



DERBY CITY COUNCIL

**AREA PANEL 3**  
**18 JANUARY 2006**

Report of Assistant Director - Community Policy

**Area Panel 3 Community Issues Update Report**

**SUPPORTING INFORMATION**

Item no	Issue	Recommended panel action
<b>Abbey ward</b>		
1.1	Petition – Rebuilding of railings, North end of Gladstone Street	Note
1.2	Petition – Improvements to Stockbrook Street Area	Note
1.3	Request for zebra crossing – Mount Street	Note and close
<b>Arboretum ward</b>		
1.4	Street lighting in Derby City centre	Note and close
1.5	Petition - Turning area on Dexter Street	Note
1.6	Petition - Antisocial behaviour, St Chads Road area	Note
<b>Normanton ward</b>		
1.7	Cameron Road Homezone improvements and wheelie bins	Note and close
1.8	Chatham Street, Concern about impact of Homezone improvements	Note
1.9	Petition – Removal of road humps, Browning Street, Upperdale Road and Stanhope Street	Note
1.10	Petition – Improvements to Meynell Street	Approve
1.11	Problems with a high tree, Kenilworth Avenue	Note and close
1.12	Stenson Road parking	Note
1.13	Tree Pruning, Village Street	Note and close
<b>All wards</b>		
1.14	Area Panel Papers	Note and close
1.15	Alcohol Free Zone	Note
1.16	Hedge and fence boundaries	Note and close
1.17	Cityscape Masterplan	Note
1.18	Fire resistant standards in wheelie bins	Note and close

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## 1.1 **Petition – Rebuilding of railings, North end of Gladstone Street, Abbey - received 16.11.05**

**Issue:** A petition had been received requesting the rebuild of the railings at the north end of Gladstone Street, and the possible installation of a gate. It stated that since the Council took the original park railings away over a year ago, the remaining gap has become a focus for antisocial activities, including drug abuse, and threatening behaviour.

**Action:** Ask Derby Parks to investigate and report back.

**Update:** It is recognised that Gladstone Street is in Abbey ward while the railings are on the Normanton ward boundary.

Some railings along the private jitty beside houses on Gladstone Street were removed for safety reasons. The railings across the end of Gladstone Street are still in place. Annual inspections are now made of boundaries following the fatality at Osmaston Park. There is no covenant or legal reason why the council has to provide a fence along this private jitty that provides access to rear gardens or install a gate to a private jitty. We have no need of the fence, the only reason for replacing it would be to provide security for the private properties. Therefore we do not plan to reinstall the railings.

Elsewhere on the park's boundary there are lengths of resident's fencing and old park railings that are dangerous and we have temporarily made them safe with a barrier railing. We give residents a couple of months to replace the fencing to maintain their security after which we will remove the barrier fencing.

Derby Parks are often asked to provide fences to people's gardens where they adjoin Public Open Space but Derby Parks decline to do so - if residents wish to protect their property then they need to provide their own fence. Fencing of parks was linked to locking them at night. Since locking ceased in the early 1970's, we have been slowly removing fences when they have become unsafe.

The cost of maintaining miles of park fencing was the main reason for deciding not to lock the parks and there is certainly no budget for providing fences to private land whenever requested by the landowner. The policy not to fence parks has been operated since the early seventies.

### **Further information:**

Ian Wheatley, Grounds Maintenance Manager, Commercial Services, telephone 716530

## **1.2 Petition – Improvements to Stockbrook Street Area, Abbey- received 16.11.05**

**Issue:** A petition had been received from residents in the Stockbrook Street area asking for a variety of issues relating to anti social behaviour activities as well as transport issues to be tackled.

**Action:** The panel agreed that updates and progress regarding this petition will be reported directly to the Stockbrook Street residents group.

