

DUDLEY BOROUGH LOCAL ACCESS FORUM

Tuesday, 14th February, 2012 at 6.05pm in Committee Room 2
at the Council House, Priory Road, Dudley

PRESENT:

Ms T Boothroyd (Chairman)

Councillor Banks, Mr D Bates, Mr R J Brooks, Mr A Cutler, Mr P Greenaway,
Ms J V Lea, Councillor Ms Partridge, 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), Ms L Stuffins,
Greenspaces Team Leader (All Directorate of the Urban Environment) and Mrs
K Taylor - Democratic Services Officer (Directorate of Corporate Resources).

28. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Mr R
Broome, Mr R Burgess, Ms A Nicholls and Ms A Smith from Natural
England.

It was noted that Ms A Nicholls was unable to attend the meeting due to
problems with her power chair.

29. DECLARATIONS OF INTEREST

Ms S Yeadon declared an interest in Agenda Item No. 5 – Coombeswood
Green Wedge, as she was a member of the Friends of Coombeswood.

Councillor Banks declared an interest in Agenda Item No. 5 –
Coombeswood Green Wedge, Agenda Item No. 6 – Planning Applications
and Agenda Item No. 7 – Access/Rights of Way Issues – Pottery Farm,
Halesowen as Vice Chairman of the Council's Development Control
Committee and the Chairman of the Council's Development Control Site
Visiting Working Group.

30. MINUTES

AGREED

That the Minutes of the Forum held on 22nd November, 2011, be approved as a correct record, subject to the deletion of “sink” and its substitution by the work “SINC” in the third line of the fifth paragraph of Minute no. 22 – Access/Rights of Way Issues – Coombeswood Green Wedge.

31. MATTERS ARISING FROM THE MINUTES

Minute no. 22 – Access/Rights of Way Issues – Coombeswood Green Wedge

Ms Yeadon referred to the planned development site visit, and stated that she was concerned that she had not been made aware of the visit. The Chairman confirmed that she had requested the site visit for her own benefit, however if members requested, then a site visit could be arranged.

Members agreed that a site visit would be beneficial, and that all members be invited.

AGREED

That the Head of Museums, Greenspaces and Bereavement Services be requested to organise a site visit to Coombeswood Green Wedge to take place before the next meeting of the Forum.

32. WALKING INITIATIVES IN THE BOROUGH

Ms L Stuffins, Greenspaces Team Leader, gave a powerpoint presentation in relation to walking initiatives in the Borough.

Ms Stuffins referred to the Dudley Health Walks developments in particular of the Steps to Health Project 2003-06, which had been funded through the Leisure, Exercise and Activity for People project.

Ms Stuffins reported that Kim Braznell had been recruited as a Physical Activities Leader in 2006, and that the role included the training and development of Walk Leader Volunteers.

It was further reported that 98 people had been trained as Walk Leaders in the last 5 years, 35 of which were currently weekly / monthly walk leader volunteers. The Walk Leader training was carried out 2 – 3 times a year, and also includes first aid; once the training was completed all Walk Leaders were provided with kits once they were signed up to lead walks.

Reference was made to the Park Life Project 2008, which had been funded through Big Lottery Living Well – West Midlands. The aim of the project was to concentrate on areas of deprivation in Dudley and to deal with physical activity and well being relationships.

Ms Stuffins reported on the health statistics in Dudley, in particular on the increase in rates of obesity over the last 15 years. She reported that 26% of year 6 pupils in Dudley were overweight or obese in Dudley, compared to the national figure of 17%.

Reference was made to the improvements made to the Silver Jubilee Park, Coseley; Netherton Park; The Dell / Fens Pool, Brierley Hill; Mary Stevens Park, Stourbridge and Huntingtree Park, Halesowen.

Ms Stuffins reported that new buildings, outdoor gyms, walking and cycling opportunities and programmes and events were now available at the parks, and measures had been installed to improve access to and from the new facilities.

She then reported on the activities that were taking place at the parks including 1-1 sessions with health trainers, indoor sessions, Pilates, Team Building tool kit with secondary schools, regular weekly walks, treasure hunts and after school clubs.

The activities and parks had been promoted through the use of National Campaign 'Change 4 Life', the Healthy Towns web site, flyers, leaflets and notice boards.

Ms Stuffins informed the Forum of the future walks developments including a Lutley Walk from Huntingtree Park; a Wrens Nest Walk from Silver Jubilee Park and the Fens Pool Walk to run on a more frequent basis.

In responding to a question by a Member, Ms Stuffins reported that currently the walks were carried out locally, however they could be extended if funding was available.

It was considered that it would be beneficial for an officer from the highways section to attend a future Forum meeting to discuss the matter further.

AGREED

That the information reported on at the meeting be noted.

33. COOMBESWOOD GREEN WEDGE

The Chairman referred to a recent press article and requested that if anybody wished to submit articles to the press in relation to the Forum, would they contact her in the first instance via the forum secretary e-mail or by telephone.

