

AREA PANEL FOUR – UPDATE REPORT

FOR 30 MARCH 2005

**ST. GEORGE'S CATHOLIC PRIMARY SCHOOL, UPLANDS AVENUE,
OFF BLAGREAVES LANE**

Area and Neighbourhood Unit

Richard Smail, Area Panel Manager, telephone 258505

**Vickie Butler, Information and Communications Officer, telephone
258529. Minicom 01332 258522**

CONTENTS PAGE

Community Issue

Page Number

1.	Ref: 402030 - Redevelopment of University of Derby Mickleover campus, Mickleover – raised 27.11.02	3
2.	Ref: 404010 – Alcohol Free Zone, Mickleover – received 25.03.04	5
3.	Ref: 404025 – Planning Application at East Midlands Airport, all wards – received 19.05.04	7
4.	Ref: 404031 – Kerb on City Hospital Island, A516, Littleover – received 21.07.04.....	9
5.	Ref: 404047 – Traffic Speed and Traffic Quantity on Old Hall Road and the Hollow, Littleover and Blagreaves – raised 17.11.04	10
6.	Ref: 404048 – Fence Repairs by Trent Drive/Maple Drive, Blagreaves – raised 17.11.04	11
7.	Ref: 404051 – Stenson Road Roadworks, Blagreaves – raised 17.11.04	12
8.	Ref: 404052 – Motorbikes Using Bus Lanes, all wards – raised 17.11.04	14
9.	Ref: 405001 – Uttoxeter Road Maintenance and Highway Improvements – raised 19.01.05	15

Petitions

10.	Ref: 404028 – Petition– Skateboard Park Request, Littleover - received 21.07.04	17
11.	Ref: 402015 – Petition- Bendall Green Play Area, Blagreaves – raised 26.06.02. Petition received on 7.04.04 and second petition received on 21.07.04	19
12.	Ref: 404045 – Petition - Request for pedestrian crossings, Station Road, Mickleover – raised 29.09.04	22
13.	Ref: 404037 – Petition – Road Safety on Havenbault Lane, Littleover – raised 29.09.04	23
14.	Ref: 405002 – Petition – Woodcote Way Play area, Heatherton, Littleover – received - 19.01.05	25
15.	Ref: 405003 – Petition – Removal of sycamore trees on Willson Avenue, Blagreaves – raised 19.01.05	26

1. Ref: 402030 - Redevelopment of University of Derby Mickleover campus, Mickleover – raised 27.11.02

Issue

This issue was raised in November 2002 asking for assurances from the Council that the quality of life for local residents would be taken into account during the future redevelopment.

Action reported at the meeting on 19 January 2005

It was reported that the University is still waiting for the outcome of the report of the Inspector who conducted the City of Derby Local Plan Review. Until they have the outcome of the report the Council cannot make any decisions on the proposals.

At the meeting in July 2004 a resident requested an assurance that an equal number – or even more – new, high quality pitches will be created before the use of existing pitches is lost and that an update on how this objectives is to be achieved.

In response, it was reported that part of the Campus is proposed for residential development in the Council's emerging City of Derby Local Plan Review. These proposals have been objected to and these objections are currently being considered by an independent Inspector who recently held a public inquiry into the draft plan. His report, which makes recommendations to the Council, is expected by April 2005, although it might be received earlier than this. The Council would not encourage an application for planning permission on this site until the Inspector has confirmed the housing allocation. The CDLP Review sets out the Council's policy for the development of this site, should the Inspector agree with the housing allocation. He may also recommend changes to the policy. We will therefore need to await this report and consider it before any firm progress, such as making decisions on sports pitches, can be made.

The current football pitches on both sides of the brook. Those on the southern side fall within the development site proposed in the draft CDLP Review. Current policy would therefore permit their development. However the draft plan also requires their replacement on the other side of the brook on land that it is envisaged would be dedicated and laid out as public open space. Early discussions with the Sports Council suggest that the replacement might be best achieved through the provision of a multiuse pitch, Astro turf or similar. The draft plan indicates this. However, the precise nature of this replacement will be subject to further discussions and it is also envisaged that public consultation will take place on any proposals. Policy L7 of the emerging plan, which deals with sports pitches, requires replacement pitches to be provided before commencement of development.

The Council has no powers to require the University to replace pitches it no longer needs at its Mickleover Campus if it simply closed this facility. It is the proposed residential development on part of the site that actually creates the opportunity to secure the replacement pitches. However, it also offers the opportunity to secure the open land to the north of the brook as public open space, including the retention of the pitches on this part of the Campus.'

In January 2005 it was reported that the official date for receipt of the Inspector's report is still April 2005. However, indications from the Planning Inspectorate suggest that we will receive it in January 2005.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005
--

None.

Actions agreed at the meeting on 19 January 2005
--

Update on inspectors report

Updates on agreed actions to feedback at the meeting on 30 March 2005

The Inspector's report has now been received. The Council will formally consider these recommendations over the late spring and summer and will bring forward modifications to the Local Plan Review following this. The Inspector has made two alternative recommendations with regard to the redevelopment of the University of Derby Mickleover campus.

The first is that in the absence of a satisfactory form of access, the residential allocation at Mickleover Campus is deleted.

The second alternative recommendation is that in the event a satisfactory form of access being identified to maintain the allocation subject to a number of changes to the draft policy. These are to:

- refer to the Council's intention to seek 30% of new houses as affordable houses rather than a set figure of 120 as it currently states.
- seek the retention of public swimming pool facilities on the site. This is intended to allow the pool to be rebuilt on the site rather than the implication of the original policy, which suggested that the existing buildings must be retained. Allowing the pool to be rebuilt allows greater flexibility if the existing buildings are found to be in such poor quality that they cannot be retained. However, this will need assessing as part of further work on the proposal. He also recommends a change to paragraph 5.12 to reflect this.
- reinstate a paragraph from an earlier version of the policy, which provides justification for the inclusion of green wedge land within the proposal.
- include details of the proposed means of access in paragraph 5.11

The rest of the policy would remain as set out in the Local Plan Review – revised deposit version.

