

Minutes of Cabinet Petitions Committee

Wednesday, 26 July 2023 at 5.00 pm
at Annexe 1 - Sandwell Council House, Oldbury

Present: Councillor Millard (Chair);
Councillors Hartwell and Khatun

Observers: Councillor Anandou, Bhullar and Kalebe- Nyamongo

In attendance: Robin Weare (Assistant Director - Highways); Johane Gandiwa (Committee and Constitutional Services Lead Officer) and Anthony Lloyd (Democratic Services Officer).

13/21 Apologies for Absence

An apology for absence was received from Councillor Hughes

14/21 Declarations of Interest

There were no declarations of interest.

15/21 Minutes

Resolved that the minutes of the meeting held on 21 June 2023 be received as a correct record.

16/21 Progress Report



Details were submitted of petitions received and of the action taken or proposed in each case, as detailed in the Appendix.

Agreed that the action taken or proposed, as detailed in the second column of the Appendix, be approved.

Meeting ended at 5.50pm

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Appendix 1

Petition Received From	Action Taken/Proposed
1. Residents of Dartmouth Street, West Bromwich, requesting a parking permit scheme.	Following representations from petitioners, it was agreed that the Council's highways department would consider the feasibility of introducing a parking permit scheme on Dartmouth Street. Additionally, Investigations would take place on potential time-limits for free parking on the road. Further information would be provided to petitioners in due course.
2. Residents of Florence Road, Oldbury, requesting the removal of a large tree on Florence Road.	The tree in question had been inspected by officers and was found to be in good physical condition; no works had been recommended. Following further representations from petitioners, the Cabinet Member for Health and Adult Social Care agreed to investigate the concerns separately and close the petition. The head petitioner had been informed.
3. Residents of Gleneagles Drive, Tividale, objecting to the installation of telegraph poles on Gleneagles Drive.	Telecommunication operators benefited from permitted development, so planning permission was not required for certain types of infrastructure, this included telegraph poles and was covered under Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). The petition was closed, and the head petitioner had been informed.

4. Residents of Thomas Cox Wharf and Alexandra Grange, Tipton, requesting adoption of roads.

The responsibility to progress the adoption of any new roads on a development fell solely on the land owner (typically the Developer) who must initially offer any new roads to the Authority for adoption and, importantly, enter into a legal adoption agreement with the Local Highway Authority (typically an agreement under Section 38 of the Highway Act). The Council had no powers to force a developer to enter into any adoption agreement. In this instance, the Developer had given the Authority every impression that it was going to enter into the necessary Section 38 agreement for adoption on numerous occasions and took discussions well beyond the cut off time allowable to undertake enforcement under Section 220. However, the Developer did not complete the necessary Section 38 agreements for the adoption of the roads, or complete the necessary process. Consequently, the roads on these sites were retained as private roads. Following representations by Shaun Bailey MP in support of the residents proposing that a collaborative approach would be the way forward, the Committee requested that officers undertake further investigation into the matter considering all options available and respond to all of the issues raised in the correspondence that had been submitted over a period of time. An update would be submitted to a future meeting.

<p>5. Residents of Park Lane West, Tipton, requesting residents parking outside nos. 173-184.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>
<p>6. Residents of Field Road, Tipton, requesting speed bumps.</p>	<p>The council had a statutory duty to investigate and implement a programme of work to reduce casualties on the highway network. Therefore, the funding made available for traffic calming measures such as speed humps was targeted in areas where traffic collisions were occurring which resulted in casualties. A three-year injury collision analysis for Field Road showed that there had been no recorded injury collisions during this period. Field Road did not therefore meet the criteria for the implementation of a traffic calming scheme. The petition was closed, and the Head Petitioner had been informed.</p>
<p>7. Residents requesting double yellow or red lines on Castle Road East, Oldbury.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>

<p>8. Residents of Yew Tree and Charlemont Estates concerning the withdrawal of the no. 45 bus service.</p>	<p>Transport for West Midlands had advised that it was now funding the 45 bus service which would continue to be operated by Diamond Bus and remained unchanged. However, the Committee understood that this proposal was for a six month period and therefore requested clarification be sought from TfWM as to future provision. An update would be submitted to a future meeting.</p>
<p>9. Convenience store customers in Toll End Road, Smethwick, requesting a ramp outside the store to enable easy access for customers.</p>	<p>The Highways department objected to a ramp being installed on the public highway as part of planning application reference DC/21/66418. This was because placing a ramp on the adopted highway would be considered an obstruction under the Highways Act, and a trip hazard, particularly for visually impaired pedestrians. It was for this reason highways could not give permission for a ramp to be installed on the public highway. Any alterations required for the building to be DDA compliant needed to be completed internally, adapting the existing steps/entrance within the boundary of the building. Therefore, this petition was closed. The head petitioner had been informed.</p>
<p>10. Residents in and around Europa Close, West Bromwich, concerning the proposed cycle lane.</p>	<p>Following representations made by the petitioners in relation to their concerns around the consultation process and the cycle route proposals, officers would submit a report to the Economy, Skills, Transport and Environment Scrutiny Board. An update would be submitted to a future meeting.</p>
<p>11. Residents in and around Wellington Road requesting the easing of traffic problems.</p>	<p>Petitioners had raised concerns regarding parking problems in the area. A request to utilise a nearby plot of land in the area to ease parking had been made. An update will be submitted to a future meeting.</p>

12. Residents in and around Wolverhampton Road regarding concerns around road safety.

A study and outline business case was being developed for the corridor along the length of the A4123 by Transport for West Midlands. The study would consider improvements relating to road safety, walking, cycling and bus movement along the route and would be implemented in phases over a number of years. The junction of the Wolverhampton Road and Queensway would be considered as part of the route improvement scheme. There was capital funding available each year for the implementation of road safety improvements. These road safety improvement schemes were identified through casualty analysis, which was undertaken each year for the whole of the borough. The locations where treatable injury collisions are occurring, which had resulted in the most casualties, were prioritised for road safety intervention. The junction of Wolverhampton Road and Queensway was placed 6th on the list of priorities and had not met the criteria for major funding during this financial year. However, the area would be considered for a road safety scheme to enhance the signage and painted lines along the Wolverhampton Road on the approaches to the junction with Queensway to offer additional advance warning to motorists. Options for blocking the junction on account of safety along Wolverhampton Road would also be considered. A further update would be provided to a future meeting.

13. Residents of Hales Crescent, Smethwick, requesting the removal of a large portion of grassed area and for further parking bays to be identified, including designated disabled spaces.

APCOA had reviewed all the Penalty Charge Notices issued to ensure they had been issued correctly. Officers had delivered letters in January to all households within the Crescent, inviting them to meet to see if there was interest in pursuing a community-led solution, possibly a local responsible parking charter. Unfortunately, only two responses were received. Officers did not believe that there was enough community buy-in to take things forward. Following. This petition was closed, and the head petition had been informed.