor Community Centre and Pensnett and District Community Association as she was a member of the Management Committee of those bodies.

Councillor Tomkinson – in the respect of the applications made by the Brockmoor Community Centre and Pensnett and District Community Association in that she was a member of the Management Committee of those bodies.

Councillor Tyler – in respect of the applications made by Wall Heath Community Association, as he is a member of that Association and in respect of the application made by the Samaritans in that he had spoken to the representative of that body about the application.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 6th July, 2006 be approved as a correct record and signed.

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PENSNETT AND RUSSELLS HALL AREAS, DUDLEY: PROPOSALS FOR WAITING RESTRICTIONS

A report of the Director of the Urban Environment was submitted on the introduction of a limited traffic management scheme along major highway sections of residential parts of Pensnett and Dudley in the environs of Russells Hall Hospital.

In his brief introduction of this matter the Area Liaison Officer referred members of the Committee and members of the Public to the plans in respect of the proposals for waiting restrictions that had been circulated at the meeting.

The Section Engineer (Design and Implementation) then gave a brief presentation on the content of the report, which had also been considered at a recent meeting of Central Dudley Area Committee, referring to the background to the proposed smaller scale scheme for prohibited waiting, arising from the public consultation held.

Arising from the presentation given a number of questions and comments were made by members of the public present including the need for enforcement of proposals, which it was reported was currently the responsibility of West Midlands Police but if proposals were implemented this would give powers to the Council in this regard; the classification of the service road by Kingswinford Road and issues regarding visibility raised at the meeting, both these issues would be investigated as would concerns raised about the displacement of vehicles onto other roads arising from the proposals . Issues relating to the hospital and the management company responsible for the charges for the car park at the hospital matters which although impacting on this issue whilst not within the control of the Council would be part of ongoing discussions with the Health Authority

In a response to further comments and questions asked it was reported that instances of parking on footpaths should be reported to the Police as they had the enforcement powers to deal with this and that whilst the introduction of the proposals would enable enforcement to be pursued the Council together with other agencies and the Hospital Trust would be working together to monitor the effect of these proposals which were one part of a package of measures to help address the identified problems. It was considered that the Council was doing all it could to address the concerns and issues raised.

RESOLVED

- (1) That the Cabinet member for Transportation be informed that this Committee supports the smaller scale scheme for prohibited waiting along major highway sections of residential parts of Pensnett and Dudley in the environs of Russells Hall Hospital as shown on Drawings No. TM2452-A and TM2452-B, circulated at the meeting, and that he be recommended to introduce the reduced scheme.
- (2) That the Cabinet member for Transportation also be recommended that, should Civil Parking Enforcement be introduced in the future, Residents Only Parking schemes be considered for streets surrounding Russells Hall Hospital

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YOUTH ISSUES

It was reported that the activities of the Brierley Hill Youth Forum would be reported upon at the next meeting of this Committee to be held on 7th December, 2006.

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PUBLIC FORUM

The following questions were raised by members of the public and a response given as indicated:-

- (1) In response to two questions asked regarding what was being done about motorcyclists using footpaths in the Willow Rise area of Brierley Hill and the need for a barrier to stop cyclists racing down the pathway, Sergeant Maddon of West Midlands Police reported that traffic motorcyclists had mounted an operation regarding such activities and that on the first occasion a motorcyclist would receive a warning for anti-social behaviour and on a second occasion the vehicle would be taken off them. Reference was also made to the work done with the Council on this issue and officers of the Directorate of the Urban Environment in consultation with West Midlands Police would investigate the possibility of the barrier requested being erected.

In response to a supplementary question the questioner was asked to ensure that if any problems arose they contacted the Police so that there was a record of the problem and the Police would respond to complaints received.

In response to a question asked by a Member, Sergeant Maddon agreed to supply details of the number of warnings issued and the number vehicles confiscated in the area covered by the Area Committee.

