

Time commenced – 6.30pm
Time finished – 8.25pm

**AREA PANEL 1
(CHADDESSEN, DERWENT, OAKWOOD AND SPONDON WARDS)
6 SEPTEMBER 2006**

Present: Councillor Roberts (Chair)
Councillors Ahern, P Berry, Bolton, Latham, MacDonald, Poulter,
Rawson, Redfern, Smalley, West and Williams

Derby City Council and Other Officers:

Adam Hind – Derbyshire Fire and Rescue Service
Jody Kirkpatrick – Temporary Constitutional Services Officer
Rachel Levy – Constitutional Services Officer
Richard Smail – Area Panel Manager
Sgt Tapp – Derbyshire Constabulary
Inspector Walker – Derbyshire Constabulary
Christine Durrant – Assistant Director – Highways and Transport
Ruth Hardy – Youth Service
Annabelle Barwick – Derby Homes

40 Members of the public were in attendance.

17/06 Apologies

There were no apologies of absence received.

18/06 Late Items to be Introduced by the Chair

There were no late items.

19/06 Declarations of Interest

Councillors Ahern, Bolton and MacDonald declared an personal prejudicial interest in the Eardley Close petition as they knew the petitioners.

20/06 Minutes

The minutes of the meeting held on 7 June 2006 were confirmed as a correct record and signed by the Chair.

21/06 Chairs Report

The Chair provided a verbal report on current activities, progress on projects and successes in Area Panel 1.

It was agreed to note the report.

22/06 Petitions

To receive new petitions

There were no new petitions.

To consider petitions received since the last meeting

There had been no petitions received since the last meeting.

Responses to petitions received

Christine Durrant presented a report in response to the petition. The report outlined the issue and details of the investigation that had taken place. The access was currently blocked by a fence erected on the highway and shrubs planted on the highway. The placing of the fence and shrubs was considered to be an unlawful interference with the highway.

Eardley Close was a cul-de-sac and was unusual in that beyond the turning area at the head of the cul-de-sac was a hard paved area. Highway adoption records show that the adopted highway includes the hard paved area which directly abuts the rear gardens of three properties in Springfield Road. The Council's Legal officers have advised that the owners of the three properties have by law a right of access to the adopted highway of Eardley Close for the reasonable enjoyment of their properties. This therefore entitles the owners to have vehicle access to their property irrespective of whether a formalised vehicle crossover was provided.

In highway terms, Council officers saw no reason why a request for a vehicular cross over should be refused. The Accident Investigation Officer had visited the site and did not feel that a vehicular access would create an unacceptable risk. The road markings placed on the highway outside 15 Eardley Close were placed at Mrs. Warner's request, and were intended as 'keep clear' signs. These were purely advisory rather than mandatory markings and did not restrict a vehicle driving over them to gain access to their property.

The Area Panel was informed that Mr and Mrs Warner had refused to remove the fence and shrubs from the highway and the Council's Legal officers would be serving a notice on Mr and Mrs Warner under Section 143 of the Highways Act requiring the removal of the fence, and under Section 141 for removal of the shrubs.

The lead petitioner explained that allowing a vehicle access to the rear of the Springfield Road property would cause health and safety issues, increase traffic and parking in Eardley Close as well as create more noise and disturbance for Eardley Close residents.

Councillor Roberts confirmed that residents in Springfield Road had by law a right of access to the adopted highway of Eardley Close for the reasonable enjoyment of their properties.

The Area Panel supported the action proposed to serve a notice requiring the removal of the fence and shrubs.

23/06 Area Panel Updates

The Panel considered an update report on the progress of community issues raised at previous meetings. The report included details of the issues raised, the proposed actions and the progress to date. The following issues in the report were discussed in detail:

Pedestrian crossing request by Toys R Us, Chaddesden

Councillor Bolton reported that funding had now been secured and that plans had been drawn up showing the exact design and location

Croft Wood Railway Line Improvements, Derwent

Councillor Rawson reported that he had met with local residents, Derbyshire County Council and Breadsall Parish Council to update on progress. He confirmed that the route would be part of a cycle way and that a map outlining the proposals would be sent to the Council for comments. Councillor Rawson reported that he would make sure Oakwood Councillors were kept informed as well.

Dangerous wall – Spondon Village Hall, Spondon

Councillor Poulter asked that contact was made with one of the residents affected to update them on progress because they had not received any information since 15 July.

Alcohol Free Zone, Spondon

Richard Smail reported that when consulting on the proposal to replace the old alcohol consumption byelaws in Spondon with a designation as an alcohol free zone – AFZ, the Council had received a request from Vancouver Avenue Neighbourhood Watch, Spondon Village Improvement Committee and Councillor Berry to extend the AFZ to include other areas in Spondon particularly the large area south of the A52.

He reported the Council were not unsympathetic to this proposal. However to introduce such a large area would have meant the Council having to start the whole lengthy procedure for designating an AFZ, again. This would delay the designation of the AFZ beyond the time when the old byelaws were going to automatically expire in September 2006. This, for a time at least, would have left all of Spondon without the protection of either of the byelaws or an AFZ designation.

