

AREA PANEL FOUR – UPDATE REPORT

FOR 29 JUNE 2005

LITTLEOVER METHODIST CHURCH, BURTON ROAD

Area and Neighbourhood Unit

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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 30 March 2005

In **January 2003** it was reported that the site had been allocated for housing in the Local Plan review but no application had been received. Should one be received, then consideration will be given for developing a planning brief, or conditioning any development to comply with the Council's plans and policies.

In **March 2003** it was reported that the latest version of the Local Plan policy requires schemes to incorporate satisfactory access. It was considered that the existing access off Chevin Avenue will not be enough to serve the proposed housing and work will need to be done to improve access. A planning application has now been received from Persimmon Homes. This application refers purely to access arrangements into the development site.

In **June 2003** it was reported that the planning application was refused on the grounds of prematurity. Any application for access to the University Campus site will have to be assessed on the basis of a full transport impact assessment, which takes account of the overall development. This will be the subject of examination at a Public Inquiry into the City of Derby Local Plan, and until the Inspectors report is received we would be unable to encourage a fresh application.

In **January 2004** it was reported that when a planning application is received, the Council would encourage the developers to undertake full consultation on their proposals with local people to make sure the quality of life for local residents is maintained.

In **July 2004** it was reported that the Inspector who conducted the City of Derby Local Plan Review Inquiry is considering the principle of development on this site. The City Council does not expect to receive his report until the end of the year at the earliest. Depending on the Inquiry outcome, a planning application can be expected to follow. 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.

In **September 2004** it was reported that the report could be as late as January 2005. 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. It was reported that there are 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 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 indications from the Planning Inspectorate suggest that we will receive the report in January 2005.

In **March 2005** it was reported that 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.

Public response at the meeting on 30 March 2005

A member of the public asked whether the football pitches and swimming pool would be replaced once the development is approved. He considered that if the site is sold off for development, and then the developer decides not to replace these facilities, then there is nothing the Council can do about it.

Council response at the meeting on 30 March 2005
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Councillor Care explained that a number of changes are currently being discussed, and Council will agree the final Local Plan in a few months. She stated that the agreement would include conditions that the pool should be kept, unless it is more practical to build a new one. She went on to explain that the developers could go through an appeal process to say it is unreasonable to provide a pool, but this would be on very shaky grounds, as there is a strong expectation from the council that a pool will be provided.

Actions agreed at the meeting on 30 March 2005
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Update on progress.
Clarify process to retain existing facilities.

Updates on agreed actions to feedback at the meeting on 29 June 2005
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An application for planning permission for the formation of a new access road, including a new junction arrangement, into the site has now been received and will be considered on 23 June. If approved, this will demonstrate that the site can be properly accessed and satisfy recommendations from the Inquiry Inspector to this effect.

The Council is likely to formally consider the Inspector's report in August/September 2005 and consult on Modifications in September/October.

The issue of whether the pool will be retained in its current location or rebuilt elsewhere on site is a matter for negotiation, but retention of the existing building seems most likely at present. This will be secured either by a condition attached to the planning permission or by a Section 106 Agreement with the developer, whichever is the most appropriate mechanism.

Policy L7 of the Local Plan Review states that replacement sports pitches should be implemented before the commencement of development. Replacement of these pitches will either be a condition of any planning application or secured through a Section 106 legal agreement. The Council is likely to seek to ensure a similar arrangement for the pool, particularly if the existing facility is retained.

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 30 March 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.

In **March 2005** it was reported that consultation on the Normanton AFZ designation is ongoing with the AFZ designation in early Summer 2005 following wider consultation. The three areas covered by the byelaws, the City Centre, Sinfen and Spondon, have to be designated as the present byelaws will automatically be repealed in 2006. The City Centre is the next priority.

AFZ designation costs arise from advertising the proposals in the local press both before and after the Order is made and installing signs around the designation area. The cost varies with 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.

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.

Public response at the meeting on 30 March 2005

A representative of Mickleover Action Group registered his disappointment that the Council are not providing the capacity to provide an AFZ in Mickleover earlier. He stated all Mickleover open space needs it. He felt the police need the additional powers by August when the new pavilion is open.

He supported the introduction of the Section 30 order and explained that he felt it is complimentary to the AFZ. He was concerned that because it is only for a three month period, during July and the height of summer, the police could be left without any additional powers to reduce these problems.

Council response at the meeting on 30 March 2005

Councillor Jones agreed that it was disappointing that Mickleover was not been designated yet, but recognised that the AFZ in the City Centre needs to take priority.

Sergeant Daines explained that over the last few months, Mickleover Police officers have put together a Section 30 application that will initially last for three months. A similar one has run with some success in the city centre. He explained that if groups of people are causing a problem, then they can be directed by police to leave the area and not return within 24 hours. This will provide the police with additional powers to deal with antisocial behaviour and alleviate some of the alcohol problems experienced in the area. Sergeant Daines explained that the Section 30 order can only be authorised for a maximum of six months and at the end of the three month period, officers will look at the impact, and see whether a further application should be made for another three months.

Actions agreed at the meeting on 30 March 2005

None.

Updates on agreed actions to feedback at the meeting on 29 June 2005

Work on the Normanton AFZ is due to be completed by the end of August 2005 when the designation will come into force. After that work will begin on designating the other three areas currently covered by the byelaws, City Centre, Sinfin and Spondon. These have to be in place by Sept 2006 when the Byelaws lapse.

