

Agenda

Cabinet Petitions Committee

Wednesday, 13 December 2023 at 5.00 pm
In Annexe 1 - Sandwell Council House, Oldbury

1 Apologies for Absence

To receive any apologies for absence.

2 Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

3 Minutes

5 - 10

To confirm the minutes of the meeting held on 8 November 2023 as a correct record.

4 Progress Report

11 - 22

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 Millard (Chair)

Councillors Carmichael, Hackett, Hartwell, Hughes, Khatun, Padda, Piper and Rollins.

Contact: democratic_services@sandwell.gov.uk

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Minutes of Cabinet Petitions Committee

**Wednesday 8 November 2023 at 5:05pm
at Sandwell Council House, Oldbury**

Present: Councillor Khatun (Acting Chair);
Councillors Hartwell and Padda.

Observing: Councillors Dhatt, Piper and Williams.

In attendance: Trisha Newton (Democratic Service Deputy Manager);
Johane Gandiwa (Committee and Constitutional
Services Lead Officer).

21/23 **Apologies**

An apology for absence was received from Councillor Millard.

22/23 **Declaration of Interest**

There were no declarations of interest.

23/23 **Minutes**

Resolved that the minutes of the meeting held on 4 October 2023 be received as a correct record.

20/23

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 5.46pm

Appendix 1

Petition Received From	Action Taken/Proposed
<p>1. Residents in the vicinity of Abbey Road Schools (Abbey) requesting for a Puffin Crossing to replace the Zebra Crossing at Abbey Road Schools.</p>	<p>Following representations from petitioners, officers would be requested to investigate options and make recommendations on the request to replace the Zebra Crossing at Abbey Road School. An update would be provided to a future meeting.</p>
<p>2. Residents of Herbert Street in West Bromwich Central requesting for the easing of parking restrictions</p>	<p>Following representations from petitioners, officers would be requested to investigate options relating to the feasibility of modifying the parking restrictions on Herbert Street so that they apply only between the specified hours from Monday to Saturday. The Police would also be requested to provide a report. Consideration would also be made as to whether Local Area Budget for Tipton could be used to address the matter. An update would be provided to a future meeting.</p>
<p>3. Residents of Eastfield Road, Tipton (Princes End) requesting the closing of a right- of- of way route/ footpath between Eastfield and Field Road</p>	<p>Following representations from petitioners, officers would be requested to investigate the request to close right- of- of way route/ footpath between Eastfield and Field Road. An update would be provided to a future meeting.</p>
<p>4. Residents of Oldacre Road, requesting parking restrictions for non-residents during school pick- up/ drop- off times.</p>	<p>Following representations from petitioners, officers were requested to explore options and recommendations that address the parking challenges for residents of Oldcare Road. An update would be provided to a future meeting.</p>
<p>5. Residents in and around Hancox Street, requesting double yellow lines for part of Hancox Street.</p>	<p>Following representations from petitioners, officers were requested to investigate options for addressing the parking challenges raised by residents of Hancox Street, including the possibility of putting double yellow lines. An update would be provided to a future meeting.</p>

<p>6. Residents in and around Gospel Oak Road, Tipton, requesting the creation of a car park on Gospel Oak Road.</p>	<p>This matter was being investigated by officers and an update would be submitted to a future meeting.</p>
<p>7. 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>8. 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</p>

	the issues raised in the correspondence that had been submitted over a period of time. An update would be submitted to a future meeting.
9. Residents of Park Lane West, Tipton, requesting residents parking outside Nos. 173-184.	This matter was being investigated by officers and an update would be submitted to a future meeting.
10. Residents of Yew Tree and Charlemont Estates concerning the withdrawal of the no. 45 bus service.	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.
11. Residents of Dartmouth Street. West Bromwich, requesting a parking permit scheme.	Following further discussions with petitioners, it was agreed that the Council's Highways department would begin work to consider the introduction of a resident parking scheme for Dartmouth Street. Time limits in relation to free parking on the street would also be reviewed. An update would be provided to a future meeting.
12. Residents in and around Europa Close, West Bromwich (West Bromwich Central)	Following representations made by the petitioners in relation to their concerns around the consultation process and the cycle route proposals, a report was submitted to Economy, Skills, Transport and Environment Scrutiny Board (ESTE). The ESTE Scrutiny Board considered the matter at its meeting on 3 October 2023 following a site visit and passed the following recommendation: 'That in connection with the Europa Avenue Cycle Path Consultation, the following findings of the Economy, Skills, Transport and Environment Scrutiny Board Working Group, in relation to

whether sufficient and appropriate consultation had been carried out in line with existing council policies, practices and procedures, be approved by the Economy, Skills, Transport and Environment Scrutiny Board:-

