



**BRAUNSTONE PARK & ROWLEY FIELDS, WESTCOTES AND WESTERN PARK  
AREA COMMITTEE**

**1 November 2007**

**RESPONSES TO QUESTIONS ASKED AT THE MEETING ON 06 SEPTEMBER 2007**

At the last meeting of the Area Committee on 01 November 2007 the following questions were asked or submitted via a questions sheet. These were passed onto the relevant officers after the meeting and the responses are below. The right hand column shows who answered the question. The numbering of the questions follow on from the previous meeting.

221)	<p>De Montfort University has had an unfair advantage over other universities because all its student accommodation is located within walking distance of the campus. This is what appeals to students and the reason why it has expanded so rapidly.</p> <p>The university describes the campus as “a modern student village with a 1000 capacity nightclub at its core”. They don’t mention that family homes are located within 300 yards of the nightclub.</p> <p><b>Q1</b> The Human Rights Act states that everyone has the “right to respect for private and family life, and protection of property”. How can this be achieved when families are kept awake till 5.30am and have their property vandalized throughout the week?</p> <p><b>Response:</b></p> <p>The City of Leicester Local Plan policy H08: Student Housing generally supports the provision of new student accommodation close to the university campus. In terms of sustainable development it is much better to locate student accommodation within easy walking distance of the campus, thereby reducing the need to travel by car. Purpose-built accommodation with proper management arrangements should help to alleviate some of the problems associated with student behaviour.</p> <p>While the DMU Students Union is a major entertainment venue it is not the only licensed premises in the area. The DMU Students' Union has a premises licence that authorises</p>	Neal Moore/Rachel Hall, Regeneration and Culture
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	<p>regulated entertainment, late night refreshment and the sale of alcohol between 09.00 and 04.00 each day, with opening hours from 09.00 to 04.30 each day. These are the standard hours, with additional hours on specified days. The DMU students union already goes above and beyond what many premises do to try and minimise their impact on the local community.</p> <p>The Licensing Act 2003 makes four licensing objectives paramount in the licensing process - prevention of crime &amp; disorder; prevention of public nuisance; public safety; protection of children from harm. It also recognises that individuals are responsible for their own behaviour, and that an operator cannot be held liable for the actions of their customers beyond the immediate vicinity of the premises. Criminal acts of vandalism would be a police matter. Late night noise associated with commercial and domestic premises can be investigated by the Council's Noise Control Team.</p> <p>The Human Rights Act also states that everyone has the right to freedom of expression but this carries with it certain duties and responsibilities. A careful balance has to be struck between the right of individuals to enjoy social activities and the right for an acceptable quality of family life for residents.</p>	
222)	<p>De Montfort University has had an unfair advantage over other universities because all its student accommodation is located within walking distance of the campus. This is what appeals to students and the reason why it has expanded so rapidly.</p> <p>The university describes the campus as "a modern student village with a 1000 capacity nightclub at its core". They don't mention that family homes are located within 300 yards of the nightclub.</p> <p>The Human Rights Act states that everyone has the "right to respect for private and family life, and protection of property". How can this be achieved when families are kept awake till 5.30am and have their property vandalized throughout the week.</p> <p><b>Q2</b> Other City Councils have identified demographic imbalance as the root cause of all these problems. They are building student accommodation away from residential areas. I would like to know how can balance be restored in the community when residents are being sandwiched in between the campus core and new student accommodation?</p> <p><b>Response:</b></p> <p>In terms of sustainable development it is much better to locate student accommodation within easy walking distance of the university campus, thereby reducing the need to travel by car. Much of this new provision replaces the former DMU halls of</p>	Neal Moore, Regeneration and Culture

	<p>residence at Scraptoft. Purpose-built accommodation with proper management arrangements should help to alleviate some of the problems associated with student behaviour. It should also free up existing terraced properties for family use again. The City of Leicester Local Plan policy H08: Student Housing generally supports the provision of new student accommodation but includes a criterion about over concentration prejudicing mixed and inclusive communities. The majority of the recent purpose built student housing approved by the City Council is located well away from established residential areas and close to the city centre and university campus e.g. Oxford Street, Grange Lane, Newarke Street, Newarke Close, Castle Street. Planning permission is not needed to use houses (and flats) as shared student houses where up to six people are living together.</p>	
223)	<p>If all the residents in your street are temporary or non-English speaking, then how is it possible to effectively challenge planning/licensing applications on your own? Also, community campaigns often take years even within a sustainable population. How can residents campaign effectively within a transient population like the West End?</p> <p><b>Response:</b></p> <p>Communications / engagement with transient populations poses very clear challenges for public agencies like the Council. We are very aware for example that print media can be a very limited form of communication with not only transient populations, but also settled English speaking groups who have low levels of literacy. We know we need to make better use of channels such as community meetings (such as area or community meetings), local and citizen radio, the internet or even DVDs and more visual approaches.</p> <p>Planning and licensing are particular examples of services that have used quite traditional forms of communication that are not necessarily the best way of responding to the changing needs of communities today. One of the problems is that information about plans and services in any neighbourhood are not available 'all in one place'. So if you want to find information about what is going on it's hard to know where to start, especially if you are in unfamiliar environment.</p> <p>There is no quick fix to this problem, but it's very much an issue we have in mind. In future we want to strengthen the provision of local meetings, and the use of local centres such as community centres, children's centres and customer service centres so that as much as possible the services and information you need about what you need can all be found in one place.</p> <p>In particular – we see the internet as an increasingly valuable tool for providing as much information as possible. Of course</p>	Keith Murdoch, Chief Executive's Department

