

DUDLEY BOROUGH LOCAL ACCESS FORUM

Wednesday 19th November, 2008 at 6.30pm in Committee Room 3 at the Council House, Priory Road, Dudley

PRESENT: -

Mr T Antill, Mr D Bates, Mr R Burgess, Mr D Davies, Mrs C Freer, Mr M Freer, Mr R Vickers and Mr D Woodruff.

Officers:

Mr J Butler – Development Group Engineer, Ms L Dickinson – Principal Landscape Architect, Mr D Jacobs – Project Engineer: Traffic and Transportation, and Mr M Walton – Access Officer, (all Directorate of the Urban Environment).

Also in Attendance:

Ms S Needham and Ms S Westwood representing (Friends of Coombswood), and Ms T Boothroyd, representative of Access in Dudley.

1. ELECTION OF CHAIRMAN

RESOLVED

That Mr M Freer be elected Chairman of the Forum for the ensuing municipal year.

(Mr M Freer thereupon took the Chair).

2. APPOINTMENT OF VICE CHAIRMAN

RESOLVED

That Mr D Woodruff be appointed Vice Chairman of the Forum for the ensuing municipal year.

3. APOLOGY FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Mr A Cutler and Mr C Gameson.

4. DECLARATIONS OF INTEREST

Mr D Bates declared a personal interest in relation to agenda item no. 6 – The Bridleway Off Turls Hill Road/Setton Drive, as he was Vice Chair of Turls Hill Association.

Mr D Woodruff declared a personal interest in relation to agenda item no. 7 – The Stourbridge Arm of the Stourbridge Canal, as he was a cyclist and was interested in opening the Barrier referred to in the report.

5. CHANGE TO ORDER OF BUSINESS.

It was agreed that the remaining agenda items be dealt with in the following order:-

Agenda item numbers 9 and 6 followed by the remaining items.

6. ALLOWING DISABLED PEOPLE TO ACCESS NEW URBAN DEVELOPMENTS.

Mr M Walton, Access Officer gave a verbal presentation, making particular reference to the role upon advising of best policies and how that impacted on legislation, when considering planning applications and building regulations for new urban developments.

It was indicated that Part M of the Building Regulations, 2004 Edition had revised the application of provisions and dealt with people with disabilities in relation to new builds and extensions, and the control provided by these included both external and internal matters. External matters related to parking, gradient levels around buildings and access into buildings. Internal controls included the width of corridors, stair-casing, the correct tread on stairs, colour contrasting, the use of handrails, and the design of lifts to include voice and visual indicators in lifts.

Ms Bothroyd, then gave a presentation in respect of Access in Dudley and reported that it had been formed four years ago in order to deal with access issues relating to buildings. There was also a sub group that dealt with access into public buildings.

It was stated that Access in Dudley, had been involved with the Play Pathfinder Project that looked at primary access routes to play areas within the borough, and twenty six parks had been audited. Following this audit, representations had been made to the Directorate of the Urban Environment.

Ms Bothroyd indicated that Access in Dudley also dealt with goods and services, ensuring that the same goods and services could be provided to disabled people, in particular braille and translation services would be monitored and advised upon.

Although it was reported that conflict could arise between different disabilities, as lower dropped kerbs were preferred by wheelchair users, whereas long cane users preferred higher kerbs.

Arising from a request by a member, the Chairman reported on how the Forum operated and how it had been created by statute.

Mr D Bates thanked Ms Boyroyd for the presentation, indicating that this had created a greater awareness. Should specific problems occur in the future, the Forum would be able to make recommendations to Access in Dudley in the future, now they knew what the organisation dealt with.

Following further discussion it was

AGREED

- a) That the information reported on be noted;
- b) That the Chairman email full details of the function and role of the Forum to Access in Dudley

7. THE BRIDLEWAY OFF TURLS HILL ROAD/SETTON DRIVE

Ms Dickinson, the Principal Landscape Architect gave a verbal presentation on the work completed with Swancote Valley through the Livability Programme in relation to the above Bridleway.

Detailed Plans were circulated to the Members, detailing phase two of the project, when it was indicated that this had been funded by the provision of grant monies and some Section 106 monies.

It was stated that this was an ancient bridle path, with hedging on both sides which was overgrown, almost forming a canopy, and there had been problems with the run off of water from Turls Hill Road onto the Bridle path, creating drainage problems.

It was reported that adjoining land owners had been requested to cut back the hedge row, and advised that if this work had not been completed within a certain timescale the council would complete the work.

It was indicated that the project had now reached the design stage, whereby plans would be looked into to build the surface of the pathway back up and find a way to retain this. Plans also included collecting the water from the path and routing this back into a nearby stream, and into the nearby wetland area that was owned by Severn Trent.

It was requested that the Forum be provided with regular updates relating to the progress of the project.

