

Agenda

Cabinet Petitions Committee

Wednesday, 6 March 2024 at 5.00pm
In the Council Chamber - 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 - 12
To confirm the minutes of the meeting held on 17 January 2024 as a correct record.
- 4 Progress Report** 13 - 24
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 17 January 2024 at 5.01pm
at Sandwell Council House, Oldbury**

Present: Councillor Hackett (Acting chair);
Councillors Khatun and Padda.

In attendance: Christine Anne Guest (Assistant Director – Commissioning, Integration and Adults Safeguarding Board), Mervyn Bartlett (Interim Assistant Director of Highways), Sharon Lang (Senior Engineer), Stephnie Hancock (Deputy Democratic Services Manager) and John Swann (Democratic Services Officer).

1/24 **Apologies**

An apology for absence was received from Councillor Millard (Chair).

2/24 **Declaration of Interest**

There were no declarations of interest.

3/24 **Minutes**

Resolved that the minutes of the meeting held on 13 December 2023 are approved as a correct record.

4/24

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 5.34pm

Petition Received From	Action Taken/Proposed
<p>1. Residents in the vicinity of Millennium Forge Care Home expressing opposition to the closure of the care home and concern about future use of the site.</p>	<p>Officers reported that the Millennium Forge facility was not a care home but was an extra care housing scheme operated by Accord Housing. The facility had now closed and all residents other than one had already been re-homed. It was understood that this was a commercial decision taken by Accord Housing. It was acknowledged that, as the Council did not own or have a contract in respect of this facility, which was a private business, the actions the Council could take in this instance were limited. Additionally, there was no obligation on Accord Housing to advise the Council of its proposals for the future use of the site. The Committee decided to visit the site to discuss the concerns with residents. Efforts would also be made to contact Accord Housing to ascertain what, if any plans it had for the site.</p>
<p>2. Residents of Myrtle Terrace, Tipton requesting double yellow lines between Bilston Road and Diane Close.</p>	<p>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.</p>
<p>3. Residents of Hill Street, Tipton requesting a parking permit scheme.</p>	<p>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.</p>
<p>4. Residents of Brickhouse Lane, Wednesbury requesting a parking permit scheme.</p>	<p>Following representations from petitioners, officers were requested to explore options, including the feasibility of a parking permit scheme.</p>

	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- 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- 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 plot 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 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

	<p>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,</p>

	<p>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.</p>
<p>10. Residents of Park Lane West, Tipton, requesting residents parking outside nos. 173-184.</p>	<p>Officers had reported that the red route was in place along Park Lane West, to help keep the road clear of obstructions during the busiest times of day. The parking was therefore restricted during the hours of 7am to 7pm and residents and visitors could park outside of these times when the highway network was quieter. The highways department had confirmed there would be too many obstructions during peak times, if the red route restriction was removed along this section of Park Lane West. It was acknowledged that as Park Lane West was a principle A-road containing a bus route, the road</p>

	<p>couldn't be narrowed. Whilst the committee recognised the petitioner's concerns relating to parking availability the loading bay opposite the block of flats restricted what actions could be taken. The Committee decided to visit Park Lane West to consider what options were feasible that would address the petitioners' concerns.</p>
<p>11. Residents along Rooth Street, Wednesbury requesting the conversion of Rooth Street into a cul-de-sac.</p>	<p>To change the highway layout to a cul de sac at Rooth Street, a turning head would need to be constructed to allow motorists and service vehicles enough space to turn their vehicles around and leave the road in a forward gear. However, there was insufficient highway space available at the end of Rooth Street to meet the current design standards and retain a minimum 2m footpath for pedestrian movement. In addition, there were no highway safety reasons to support the request. There had been no recorded injury collisions on Rooth Street or around the junction with Wood Green Road in the last three years. It was approved that the petition be closed.</p>

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Report to Cabinet Petitions Committee

6 March 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 27 - Residents in the vicinity of Silverlands Avenue (Brandhall)	Request for traffic control measures	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 19 January 2024)
5.1.2 39 – Residents in and around Pool Lane (Langley)	Objection to the opening of a children’s home	Planning permission for a children’s home on Pool Lane was refused in March 2023. The Council subsequently issued a Lawful Development Certificate for a change of use from a class C3 dwelling-house to a class C4 house in multiple occupation for a maximum of six residents. This was a permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and planning permission was therefore not required. Officers undertook to investigate further once the



petition had been presented to the committee.

