

DUDLEY METROPOLITAN BOROUGH COUNCIL

BRIERLEY HILL AREA COMMITTEE – 4th FEBRUARY, 2010

REPORT OF THE BRIERLEY HILL AREA LIAISON OFFICER

MATTERS RAISED AT THE BRIERLEY HILL AREA COMMITTEE

PURPOSE OF REPORT

1. To update Committee on a number of issues raised at the 3rd December, 2009 Brierley Hill Area Committee that relate to services provided by the Council.

BACKGROUND

2. The Council provides a number of services that have considerable impact on local communities.
3. Requests for service and information are received at Area Committee on a regular basis from both members and the general public, relating to a range of services. 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, a progress report is attached.

FINANCE

5. There are no immediate financial implications arising from this report.

LAW

6. Anti-Social Behaviour Orders are largely governed by the Crime and Disorder Act 1998.
7. Provisions relating to Highways including trees thereon are contained in the Highways Act 1980.
8. Provisions relating to the Council's Housing stock are contained in the Housing Act 1985.

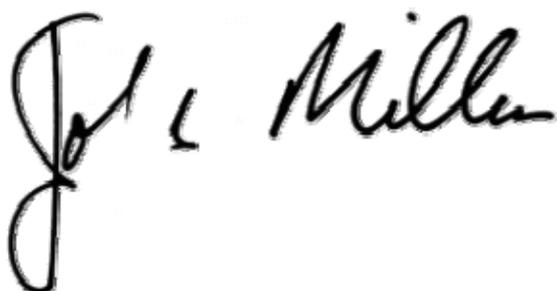
9. Section 51 of the Environmental Protection Act 1990 places a duty on the Council as Waste Disposal Authority for its areas to provide places where its residents may deposit their household waste free of charge.
10. Traffic Regulation Orders are made under Section 1 of the Road Traffic Regulation Act 1984.
11. 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.
12. 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.
13. Section 2 of the Local Government Act 1972 allows the Council to do anything that it considers is likely to promote or improve the economic, social or environmental wellbeing of its area.

EQUALITY IMPACT

13. This report is consistent with the Council's Equality and Diversity policy. There is no direct effect on children or young people.

RECOMMENDATION

14. The Committee is recommended to note the contents of this report.



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Brierley Hill Area Committee Liaison Officer

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BRIERLEY HILL AREA COMMITTEE – 4TH FEBRUARY 2010
AREA LIAISON OFFICER'S REPORT

MATTERS RAISED AT THE BRIERLEY HILL AREA COMMITTEE ON
3RD DECEMBER 2009

PETITIONS

(Minute 51a)

Councillor Ms Boleyn submitted a petition on behalf of the residents of the Charterfields Estate, Kingswinford. The petition was received and referred to the Directorate of the Urban Environment for attention.

NB The request was to close the public footpath between Kilburn Drive and Holbeache Road.

Response:

A full response was provided to the first named petitioner as requested.

In summary,

A public footpath cannot be closed, diverted or gated unless there are grounds that can be substantiated and confirmed in law. As part of the investigations into this process, officers are required to consult and take account of the views of the Police which are very important to the success of the legal process.

On this occasion, the following response was received from the local Police Crime Reduction Officer to the request to undertake an analysis of the crime statistics in the area. The CRO states

"I cannot see anything has changed since these locations were last looked at, particularly in Kilburn Drive/Holbeache Lane on or adjacent to the right of way and I would suggest that there is not enough evidence to support a gating order".

Based on this response, there is insufficient evidence to progress with either closure or gating of the footpath.

Although the Council cannot support closure, the petitioners have been assured that the Council will continue to work with the Police in the area to try to resolve local issues.

(Minute 51b)

Councillor Foster submitted a petition on behalf of the residents of Corbys Close, Pensnett requesting that work in relation to resurfacing/repairs to the road be completed. The petition was received and referred to the Directorate of the Urban Environment for attention.

Response:

A full response was provided to the first named petitioner as requested.

In summary,

The Council carries out Highway Maintenance works as part of an annual programme that includes various measures ranging including re-construction, re-surfacing or localised treatment. However, having regard to the level of resources available, independent surveyors inspect all of the Borough's roads (approximately 1000Km) in order to assess their condition and develop an order of relative priority. This process will also take into account other factors such as the geometry of the road, traffic volumes, bus routes and treatment required.

In compiling the annual programme, the Council also considers the needs of the various Public Utilities in order to ensure that, whenever possible, a newly surfaced road is not then subsequently "dug up" by the gas, water or electricity companies within a short space of time.

To assist this process further, some of the utility companies provide 5 year programmes of their works which then allows the Council to co-ordinate works more efficiently.

Whilst Corbyns Close has been identified as requiring re-surfacing works, the Council is advised that National Grid Transco are proposing to undertake extensive mains and service renewals in this area during 2010 and for this reason the Council's own proposals to carry out re-surfacing of the carriageway and footways are currently being held in abeyance pending completion of the Utility's works.

WARD ISSUES

(Minute 57c)

Councillor Mrs D Harley thanked the Area Liaison Officer for the hard work in order that the resurfacing work at Wall Heath Community Centre could be dealt with and requested whether it would be possible for the Council to deal with the poor lighting outside the Centre.

Response:

Officers were successful in obtaining Section 106 planning monies and as a result, an order was placed with the Council's contractor and the agreed resurfacing work to the car park and service road began on the 18th January.

Following extensive discussions with officers and representatives from the Community Centre that included an on-site assessment of lighting levels at night, it was decided that the existing lighting to the car park is adequate and no additional illumination is necessary along the service road.

However, it was agreed that a metre wide footpath constructed around the building's perimeter fence was required in order to provide a safe walkway between the car park and the front door of the Community Centre. This would call for 2/3 external lighting units being fixed to the side of the building.

A request for capital allocation funding to cover the cost of the external building works has been submitted by the Community Centre for consideration by Area Committee.

End