Responsibility

Andrew Waterhouse, Team Leader – Plans and Policies, Development and Cultural Services,
telephone 255023

Richard Smail, Area Panel Manager, Policy Directorate, telephone 258505

2. Ref: 404010 – Alcohol Free Zone, Mickleover – received 25.03.04

Issue

A member of the public asked if an Alcohol Free Zone could be introduced around Vicarage Park and Bramblebrook Park.

Action reported at the meeting on 19 January 2005

In March 2004, it was confirmed by the Police that these areas are not currently included in Alcohol Free Zones –AFZ.

In May 2004, it was reported that the Chief Legal Officer has started the process to assess whether an AFZ will be designated in Mickleover. It was confirmed that there is currently a waiting list for the designation of AFZ in Derby.

In July 2004, it was reported that the Police had sent an interim report to the Chief Legal Officer outlining the issues that relate to drinking in open spaces in Mickleover.

In September 2004 the Police provided their priority list for additional AFZ in Derby. In addition to Mickleover, there were a number of other areas in the city being considered and the list in order of priority is:

1. Normanton
2. City Centre Area
3. Mickleover
4. West End/Darley

In November 2004, it was reported that the Council has started to progress the Normanton designation. The first stage involves asking the Police to:

- comment on the extent of the AFZ
- provide details of recorded incidents in the area.
- Provide a written assessment of the need for an AFZ in the area

It usually takes at least six months to designate an AFZ and the Council can only deal with one designation at a time because of staff resources. Mickleover is third on the list and is dependant on funds being available as part of the 2005/'06 budget process. A Mickleover resident was disappointed that the introduction of an AFZ in Mickleover had to wait so long because of the limited capacity within the Council. He asked the panel to consider increasing the funding available to the process.

The Council was asked if it could use its new responsibility for issuing alcohol licences under the Licensing Act 2003 to refuse to issue alcohol licenses in areas that are proposed for Alcohol Free Zones.

In January 2005, it was reported that the Licensing Act 2003 cannot be used to designate AFZ's nor can it be used to refuse a licence because it is in an AFZ. However, any 'interested parties', such as local residents and businesses, will be able to make representations to the Council when new applications or variations to existing licences are made, including those in an AFZ.

It was reported that the bid for additional AFZ funding for 2005/06 was unsuccessful and therefore there is now a doubt about starting the designation of the Mickleover AFZ in 2005/06 as anticipated.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

None.

Actions agreed at the meeting on 19 January 2005
--

None.

Updates on agreed actions to feedback at the meeting on 30 March 2005

Consultation on the Normanton AFZ designation is currently ongoing with the police and with other Council departments. It is hoped to make the AFZ designation in early Summer 2005 following wider consultation.

The three areas covered by the byelaws, the City Centre, Sinfin and Spondon, have to be designated as the present byelaws will automatically be repealed in 2006. The police have identified the redesignation of the City Centre as the next priority after Normanton.

The cost of designation of an AFZ arises from the need to advertise the proposals in the local press both before and after the Order is made and to have signs made and installed around the designation area. The cost will vary depending on the number of signs needed, but averages about £3,000 for one area. The bid for additional funding to cover the cost of designating AFZs in 2005/06 was unsuccessful and therefore the designation of any future areas this financial year will be dependent on making savings elsewhere. These cannot be guaranteed.

The earliest that the Mickleover AFZ is likely to be made is Summer 2006, but this will be dependent on funding becoming available, staff availability and no other area taking priority.

Responsibility

Stuart Leslie, Chief Legal Officer, Corporate Services, telephone 255450

3. Ref: 404025 – Planning Application at East Midlands Airport, all wards – received 19.05.04

Issue

A resident asked if the Council would be responding to the East Midlands Airport runway expansion planning application and whether the Council will have a permanent watching brief over future developments. He stated that the airport have said the extension would not make any difference to the volume of air traffic.

Action reported at the meeting on 19 January 2005

The Airport's planning application for a runway extension was originally submitted to North West Leicestershire DC- NWLDC, in 2000. The Council submitted a response to the Environmental Statement to NWLDC on 20 May 2004. Officers at the District Council have indicated that they are seeking more information from the applicants and that it is likely to be some time before the application is determined. The District Council has been asked to keep the City Council informed regarding progress.

The Council was asked to send further representations to Nottingham East Midlands Airport regarding the operational changes to the west side of Derby to reduce noise impact, especially at night. In response, it was reported that Julian DeMowbray would coordinate the Council's response to the consultation document on Controlled Airspace proposals and the notes provided by the resident will be considered when the Council responds. The deadline for responses is 10 January 2005 and a copy of the response will be available from Julian DeMowbray after 10 January.

In November 2004 North West Leicestershire District Council informed us that the additional information they were seeking to help determine the application has now been obtained and agreed. However, there is at present no date for the application to go to Committee – February or March 2005 seems the earliest likely date.

Julian DeMowbray - Environmental Health reported to the Council's Policy Coordination Group and a response was sent to Nottingham East Midlands Airport. In summary, the council has not objected in principle to the proposals, since revised departure flight paths and continuous descent approaches should result in marginally reduced noise levels for Derby residents. However, the Council's reply also raises concerns about night-time noise from freight aircraft movements and requests consideration be given to increasing the release height for all westerly departing aircraft to 5000 ft, to further reduce noise levels.

Public response at the meeting on 19 January 2005

As a result of an article in the Derby Evening Telegraph on 14 January regarding the possible development of 1,000 dwellings beyond Heatherton Village, Mr Purdy asked how the Council would make sure that all reasonable steps are being, and will be taken to inform prospective residents about the risk of sleep disturbances due to low flying aircraft. He also suggested that flights paths are plotted on maps.

Council response at the meeting on 19 January 2005

Councillor Allen agreed with Mr Purdy, and asked that this issue be reported to Julian DeMowbray. He also agreed that it would be useful to have flight paths plotted on a ground map.

Actions agreed at the meeting on 19 January 2005
--

Update on planning application.

Update on EMA's controlled airspace proposals

Respond to the proposal that the Council takes steps to inform Heatherton residents about the flight paths.

