

**AREA PANEL 4 COMMUNITY ISSUES – UPDATE REPORT  
BACKGROUND INFORMATION  
29 MARCH 2006**

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**1. Ref: 405015 – Millennium Wood, Blagreaves – raised 28.06.05**

**Responsible officer(s) for more information:**

Ken Richardson, Parks Officer, Environmental Services, telephone 716646

Ray Brown, Senior Planning Officer, Regeneration and Community, telephone 255024

**Issue:**

A written question asked about the lack of access to the Millennium Wood site now that the access from Oaklands Avenue has been fenced off by the owners after 20 years of public access. Now that the wood has been there for ten years when will the area be developed to its full potential?

**Previous key points / action taken:**

**September 2005** - A presentation on the proposed City Park was made to Area Panel 4 in 2004. Proposals indicated it would be about 46 hectares, some land planned for the park had been acquired. The rest of the site is under private ownership as farmland. It would cost £1.5 to £2 million for all the facilities. Parks began the process to establish a Friends Group in 2005, but there was a poor response to forming a group. This needs to be followed up, along with consultation, but it's not possible to put a revised time scale on this. New funding programmes look like they will be open to applications sometime in 2006. Consideration was given to purchase the small farm that was up for auction, but agreed not to proceed because it did not represent good value for money for a small area. It is understood that a new owner has purchased this land, over which the access track runs from Oaklands Avenue to Millennium Wood. Access to the wood from Oaklands Avenue has always been in private ownership and there is no public right of way.

**November 2005** - The City's Rights of Way Officer has confirmed that there are no recorded public rights of way, on the definitive map, between Oaklands Avenue and Moorway Lane. A public right of way could formally be created if serious demand could be shown. The residents concerned about the access have been informed how they can start the process to introduce a public right of way. This involves applying to the Council for a Modification Order to be made. Evidence to support the application needs to be provided. All landowners would need to agree to any footpath. The timescale would be long, as agreements about the path route and maintenance responsibilities would have to be arranged. A resident commented that while there is only one access point to the park, off Moorway Lane, it reduces use and makes it a less safe area for residents to visit. He asked that the Council provides a second access point and he stated that when asking Councillor Dhindsa to support this request he was told it would be a priority.

**January 2006** - The Council has a duty to produce a Right of Way Improvement Plan – ROWIP, for Derby under Section 60 of the Countryside and Rights of Way Act 2000. A progress report will be included within the second Derby Joint Local Transport Plan - LTP2. The final ROWIP will be published in late summer 2006 and will form a strand of the final LTP2.

We are required to assess within the ROWIP:

- the extent to which local rights of way meet the present and likely future needs of the public
- the opportunities provided by local rights of way - and in particular by footpaths, cycle tracks, bridleways and restricted byways - for exercise and other forms of open-air recreation and the enjoyment of their area
- the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems
- and such other matters relating to local rights of way as the Secretary of State may direct.

**Response on 18 January 2006**

Residents asked if more access points could be considered as part of the Right of Way Improvement Plan including one from Tiller Close, which is opposite a footpath from Gorse Close. Other access points to consider could be from Blagreaves Lane and from the south from Findern. Further detailed questions were asked about what could be provided in Millennium Wood and it was requested that Andrew Morgan from Derby Parks attends a future meeting.

**Actions agreed:**

Invite Andrew Morgan to attend a future meeting.  
Request the additional access points are included in the Right of Way Improvement Plan

**Update:**

The City's Rights of Way Officer has confirmed that these suggestions for access points to Millennium Wood - from Oaklands Avenue, Blagreaves Lane, Tiller Close and from the south - will be considered for inclusion in the draft Right of Way Improvement Plan. It will be published in November 2006 prior to consultation up to March 2007.  
Andrew Morgan from Derby Parks will be invited to attend the next area panel meeting in Blagreaves ward on 28 June 2006.

**2. Ref: 405031 – Housing developments in Blagreaves – raised 30.11.05**

**Responsible officer(s) for more information:**

Paul Clarke, Group Leader, Regeneration and Community, telephone 255935  
Peter Price, Transport Policy Manager, Regeneration and Community, telephone 715034

**Issue:**

A resident was concerned about the impact on traffic in the area resulting in the proposed 200 houses to be built around Stenson Road and Blagreaves lane junction. There are already major traffic problems in the area and what is being done to address the impact?

