

CENTRAL DUDLEY AREA COMMITTEE

Thursday, 31st March, 2005 at 6.30 pm
at Holly Hall School, Scotts Green Road, Dudley

PRESENT:-

Councillor Rahman (Chairman)
Councillor J R Davies (Vice Chairman)
Councillors Ali, Mrs Aston, Cotterill, Ms Craigie, Davis, Finch,
Hart-Bowman, Johnston, Male, Sparks, and C L Woodall; Mrs Edwards
and Mr Sadiq.

OFFICERS:

Director of Social Services as Lead Officer to the Committee, Assistant
Director of the Urban Environment (Environmental Management), the Head
of Policy and Performance (Directorate of Social Services) and Mr Boyle
(Directorate of Social Services), Mr J Butler, Senior Engineer, Directorate
of the Urban Environment, Mr P Burford, Community Safety Officer, Chief
Executive's Directorate, Mr N Collumbell, Dudley Area Housing Manager,
Mr G Whitehouse, Town Centre Manager, Dudley, Mr Edwards, Principal
Solicitor and Mr Sanders, Democratic Services - Both Directorate of Law
and Property.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 8th
February, 2005, be approved as a correct record and signed.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors Bradney and Mrs Coulter.

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DECLARATIONS OF INTEREST

Councillors Finch and Mrs Aston declared a personal interest, in
accordance with the subject of agenda item number 8 (Capital Allocations)
in so far as it related to the Priory Community Association in view of their
membership of the Association. Councillor Johnston also declared a
Personal Interest in this issue in view of his regular attendance at meetings
of the Association.

Councillor Johnston declared a personal interest, in accordance with the Members Code of Conduct, in item 10 (h) Land application regarding the Guest Hospital, Tipton Road, Dudley in view of his non-executive directorship of the Dudley NHS Trust.

Councillor Rahman declared a personal interest in item 8 in so far as it related to the Netherton and Woodside Partnership in view of his Chairmanship of the Partnership. Councillor Rahman also indicated that he would vacate the Chair when this matter was under consideration. Councillor Male declared a Personal Interest, in accordance with the Members Code of Conduct in item 8, in so far as it related to the Dudley Wood Community Centre in view of his membership of the Dudley Youth Community Association

Mr Sadiq declared a Personal Interest, in accordance with the Members' Code of Conduct in item no 10 (j) Land application regarding Oakeywell Street, Dudley in view of his trusteeship of the Dudley Muslim Association.

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RECEIPT OF PETITIONS

The following petitions were submitted by the persons indicated and referred to the officers shown for attention:-

- (a) From residents of Coppice Close, Quarry Bank, submitted by Councillor Sparks, in respect of various issues concerning traffic, including through traffic using the Close to avoid the adjacent traffic signal junction with drivers not realising the Close was a cul-de-sac, thus necessitating the installation of a cul-de-sac sign; unlawful overtaking; the positioning of a pedestrian crossing in a dangerous position owing to its proximity to the brow of a hill; and the yellow box road marking in Coppice Lane at its junction with Coppice Close being faded and requiring remarking – referred to the Director of the Urban Environment.
- (b) From residents of Peregrine Close, Merlin Close, Middlepark Road, submitted by Councillor Davis, regarding the lack of a regular bus service through Russells Hall and the inadequacy of the 222 service – referred to the Director of the Urban Environment.
- (c) From residents of Russells Hall, presented by Councillor Hart-Bowman, requesting the withdrawal of the liquor licence from the supermarket at Russells Hall – referred to the Director of Law and Property.
- (d) From members of the Dudley Afro-Caribbean community, requesting land and an appropriate building to establish a cultural centre and also requesting the opportunity to be consulted on the local community plan – referred to the Area Liaison Officer for response, in consultation with the Director of Law and Property.

YOUNG PEOPLE'S HAVE A SAY DAY

A representative of the youth community, Mr Lee Thompson, reported on feedback from the Young People's Have a Say Day conference.

The conference had been conducted in a series of work shops, covering the topics of education, health, personal safety, social activities and equality. Mr Thompson summarised the viewpoints expressed and conclusions reached at each respective workshop.

At the conclusion of the presentation, Mr Thompson indicated the names of the members for the Dudley area elected to the Youth Parliament in recent elections.

RESOLVED

That the presentation be noted and Mr Thompson thanked for his attendance.

