

Minutes of the Dudley Borough Local Access Forum

Tuesday, 11th April, 2017 at 3.00pm in Room 1 at 3-5 St James's Road,
Dudley

Present:

T Boothroyd (Chair)
R Brooks (Vice-Chair)
R Burgess, P Greenaway, A Nicholls, T Pritchard and N Williams.

Officers:

D Jacobs – Project Engineer, D Keeley – Countryside Manager –
A Radford – Maintenance Manager, J Pilkington – Senior Conversation Officer
and M Walton – Access Officer (All Place Directorate) and K Buckle –
Democratic Services Officer (Chief Executive's Directorate).

Also in Attendance:

Rose Green representative of the Stourbridge Ramblers Association.

36. Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of D
Bates, S Yeadon and Councillors C Elcock and G Partridge.

37. Declarations of Interest

R Burgess declared an interest in Agenda Item No's 6 - (a) to (f) –
Access/Rights of Way Issues, 7 – Volunteers Accreditation and
Associated Licences, 8 – Pottery Farm/Coombeswood Footpaths
Allocation of Section 106 Funding and 9 – Leasowes Four Footpaths
granted Permissive Status, as he was a Member of Halesowen Abbey
Trust.

38. Minutes

Agreed

That the Minutes of the meeting held on 21st February, 2017 be
approved as a correct record.

39. **Change in Order of Business.**

Pursuant to Council Procedure Rule 13(c) it was:-

Resolved

That Agenda Item No. 5(a) – Consultation on two new Supplementary Planning Documents (SPDs): draft Shop front and Advertisement SPD and draft revised Historic Environment SPD be considered as the next item of business followed by the remaining Agenda Items.

40. **Planning Applications – Consultation on two new Supplementary Planning Documents (SPDs): draft Shop front and Advertisement SPD and draft revised Historic Environment SPD**

J Pilkington, Senior Conservation Officer reported on the public consultation in relation to the two new Supplementary Planning Documents relating to Shop front and Advertisement and the revised Historic Environment.

It was noted that the consultation period was from 31st March to 19th May, 2017 and hard copies of the documents were available in Borough Libraries, Dudley Archives and via the Council's website. It was reported that the supplementary Planning Documents provided an overview and outlined the purpose of the documents; that the Council's Communications and Public Affairs Section dealt with the consultation period, which would be for a standard period of time.

The Chair raised concerns in relation to the format/content of the documentation and the short period of time for the Consultation, advising that for the purposes of Access in Dudley four large print and four picture format documents were required, as without the provision of those documents there were approximately 1700 that would not be consulted with.

The Chair reported that she had received two large copies of the SPD documents relating to Shop front and Advertisement, however these had not been in the requisite format.

M Walton sympathised with the concerns raised by the Chair in relation to the inadequate documentation and undertook to raise the concerns with the appropriate Council Officers.

J Pilkington undertook to provide the Chair with the documentation in the correct format and if required attend a meeting of Access in Dudley to outline details of the consultation.

J Pilkington referred to the draft revised Historic Environment SPD, advising this would demystify the contents to those wishing to access the service and sets out and explains what the historic environment was and would play a strong role in redevelopment and regeneration decisions.

She advised that that the document provided greater detail for example in relation to what would be deemed an “inappropriate development”.

J Pilkington referred to the various chapters contained in the draft revised Historic Environment SPD, which sets out details of the term “heritage” which included strong economic benefits and how it would fit in with local and national policy and would also include heritage assets which were designated. Those which were un-designated but included buildings of local significant and areas of high historic landscape value would also be included in the term heritage.

It was noted that the SPD included details of how proposals were assessed that affected national heritage, for example when assessing planning proposals as there was a clear methodology to assess.

It was outlined that advice was also provided in relation to carrying out repairs and maintenance to properties, including a steer on the correct materials to be used and finally setting out the policy strategy for conservation and enjoyment of the historic environment.

It was noted that work would continue with other partners in order to address the heritage at risk and investigating enforcement powers.

Details in relation to the draft Shop Front and Advertisement Supplementary Planning Document (SPD) were outlined, including details of the Dudley Townscape Heritage Lottery funding that could be used to fund improvements to Shop Fronts.

It was stated that the SPD would provide helpful guidance to tenants and landlords and that the document provided general principles when designing a shop front and also promoted living above shops.

Details in relation to that part of the SPD that referred to shop security were referred to, including the provision to ensure that secure by design methods were used and that the premises were accessible by all members of the public.

It was noted that a large section of the document incorporated details in relation to signage which advertised the premises.

The final part of the document regarding obtaining consent and the types of enforcement action that could be used, together with the ultimate goal being to aspire to better shop fronts within the Dudley Borough, were referred to.

The Chair referred to two new shops fronts which had been installed within Halesowen Town Centre and the Senior Conservation Officer undertook to investigate the issues raised.

R Burgess raised concerns in relation to the historic environment being affected in view of the Green Belt within the Dudley Borough currently being reviewed by Consultants. The Senior Conservation Officer responded stating that Planning Policy Officers were involved with the

review and the excellent evidence base and information and good policies in the Dudley Development Strategy were referred to, however it was agreed that there would be the need to examine any proposals in relation to the Green Belt extremely closely.

The same Member also raised concerns in relation to the West Midlands Combined Authority and the powers that the newly appointed Mayor would have in relation to planning policy. The Countryside Manager referred to the National Policy Planning Framework which had been introduced by central Government and the Senior Conservation Officer referred to a host of Statutory Consultees who would raise objections to such applications.