**Previous key points / action taken:**

**November 2005** - A resident asked what is proposed for the Stenson Road and Blagreaves Lane junction when the new houses are built. He considers the junction needs to be changed to make it safer for pedestrians crossing the roads. Another resident was concerned about how close the new buildings, built on the former Posthouse site, were to the existing trees. He asked the panel that if a similar proposal was put forward again would they be able to lobby against it.

Councillor Skelton referred to recent changes in planning rules that allow greater density on housing developments. She explained that it is difficult to stop developments if they are within guidelines but lobbying can influence the decision. Councillor Troup proposed that officers should be invited to explain how the impact on the environment caused by planning applications is taken into account.

**January 2006** - An application for about 20 properties was approved on 8 December 2005 on the south side of Blagreaves Lane. However no planning application has yet been made for any larger development involving 200 properties. As and when an application is submitted a transport assessment of the resulting impact of any development will be made. An officer has been invited to attend a future meeting

**Response on 18 January 2006**

Councillor Skelton reported that the planning applications are for new developments in South Derbyshire around Stenson Fields and that she has asked for the impact of additional traffic from the development on Stenson Road to be considered.  
It was confirmed that a traffic assessment will be made when any plans are submitted for the new developments on the two sites south of Grovebury Drive.

A resident asked in a written question why

**Actions agreed:**

Confirm that a request is made to South Derbyshire to consider the impact of additional traffic from their developments on Stenson Road.

**Update:**

It should be noted that the Council will be consulted formally by South Derbyshire Council on these planning applications. The Council is likely to be involved in assessing and approving any transport assessment from these developments. It is also worth noting that Highways Departments of the City and County Councils work together closely on developments close to the Derby boundary to make sure that cross boundary issues such as this are dealt with in an appropriate manner.

A planning application has not been received, but we are aware of interest in the site.

**3. Ref: 406003 – Bendall Green Developments, Blagreaves - received 18.01.06**

**Responsible officer(s) for more information:**

Pam Stretton, Derby Homes, telephone 716578

**Issue:**

Residents complained that the contractor improving the housing for Derby Homes, were causing disturbances to all the residents in the area. This includes litter, dust and mud on the roads and residents cars, noise from 7.30am, indiscriminate parking, driving construction vehicles while drinking and using phones and damaging the grass with vehicles and skips. What is being done to stop this and will the damage be repaired?

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Another resident commented that two containers have also been placed on Bendall Green. Lisa Waters from Derby Homes reported that AMEC have put the new containers on the green without permission and Development Control is investigating, it is likely they will be asked to remove them.

Lisa Waters, Derby Homes, explained that the contractors are due to finish work in March and the damaged grass and highways will be put right then. If residents have any complaints about the improvement work or the contractors they can contact Derby Homes at the Littleover Housing office. In addition they can call in and see Andy Higginbottom at the office every Wednesday from 10 am to 12 noon.

**Actions agreed:**

Update on completion of work.

**Update:**

The completion of the work is now likely to run into April. All damaged grassed areas will be repaired then.

We have requested that if there are any complaints or issues regarding the workmen to provide details of the vehicle concerned, dates, times and any additional information which may be of use to the Littleover Housing office.

Andy Higginbottom from Derby Homes has spoken personally to the resident who raised the issues at the meeting.

The containers on Bendall Green have now been removed.

**4. Ref: 406004 – Bendall Green Lighting, Blagreaves - received 18.01.06**

**Responsible officer(s) for more information:**

Alan Jaques, Street Lighting Manager, Regeneration and Community, telephone 715014

**Issue:**

Residents complained about the poor standard of lighting around Bendall Green. There are incidents of anti social behaviour in the area and improved lighting is needed to make residents feel more secure. The panel were asked if white lighting could be installed.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Care reported that there is a Private Finance Scheme – PFI, now in place to improve lighting across the city over the next few years. This request will be considered along with many others.

