

DUDLEY BOROUGH LOCAL ACCESS FORUM

Tuesday, 20th November, 2012 at 6.00pm in Committee Room 4
at the Council House, Priory Road, Dudley

PRESENT:

Ms T Boothroyd (Chair)

Mr R J Brooks (Vice-Chair)

Mr D Bates, Mr R Burgess, Mr P Greenaway, Ms J V Lea, Ms A Nicholls, Mr N J Williams, Councillor J Woodall and Ms S Yeadon.

Officers:

Ms S Orton – Head of Museums, Greenspaces and Bereavement Services, Mr D Jacobs – Project Engineer, (Traffic and Transportation), Mr D Keeley – Countryside Manager, Ms W Howard – Senior Road Safety Officer, Ms A Roberts – Planning Policy Manager and Ms H Edwards – Park Warden, Leasowes Park (All Directorate of the Urban Environment), Mr C Meagher – Property Surveyor and Miss K Fellows Democratic Services Officer (Directorate of Corporate Resources).

Also in Attendance

Councillor Cotterill in respect of Agenda Item No. 7(a) – Marion Close, Brierley Hill.

28. APOLOGY FOR ABSENCE

An apology for absence from the meeting was submitted on behalf of Mr A Cutler.

29. DECLARATIONS OF INTEREST

Ms S Yeadon and Mr R Burgess declared an interest in Agenda Item No. 4 – Coombeswood Green Wedge, as a Member of Friends of Coombeswood and a Member of Coombeswood Canal Trust respectively.

30. MINUTES

AGREED

That the Minutes of the Forum held on 25th September, 2012, be approved as a correct record.

31. COOMBESWOOD GREEN WEDGE

Mr Meagher, Property Surveyor gave a verbal update in relation to the progress of the transfer of land to the Council by St Modwen advising of

the problems regarding this, making particular reference to issues relating to boundaries and a request that was refused by St Modwen that the boundaries be moved in order to limit the Council's responsibility relating to the land in the future. He outlined the cost implications to the Council should they have agreed to the transfers proposed by St Modwen and the extensive negotiations that had taken place regarding changes to the limits of the boundaries in order to exclude problematic areas.

He referred to problem areas including flooding, fencing and security.

Mr Keeley, Countryside Manager reported on fencing issues advising that public access to the land was required if it was to be declared as a nature reserve.

Mr Meagher reported on the agreement that had been reached in relation to the vehicular right of access from Mucklow Hill and to the possibility of changing boundaries by attempting to reach agreement in relation to the transfer of different parts of the land whilst ensuring that the same amount of land was transferred to the Council.

The Chair raised concerns in relation to tree planting that should have taken place and the possible loss of funding for this purpose should this not take place shortly. DK pointed out that this was to take place outside of the LNR land.

In responding to a concern raised by Mr R Burgess, Ms A Roberts the Planning Policy Manager advised that in relation to tipping there were policies to protect the land from tipping and as the land was greenbelt the strongest theme of planning obligations would apply.

Mr Keeley, Countryside Manager suggested that St Modwen be approached in relation to a request that the Council's Warden wished to access the site in order to conduct some management work and Mr Meagher confirmed that a Licence could be requested in order to address this request.

The Chair requested the Council to take into account the problems that had been encountered in relation to the transfer of land from St Modwen when considering further similar planning applications in the future.

Ms H Edwards, Nature Reserve Warden reported that she had been in post for some time and was anxious to commence work on site in order to look at Management Planning to address what was required on the site.

The Chair advised that she appreciated the difficulties that had been encountered by the Council in relation to the transfer of land and Mr Meagher confirmed that he would do all that he could in order to complete the transfer of land.

AGREED

That the information reported on at the meeting be noted.

32. PLANNING APPLICATIONS

Mr D Jacobs, Project Engineer, Traffic and Transportation reported on a major planning application in relation to a supermarket development in Dudley which would require general highway orders and would affect a small passageway which lead to the bypass.

AGREED

That the information reported on at the meeting be noted.

33. ACCESS/RIGHTS OF WAY ISSUES – THE ACTIVITIES OF THE CYCLING FORUM.

Ms Howard, Senior Road Safety Officer gave a powerpoint presentation in relation to the activities of the Dudley Cycling Forum, making particular reference to the future of the Forum and the projects that the Forum had worked on.

Ms Howard outlined the Membership of the Cycling Forum, their terms of reference and the way in which the Forum was publicised.

Photographs of projects completed by the Cycle Forum were displayed and details in relation to the funding obtained to carry out projects was referred to.