Work will then start on the Mickleover AFZ designation. When an Alcohol Free Zone is designated it applies to everyone who uses the designated area including those having picnics and attending official events.

Responsibility

Stuart Leslie, Chief Legal Officer, Corporate Services, telephone 255450
Inspector Gary Parkin, Pear Tree Police Station, telephone 222184.

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 30 March 2005

In **July 2004** it was reported that 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.

In **September 2004** 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 **November 2004** 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 this date.

At the meeting, Neil Robinson from Nottingham East Midlands Airport, gave a presentation about the plans for the airport, the extension to controlled airspace proposals and issues about aircraft noise. He outlined how the airport was developing rapidly, how it was changing its services and working with communities. He responded to the request for Council membership of the Airports Consultation Forum stating that it was not the airport that had refused the Council membership of the Forum but the Forum itself had made the decision as an independent group. He explained that it has a very large membership and that the forum felt if one local authority becomes a member it would mean many more would become members and make the forum too large.

In **January 2005** it was reported that North West Leicestershire District Council have the additional information they were seeking to help determine the planning application. However, there is at present no date for the application to go to Committee – February or March 2005 seems the earliest likely date.

In **March 2005** it was reported that:

- 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, namely 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 there is no question referring to traffic or aircraft noise. Similarly, the Council is not in a position to instruct NEMA to issue such advice.

Public response at the meeting on 30 March 2005

A member of the public stated that the tolerance on the departure path on the west side of Derby was being reduced by 300m to 1200m. This would however, still leave the proposed development at the edge of Mickleover still under the flight path. He asked if the Council could do anything to make sure that the flight paths are put in the local plan.

Council response at the meeting on 30 March 2005
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Councillor Care responded that there would be nothing we could do at this stage with the Local Plan.

Actions agreed at the meeting on 30 March 2005
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None.

Updates on agreed actions to feedback at the meeting on 29 June 2005
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A local resident has asked John Prescott MP about flight paths being shown on development plans produced by Derby City Council. The resident has received a response from Margaret Beckett MP that has been provided by the Department for Transport – DfT. The residents opinion on the response is that it is a matter for discretion by relevant local authorities whether to include aircraft flight plans on local plans and therefore Derby City Council is in a position to add departure flight path information to the local development plan.

However, officers in the Plans and Policies section of Development and Cultural Services at the Council interpret the Minister's comments differently. They consider that his comments say that Local Authority's have discretion over what sort of documents they produce and, in preparing these, need to have regard to national planning guidance such as Planning and Noise. Therefore Local Authorities can develop planning policies dealing with aircraft noise where such noise is sufficiently problematic for it to be a planning issue.

However, Environmental Health has confirmed that aircraft noise, in general, is not significant enough for it to be a planning issue and to need specific development plan policies. The Minister acknowledges in his response that Local Authorities 'would not ordinarily be expected to produce planning documents dealing in detail with air traffic routes'. The role of Development Plan Maps is to show areas covered by policies in the Plan. It is not to show information for the sake of it, however useful this may be.

Leicestershire County Council has set up a Joint Working Group made up of local District Councils in Leicestershire and with councils from outside of Leicestershire. In addition, Leicestershire County Council has decided to press ahead with moves to designate the airport, which would allow the number of night flights in to and out of East Midlands Airport to be capped.

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: 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 30 March 2005

In **January 2005** it was reported that the investigation had not been completed.
In **March 2005** it was reported that the report should be available to present to the meeting on 29 June 2005.

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

None.

Actions agreed at the meeting on 30 March 2005

Update on results of the investigation.

Updates on agreed actions to feedback at the meeting on 29 June 2005

Surveys are being carried out to assess the traffic flows and speeds. When this data is received a comprehensive response will be available.

Responsibility

Nicola Weekly, Traffic Manager – Traffic Management Schemes, Development and Cultural Services, telephone 716074.

5. 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 30 March 2005

In **January 2005** it was reported that Derby Homes had been informed 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. Derby Homes is likely to be responsible for the boundary because when the garages were sold the records do not show that the boundary responsibility was passed on. 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.

In **March 2005** it was reported that 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.

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

None.

Actions agreed at the meeting on 30 March 2005

Update on progress.

Updates on agreed actions to feedback at the meeting on 29 June 2005

On 17 March 2005, letters were sent to both garages that share the fencing boundary to see if they were able to contribute any funds to replace the fencing. A phone call was received from one of the garage owners who said that as they had already fenced the majority of it off with their own fencing, within the boundary, they would not help with the cost. No response has been received from the other garage. On a further inspection with a surveyor it was decided to remove the chain-link fencing complete with concrete posts and not to replace it as the garages had erected their own fencing behind it. The order has been raised with the contractors but there have been some problems over removal of some of the concrete posts that are supporting the garages fencing. The contractor has been instructed to remove all the chain link fencing and any posts that are not acting as a support. They aim to complete the work by 30 June 2005.

Following its completion, a quote will be obtained from Grounds Maintenance to plant some low maintenance shrubbery in place of the fencing.

Responsibility

Pam Stretton, Local Manager, Derby Homes, telephone 716578

6. 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 30 March 2005

In **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.

