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From: Dudley Borough Local Access Forum [mailto:dblaf@btinternet.com]
Sent: 03 March 2009 20:07
Cc: Kim Fellows
Subject: Important - Dudley Council calls for 'costs' against the Access Forum

Dear Members

I attended the Public Inquiry for the Treherns Farm footpath Orders today at Dudley Council. Some Forum members attended as observers.

As you know we have been proffering advice regarding these Orders and in particular how they have been handled by the Council, since February 2008. At all times we have made clear that our representations are advice.

The Council passed our advice to the Planning inspectorate and matters have pursued from that point. Whilst we have criticised the lack of appropriate information to consultees and the fact that the Council have not attempted to resolve outstanding objections by assisting objectors further, we have not as such objected to the Orders.

When challenged today the Council could not provided evidence that we had objected even though they persisted to the end of the Inquiry in claiming that we had.

Unfortunately, Dudley Council is claiming substantial costs from DBLAF & the objectors for behaving irresponsibly and causing the Inquiry.

Those claims for costs are against the Forum rather than Forum members. None of you have any need to worry.

When I explained the statutory function of the Forum and how we were funded through the Council, the counsel for the Council stated that there will be repercussions for the Forum and its Leaders. On behalf of the Forum I complained that this non specific inappropriate and vindictive threat was out of order.

At our next meeting, if we are quorate, I will resign as Chairman to give you the opportunity to replace me if I do not have your confidence. Will Kim and Dave please make this first point on the Agenda.

I am a little concerned that in some quarters of the Council this may be seen as an opportunity to deal with a thorn in the side. That is not true of everyone in the Council for there are others who can see that all is not well in respect of some of the issues that we are now focussing upon and that our advice is drawing attention to these points.

I do enjoy working with such a dedicated team who are trying to do their best to improve the 'lot' of those who enjoy footpaths and open space.

If you believe it is time for a change you will still have my support.

Mick Freer

Chairman

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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.