Updates on agreed actions to feedback at the meeting on 30 March 2005

- North West Leicestershire still have no firm date for consideration of the planning application, it is likely to be at least two more months.
- NEMA has now gained approval from the Civil Aviation Authority to instigate the changes, which are expected to be fully operational with effect from 12 May 2005.

Although the airport has responded to some of the comments it received, by revising its proposals, the City Council's request for an increased release height for westerly departures has been rejected. NEMA has said that changes will, however, be made to the way it monitors, records and reports on aircraft operations. The ICC - the Independent Consultative Committee - an independent body, will oversee these. The monitoring will be done in partnership with local authorities and will focus on what affect the new routes have on local people and noise. NEMA states that this is being done in response to concerns that the proposed changes would not be properly enforced and monitored and also that they would not achieve the desired result (i.e. reduced noise levels).

- The council is under no obligation to inform prospective residents about aircraft noise. Land searches use a national standard form that cannot be altered and the re is no question referring to traffic or aircraft noise. Similarly, the Council is not in a position to instruct NEMA to issue such advice.

Responsibility

Rob Salmon, Head of Plans and Policies, Development and Cultural Services, telephone 255020
Julian DeMowbray, Group Leader Pollution Control, Environmental Health, telephone 715228

4. Ref: 404031 – Kerb on City Hospital Island, A516, Little over – received 21.07.04

Issue

A resident was concerned about the way part of the City Hospital roundabout was reconfigured during the improvements last year. He explained that many people had complained about the dangerous feature towards a corner of the island, as you head out of town to Micklegate. He had complained to the Highways Agency but nine months later the feature is still there and many vehicles have been damaged. He asked the panel to resolve the problem before serious injury occurs.

Action reported at the meeting on 19 January 2005

It was reported that the Council had contacted the Highways Agency by letter in March 2004, by e-mail in August and several times by telephone but with no response to the complaints about the kerb. On 16 September an officer spoke to the Highways Agency and they agreed to arrange a site meeting. This meeting will establish when the remedial works will be completed. Councillor Allen confirmed it is the Highways Agency who is responsible for resolving this issue.

Carol Davies from the Highways Agency informed the Council that South Derbyshire Acute Hospitals NHS Trust - SDAHNT - have instructed their consultants Waterman Burrow Cropper to prepare sketches for a number of outstanding works around the traffic island. Once these have been finalised SDAHNT will arrange for their contractors to complete the work before Christmas 2004.

In January 2005 the Highways Agency confirmed that the SDAHNT should have completed the repairs by Christmas 2004. They wrote to SDAHNT on 3 December 2004 reminding them of their responsibility to complete all the outstanding repairs on the traffic island including this kerb. The Highways Agency informed the SDAHNT that unless the Trust completes the work then the Highways Agency could employ new contractors to complete the work and charge the SDAHNT. The Highways Agency anticipates that the work will now be completed by March 2005. The contact at the Highways Agency is Simon Skinner on 0121 678 8584.

Public response at the meeting on 19 January 2005

A member of the public asked if the improvements to the kerb was linked to the improvements planned for Uttoxeter Road.

Council response at the meeting on 19 January 2005

Richard Smail explained that this kerb work was the Highways Agency responsibility and the improvements to Uttoxeter Road was a separate issue and was the Council responsibility. He confirmed that the Highways Agency is continuing to put pressure on the Health Trust and aim to make sure the work is completed by March 2005.

Actions agreed at the meeting on 19 January 2005

Update on progress.

Updates on agreed actions to feedback at the meeting on 30 March 2005

Simon Skinner from the Highways Agency has confirmed that because the SDAHNT had not completed the work the Highways Agency completed the kerb work on their behalf at the end of January. The Agency will now charge the SDAHNT for the work that was done to the kerb.

Responsibility

Simon Skinner, Highways Agency, telephone 0121 678 8584.

5. Ref: 404047 – Traffic Speed and Traffic Quantity on Old Hall Road and the Hollow, Littleover and Blagreaves – raised 17.11.04

Issue

A resident raised a concern about the amount and density of traffic using the Hollow and Old Hall Road area. He felt that the approved development of more flats in the area would make the problems worse. He asked that the Council look at traffic management options for the area. The problems are made worse by lack of parking for the school and only one pavement on Old Hall Road and the Hollow.

Action reported at the meeting on 19 January 2005

A resident from Thornhill Road commented that there are also problems with cars cutting through Thornhill Road, parking on pavements by the bank and a car was written off in an accident last week.

Councillor Care reported that work on Safer Routes to Schools was already taking place in the area with all the feeder schools for Derby Moor Community College.

It was reported that the investigation work has not yet been completed.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

None.

Actions agreed at the meeting on 19 January 2005

Update on investigation.

Updates on agreed actions to feedback at the meeting on 30 March 2005

We are still investigating this issue and will report back to the next meeting on 29 June 2005.

Responsibility

Tony Gascoigne, Traffic Control Engineer, Development and Cultural Services, telephone 715019.

6. Ref: 404048 – Fence Repairs by Trent Drive/Maple Drive, Blagreaves – raised 17.11.04

Issue

A resident raised concerns about the condition of a Council fence that surrounds a garage between Blagreaves Lane and Trent Drive. She explained that it had been identified during an Estate Walkabout with Derby Homes but no action has been taken yet.

Action reported at the meeting on 19 January 2005

It was reported that Derby Homes contacted the Estates Section to determine whether the fencing was on housing land. Estates confirmed the fencing is right on the edge of the housing land and garage boundary. Derby Homes visited the site and priced up an estimated cost of £771 to replace several panels and remove redundant wire mesh fencing. Following the visit, Derby Homes contacted Estates again to establish ownership.

Their records show that Derby Homes is likely to be responsible for the boundary because when we sold the garages the records don't show that we passed on the boundary responsibility. However it is not a boundary Derby Homes would usually keep and Estates have suggested a discussion with the garage owners. Estates will continue to investigate the original transfer details to see if there is further information available.

Derby Homes is awaiting their response and will visit the garages concerned.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

None.