Following a request that monies should be set aside for future maintenance of the Bridleway, the Project Engineer, (Traffic and Transportation) indicated that he would be meeting with Mr Radford, Technician Engineer the following week, to discuss the hierarchy of

maintenance for rights of way.

Following further discussion in relation to future maintenance of the bridleway, the Chairman stated that the Forum were enthusiastic in relation to the project and their advice would be that a commitment should be identified to maintain the path.

AGREED

- a) That the information reported on be noted.
- b) That Mr Jacobs, Project Engineer, (Traffic and Transportation) provide a verbal update to the next meeting of the Forum, following the Asset Management meeting.
- c) That the Principal Landscape Architect provide further updates to the Forum in relation to the Bridleway project.

8 FURTHER CHANGE TO ORDER OF BUSINESS

It was agreed that the remaining agenda items be dealt with in the following order:-

Agenda item no's 13 and 4 followed by the remaining items.

9 RE-LOCATION OF SPORTING FACILITIES IN COOMBSWOOD.

It was reported that an objection to the application for planning permission had now been submitted, and it was stated that it would be important for nature conservation that the site continued to be used for leisure purposes, as there were several footpaths that had been used over a number of years. It was confirmed that in order to protect the area as a whole it would be important that planning permission was not granted, as part of the proposed development would cross part of the land forming Monarch's Way footpath, affecting the northern part of the site, with some informal spaces being lost.

The Chairman advised that the issues outlined above had been discussed at previous meetings, and the Forum's support for the Friends of Coombswood would continue.

Mr Antill referred to footpath H26, and expressed concerns in relation to contamination onto this path from the landfill site. Mr Antill referred to an email that he had received from Mr A Radford, Technician Engineer.

Mr Jacobs, Project Engineer, (Traffic and Transportation) advised that a site visit had been undertaken, samples had been taken, and the findings were that the leakage onto the path did not cause any present danger to the public, and discussions were continuing in relation to the

water that continued to leak onto the path. Following further discussion it was

AGREED

That Democratic Services forward the email received from Mr Radford, referred to above, to Mr J Anderson, Head of Engineering, Traffic and Transportation requesting that the Forum be updated in relation to the position at its next meeting.

10 MINUTES

AGREED

That, the Minutes of the Forum held on the 17th September, 2008, be approved as a correct record, subject to the deletion of the resolution in minute number 21 (Murcroft Road) and the insertion of the following:-

“The Forum expressed concern in the strongest possible terms that they had not been advised beforehand that a review of the Murcroft Road Gating Order was going to take place. Indeed, the Forum had still not seen the evidence and documentation and minutes of that review, which apparently took place sometime earlier this year. The Forum wished to advise the Council that reviews should be formally made at prescribed intervals, of say six months, and that the local access forum should be invited to attend and participate, together with the Police. In the absence of such a formal inclusive and recorded procedure that it would be difficult to see how Gating Orders could be seen to be reviewed fairly and impartially in the public interest”.

The Forum advised that the failure to adopt such a procedure would bring the whole process into disrepute, and it was agreed that the Forum would bring this matter to the attention of the appropriate Cabinet Member, Councillor Angus Adams.

11 MATTERS ARISING FROM THE MINUTES

In connection with minute number 21 - Murcroft Road - Mr. Jacobs reported that at the end of the period of three years, the Forum would be consulted as statutory consultees in relation to the review of the Gating Order. It was indicated that the commencement of information gathering would begin by April, 2009 in order to ascertain whether the Gating Order should be revoked or continued. A report would be submitted to the Cabinet Member for Transportation and the Local Access Forum following this process.

It was further reported that when reviewing the Gating Order, both crime and anti-social behaviour would be considered and the views of the Police would be obtained, in order to ascertain whether crime had improved as a result of the Gating Order.

Following further discussion, it was:-

AGREED

That Mr. Jacobs provide the Forum with a copy of details in relation to the review of the Gating Order in respect of 21 Murcroft Road, together with any statistics obtained from the Police in support of the continuation of that Order.

12. THE STOURBRIDGE ARM OF THE STOURBRIDGE CANAL

AGREED

That this item be deferred for consideration at the next meeting of the Forum.

13. ACCESS BARRIERS TO THE DISABLED

The Chairman advised that Mr. D. Bates and Mr. D. Woodruff would form a Sub-Committee in relation to the production of a booklet for disabled people, publicising those areas of beauty in the Dudley area that were accessible to disabled people. This item would not appear on future Agendas.

14. COOMBS ROAD ON COOMBSWOOD WAY

AGREED

That the Chairman pursue a response from St. Modwen regarding the balancing pond and drainage problems affecting public safety.

