

Minutes of the Dudley Borough Local Access Forum

Wednesday 13th December, 2023 at 1.00pm

In Committee Room 4

At the Council House, Dudley

Present:

R Brooks (Vice-Chair in the Chair)

R Burgess, Councillor K Denning, T Pritchard and S Yeadon

Officers:

D Keeley – Countryside Manager, D Jacobs – Project Engineer

(Directorate of Environment) and K Malpass – Democratic Services Officer

(Directorate of Finance and Legal)

28. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of T Boothroyd, A Nicholls and A Radford, Maintenance Manager, Directorate of Environment.

29. **Declarations of Interest**

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

S Yeadon declared a non-pecuniary interest in relation to Agenda Item No. 9 – Access/Rights of Way Issues and Updates, as Chair of the Friends of Coombeswood Wedge.



30. **Minutes**

Resolved

That the Minutes of the meeting held on 13th September 2023, be approved as a correct record.

31. **The River Stour**

The Countryside Manager provided an update on the work carried out to date by officers working in partnership with The Wildlife Trust and expressed his sincere gratitude.

Members were advised that as a result of the Council's financial position and the measures agreed by the Cabinet at its meeting on 25th October 2023 designed to improve the overall budget position moving forward, including an external recruitment freeze, the process to secure staff to focus on the project had been challenging. Improved management of the service was considered essential, and strategies would be established to maximise improvement opportunities moving forward as it was considered that The River Stour footpath had the potential to be categorised as a more high-profile footpath. Members would be provided with an update at the next meeting of the Forum.

Action

Officer/Member

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

Democratic
Services Officer/
D Keeley

32. **Future Maintenance Programme**

In the absence of the Maintenance Manager, the Countryside Manager provided an update. The service had completed around 50% of the rights of way improvement programme for the current financial year, however, work had halted whilst up to date costings were being calculated in order to see how the actual spend compared against the costed works.

It was confirmed that after being closed for many months on the grounds of safety due to damage caused by badger activity, extensive work had recently been completed to reopen footpath BRH0048, which ran between Broadfield Close and Barnett Lane, Kingswinford. Photographs were circulated to Members to show the site before, during and after works.

The scheme was carried out under licence from Natural England, under the guidance of Ecologists who were on site throughout the duration of the site works and included the installation of below ground fencing to a depth of 1m to prevent/deter animals from digging beneath the path once reinstatement of the surface was completed. The Images circulated illustrated a section of path that included 'badger doors' in the new fence line to allow access onto the path, together with a 'subway' access to protect an established badger route that was discovered as part of the ground clearance works. The vast majority of the costs for the scheme were met from budgets other than that allocated to Public Rights of Way maintenance.

Action	Officer/Member
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services

33. **Delivery of the Rights of Way Improvement Plan**

The Project Engineer provided Members with an update in relation to the Rights of Way Improvement Plan (ROWIP) and it was agreed that annual updates be provided to Members moving forward.

The Project Engineer referred to the recently launched MyDudley application (app), a new online self-service platform for residents to request services, report issues and make payments. Significant effort had gone into redesigning processes to ensure efficiency, prevent duplication, and make best use of automation. Whilst the app was in its early stages, it was anticipated that the service would become more useful as the app was refined moving forward.

Action**Officer/Member**

That the item be removed from the agenda and updates be provided to Members on an annual basis.

Democratic Services/D Jacobs

34. Proposed Eight Hills Regional Park (Clent and Lickey Range)

R Burgess provided Members with an update in relation to the proposed Eight Hills Regional Park. Members were advised that the regional park would be located in Bromsgrove with no proposal in the plan to include footpaths/areas within the Dudley Boundary. Whilst having access to a regional park would improve access to the countryside, boost nature, promote walking and cycling and enhance the landscape, concern was raised that the plan would not protect the land from future development.

The benefits of working collaboratively with Bromsgrove District Council and The National Trust to include and promote footpaths within the Dudley Borough were referred to, however, the need for additional information was required prior to consideration of the level of involvement from the Forum. It was suggested that the Forum correspond with the Planning Department to ascertain what level of consultation Dudley had in relation to the proposed plan, whether there was any potential for Dudley to be involved in the plan in the future and what their view was in terms of access and connectivity from the Dudley Borough.