	<p>there are sections of the community who do not use the internet so it can't be the only solution, but it does provide a lot of opportunities for basic information and feedback, and it's relatively easy for us to provide information in different languages that way. One option might be for us to start to develop a site for each neighbourhood or ward which gives you access to lots of current information and plans affecting the local area – and allows feed back to consultation or communities themselves to raise issues and seek support.</p> <p>We would be interested to hear people's views and ideas on this issue.</p>	
224)	<p>Fly Boarding is illegal and already being challenged in other parts of the city. Leeds council has gone further and placed restrictions even on legal boards, making them smaller and flush with buildings. Can these ideas be implemented in Westcotes?</p> <p><b>Response:</b></p> <p>Planning enforcement officers already take direct action against fly-posting (by removing or obliterating them) when resources permit. Contact has also been made with some promoters to try to channel publicity of events through legitimate outlets.</p> <p>We are currently considering a campaign, involving media publicity and letters to businesses, followed by direct action if necessary. This would include action against unauthorised 'A'-boards, which are an increasing problem. This needs coordination. Consideration will be given to a pilot exercise in Westcotes/Narborough Road.</p> <p>Any campaign would be to ensure that businesses comply with the legislation controlling advertising displays. National advertisement regulations control the size of advertisements that can be displayed without an application to the council.</p>	David Cotton, Regeneration and Culture
225)	<p>A garage at 2A Wilberforce road is being investigated (Ref:PE/LB/20074623C) for working on the street and ruining the environment. The landlord owns many properties in the area and some of these have gardens filled with rubbish. Why are no conditions being imposed on cowboy landlords in the area?</p> <p><b>Response:</b></p> <p>The Planning Enforcement Team is still investigating 2A Wilberforce Road for possible unauthorised uses and/or S.215 (untidy site) action.</p> <p>Planning powers can only be exercised in respect of specific properties and each case has to be considered on its own merits. It should be borne in mind that S. 215 action is aimed</p>	Malcolm Grange, Regeneration and Culture

	<p>at ameliorating significant eyesores and dereliction.</p> <p>In the absence of more information, it is difficult to progress any local concerns on other matters raised. However, the Councils Private Sector Housing Team can investigate complaints about poor housing conditions in rented properties and Area Environmental Health gardens filled with rubbish. Any information provided to the Council's customer care centre on Leicester 2527001 will be treated in strict confidence.</p>	
226)	<p>The Leicester Mercury has run several articles about emergency vehicles struggling to access the area. Why is illegal parking still not being effectively challenged on Western Road?</p> <p><b>Response:</b></p> <p>Western Road is part of the outer central area beat patrol area and is patrolled by the parking attendants on average 4 times each week. Since the beginning of January this year when the City Council took over responsibility from the Police for parking enforcement 215 penalty charge notices have been issued. This indicates that regular enforcement of the parking restrictions is being carried out along Western Road. However, the enforcement contractor has now been instructed to monitor the situation and the level of enforcement cover increased as necessary.</p>	Nigel Clarke, Regeneration and Culture
227)	<p>Will we have a bin fine scheme?</p> <p><b>Response:</b></p> <p>The City Council currently has no plans to implement any of the variable charging schemes that have been in the news recently. However, we are keen to tackle the problem of bins permanently left on pavements and a pilot initiative is currently underway in the Jarrom Street area, which could result in fines for residents who persistently refuse to co-operate.</p>	Adrian Russell, Regeneration and Culture
228)	<p>Glasgow Council has a limit of 10% student homes around their campus. Why does the majority of student accommodation still rely on an unregulated private housing market and can such restrictions be implemented here to bring balance to the community.</p> <p><b>Response:</b></p> <p>The City of Leicester Local Plan policy H08: Student Housing generally supports its provision but includes a criterion about over concentration prejudicing mixed and inclusive communities. The majority of the recent purpose built student housing approved by the City Council is located well away from established residential areas and close to the city centre and university campus e.g. Oxford Street, Grange Lane, Newarke Street, Castle Street. Planning permission is not needed to use houses (and flats) as shared student houses where up to six</p>	Neal Moore, Regeneration and Culture