15. PLANNING APPLICATIONS

Coombswood H23 - Chancel Way to Amber Way

Mr. Jacobs advised that no further progress had been made in relation to the possible removal of the fence. It was noted that Mr. Alan Radford, Technician/Engineer would be dealing with this matter and the Chairman indicated that the advice of the Forum would be that the fence that had been erected be taken down.

Following further discussion, it was:-

AGREED

That Democratic Services write to Mr. G. Dean, Head of Street Care and Green Care in relation to the illegal obstruction between Chancel Way and Amber Way, and request that a progress report be submitted prior to the next meeting of the Forum.

H23 - Gainsford Drive to Coombs Road

Following further discussion, it was:-

AGREED

That Democratic Services write to Mr. P. Reed, Principal Development Control Officer, stating that the fencing that had been erected exceeds 2 metres in height and also obstructed the public right of way, and the Forum wished to express concerns that the fence had been erected without planning permission.

Plan No. P08/096 - Land adjacent to 107 Long Lane, Halesowen

It was noted by the Forum that Mr. D. Holloway, Senior Planning Officer had indicated that a report would not go to a Committee meeting before the next meeting of the Forum, as the scheme continued to be assessed. Following further discussion it was agreed that this item be deferred for consideration at the next meeting of the Forum.

16. UNAUTHORISED TIPPING AT COOMBSWOOD ADVERSELY AFFECTING THE ENJOYMENT OF ADJACENT FOOTPATHS AND THE COOMBSWOOD GREEN WEDGE

Following further discussion it was

AGREED

That the Forum would pursue a response from Mr. Muston, the Acting Head of Planning in relation to the unauthorised tipping.

17. GATING ORDERS

File Cutters Path - Advertisement of Gating Order

It was reported that the final report in relation to the Order had been signed off.

In response to a question from a member of the Forum, Mr. D. Jacobs indicated that as far as he was aware, all statutory consultees had been consulted prior to the Gating Order being finalised.

Following further discussion, the Forum requested the Secretary to minute as follows:-

AGREED

The Chairman stated that an illegal situation had taken place, a Gating Order had been made without consultation with the Access Forum. The Access Forum's recommendation would go to Councillor Adams and the Council's Legal Department that this Order should be withdrawn as it would bring the process into disrepute, should the Gating Order continue. The Forum also requested a copy of minute thirty of the Minutes of the Forum dated the 17th September, 2008 be forwarded to the Department for Environment, Food and Rural Affairs.

Reviewing of Gating Orders

Having considered the report of Mr. D. Jacobs, (Project Engineer, Traffic and Transportation) prior to the meeting, the Chairman handed Mr. Jacobs a response to the report.

Gating Orders - The Dudley Experience

Following consideration of the response from Councillor Mrs Ridney in relation to the Forum's report entitled "Gating Orders - The Dudley Experience", it was

AGREED

That the Forum would provide Councillor Mrs Ridney with a response to the issues raised by her.

18. RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Following further discussion, it was

AGREED

That a Sub-Committee be formed comprising Mr. T. Antill, Mr. D. Davis, Mrs. C. Freer and Mr. D. Woodruff, in order to deal with the Forum's response to the report relating to the Rights of Way Improvement Plan Update.

19. SHARED SURFACES IN THE HIGHWAY

The Forum noted the content of the e-mail of Mr. Muston, Interim Planning Control Manager relating to the letter circulated by the Forum, in respect of problems that shared services caused to disabled people and confirming that a letter had been circulated to the relevant officers internally.

20 FUNDING OF THE FORUM

Following further discussion, it was agreed that this item be deferred to the next meeting of the Forum.

21 ANY OTHER BUSINESS

- (a) Mr. Antill recommended that there should be no more than two informal presentations from any officer, elected member or a Local Access Forum member, at any meeting in the future and that such presentations should not exceed fifteen minutes in length.
- (b) Mrs. C. Freer reported that Dudley had been awarded £4.5 million to encourage people to get out and about and stated that she had e-mailed Councillor Mrs. Shakespeare in relation to funding becoming available to help maintain footpaths, and the provision of leaflets initiated by Halesowen Abbey Trust to reducing the carbon footprint and obesity by walking.
- (c) Mr. D. Jacobs reported that at a recent meeting of Stourbridge Area Committee, an application had been presented for the closure of a path leading from Keates Close onto the recreation ground.

AGREED

- (1) That at future meetings of the Forum, there shall be no more than two informal presentations from any officer, elected member or member of the Local Access Forum and such presentations shall not exceed fifteen minutes in length.
- (2) That item (b) above be deferred to a further meeting of the Forum upon receipt of a response from Councillor Mrs. Shakespeare.

22 DATE OF NEXT MEETING

That the next meeting of the Forum be held on 19th January, 2009 at 6.30pm

The meeting ended at 9.15 p.m.

CHAIRMAN