

Agenda

Cabinet Petitions Committee

Wednesday, 17 January 2024 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 - 14

To confirm the minutes of the meeting held on 13 December 2023 as a correct record.

4 **Progress Report**

15 - 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.

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Minutes of Cabinet Petitions Committee

**Wednesday 13 December 2023 at 5.00pm
at Sandwell Council House, Oldbury**

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

Observing: Councillors Hemingway and Williams.

In attendance: Alice Davey (Director of Borough Economy), Mervyn Bartlett (Interim Assistant Director of Highways), Lee Constable (Strategic Lead for Assets and Land), Sharon Lang (Senior Engineer), Trisha Newton (Democratic Service Deputy Manager) and John Swann (Democratic Services Officer).

24/23 **Apologies**

No apologies for absence were received.

25/23 **Declaration of Interest**

There were no declarations of interest.

26/23 **Minutes**

Resolved that the minutes of the meeting held on 8 November 2023 are approved as a correct record.

27/23

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 5.51pm

Appendix 1

Petition Received From	Action Taken/Proposed
1. Residents along Rooth Street, Wednesbury requesting the conversion of Rooth Street into a cul-de-sac.	Following representations from petitioners, officers were requested to investigate the feasibility and associated options to convert Rooth Street into a cul-de-sac. An update would be provided to a future meeting.
2. Residents of Myrtle Terrace, Tipton requesting double yellow lines between Bilston Road and Diane Close.	Following representations from petitioners, officers were requested to investigate options for addressing the narrow road and access challenges, and the increased traffic during school term time. Options were to include the possibility of putting double yellow lines on the carriageway. An update would be provided to a future meeting.
3. Residents of Hill Street, Tipton requesting a parking permit scheme.	Following representations from petitioners, officers were requested to explore options, including the feasibility of a parking permit scheme to address the challenges raised by the residents of Hill Street.
4. Residents of Brickhouse Lane, Wednesbury requesting a parking permit scheme.	Following representations from petitioners, officers were requested to explore options, including the feasibility of a parking permit scheme to address the challenges raised by the residents of Brickhouse Lane.
5. Residents of Eastfield Road, Tipton requesting the closing of a right-of-way route/ footpath between Eastfield and Field Road	Following representations from petitioners, officers had been requested to investigate the request to close right-of-way route/ footpath between Eastfield and Field Road. An update would be provided to a future meeting.
6. Residents in and around Wellington Road requesting the easing of traffic problems.	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.
7. Residents of Thomas Cox Wharf and Alexandra	The responsibility to progress the adoption of any new roads on a development fell

<p>Grange, Tipton, requesting adoption of roads.</p>	<p>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>8. Residents of Dartmouth Street. West Bromwich, requesting a parking permit scheme.</p>	<p>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.</p>

<p>9. 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>Abbey Road did benefit from a zebra crossing which helped to serve both Abbey Junior and infant school, as well as many other local residents in the area. Zebra crossing facilities were used outside schools as they worked more efficiently with larger numbers of pedestrians. This was because usually 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 needs to wait for the green man to appear, before making sure the vehicles have stopped before they start crossing the carriageway. On average it took 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 had been undertaken in the vicinity of Abbey School, which included 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’. It was accepted that as the zebra crossing was at the top of a hill, visibility could sometimes be poor and that a Crossing Guard had previously been present at Abbey Junior and infant school at the start and end of the school day to assist pupils to cross the carriageway. Officers had been identified to explore moving the</p>
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	<p>nearby bus stop markings on the carriageway away from the zebra crossing to increase visibility. Following further representations from residents Officers undertook to ensure that the zebra crossing Belisha beacons were working correctly and if broken, to fix them urgently. The Committee requested that officers undertake further investigation into the matter considering all options available.</p>
<p>10. Residents of Park Lane West, Tipton, requesting residents parking outside nos. 173-184.</p>	<p>The red route is place along Park Lane West was to help keep the road clear of obstructions during the busiest times throughout the day. The parking was 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 was removed along this section of Park Lane West. This was not therefore being recommended by Highways at this time.</p>
<p>11. Residents in and around Hancox Street, requesting double yellow lines for part of Hancox Street.</p>	<p>The request for double yellow lines for part of Hancox Street, Oldbury, had been placed on file to be considered during the next parking review of this area. The introduction of parking restrictions followed a statutory process that required a traffic regulation order (TRO) to be made. It was 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 did allow members of the public to view plans and object. Should objections be received that could not be resolved, the matter would be presented to the Cabinet Member for Environment and Highways for a decision. It was approved that the petition be</p>

	closed. The head petitioner had been informed.
12. Residents in and around Gospel Oak Road, Tipton, requesting the creation of a car park on Gospel Oak Road.	The land identified at Gospel Oak Road, Tipton was a Council owned asset. Whilst the demand for local parking had been noted, the conversion of this land in its current state, along with its overall topography, would have required 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 recognised the ever- increasing pressures on transport infrastructure, there were 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 was currently zoned as a Wildlife Corridor and had also been identified in the draft Sandwell Local Plan (out for consultation) as a potential future nature conservation area, in order to support biodiversity in the Borough. The creation of the car park was therefore not supported due to budgetary constraints and objectives. It was approved that the petition be closed. The head petitioner had been informed.
13. Residents of Yew Tree and Charlemont Estates concerning the withdrawal of the no. 45 bus service.	Transport for West Midlands (TfWM) was now funding the 45 bus service which would continue to be operated by Diamond Bus and remained unchanged. TfWM had confirmed that the operation of the route would be continuing. It was approved that the petition be closed. The head petitioner had been informed.
14. Residents of Oldacre Road, requesting parking restrictions for non-	A residents’ permit parking scheme had been considered for Oldacre Road, and the scheme could only be implemented on

residents during school pick- up/ drop- off times.