In **March 2005** it was reported that 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.

Public response at the meeting on 30 March 2005

A member of the public informed the panel that they had heard that the works would not be completed until June, and asked the panel if this was correct. They also asked if the contractors are given a time to complete the work by.

The panel were asked if there would be any further works planned for Stenson Road, after all the current works had been completed, or if it would be resurfaced.

A local resident commented residents were told initially that work would be complete by the end of March, and yet people still cannot get down Stenson Road.

A resident explained that the traffic backs up over Goodsmoor Bridge, and drivers cannot get over the bridge, she asked if some temporary lights could be installed at Sinfin Lane to allow traffic to get out.

Resident referred to a very dangerous hole at the top of the hill on Stenson Road, which needed urgent attention.

Council response at the meeting on 30 March 2005
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Councillor Care explained that the timescale of the works, is dependent on timings of other roadworks, and the weather conditions. They are therefore based on a best estimate. She explained that the Council will need to consider other factors, including not resurfacing the road where Severn Trent and Transco will need to dig it up again. She explained that it is a matter of balancing the need to do emergency repairs and still making it practical for travellers.

Councillor Care confirmed that Public Utility Companies have to allow 12 months after a major resurfacing before any other planned scheduled works can be done.

Councillor Marshall, agreed that Stenson Road was in a terrible state and that he had asked for remedial patches on some of the worst parts, but unfortunately nothing can be done until other work on the road is complete.

Actions agreed at the meeting on 30 March 2005
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To continue to monitor, and look at other traffic management possibilities if required.

Updates on agreed actions to feedback at the meeting on 29 June 2005
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Transco have completed the work to divert their apparatus and STW are making progress with the large-scale sewerage and drainage work. Stenson Road was opened at the end of May.

The resurfacing scheme for Stenson Road between Sunnyhill Avenue and Blagreaves Lane is being planned for the end of July, to coincide with the start of the school summer holidays. The road will have to be closed for this work to take place.

Responsibility

John Edgar, Maintenance Manager, Development and Cultural Services, telephone 715067
Nigel Brien, Development and Cultural Services, telephone 715016.

7. Ref: 405004 – Safer Routes to School, St. George's School, Blagreaves – raised 30.03.05

Issue

A resident raised concern over the road changes that had taken place around Uplands Avenue recently as part of the St. George's Safer Routes to School scheme. The resident was concerned that the proposals would not make the journey to school safer and there had been changes made to the original plans that were viewed 12 months ago, and yet no consultation had taken place.

Action reported at the meeting on 30 March 2005

New item.

Public response at the meeting on 30 March 2005

A resident stated that she had contacted many people, including Councillor Care, the Chief Constable and Margaret Beckett MP. She confirmed that she had received a reply from Margaret Beckett, and that the letter is now with Jonathan Guest in Development and Cultural Services. She asked Councillor Care where things stand at the moment. She was concerned that during the consultation, a turning circle had been requested, but this was not on the original plans.

Other issues were raised:

- where are the 150 cars that bring children to the school to go. It is not just local children but children from across the city that attend the catholic school.
- if the buses are taken away, then the congestion would be reduced, but this would not stop parents driving to school.
- some drivers go the wrong side of the white line by the chicane
- Ridgeway Avenue road width is less than standard, and if cars park on the pavement, there is no way that a bus can access Ridgeway Avenue.
- the school term begins in just over one week and no signs have been erected regarding the new scheme.
- what consultation had actually taken place with local residents, because the School Travel Plan Forum only includes parents and not residents.

Council response at the meeting on 30 March 2005

Councillor Care apologised to the resident for not responding earlier. She had spoken to the officer involved with the design and consultation, and it was her understanding that the current plans are the same as the ones shown at the public display and these are what are being implemented. There are no significant changes to the proposed plans and what is actually being developed. She explained that she understood that the buses will only go along Uplands Avenue and not along Ridgeway Avenue and that leaflets had gone out to local residents about the scheme.

She confirmed that it is the responsibility of the school to liaise with parents and to explain how the new scheme will operate, including that they are not to go up to the school gates and that only the buses can access the turning circle. She explained that all three schools have supported the scheme, and if it does not work, then it will be reviewed.

The scheme is all about reducing the conflict between pedestrians, buses and cars and it has to be given a chance to work before condemning the proposals. She stated that there would be highways staff and police available at the start of term to educate parents.

Councillor Care suggested that another meeting is held with officers and residents.

Sergeant Daines informed the meeting that the real issue is educating parents and guardians about taking their children to school. He confirmed that the Police will provide support to make sure the system works

Actions agreed at the meeting on 30 March 2005
--

Update on information delivered to residents and parents about the scheme.
To ask officers to arrange another meeting with residents.

Updates on agreed actions to feedback at the meeting on 29 June 2005
--

The whole safer routes to school scheme outside St George's, Ridgeway and Gayton Schools was first consulted on in 2004.

A letter including a plan was sent out, to approx 400 residents, local councillors and all staff and parents of the three schools inviting them to one of three exhibitions held on 6 July 2004. During the exhibitions officers of the city council and members of the school travel plan forum sat down with members of the public and explained the proposals. Feedback forms were provided for comments and all those who left comments on feedback forms were written to once all the comments had been considered giving detailed responses to the comments and outlining the final scheme.