**Update:** Initial feedback has been provided to the Stockbrook Street residents group.

### **Further information:**

Shaun Bennett, Director of Investment and Regeneration, telephone 711033

Andy Thomas, Anti-Social Behaviour Team, Community Safety Partnership, telephone 256910

## **1.3 Request for zebra crossing – Mount Street, Abbey - received 16.11.05**

**Issue:** A resident asked the panel to consider the installation of a zebra crossing on Mount Street / Mill Hill Lane and Mount Street/ Burton Road junctions. He explained that this request had been considered in the past, and a survey had been carried out by the police over four years ago. He explained that traffic flows have changed and pedestrians have to run the gauntlet to get across these road, as there is no crossing until Normanton Road. He was aware of the Connecting Derby project, but felt that the situation would be a problem for at least another three years. He asked for clarification on the criteria for zebra crossings, and asked that a new survey be carried out to look at traffic flow between Charnwood Street and the Burton Road Junction.

**Action:** Incorporate the request into the Connecting Derby scheme.  
Respond directly to the resident to answer the issues relating to criteria for crossings

**Update:** We have responded direct to the resident and have provided him with the pedestrian crossing criteria. Propose to close.

**Further information:** Tony Gascoigne, Traffic Control Engineer, Development and Cultural Services telephone 715019

Dave Powner, Project Manager, Development and Cultural Services telephone 715030

## **1.4 Street lighting in Derby City centre, Arboretum – received 30.03.05**

**Issue:** A member of the public commented that he had counted a large number of street lights out on the Wardwick and Uttoxeter New Road.

**Action:** Update on repairing the five lights

**Update:** We believe the lights referred to by the resident are at the Cathedral Row junction with Walker Lane. There is a problem with gaining access to the electricity supply which we are working to resolve. Propose to close.

**Further information:** Alan Jacques, Street Lighting Manager, Development and Cultural Services, telephone 715014

### **1.5 Petition - Turning area on Dexter Street, Arboretum - received 07.09.05**

**Issue:** A petition had been initially received in September 2004 requesting the council to consider extra lighting, double glazing, damaged sewer pipes and a no-parking zone to create a turning area at the end of Dexter Street.

**Action:** A response had been provided to all the issues except for the turning area. Agreed to contact the lead petitioner to discuss the introduction of waiting restrictions at the end of Dexter Street, to create an area free of vehicles to be used as a turning area.

**Update:** The Traffic Management Group has started the process of consulting and advertising upon a proposal to introduce waiting restrictions to create a turning facility at the end of the street. The Area Panel will be informed of any objections that are received.

**Further information:** Councillor Khan, telephone 331555  
Neil Palfreyman, Traffic Management Engineer, Development and Cultural Services, telephone 716090

### **1.6 Petition - Antisocial behaviour, St Chads Road area, Arboretum- received 16.11.05**

**Issue:** Councillor Khan informed the meeting that he had received a petition from local residents regarding vandalism, antisocial behaviour and drug abuse in the area of St Chads Road, Cromwell Road, Byron Street and Stonehill Road. There have been regular incidents where vehicles are vandalised, with windows smashed. Phone boxes are also vandalised, and are being used to sell drugs. He asked for something to be done.

**Action:** Police and Anti Social Behaviour team to investigate and report back

#### **Update:**

The Anti Social Behaviour Team has visited the St Chads Road area and found no obvious signs to indicate the level of Anti Social Behaviour -ASB complained about. There is some graffiti and rubbish but nothing out of the ordinary. There is no evidence of drug use around the phone box.

The Police have had no ASB complaints from the area and only a couple of instances of criminal damage. There have been no recent incidents of note from the area.

The local Police have been informed about the alleged drug dealing and groups of youths and will visit the area.

The Anti Social Behaviour Team feel the level of ASB activity does not warrant a camera. In addition, there are no suitable camera points in the area.

The Anti Social Behaviour Team has met with BT to consider what action can be taken when a pay phone is used for anti social behaviour. BT has requested the Anti Social Behaviour team provide a list of phone boxes used for antisocial behaviour and this phone box will be included on the list.

**Further information:** Inspector Gary Parkin, Derbyshire Police, telephone 222184  
Andy Thomas, Anti-Social Behaviour Team, Community Safety Partnership, telephone 256910

### **1.7 Cameron Road Homezone improvements and wheelie bins, Normanton - received 19.01.05**

**Issue:** A written question asked the Council to enforce that wheelie bins are put away as they are an hazard on the pavements for the blind and disabled. He also asked that the tree guards that are being installed are painted white instead of black, so that they are more visible to car drivers at night.

