

DUDLEY BOROUGH LOCAL ACCESS FORUM

Wednesday 16th July, 2008 at 6.30 pm in Committee Room 3 at the Council House,
Priory Road, Dudley

PRESENT: -

Mr M Freer (Chairman)

Mr T Antill, Mr D Bates, Mr R Burgess, Councillor Crumpton, Mr D Davies,
Mrs C Freer, Mr Gameson, (Vice Chair of Local Access Forum for
Stafford/Wolverhampton), Mr J Vickers, and Mr D Woodruff.

Officers:

Mr J Butler – Group Engineer: Traffic and Transportation and Mr D Jacobs –
Project Engineer: Traffic and Transportation (both Directorate of the Urban
Environment, Dudley MBC) and Miss K Fellows, Democratic Services Officer
(Directorate of Law and Property, Dudley MBC)

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillor Adams, Mr A Cutler, Councillor Mrs Shakespeare, Mr N Williams
and Mr J Yeates.

2 DECLARATIONS OF INTEREST

The Chairman declared an interest in relation to Agenda Item no 8 – Re-
location of Sporting Facilities in Coombeswood - as he had met with St
Modwen's in his capacity as Secretary of Halesowen Abbey Trust.

3 MR R BURGESS

At this juncture the Chairman referred to a new member nominated to serve on
the Forum, Mr R Burgess, a representative for Coombeswood Canal Trust.
The Members welcomed Mr Burgess to the meeting.

4 MINUTES

AGREED

That the minutes of the meeting of the Forum held on 21st May, 2008,
be approved as a correct record.

5 CHANGE TO ORDER OF BUSINESS

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

agenda items no's 9 and 4 followed by the remaining items.

6 ACCESS BARRIERS TO DISABLED PEOPLE

Mr Woodruff gave a PowerPoint Presentation regarding access on and along the Canal network.

A general discussion followed regarding the formation of a sub committee to oversee the production of a booklet for disabled people, publicising those areas of beauty in the Dudley area that were accessible to disabled people.

AGREED

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

7 MATTERS ARISING FROM MINUTES

In connection with Minute No. 6 (a) – Gating Orders – File Cutters Path – Update - Mr Butler reported that the Ward Members for Coseley East had not provided a date for a meeting to discuss future proposals that may affect the above footpath. It was also reported that it had been agreed that a decision sheet should be prepared for Councillor Adams, Cabinet Member for Transportation, to sign to progress the public advertising of the proposal to gate the File Cutters. It was also noted that Councillor Adams may have discussions with the Coseley East Ward Members at the full meeting of Council members on 14th July, 2008. The Forum were advised that they would have an opportunity to make further comments on the proposal once the proposed Gating Order was advertised; the proposal would be reported either as a whole or referenced as back ground papers in the Officers Report to Councillor Adams.

Following further discussions on why the meeting with Ward Members had not taken place, it was

AGREED

That the information now reported on, regarding the current position on the File Cutters Path Gating Order be noted and that Mr Butler write to Councillor Adams regarding the concerns raised by the Forum that the meeting requested had not taken place.

In connection with Minute No. 4 – Matters Arising from the Minutes, Mr Butler reported that in relation to Coombs Road on Coombs Wood Way, although contact had been made with St Modwen regarding the drainage and maintenance problems on their private internal estate road and paths, he advised the Forum that these were private maintenance matters which the Council as Local Highway Authority have no control over. Following discussion it was

AGREED

That Democratic Services, upon being provided with the contact details for the maintenance engineer at St Modwen be requested to write on behalf of the Forum in relation to the drainage/maintenance problems affecting public safety and expressing the wish of the Forum for them to inform the Forum of the action that was to be taken to rectify these problems and the progress of that action.

In connection with Minute 5 (a) – Planning Applications – Treherns Farm, Mr Antill requested Mr Jacobs to provide a copy of the responses to items 1 to 7 of the Report relating to Public Path Orders at Treherns Farm.

Mr Jacobs responded to the point by referring to the comments made on this item in the minutes of the previous meeting.

In connection with Minute no 5(b) Coombeswood H23 – Chancel Way to Amber Way - a discussion arose on the fencing and gates that had been erected and were obstructing the public highway. The Chairman stated that immediate enforcement action should be taken to remove the obstructions and it was

AGREED

That Democratic Services, write to the Technician Engineer, Mr Radford, to request that the Forum be advised of the up to date position, following discussions between the Council and the adjoining property owners, on the matters.

In connection with Minute no 5(b) H23 – Gainsford Drive to Coombes Road – Mr Jacobs advised the Forum that he would make a site visit and following this would report to the Forum.

In connection with Minute no 5(b) Path H21/24 – The Forum were advised that the Technician Engineer, Mr Radford may make a site visit. This item would therefore be considered again at the next meeting of the Forum.

FURTHER CHANGE TO ORDER OF BUSINESS

At this point it was agreed that there be a further change to the order of business as follows:-

That agenda items no's 7,8 and 5 be considered in that order following by the remaining items.

8 UNAUTHORISED TIPPING AT COOMBESWOOD ADVERSELY AFFECTING THE ENJOYMENT OF ADJACENT FOOTPATHS AND THE COOMBS WOOD GREEN WEDGE

The members of the Forum were handed a copy of an email received from Richard Sumner, Enforcement and Compliance Officer, following the enquiries made in relation to this matter. It was reported that the land formed part of a key industrial area and there was an option to develop but no planning application had been received. Following liaison by an Enforcement Officer with the owners, the access road had now been blocked to stop any further tipping. Some of the tipped material had been removed to the satisfaction of the Enforcement Officer, who would continue to monitor the situation. According to the computerised records, the boundary between this development land and the Green Belt of Coombs wood Wedge is marked by the existing green metal fencing.

