

Gating Orders – The Dudley Experience.

To Whom It May Concern.

Having read and considered the document that was circulated to Councillors 23rd September 2008 I wish to make a number of comments in response.

While I have no dispute with such a statutory body I am concerned by some of the comments contained in this report. My understanding of the function of such a Forum is that it advises the Local Authority on improvements of public access to land for the purpose of open air recreation and enjoyment of the area. The point being is that they are constituted to give advice and not to order or sanction actions. Advice given can be accepted or ignored as considered appropriate by the local authority.

1. The major concern expressed by the citizens of Dudley Borough in recent years (as demonstrated in public consultations published annually by the Local Authority) is fear of crime and anti-social behaviour (ASB). The Forum in its report appear to dismiss the opinions of the Police with regard to ASB and crimes linked to public pathways (Para 1.6) and in doing so they also dismiss the fears of Dudley's tenants and Residents.
It is my belief that the public have a right to express such concerns and that the elected members must respond to their view, in fact that we have a duty to do so.
2. The "second example" given in this report is a public pathway that I, and ward colleagues, have been involved with. I have acted on behalf of the citizens who democratically elected me and expect me to voice their concerns. The report refers to me as a protagonist (Para 2.13) I make no apology for representing the views of my ward.
3. How can the Forum comment of the lighting on this footpath when their site visit was during the hours of daylight?
4. Para 2.6 – The comment on bad press is not appropriate, residents have felt the need to approach the local press out of frustration about a situation that has gone on far too long. Comments on the "monster" I believe are not acceptable as the Forum has not spoken to, or consulted with, the residents directly affected by the pathway.
5. There have been, over time, a number of reports of entry to the school ground via this pathway. The Forum did not comment in their original report that the tongue was missing from the gate, it had been removed during the incident referred to, to gain access to the school grounds. I reported this incident and was aware that the windows could not have been broken from the pathway but were broken by someone within the school grounds.
6. The Forum suggested, following their site visit, that CCTV should be installed to deter ASB. I do not believe that they can describe such measures as inexpensive. The school has spent considerable amounts on fencing, gates and alarm systems.

7. I am saddened that the Forum took the view that reports by the residents, councillors and officers were “hearsay”, in fact I think it is insulting.
8. Many Youth activities have taken place in the area and I feel that such reports are outside the remit of the Forum. Is it the place of this Forum to make judgements with regards to the actions taken by the Police, Local Authority (Para 2.10) concerning youth issues.
9. Alternative routes to this pathway have always existed (as long as the pathway) and are well maintained for the north of the borough. Is noisy traffic exclusive to the Coseley area?

In conclusion many aspects of this report give me cause for concern, both as an elected member and on a personal level

As an elected member I am answerable to the Council, but more so the community I represent, I give voice to their opinions and comments and I have a duty to do so.

I have taken many late night phone calls, and have left my home to reassure and comfort residents affected by nuisance from a public pathway.

I have supported my residents to the best of my ability and am embarrassed to inform them that their concerns have been dismissed by the Forum. I do not live on the pathway, I have to take note of their concerns and respectfully point out that none of the members of this Forum live on the pathway.

I believe that any one who lives in Dudley has a right not to be plagued by acts of ASB, to witness from their bedroom windows drug dealing, or to have flowers or garden equipment stolen from their garden and that they have a right to live without fear in their own homes.

Am I wrong to hold such a belief?