**Actions agreed:**

Update on the PFI scheme programme for updating and providing new lighting

**Update:**

We are currently at the Best and Final Offer stage of the Private Finance Initiative - PFI procurement, we are anticipating that the 25 year contract will commence during July 2006. The first 5 years of the contract will involve the replacement of 66% of the current lighting stock, this will be brought up to modern standards and include the installation of additional columns if required. It is too early to give an indication of when the lighting in Bendall Green will be replaced. However due to the type of equipment used in the area currently, it is anticipated that Bendall Green would be included in the first five-year programme. This issue has been placed on file, and when a more accurate forecast is available, the panel will be informed.

**5. Ref: 406008 –Trees on Blagreaves Lane, Blagreaves - received 18.01.06**

**Responsible officer(s) for more information:**

John Booth, Arboricultural Manager, Environmental Services, telephone 715537

**Issue:**

A resident was concerned that the Council had cut down many mature trees on Blagreaves Lane unnecessarily. There had been no consultation and local residents were very unhappy.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Skelton explained that the trees had a disease and had been cut down on health and safety grounds. Councillor Skelton had been informed that there had been no local consultation because there is no funding available to the Arboricultural Team to produce leaflets. Councillor Skelton assured the meeting that new trees will be replanted.

**Actions agreed:**

To provide an update on replacing the trees.

**Update:**

Replacement trees will be planted, we aim to complete the planting this year by April 2006.

**6. Ref: 405007 – Parking problems, Devonshire Drive and East Avenue, Mickleover – raised 30.03.05**

**Responsible officer(s) for more information:**

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

Michelle Spamer, Area and Neighbourhood Co-ordinator, Regeneration and Community, telephone 715064

**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.

**Previous key points / action taken:**

**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. It was agreed that the Police would visit Devonshire Drive shops area at school pick up time.

**June 2005** - the Police have given attention to this issue and have been visiting the area to enforce parking restrictions.

**September 2005** - Police officers visited the area during the summer term and issued tickets. They will be visiting the area again now that term has restarted. Ravensdale Infant and Junior Schools have both requested parents, in their school newsletters, not to double park, park down the school drives or in front of private driveways.

**November 2005** - Work is ongoing as part of Road Safety group carrying out surveys and ultimately drawing up a School Travel Plan for Ravensdale Infant and Junior School. Once the Travel Plan has been taken forward, consideration could be given to any work necessary to reinforce the travel plan. A resident explained how drivers continue to park and drive along pavements and recently he was nearly hit. He asked that officers visit the area and enforce the parking restrictions urgently to prevent a serious accident. Councillor Winter agreed to inform the local Police officers and ask them to visit again.

**January 2006** - The Police have confirmed that the local beat officers will visit the area during school pickup time. It is intended that the Council will take over responsibility from the Police for the enforcement of parking restrictions in July 2006. However, issues such as obstruction of the highway or hazardous parking will continue to be the responsibility of the Police. Unfortunately, congestion caused by parking outside schools is a common problem. The only long-term solution is to assist schools develop their own travel plan. We are currently working towards signing off the Ravensdale Schools Travel Plans by April 2006. School Travel Plans encourage parents, pupils, teachers and local residents and agencies to work together in partnership with the Council. The main aims of a travel plan are to :

- reduce congestion by promoting alternatives to the car for school journeys
- improve the safety of pupils and parents when travelling to school, especially those walking and cycling
- strengthen links between the school and local community.

The Ravensdale Travel Plans will then be developed over the coming years and we will monitor their progress. We will also continue to encourage parents and children to choose sustainable

travel options to reduce car use.

**Response on 18 January 2006**

A resident confirmed that the police had been checking the area around the school and thanked the police for their action. He asked that the Police continue to visit the area because it makes a difference.

**Actions agreed:**

Provide an update on recent actions and progress for the travel plan.

**Update:**

Police beat officers continue to monitor the area. They visited the area during the week after half term and handed out fixed penalty notices.

We remain on track to sign off the travel plan at Ravensdale Junior and Infants Schools in April 2006. This will secure a small amount of reward funding for each school from the Department for Transport and Department for Education and Skills. In future years the schools will be eligible for capital funding from the Local Transport Plan.

