

Agenda

Cabinet Petitions Committee

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

- 1 Apologies for Absence**
- 2 Declarations of Interest**

Members to declare any interests in matters to be discussed at the meeting.
- 3 Minutes** 5 - 12

To confirm the minutes of the meeting held on 21 June 2023 as a correct record.
- 4 Progress Report** 13 - 20

To provide details of petitions received and the proposed course of action.



Shokat Lal
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution
Councillor
Councillors Carmichael, Hartwell, Millard, Piper, Rollins, Hackett, Hughes and
Padda

Contact: democratic_services@sandwell.gov.uk

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Minutes of Cabinet Petitions Committee

**Wednesday 21 June 2023 at 5:00pm
at Sandwell Council House, Oldbury**

Present: Councillor Millard (Chair);
Councillors Hughes and Rollins.

Observers: Councillor Davies, Fisher, W Gill, Hemingway, Khatun,
Lewis, Padda and Williams.

In attendance: Robin Weare (Assistant Director - Highways); Matthew
Huggins (Assistant Director – Green Spaces); Trisha
Newton (Deputy Democratic Services Manager);
Johane Gandiwa (Democratic Services Lead Officer).

9/23 **Apologies**

There were no apologies for absence.

10/23 **Declaration of Interest**

There were no declarations of interest.

11/23 **Minutes**

Resolved that the minutes of the meeting held on
1 March 2023 be received.

12/23

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 6.20pm

Appendix

Petition Received From	Action Taken/Proposed
<p>1. Residents of Thomas Cox Wharf and Alexandra Grange, Tipton, requesting adoption of roads.</p>	<p>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>

<p>2. Residents in and around Farran Way, Great Barr, requesting pruning of trees and removal of leaves.</p>	<p>Cabinet had approved a Trees Strategy in March 2023 which included a commitment to complete a full inspection of all Council owned trees in red risk areas within the next 18 months. Farran Way was scheduled for inspection in July 2023, and any remedial works identified from this inspection would be scheduled to take place after bird nesting season. Following representations by the local ward member regarding the area and in particular the square at the rear, officers undertook to check this area in particular but also confirmed that pruning had now taken place at this location.</p>
<p>3. Residents in the vicinity of Charlemont Avenue, West Bromwich, requesting maintenance of trees.</p>	<p>Cabinet had approved a Trees Strategy in March 2023 which included a commitment to complete a full inspection of all Council owned trees in red risk areas within the next 18 months. Charlemont Avenue was scheduled for inspection in July 2023, and any remedial works identified from this inspection will be scheduled to take place after bird nesting season. Following representations by the local ward member, officers confirmed that pruning had now taken place at this location.</p>
<p>4. 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>5. Residents of Field Road, Tipton, requesting speed bumps.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>
<p>6. 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>7. 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>8. Convenience store customers in Toll End Road, Smethwick, requesting a ramp outside the store to enable easy access for customers.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>
<p>9. 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>10. 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 pot of land in the area to ease parking had been made. An update will be submitted to a future meeting.</p>
<p>11. Residents in and around Wolverhampton Road regarding concerns around road safety.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>
<p>12. Residents of Lightwoods Hill, Smethwick, requesting traffic calming measures.</p>	<p>In December 2022 a report was submitted to the Cabinet Member for Environment to consider how to progress the proposals for Lightwoods Hill. The report highlighted the findings from the two previous consultations Highways had carried out with affected residents on the two different proposals for Lightwoods Hill.</p>

	<p>Subsequently, petitioners had created and presented a report to Highways. A response had been submitted to the petitioners in relation to their report. A further updated briefing session was held with the Cabinet Member which contained the additional details of the findings from the petitioner's report. After considering all the information presented, the Cabinet Member concluded that the correct course of action would be to approve the extension of the Bearwood 20mph zone and the installation of Digital Vehicle Activated Speed signs on Lightwoods Hill, to help satisfy some of the community concern raised over perceived excessive speed in the area. Following representations at the meeting, officers undertook to confirm the estimated timescales for completion of the works and the Chair, as the new Cabinet Member for Environment and Highways, would meet with residents to respond to any outstanding issues.</p>
<p>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.</p>	<p>APCOA had reviewed all of 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 representations at the meeting by the local ward member, officers undertook to investigate further and look at options. An update would be submitted to a future meeting.</p>