The consultation has proved very successful with the vast majority of people taking part. This has helped to fine tune the scheme with residents, parents and the school. As with all changes not every resident is supportive. We have met those opposed to the improvements and explained the rationale behind the changes.

The scheme is now complete and we will be monitoring the situation over the next 12 months.

Responsibility

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

8. Ref: 405005 – Speeding statistics, Blagreaves Lane, Blagreaves – raised 30.03.05

Issue

A member of the public asked if there were any statistics available yet from the speed cameras on Blagreaves Lane.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

Sergeant Daines reported that there were no statistics available yet, but would find out, and pass them to Richard Smail for the next meeting. He explained that because the cameras had not been installed very long, there may not be enough data to form accurate statistics.

Actions agreed at the meeting on 30 March 2005

Update on availability of speeding statistics.

Updates on agreed actions to feedback at the meeting on 29 June 2005

The Police have contacted the Safety Camera Partnership. With only a couple of months data, it is difficult to give an accurate view of the issues. In any event, the Partnership does not give hard figures, but works on a 'rate per hour'. They have told me that so far this puts Blagreaves Lane in the low-to-medium region compared to other sites. They did say they would continue to target this site.

Responsibility

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

9. Ref: 405006 – Data protection and information provided to Neighbourhood Watch Groups, all wards – raised 30.03.05

Issue

A local neighbourhood watch representative had been informed that they could no longer receive data from the Police on where an incident as occurred. However, on highways, there are signs stating the figures of deaths on the roads. He explained that it was useful to be provided with the actual locality as it provides details and is helpful for the neighbourhood watch schemes.

Action reported at the meeting on 30 March 2005

New item.

Public response at the meeting on 30 March 2005

A resident added that street names would not be given to neighbourhood watch groups either, and was under the impression that the neighbourhood watch groups were investigating this.

A resident asked that if the information cannot be provided to the neighbourhood watch groups, then asked how the Derby Evening Telegraph get the information to publish.

Council response at the meeting on 30 March 2005

Sergeant Daines explained that these issues are related to Data Protection. He explained that the signs on highways state the number of collisions, but do not allow people to identify any information about the individuals that were involved and therefore it is acceptable to publish the information. This is know as 'sanitised information'. However, with specific incidents, then the Police have to be more careful as there is a chance of individuals identities being exposed, particularly when they are a victim of crime. He understood that beat officers are still providing information about crime statistics including road names, however if the roads concerned are very small it is possible they have been removed because an individual could be identified.

Sergeant Daines explained that the press get their information about individuals from other sources including neighbours and the individuals themselves.

Councillor Care invited residents to take this issue up with their local beat officers.

Actions agreed at the meeting on 30 March 2005

Sergeant Daines to provide update on any changes to information made available to neighbourhood watches as a result of data protection issues.

Updates on agreed actions to feedback at the meeting on 29 June 2005

Following the introduction of the Freedom of Information Act – FOIA - and Data Protection legislation, a decision was taken by the Police that information would only be issued by Beat or Ward area. However, following consultation with the Divisional Command Team, crime information may now be released to Neighbourhood Watches down to street level, as was previously the case. However, this may yet be sanitised in some circumstances to protect information sources and the identification of victims of crime.

Responsibility

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

10. Ref: 405007 – Parking problems, Devonshire Drive and East Street, Mickleover – raised 30.03.05

Issue

A resident asked what could be done to tackle the problems caused by parents parking on the shop frontages, on private property on Devonshire Drive and East Avenue during school pick up times. Parents are ignoring the double yellow lines. He asked if the police could take action because they are causing a hazard by creating a blind spot on the road. He asked the police to visit the area during school pickup time.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

Sergeant Daines stated that it depends whether they are parked on the highway or on private property. If they are parked on private property then the owners will need to take action. If they are committing a traffic offence on the pavement or highway then the police could take appropriate action including fixed penalties. He will ask officers to attend the site.

Councillor Hird reported that the local beat officers were aware of it and had confirmed they would be investigating the problem.

Actions agreed at the meeting on 30 March 2005

Police to visit Devonshire Drive shops area at school pick up time.

Updates on agreed actions to feedback at the meeting on 29 June 2005

The Police have given attention to this issue and have been visiting the area to enforce parking restrictions.

Responsibility

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

11. Ref: 405008 – Footpath by Mulberry Court, Blagreaves – raised 30.03.05

Issue

A member of the public explained that they had received an email reply from the Council about work that had been completed in response to a complaint about ponding near to Mulberry Court. He commented that he had not noticed any changes and asked for confirmation about the work that had been completed.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

Councillor Care stated that Councillor Skelton was aware of this issue and a response will be provided.

Actions agreed at the meeting on 30 March 2005

Report back on work done to resolve issues of ponding on footpath by Mulberry Court.

Updates on agreed actions to feedback at the meeting on 29 June 2005

The footpath by Mulberry Court has now been repaired and widened. The hedge that overhangs the footpath does not belong to the Council and we are not able to maintain it. However, as the hedge is overhanging the footpath belonging to highways, we have commenced proceedings with the hedge owner which could ultimately lead to the issue of an Enforcement Notice which would require that the hedge is cut back. We anticipate that this process could take up to three months, but hopefully the hedge owner will comply with the request to cut back the hedge before we reach the stage of applying for an Enforcement Notice.