**Action:** A written response was sent to the resident in March 2005. Agreed to close the item when confirmed that the reflective strips are installed

**Update:** We have installed reflective strips and are monitoring their effectiveness to all of the tree guards. Work began on 28 November to complete the Home Zone works in and around Cameron Road and all works should be complete by the end of March 2006. Propose to close.

**Further information:** Neil Palfreyman, Traffic Management Engineer, Development and Cultural Services, telephone 716090

**1.8 Chatham Street, Concern about impact of Homezone improvements, Normanton – received 30.03.05**

**Issue:** A member of the public raised concerns over the state that Chatham Street had been left in following the completion of the Homezone scheme. She said that one at the Council would take responsibility for finishing the work off that had been left uncompleted. Photographs were distributed to demonstrate the incomplete works. Concern was also expressed about the lack of kerb edges – especially at the end of streets. Residents present felt that this was potentially very dangerous for pedestrians – especially young children.

**Action:** Contact the garage regarding the parking of vehicles on the street.  
Clarify parking rights on untaxed vehicles in the homezone area.  
Update on any outstanding works.  
Inform Councillor Dhindsa of the residents details.

**Update:**

The garage has the right to park cars on the highway as long as they are taxed, insured and have an MOT in the same way as any member of the public. We are making observations of the parking in the street, which is not part of the homezone. So far we have not seen any evidence of inconsiderate parking. If we do, we will speak to the garage owners directly. There is no outstanding Homezone work on Chatham Street. Homezones are part of the highway so therefore you cannot park untaxed vehicles on them. We have contacted the traffic wardens and police to request they check on untaxed vehicles. We have contacted Councillor Dhindsa and offered to visit the resident with him.

**Further information:** Neil Palfreyman, Traffic Management Engineer, Development and Cultural Services, telephone 716090

**1.9 Petition – Removal of road humps, Browning Street, Upperdale Road and Stanhope Street, Normanton - received 16.11.05**

**Issue:** A petition was received at the meeting requesting the removal on the traffic humps on Browning Street, Upperdale Road and Stanhope Street in Normanton. It stated that the road humps on the roads were very intrusive and damage cars and other vehicles. They are also having a negative impact on the elderly, infirm – particularly those with back problems, and the general public who travel in vehicles over them. It was noted in the petition that these types of humps had been removed from various roads in Sinfin and Boulton.

**Action:** To refer to traffic management team to investigate and consider less intrusive traffic calming measures.

**Update:** Investigations are continuing and a report will be presented to Area Panel 3 on 22 March 2006.

**Further information:** Tony Gascoigne, Traffic Control Engineer, Development and Cultural Services telephone 715019

#### **1.10 Petition – Improvements to Meynell Street, Normanton - received 16.11.05**

**Issue:** A petition had been received from residents of Meynell Street requesting that action be taken on the state of the front and rear of the garden walls, the blocked drains, the state of the pavements outside residents homes, why it is not part of any local area renewal programme and the need for speed ramps to slow down traffic.

**Action:**

Investigate and report back on why the area is not part of any local area renewal programme

Investigate and report back on the request for speed ramps to slow down traffic.

Report back on success cleaning the road

**Update:** A report is included in item 6 on the agenda

**Further information:** John Edgar, Maintenance Manager Development and Cultural Services, telephone 715067

Martin Gadsby, Private Sector Housing Manager, Chief Executive's, telephone 255236

Neil Palfreyman, Traffic Management Engineer, Development and Cultural Services, telephone 716090

#### **1.11 Problems with a high tree, Kenilworth Avenue, Normanton, - received 16.11.05**

**Issue:** A resident raised a concern about a neighbours tree that was over 12 feet with branches her fence and obstructing light to her home. Mediation service told her that because it is a private dwelling, there is nothing they can do. She has been told it will cost £480 to cut down. She asked the panel where she stands.

**Action:** Inform the resident of the new legislation available.

**Update:**

We have written to the resident outlining the legislation and her rights as stated in Part 8 of the Anti Social Behaviour Act 2003. The Act allowed for regulations to be introduced allowing Local Authorities to arbitrate between neighbours when there are disagreements over the height of a hedge.