The Project Engineer requested that the draft Shop Front and Advertisement SPD include information of the position should tables and chairs encroach on the highway and the Senior Conservation Officer undertook to liaise with the Project Engineer further in relation to the request.

It was noted that the draft SPD's would be submitted to the Council's Cabinet in September with a request that they be adopted.

N Williams referred to a response submitted in relation to a previous consultation in relation to two legally protected species and the Senior Conservation Officer undertook to email a response to the Democratic Services Officer.

The Access Officer and the Senior Conservation Officer undertook to contact the Chair in relation to the possibility of attending a meeting of Access in Dudley to present details of the SPD's referred to above.

The Senior Conservation Officer reported that in relation to Pottery Farm she would ensure that all Planning Conditions were discharged and would make enquiries in relation to the replacement gate that was to be constructed at the end of the driveway as part of those conditions.

Agreed

- (1) That the information contained in the verbal presentation on the Consultation on two new Supplementary Planning Documents (SPD'S) provided, as set out above, be noted.
- (2) The Conservation Officer be requested to:-
 - (a) Investigate the issues raised regarding to the two new shop fronts in Halesowen Town Centre and provide a response to the Chair.
 - (b) Liaise with the Project Engineer regarding including the provision of information relating to tables and chairs encroaching on the highway in the SPD relating to Shop Fronts and Advertisement.

(c) Email Democratic Services the response in relation to a previous consultation regarding two legally protected species.

(d) Liaise with the Chair in relation to attending a meeting of Access in Dudley to provide details of the Consultation of the two new Supplementary Planning Documents.

41. **Rights of Way Improvement Plan – Future Maintenance Programmes**

A Radford advised that a meeting was shortly to be arranged and he was aware that there would be a reduction in funding to carry out improvements in the future to approximately £30,000.

Agreed

That this item be included as a standard item on future agendas.

42. **Access/Rights of Way Issues and Updates**

(a) H13 Monarch's Way, Halesowen – Flood work

As S Yeadon was unable to attend the meeting it was:-

Agreed

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

(b) Path 56 Lapal House, Halesowen – Tree blocking the right of way

A Radford reported that contractors were to complete the work to remove the tree the following week.

Agreed

That an update on the matter be provided to the next meeting of the Forum.

(c) H25 Coombeswood – Surfacing Work Phase two

It was noted that due to continuing work along the walled garden, work was now due to commence on phase two surfacing work on week commencing 24th April, 2017.

Agreed

An update be provided to the next meeting of the Forum.

(d) Monarch's Way Signs.

Following further discussions it was:-

Agreed

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

- (e) Snowdon Rise Path No. SED0016

A Radford was awaiting an estimate of cost relating to Volunteers Accreditation and associated licences.

Agreed

That should the position in relation to costs not be determined prior to the next meeting of the Forum that an update be provided at that meeting.

- (f) Illey and Lapal Footpath Maintenance Funded by Section 106 Funding.

R Burges referred to the deterioration of some of the stiles enquiring whether Section 106 monies were available for the work required.

R Burgess undertook to provide D Jacobs with a copy of the decision sheet and background on the work completed to the area to date and D Jacobs undertook to investigate available funding with the J Bozdoganli, Principal Planning Officer.

The Chair requested assurances that the replacement stiles would be ambulant style, taking into account the Access Design Guide.

Agreed

That an update be provided to the next meeting of the Forum.

43. **Volunteers Accreditation and Associated Licenses**

A Radford advised that he had made enquiries of two other Authorities and had liaised with the Council's Asset Manager and wished to clarify with Members that should the areas where the work was to be undertaken not appear on the gazetteer of streets, those volunteers who wished to undertake the work were not required to provide notice to the Local Authority.

It was noted that there was a list of all Highways which were maintained at public expense.

Agreed

That the information reported on at the meeting be noted and this item be removed from future agendas.

44. **Pottery Farm/Coombeswood Footpaths Allocation of Section 106 Funding**

This item had been discussed and amalgamated in earlier agenda items.

45. **Leasowes Four Footpaths Granted Permissive Status – Progress Update**

It was noted that this had now been completed and the item required no further consideration.

Agreed

That the matter be recorded as completed.

46. **Future Meeting Times of the Forum.**

Following further discussion it was agreed that future meetings of the Forum would commence at 2pm.

47. **Any Other Business**

D Jacobs responded to a request of N Williams in relation to the electrified fencing which had been installed by a land owner on Lye Close Lane, Lapal advising that the issue would continue to be monitored and should any further complaints be raised the issue would be addressed.

D Jacobs advised that there would be the requirement to re-appraise all Gating Orders by 20th October, 2017, with all paths being re-assessed and the requirement for consultation to take place in relation to all Gating Orders. D Jacobs undertook to provide Members with details of all paths to be re-assessed at the next meeting of the Forum.

It was agreed that an item entitled “Gating Orders” would be included on the next Agenda of the Forum.

D Keeley referred to the impending appointment of a new Member to the Forum, who was present at the meeting as an observer, Rose Green who was the joint Chair of Stourbridge Ramblers and resided within the vicinity of Dudley Town Centre.

48. **Date and Venue of Future Meeting**

Noted, the next meeting of the Forum would take place at 2.00pm in Meeting Room 1, 3-5 St James's Road, Dudley on Tuesday 4th July, 2017.

The meeting ended at 4.45 pm