

BRIERLEY HILL AREA COMMITTEE

Thursday, 27th October, 2005, at 7.00 p.m.
at Brockmoor Primary School, Belle Isle,
Brockmoor, Brierley Hill

PRESENT:-

Councillor Tyler (Vice Chairman – in the chair)
Councillors Blood, Burt, Debney, Ms Foster, Harley, Ms Jordan, Ms Harris, Islam, Miller, Mrs Patrick, Ms Pearce, Southall, Tomkinson.

Officers

Mr E Lowson (Area Liaison Officer), Chief Executives Directorate, Senior Solicitor (Directorate of Law and Property), Assistant Director of the Urban Environment (Economic Regeneration), Principal Engineer (Traffic and Transportation, Directorate of the Urban Environment), Area Manager (Brierley Hill, Directorate of Adult, Community and Housing Services) and Ms K Smith (Directorate of Law and Property).

Together with 15 members of the public.

47

MINUTES

RESOLVED

That the minutes of the special meeting of the Committee held on 10th October 2005, be approved as a correct record and signed subject to, the inclusion of Councillor Blood in the list of attendees.

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APOLOGY FOR ABSENCE

An apology for absence from the meeting was received on behalf of Councillor Mrs M Wilson.

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DECLARATIONS OF INTEREST

Councillor Southall declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 7 (Wednesbury to Brierley Hill Metro Design Guide), in view of being a member of Development Control Committee.

Councillor Debney declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 7 (Wednesbury to Brierley Hill Metro Design Guide), in view of being a member of Development Control Committee.

Councillor Mrs Harris declared a Personal Interest in accordance with the Members' Code of Conduct in agenda item 7 (Wednesbury to Brierley Hill Metro Design Guide), in view of her being Chairman of Dudley Beacon and Castle Primary Care Trust.

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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:

On behalf of parents and residents in relation to the proposed closure of Maidensbridge Primary School – referred to the Director of Children's Services.

From Councillor Debney on behalf of local residents in Bells Lane and Tack Farm Road, requesting traffic calming – referred to the Director of the Urban Environment for review and possible inclusion in the 2006-07 Annual Pedestrian Crossing Programme.

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YOUTH ISSUES

It was reported that the Working Group had been set up and had held its first meeting at which a proposed schedule of issues to be discussed had been agreed. The Directorate of the Urban Environment had been requested to review the situation with regard to potential new sites for a Skatepark.

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PUBLIC FORUM

There were no issues to be discussed under this item.

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WEDNESBURY TO BRIERLEY HILL MIDLAND METRO DESIGN GUIDE

A report of the Director of the Urban Environment was submitted on the Design Guide for the construction of the Metro from Wednesbury to Brierley. Centro gave a presentation on the proposed design standards for Members comments.

RESOLVED

That the Committee noted and supported the contents of the report and presentation.

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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, be recommended to defer the sale of 15 William Street, Brierley Hill, as shown on the plan attached to the report submitted, pending further information from the Area Housing Manager.
- (2) That the Cabinet Member for Housing be recommended to defer the sale of 95 Adelaide Street, Brierley Hill, as shown on the plan attached to the report submitted, pending further information from the Area Housing Manager.
- (3) That the Cabinet Member for Housing be recommended to refuse the application to purchase council owned land fronting 30/30A Planet Road, Brierley Hill, as shown on the plan attached to the report submitted, for the reasons outlined in the report.
- (4) That the Cabinet Member for Housing be recommended to declare the land to the rear of "The Happy Return" public house, Moor Street, Brierley Hill as shown on the plan attached to the report submitted, surplus to requirements to be sold on terms on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (5) That the Cabinet Member for Housing be recommended to approve the sale of the land adjacent to 17 Gordon Crescent, Brierley Hill, 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.

- (6) That the Cabinet Member for Housing be recommended to approve the application for a licence to fish at the fishing pool at the rear of Greenfields Road, Kingswinford, as shown on the plan attached to the report submitted.

TREE ISSUES AT LEYS ROAD AND LEYS CRESCENT

A report of the Director of the Urban Environment was submitted on the status of trees in Leys Road and Leys Crescent, Brierley Hill, in consideration of Health and Safety and Tree Nuisance issues.

The Health and Safety Executive had insisted that local authorities produce a tree inspection policy that covers all of their council owned trees and an inspection of the trees in Leys Road and Leys Crescent had been undertaken by officers of the Arboricultural Section on the 28th September 2005. Of the eleven trees identified in Council ownership, all but one were in receipt of Tree Preservation Orders, with the responsibility for management/maintenance of trees in private ownership lying with the landowner. All the trees had been visually assessed and no direct safety concerns were noted at the time of inspection. In accordance with the inspection process, the trees in Council ownership had been assessed as being of low priority in relation to the Councils other outstanding works/priorities and the Tree Strategy.

After a lengthy and detailed discussion it was

RESOLVED

1. That the Council be recommended to take urgent remedial action with regard to the trees in Leys Road and Leys Crescent, and in addition consideration be given to the removal of TPO's for trees on council and privately owned land.
2. That the Council note the concerns of local residents and programme future pruning works in line with current priorities.
3. The Committee request that the Cabinet Member for Transport consider a decision sheet for each of the Council owned trees in Leys Crescent and Leys Road, in accordance with the Council's Tree Strategy, outstanding commitments and restrictions as a result of relevant Tree Preservation Orders.
4. Subject to the above, the Council-owned trees in Leys Road and Leys Crescent be considered for future work through the remit of the new arboriculture contract.

HIGH HEDGES LEGISLATION

A report of the Director of the Urban Environment was submitted elaborating on the implementation of "High Hedges" legislation and on the process of dealing with complaints, following a report submitted to Brierley Hill Area Committee on 1st September 2005.

It was reported that 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 had been satisfied.

After a lengthy and detailed discussion the Committee

RESOLVED

That the contents of the report be noted and that:

1. The Select Committee on the Environment be requested to look at the issues arising from the legislation in particular, fees and charges.
2. Council be requested to review the proposed charges and re-set charges at an affordable limit giving due regard to people of limited means.

CAPITAL ALLOCATIONS

A verbal report of the Area Liaison Officer was submitted on applications received for funding from the capital allocation of the Committee.

Upon consideration of the recommendation of the Capital Allocations Working group it was

RESOLVED

1. That application no. 5/05 submitted by Stourbridge Radio Group for £5,000 towards the setting up of a community radio station be approved; subject to confirmation that there would be no political bias on reporting.
2. That application no. 6/05 submitted by Brierley Hill Traders Association for £5,000 towards the purchase of Christmas Lights for Brierley Hill Town Centre be approved.

3. That an application by Brockmoor Community Association for £5,000 additional funding towards the purchase of security grills and fencing, be approved.

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ISSUES RAISED BY MEMBERS OF THE COMMITTEE

There were no issues raised under this item.

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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, 19th January, 2006 at Crestwood School

Tuesday, 9th March, 2006 at Brierley Hill Civic Hall

The meeting ended at 8:45 pm

CHAIRMAN