Actions agreed at the meeting on 19 January 2005

Update on investigation to improve the fencing.

Updates on agreed actions to feedback at the meeting on 30 March 2005

Derby Homes is responsible for the boundary. Derby Homes have investigated the fencing and are obtaining accurate costings for the removal of the chain link fencing and to erect new fencing to complete the boundary.

Derby Homes will schedule the work when they have more accurate and full costings.

Responsibility

Pam Stretton, Local Manager, Derby Homes, telephone 716578

7. Ref: 404051 – Stenson Road Roadworks, Blagreaves – raised 17.11.04

Issue

A resident raised a concern about the continual major road works along Stenson Road and wondered if they will ever be completed. She believes that currently Seven Trent Water is doing some work. The road works have made travelling in and out of Derby very difficult.

Action reported at the meeting on 19 January 2005

It was reported that over the last 12 months Transco has been carrying out a large scheme of work to replace the gas mains and connections to domestic properties along the whole length of Stenson Road. The Health and Safety Executive has instructed Transco to carry out this works as part of a national programme to renew old style cast iron mains and services.

The work on Stenson Road has been split into a series of sections. The remaining section is from Sunny Hill Avenue to Village Street, this should have been completed this year, however Transco have fallen behind schedule.

From January to July 2005 Severn Trent Water will be working on a flood alleviation scheme that extends across the Stenson Road and Sinfin area. Part of the scheme will require extensive work in Stenson Road between Oaklands Avenue and Nicola Gardens. To accommodate these works safely, Stenson Road will be closed to through traffic for approximately eight weeks. During this period Transco will also be working within the closed section of road.

1. The City Council also needs to carry out essential maintenance to Stenson Road to reconstruct the carriageway between Sunnyhill Avenue and Blagreaves Lane and also to reconstruct the footways between Sunnyhill Avenue and Village Street. This work was identified to be done this year, but has been delayed due to the on-going utility works. The footway reconstruction scheme cannot take place until Transco has finished their works. Unfortunately, because Transco has fallen behind their programme they will have to wait until Severn Trent Water has completed before being able to finish the gas scheme. This means that the maintenance of the carriageway and footways will be delayed again, although the condition of sections of the existing carriageway may mean that essential works may have to be carried out, even though this will lead to levels of disruption higher than we would normally accept.

It is clear from the list of works that there will be continuing works in Stenson Road through much of 2005. All of the work is essential to maintain services to properties, provide a solution to local flooding problems and to provide essential maintenance to roads and footways. There will be disruption to the traveling public and to residents, however we will aim to work with the works undertakers to reduce the level of disruption and to achieve a coordinated approach to all of the planned works.

Stenson Road closures start on Monday 10 January for about 3 months, from Oaklands Avenue to Nicola Gardens. All buses are re routed and full consultation has taken place.

2. The City Council already has powers under the New Roads and Street Works Act 1991 section 74 to apply charges to works undertakers where works are un-necessarily prolonged. The current system is technical and difficult to apply and there are several simple ways in which works undertakers can avoid being liable for charges.
In October 2004 the Traffic Management Act was passed. This is a wide-ranging piece of legislation, and includes a revision of the way in which works in the highway are planned and managed. Although the primary legislation has been passed, we are still waiting for the details of new powers to be published. It is expected that the necessary secondary legislation and government guidance will be available early in 2005.

It is likely that the current system of charging will be retained, although it will be reformed to make the system less bureaucratic. The charges are also likely to be increased. It is also almost certain that charges will apply to local authority road works and to works undertaken by utility companies, at present only the latter are subject to charges.

It is expected that the full regulations on charging mechanisms and the levels of charges will be published in early 2005.

Public response at the meeting on 19 January 2005

The panel were asked why the Council had not put some sort of traffic management system in place, because there are serious traffic problems due to the bridge being closed. Would something be done, as the works are due to take three weeks? Traffic is using Goodsmoor Bridge, but cannot get out of the junction onto Sinfin Lane.

It was also reported that Victory Road had also been closed off, which was contributing to the traffic problems on Goodsmoor Road and Sinfin Lane.

One member of the public explained that he thought there was a weight restriction, and therefore, should this extra level of traffic, including buses, be using the bridge?

Council response at the meeting on 19 January 2005
--

Councillor Care stated that the Council, knowing that Severn Trent Water – STW were carrying out works, had discussed with Arriva alternative routes, and put in a traffic management system to support them. It was believed that Arriva was not going to run the Number 37 bus along this route, and it would not be going on Goodsmoor Road. However, they changed their minds after the traffic management system had been agreed.

Councillor Care explained that the diversion had not been signed across Goodsmoor Road, because of the amount of bends and the bridge, and this is why temporary traffic lights have not been put in. She agreed that the bus service was having problems and as a result the Council are speaking to Arriva about a possible alternative route.

Actions agreed at the meeting on 19 January 2005
--

Update on progress to address traffic issues around Stenson Road and Goodsmoor Road

Updates on agreed actions to feedback at the meeting on 30 March 2005

We have continued to monitor the traffic and the process of the Severn Trent Water works in Stenson Road. The signals on Goodsmoor Bridge have been adjusted slightly to avoid possible conflict on the bridge and all of the signal equipment has been checked to ensure that it is working correctly. I have been informed that Severn Trent Water is slightly ahead of schedule for the Stenson Road part of the project.

When the work progresses to Grampian Way it has now been confirmed that it will not need to be closed. The investigatory work that STW have been doing over the last few weeks has proved that the whole length of the work in Grampian Way can be done using a tunneling technique. There will be four large compounds, but two way traffic will be maintained at all times. It is possible that two-way signals will be in use for only 12 days.

The original programme has now been changed as a result of the lack of progress by Transco and the change to the detailed design of Grampian Way. Details will be provided when they are available.

Please contact Nigel Brien on 715106 if there are any additional concerns or questions.

Responsibility

John Edgar, Maintenance Manager, Development and Cultural Services, telephone 715067

Nigel Brien, Development and Cultural Services, telephone 715016.