<p>14. Users of Carnegie Building, Tipton, requesting community usage of the building.</p>	<p>Tipton Carnegie building currently formed part of a Council plan around locally based Council services which were subject to the outcomes of the ongoing customer strategy review. The Carnegie building was being considered for use as a library. The head petitioner had been informed.</p>
<p>15. Residents regarding the introduction of garden waste collection charges and the surrounding communications.</p>	<p>A petition regarding the introduction of charges was received and a response provided to the Committee at its meeting on 18 January 2023 (Minute No. 4.23 refers). With regard to communications, the Council had access to suppliers that could translate communication in various languages upon request. The head petitioner had been informed.</p>

Contact: democratic_services@sandwell.gov.uk

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Report to Cabinet Petitions Committee

26 July 2023

Subject:	Petitions Progress Report
Contact Officer:	Trisha Newton Trisha_newton@sandwell.gov.uk







1 Recommendations

That the Cabinet Petitions Committee approve the action taken or proposed as details in the third column below.

2 Reasons for Recommendations

To receive petitions and approve action taken/proposed in response.

3 How does this deliver objectives of the Corporate Plan?

		Petitions are one of the many ways in which people who live and work in the Borough can influence the decision-making process. Many of the issues typically raised by petitions underpin the Council's Vision. Petitions alert members and officers to current local issues and ensure that services are being targeted appropriately in delivering the Council's priorities.
		
		



4 Context and Key Issues

Section 46 of the Localism Act 2011 removes the requirements for principal local authorities in England and Wales to make, publish and comply with a scheme for the handling of petitions made to the authority, with effect from 1 April 2012. At its meeting on 22 May 2012, the Council decided to retain a petitions scheme, although there was no longer a statutory requirement to have such a scheme.

5 Background Details

5.1 Petitions received since last reporting period

Signatories	Subject	Action Taken/Proposed
5.1.1 46 – Residents of Dartmouth Street, West Bromwich (West Bromwich Central)	Request for Parking Permit Scheme on Dartmouth Street, West Bromwich.	This matter is being investigated by officers and an update will be submitted to a future meeting. (Received 20/06/2023)
5.1.2 14 – Residents of Florence Road, Oldbury (Oldbury)	Request for the removal of a large tree on Florence Road, Oldbury	The tree in question had been inspected and was found to be in good physical condition and there are no works recommended at this time. There were no significant defects found. The risk category on the tree is classed at moderate, this is not uncommon due to its size and being located next to the highway. In line with our tree policy we would not remove the tree for the reasons given in the petition. The Council will not; remove healthy trees unless this is deemed required to ensure the immediate safety of people or



property, or required as part of planning permission; remove or prune healthy trees in response to seasonal problems including blocking of light, leaf fall, sap, bird droppings. The tree is a mature Elm, these are uncommon in Sandwell and hold specimen importance.

(Received 22/06/2023)

5.1.3	30 – Residents of Gleneagles Drive, Tividale (Tividale)	Objection to the installation of telegraph poles on Gleneagles Drive	Telecommunication operators benefit from permitted development, so planning permission is not required for certain types of infrastructure, this includes telegraph poles and is covered under Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). (Received 12/07/2023)
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5.2 Progress on outstanding petitions

Signatories	Subject	Action Taken/Proposed
5.2.1 146 - residents in and around Europa Close, West Bromwich (West Bromwich Central)	Concerns with the proposed cycle route between Europa Avenue and Sandwell Valley	Following representations made by the petitioners in relation to their concerns around the consultation process and the cycle route proposals, officers had submitted a report to Economy, Skills, Transport and Environment Scrutiny Board (ESTE). A further meeting of the Economy, Skills, Transport and Environment Scrutiny Board would take place