Mr Burgess commented that the tipped material was at least 4 metres high and was spoiling the view from Coombs Wedge and The Monarch's Way, which formed part of a conservation area. Following further discussion it was

AGREED

That Democratic Services, write to the Enforcement Officer, the Chief Executive and the Principal Planning Officer, Carl Mellor, indicating that the Forum strongly advises that immediate enforcement action to remove the tipping be taken to restore nature conservation and landscape value and that a copy of the letter be forwarded to Councillors Mrs Faulkner and Mrs Shakespeare.

9. RE-LOCATION OF SPORTING FACILITIES IN COOMBESWOOD

Mr Jacobs reported that a full planning application had not been received, although this matter was in the public domain and a public consultation would take place. He also indicated that he would be looking at what this project had to offer so as to increase the accessibility of the land.

The Chairman advised the Forum that he had been invited to a meeting with St Modwen to discuss footpaths and suggested that another member of the Forum attend the meeting due to his earlier declaration in relation to this Agenda item.

During discussion of this item concerns were expressed in relation to drainage, significant change to the landscape and the impact on enjoyment should this project go ahead.

AGREED

That the current position on this matter be noted and that Mr Burgess be requested to arrange to meet with representatives of St Modwen and report back on the discussions at the next Forum meeting.

10 PLANNING APPLICATIONS

Plan no. PO8/096 - Land adjacent to 107, Long Lane, Halesowen. The need for a diversion order should this application proceed in its current form was discussed. The right of way that the development crosses was referred to and the need to maintain the link that this provided to the local primary school.

AGREED

That, on behalf of the Forum, Democratic Services be requested to send the following response to the Head of Planning and request that she arrange for the Forum's views to be included in the report to be prepared by the relevant case officer:-

Upon consideration of the proposed Planning Application Plan no. PO9/096, we the Dudley Borough Local Access Forum wish to state that the Development is too dense and does not provide for enough public open spaces and does not acknowledge the loss of major conservation. The Development detracts from the enjoyment of the path and a better design scheme could be beneficial. Taking all factors into account this would give the developers the opportunity to develop their conservation credentials.

11 ITEM RAISED AT CENTRAL DUDLEY AREA COMMITTEE – 10th June, 2008

Mr Jacobs reported that he had written to Councillor Sparks requesting more information in relation to the request made at the above Area Committee that the path running adjacent to 75 Maughan Street and 9 Park Road, Quarry Bank be stopped up, due to it providing a focus for litter and anti social activities. Mr Jacobs had endeavoured to contact the Crime Reduction Officers who were responsible for this area to ascertain details of reports of anti social behaviour. The Officers concerned were unavailable and Mr Jacobs would continue to endeavour to contact them.

Mr Jacobs further reported that he had requested Mr Radford, Technician Engineer, to arrange for the overgrowth to be cut back and for the path to be kept under maintenance review.

Following further discussion it was

AGREED

That Democratic Services contact Mr A Radford, requesting confirmation that the path referred to above would be put on a regular maintenance regime especially during the summer months.

12 GATING ORDERS AS A THREAT TO PUBLIC RIGHTS OF WAY AND THE APPROPRIATE RESTRICTED USE OF THEM

The Chairman advised that a reply had been formulated to Gating Orders and Special Extinguishment Orders and it was

AGREED

That this item be deferred for consideration at the next meeting of the Forum, to enable the Chairman to circulate the draft report to the members of the forum, and to Mr Gameson, dealing with the Reply to Gating Orders and Special Extinguishment Orders.

13 RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Miss Fellows, reported on behalf of Ms Perkins, that the Councils' Marketing and Communications Section were currently finalising the draft Rights of Way Improvement Plan document prior to public consultation. Once a date had been set to begin the consultation process, the Forum would be notified and invited to make comments.

Following some discussion by members about their concerns in relation to the delay in the production of this report it was

AGREED

That the Chairman contact John Anderson and Martyn Holloway to ascertain the reasons for the delay in producing the report and when the draft report would be available.

14 TRAINING FOR LOCAL ACCESS FORUM MEMBERS

During the consideration of this matter particular comments were made on the agenda's of all Local Access Fora being made available for distribution, and it was

AGREED

That should any member of the Forum ascertain from another forum's agenda that a particular matter was relevant to the business of this Forum, that Member be requested, if available, to attend the meeting of that Forum and report back to the members of this Forum on the matter(s) discussed.

15 ANY OTHER BUSINESS

- (a) Councillor Crumpton raised an issue relating to the green belt along Oldnall Road in Wollescote/Cradley and how to safeguard particular fields from any development in that area. He also raised the issue of a public right of way at the rear of Providence Church, Windmill Hill, Cradley.
- (b) Mr Butler circulated at the meeting two documents published by the Council that promoted walking within the Borough. It was suggested that the Forum may wish to contact the Editor to offer their assistance and to promote the workings of the Forum. Following discussion it was

AGREED

- (1) That the two matters raised by Councillor Crumpton be deferred for consideration at the next meeting of the Forum.
- (2) That the Chairman contact the Editor of the two documents circulated at the meeting by Mr Butler, promoting walking within the Borough.

16 DATES OF FUTURE MEETINGS.

It was noted that the dates of future meetings were:-

- Wednesday 17th September 2008
- Wednesday 19th November 2008

The meeting ended at 9.15pm

CHAIRMAN