8. Ref: 404052 – Motorbikes Using Bus Lanes, all wards – raised 17.11.04

Issue

A resident asked about the new regulations that will allow motorbikes to use bus lanes and asked if they will allow motorbikes to use Victoria Street because this would make travelling to the Littleover area more convenient.

Action reported at the meeting on 19 January 2005

It was reported that consultation was currently being undertaken, and it is hoped that an experimental order would be introduced during March/April 2005. The bus lanes in question are Uttoxeter New Road and Nottingham Road at both the cemetery and at Pentagon Island. We will be conducting before, after and during monitoring to observe issues and concerns relating to:

- the impact on bus journey times
- the safety of other road users, including pedestrians and cyclists
- the safety of motorcyclists
- other issues, for example, speed and accident statistics

The trial will run for 18 months. Victoria Street will not be part of the order and motorcycles will not be able to use the bus lanes in Victoria Street.

Public response at the meeting on 19 January 2005

A member of the public asked if anything could be done to stop private hire cars – not yellow taxis – using the bus lanes, with particular attention to the bottom of Abbey Street and Uttoxeter Road. He also mentioned that this was happening on Traffic Street.

Another resident stated that the Police should be able to pick this up using the speed cameras.

Council response at the meeting on 19 January 2005

Lucy Care stated that this is a police enforcement issue.

Councillor Skelton reported that the Councils Enforcement Officers in Environmental Health could take action if they have details of any private hire taxis using bus lanes. She asked residents to take the number of the vehicle, the name of the road, the day and time of day that the offence occurs and report it to the Enforcement Officer at the Council. In some locations officers can then check offences on the CCTV cameras. Councillor Skelton confirmed that all traffic offences need to be reported to the Police.

Actions agreed at the meeting on 19 January 2005

None.

Updates on agreed actions to feedback at the meeting on 30 March 2005

No more information available.

Responsibility

Inspector Gary Parkin, Pear Tree Police Station, telephone 222184.

9. Ref: 405001 – Uttoxeter Road Maintenance and Highway Improvements – raised 19.01.05

Issue

A member of the public asked if improvements were going to be made to the traffic lights at the end of Corden Avenue because they were concerned that this would mean changes to the two lanes, making one a bus lane.

Another lady asked how long the road works would take because it would cause major disruption around the hospital island.

Action reported at the meeting on 19 January 2005

New item.

Public response at the meeting on 19 January 2005

Council response at the meeting on 19 January 2005

Councillor Carr responded saying that the details of how the traffic lights will work have not yet been confirmed and he had discussed the issue with Councillor Care.

Richard Smail confirmed that details of the planned work were included in the Area Panel 4 bulletin that was available at the meeting and on the website. The maintenance and improvement scheme on Uttoxeter Road is due to start on 28 February 2005. The scheme effects Uttoxeter Road between the City Hospital roundabout and Corden Avenue. The first stage starts on 28 February and involves the maintenance and resurfacing of the carriageway and pavements and minor traffic management works. The work will include a new, quieter road surfacing, Improvements at all the bus stops to make them more accessible, new cycle lanes and improvements to pedestrian facilities near to Kings Drive.

He confirmed that Uttoxeter Road will be closed on Sunday 6 March and diversions will be put in place. The work should be completed within a couple of weeks depending factors such as the weather.

Richard Smail reported that the second stage is the refurbishment of the traffic signals at Corden Avenue to improve road safety and assist vulnerable road users - this is planned to start soon in the next financial year. This stage will include pedestrian improvements including a new signalised pedestrian crossing on Corden Avenue, improved signal operation, lane alterations to help improve junction safety and allow cycle facilities including advanced cycle stop lines, bus priority at the traffic signals to improve bus journey times and increase reliability.

For more information contact Ian Copeland, telephone 255916 for stage 1 resurfacing/maintenance issues or Ed Ashworth, telephone 715157 for stage 2 relating to the alterations at Corden Avenue.

Actions agreed at the meeting on 19 January 2005

Update on progress with improvements.

Updates on agreed actions to feedback at the meeting on 30 March 2005

The junction alterations do not incorporate a bus lane on any of the approaches to Corden Avenue traffic lights.

We are proposing to use detection loops located in the road surface to give bus priority on both Uttoxeter Road approaches to the signals.

Consultation letters and plans were sent out in January to local residents, Ward Members and the Emergency Services outlining the scheme details. In addition to this we had large yellow signs installed along Uttoxeter Road, Corden Avenue, Chain Lane and Kings Drive giving our contact details to phone for more details.

The resurfacing scheme was scheduled to be largely complete by the 18 March. Road closures took place on Sunday 6 March and 13 March.

The junction alteration part of the scheme is due to start in the next financial year and the timescale is largely dependant on statutory undertakers such as BT. For more information on the scheme please contact Edward Ashworth.

Responsibility

Ian Copeland, Development and Cultural Services, telephone 255916
Ed Ashworth, Development and Cultural Services, telephone 715157

10. Ref: 404028 – Petition– Skateboard Park Request, Littleover - received 21.07.04

Issue

A petition was handed in to the panel with 50 signatures requesting a skateboard park in the Littleover area. They require a small outdoor skate park, which was available to the whole community in Littleover.

Action reported at the meeting on 19 January 2005

Officers welcomed the submission of the petition and recognise the importance of completing a thorough investigation of the request. The investigation will involve work to identify potential sites, consider possible sources for funding and include consultation. It is anticipated that this work will take between 12 and 18 months. The request is linked to other recent requests for information about facilities on open spaces in the Area Panel 4 area and it is proposed that a presentation to draw together these issues is made to the Area Panel 4 meeting on 17 November.

A member of the public asked whether the estimated time was for the investigative work or to build the skateboard park. She thought that this was a very long time to wait, particularly for the young people who want the facilities now. It was confirmed that it would take 12 to 18 months for the investigation work, and that there was no allocation of time for the actual build.

Councillor Allen agreed with the residents, but explained that the Council have to go through many processes including, identifying land, funding and gaining planning permission. He went on to explain that if Council Officers identify council owned land, then the process would be much quicker, but it still needs to include consultation with members of the public.