			in September 2023. An update will be submitted to a future meeting. (Received 1/11/2022)
5.2.2	175 – residents in and around Wellington Road, Tipton (Tipton Green)	Request for the easing of traffic problems on Wellington Road, Tipton	Petitioners raised concerns regarding parking problems in the area. A request to utilise a nearby pot of land in the area to ease parking was made. An update will be submitted to a future meeting. (Received 14/02/2023)
5.2.3	138 – residents of Thomas Cox Wharf and Alexandra Grange, Tipton (Great Bridge)	Request for the adoption of roads by Sandwell Council.	The responsibility to progress the adoption of any new roads on a development falls solely on the land owner (typically the Developer) who must initially offer any new roads to the Authority for adoption and, importantly, then enter into a legal adoption agreement with the Local Highway Authority (typically an agreement under Section 38 of the Highway Act). The Council has no powers to force a developer to enter into any adoption agreement. In this instance, the Developer gave the Authority every impression that they were 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. Shaun Bailey MP, in support of residents, proposed a collaborative approach. Officers are undertaking further investigation into the matter and will respond to all of the issues raised. An update would be submitted to a future meeting. (Received 21/04/2023)

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| 5.2.4 | 16 – residents of Park Lane West, Tipton (Tipton Green) | Request for resident only parking spaces outside of 173-184 Park Lane West. | This matter is being investigated by officers and an update will be submitted to a future meeting. (Received 12/03/2023) |
| 5.2.5 | 211 – against the withdrawal of the No. 45 bus service, Yew Tree and Charlemont Estates, West Bromwich (Charlemont with Grove Vale) | Petition against the withdrawal of the No. 45 bus service, Yew Tree and Charlemont Estates, West Bromwich. | TfWM is now funding the 45 bus service which will continue to be operated by Diamond Bus and remains unchanged. TfWM have confirmed that the funding for this service will last until the end of October 2023. Further advice regarding the continuation of the service beyond that date will be available later in the year. (Received 28/03/2023) |
| 5.2.6 | 77 – residents in support of Warley Baptist Church, Oldbury (Old Warley) | Request for double-yellow or red lines on Castle Road East, Oldbury. | This matter is being investigated by officers and an update will be submitted to a future meeting. (Received 05/06/2023) |



5.3 Petitions requiring final approval

Signatories	Subject	Action Taken/Proposed
5.3.1 31 – Residents of Hales Crescent, Smethwick (Smethwick)	Request for removal of a large portion of grass area and for further parking bays to be identified, including designated disabled parking spaces.	APCOA have reviewed all of the Penalty Charge Notices issued to ensure they were issued correctly. Officers hand 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 do not believe that there was enough community buy-in to take things forward. The head petitioner has been informed. (Received 21/11/2022)
5.3.2 141 – Convenience Store Customers, Toll End Road, Smethwick (Smethwick)	Request for a ramp outside a convenience store to enable easy access for customers.	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 is for this reason highways cannot give permission for a ramp to be installed on the public highway. Any alterations required for the building to be DDA compliant must be completed internally,



5.3.3 97 – residents in and around Wolverhampton Road, Oldbury (Old Warley)

Concerns regarding road safety on the junction of Wolverhampton Road/Queensway

adapting the existing steps/entrance within the boundary of the building. (Received 4/10/2022)

A study and outline business case is currently being developed for the corridor along the length of the A4123 by Transport for West Midlands. The study will consider improvements relating to road safety, walking, cycling and bus movement along the route and will be implemented in phases over a number of years. The junction of the Wolverhampton Road and Queensway will be considered as part of this route improvement scheme.

There is a some capital funding available each year for the implementation of road safety improvements. These road safety improvement schemes are identified through casualty analysis, which is undertaken each year for the whole of the borough. The locations where treatable injury collisions are occurring, which have resulted in the most casualties, are prioritised for road safety intervention. The junction of Wolverhampton Road and Queensway currently sits 6th on the list of priorities and has not met the criteria for major funding during this financial year. However, the area will be considered for a road safety



scheme to enhance the signage along the Wolverhampton Road on the approaches to the junction with Queensway to offer additional advance warning to motorists. The head petitioner has been informed (Received 31/01/2023)

5.3.4	19 – Residents of Field Road, Tipton (Princes End)	Request for speed bumps on Field Road, Princes End, Tipton.	The council has 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 is targeted in areas where traffic collisions are occurring which result in casualties. A three year injury collision analysis for Field Road shows there have been no recorded injury collisions during this period. Field Road does not therefore meet the criteria for the implementation of a traffic calming scheme at this current time. The Head Petitioner has been informed. (Received 12/06/2023)
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6 Source Documents

Copies of petitions from various groups of residents (exempt information).