ISSUES RAISED BY MEMBERS OF THE COMMITTEE

- (a) Councillor Mrs Aston asked to be advised on when railings at the shops at Beech Green would be reinstated, in response to which the Area Housing Manager for Dudley agreed to respond.
- (b) In drawing attention to problems of dog fouling on the Priory Estate, Councillor Johnston asked for disposal bins to be provided and for dog fouling notices to be installed. The matter was referred to the Assistant Director of the Urban Environment (Environmental Management) for attention.
- (c) Regret was expressed by Councillor Hart-Bowman that consultation on the proposed relocation of Old Park School had not yet taken place. The matter was referred to the Directorate of Education and Lifelong Learning for a response.
- (d) In response to a request by Councillor Hart-Bowman for improved lighting to be provided at Russells Hall skate park, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (e) In response to attention drawn by Councillor Hart-Bowman to problems of litter pollution at Priory Park, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.

- (f) In response to a request by Councillor Ms Craigie for consideration to be given to trees in St James's Road to be pruned, particularly in the light of a tree which had blown down recently in the vicinity of a school, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (g) In response to attention being drawn by Councillor Ms Craigie to a lack of parking spaces for residents of Herald Court, and her request that the situation be looked at in discussion with residents, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (h) In response to a request by Councillor J R Davies for consideration to be given to cars speeding in Buffery Road, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (i) In response to a request by Councillor J R Davies for Blackacre Road to be swept in the vicinity of the park, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (j) In response to a request by Councillor Rahman for air pollution monitoring to be carried out in the Cinder Bank area, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (k) In response to attention drawn by Councillor Rahman to damage caused to the community centre at Woodside, the matter was referred to the Directorate of Education and Lifelong Learning for attention.
- (l) In response to a further request by Councillor Rahman for the Council and Police to work together to mitigate the possibility of further vandalism to the premises, it was agreed that this issue be referred to the Community Safety Section of the Chief Executive's Directorate.
- (m) In response to issues raised by Councillor Davis in respect of an unadopted road at Walters Row, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (n) In response to attention drawn by Councillor Davis to unlawful parking at Ashenhurst Road, including the need for road markings prohibiting parking to be installed at the bus stop and for action to be taken against vehicular parking in the green areas abutting the flats, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.

- (o) In response to concerns expressed by Councillor Davis regarding the possibility of anti-social behaviour arising at the site of the former housing office in Middlepark Road, the matter was referred to the Directorates of Housing and Law and Property for attention.
- (p) In response to a request by Councillor Sparks for improved enforcement of parking prohibitions at High Street, Quarry Bank at four points, these being in the vicinity of the pelican crossing near the library, where unlawful parking was taking place on the zig zag lines; in the vicinity of the Chinese takeaway restaurant; at the junction of New Street and High Street, in the vicinity of the off licence; and by inconsiderate parking by lorries which loaded or unloaded simultaneously at a narrow part of the High Street where two supermarkets were situated opposite each other, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
- (q) In response to concern expressed by Councillor Cotterill at a perceived delay in providing a BMX track at Dudley Wood, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate and reply to Councillor Cotterill. Regarding the provision of the track, Councillor Cotterill sought the support of the Committee on the proposal and it was

RESOLVED

That the provision of a BMX track at Dudley Wood be supported.

(NB. Those members of this Committee also members of the Development Control Committee took no part in the discussion on this issue or the decision making thereon).

- (r) Further to regret expressed by Councillor Cotterill on the cancellation of a party for children at Easter, owing to the inability of the organisers to obtain public liability insurance, Councillor Cotterill suggested that events of this sort should be covered by the Council's own insurance. The matter was referred to the Directorate of Finance ICT and Procurement for consideration and to the Directorate of Law and Property for the legal position to be ascertained.
- (s) A request by Councillor Cotterill for the words 'Community Centre' to be added to the name of the Dudley Wood Neighbourhood Centre was referred to the Directorate of Education and Lifelong Learning for attention.
- (t) In response to a request by Councillor Ali for the timing of the pedestrian crossings at the Dudley Southern By pass and Flood Street, Dudley to be looked at, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.