The Police have been consulted on the suggestion to extend the AFZ to the south of the A52 and they were supportive of it. There were however two further obstacles to taking such action. Firstly, there were already three other areas in the city waiting to have an AFZ introduced and the Police have currently given them a higher priority. Secondly, there was at present no budget to pay for the signage and advertising costs for any AFZ designations so none are being prepared at the moment.

Richard Smail informed the Area Panel it could allocate part of its budget to fund the £3,000 cost of designation to allow the process to proceed and it would take approximately 6 months.

Councillor Williams commented on the recent introduction of a section 30 order covering the whole of Spondon and reported that it was working well. The Spondon Councillors considered that time should be allowed to see the longer term impact of the section 30 order and therefore the panel agreed not to allocate funding to extend the Alcohol Free Zone.

24/06 Public Question Time

The following questions were asked by members of the public:

Bus shelters on Scarborough Rise, Derwent

A resident asked if two new bus shelters could be provided on Scarborough Rise at the existing bus stops adjacent to the Coniston Crescent junction and the Horncastle Road junction.

It was agreed to investigate with the Public Transport Unit and report back.

Dropped kerbs by da Vinci Community College entrance, Derwent

A resident commented that there was now a 3 inch height difference between the pavement and the resurfaced entrance to da Vinci Community College. There had been dropped kerbs in place and because they had not been replaced it was now very difficult to access the pavement.

Christine Durrant explained that she was unaware of the details of the work and suggested that the work could be a temporary reinstatement and that the final work was waiting to be completed. Councillor Roberts asked that action was taken immediately to make sure the pavement was accessible.

Rocket Public House, Derwent

A resident asked what the situation was with the Rocket Public House.

Councillor Roberts reported that the Derwent Councillors were aware of the issue and had been lobbying the owners of the premises – Enterprise Inns, to make sure the building was kept secure. Councillor Roberts confirmed that Enterprise Inns were trying to market the premises along with the Penguin Public House that was also closed. He was aware that local residents did not want them to reopen.

25/06 Consultation on the 2007/08 Programme for Highways and Transport Schemes

The Panel received a report introduced by Christine Durrant on the Consultation for the 2007/08 programme for Highways and Transport Schemes. She outlined that officers want to improve the way the detailed highways and transport work programme for the 2007/08 financial year is developed and are seeking the views of area panels, as well as other groups and organisations across the city, on what schemes need to be focused on and what transport schemes or initiatives we could implement to try and address them. A final programme will be presented to Cabinet for approval in February/March 2007.

She invited the area panel to provide details of problems and/or schemes that they feel should be considered as part of the 2007/08 highways and transport programme and submit them to Michelle Spamer by **10 November 2006**.

The area panel will consider the list of schemes at the next meeting and identify the five priorities for each ward. Residents and Councillors suggested a number of issues that could be included in the list.

It was agreed to note the report.

26/06 Changes to the Delivery of Children and Young People's Services in Area 1

The Panel received a presentation from Councillor Bolton on the Changes to the Delivery of Children and Young People's Services in Area 1.

It was agreed to note the presentation.

27/06 Derbyshire Fire and Rescue Service

The Panel received a presentation from Adam Hind of Derbyshire Fire and Rescue giving an update on the services Derbyshire Fire and Rescue service had been undertaking. He confirmed that Nottingham Road Fire station will be demolished and a new station built on the same site.

It was agreed to note the presentation.

28/06 Derbyshire Police

The Panel received a presentation from Inspector Walker of Derbyshire Constabulary, giving an update on the services Derbyshire Police had been undertaking.

It was agreed to note the presentation.

29/06 Area Panel Budget Proposals 2006/07

A report of the Head of the Stronger and Safer Communities Unit was considered which set out details of four applications for funding which had been received.

It was reported that the first application was from 126 Squadron Air Training Corps. They were seeking a grant of £2,000 towards the cost of purchasing a Land Rover.

The second application was from AFC Crusaders FC. They were seeking a grant of £2,000 towards the cost of a soccer school and equipment.

The third application was from Nottingham Road and District Allotments Association. They were seeking a grant of £392 towards the cost of purchasing protective fencing at Meadow Farm Primary School.

The fourth application was from the Community Church Derby. They were seeking a grant of £2,000 towards the cost of the Chaddesden Kidz Klub.

Options Considered

The Panel assessed each application for funding against the agreed criteria and priorities.

Decision

1. 126 Squadron Air Training Corps – To refuse the application as the panel felt that the project was city wide and that there were other avenues of funding to explore;
2. AFC Crusaders FC – To award a grant of £2000 towards the soccer school and equipment;
3. Nottingham Road and District Allotments Association – To award a grant of £392 towards protective fencing at Meadow Farm Primary School;
4. Community Church Derby – To defer the application as the panel wanted confirmation of where the previous funding had been spent.

30/06 Health Briefing from Greater Derby and Central Derby Primary Care Trusts

A 'Briefing on Health Services' paper was considered.

Resolved to note the information about health services contained in the briefing paper.

31/06 Arrangements for the Next Meeting

Resolved to note that the next meeting would be on Wednesday 1 November 2006 which Councillor Williams would Chair at the Spondon Village Hall.

MINUTES END