The owner will be responsible for inspecting the hedge for nesting birds before arranging for any cutting back.

Responsibility

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

12. 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 30 March 2005

In **September 2004** officers welcomed the submission of the petition and explained 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. 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 concerns about timescales, but explained that the Council have to identify land, funding and gain 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 residents.

In **November 2004** a presentation included an update on progress with the skateboard park request. It was confirmed that Parks are looking at the provision of wheeled sports facilities as part of the strategic provision of outdoor youth facilities in the City. Andy Morgan explained that this request is one of many similar requests being received from across the city. He recognised the need for parks like this and the value they have. 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. 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.

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

In **March 2005** it was reported that it is intended to submit a report to Cabinet in setting out proposals for wheeled sport provision in parks and open spaces.

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

None.

Actions agreed at the meeting on 30 March 2005

Update on progress.

Updates on agreed actions to feedback at the meeting on 29 June 2005

It had been planned to prepare a report covering the provision of wheeled sports across the city by now. Unfortunately due to other work commitments within the Landscape Section in Parks it has not been possible to progress this as far as desired.

Parks have acknowledged the desire and need for a skateboard facility in the Littleover area. The most suitable location is probably somewhere within King George V and Clemson's Park. However public consultation will be required before a decision is made on the preferred location. At the moment there is no funding available for the provision of a skateboard park in Littleover. There may be some opportunities to apply for funding for this type of facility once the new Big Lottery Funding comes on stream later this year and this will be looked at once details of the new funding has been published.

Responsibility

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

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

13. 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 30 March 2005

In **2002** it was reported that there was no capital budget available for improvements to play areas. Derby Parks has been working with local residents on the Bendall Green Action Group - BGAG, to identify other ways of funding the improvements. BGAG has raised over £1,200 from fundraising activities and nearly £22,000 from commitments from other funds. Work was ongoing to find out if additional funds were available from section 106 funding from the Swarkestone Drive development. BGAG had also applied for funding from other sources including:

£1,000 East Midlands Airport Community Fund

£1,000 East Midlands Co-operative Fund

- £10,000 Peoples Places.

The group is planning to apply for funding from Living Space, Land Fill Tax, but they cannot apply until 75% of the money is secured, and the Community Fund. If the group is successful with the majority of the applications, they aim to complete the project at the end of next year.

In **2003** it was reported that Derby Parks are continuing to work alongside the local community to secure funding for a playground. Fundraising, questionnaires and consultation events have taken place with both young people and young children to seek their views on the proposals. The local community and BGAG made comments on sketch proposals at the meeting on 8 October 2003. An architect is now drawing up plans before further consultation.

In **March 2004** it was reported that 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 help secure funding from Living Spaces, Landfill Tax Credit and other sources. All the funding raised locally will be spent on providing the new play equipment. Initial funding identified is:

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

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

In **September 2004** it was reported that Local Councillors had visited Bendall Green in response to the local views and the petition. It was confirmed that there would not be a sports wall installed on Bendall Green. The consultation had shown that there is demand for facilities for teenagers in the area and a sports wall would provide these facilities. There are residents opposing the sports wall and there are also residents who support it. 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.

In **November 2004** Andy Morgan provided an update on the funding of the scheme. He confirmed that the scheme includes a refurbished play area and short section footpath linking Bendall Green to Grovebury Drive. Planning permission has been granted and it is estimated to cost £87,000. The tenders are due to be returned by 22 November. Funding for the scheme has been secured from:

- £25,000 Council Capital Programme for 2004/5
- £17,000 Swarkestone Drive Section 106 agreement
- £15,000 Children's Hospital Section 106 agreement
- £4,000 Derby Homes
- £3,000 Bendall Green Action Group fundraising

The total available is now £64,000 and leaves a shortfall in funding of £23,000. He explained that he expects more information about how the funding shortfall can be reduced in early December. Once tender prices are known and what funding is available we will be in a position by mid December to know if the scheme needs to be adjusted to meet budget available or if a contract can be placed for the whole scheme. Subject to tenders and finalising funding we expect to commence on site in January with completion at the end of March 2005.

Requests were made for clarification on the amount of Section 106 funding that was being used. They 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. It was reported that the funding for the park had changed because the plans had changed from the original proposals.

In **January 2005** 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.

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

It was also reported that 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.

Public response at the meeting on 30 March 2005
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A resident confirmed that the new play area had been installed, and was being well used by the local community. He explained that he had raised some issues in a letter to Andrew Morgan on 17 March. Firstly, the installation of a 'no dog' signs in the play area. Secondly, a request to make the play area a 'no balls' area because there have been issues with some older children using the swings as goal posts, and knocking toddlers over. Thirdly, while a dog bin had been installed, it

was located very close to a property and the resident is concerned about the smell. He confirmed that Andrew Morgan had investigated the problem and had informed the resident that the bin is eight metres away from the property, and is therefore not an issue. Fourthly, weeds have pushed up the tarmac on the new pathway that had been installed.

Council response at the meeting on 30 March 2005
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Councillor Marshall confirmed that he would speak to Andrew Morgan, to get the contractors back to repair the path.

Actions agreed at the meeting on 30 March 2005
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To respond to the issues relating to the no dogs and no ball games signs and the condition of the new path.

