

Minutes of the Dudley Borough Local Access Forum

Wednesday 8th December, 2021 at 1.00pm
Meeting Room 1 at 3-5 St James's Road, Dudley

Present:

T Boothroyd (Chair)

R Brooks, R Burgess, P Greenaway, A Nicholls, T Pritchard and N Williams

Officers:

D Jacobs (Project Engineer) (via Microsoft Teams), D Keeley (Countryside Manager) and K Griffiths (Democratic Services Officer).

Also in attendance:

Councillor S Phipps – Cabinet Member for Regeneration and Enterprise

M Freer - Honorary Secretary, Hales Owen Abbey Trust

D Chaffey, Chairperson of the Friends of the Leasowes Group

14. **Appointment of Vice-Chair for the 2021/22 Municipal Year**

Resolved

That R Brooks be elected as Vice-Chair of the Forum for the remainder of the 2021/22 Municipal Year.

15. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of S Yeadon and Councillor P Lee.

16. **Declarations of Interest**

R Burgess and T Pritchard declared non-pecuniary interests in relation to Agenda Item No. 9 - Access/Rights of Way Issues and Updates, as Members of the Halesowen Abbey Trust.

N Williams declared a non-pecuniary interest in relation to Agenda Item No 6. – Leasowes Park, Access, Footpath Network, Signage and Interpretation, as a Member of the Friends of the Leasowes Group.



17. **Minutes**

Comments were made by the Chair in relation to the minutes of the Forum at the meeting held on 15th September, 2021 relating to Minute No. 6 – Black Country Plan. It was accepted that the comments made in the statements referring to four Black Country sites, namely, Worcester Lane, Norton, Kingsway, Wollaston, Summerhill Kingswinford Triangle and Holbeache Lane, could be interpreted to suggest that the Forum had no objections to any development on the identified Black Country sites. It was considered that the comments be altered and that it be emphasised that the Members of the Dudley Borough Local Access Forum would not support any proposals for future development on any greenbelt land in the Dudley Borough. The Chair emphasised the importance of considering and utilising brownfield sites, vacant land and derelict buildings prior to greenspaces, and greenspaces only being assessed for development under exceptional circumstances only. R Burgess referred to comments made and circulated to Forum Members prior to the meeting in relation to his concerns regarding comments made at the previous meeting on the Black Country Plan, which were accepted by the Forum. It was expected that matters relating to proposals set out in the Black Country Plan would be submitted and discussed frequently at the Forum.

Whilst it was acknowledged that planning applications within the remit of Dudley Borough Local Access Forum were considered at Forum meetings, Members suspected that it would be unlikely that any planning applications for development would be made before the four sites, referred to above, had been removed from greenbelt status. It was considered that following the removal of the status, the influence of the Forum would be very limited as the decision to remove greenbelt status, in favour of housing allocation, would have been made. It was suggested that Members frequently check the Planning Portal for planning applications of interest to the Forum and report to the Chair for discussion and action. It was also suggested that a Planning Officer attend a future meeting of the Forum to discuss planning processes and how sites were assessed and categorised. Councillor S Phipps referred to the live document provided to elected members on all planning applications received, which included various information on the proposals and suggested that the information be circulated to Members of the Forum and other interested groups.

Councillor S Phipps outlined the stages and requirements of the Black Country Plan and indicated that he would ensure that the comments of the Forum were considered as part of the wider consultation process.

In referring to the decision to reduce the number of Dudley Borough Local Access Forum meetings by one each year, the Countryside Manager indicated that, although the number of meetings held per year in neighbouring authorities varied, the decision of Dudley's Forum was in line with current guidance from National

England. It was acknowledged that additional meetings would be arranged to allow any urgent planning applications to be considered.

Resolved

- (1) That the Democratic Services Officer be requested to explore the possibility of circulating the document provided to elected Members on planning applications once they became live, to Members of the Forum and interested groups.
- (2) That Councillor S Phipps be requested to refer the comments made above on the Black Country Plan to appropriate officers.
- (3) That the Minutes of the meeting held on 15th September, 2021, be approved as a correct record, subject to the following amendments.
 - That the following words be inserted in as an additional resolution, “Members of the Dudley Local Access Forum do not support any development proposed for the Worcester Lane, Norton, Kingsway, Wollaston, Summerhill Kingswinford Triangle and Holbeache Lane sites identified within the Black Country Plan as set out in the draft consultation exercise”.
 - That the sentence in the second line of the first paragraph of minute no 8 – Leasowes Park, Access, Footpath Network, Signage and Interpretation be replaced with the following words, “The long-term ambition in restoring the Dodsley/Shenstone historic route within Leasowes Park with appropriate signage, way-making and interpretation was mentioned, however, it was noted that some areas were complex, and a permissive path may be required.”
 - That the sentence in the third line of the second paragraph of minute no 8 – Leasowes Park, Access, Footpath Network, Signage and Interpretation be replaced with the following words, “It was reported that the Golf Club had removed a private land, no access sign that had recently been erected, and steps had been taken to identify an alternative route, however the delays in progressing was acknowledged due to the complex nature of the project.”
 - That the sentence in the third line of the third paragraph of minute no 8 – Leasowes Park, Access, Footpath Network, Signage and Interpretation be replaced with the following words, “The Countryside Manager acknowledged the comments made and indicated that the preferred option would be to consider permissive paths, and that the main objective was to confirm routes to allow public access, with flexibility built in.”