The Chairman further stated that the article had been incorrect, and explained that conditions set had been adhered to, and that should St Modwen developers break any conditions then enforcement action would take place.

Reference was made to the Quinton Meadows development, however the Chairman confirmed that this would not be considered, as it was not a Dudley application.

The Chairman reported that tipping had occurred some time ago, which has resulted in the site becoming naturalised, with insects, butterflies and a possible badger set.

It was requested that Mr Burgess receive a copy of the minutes to discuss further.

It was further suggested that Coombeswood Green Wedge be a standing item on the agenda, as members wished to monitor the development.

Councillor Ms Partridge stated that the forums concerns could be submitted to the Planning section, and responses presented at the meeting by officers.

Ms S Orton reported that she had made enquires but would provide a full response at the next meeting of the forum.

Mr A Cutler stated that he understood the concerns raised by his colleagues, as St Modwins had not previously adhered to conditions.

Reference was made to recent e-mails that had been circulated and the manner in which they had been written.

Mr Cutler stated that the role of the forum was advisory rather than monitoring, and that an assurance was needed that officers receiving any advice took such advice seriously.

The Chairman stated that she was committed to continually being involved with Coombeswood Green Wedge.

AGREED

- (1) That the information reported on at the meeting be noted.
- (2) That the Democratic Services Officer be requested to forward a copy of the minutes to Mr Burgess.
- (3) That the Head of Museums, Greenspaces and Bereavement Services be requested to submit a report to a future meeting of the Forum.

34. PLANNING APPLICATIONS

A joint report of the Head of Museums, Greenspaces and Bereavement Services and the Project Engineer, Traffic and Transportation was submitted on the Forum's role with respect to commenting on Planning Applications and Gating Orders.

Reference was made to the web links, as indicated in paragraphs 5 and 6 of the report submitted, where applications that had been registered and determined were listed. It was suggested that members browse the links if they wished.

Ms Orton referred to the possibility of setting up a working group of members to be available at short notice to consider and comment on planning applications that were deemed significant that affected access and rights of ways and arose between planned Forum meetings.

Ms Orton also questioned whether members were happy with officers highlighting any relevant applications, or if they wished the Chairman to monitor applications.

Mr Jacobs referred to the statutory eight-week deadline in relation to the decision making process with planning applications, and stated that if applications needed further investigation then there was scope for the deadline to be extended.

Councillor J Woodall explained that should an application be refused, the applicant had the right to appeal the decision.

Councillor C Banks confirmed that if there were any doubt in a planning application, then the Development Control Committee would defer consideration until either a site visit had been carried out or further information was received.

Mr Cutler stated that a small sub-group had been agreed to comment on applications, but that the members had since left the forum. He also commented on the Local Access Forum Guidance, in particular that it was apparent that there was a lot of ambiguity.

Reference was made to Section 94; subsection 4 of the Countryside and Rights of Way Act 2000, where Mr Cutler stated that it was important that planners needed to consider the advice given by the Forum.

In responding to a question by the Chairman, Mr Jacobs confirmed that the Forum had been involved with approximately six significant planning applications over a six-year period.

The Chairman thanked Councillor Ms Partridge, Ms S Yeadon and Mr A Cutler for volunteering to become members of the sub-group to consider and comment on any significant planning applications that affect access and right of ways that arose in between forum meetings.

AGREED

- (1) That the information contained in the report submitted, and as reported at the meeting, be noted.

- (2) That, subject to clarification in respect of Councillor Ms Partridge, the following members be appointed to the Dudley Borough Local Access Forum Sub-Group to consider and comment on any significant planning applications that arose in between Forum meetings: -

Councillor Ms Partridge
Ms S Yeadon
Mr A Cutler

35. ACCESS/RIGHTS OF WAY ISSUES – POTTERY FARM, HALESOWEN

Mr Jacobs, Project Engineer, Traffic and Transportation provided an update on Pottery Farm, Halesowen. He advised that he had been notified of developments taking place at the site, and decided to investigate further with a site visit. Upon visiting the site, he identified that scaffolding had been erected, but that it had been to repair damage to the roof that had been caused by bad weather.

It was reported that it was believed that the new owners had purchased the property only.

The Chairman reported that the right of way had not been used in a long time, and that there was a sharp bank with the part filling of the Holloway. She further reported that the conditions listed in the application appears to be a way forward.

The Chairman reported that if the path were re-instated immediately then the costs would be significant to the Council.

Ms Yeadon stated that she was aware of the situation at Pottery Farm, and declared that the site was important historically. She reported that there had been problems with tipping from the previous owners, and it was important that the right of way be re-instated.

She reported that a number of people had volunteered to carry out some minor works to the site.

Mr N Williams suggested that once the Warden at Coombeswood was appointed, the Warden could work together with the volunteers.

AGREED

- (1) That the information reported at the meeting be noted.
- (2) That the Project Engineer (Traffic and Transportation) be requested to discuss with officers the possibility of the new Warden at Coombeswood, once appointed, meeting with the volunteers at Pottery Farm, Halesowen.