A presentation was confirmed as part of the agenda at the Area Panel meeting on 17 November. It will include an update on progress with the skateboard park request and a proposal that Parks will look at the provision of wheeled sports facilities as part of the strategic provision of outdoor youth facilities in the City.

In November 2004 Andy Morgan explained that this request is one of many similar requests being received from across the city. He recognises the need for parks like this and the value they have. He explained that over the past year many schemes for youth facilities have been met with opposition from local residents that has led to confrontation and young people missing out on new facilities. He explained that Derby Parks want to change this process and aim to produce guidelines about how new youth facilities are selected bearing in mind need, size, space available and impact.

When the guidelines have been adopted the request for a Littleover skateboard park will be considered. He reported there is no funding currently available for a skateboard park and it is estimated to take about two years to attract funding and build a park. He confirmed there are many similar requests across the city.

In January 2005 it was reported that the guidelines on providing youth facilities are still being developed.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

None.

Actions agreed at the meeting on 19 January 2005
--

Update on progress.

Updates on agreed actions to feedback at the meeting on 30 March 2005

No further progress to report. It is intended to submit a report to Cabinet in due course setting out proposals for wheeled sport provision in parks and open spaces.

Responsibility

David Finn, Head of Youth Services, Education Services, telephone 716956

Andrew Morgan, Landscape and Development Officer, Commercial Services, telephone 715547

11. Ref: 402015 – Petition- Bendall Green Play Area, Blagreaves – raised 26.06.02. Petition received on 7.04.04 and second petition received on 21.07.04

Issue

This issue was first raised in June 2002 highlighting the poor state of repair of the Bendall Green play area and requested a programme of improvements. A petition signed by 114 residents was received on 7 April 2004 against any proposals to install a youth shelter on Bendall Green. A further petition was received on 21 July 2004 containing 211 signatures, stating that local residents do not want a sports wall, just goal posts.

Action reported at the meeting on 19 January 2005

Bendall Green Play Area was identified by the Council as one of the priority play areas for refurbishment in 2004/05 and capital funding has been approved. The funding will act as match funding to secure funding from Living Spaces, Landfill Tax Credit and other sources.

The initial proposed programme was:

April 2004	Submit Planning Application and bid for funding from Living Spaces and Landfill Tax
June 2004	Planning Permission for scheme
Nov 2004	Start on site
April 2005	Scheme complete

Initial Funding identified:

Section 106 money	Approximately £30,000.
Derby City Council	£25,000 approved
Derby Homes	£3,000 approved
Landfill Tax Credit	£14,000 to be applied for
In kind and voluntary contributions	£1,000 to be confirmed
Living Spaces	£75,000 to be applied for

All the funding raised locally will be spent on providing the new play equipment.

As a result of changes to the scheme the funding sources have been reviewed and more up to date information was provided in November 2004. Local Councillors had visited Bendall Green, and in response to the local views and the petition, the Council has now reconsidered its proposals for Bendall Green, and it has been decided to install:

- a new younger children's playground and litter bin
- a pathway from Grovebury Drive to Bendall Green
- a dual-purpose dog and litter bin.

As many people had asked for a facility for teenagers it has also been decided to provide one elsewhere in the Blagreaves ward. However, the Council's application for Living Spaces funding has been rejected because the fund received too many applications, therefore the funding sources will have to be reviewed and the details will be reported to the area panel meeting in November.

As a consequence of this decision it is not possible to go ahead with other new pathways, the knee rail fencing and new lighting. We will start considering possible options for this facility in early 2005.

Residents were informed of the decision about the refurbishment of the play area on Bendall Green in August 2004. The work should start on Bendall Green early in 2005.

A presentation about the Millennium Park will be made at the meeting on 17 November 2004.

A representative from Bendall Green Community Voice raised concerns about the consultation process regarding the planning application, stating that he lives one pavement away from the Green but had not received any consultation. Councillor Care informed the residents that the planning department follow specific guidelines on planning applications, which are different to consultation guidelines and issues. She agreed to check that the Planning Officers had followed their guidelines.

Questions were also raised about putting plans in the library and the funding available to Bendall Green play area. Issues were also raised about safety and antisocial behaviour now that the new footway would not have new lighting installed, even though it was felt funding was previously secured for this. With regard to the lighting issues, Councillor Troup confirmed that there were not enough funds to provide lighting.

Requests were made for clarification on the amount of Section 106 funding available including the £61,000 of Section 106 funding from Swarkestone Drive allocated in 1997 that had remained unspent. Residents were concerned that the funds that were available to the Bendall Green area, would now be used on the Heatherton Community Centre development, which they believe is outside the area. They asked the panel to clarify what money has been sourced.

Richard Smail, Area Panel Manager, acknowledged that the funding for the park has changed because the plans are now different from the original proposals. He referred residents to page 32 of the update report that listed the funding originally identified. He confirmed that as yet, it was not clear exactly which sources had been confirmed to be used to fund Bendall Green, and stated that there would be more details at the next meeting in November.

Councillor Allen asked residents to share their information and apologised for any lack of response to requests for information. He encouraged them to copy all future correspondence to the area panel manager, so that a response could be chased if necessary.

It was reported that the additional funding required to allow the scheme to go ahead has been secured. Derby Parks achieved this by securing Small Change funding for the play area refurbishment at Boulton Lane Recreation Ground. Which allowed the capital funding earmarked for Boulton Lane Recreation Ground to be transferred to Bendall Green play area.

The contractor should start early in 2005 and the work should be completed by March 2005, however this depends on the delivery time for the play equipment.

One new combined dog waste/litter bin will be provided to replace the existing bin plus a new litter only bin - dog waste not permitted - will be installed in the play area as part of the play area refurbishment. Both bins will be installed as part of the play area refurbishment contract.

Public response at the meeting on 19 January 2005
--

Simon Bacon asked if the Council applied for the Landfill Tax Credit funding of £14,000 and if not would it be applying? He also asked for clarification about Section 106 funding being spent in different areas. He stated that there was £61,000 of Section 106 funding from the Swarkestone Drive development and that local people wanted it spending in the local community, but £44,000 is to go to Heatheron Village Community Centre, which is in a completely different part of the City.