- That the last sentence in the first paragraph of minute no. 11(c) – Access/Rights of Way Issues and Updates – Public Right of Way H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen be replaced with the following words, “In responding to previous requests made by the Forum, the Project Engineer confirmed that the path could not be made definitive.”

18. **Change in Order of Business**

Resolved

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

19. **Rights of Way Improvement Plan – Future Maintenance Programme and the Delivery of the Rights of Way Improvement Plan**

It was noted that the Local Authority had a statutory obligation to review the Rights of Way Improvement Plan every ten years. Although there had been a slight delay in carrying out the review, the Forum were assured that initial discussions and consideration in relation to allocating sufficient resources were taking place with a view to further information being reported to the Forum during the consultation exercise.

Action

Officer/Member

That the item remain on the agenda for an update at the next meeting of the Forum.

Democratic Services

20. **Planning Applications**

The Project Engineer confirmed that there were no new planning applications for consideration at this meeting.

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

(a) **Lower Illey between Path 107 in Dudley and Path 6 in Worcestershire**

The Project Engineer indicated that negotiations were currently being held with the landowners and Worcestershire City Council with a view to signing a Section 125 Agreement and the Forum would be updated on progress at the next meeting.



Action**Officer/Member**

That the item remain on the agenda for the next meeting of the Forum.

Democratic Services Officer

(b) Footpath H115 Site of Hawne Colliery and Footpath 116 Rear of Oil Refinery Shelah Road, Halesowen

The Project Engineer referred to the issues in relation to the funding of the signage and ongoing maintenance issues.

Councillor S Phipps referred to an onsite visit and discussion with R Burgess in relation to the ongoing issues associated with the path. The path was well used, and it was important that the area was made safe to ensure its continued use. Support would be provided to the Forum to ensure the path was maintained and it was requested that any correspondence in relation to the matter be circulated to Ward Councillors and the Cabinet Member for Regeneration and Enterprise.

Funding for maintenance in general was an issue throughout the whole of the Borough and it was suggested that consideration be given to approaching various voluntary groups for support. The level of support was considered greater in certain parts of the Brough; however, the matter had been raised at Cabinet level. Current budget pressures were referred to, however, further consideration was necessary to allocate an increased budget to manage the increasing maintenance issues in the Borough.

Action**Officer/Member**

That the item remain on the agenda for the next meeting of the Forum.

Democratic Services Officer

(c) Public Right of Way H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen

Forum Members were advised that following discussions with the Maintenance Manager and Cabinet Member for Regeneration and Enterprise, further consideration would be given to the level of support and the maintenance offered to resolve the matter. Members would be updated at the next meeting of the Forum.

Action**Officer/Member**

That the item remain on the agenda for the next meeting of the Forum.

Democratic Services Officer



(d) Footpath S454

The Project Engineer reported that despite numerous attempts, a response had not yet been received in relation to the assessment of the deed documentation. In view of this, the Project Engineer indicated that under Section 228 of the Highways Act, consideration would be given to issue a Notice to declare the path a Public Right of Way. Members would be updated at the next meeting of the Forum.

Action

Officer/Member

The Project Engineer be requested to provide an update at the next meeting of the Forum.

D Jacobs /
Democratic
Services Officer

(e) Footpath H398 Manor Way to site of Fordrove Bridge, Halesowen (Not shown on the definitive map)
Footpath H359 Amber Way to Chancel Way, Halesowen (Not shown on the definitive map)

The Project Engineer indicated that a Legal Event Order had been submitted to the Ordnance Survey for inclusion on the definitive map.

Action

Officer/Member

That the item be removed from the agenda.

Democratic
Services Officer

(f) Illey Path 112 (Steps down to Illey Brook)
(g) Illey Path 109 – Field path to Warstone Farm track (Barbed wire fence restricting width)

It was noted that the above matters were maintenance issues and had been reported to the Maintenance Manager for consideration and action.

Forum Members were reminded that any maintenance issues should be referred to Dudley Council Plus in the first instance for referral on to appropriate officers for consideration and action.

Action

Officer/Member

That the items be removed from the agenda.

Democratic
Services Officer

22. **Leasowes Park, Access, Footpath Network, Signage and Interpretation**

N Williams updated Members of the Forum on the issues affecting Leasowes Park including discussions held in relation to next steps going forward with an emphasis on the importance of maintaining the link between Leasowes Lane and Manor Way. In order for consideration for the Dodsley/Shenstone historic route to become a permissive path and recognised as a public right of way, the Group Engineer suggested that collaborative work with officers, organisations, Wardens and users of the path be considered and provide evidence-based forms, together with maps and any other information available to the Local Authority proving how popular the path was. All evidence provided should be honest and transparent to enable consideration of a public right of way in line with requirements under Section 31 of the Highways Act 1980. N Williams undertook to pursue the matter with support from the Chairperson of the Friends of the Leasowes Group.

