

Agenda Item No. 9

Dudley Borough Local Access Forum

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Planning Policy Section
Dudley Metropolitan Borough Council
Directorate of the Urban Environment

Sent via email to Robin Whitehouse [robin.whitehouse@dudley.gov.uk]

6th April 2009

Dear Mr Whitehouse

Dudley Council Draft Parks and Green Space Strategy (PPG17 Audit) February 2009

1. Introduction to the Forum and its Representations

- 1.1. The formation and statutory function of Local Access Forums is defined in the '*Countryside and Rights of Way Act 2000*'. More information is provided in Defra's '*Guidance on Local Access Forums in England*', issued by the Secretary of State.
- 1.2. The Access Forum should not be reported as an objector and this representation should not be reported as an objection even if our advice is critical of your Strategy. We are proffering **advice**. We request that our legal status and function is clearly defined in any report that the Council produces where reference to the Forum's representation is made.

2. Forum Advice in Respect of the Strategy

- 2.1. The Strategy document is long and complex and must have taken a considerable amount of time to compile. The Forum therefore considers that the six weeks public consultation period is inadequate. In reality such a consultation period will, by the time that parties are aware of the document and have received hard copies, be significantly shorter than the six weeks. In the case of the Forum, the time available was three weeks. Twelve weeks would not have been unreasonable.
- 2.2. Whilst the Forum has sympathy in respect of the difficulty in compiling the document for consultation, we do have major concerns regarding its structure. Interested parties have difficulty in getting to the 'nitty gritty' that is of importance to them. This applies in all cases and for instance includes the '*resident*' who wishes to see how their green space and parks will be treated; the '*sports enthusiast*' who is concerned in respect of adequacy of sports provision,

or the ‘*developer*’ who wishes to place buildings on current open space. In effect the parties, particularly the resident, may have been discouraged from full participation because of the present structure of the report.

- 2.3. Matters would have been substantially improved if the report had been composed of the following sections in the order shown - ‘*Contents*’, ‘*Introduction*’, ‘*Strategy*’ and finally ‘*Appendices*’ to contain all the background information used in compiling the report. By doing so, all parties would have fully understood the report by reading relatively few pages.
- 2.4. As the Strategy stands it introduces uncertainty for the future of Green Space of 1/2 acre or less and for other sites above and beyond the minimum standards of provision. Many areas currently enjoyed by the public will be vulnerable to development pressure for built development with subsequent losses. This is a source of concern particularly as the human population in the Borough is predicted to grow by 6%.
- 2.5. Inevitably such losses of Green Space would tighten what is already a dense urban infrastructure. In essence, rather than lose urban Green Space more should be provided as the population grows. This is critical if quality of life and sustainability are to be maintained.
- 2.6. Minimum standards of provision should not be used to identify land above that baseline figure that can be declared as ‘*surplus to requirements*’ and disposed of to developers. That would be a huge mistake, for once such land is lost it cannot be replaced. Therefore the Forum advises the Council to modify its Strategy accordingly to offer greater protection to current Green Space provision and to actually increase this in quantity rather than reduce it. The Council should not be a **minimalist** provider of Green Space but should revise its vision and aim to provide the **maximum** that is possible (too much cannot be provided). Only then will current platitudes such as quality of life, sustainability and nature conservation have true meaning.
- 2.7. If a Strategy of selling Green Space to finance and improve that which is left is deployed, the inevitable consequence will be that the process would be self fulfilling and urban Green Space will incrementally decrease with the passage of time. Ironically, some of the most popular Green Space in our urban areas is that which has minimal management.
- 2.8. The Council should therefore remove all references in the Strategy to disposal such as, “*Using surplus land to [fund] the improvement of more valued green space*”, on page 168 and “*Where there is a large amount (over supply or surplus) of low quality, low use, low value green space, some of these areas could potentially be considered for other uses. For example built development that could generate funds to help enhance and improve nearby green spaces which are important and of high value*” on page 169.
- 2.9. Such subjective statements would inevitably lead to the loss of important sites and would place financial temptation before a Council searching for revenue. The Fens Pools come to mind. In the past these were not highly regarded but are now, following identification of their importance in 1989 as a major nature conservation site. They are now designated as a Site of Special Scientific Interest. Just consider what might have happened if that recognition had not

taken place? Land that the Council might now see as of low quality, low use and low value might be of greater importance than the Council considers it to be. In any event it can invariably be improved without disposing of it for building.

- 2.10. Public sports pitches and parks in the Borough need improvement. Amateur football clubs have to find home pitches within the boundaries of other authorities such as in Wyre Forest District Council. Many of the Borough's pitches are in a substandard condition with poor drainage, poor levelling and a lack of changing facilities. This situation has not suddenly developed but has arisen over a number of years due to lack of funding.
- 2.11. To reverse the situation, the Council cannot rely upon windfalls or section 106 agreements. The budget needs to be incrementally increased to reverse the decline and to improve the pitches to make them available for sport. The former Walton Campus playing field in Halesowen comes to mind. Once one of the best playing fields in the area, and saved from housing development because of its sports pitch potential, this field is now only used for informal recreation. It should be returned to beneficial sports use.
- 2.12. Wollaston playing fields off South Road, near Stourbridge, are well used but need levelling and improvement. There are similar examples all around the Borough.
- 2.13. Clearly walking is popular and recognised in the Strategy. The physical and mental health benefits associated with walking are well known. However, nearly all public rights of way in the Borough are neglected and whilst most are still useable, the neglect and failure to maintain impacts upon enjoyment derived from their use. Neglect also affects the public's attitude to them and encourages abuse and complaints. Relatively modest amounts of money would reverse that situation. Again financial windfalls cannot be relied upon and a realistic improvement in annual budget is long overdue.
- 2.14. Ironically, Worcestershire County Council is currently undertaking major improvements to their rights of way network in the countryside adjacent to the Dudley Borough boundary. This involves replacing all stiles with high quality galvanised steel kissing gates. This contrasts with the dilapidated and sometimes dangerous stiles in the adjoining Borough land. Dudley Council has been set a standard that it should follow.
- 2.15. The Parks and Green Spaces Strategy should encourage a linkage with Dudley Council's 'Rights of Way Improvement Plan' which is near completion. The officer to contact is Kelly Perkins in the Engineer's Department.

Will you please ensure that the Forum is provided with a copy of your report and the finalised Strategy?

Yours sincerely

**Carole Freer
for the Forum**

This letter constitutes formal advice from Dudley Borough Local Access Forum. Dudley Metropolitan Borough Council is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this forum in carrying out its functions.