Updates on agreed actions to feedback at the meeting on 29 June 2005
--

The playground has been completed and is now being well used by local children. There remain a few minor snags to be corrected during the defects liability period.

The goal posts have been erected. Lighting has been installed on the footpath and is now waiting connection to the electricity supply.

The open space at the south end of Bendall Green has been adopted by Parks. Arrangements have been made for the disused telegraph poles to be removed.

Responsibility

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

14. 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 30 March 2005

In **November 2004** 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.

In **January 2005** 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.

In **March 2005** a written report was presented to the Area Panel. It outlined that requests for the installation of pedestrian crossings are assessed using criteria based on national guidance. The criteria is used to assess all types of pedestrian crossing facilities and ensures budgets are used to target areas in greatest need. The adopted criteria uses a minimum threshold below which no further action is recommended. Above the threshold other factors such as the mobility and age of pedestrians, and the speed and composition of traffic are considered. Typically the minimum threshold is comparable with 50 pedestrians crossing an hour against traffic flows of 1000 vehicles. On the 9 December 2004 on Station Road between Onslow Road and Mill Lane, the highest hourly level of pedestrians was 17 between 15:00 and 16:00. Traffic flows were 910 vehicles an hour. In total 91 pedestrians crossed in the 12 hour period. On the 10 January 2005 on Station Road near to East Avenue. The highest hourly level of pedestrians was 43 between 15:00 and 16:00. Traffic flows were 790 vehicles an hour. In total 297 pedestrians crossed in the 12 hour period. A review of the accidents at the two locations over the last 5 years shows that there were no recorded pedestrian injury accidents at the East Avenue junction and one pedestrian injury accident recorded at the Onslow Road junction. This accident involved a 12 year old girl crossing the road. Whilst any accident is regrettable it is not considered that the introduction of pedestrian crossings at either location would necessarily lead to accident reductions. However, it was recognised that school catchment areas have changed and it is proposed to review the petition requests in 2006 and consider pedestrian crossings as part of the Safer routes to school schemes in the area.

Public response at the meeting on 30 March 2005

A local resident stated his disappointment that no pedestrian crossing was being installed. He considered that 300 people crossing at East Avenue sufficient to have a pedestrian crossing at that point and because there is nowhere to cross we are just waiting for an accident to happen. He considered that the speed of traffic also needs to be considered because there is insufficient time to cross safely.

Council response at the meeting on 30 March 2005

Richard Smail referred to the report, and confirmed that the recommendations are based on the criteria for pedestrian crossings, he reported that officers balance the number of pedestrians and the number of vehicles using the road.

Councillor Winter expressed her concern about refusing the request for a crossing and explained that many people now drive down the road, rather than walk, as they do not feel safe to cross the road. She considered that a pedestrian crossing is needed at this end of Station Road, particularly with the amount of houses at the bottom of the road.

Councillor Hird stated that something has to be done to support people to cross the road safely. She considered that the commitment to review needs to be earlier than 2006. She referred to the Safer Routes to School scheme and asked residents and parents to contact their local schools to lobby them to take part in the scheme. It was suggested that officers consider a central refuge as an alternative to a crossing, but it was recognised the road may be too narrow.

Actions agreed at the meeting on 30 March 2005

To ask officers to reconsider the recommendations and consider installing a central refuge in the area around East Avenue and to review the decision much earlier such as the start of the next academic year.

Updates on agreed actions to feedback at the meeting on 29 June 2005

The City Council's criteria for pedestrian crossings covers investigations into signal controlled crossings, zebra crossings and pedestrian refuges. The threshold values remain the same, the type of crossing installed being dependent on local influences.

When assessed this location fell short of the Council's criteria for a crossing facility and therefore a refuge has not been considered. Investigations on Station Road have shown that the carriageway is too narrow for the installation of a refuge in this area.

The number of children transferring from Silverhill School to Murray Park School in September this year will be 30, with three of these being from outside the normal Murray Park area. There will, therefore, be up to 27 extra pupils crossing Station Road at school arrival and dispersal times, although some final year pupils will of course have moved on so the actual increase in numbers is likely to be less than this. In view of the uncertainty of the change, we propose to have the site re-evaluated in September 2005 to assess the new situation.

Responsibility

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

15. 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 30 March 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.

In **November 2004** 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.

In **January 2005** 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.

In **March 2005** it was reported that the petition covers some complex issues. Investigations are still underway. We will report back to the next meeting on 29 June 2005.

Public response at the meeting on 30 March 2005

A member of the public asked why there had not been a response to this issue for five months, because he does not believe it is that complex. He also informed the panel that he regularly sees safety camera vans on Burton and Uttoxeter Road, but never on Havenbault Road, and asked why this was the case.

Council response at the meeting on 30 March 2005
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Councillor Care explained that the Council could provide a response after a very quick investigation and come up with an unsatisfactory solution, or conduct a more thorough investigation to increase the likelihood of an effective solution. A thorough investigation is what the area deserves. She went on to explain that it is more complex than it may appear because the junction with Rykneld Road was having design work done as well. In addition, petitions provide additional workload for officers above the programmed work and it is important to manage the impact on the existing work programme.