The Chairperson of the Friends of the Leasowes Group referred to ongoing safety issues associated with a number of routes within Leasowes Park, including the status of paths, together with issues associated with disabled access. Wider consultation was required in relation to access in general around the park as it was considered difficult to navigate, however, the establishment of a recognised public right of way for the Dodsley/Shenstone route was considered a priority. Regular consultation with Halesowen Golf Club was essential in progressing the project.

Reference was made to the path linking the Serpentine to the South Valley path and consideration was being given to submitting an application for funding to the Halesowen Community Forums to support maintenance. It was noted that some Section 106 funding was available and the use was currently being consulted on within the Halesowen area.

The Countryside Manager acknowledged the comments made and assured the Forum that further consideration would be given to progress the matter further.

Action

That the item remain on the agenda for the next meeting of the Forum.

Officer/Member

Democratic
Services Officer

23. **9 Mile Walk**

The Countryside Manager provided an update on issues associated with the 9 mile walk. Following the retirement of the Senior Warden at Leasowes Park, a part time officer had been assigned to the role to focus on the requirements of the project. Locations identified within the route that required additional maintenance



DBLAF/15

would be visited by officers with an invitation extended to R Burgess to discuss the project's obligations moving forward. It was requested that the Countryside Manager extend the Forum's appreciation to A Ravenscroft, former Senior Warden, for all the hard work and support provided whilst carrying out his role.

Progress in relation to the online availability of leaflets for the 9 mile walk was referred to, however, funding remained an issue. Discussion ensued on the requirements of a grant being awarded for specific projects, however, it was acknowledged that should requirements not be fulfilled, any grant provided would need to be returned. The Countryside Manager undertook to support M Freer on an application for funding to be submitted to the Halesowen Community Forums.

The Countryside Manager updated the Forum on the work carried out repairing and replacing stiles within the 9 mile walk to provide easier access for people passing over, or through a boundary. Although discussions had taken place in relation to erecting kissing gates rather than stiles, however, following advice from the Maintenance Manager, it was decided that stiles be used to prevent vandalism and livestock escaping. Members expressed concern in relation to the advice provided as using stiles would disadvantage disabled users. An update would be provided to the next meeting of the Forum.

In referring to the progress in reviewing sections of the 9 Mile Walk that could be made accessible for disabled users, the Countryside Manager undertook to contact the Chair and A Nicholls to arrange a site visit to discuss the matter further.

Action

Officer/Member

That the Countryside Manager be requested to extend appreciation to A Ravenscroft, Senior Warden, on behalf of the Forum, for all the hard work and support provided whilst carrying out his role.

D Keeley

That the Countryside Manager be requested to contact M Freer to discuss support for funding the online leaflets for the 9 mile walk and submit an application for grant funding at future Halesowen Community Forums.

D Keeley

That the Countryside Manager be requested to contact the Chair and A Nicholls to arrange a site visit to discuss the issue of accessible areas within the 9 mile walk.

D Keeley



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24. **Any Other Business**

Advertisement for Dudley Local Access Forum Members

The Countryside Manager indicated that the process had been delayed due to issues associated with the pandemic. He assured the Forum that work continued on the matter and that he would shortly be discussing the requirements for publishing the advertisement with the Communication and Public Affairs Team. Reference was made to the need for a more varied membership, and it was noted that the publication would be tailored to the appropriate audience using a variety of platforms. A suggestion to include information in 6th Form schools bulletins was made to encourage younger people to become members to the Forum.

R Brooks referred to information that he had collated on issues specific to the Dudley Borough Local Access Forum to use as part of the induction process and undertook to forward the information to the Chair, Countryside Manager and Project Engineer for comments prior to it being discussed at the next meeting of the Forum.

Action

Officer/Member

That R Brookes be requested to circulate information specific to the Dudley Brough Local Access Forum to use a part of any induction process to the Chair, Countryside Manager and Project Engineer for comments prior to it being discussed at the next meeting of the Forum.

R Brookes

Hybrid Meetings

Following adverse comments made in relation to the cold conditions of the venue due to the health and safety requirements on having to ensure the room was well ventilated in line with Government advice, it was agreed

Action

Officer/Member

That the Democratic Services Officer be requested to explore the possibility of arranging a hybrid style meeting for the next meeting of the Forum.

Democratic
Services Officer

25. **Future Meeting Dates and Time**

Future meeting dates and times of the Forum at 1pm on Wednesdays were noted as follows:-

- 16th March, 2022
- 15th June, 2022
- 14th December, 2022

The Chair wished the Members and Officers a Merry Christmas and a Prosperous New Year.

The meeting ended at 14.40 pm



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