- (2) In response to a question asked regarding litter on land between Vicarage Lane and Elgar Crescent, Pensnett, the Area Liaison Officer undertook to investigate this matter and reply direct to the questioner.
- (3) In response to a question received from the Executive Officer, Brierley Hill Community Forum, on the apparent sudden closure of the nursery at Pensnett Neighbourhood Learning Centre, the lack of any consultation on this and a request for an assurance that any members of the local community who wished to access the services of the Neighbourhood Learning Centre and had childcare issues would not be prevented from taking up training as a result of this action, the Assistant Director, Targeted Services (Directorate of Children's Services) reported that as the provision was only used on a casual basis by members of the public who applied for courses at the Centre there was not a consistent group that could have been consulted, therefore individual consultation had taken place with individual members of the public who had sought a place at the Learning Centre. Also the Neighbourhood Learning Centre would continue to provide adult learning and had already advertised the courses that were available this term and that any member of the public who had a child and applied for a course would be supported to access appropriate child care.

In response to concerns raised by Members on this issue the Assistant Director, Targeted Services, reiterated that support would be given to accessing appropriate child care and that the provision at the Centre was only for twelve places and that the Centre had not been financially viable for the last two years. The commitment to lifelong learning was also stated together with the active support that would be given to parents so that they could continue to learn.

- (4) A further question raised by the Executive Officer, Brierley Hill Community Forum, in respect of the closure of the civic amenity site in Stourbridge on Bank Holiday Mondays and other Bank Holidays and why the site could not be open on these days was responded to by the Assistant Director, Economic Regeneration. That Officer reported that the site was closed on Bank Holidays as landfill sites were not open on such days so that if the civic amenity site was open given its limited storage facilities this would result in the site quickly being filled leading to its early closure. The civic amenity site was a collection point but not a full blown recycling centre and in this regard mention was made of the joint working being undertaken between the Black Country Boroughs in respect of a thirty year waste recycling strategy with a potential site in the Black Country area so as to overcome problems associated with landfill tipping. Other initiatives were also mentioned such as the green waste collection so that recycling could be encouraged.

- (5) A member of the Public raised the issue of the condition of the old Wordsley Institute site on Wordsley High Street which needed to be cleaned up.

Arising from the comments made the Principal Solicitor reported that, arising from the consideration given to this matter at a previous meeting of the Committee, notice had been served on the private owners of this site and that proceedings were progressing through the normal Court process. Progress was therefore being made and as soon as further information was to hand a report would be submitted to a future meeting of this Committee.

- (6) In response to a question asked regarding the consideration given to the provision of car parking when considering applications for development, the Area Liaison Officer reported that consideration was given to this matter in line with the appropriate planning guidance which would then be contained in a report for consideration at meetings of the Development Control Committee. Applications would then be determined by the Committee.

- (7) In response to a question asked regarding the collection of cardboard, as part of any recycling initiative, the Area Liaison Officer reported that the collection of cardboard and plastic bottles was being looked at in conjunction with the other Black Country Boroughs and that trials were being worked on. Mention was also made of the positive response by residents of the Borough to recycling and mention made of the provision of black box's and green bins and the fact that recycling had increased from 7% to over 20% in recent years.

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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 on applications received in respect of land and property owned by the Council.

RESOLVED

- (1) That, arising from the site visit held, the Cabinet Member for Housing be advised to refuse the application to purchase the land adjacent to 11 Church Street, Brierley Hill, marked A, and C on the plan attached to the report submitted and to approve the sale of the land marked B on the plan attached to the report submitted for garden purposes only on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (2) That the Cabinet Member for Transportation be advised to declare the areas of land adjacent to 186 Tiled House Lane ,Pensnett ,shown hatched on the plan attached to the report submitted as surplus to requirements for sale on terms and conditions to be negotiated and agreed by the Director of Law and Property and to authorise the Director of Law and Property to pursue the exchange of land with the owner of 31 Derwent Close again, as indicated on the plan attached to the report submitted.
- (3) That the Cabinet Member for Housing be advise to declare 2 Derwent Close, Pensnett, shown hatched on the plan attached to the report submitted, as surplus to requirements for sale on terms and conditions to be negotiated and agreed by the Director of Law and Property.