- (u) In response to attention drawn by Councillor Ali to the need for Buffery Road to be resurfaced, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
 - (v) In response to action requested by Councillor Ali on areas described in an article in the 'Express and Star' newspaper as 'grot spots', these being situated at New Mill Street, Hall Street and Cavendish House, Dudley, all areas contained within the Dudley Redevelopment Plan, the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.
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PUBLIC FORUM

- (a) A request by a resident for action to be taken regarding problems caused from litter and trolley dumping originating from the Tesco Supermarket at Burnt Tree, Dudley, was referred to the Assistant Director of the Urban Environment (Environmental Management).
- (b) In response to a question on the measures residents could take to establish how they would be affected by road widening proposals at Cinder Bank and the way in which they would be notified, the Assistant Director of the Urban Environment (Environmental Management) agreed to respond.
- (c) Assurances were sought by a resident on certain issues regarding the eviction of a tenant from an address in Kates Hill and matters associated therewith, to which the Area Housing Manager for Dudley agreed to respond.
- (d) A question was asked by the representative of the Dudley Black Regeneration Council present on the measures in place to ensure adequate funding for the Afro Caribbean voluntary sector. The representative also sought an assurance that groups such as the Dudley Black Regeneration Council and African Caribbean Faith Groups were invited to have an input into the Community plan for the Committee. These matters were referred to the Area Liaison Officer for a response.
- (e) In response to a question from a resident regarding the policy of housing young people, some on drug rehabilitation schemes, at flats at Upton Street occupied largely by older residents, the Area Housing Manager for Dudley agreed to consult residents, respond and report back to the Committee.
- (f) In response to a request for more regular street cleaning at Brettell Street and Gammage Street, Dudley, following reports of problems with litter the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate.

- (g) A number of written questions submitted from residents regarding the proposals for building of a mosque in Central Dudley were reported by the Area Liaison Officer.

In respect of the principle of the construction of the mosque at the location proposed the following points were made by residents:

That the pride of Dudley was the Castle and Top Church and that monies should have been allocated to restore those properties rather than to the mosque project; that the majority of Dudley rate payers were against the mosque proposals; that Dudley's heritage related to its position as an historic market town, the Zoo and the Black Country Museum; that the building of the mosque in its proposed location would create additional traffic problems; that expenditure allocated to the Muslim Association was unjustified as no funding had been allocated to other priority schemes, including repair of the steps to the King Street footbridge, signage for the alcohol ban in Dudley or Christmas lights. Other questions asked in this regard included whether the proposals to build the mosque were consistent with the desire expressed in the Black Country Study to stop migration away from Dudley; whether the Council was prepared to listen to the public's objections and whether there had been conflict of interest regarding the Chairmanship of the Dudley Community Partnership and the Dudley Muslim Association vesting in the same person.

A number of questions were then asked on the issue of the exchange of land with the Council that had enabled the Dudley Muslim Association to secure the site for the mosque. Issues raised included a request by a resident to be advised of the names of the elected members when the land transaction had been approved; an allegation that the transaction to exchange the land had been made without the knowledge of Dudley residents, questions on why the exchange land had been released to the Dudley Muslim Association rent free for three years, and why land at Trindle Road had been released to the Dudley Muslim Association in 1991 only to be exchanged back in 2001; why a peppercorn rent on land at Hall Street and Oakeywell Street had been granted and whether this was lawful since the land was to be exchanged and used for religious purposes; and whether the matter could be referred to the Cabinet for further consideration, given the concerns now raised. A further question was submitted on the way in which the land concerned had been marketed.

In questions from the floor the point was stated that Dudley was not a Muslim Community but Christian; that Christians far outnumbered Muslims within the Local Community and that there were no opportunities available to the public to object to the proposals other than through the planning process. The Chair of Dudley Muslim Association replied, advocating that the proposals be proceeded with, pointing out that the minaret was to be 60 feet in height and not 200 feet, as had been reported; that no public funds would be used; that the exchange of land had been of more benefit to the Council than the Dudley Muslim Association as it had allowed a highway scheme to proceed and had saved Dudley Council Tax payers some £500,000; and that Dudley Muslim Association had paid the sum of £20,000 to equalise land value difference and that the scheme was proposed for use by all communities with its management to be drawn from a committee comprising all service users.

Following the discussion, the Area Liaison Officer clarified the current position. In this regard, she indicated that the Dudley Muslim Association had submitted an application for planning permission to construct a new mosque and community centre on land at Oakeywell Street. The Muslim Association owned the freehold of the land, having previously held it on a 99-year lease. The land had been purchased from the Council for value in accordance with Section 123 of the Local Government Act 1972, and the General Consents issued by the Secretary of State.