Sergeant Daines confirmed that Safety cameras go to specific sites that are approved by the Derbyshire Safety Camera Partnership where they will reduce speed related accidents. They are governed by strict guidelines. They are only designated as a mobile camera site when accident and casualty data is analysed, a speed survey has been completed and the road surveyed to check it is suitable. Sites with cameras are surveyed to see how the presence of the cameras is effecting the speeds. He stated that there is currently a backlog of getting road surveys done.

Actions agreed at the meeting on 30 March 2005
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Provide report in response to the investigation

Updates on agreed actions to feedback at the meeting on 29 June 2005
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A report in response to the petition appears on the agenda as item 5c.

Responsibility

Nicola Weekly, Traffic Manager – Traffic Management Schemes, Development and Cultural Services, telephone 716074.

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

16. 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. The petition stated that residents are unhappy that the play area off Woodcote way has not been finished. Some of us have been in our new properties for over three years and we are still waiting. This play area was clearly marked on plans both builders and also designated on council plans. Without an extensive walk, which is not insignificant for toddlers, there is no other suitable facilities for the area. Considering the Government is trying to encourage an increase in activity levels in young children to reduce the prevalence of obesity the lack of such facilities is unacceptable. The area is currently an eyesore and unsafe as it is covered with builders rubbish. Our children are growing up and we would like this play area now.

Action reported at the meeting on 30 March 2005

In **January 2005** it was reported that the request would be investigated and report made at the next meeting.

In **March 2005** a report was presented to the area panel that stated it is a requirement that this site is laid out as incidental public open space as part of the housing development. The proposals for the open space include a small play area with play equipment aimed at younger children and a grassed dog free area, all enclosed within bow top fencing. The play area is located alongside proposed footpaths and cycleway and a minimum of 10 metres way from adjacent residential property boundary and 20 metres from nearest habitable room in accordance with the guidelines the Council follows for locating play areas. The Council has considered all the views received and has taken the decision that the play area should be provided by the developer as required by the agreement for the housing development. The Council is now in the process of agreeing with the developer the final design of the play area and open space with a view to having the work completed as soon as possible.

The Council is now waiting for the developer to submit detail designs of the play area for approval by the Council.

The Area Panel approved the report.

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

None.

Actions agreed at the meeting on 30 March 2005

None.

Updates on agreed actions to feedback at the meeting on 29 June 2005

The developer is still in progress of revising the play area design. We anticipate the revised design to be submitted by the end of July.

Responsibility

Ken Richardson, Parks Officer, Commercial Services, telephone 716646

17. 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 30 March 2005

In **January 2005** it was reported that the petition had been received and that the officers were completing their investigations and that there would be a written report for the next meeting. Initial findings indicated 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. Officers consider it may be desirable in the long term, but it is not a priority at the moment. It was reported that the damage to the footways had been identified and repairs would be done in three places and officers would continue to inspect the footways every six months. The area panel agreed with residents 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. In **March 2005** a report was presented to the area panel recommending that the replacement of trees on Willson Avenue is not a priority. The repairs to three parts of the pavement have been completed and will be monitored every six months. Any resident who considers their property has been damaged needs to write to the Insurance Section in the Council Finance Directorate at the Council House, Corporation Street.

Public response at the meeting on 30 March 2005

Rena Powell, the lead petitioner, expressed her disappointment with the recommendation and reinforced her view that the sycamore trees are much too big for the avenue. She stated that she was not happy that very elderly residents have to write to the Council if their walls are damaged. She asked if there is any alternative way to claiming. A resident asked if the Council will repair the damage done to walls.

A resident asked why the trees are never pruned, stating that they are not managed. It was commented that some of the trees are growing far faster than others and these should be pruned. In response a resident noted that if they are vigorously pruned, then they will grow back even bigger, selective pruning is needed.

Council response at the meeting on 30 March 2005

Richard Smail referred to the report, and confirmed these trees will not be removed unless there is a health and safety issue. He confirmed that officers want to know if any of the trees have branches falling off, and encouraged residents to contact Streetcare immediately if this was the case. He agreed to find out whether there is an alternative way, other than writing, to make a claim against damage that residents feel has been caused by the trees.

Councillor Marshall considered that although all of the trees could not be removed, there were a couple of trees that needed immediate attention, and possible pruning. He requested that the Arboricultural Officer revisits the trees and he agreed to arrange to meet him on site. Councillor Care explained that the tree policy is currently being reviewed by the Council and referred to the report from the Planning and Environment Commission earlier on the meeting

agenda. She proposed that the Area Panel defer their decision until Cabinet respond to the Scrutiny Commission on the tree policy. Councillor Marshall agreed and suggested the issue is raised again at the next meeting.

Actions agreed at the meeting on 30 March 2005

To arrange a site visit with the Arboricultural Officer and the local ward councillors to identify trees that could benefit from pruning and report back.

To defer the decision on the report until Scrutiny Commission consider the response made by Cabinet to the Tree Policy.

To investigate alternative ways for residents to claim for damage to property

Updates on agreed actions to feedback at the meeting on 29 June 2005

As agreed, a site visit took place with Councillor Marshall, the lead petitioner and John Booth, Arboricultural Manager. They looked at the trees in Willson Avenue and considered the suggestion to carry out selective pruning of some of the trees. John Booth explained that any acceptable form of pruning - which is pruning that does not damage the health of the trees - would not have any noticeable benefit upon the issues that had been raised by the petitioners such as light loss and leaf litter. The sort of 'pruning' being requested would damage the health of the trees. Therefore pruning is not an option.