Another resident asked if, under the Freedom of Information Act – FOI, he could obtain a copy of the agreement between the Council and the developers that built around Bendall Green.

Council response at the meeting on 19 January 2005

Richard Smail informed the meeting that the Landfill Tax Credit was not applied for because the delays in the project meant the application would miss the deadline for submission.

Jonathan Guest confirmed that discussions about Section 106 funding from Swarkestone Drive have already taken place, and cannot now influence what has been funded from this site. He explained that each Section 106 agreement is considered individually and that there are no specific

rules about how far away or how close to a site a project must be to benefit. It was stated that some of the funding for Bendall Green has come from Section 106 funding from the City Hospital site.

Jonathan considered that if the resident sends in a written request for details of the agreement with the developer then under the FOI Act a copy of the Heads of Terms could be provided. He advised that the resident writes to him.

Actions agreed at the meeting on 19 January 2005

Confirm why no application was made to Landfill Tax Credit funding.
Update on progress with the installation of the play area.

Updates on agreed actions to feedback at the meeting on 30 March 2005
--

The play area and footpath will be completed early March, with reinstatement of grass area programmed for March or April depending on weather conditions.

Officers were very keen to attract as much additional funding as possible to this scheme. Unfortunately, putting together funding packages for projects of this nature does not always work out as planned. Each funder usually has a different application process and requests different levels of information. Landfill Tax credit requires the submission of tenders and detail designs as part of the application.

An application for Landfill Tax Credit funding was not submitted because:

- a) there was a conflict between the results of our consultation showing support for teen facilities and the opposition from some local residents to teen facilities that meant that we could not demonstrate support for teenage facilities. Applications for Landfill Tax need to show community support for the facilities for which funding has been applied for.
- b) once a decision had been taken on what work to go ahead with there was insufficient time left to submit and secure Landfill Tax funding - some of the funding that was already in place and that would have been used as match funding had to be spent by the end of March 2005, which is before a Landfill Tax application decision would be obtained.

Responsibility

Ken Richardson, Parks Officer, Commercial Services, telephone 716646
Sue Phillips, Funding Officer, Commercial Services, telephone 715826

12. Ref: 404045 – Petition - Request for pedestrian crossings, Station Road, Mickleover – raised 29.09.04

Issue

A petition was received requesting two pedestrian crossings on Station Road. The lead petitioner, who was the parent of a child who was injured on this road, raised a concern that Miller Homes intend to build another 500 homes, which will ultimately result in more children using the road. Correspondence from Ian Wallis from Traffic Management, stated that the counts had shown that there was insufficient use.

Action reported at the meeting on 19 January 2005

The lead petitioner informed the panel that parents are now driving their children to school, to make sure they get there safely, which is not helping the issue at all. A resident reported that no changes had been made in response to previous petitions that had been sent in. Councillor Allen requested that an investigation is completed and a report brought to the area panel when it is completed.

Councillor Hird confirmed that the Crossing patrol person had retired and it had proved very difficult to recruit to the post. She has since made several enquiries about what can be done to get a crossing. She too expressed her concern about the problem and agreed to support this petition.

It was reported that the Council has written to the petitioners to acknowledge receipt of the petition. It is not yet clear when the investigations will be concluded. However we recognise the sensitivity of local concerns and will give the work as much priority as we are able to. If we are not able to conclude investigations by the January meeting we will update the Area Panel on progress.

It was reported that the Council have commissioned 12-hour traffic and pedestrian counts. These are programmed to be completed in January 2005. Once complete we will assess the results and report back.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

None.

Actions agreed at the meeting on 19 January 2005

Report back on result of investigation or if not complete summary of progress so far.

Updates on agreed actions to feedback at the meeting on 30 March 2005

The response to the petition has been provided in the report 'Request for Pedestrian Crossings on Station Road, Mickleover' marked as Item 7e on the agenda for 30 March 2005.

Responsibility

Tony Gascoigne, Traffic Control Engineer, Development and Cultural Services, telephone 715019.

13. Ref: 404037 – Petition – Road Safety on Havenbault Lane, Littleover – raised 29.09.04

Issue

A resident of Havenbault Lane informed the panel that they had recently formed the Havenbault Area Road Safety Campaign Group, as they were concerned about the increase in speeding traffic and heavy goods lorries. She commented that the only time the road was quiet, was when it was at a total stand still.

Action reported at the meeting on 19 January 2005

Residents wanted to know what had happened to the speed limit signs and the HGV 7.5 tonne limit signs, as they had disappeared. Concern was raised about the increase in HGVs using the road as a thoroughfare and not for access purposes.

Residents informed the panel that discussions had already taken place with Councillor Care, who had informed them that they need more accidents before any traffic calming measures can be taken – which was quite concerning. They asked the Councillors for their support with this issue.

Councillor Allen confirmed that he has spoken to the Police who have assured him that more routine patrols will be carried out on the road. He explained that the amount of traffic will not be addressed by this, and therefore need to look at highways improvement. He agreed that this was a problem area.

It was reported that the 7.5 tonne weight limit signs indicate a weight restriction imposed for environmental reasons rather than for a structural problem with a road or bridge. This type of restriction covers the majority of residential roads within the City and has been introduced to keep large vehicles on the most appropriate roads across the City. On most roads however access by Heavy Goods Vehicles will always be required for delivery wagons to local shops, refuse vehicles, skip wagons to residential properties and to service local businesses, so an 'except for access' clause is generally built into these types of Traffic Regulation Order. This Order is reliant upon enforcement by the Police but it is often difficult to distinguish between local HGVs and HGVs using a road as a through route. Regarding Havenbault Lane, Tesco lorries and Petrol tankers could be accessing Uttoxeter Road, which is within the environmental weight restriction itself, so they can legitimately use Havenbault Lane.

We have written to Tesco's to ask if they can use a more appropriate route especially in the early hours. We are also working on a Freight map with Derbyshire County Council, which highlights the City's weight restrictions and the most appropriate routes for HGVs to enter the City. We hope this will lead to some improvements.