The planning application was expected to be considered by the Development Control Committee at its meeting to be held on 25th April 2005. A large number of representations had already been submitted by members of the public and she advised that any further written comments regarding the planning application should be submitted directly to the Development Control Section of the Directorate of the Urban Environment as soon as possible. She advised further that, in advance of the meeting of the Development Control Committee, it would be inappropriate for members of the Council, particularly for those who were members of the Development Control Committee, to comment on the planning application.

CAPITAL ALLOCATIONS

(Having declared an interest in this issue, Councillor Rahman withdrew from the chair and left the meeting during consideration of the item.

Councillor J R Davies assumed the chair for consideration of the item).

A report of the Area Liaison Officer was submitted seeking consideration of the recommendations of the Central Dudley Area Committee (Capital Allocations) Working Group regarding applications made for funding from the capital budget of the Committee for the year ending 31st March 2005.

A written request for a grant exceeding the sum recommended for a gardening and decorating project by Netherton Woodside Partnership was reported to the meeting.

RESOLVED

- (1) That grants in the sums indicated to be made to the organisations below for the projects referred to:

<u>Name of Organisation</u>	<u>Purpose of Grant</u>	<u>Amount of Grant</u>
<u>St Thomas's Ward</u>		
Dudley Caribbean and Friends Association	Contribution towards the purchase of IT equipment in the Learning Centre and refrigeration equipment for the meals preparation service.	£2000
Dudley Asian Women's Centre	Contribution towards the purchase of new furniture and general repairs and redecorations for the Centre	£2000
Hellier Street, Youth and Community Association	Purchase of a shower and kitchen facilities for the Youth Group.	£2000
<u>Castle and Priory Ward</u>		
Priory Community Association	Purchase of security roll doors for Local Action Centre	£2000
Neighbours News	Contribution towards the purchase of a facsimile machine, photocopier and computer and digital cameras to support the development of services for young people.	£2000
<u>Netherton, Woodside and St Andrew's Ward</u>		
First Primrose Hill Guides	Purchase of tables and benches for use for meetings and activities.	£492

Netherton Woodside Partnership	Contribution to the purchase of gardening equipment and transport for a gardening project across the ward	£8000
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Quarry Bank and Dudley Wood Ward

Directorate of the Urban Environment acting on behalf of the Central Dudley Area Committee.	Erection of a Youth Shelter at Dudley Wood Community Centre.	£8000
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St James's Ward

St. Thomas and St. Luke Church (Top Church)	Purchase and installation of a new electric clock mechanism for the public clock	£2319.45
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All Wards

Dudley Town Centre Forum	Contribution towards the cost of installing the electrical infrastructure for Christmas lights in the town centre for 2005	£6000
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- (2) That the grant made for the Dudley Town Centre Forum be subject to detailed information confirming the costs of the works, with guarantees that all the other necessary costs will be met, being provided to the Area Liaison Officer and that the grant of £6000 be met equally from the allocations for each Ward.
- (3) That the grant for Priory Community Association be subject to any necessary planning permissions being obtained.
- (4) That the request by the Netherton Woodside Partnership for a grant in excess of the £8000 now made toward the purchase of gardening equipment and transport for a gardening project across the ward be referred back to the Capital Allocations Working Group for consideration.

CENTRAL DUDLEY AREA COMMUNITY PLAN

A report of the Area Liaison Officer was submitted seeking consideration of a draft Local Community Plan for the Central Dudley Area.

The draft Plan was attached to the report now submitted. In the discussion, the view was expressed that targets and target dates would benefit from being stated more specifically. It was also considered that the consultation process should include a facility for the public to participate.

RESOLVED

- (1) That the comments now made regarding the targets in the draft Plan, the target dates and the involvement of the public be endorsed.
- (2) That the Plan be referred back to the Community Plan Working Group for further consideration in the light of the comments made.

APPLICATIONS IN RESPECT OF LAND AND PROPERTY OWNED BY THE COUNCIL

A report of the Director of Law and Property was submitted on requests made in respect of land and property controlled by the Council.

RESOLVED

- (1) That the Cabinet Member for Housing be recommended that the application to purchase land at the rear of 18 Vauxhall Gardens, Dudley, indicated on the plan attached to the report submitted, be not approved but that the land be declared surplus to requirements and offered to adjoining residents as appropriate.
- (2) That the Cabinet Member for Housing be recommended that the entering into of an Agreement under Section 278 of the Highways Act, 1980 over the land at Gads Green, Netherton indicated on the plan attached to the report now submitted be approved, on terms and conditions to be negotiated and agreed and that the agreement be completed and the works undertaken before access is allowed or the property built.
- (3) That it be noted that the application regarding the site of former 49 and 51 Pine Road, Dudley had been withdrawn.