	<p>people are living together.</p> <p>Mandatory Housing in multiple occupation (HMO) licensing can be applied under Part 2 of the Housing Act 2004 but only if the following criteria are met. A HMO must be of 3 or more storeys (current advice is that a multiple occupied flat must itself be 3 storeys), be occupied by 2 or more households comprising 5 or more individuals. This does not directly control numbers of HMOs but ensures they are known to the City Council and meet certain housing conditions. In the case of purpose built student accommodation, usually in the form of cluster flats, unless each flat is over 3 or more storeys, licensing will not apply.</p> <p>Additional licensing is available through the Housing Act 2004, but requires a Local Housing Authority to consider that a significant proportion of the HMOs to be covered by additional licensing are being managed sufficiently ineffectively as to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. It is not a means of controlling the number of HMOs in a particular area.</p>	
229)	<p>Could some one find out what is going to happen to the play equipment that is adjacent to Bendbow Rise School as people were told that when the school moved that the play site would move with the school?</p> <p><b>Response:</b></p> <p>The Braunstone Community Primary School obtained cost for the removal and re-installation of the play equipment from Bendbow Infant School. However, because of the high cost involved it was not economic to transfer it. Another school in the area is considering the cost for moving two pieces of the equipment, but it may be cheaper to purchase new.</p>	Hilary Hobson, Children and Young People Services
230)	<p>The grocery shop on Heyford Road has been taken over for Rent. I had a word with the owner about the rubbish and broken glass we walk through. He said that the Council won't listen to him when he rings them to empty it.</p> <p><b>Response:</b></p> <p>This location is cleaned daily Monday - Friday.</p> <p>No complaints have been received previously but this complaint has been referred to the Team Leader for the area and monitoring of the location will continue.</p> <p>Any further complaints should be referred to the Street Scene customer services on 0116 2527002.</p>	Michael Walker, Regeneration and Culture
231)	<p>There was insufficient information on the closure of roads for the Leicester marathon, What additional plans are there to avoid the congestion which occurred? Perhaps it is possible to publish a plan of the area with closures marked up in the Leicester Mercury?</p>	Ed Kocik, Regeneration and Culture

	<p><b>Response:</b></p> <p>This was the first Marathon in Leicester since the 1970s. Certain areas of traffic management for the Marathon were a problem. This will be improved in the future - especially informing all the residents and businesses affected by the event.</p> <p>The Council had a debrief meeting with the organisers LOROS and this issue was discussed in detail as it was raised by others affected in a similar way. This will be a key issue when further Leicester Marathons are planned.</p> <p>The suggestion to publish a plan of the area with closures marked up in the Leicester Mercury will be taken on board.</p>	
232)	<p>What can be done to clean the pavements of Upperton Road upto the Fosse Road traffic lights. Tonight is a prime example ie bins overflowing, black bags, cardboard, T.V etc. Often residents do not put bins out for emptying and collectors do not empty although it is obvious that this is required.</p> <p><b>Response:</b></p> <p>The Upperton Road has been surveyed during November. There were several instances where residents had placed additional bagged refuse by the wheeled bin and had left household items out for disposal.</p> <p>The weekly emptying service provided by Biffa for wheeled bins does not include for the collection of any side waste and any household items left for disposal. For residents who have additional waste on a regular basis, a larger bin may be provided and for household items a free collection service is available which can be booked by telephoning 0116 2527002.</p> <p>The Area Street Cleaning Team will remove any such dumped refuse from the area as part of their cleaning duties. Where individual households can be identified as being responsible for leaving such waste, they will either be visited by the Area Street Manager or sent leaflets/letters to remind them of their responsibilities and the service options that are available to them.</p>	Michael Walker, Regeneration and Culture
233)	<p>Western Park School was closed in 2005 and its site within the park has remained closed ever since. Could you tell us if there are any plans for the building or its site or will it be reopened?</p> <p><b>Response:</b></p> <p>The former Western Park Special School closed in July 2005 with the intention that it be sold. However, due to changing circumstances, a number of subsequent proposals were considered for use by the Council which delayed a decision. The proposals included both use by Council functions and</p>	Lynn Cave, Resources