36. GATING ORDERS

A report of the Project Engineer (Traffic and Transportation) was submitted on three gating orders at Iris Close to Bunns Lane, Dudley, Park Road to Maughan Street, Quarry Bank and Kilburn Drive to Holbeache Lane, Kingswinford.

Mr Jacobs advised Members that a report had been presented to the Cabinet Member for Transportation in relation to the gating orders. He also reported on the Council's decision-making process in that once a decision had been advertised it was at that stage that the Forum would become statutory consultees and they would be able to make further representations.

He explained that the consultation period had commenced on Wednesday 1st February, 2012 and that should the Forum wish to make any representations they needed to do so before Wednesday 29th February, 2012.

(a) Iris Close to Bunns Lane, Dudley

It was noted that no comments had been made by members in relation to the above.

(b) Park Road to Maughan Street, Quarry Bank

It was noted that no comments had been made by members in relation to the above.

(c) Kilburn Drive to Holbeache Lane, Kingswinford.

In responding to a question from a member, Mr Jacobs confirmed that he had not received any further information from West Midlands Police in relation to the Anti-Social Behaviour in the area.

A brief discussion took place in relation to there being no reported incidents of crime in respect of the above area in 2011, and the potential for other routes to be adopted.

In responding to a question from the Chairman, Mr Jacobs confirmed that he would contact West Midlands Police for further information in respect of Kilburn Drive.

Following a brief discussion, it was agreed that representations would be submitted in respect of Kilburn Drive, Kingswinford.

In responding to a question from a member, Mr Jacobs confirmed that a Gating Order review could take place at any time.

In responding to a question from a member in relation to the possible daily opening and closing of the path, Mr Jacobs stated that the operation would be expensive and complicated due to the necessity to employ a member of staff to monitor the gate.

In responding to question from a member, Mr Jacobs agreed to request further information from West Midlands Police in relation to crime levels in respect of areas where gates had been installed.

AGREED

- (1) That the information reported on at the meeting be noted.
- (2) That the Forum submit representations based on the comments raised at the meeting to the Cabinet Member of Transportation in respect of Kilburn Drive, Kingswinford.
- (3) That the Project Engineer (Traffic and Transportation) be requested to request further information from West Midlands Police in respect of Kilburn Drive, Kingswinford, and in relation to crime levels in respect of areas where gates had been installed.

37. RIGHTS OF WAY IMPROVEMENT PLAN

Mr Brooks provided an update from the last meeting in relation to the Rights of Way Improvement Plan in particular on the detailed demonstration of the mapping system, the Local Transport Plan and Healthy Towns.

Reference was made to an Action Point within the Minutes, seeking suggestions for the Rights of Way Improvement Action Plan 2012/13. There followed a general discussion regarding possible Public Rights of Way which were in need of improvement and members were requested to submit details of any right of way within the Dudley Borough that required improvement.

Reference was made to the potential improvements that could be made to the canal area by Coombeswood Green Wedge.

Councillor Ms Partridge stated that she considered that the reports submitted did not identify clearly the improvements carried out to rights of way, and that many pathways were 'well-walked' and required maintenance.

Reference was made to the maintenance issue at Cotwell End Valley in respect of the continuous damage caused by flooding.

Mr Bates reported on the poor conditions of the pathways in the Woodsetton and Mons Hill area, and stated that a Section 106 Agreement had been endorsed by the previous developer, Mucklows, and this may not have been brought to the attention of the new developer. Section 106 Agreements run with the land and not the owner.

Concerns were raised in regard to the sale of land (approximately 4 acres) previously owned by Severn Trent Water, and a further site in Dudley (approximately 7 acres) and the potential uses for the sites by the new owners.

Mr Bates confirmed that he had contacted Ian Austin MP outlining his concerns.

AGREED

- (a) That the information reported on at the meeting be noted.
- (b) That Members be requested to submit any suggestions for the public right of way improvements to be included in the 2012/13 Action Plan to the Secretary to the Forum or to any subsequent meetings of the Forum.

38. ANY OTHER BUSINESS

It was announced that a National LAF Conference was taking place on Tuesday 6th March, 2012 in Bristol, and it was requested that if a member wished to attend would they contact Ms Orton as one place was available.

Ms Stuffins, Greenspaces Team Leader, reported that a piece of land off Gauden Road, Pedmore previously owned by Housing was now for sale, due to the disturbance caused by local youths now 'hanging' around the area.

The Chairman reported that the meeting scheduled for Tuesday 10th July, 2012 had now been re-scheduled to take place on Tuesday 17th July, 2012, and suggested that all agenda meeting dates be listed on future agendas.

AGREED

That the Democratic Services Officer be requested to include all agenda meeting dates on future agendas of the Forum.

27. DATE OF FUTURE MEETINGS

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

- Tuesday 27th March, 2012
- Tuesday 15th May, 2012
- Tuesday 17th July, 2012

All meetings to start at 6.00pm

The meeting ended at 8.05 p.m.

CHAIRMAN