(Received 22 January 2024)

5.1.3	20 – Residents in and around Perryfields School (Old Warley)	Request for CCTV to improve parking safety in the vicinity of Perryfields School	This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 26 January 2024)
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5.2 Progress on outstanding petitions

Signatories	Subject	Action Taken/Proposed
5.2.1	10 – Residents of Hill Street, Tipton (Tipton Green)	Request for a parking permit scheme along Hill Street. Petitioners had requested the introduction of a parking permit scheme for residents. This matter was being investigated by officers and an update will be submitted to a future meeting. (Received 4 December 2023)
5.2.2	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)
5.2.3	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)
5.2.4	175 – Residents in and around	Request for the easing of traffic Petitioners raised concerns regarding parking problems in the



	Wellington Road, Tipton (Tipton Green)	problems on Wellington Road, Tipton	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 February 2023)
5.2.5	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)
5.2.6	16 – Residents of Park Lane West, Tipton (Tipton Green)	Request for resident only parking spaces outside of 173-184 Park Lane West.	Officers had reported that the red route was in place along Park Lane West, to help keep the road clear of obstructions during the busiest times of day. The parking was therefore restricted during the hours of 7am to 7pm and residents and visitors could park outside of these times when the highway network was quieter. The highways department had confirmed there would be too many obstructions during peak times, if the red route restriction was removed along this section of Park Lane West. It was acknowledged that as Park Lane West was a principle A- road containing a bus route, the road couldn’t be narrowed. Whilst the committee recognised the petitioner’s concerns relating to parking availability the loading bay



opposite the block of flats restricted what actions could be taken. The Committee decided to visit Park Lane West to consider what options were feasible that would address the petitioners' concerns. Once the visit had taken place a further update would be provided to the Committee.

(Received 12 March 2023)

5.2.7 43 – Residents in the vicinity of Millennium Forge Care Home (Tipton Green)

Opposition to the closure of the care home and associated issues.

Officers reported that the Millennium Forge facility was not a care home but was an extra care housing scheme operated by Accord Housing. The facility had now closed and all residents other than one had already been re-homed. It was understood that this was a commercial decision taken by Accord Housing. It was acknowledged that, as the Council did not own or have a contract in respect of this facility, which was a private business, the actions the Council could take in this instance were limited. Additionally, there was no obligation on Accord Housing to advise the Council of its proposals for the future use of the site. The Committee decided to visit the site to discuss the concerns with residents. Efforts had been made to contact Accord Housing to ascertain what, if any plans it had for the site. An update would be provided to a future meeting.

(Received 11 December 2023)



5.3 Petitions requiring final approval

Signatories	Subject	Action Taken/Proposed
5.3.1 146 - Residents in and around Europa Close, West Bromwich (West Bromwich Central)	Concerns with the proposed cycle route between Europa Avenue and Sandwell Valley	<p>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:-</p> <p>(1) That having listened and considered the views of local residents, the Economy, Skills, Transport and Environment Board:-</p> <p>(a) note that the Working Group are satisfied that consultation on the Europa Avenue cycle path, which was carried out both online</p>



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.'

Whilst it was recommended that the petition be closed, it had been acknowledged that the head petitioner should be afforded the opportunity to address the Committee.

5.3.2 138 – 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. Officers had undertaken further investigations and it was recommended that the Council decline to adopt the private roads including associated infrastructure on these sites as the construction does not meet the standards suitable for maintenance at public expense. It was beyond the remit of the Council as Local Highway Authority to use significant public funds to complete work on private land to improve private roads including associated infrastructure or private sewers and the Council



had no legal responsibility to do so. It is therefore not recommended that the Council adopt the private roads at this time.

(Received 21/ April 2023)

5.3.3 109 – 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 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. A separate meeting had been held between the head petitioner and highways in respect of the crossing facility at Abbey Road, Bearwood, during which a full explanation was provided as to the reasons behind the recommendation to retain the existing zebra crossing facility at



this particular location. This included the risk of altering the type of crossing facility and the location of the crossing facility where there have been very few injury collisions. At the meeting a request was made by the head petitioner to reinstate the school crossing patrol on the zebra crossing facility at Abbey Road. This has been considered by highways and it is recommended the funds for additional road safety measures are prioritised in areas outside schools that do not currently benefit from any type of crossing facility or school crossing patrol operative. It is however recommended that the existing school crossing patrol signs along Abbey Road and Barclay Road were upgraded to electronic vehicle activated speed signs. This new signage would offer motorists an advance warning on the approach to the existing crossing facility.

(Received 20 October 2023)

5.3.4 37 – Residents of Myrtle Terrace, Tipton (Princes End)

Request for 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. The parking around Myrtle Terrace has been observed by highways officer. There didn't appear to be any school parking during the morning peak time.



However, during the afternoon school peak time, there is some parking occurring opposite property numbers 32 to 38, whereby parents are waiting in their vehicles. The parking was for relatively short periods of time in the afternoon and the area was a few minutes walk away from the school, which deterred most parents parking at this location. If parking restrictions were installed, this was not likely to deter the parking as parents are not leaving their vehicles. Parents were likely to continue to park on Myrtle Terrace until a Civil Enforcement Officer appears, which would result in them driving away prior to any enforcement taking place. It is recommended by highways that parking restrictions were proposed for the corners of both entrances to Myrtle Terrace. This will help to maintain visibility for residents leaving Myrtle Terrace during school peak times.
(Received 24 November 2023)

6 Source Documents

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