	<p>external organisations, but unfortunately could not be developed into positive schemes at that time.</p> <p>The Council is currently considering other options for the future of the building and is also looking at the possibility of a teacher and governor training centre and an integrated training centre to meet the needs of the Council."</p>	
234)	<p>Is any action being taken over no.3 Upperton Rise where the owner is storing at least 4 skiploads of used bricks and other used building materials on part of his garden which fronts onto the public pavement? He also currently has broken pallets and other rubbish in the adjacent road in the path of passing traffic. The site is an eyesore and is even worse than previous years where the same owner stored old carts and then piles of used breeze blocks.</p> <p><b>Response:</b></p> <p>The house has a piece of land at the side on which is a large pile of re-claimed bricks and associated builders waste. At the side of the house there are cleaned up bricks neatly stacked and cleaned up bricks stacked on wooden pallets. To the rear of the site is a pile of re-claimed breeze blocks. The property has an out of date planning consent for an extension. The Planning Officer is aware of the situation and is in discussion with the owner over the condition of the site and its future use. It will need to be established what activities are going on site and if building works have commenced to the proposed extension. The Council is considering serving a statutory notice on the owner to require removal of building materials and rubbish from the site should work not have commenced on the extension.</p>	Malcolm Grange, Regeneration and Culture
235)	<p>What can be done to improve the area of Western Road (especially where it meets Norman Street and towards Upperton Road Bridge)?</p> <p><b>Issues:</b></p> <ol style="list-style-type: none"> <li>1) Vandalism of Cars</li> <li>2) Dumping of Rubbish, both on the street and in our back and front garden, in bags and loose (fast food wrappers and bottles)</li> <li>3) Graffiti on our house, on the pavement and on the derelict buildings in the area.</li> <li>4) Noise at late hours/early morning up to 3-4am in the form of singing, shouting, violent shouting and recently fireworks</li> <li>5) Burglary</li> </ol> <p>The area has a run down look to it, which does nothing to deter people from antisocial and criminal behavior apart from having to suffer the above problems, it is having an effect on the value of our home.</p>	A R Farrant, Regeneration and Culture

**Response:**

The matters listed cover a wide range of problems. Most of them are Police matters.

- ie. Vandalism of cars.
- Graffiti – see also below.
- Noise late at night if it is in the street – see also below.
- Burglary.

Some rubbish that was recently dumped adjacent to 84 Norman Street has been dealt with by City Cleansing and 'No Tipping' Warning signs were erected in the area at the end of November. City Cleansing collect illegally dumped rubbish from approximately 140 public locations in the Westcotes/Rowley Fields/Western Park area every month. To report illegal dumping in public areas, please phone the Waste Management Customer Service Line (252 7002).

Accumulations of rubbish that are prejudicial to health, or detrimental to the neighbourhood, can be dealt with by the Area Environmental Health Team. If you wish to report an accumulation of rubbish on private land, please phone the Environment Customer Service Line (252 7001).

If rubbish is dumped by another person into your garden, then regrettably you are responsible for clearing it. If the culprit can be identified, it may be possible for action to be taken against them, but good evidence is required. It may also be possible to arrange for surveillance if a significant amount of rubbish is being dumped in your garden on a regular basis. In order to deploy such resources there would need to be a reasonable chance of identifying someone. If you think this might be appropriate, please phone the Environment Customer Service Line (252 7001).

The Graffiti Team removes graffiti with priority given to removing racist, political and obscene material from council buildings and private property. They can treat affected children's play equipment in parks and paint spillage on the highway or on private land. Services to remove graffiti from private property are offered at a competitive rate. To report graffiti, please phone the Waste Management Customer Service Line (252 7002).

The Environmental Health Noise Team can deal with noise that is causing a nuisance if it is coming from domestic or commercial property. There is a night time call-out service. To report a case of noise nuisance, please phone the Environment Customer Service Line (252 7001).

<p>236) &amp; 237)</p>	<p>(7)236 Can we limit permits to traders that undertake to charge reasonable prices for their goods?</p> <p>(7)237 Can we liaise with Festivals Unit about action against traders close to organised events?</p> <p><b>Response:</b></p> <p>The City Council has powers to control street trading in defined “consent areas”. At the present time in Leicester, the consent areas are the City Centre inside the inner ring road, and the Belgrave shopping area. Outside these areas there are no powers to control street trading. There is close liaison between the Licensing Section and the Festivals unit about what street trading should be allowed at festivals taking place inside consent areas.</p> <p>The City Council is in the process of reviewing its street trading policy and this includes a consideration of whether to extend the consent areas. Public consultation will continue until 31 December 2007. Anyone who would like to contribute to this can contact the Licensing Section on 252 8555, or go online at: <a href="http://www.leicester.gov.uk/your-council--services/council-and-democracy/consultations-homepage">http://www.leicester.gov.uk/your-council--services/council-and-democracy/consultations-homepage</a></p> <p>The policy review will also consider what criteria should be used to decide whether to give consent to a street trader. This is likely to include the type of goods being sold, the location and the hours of business. In theory any criteria could be used, but trying to use this to control prices is, perhaps, unlikely to be workable. If however, a particular traders operations is not being of benefit in the community in which they are operating, a consent could be withdrawn.</p>	<p>Mike Broster, Regeneration and Culture</p>
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