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AREA COMMITTEE CONSULTATION IN RELATION TO THE GAMBLING ACT 2005 AND DRAFT POLICY

A report of the Director of Law and Property was submitted on the draft Statement of Licensing Policy produced in accordance with the Gambling Act, 2005. A copy of the draft Statement of Licensing Policy was attached as an Appendix to the report submitted.

Arising from the consideration given to this matter it was proposed that the sixth paragraph of the draft Statement under the heading "Preventing gambling from being a source of crime and disorder" of the draft statement include additional wording ,regarding comments made by local residents or traders.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Gambling Act, 2005, and draft Statement of Licensing Policy, be noted and that the Licensing and Safety Committee be recommended to agree to the inclusion of the following wording to the sixth paragraph of the draft Statement under the heading "Preventing gambling from being a source of crime and disorder", as follows:

..... and or by the local residents or traders.

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CAPITAL ALLOCATIONS

A report of the Area Liaison Officer was submitted on applications for funding from this years capital allocations budget and to update members on progress to date.

The Area Liaison Officer commented on a Schedule setting out details of nine new applications that had been considered at a meeting of the Committee's Capital Allocations Working Group prior to this meeting and sought confirmation of the recommendations made as reported at this meeting, together with recommendations in respect of applications deferred at previous meetings of the Committee and information in respect of approved applications.

RESOLVED

- (1) That approval be given to the recommendations made at a meeting of the Capital Allocations Working Group held prior to this meeting of the Committee in respect of the following applications made for capital expenditure, as follows:-
 - (a) Hawbush and District Community Association – that application No. 8/06 for £3,415 in respect of security measures be approved.

- (b) Springfield Neighbourhood Tenants and Residents Association – that application No. 9/06 for £5,000 to enable the Association to draw down additional funding be approved.
- (c) The Samaritans – that application No. 10/06 up to a sum of £4,500 so as to improve the safety at the centre, provide easier access for partially sighted and wheelchair bound volunteers and to replace chairs that did not currently meet safety regulations be approved.
- (d) Bromley Methodist Church – that application No. 11/06 for £3,510 so as to replace kitchen equipment in the church hall be approved.
- (e) Pensnett and District Community Association – that in respect of application No. 12/06 approval be given to the quantity of replacement tables and chairs requested, so as to meet Health and Safety standards, up to a maximum of £6,000 and subject to the competitive procurement process.
- (f) Townsend Place Tenants Association – that application No. 13/06 for £2,000 to provide additional Christmas tree lights in Townsend Place be approved.
- (g) Brockmoor Community Centre – that application No. 14/06 for £1,000 to replace the public address system in the Centre be approved.
- (h) Brierley Hill Traders Association – that application No. 15/06 for £5,000 to replace ageing Christmas lights at the north end of the Town be approved.
- (i) Round Oak Bereavement Information Network Support – that application No. 16/06 be approved up to a sum of £3,000 for the purchase of various start up equipment including laptop computer, printer, projector, digital camera, television, video and DVD player and various toys and games.
- (j) Stourbridge Social Cricket Club (application deferred from the last meeting) – that application No. 2/06 for £2,400 to upgrade toilet facilities and for the purchase of a wicket mower now be approved.

- (k) Age Concern (deferred from the last meeting of the Committee) – that, subject to the competitive procurement process approval now be given to application No. 3/06 relating to the decoration and carpeting of the organisations Activity Centre in Merry Hill.
 - (l) Wall Heath Community Centre (deferred from the last meeting of this Committee) – that further consideration be given to application No. 7/06 in the light of further information requested for consideration at the December meeting of this Committee.
 - (m) That the information reported on in respect of the latest position regarding applications submitted by Pensnett Youth Club, Fens Pool Voluntary Association and Kingswinford Community Anti Vandalism DVD Group, as approved at the last meeting of this Committee be noted.
 - (n) Brierley Hill Community Forum (application deferred from the March, 2006 meeting of this Committee) – that, in connection with the renovation of the building of the former Hawbush Urban Farm site in order to prepare it as a base for the planned Community Gardens Project and the provision of tools and equipment in relation to that project, approval be given to the payment of £3,500 for the carrying out of groundworks in respect of this application and, subject to a satisfactory outcome following the carrying out of those groundworks approval be given to the funding of mechanical and electrical works to the building in the sum of £10,000 and to the carrying out of dilapidation works in the sum of £8,245.
- (2) That the Area Liaison Officer, in consultation with appropriate Members, Officers and Organisations, be requested to arrange for publicity to be given to the work of the Area Committee in considering and funding applications received for allocation from the Allocations Budget of the Committee in order that, as a result of the publicity given, further applications for funding might be received.