(1) That having listened and considered the views of local residents, the Economy, Skills, Transport and Environment Board:-

(a) note that the Working Group are satisfied that consultation on the Europa Avenue cycle path, which was carried out both online and by letter drops to households, was conducted in accordance with Council processes, however, communication with residents could have been improved further;

(b) note that in future, where simultaneous improvement works are being carried out within the vicinity by different departments, internal communication between departments should be undertaken to avoid confusion and disruption to residents;

(c) suggest that the Council consider all platforms, including Citizen space and neighbourhood forums, for communicating with residents, taking into consideration digital deprivation across the borough;

(d) acknowledge that the Overview and Scrutiny function should be used to consider matters of strategic importance within the borough and not local ward issues in order to ensure value is added.'

It was approved that the petition be closed. The head petitioner had been informed.

Contact: democratic_services@sandwell.gov.uk

Report to Cabinet Petitions Committee

13 December 2023

Subject:	Petitions Progress Report
Contact Officers:	<p>Johane Gandiwa Johane_Gandiwa@sandwell.gov.uk</p> <p>John Swann John_Swann@sandwell.gov.uk</p>







1 Recommendations

That the Cabinet Petitions Committee approve the action taken or proposed as detailed 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?

		<p>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.</p>
		
		



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 29 – Residents along Rooth Street, Wednesbury (Wednesbury North)	Request to convert Rooth Street in Wednesbury into a cul-de-sac	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 14 November 2023)
5.1.2 37 – Residents of Myrtle Terrace, Tipton (Princes End)	Request for double yellow lines, between Bilston Road and Diane Close	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 24 November 2023)
5.1.3 10 – Residents of Hill Street, Tipton (Tipton Green)	Request for a parking permit scheme along Hill Street.	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 4 December 2023)
5.1.4 13 – Residents of Brickhouse Lane, Wednesbury (Wednesbury South)	Request for a parking permit scheme on Brickhouse Lane	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 4 December 2023)



5.2 Progress on outstanding petitions

Signatories	Subject	Action Taken/Proposed
5.2.1 15 – Residents of Eastfield Road, Tipton (Princes End)	Request to close right- of- of way route/ footpath between Eastfield and Field Road	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 27 September 2023)
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)

5.2.4	46 – Residents of Dartmouth Street, West Bromwich (West Bromwich Central)	Request for Parking Permit Scheme on Dartmouth Street, West Bromwich.	Following further discussions with petitioners, it was agreed that the Council’s Highways department would begin work to consider the introduction of a resident parking scheme for Dartmouth Street. Time limits in relation to free parking on the street would also be reviewed. An update would be provided to a future meeting. (Received 20 June 2023)
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5.3 Petitions requiring final approval

Signatories	Subject	Action Taken/Proposed	
5.3.1	29 – Residents in and around Hancox Street Oldbury (Bristnall)	Request for double yellow lines for part of Hancox street, Oldbury	The request for double yellow lines for part of Hancox Street, Oldbury, has been placed on file to be considered during the next parking review of this area. The introduction of parking restrictions follows a statutory



process that requires a traffic regulation order (TRO) to be made. It is normal practice to review each area of the borough in turn and include approximately 30 locations when making a new TRO. The advertising stage of the TRO process does allow members of the public to view plans and object. Should objections be received that cannot be resolved, the matter is presented to the Cabinet Member for Environment and Highways for a decision.

(Received 6 September 2023)

5.3.2 80 – Residents in and around Gospel Oak Road, Tipton (Princes End)

Request for the creation of a car park on Gospel Oak Road

The land identified at Gospel Oak Road, Tipton is a Council owned asset. Whilst the demand for local parking has been noted, the conversion of this land in its current state, along with its' overall topography, would require considerable capital expenditure to convert it to the required standard for use as a car park and the identification of significant revenue budgets for its ongoing maintenance.

Whilst the Council recognise the ever- increasing pressures on transport infrastructure, there are already multiple designated 'on road' parking spaces along the length of Gospel Oak Road from numbers 2-82 respectively to



support residents, and visitors to local businesses.

The land is currently zoned as a Wildlife Corridor and has also been identified in the draft Sandwell Local Plan (presently out for consultation) potentially as a future nature conservation area, in order to support biodiversity in the Borough.

The creation of the car park was therefore not recommended due to budgetary constraints and objectives.

(Received 20 July 2023)

5.3.3 211 – 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 operation of the route will be continuing. (Received 28 March 2023)

5.3.4 16 – Residents of Park Lane West, Tipton (Tipton Green)

Request for resident only parking spaces outside of 173-184 Park Lane West.