- (4) That the Cabinet Member for Housing be recommended to authorise a new lease of the Watsons Green Road premises, as indicated on the plan attached to the report now submitted, to Sure Start for a period of 18 months to 2 years, on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (5) That the application now submitted for the lease or purchase of land at 117 Himley Road, Dudley be deferred for a site visit.
- (6) That the Cabinet Member for Leisure be recommended to approve the appropriation of the car park at Milking Bank Primary School, Dudley, as indicated in the plan attached to the report now submitted, from the purposes of the Open Spaces Act 1906 to enable it to be used as a secure car park for Milking Bank Primary School.
- (7) That the application now submitted for the lease of the Council owned garage site at New Road, Netherton be deferred for a site visit.
- (8) That the Cabinet Member for Housing be recommended to approve the application for the release of the restrictive covenant at the Guest Hospital, Tipton Road, Dudley, over the land indicated in the plan attached to the report now submitted, on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (9) That the application now submitted for the proposed leasehold sale of land at 11A New Street, Dudley be deferred for a site visit.
- (10) That the application for the lease or purchase of Council owned land at Oakeywell Street, Dudley, as indicated on the plan attached to the report now submitted be deferred, pending the outcome of the planning application for the erection of the Mosque and Community Centre on the site.
- (11) That, in future, all site visits for the Central Dudley Area Committee be held at 5.30 pm.

A report of the Director of the Urban Environment was submitted seeking support for the proposed programmes of work for local safety schemes, pedestrian crossings and safer routes to schools within the Central Dudley Area for the 2005/06 financial year.

Arising from the discussion on the issue, a request was made by one member for further consideration to be given to scheme 4 in the reserve list in appendix A to the report now submitted, in response to which the Assistant Director of the Urban Environment (Environmental Management) agreed to investigate. The Assistant Director also responded to a question asked by another member on the likelihood of a different scheme in the reserve list being affected.

RESOLVED

That the proposed programmes of work, as set out in the respective appendices to the report now submitted be supported.

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TRAFFIC MANAGEMENT

A report of the Director of the Urban Environment was submitted informing the Committee and updating it on policy and legislative influences on the development of the Traffic Management strategy.

The report summarised the manner in which capital funding for transport purposes was secured through the West Midlands Local Transport Plan; the nature of the plan; the main provisions of the Traffic Management Act, 2004 and the ways in which the principles and objectives of the Act impacted on the Local Transport Plan.

The report noted that under the new legislation, the use of major highway infrastructure schemes as a tool to reduce congestion, but which did not satisfy or meet current Government policy were unlikely to attract support or funding. Reference was made to certain abandoned road alignment schemes where the land involved had been redesignated and the report expressed the view that any proposals that would counter current designations and policies would be unlikely to be supported. These included the Netherton by-pass.

RESOLVED

That the report be noted.

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DECLARATION OF THE BARROW HILL NATURE RESERVE

A report of the Director of the Urban Environment was submitted seeking support for the declaration of Barrow Hill as a local Nature Reserve.

RESOLVED

- (1) That the declaration of Barrow Hill as a Local Nature Reserve be supported.

- (2) That further efforts to secure external funding for local reserve management enhancement be supported.
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URBAN ENVIRONMENT – MATTERS RAISED AT THE CENTRAL DUDLEY AREA COMMITTEE MEETING HELD ON 8TH FEBRUARY, 2005

A report of the Director of the Urban Environment was submitted on a number of issues relating to that Directorate raised at the meeting of the Central Dudley Area Committee held on 8th February, 2005.

RESOLVED

- (1) That the report be noted.
- (2) That a site visit be made to Cinder Bank regarding the issue of litter referred to in the report.
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RESPONSES TO QUESTIONS

A report of the Area Liaison Officer was submitted indicating the nature of written responses made at previous meetings of the Committee.

RESOLVED

That the report be noted.

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DATE AND VENUE OF FUTURE MEETINGS

The Committee noted that the dates and venues of future meetings would be advertised when determined in the new municipal year.

The meeting ended at 8.55pm

CHAIRMAN