For more information you can view the council's web site at [www.derby.gov.uk](http://www.derby.gov.uk)

**Further information:** David Slinger, Team Leader - Natural Environment, Development and Cultural Services, telephone 256001

#### **1.12 Stenson Road parking, Normanton - received 16.11.05**

**Issue:** A member of the public was concerned about parked vehicles at the Stenson Road and Village Street junction. He claimed that they were creating a danger at the brow of the hill, near to the pedestrian crossing and outside the shops. Parked cars are blocking the pavement, and causing problems to people with disabilities. Visibility is poor causing vehicles coming over the hill to drive in the middle of the road approaching the roundabout. He asked the panel to consider resurveying Stenson Road and consider traffic measures, possibly full traffic light controls, and daytime parking restrictions.

**Action:** Investigate and report back.

**Update:** We have previously considered introducing traffic lights on casualty reduction grounds but did not feel it could be warranted as there had been a reduction following the traffic calming on Village Street. Traffic signals are likely to result in congestion on Stenson Road and may increase rat running along Village Street, so any benefits would need to outweigh these disadvantages. Consequently, we will give further consideration to whether the introduction of waiting restrictions is necessary to improve road safety at this junction, and will report back to the Area Panel at a future meeting.

**Further information:** Neil Palfreyman, Traffic Management Engineer, Development and Cultural Services, telephone 716090



### **1.13 Tree Pruning, Village Street, Normanton - received 16.11.05**

**Issue:** A member of the public stated that he had received a letter from the Arboricultural Officer, who had visited the site when in full leaf stating that work to the trees had been carried out, but he has not noticed any difference. He stated that the lighting officer had also visited saying that the trees did not effect the illumination of the highway, but he did not agree with this, because there is no light on the pathways due to the trees. Residents have complained that during the summer they have to have their lights on in their living room, as there is no natural light coming through, from these trees.

**Action:** Investigate and report back on proposed action to improve light getting into properties.

**Update:**

The cost of crown thinning by 15% and lifting slightly the 27 trees along Village Street, which is all that I would consider is acceptable pruning works, would cost £5,035. In addition I would note that the effect that these works would have on light levels would be minimal and last for only a short period.

Also, the cost of this work far exceeds any budget allocation available to Area Panel 3.

**Further information:** John Booth, Arboricultural Manager, Commercial Services, telephone 715537

### **1.14 Area Panel Papers, All Wards - received 10.11.04**

**Issue:** Chris Woodward asked about the changes in the way the Council distributes the meeting papers.

**Action:** Report back on the Council decision to be discussed later in November.

**Update:** At the full Council meeting on 23 November it was agreed to reintroduce the free distribution of agenda papers to residents who request them. However, officers will stop sending papers to anyone who does not attend two successive Area Panel meetings unless their request is renewed. Electronic copies of Area Panel papers will continue to be available on the Council website and an email alert will be sent to those who request it. Propose to close.

**Further information:** Jason Spencer, Constitutional and Electoral Services Manager, telephone 255466

### **1.15 Alcohol Free Zone, All wards - received 07.09.05**

**Issue:** A member of the public asked when the alcohol free zone would be enforced, as they had understood it would be during the week, but as yet no signage had been erected.

**Action:** Investigate and report back.

**Update:**

Home Office guidelines indicate that all main roads leading into an AFZ area should have a sign. In total 29 signs have been installed around the Normanton AFZ area and an additional 10 signs are to be installed in Arboretum Park. However, where there are specific areas that need additional signs the guidelines allow repeater signs to be

installed. We will investigate the need for additional signs around the Centenary House area. Any additional signs deemed necessary will be installed when the next AFZ is updated later in 2006.

**Further information:** Inspector Gary Parkin, Derbyshire Police, telephone 222184

Stuart Leslie, Chief Legal Officer, Chief Executive's telephone 255450

### **1.16 Hedge and fence boundaries, all wards - received 16.11.05**

**Issue:** A member of the public asked the panel for clarification on whose responsibility it was to maintain hedge boundaries around properties. He stated that he felt everybody should be responsible for both sides of their hedge boundary, and asked the panel to pass a bylaw to establish this.