one side of the road. This was because the carriageway was narrow and double yellow lines would have been 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 leave enough space for only 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 was likely to cause inconvenience. In addition, Penalty Charge Notices couldn't be issued immediately because an observation period that must be adhered to. In addition to this, the parking restrictions needed to be enforced by the Civil Enforcement Officers who undertook enforcement around all schools in Sandwell. It was not possible for Civil Enforcement Officers to be outside a particular school every day. The parking restrictions would need to be advertised as part of the statutory process for implementing traffic regulation orders. This would give anyone the right to object and the outcome of proposals for parking restrictions couldn't be guaranteed. Under these circumstances, Highways would not recommend the implementation of permit parking or parking restrictions because parents were likely to continue to park for the short period of time required to drop off and pick up children. It was approved that the petition be closed. The head petitioner had been informed.

<p>15. Residents of Herbert Street in West Bromwich Central requesting for the easing of parking restrictions</p>	<p>Herbert Street, West Bromwich, was a residential road located in the town centre near Bull Street. Most properties were terraced houses without off street parking. A residents' parking scheme was in operation at all times. The introduction of residents' parking schemes required residents to submit a petition making the request. Where schemes could 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 occurred in residential roads that were within walking distance of West Bromwich town centre. Those working in the town or visiting would often park in nearby roads to avoid parking charges. This had a detrimental effect on parking for residents. Some residents had 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. When shop workers park in a road it can be 8pm before cars are moved. The parking that takes place at present in Herbert Street would be residents with permits or their visitors. Relaxing the restrictions would allow others to park in the road overnight, and this would not improve the parking situation for residents. It was approved that the petition be closed. The head petitioner had been informed.</p>
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Report to Cabinet Petitions Committee

17 January 2024

Subject:	Petitions Progress Report
Contact Officers:	Democratic Services Officer, John Swann John_Swann@sandwell.gov.uk







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?

		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 43 – Residents in the vicinity of Millennium Forge Care Home (Tipton Green)	Opposition to the closure of the care home and associated issues.	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 11 December 2023)

5.2 Progress on outstanding petitions

Signatories	Subject	Action Taken/Proposed
5.2.1 37 – Residents of Myrtle Terrace, Tipton (Princes End)	Request for double yellow lines, between Bilston Road and Diane Close	Petitioners raised concerns regarding the narrow road and access challenges, and the increased traffic during school term time. An option included the possibility of putting double yellow lines on the carriageway. An update will be submitted to a future meeting. (Received 24 November 2023)
5.2.2 10 – Residents of Hill Street,	Request for a parking permit	Petitioners had requested the introduction of a parking permit



	Tipton (Tipton Green)	scheme along Hill Street.	scheme for residents. This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 4 December 2023)
5.2.3	13 – Residents of Brickhouse Lane, Wednesbury (Wednesbury South)	Request for a parking permit scheme on Brickhouse Lane	Petitioners had raised concerns regarding parking problems in the area. This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 4 December 2023)
5.2.4	15 – Residents of Eastfield Road, Tipton (Princes End)	Request to close right- of- of way route/ footpath between Eastfield and Field Road	Petitioners had raised concerns regarding anti- social behaviour relating to the right- of- way route/ footpath between Eastfield and Field road and had requested that it is closed. This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 27 September 2023)
5.2.5	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)
5.2.6	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)

5.2.7 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



5.2.8 109 – Residents in the vicinity of Abbey Road Schools (Abbey)

Request for a Puffin Crossing to replace the Zebra Crossing at Abbey Road Schools

be reviewed. An update would be provided to a future meeting. (Received 20 June 2023)

Abbey Road did benefit from a zebra crossing which helped to serve both Abbey Junior and infant school, as well as many other local residents in the area. Zebra crossing facilities were used outside schools as they worked more efficiently with larger numbers of pedestrians. This was because usually 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 needs to wait for the green man to appear, before making sure the vehicles have stopped before they start crossing the carriageway. On average it took 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 had been undertaken in the vicinity of Abbey School, which included 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'. It was accepted that as the zebra crossing was at the top of a hill, visibility could sometimes be poor and that a Crossing Guard had previously been present at Abbey Junior and infant school at the start and end of the school day to assist pupils to cross the carriageway. Officers had been identified to explore moving the nearby bus stop markings on the carriageway away from the zebra crossing to increase visibility. Following further representations from residents Officers undertook to ensure that the zebra crossing Belisha beacons were working correctly and if broken, to fix them urgently. The Committee requested that officers undertake further investigation into the matter considering all options available.

(Received 20 October 2023)



5.3 Petitions requiring final approval

Signatories	Subject	Action Taken/Proposed
5.3.1 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)
5.3.2 29 – Residents along Rooth Street, Wednesbury (Wednesbury North)	Request to convert Rooth Street in Wednesbury into a cul-de-sac	To change the highway layout to a cul de sac at Rooth Street, a turning head would need to be constructed. This is for the purpose of allowing motorists and service vehicles enough space to turn their vehicles around and leave the road in a forward gear. However, there is insufficient highway space available at the end of Rooth Street to create a turning head, that would meet the current design standards and retain a minimum 2m footpath for pedestrian movement. In addition, there are no highway safety reasons to support the recommendation of a cul de sac



along Rooth Street. There have been no recorded injury collisions on Rooth Street or around the junction with Wood Green Road in the last 3 years. This is not therefore being recommended by Highways at this time.
(Received 14 November 2023)

6 Source Documents

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