A report of the Area Liaison Officer was submitted updating the Committee on a number of issues raised at its last meeting held on 6th July, 2006, relating to services provided by the Council.

Arising from the introduction given to this report Members commented favourably on its contents and welcomed its introduction.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on a number of issues raised at the meeting of this Committee held on 6th July, 2006, relating to services provided by the Council, be noted.

ISSUES RAISED BY MEMBERS OF THE COMMITTEE

- (1) Councillor Ms Foster raised concerns regarding horses roaming on land and highways in the area and requested clarification as to whose responsibility it was to deal with such horses given the possible implications that these horses posed.

In response the Area Liaison Officer stated that if horses were roaming on the highway then the Police should be contacted through the Brierley Hill Police Station telephone number, that if the horses were on Council owned land then Dudley Council Plus should be contacted and that if animals were on private land then it was the responsibility of the private land owner to deal with the matter. He also stated that the Council did not have an Officer responsible for looking after horses or a compound in which horses could be contained and in this connection he stated that members of the public should not confine or impound horses that were roaming. The Council did though employ a bailiff, in conjunction with the Police, who sought to provide long term solutions to horses that roamed including attempts to identify the owners of such animals. He did though stress that this was a complicated and very sensitive issue in law.

- (2) Councillor Burt raised the issue of the rotation of meetings of the Committee around the various parts of the Committees area. In response an assurance was given that the principle of rotation was accepted by the Committee and that subject to the availability of venues this did happen. Councillor Burt also commented that he considered that the area covered by the Committee was too large and that there was a need for more local Area Committees.
- (3) Councillor Islam reported that cash handling facilities had been withdrawn from the Housing Office at the Chapel Street Flats and raised concern at the implications of this move not only in respect of the payment of rent by tenants but also the possible implications for the withdrawal of other general services that were presently provided given the number of elderly residents of the flats.

Other members supported the comments made and requested that the issue be reviewed. The matter would be reported to the Director of Adult, Community and Housing Services with a report back to the Committee.

- (4) Councillor Tyler, commented on the situation in respect of the Chapel Street Flats as reported upon, and commented that once services were lost there was a tendency that other services would also be lost and that it was therefore important that services were retained.

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DATES AND VENUES OF FUTURE MEETINGS

RESOLVED

That the following dates and venues for future meetings of the Committee be noted:-

Thursday, 7th December, 2006 – Brierley Hill, Civic Hall

Thursday, 1st February, 2007 – Brockmoor Primary School

Thursday 29th March, 2007 – The Brier School

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SELECT COMMITTEE PUBLICITY

As a way of giving additional publicity to meetings of the Council's Select Committees a list of all future meetings of those Committees had been included on the agendas of Area Committees.

Arising from the consideration given to this matter a Member commented that reference was made in the details given to the fact that only the agendas for meetings of some Select Committees included a public participation item, at which point members of the public could speak to raise an item relating to activities of the particular Select Committee, and that he would like to see such an item on the agendas of all Select Committees. Another member raised the issue of the use of co-option to Select Committees.

RESOLVED

That the information set out on the agenda of this meeting of the Committee regarding the dates of future meetings of the Council's Select Committees, be noted and that the Director of Law and Property be requested to inform the Committee on the issue of co-option to Select Committees.

The meeting ended at 8.40 p.m.

CHAIRMAN