The red route in place along Park Lane West is to help keep the road clear of obstructions during the busiest times through the day. The parking is therefore restricted during the hours of 7am to 7pm and residents and visitors can park outside of these times when the highway network is quieter. There would be too many obstructions during peak times if



the red route restriction is removed along this section of Park Lane West. This is not therefore being recommended by Highways at this time.
(Received 12 March 2023)

5.3.5 37 – Residents of Oldacre Road, Old Warley (Old Warley)

Request for parking restrictions for non-residents during school pick- up/ drop- off times

A residents' permit parking scheme has been considered for Oldacre Road, and the findings are the scheme could only be implemented on one side of the road. This is because the carriageway is quite narrow and double yellow lines would be required on the opposite side of the road to prevent double parking, which could lead to highway obstructions. Introducing the permit scheme on one side of the road would only leave enough space for one permit per household and would not reserve or guarantee a parking space. As an alternative, single yellow lines could be introduced on both sides of the entire length of Oldacre Road, with parking being restricted during school drop off and pick up times. However, residents would also have to comply with those parking restrictions, which is likely to cause some inconvenience. Other factors to consider are that Penalty Charge Notices cannot be issued immediately because there is an observation period that must be observed.



In addition to this, the parking restrictions need to be enforced by the Civil Enforcement Officers who undertake enforcement around all the schools in Sandwell. It is not therefore possible to be on site outside a particular school every day. The parking restrictions also need to be advertised as part of the statutory process for implementing traffic regulation orders. This gives anyone the right to object and the outcome of proposals for parking restrictions cannot therefore be guaranteed. Under these circumstances, highways would not recommend the implementation of permit parking or parking restrictions because parents are likely to continue to park for the short period of time required to drop off and pick up children.

(Received 8 September 2023)

5.3.6 28 – Residents of Herbert Street (West Bromwich Central)

Request for the easing of Parking Restrictions

Herbert Street, West Bromwich, is a residential road located in the town centre near Bull Street. Most properties are terraced houses without off street parking. A residents' parking scheme is in operation at all times.

The introduction of residents' parking schemes requires residents to submit a petition making the request. Where schemes can be designed to address the issues raised, questionnaires are sent to



residents to establish the level of support for a permit scheme. For Herbert Street, West Bromwich, the majority of residents were in favour of a permit scheme and for it to operate at all times.

Parking issues occur in residential roads that are within walking distance of West Bromwich town centre. Those working in the town or visiting will often park in nearby roads to avoid parking charges. This has a detrimental effect on parking for residents. Some residents have reported they cannot park near their homes and must either wait for a space to become available or try and find a parking space in other nearby residential roads. Where shop workers park in a road it can be 8pm before cars are moved. The parking that takes place at present in Herbert Street will be residents with permits or their visitors. Relaxing the restrictions will allow others to park in the road overnight, and this will not improve the parking situation for residents.

(Received 27 September 2023)

5.3.7 109 – Residents in the vicinity of Abbey Road Schools (Abbey) Request for a Puffin Crossing to replace the Zebra Crossing at Abbey Road Schools

Abbey Road does benefit from a zebra crossing which helps to serve both Abbey Junior and infant school, as well as many other local residents in the area. A decision has to be made, as to whether the current zebra crossing facility on Abbey Road is



upgraded to signal controlled crossing, or whether funding is allocated in the vicinity of other schools, that do not currently benefit from a crossing facility of any kind.

Zebra crossing facilities are used outside schools as they work more efficiently with larger numbers of pedestrians. This is because most of the time when a pedestrian approaches a zebra crossing, vehicles stop without much delay. Whereas on signal controlled crossing facilities, it has to be activated by the pedestrian and then the pedestrian has to wait for the green man to appear, then they have to make sure the vehicles have stopped before they start crossing the carriageway. It takes far longer for a pedestrian to cross a signal-controlled crossing facility than a zebra crossing facility. Therefore, using signal-controlled crossing facilities outside schools can lead to the gathering of large numbers of pedestrians waiting for the green man in areas where footways are 2metres wide, which may not be sufficient to accommodate such large numbers.

A 3-year injury collision analysis has been undertaken in the vicinity of Abbey School, which includes the existing crossing facility. The analysis showed there has been one recorded injury collision during this period,



which involved a 47 year old pedestrian on the crossing facility. The contributory factors to the incident are reported as 'wrong use of pedestrian crossing facility' and 'impaired by alcohol'. The reporting of this incident does not highlight any concerns with the existing crossing facility or the existing highway layout. There is no evidence from road casualty data to suggest the existing zebra crossing facility on Abbey Road needs to be upgraded. It is therefore recommended that funding for new crossing facilities is targeted at those areas where pedestrian injury collisions are occurring year on year, particularly in the vicinity of those schools that are currently without a crossing facility. (Received 20 October 2023)

6 Source Documents

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



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