Inspector Parkin has confirmed that he has spoken to residents in the Safety Campaign Group and set up an ongoing dialogue. The Police are aware of the issue and have arranged to monitor the situation.

It was reported that because the petition was very detailed, it required some investigation work and the report would not be ready for January 2005. However, traffic readings for speed began in November/December 2004 and, further readings would be taken after 19 January 2005.

Public response at the meeting on 19 January 2005

Residents were concerned that they have not seen or heard about any progress with the investigation and asked when something was likely to happen. A resident stated that the majority of speeding traffic was travelling down the hill from Mickleover. The road is so narrow that two lorries can only just pass, and traffic calming measures need to be looked at.

A resident reported that the Police had visited the site and a handheld speed camera had been used to record speeding but they had been told it was not an effective way of reducing speeding.

A resident was concerned about the proposal for another 1,200 houses to be built in the area, which will have a major impact on Havenbault Lane. If the 1,200 homes were built would there be an additional supermarket built for the area?

A resident referred to 'Road Survey' that a Council officer had told him would take place. He explained that he understood this meant that an officer would visit Havenbault Road before Christmas to look at the pavements, number of heavy goods vehicles and the number of children going to and from school. He wanted to know if this survey had taken place.

Council response at the meeting on 19 January 2005

Councillor Winter confirmed that she too had witnessed the speeding traffic travelling down the hill, and agreed that this was an ongoing issue.

Councillor Care reported that the first set of speeding information has been completed and it indicated a number of vehicles doing over 30mph. Officers have also been looking at the accident reports and analysing the information in the petition. Once the problems have been identified and all the evidence gathered officers would then look at potential solutions, alongside people's comments about what would be appropriate.

Councillor Care explained that the impact of the potential housing development would be looked at separately. She anticipated that along with any development there is an expectation that improvements will be made to community facilities. Potentially there will be more money available, for more open space, a school, and improved access into the city centre for cycles, buses and pedestrians. There will be a chance for input from local people to state what their priorities are.

Councillor Allen asked if the police had responded as agreed at the last meeting and in response a resident informed him that he had seen one police officer there last week. In response to the 'road survey' question Councillor Care explained that the road surveys that take place include regular inspections of both road and pavements.

Actions agreed at the meeting on 19 January 2005

Update on progress of investigation.
Inform lead petitioner of progress of investigation.

Updates on agreed actions to feedback at the meeting on 30 March 2005

This petition covers some complex issues. Investigations are still underway. We will report back to the next meeting on 29 June 2005.

Responsibility

Nicola Weekly, Traffic Manager – Traffic Management Schemes, Development and Cultural Services, telephone 716074.
Inspector Gary Parkin, Pear Tree Police Station, telephone 222184.

14. Ref: 405002 – Petition – Woodcote Way Play area, Heatherton, Littleover – received - 19.01.05

Issue

A petition has been received from 20 residents asking that the Woodcote Way play area is completed. Residents have been living in the area for three years and there is little sign that the play area that was marked on the plans is being installed.

Action reported at the meeting on 19 January 2005

New item.

Public response at the meeting on 19 January 2005

None.

Council response at the meeting on 19 January 2005

Councillor Care confirmed that the petition had been handed to her. She is disappointed that the play area has not been installed.

Actions agreed at the meeting on 19 January 2005

To investigate and report back to the next meeting.

Updates on agreed actions to feedback at the meeting on 30 March 2005

The response to the petition has been provided in the report 'Woodcote Way, Heatherton – Petition requesting provision of new play area as required as part of the housing development' marked as Item 7d on the agenda for 30 March 2005.

Responsibility

Ken Richardson, Parks Officer, Commercial Services, telephone 716646

15. Ref: 405003 – Petition – Removal of sycamore trees on Willson Avenue, Blagreaves – raised 19.01.05

Issue

A petition containing 42 signatures had been received requesting the removal of sycamore trees on Willson Avenue and replacing them with a more appropriate species in the same way as in Onslow Road. They consider that the trees are damaging the footways and walls and that the leaves block gutters and drains and that the footways become very slippery and dangerous to pedestrians.

Action reported at the meeting on 19 January 2005

New item.

Public response at the meeting on 19 January 2005

A representative of the residents explained that the tree roots are coming through the pavements and damaging residents' walls. She stated that they are too big, and residents want them to be replaced with something more suitable for that particular area. She also asked the panel what was going to happen about the cracks in the resident's walls. Another resident considered that sycamore trees are probably the most inappropriate trees to plant on a street.

Council response at the meeting on 19 January 2005

Richard Smail confirmed that the petition had been received, that the officers had completed their investigations and that there would be a written report for the next meeting. He summarised the findings and explained that the comparison with Onslow Road was not relevant because those trees were in poor condition and were shedding branches. Officers found no history of shedding branches in Willson Avenue and therefore they do not feel that they need to be removed. He explained that the officers consider it may be desirable in the long term, but it is not a priority at the moment.

Richard explained that the damage to the footways had been identified and repairs would be done in three places. Councillor Allen asked if there were any plans to review the situation, should the roots get bigger. It was confirmed officers would continue to inspect the footways every six months.

The area panel agreed with the comments about the sycamore not being a suitable tree for the avenue and asked that officers reconsider the decision to take no action. They asked that the investigations include an option to provide a suitable replacement tree and responds to the issue of damage to the walls. The lead petitioner will be contacted about the response to the petition.

Actions agreed at the meeting on 19 January 2005

To ask officers to review their proposal to take no action to remove the trees.
To clarify the exact species of tree on the avenue.
To respond to the issue of damage to the residents walls.

Updates on agreed actions to feedback at the meeting on 30 March 2005

The response to the petition has been provided in the report 'Petition – Trees on Willson Avenue' marked as Item 7c on the agenda for 30 March 2005.

Responsibility

Stewart Corbett, Highway Manager, Development and Cultural Services telephone 715008
Ken Richardson, Parks Officer, Commercial Services, telephone 716646