**Action:** Update on the legal position regarding an individual's responsibility to maintain the hedge boundaries to their property. Could a byelaw be passed to make individual responsible for all their boundary maintenance?

**Update:** In simple terms a Byelaw cannot be made. This is a private issue and requires primary legislation by an Act of Parliament to deal with it. The Council would not have power to make such a byelaw in the terms suggested. Whilst there are general powers for making byelaws they would not apply and hence an attempt to make a byelaw would simply not be approved by the Secretary of State.

On the specific matter the responsibility will rest with the owner of the hedge but only to the extent it either causes a nuisance, private or public, or to the extent that he may have private obligations such as under the terms of a lease. So in that sense the owner is responsible for both sides of the hedge.

Persons affected by such nuisance or breach of obligations may take action either to enforce against the person responsible or in some cases to take direct action themselves. Propose to close.

**Further information:** Stephen Teasdale, Solicitor, Corporate Services, telephone 255453

### **1.17 Cityscape Masterplan, all wards- received 16.11.05**

**Issue:** A resident requested that the Chief Executive of Cityscape attend a future area panel meeting to provide an update on the masterplan as it covers a lot of the Area Panel 3 area.

**Action:** To invite the Cityscape Chief Executive to an Area Panel 3 meeting.

**Update:** The Chief Executive of Derby Cityscape, John Cadwallader has agreed to attend the Area Panel 3 meeting on 22 March 2006

**Further information:** Richard Smail, Area Panel Manager, Chief Executive's, telephone 258505

### **1.18 Fire resistant standards in wheelie bins, all wards - received 16.11.05**

**Issue:** A local resident asked what fire resistant standard was for the wheelie bins installed in the city.

**Action:** To provide a response at the next meeting.

**Update:** All wheeled bins must comply with UK and European legislation on health and

fire safety. Most wheeled bins are constructed by injection molded HDPE. However, larger bins are made of steel. The bins are designed to be emptied mechanically and therefore the bins are constructed to ensure that they fit correctly with the machinery. The relevant standards for wheeled bins are:

- Domestic wheeled bins - European Standard EN840 Part 1
- Commercial wheeled bins - European Standard EN840 Part 2

Fires in bins are a concern to the Council. We recommend that residents don't overfill the bins as experience has shown that bins with the lids down are very unlikely to be targeted and set alight. We are currently working with the Derbyshire Fire and Rescue Service on projects to reduce the incidences of refuse bin fires. Propose to close.

**Further information:** Roy Reynolds, Station Manager, Derbyshire Fire and Rescue Service, telephone 346675  
Richard Winter, Streetcare and Waste Management, Development and Cultural Services, telephone 716352

### 1.19 Outstanding issues

Issue	Outstanding action	Date to report back
Ref: 304034 - Traffic issues – Normanton and Pear Tree	Future update to be given after the major traffic review and planning event in April 2006.	21 June 2006
Ref: 304027 – Petition - Molineux Street – one way street, Arboretum		
Ref: 304054 – Petition - Renals Street and Avondale Road – request for a one-way system to improve traffic flows, Arboretum		
Ref: 305016 – Petition requesting One Way Road System on Wilfred Street, Sale Street and Molineux Street, Arboretum		
Ref: 305007 – Petition – St Giles Road – request for a one-way system, Normanton		
Ref: 305034 – Parking – Upperdale Road, Normanton		
Ref: 305039 – One way – Harrington Street, Normanton		
Ref: 303045 – Baseball Ground, Leacroft Road, Arboretum – raised 17.09.03 – new petition presented 19.01.05	Update to be provided on the recent masterplan, and planning application when available.	21 June 2006
Ref: 305024 – Petition – Jitty Closure Empress Road/Mount Carmel Street, Arboretum	Update to be provided at a future meeting	22 March 2006

## PROPOSED ACTION

2.1 To consider and note the report.

**For more information contact:**

Richard Smail 01332 258505 e-mail [richard.smail@derby.gov.uk](mailto:richard.smail@derby.gov.uk)

**Background papers:**

None.

**List of appendices:**

Appendix 1 - Area Panel 3 community issues update report, background information