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

**Responsible officer(s) for more information:**

Tony Gascoigne, Traffic Control Engineer, Regeneration and Community, telephone 715019.

**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.

**Previous key points / action taken:**

**November 2004** - 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.

**January 2005** - 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.

**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.

**June 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. 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 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.

**September 2005** - the survey will be done during September 2005. We will report back on the findings to the November meeting.

**November 2005** - Councillors and residents may be aware that there was a fatal accident on Station Road on 20 October. We would like to offer our sympathy to relatives, friends and neighbours of the lady involved in the accident. The Police are investigating and at the moment we are not fully aware of the circumstances surrounding the accident. We were on site conducting the traffic count survey on the day of the accident and were not able to complete the survey. We will reschedule a survey and report back our findings to the area panel as soon as our investigations can be completed. We anticipate that a report will be available for either the January or March 2006 meeting.

**January 2006** - A report responding to the petition was presented to the meeting on 18 January. It reported that the original traffic and pedestrian surveys showed that both requests failed to meet the minimum thresholds for crossings agreed by the Council. The findings were reported to Area Panel 4 in March 2005 when it was proposed to refuse the requests. However, the Panel asked for both locations to be reviewed again in the Autumn 2005 as a result of changes to school catchment areas which were likely to result in more walking trips across Station Road.

Both locations were reassessed and the data revealed the minimum threshold was not met near Onslow Road, but was met at the East Avenue location. There was an increase in pedestrians of over 56% at both locations compared to the previous survey in December 2004 and traffic flows

along Station Road have increased by approximately 9%.  
The crossing facility on Station Road will be added to the preparation pool of approved Local Transport Plan schemes. The scheme will be designed and implemented, subject to satisfactory consultation, when funding is made available through the annual Local Transport Plan Programme.

**Response on 18 January 2006**

The lead petitioner submitted a written response to the report outlining her concerns about the content of the report and the proposals. She welcomed the proposal to install a crossing at East Avenue but asked that the Onslow Road crossing is reconsidered.

Richard Smail clarified that the recommendations are based on the busiest times during the day. He also clarified that the initial counting process totals all people who cross but if the total figure meets the criteria the number of unaccompanied children is then taken into account when determining the need for a crossing.

Councillors Winter and Jones welcomed the proposal for a crossing on East Avenue. They requested that it is monitored again in the Autumn of 2006 if no plans are included in School travel Plans. They also suggested checking if section 106 funding was available from Radbourne Lane developments

Councillor Troup suggested reviewing Onslow Road when Murray Park School travel plan is produced. However this was not supported because there is no known date for the travel plan. Councillor Care confirmed that the East Avenue crossing will only be installed if funding is made available in the next year and confirmation would need to be provided. Councillor care also suggested that funding could be made available through improvements to Cycling routes that are proposed.

**Actions agreed:**

Respond directly to the lead petitioner regarding the issues raised in her response.

Request that Onslow Road crossing is reviewed in the autumn of 2006.

Consider using funding from possible cycling improvements along the cycle way

Identify if any section 106 funding from Amber valley developments is available for improvements on Station Road.

**Update:**

We have responded directly to the issues raised by the lead petitioner.

We have reviewed the Onslow Road site on several occasions in the last two years. The last surveys continued to show that the level of pedestrian conflict fell well short of the Council's minimum threshold. In these circumstances we would not review the situation for at least a further two years.

Murray Park does not have a Travel Plan at the moment and currently they are not working towards one.

There is no funding earmarked for cycling improvements in this area at the present time and therefore there is no funding from this source to support installing a pedestrian crossing at Onslow Road.

It is too early yet to confirm whether a crossing at Onslow Road could be considered as part of any future Section 106 funding. The developments have not yet been confirmed in the local plan and we anticipate that it will be at least 12 months before any planning application is made. At this stage, a full traffic assessment will be carried out. A crossing could be considered as part of this assessment as long as the forecasted traffic numbers justified a crossing in this location. We will consider this suggestion as and when a planning application is received.

Funding has been confirmed for the East Avenue crossing and this work will be done during the financial year 2006/07.

