

## DUDLEY BOROUGH LOCAL ACCESS FORUM

Tuesday, 5<sup>th</sup> October, 2010 at 6.30pm in Committee Room 2  
at the Council House, Priory Road, Dudley

### PRESENT:

Mr M Freer (Chairman)

Mr D Woodruff (Vice-Chairman)

Mr D Bates, Mrs T Boothroyd, Mr R J Brooks, Mr R Broome, Mr A Cutler,  
Mr D Davies, Mrs C Freer, Mr P Greenaway, Ms J Moore, Ms A Nicholls,  
Councillor Ms G Partridge, Mr M J Pearson, Mr N J Williams, Mr P Willis,  
Councillor J Woodall and Ms S Yeadon.

### Officers:

Ms S Orton – Head of Museums, Greenspaces and Bereavement Services  
(Directorate of the Urban Environment) and Mr S Griffiths – Democratic  
Services Manager (Directorate of Law, Property and Human Resources)

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Mr R  
Burgess and Ms J V Lea.

---

#### 2. DECLARATIONS OF INTEREST

Ms S Yeadon declared an interest, of a non-pecuniary nature, in Agenda  
Item No. 6(b) (Coombeswood Footpath Diversion Orders).

Mr N J Williams declared an interest in Agenda Item No. 10 (Natural  
Environment White Paper Discussion Document) in view of his part-time  
employment.

---

#### 3. MR T ANTILL

The Chairman referred to the sudden, unexpected and untimely death of  
Mr Trevor Antill on 29<sup>th</sup> August, 2010. The Chairman expressed his  
personal sadness and paid tribute to Mr Antill's significant contributions as  
a Member of the Local Access Forum amongst many other interests.

---

#### 4. MINUTES

##### RESOLVED

That the Minutes of the meeting on 13<sup>th</sup> July, 2010, be  
approved as a correct record, subject to the amendment of  
resolution (2) of Minute No. 11 (Training) to reflect that Mr  
Woodruff had suggested the provision of Definitive Map training  
to all Members of the Forum.

At this juncture, the attention of the Forum was drawn to the date attributed to image 2 on page 14 of the agenda papers, which was amended to read September, 2010.

---

5. REVISIONS TO TERMS OF REFERENCE AND ROLES AND RESPONSIBILITIES

A report of the Director of the Urban Environment was submitted proposing revisions to the Forum's Terms of Reference and setting out Roles and Responsibilities. The existing Terms of Reference were also circulated.

The Head of Museums, Greenspaces and Bereavement Services presented the report and the Forum gave detailed consideration to various issues as set out below:

With regard to the election of the Chair and Vice-Chair, paragraph 6.1 was amended by the removal of the requirement for a maximum continuous term of 2 years. The revised paragraph would read

"6.1 At its first meeting, the Forum shall appoint a Chair and Vice-Chair by election. It is proposed that both positions are re-appointed annually."

Under paragraph 7.6, the last line was amended by the deletion of the word "and" and the inclusion of the word "or" to facilitate the raising of items of 'Any Other Business' at the discretion of the Chair. It was acknowledged that any major or substantive items of business raised under this provision might need to be deferred until the next meeting.

In relation to Paragraph 8 (Public Access to Meetings), the Forum was advised that minutes and agendas of meetings would be retained in line with the Council's usual document retention policies.

In relation to Paragraph 12 (Amendments to the Terms of Reference), the Chair clarified that due notice would have to be given of any proposed amendments to be considered by the Forum. It was agreed to include the Terms of Reference on the agenda once per year to ensure an annual review was undertaken.

Under Paragraph 13 (Disputes), it was agreed that a nominated representative of the Local Access Forum should be included on the Panel referred to in paragraph 13.1 in addition to the two Assistant Directors from the Directorate of the Urban Environment.

Arising from a specific queries, the Head of Museums, Greenspaces and Bereavement Services undertook to ensure that information was circulated to all Members of the Forum including a handbook, the relevant Statutory Instrument, Department for Environment, Food and Rural Affairs (DEFRA) guidance and Forum Members' expenses forms.

The Forum discussed the proposal in the Dudley MBC Roles and Responsibilities document concerning the discharge of appropriate secretarial duties without naming a specified individual. The Council was of the opinion that this would allow greater flexibility, however, the Chair expressed concerns that the Forum could not support any action, which would not fulfil the Council's legal obligations.

The Head of Museums, Greenspaces and Bereavement Services would write to DEFRA for guidance on this point. In the meantime, it was suggested that the proposal be operated with a review after six months. In this regard it was agreed to retain the existing paragraphs 9.1 and 9.2 in the Terms of Reference and the "acting" secretarial arrangements would be scheduled for further consideration at the meeting of the Forum on 29<sup>th</sup> March, 2011, following an initial evaluation by the Head of Museums, Greenspaces and Bereavement Services, in consultation with the Chair.

It was agreed that no changes would be made to paragraph 7.1 relating to the frequency of meetings.