Ms Howard referred to the Borough Cycle Map, outlining the mapping work that had been completed and work carried out with consultants in order to produce the map. Copies of the maps were distributed to Members.

She also referred to the “Think Cyclists” signs that could be displayed for up to a three month period in order to promote awareness. The work conducted with haulage companies was also referred to in the order to raise awareness in relation to large vehicle turning circles.

Ms Howard referred to some barriers which obstructed cyclists and were not fit for purpose. Photographs of those barriers were displayed.

She also referred to the cycling training sessions that had been arranged for both adults and children which included learning to cycle at three bikeability levels and the campaign on “be bright be seen” referring to the reflective bands which were produced by the Council.

In responding to a question from a Member, Ms Howard advised that it was illegal to cycle on footpaths unless there was a shared use path.

Ms Howard stated that there had been re-surfacing work carried out at Rushall Close off Richardson Drive, Amblecote and displayed photographs of the surfacing before and after the work was carried out.

Ms Howard also confirmed that she would investigate the possibility of Members of this Forum becoming Members of the Dudley Cycling Forum.

The Chair thanked Ms Howard for the presentation and suggested a possible future joint meeting with the Cycle Forum.

AGREED

That the information reported on at the meeting be noted.

34. GATING ORDER

(a) Marion Close, Quarry Bank

A report of the Project Engineer (Traffic and Transportation) was submitted on the possible Gating Order relating to a path linking Robin Hood Road and Marion Close, Quarry Bank.

Mr Jacobs advised Members that the report contained all the information that had been obtained to date and that the final report would include the Forums' views which would then be submitted to the Cabinet Member for Transportation and Community Safety.

In presenting the report submitted, the Project Engineer (Traffic and Transportation) referred to that part of the report that contained Police Data and comments from the Police Community Safety Section.

The Chair referred to the report submitted that stated that problems had been experienced by residents in the last 10 years, although these incidents only came to the attention of the Police in November, 2011 with six incidents being reported. She raised concerns that the Police were not in attendance to make representations, referring to the lack of evidence for the Forum to consider and the failure of the Police to submit statements of fact.

Councillor Cotterill made representations on behalf of the residents within the vicinity of Robin Hood Road and Marion Close outlining the incidents that had occurred and the concerns of the residents urging the Forum to support the Gating Order.

He advised that this had been supported at the Central Dudley Area Committee and outlined the danger of the steep steps that had to be negotiated in order to access the right of way advising of the alternative routes that could be taken in order to access surrounding areas.

There followed a debate in relation to the possible Gating Order and Members asked questions.

Following further deliberations Members advised that the evidence presented to them was insufficient for them to support the gating order, although should further evidence become available and the Police wish to attend a future meeting of the Forum this matter would be considered further.

(b) Designation Orders

The Project Engineer, Traffic and Transportation reported on the DEFRA Consultation advising of the representations the Council had made to DEFRA in relation to the Consultation. He requested Members to email him should they have any comments or views in relation to Designation Orders.

He reported on the criteria for making Gating Orders advising of the need for transparency in this area and the need for a consistent approach to be taken.

AGREED

- (1) That the information reported on at the meeting be noted.
- (2) That the Project Engineer (Traffic and Transportation) be requested to advise the Cabinet Member for Transportation and Community Safety that in view of the insufficient evidence presented at the time in relation to the possible gating of the path linking to Robin Hood Road and Marion Close, Quarry Bank, the Forum did not support the making of a Gating Order.
- (3) That should further evidence be obtained the matter of the possible gating of the path linking to Robin Hood Road and Marion Close, Quarry Bank be considered at a future meeting of the Forum and that a Police representative be requested to attend that meeting.

35. RIGHTS OF WAY IMPROVEMENT PLAN

It was noted that a meeting in relation to the Rights of Way Improvement Plan had not taken place since the previous meeting of the Forum.

Mr Brooks was requested to email to Members details of any Meetings that were arranged prior to the next meeting of the Forum.

The Chair requested Members to email any suggestions in relation to any rights of ways that required improvement to the Dudley Borough Local Access Forum group mailbox.

AGREED

That the information reported on at the meeting be noted.

36. DATE OF FUTURE MEETINGS

Noted, that the next meetings of the Forum would be held on:-

- Tuesday 5th March, 2013
- Tuesday 14th May, 2013
- Tuesday 16th July, 2013

All meetings to start at 6.00pm

The meeting ended at 7.50 p.m.

CHAIRMAN