In response to the suggestion that residents prune the trees themselves John Booth outlined that this was not possible on the grounds that this is not a matter of funds but of policy and the proposal is not supported by the Tree Policy.

John Booth confirmed his decision to monitor the trees and the Highways section will continue to monitor the footways and clear the fallen leaves as necessary. There is no reason within the Tree Management Policy to take any immediate action to prune or fell the trees.

Cabinet responded to the Scrutiny Commission proposal on the tree policy on 14 June. Cabinet approved a pilot project during 2005/6 in Area Panel 5 allowing the area panel to commission up to £5,000 of cosmetic tree work where the Arboricultural Officer has not been prepared to commission the work. The project will be reviewed after one year.

Regarding the request to identify alternative ways to claim for damage, all insurance claims are based on establishing legal liability. They must, therefore, be in writing. Whether the claimant pursues the claim personally or instructs someone else is up to them. Whoever makes the claim has to submit evidence to support their claim, this can be expensive because it may require the use of experts if there is any doubt about the cause of any damage.

Responsibility

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

18. Ref: 405009 – Petition – Increase in traffic on Church Street, Littleover – received 30.03.05

Issue

A petition has been received from residents that are concerned about the amount of traffic using Church Street, Littleover as a convenient route through the village. Church Street is narrow and when cars park on one side it becomes difficult and dangerous especially at school starting and finishing times. Residents are aware of a current traffic management survey and ask the Council to consider a proposal to install a 'no left turn' sign at the Old Hall Road junction and a 'no right turn' from the Hollow. This will make Church Street one way from its junction with Shepherd Street.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

None.

Actions agreed at the meeting on 30 March 2005

To investigate and report back.

Updates on agreed actions to feedback at the meeting on 29 June 2005

Changes are being considered for Church Street as a result of the St Peter's School Travel Plan. Consultation is currently underway on proposals. We will provide a full report to the next meeting on 28 September 2005.

Responsibility

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

19. Ref: 405010 – Petition – Improved lighting and car parking on Trusley Gardens, Blagreaves – raised 30.03.05

Issue

A petition has been received from residents of Trusley Gardens are asking the Council to improve their environment to make it safer. They are requesting improved lighting along a pathway and car hardstandings in their gardens because there is nowhere available to park cars either off the road or near their properties.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

None.

Council response at the meeting on 30 March 2005

The petition has been referred to Derby Homes who will be contacting the lead petitioner.

Actions agreed at the meeting on 30 March 2005

Derby Homes to investigate and report back.

Updates on agreed actions to feedback at the meeting on 29 June 2005

Derby Homes have discussed the proposals set out in the petition with the lead petitioner. Consultation has been completed with the petitioners. Out of eight petitioners, five responses were received, of which four were in favour and one was strongly opposed. Officers in Development and Cultural Services have advised that planning permission would be needed.

A site visit has indicated an estimated cost of up to £30,000 and would benefit only four Derby Homes tenants. Funding for this would be very difficult to secure. It would also leave any future tenants of four properties on Trusley Gardens with no front gardens. There is extensive parking at the bottom of Trusley Gardens and a City Housing Improvement Plan bid has already been agreed for extra parking bays this year.

However, residents approached the main housing contractor, Bramalls, currently working in the area about leaving the access road they had temporarily put down to carry out their work. It has been confirmed that the road will not be left and all the gardens will be re-instated. However, the architect for the scheme has been asked to look at the feasibility of taking away some of the front side garden of one property on Trusley Gardens and providing six off road parking bays, one for each council owned property in the area. Derby Homes are currently awaiting the outcome of this.

Regarding the additional lighting requested, a price will be obtained for next years, 2006/7 City Housing Improvement Plan that will be considered by the Littleover Community Panel.

Derby Homes aim to provide a full report at the 7 September area panel meeting.

Responsibility

Pam Stretton, Local Manager, Derby Homes, telephone 716578

20. Ref: 405011 – Petition – Residents privileged parking, Heath Avenue, Littleover – raised 30.03.05

Issue

A petition had been received from residents of Heath Avenue requesting a resident's privileged parking scheme on Heath Avenue. There have been parking problems on Heath Avenue for some time and residents believe they will not be resolved until some action is taken.

Action reported at the meeting on 30 March 2005

New item

Public response at the meeting on 30 March 2005

The lead petitioner explained that parking is a constant problem because staff and customers of businesses on Burton Road parking there all day up until 10 pm. They not only take up all the on road parking but they also block people's access to their own driveways. He explained that all residents have been canvassed and 80% want a residents only parking scheme similar to other streets. He reported that residents are very committed to finding a solution and one option that they have considered is unadopting the road. He asked if the Council can inform him of the procedure to unadopt the road.

Council response at the meeting on 30 March 2005

Councillor Allen agreed that the parking problem on Heath Avenue is very serious. He clarified that South Avenue does not have a residents parking scheme but it does have a yellow line and a sign that says 'access only', which is often ignored.

Actions agreed at the meeting on 30 March 2005

To investigate and report back.

To inform the lead petitioner of the procedure for unadopting roads.

Updates on agreed actions to feedback at the meeting on 29 June 2005

A report in response to the petition appears on the agenda as item 5b.

Responsibility

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