The proposal in paragraph 7.5 for the Chair of the Forum to meet with the Democratic Services Officer and relevant officers prior to the despatch of the agenda, to discuss agenda items, was supported.

The provision in paragraph 7.7 for the duration of meetings was accepted.

The provisions in the existing terms of reference concerning Finance, and specifically expenses, would be retained. The Head of Museums, Greenspaces and Bereavement Services would check the relevant statutory provision and report back if necessary. Expenses claims were required on a quarterly basis with receipts appended to substantiate individual claims. It was requested that half yearly reports on the budget expenditure for the Forum be submitted in the future.

#### AGREED

- (1) That the Terms of Reference of the Local Access Forum be amended as necessary to reflect the points outlined above.
- (2) That the Head of Museums, Greenspaces and Bereavement Services be requested to report back to the Forum on any relevant outstanding issues and that, in particular, the issue of Secretarial Arrangements be scheduled for consideration at the meeting of the Forum on 29<sup>th</sup> March, 2011.
- (3) That subject to the decisions and comments above, the Roles and Responsibilities, as submitted to the meeting, be endorsed.

---

6. PLANNING APPLICATIONS

Pottery Farm, Mucklow Hill, Halesowen

The Chair reported that the Council had conditionally approved a planning application for the conversion of barns to dwellings at the above location. The Council had imposed a series of conditions on the development to include improvements to existing rights of way. The development could not commence until a scheme for the submission and approval of a planning obligation to guarantee a sum for the provision, maintenance and enhancement of site public open space and play provision, nature conservation, transport improvements, library and public realm had been submitted to and agreed in writing by the Local Planning Authority.

Bourne Street, Woodsetton

The Head of Museums, Greenspaces and Bereavement Services referred to an outline planning application in respect of land at Bourne Street, Woodsetton. It was anticipated that the Council's Development Control Committee would consider this on 22<sup>nd</sup> November, 2010.

The Forum expressed strong concerns regarding the outline application and requested that these concerns be communicated to the Development Control Section of the Directorate of the Urban Environment to be taken into account in the consideration of this application.

AGREED

- (1) That the Local Access Forum express strong concerns in relation to the outline planning application in respect of land at Bourne Street, Woodsetton, in view of the following:
  - The site is identified as Access Land
  - The site is identified as being of Local Importance for Nature Conservation (SLINC)
  - The detrimental effect on the wildlife corridor
  - The loss of land with a recreational value, being severely detrimental to the amenity of the local community
  - The detrimental impact on the local environment.
- (2) That, following consultation with the Chair on the wording of the final response, the Head of Museums, Greenspaces and Bereavement Services notify the Development Control Section of the strong concerns of the Forum as referred to in paragraph (1) above.

---

7. ACCESS/RIGHTS OF WAY ISSUES

(a) Ridge Primary School

The Forum received a report for information. The Chair reported that this matter had now been dealt with.

(b) Coombeswood Footpath Diversion Orders

Ms S Yeadon gave a verbal report on this item. Reference was made to preparations being made for a public inquiry on 26<sup>th</sup> January, 2011.

Following an overview from the Chair on the process concerning modification orders, the Forum requested that a further progress report be submitted to the next meeting outlining the legal process and the rights of appeal in these cases.

---

8. RIGHTS OF WAY IMPROVEMENT PLAN

The Forum received a verbal update from the Vice-Chairman and it was noted that a copy of the minutes of a recent meeting would be circulated in due course. Reference was made to the need to give further consideration to appointing two members to serve on the Steering Committee, to fill a vacancy and to represent the views of people with disabilities. An update would be given at the next meeting of the Forum.

The Head of Museums, Greenspaces and Bereavement Services indicated that a report on Access Design Guidelines would be reported to a future meeting of the Forum.

---

9. GATING ORDERS

No items were raised.

---

10. SITE VISITS

(a) Sandwell and Dudley Local Access Forums

This site visit would be held on 9<sup>th</sup> October, 2010, with participants meeting at Warrens Hall Car Park.

(b) Worcestershire County Council

This visit was scheduled for Thursday, 18<sup>th</sup> November, 2010, with details to be finalised and circulated as soon as possible.

---

---

11. THE NATURAL ENVIRONMENT WHITE PAPER – DISCUSSION DOCUMENT

AGREED

That a Sub-Group comprising the Chair (Mr M Freer), Mr N J Williams and Mr M J Pearson, with input from Mr A Cutler as appropriate, be established to consider and agree any necessary responses and representations to the above document in view of the timescales involved.

---

12. ANY OTHER BUSINESS

No items were raised.

---

13. DATE OF NEXT MEETINGS

That the next meetings of the Forum be held on:-

- Tuesday 23<sup>rd</sup> November, 2010
- Tuesday 8<sup>th</sup> February, 2011
- Tuesday 29<sup>th</sup> March, 2011
- Tuesday 11<sup>th</sup> May, 2011
- Tuesday 12<sup>th</sup> July, 2011

All meetings to start at 6.30pm

The meeting ended at 8.46 p.m.

CHAIRMAN