**8. Ref: 406001 – Petition, Car parking on Uttoxeter Road, Mickleover, - received 18.01.06**

**Responsible officer(s) for more information:**

Neil Palfreyman, Traffic Management Engineer, Regeneration and Community, telephone 716090

**Issue:**

A petition had been received in December 2005 about the difficulty of getting out of driveways along Uttoxeter Road near to the City Hospital. This is because of cars parked by hospital workers, visitors and contractors between 8am and 5pm. There is very little space to manoeuvre and it is difficult to see oncoming traffic travelling at 40mph. Can the Council install double yellow lines as part of the list of improvements already proposed for the next few weeks.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

A number of residents from Uttoxeter Road who live nearer to Corden Avenue reported that they also have the same parking and access problems caused by the people working at the Hospital for their contractor. It is very dangerous trying to get into and out of driveways and they asked that double yellow lines are provided.

Councillor Care thanked the residents for raising the issue.

**Actions agreed:**

Investigate and report back

**Update:**

A report is included in Item 5 on the agenda for 29 March.

**9. Ref: 406002 - Royal British Legion Mickleover Development, Mickleover - received 18.01.06**

**Responsible officer(s) for more information:**

Rosie Heath, Senior Planning Officer, Regeneration and Community, telephone 255073

**Issue:**

The local scout leader noted that the recent planning application was withdrawn. He asked that if the Council approves planning permission would the area panel agree to support the inclusion of a section 106 agreement to provide suitable facilities for the scouts, guides, playgroups and army cadets that use the existing buildings on the site?

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Jones reported that she understood the application would be considered on 26 January and that meetings with the planners about the section 106 agreement were taking place. Councillor Hird reported that she would be attending the planning control meeting to speak on behalf of local groups.

**Actions agreed:**

Update on outcome of section 106 agreement to support local groups

**Update:**

The planning application was granted planning permission at Planning Control Committee on 26 January subject to the completion of a Section 106 Agreement. The S106 agreement was completed on 6 February and covers public open space, mobility housing, highways, replacement pitches and community use. In terms of the community use element, the clubhouse cannot be opened until a programme for community use of all the facilities has been submitted and agreed by the Council. It also states that the houses cannot be developed until the football pitch, bowling green and multi use games area are completed and ready for use.

**10. Ref: 406005 – Mickleover Section 30 Dispersal Order, Mickleover - received 18.01.06**

**Responsible officer(s) for more information:**

Inspector Gary Parkin, Derbyshire Police, telephone 222184

**Issue:**

A resident asked if the Council could support the reapplication for the section 30 dispersal order for Mickleover. He was concerned about the increase in anti social behaviour. He also thanked the panel for the recent funding allocated to Mickleover Pavilion Association to help fit it out with chairs and tables which will allow the venue to be used by local clubs.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Winter expressed her support for the Mickleover Pavilion Association and was concerned about the increase in anti social behaviour around Devonshire Drive. Councillor Winter reported that the Police would need to respond about the section 30 order not being renewed.

**Actions agreed:**

Update on the section 30 dispersal order for Mickleover.

**Update:**

The Mickleover Section 30 order ran for 6 months and other than the city centre order ran for the longest time. The order stopped in January 2006. Since January the Police have been working to assess the impact of not having the section 30 order. When the investigations are completed and the findings analysed the need for a section 30 order will be reassessed. The police and partners need to check that the section 30 order is making a difference on anti social behaviour. It should be noted that these orders are just one method of tackling issues and need to be used in conjunction with other tactics including Anti Social Behaviour Orders and Acceptable Behaviour Contracts.

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

**Responsible officer(s) for more information:**

Rob Salmon, Head of Plans and Policies, Regeneration and Community, telephone 255020

**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.

**Previous key points / action taken:**

**July 2004** - 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.

**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.

**November 2004** - 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.

**January** - 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.

**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.

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. Councillor Care responded that there would be nothing we could do at this stage with the Local Plan.

**June 2005** - 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 resident's 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 Authorities 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.

**September 2005** - North West Leicestershire District Council anticipate taking this planning application to Committee in September or October 2005.

**November 2005** - North West Leicestershire now do not expect to determine this application until early next year.

**January 2006** - East Midlands Airport have been invited to attend but they have declined the invite because their strategy to promote the Masterplan is based around arranging 10 exhibitions across the East Midlands. The Derby exhibition is on Tuesday 14 February from 9am to 5.30pm in the Eagle Centre. Details of other exhibitions are available on their website [www.nottinghamema.com](http://www.nottinghamema.com)

#### **Response on 18 January 2006**

Councillor Care confirmed that Derby City Council has now been granted a place on the airports Independent Consultative Committee and a councillor will be selected to represent the Council. Richard Smail reported that the airport had agreed to arrange an extra local meeting in the Littleover/Mickleover area in February to discuss their masterplan. Details of the extra meeting will be available from the airport website.

#### **Actions agreed:**

None.

#### **Update:**

Progress on the planning application is reported to be slow. A decision is not expected before April 2006.

**12. Ref: 406006 – Grass verge damage, all wards - received 18.01.06**

**Responsible officer(s) for more information:**

John Edgar, Maintenance Manager, Regeneration and Community, telephone 715067

**Issue:**

A resident expressed concern about grass verges that were being damaged by vehicles and wanted to know why the Council do not ask those who damage them to pay for the repairs.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Care reported that she had a list of verges where repairs are needed. She explained that officers will take action when they have evidence. Councillor Troup confirmed that he had raised this issue with verges around Oaklands Avenue and that Derby Homes are investigating.

**Actions agreed:**

Confirm when action can be taken.

**Update:**

The problem of damage to grass verges caused by vehicles is common across the city, and is always worse in the winter months. We are very limited in what action we can take because it is not an offence under the Highways Act to park on a grass verge. We can take legal action to recover the costs of repairing damage to the verge, but this is very difficult to actually achieve. It is an easy defence for motorists to claim that the damage already existed and was caused by others. To take legal action it would be necessary for an independent witness to confirm that they saw the damage being caused and no prior damage existed.

Funding for repair to damaged verges is very limited. In most cases also, it can be pointless carrying out repairs without taking measures to prevent further damage. This can be costly as it usually involves installing bollards, which makes mowing operations difficult and can become a maintenance liability. In some cases, we send letters to residents asking them to stop parking on verges outside their homes, but this has only limited success with the problem re-appearing after a short time.

If anyone has concerns regarding a particular location, please contact the Streetcare hotline on 01332 715000 and let us know the details. We will investigate and see what we can do to improve the situation.



**13. Ref: 406007 – Recycling, all wards - received 18.01.06**

**Responsible officer(s) for more information:**

Richard Winter, Assistant Waste Management Officer, Regeneration and Community, telephone 715108

**Issue:**

Residents were interested in how much the Council makes from recycling and how is the income used. In addition, while residents now have many kerbside recycling options there appear to be fewer options for businesses to recycle. Another resident commented that the blue boxes are often blown or left across gardens and new ones have to be requested, which is an extra cost.

**Previous key points / action taken:**

New item.

**Response on 18 January 2006**

Councillor Care confirmed that recycling cans and paper provide the most income and overall recycling now covers its costs. Councillor Care reported that the blue boxes were gradually being replaced with blue bins. There would also soon be the opportunity to recycle cardboard and food waste at the kerbside.

**Actions agreed:**

Update on recycling developments.

**Update:**

The Council pays for waste disposed of to landfill by the tonne. Thus any material diverted for recycling also saves on landfill costs as well as on environmental grounds. Overall recycling costs the Council rather than generating a net income however as recycling increases due to the co-operation of the public and the cost of landfill or treatment increases it is likely that the Council will show a net saving. This is a long-term projection.

It is suspected that many businesses do not pay for their trade waste to be collected and dispose of it through their domestic bin, which is illegal and places costs on the ordinary council tax payers of Derby. The Council will be checking on businesses in the future to make sure they have proper disposal procedures in place and are paying for the service. The Council wants to increase the amount of recycling carried out by businesses and will be promoting this service in the future.

We are now in the process of switching from blue boxes to blue bins. One of the reasons behind this decision is because of the issue raised by the resident. Due to the costs of converting to the blue bins we are unable to do them all at once. We will replace as many as funds will allow each financial year.