R Burgess queried when a map of the 9-mile walk would be produced and made available for interested parties. In referring to the budgetary pressures, the Countryside Manager indicated that whilst a leaflet of the route had not yet been produced, a GIS map was available and would be circulated to Members of the Forum

Action**Officer/Member**

That a letter be submitted to the Planning Department to ascertain the information outlined above.

Democratic Services

That a GIS generated map of the 9-mile walk be circulated to all Members of the Forum.

D Keeley

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

Democratic Services

35. **Planning Applications**

(a) **Planning Application – Land off Old Wharf Road**

The Project Engineer reported that a new footpath to Stanford Road had been agreed as part of the development plan. Whilst the proposal of a new footpath was welcomed, it was essential that a bridge was provided from the bottom section of the development to link to the open space and amenities. Negotiations were ongoing with the developer to enter into a Section 38 Agreement to dedicate a piece of land to enable a bridge to be erected and an update would be provided at the next meeting of the Forum.

Action

Officer/Member

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

Democratic Services/D Jacobs

(b) **Planning Application P22/1733 – Proposed provision of battery energy storage system at Lowlands Farm, Illey**

R Burgess outlined the concerns associated with Planning Application P22/1733 – proposed provision of battery energy storage system at Lowlands Farm, Illey, and advised Members that an objection letter had been submitted to the Planning Department on behalf of Halesowen Abbey Trust, a copy of which had been included with the agenda. Members were advised that the application had been refused, however, concern was raised that should an appeal be lodged, a site visit would be required. Whilst a request had been made to erect a stile due to the poor condition and obstruction of the footpath surrounding the area to improve access, a response had not yet been received. It was considered that erecting a stile would improve and enhance the area and provide safe access in the event that an appeal against the decision was submitted and a site visit by the Planning Inspectorate was made.

Action	Officer/Member
That the Maintenance Manager be requested to respond to R Burgess in relation to the possibility of providing a stile in an appropriate location	A Radford
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services/J Jacobs

(c) Planning Application – Dudley Transport Interchange

In referring to the above planning application, the Project Engineer referred to proposals that had been produced and submitted to close and create new footpaths and create new highways statuses surrounding Dudley Bus Station as part of the Metro Interchange Plans. Whilst the Plan was extremely complex, Members were advised that no objections had been received. The Forum welcomed the information and thanked the Project Engineer for the update.

36. Access/Rights of Way Issues and Updates

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

The Project Engineer referred to the ongoing issues associated with the path and although the process had been slow, progress had been made. Following consultation with Worcestershire County Council, a Section 25 Agreement had been drafted and was now awaiting approval. It had been agreed that Worcestershire County Council would be providing and taking on the maintenance of the bridge with Dudley carrying out the work required to build the bridge. An update would be provided at the next meeting of the Forum.

In responding to a question from T Pritchard in relation to progress on the missing signpost at the White House, the Project Engineer indicated that the Maintenance Manager had been dealing with the matter and would arrange for a new signpost to be erected.

S Yeadon advised Members that Illey House Farm had been taken off the market during the Winter period and would be placed back on the market during the Spring.

T Pritchard indicated that the fence that had been erected between the field and hedgerow within the area of Illey House Farm had now been removed.

Action	Officer/Member
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services/J Jacobs

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

The Project Engineer reported that an alternative footpath had now been approved and would be maintained by the Local Authority. Funding opportunities were being explored to create the new footpath and Members were advised that following the completion of the footpath, appropriate notices would be provided to the ordnance survey to ensure that the footpath was recognised as a Public Right of Way.

Action	Officer/Member
That the item remain on the agenda for an update at the next meeting of the Forum.	J Jacobs/ Democratic Services Officer

37. **Any Other Business**

Legal Event Modification Orders

The Project Engineer reported that progress had been made and the Legal Event Order for Halesowen would be finalised in the very near future. Members were advised that once the Order had been finalised, a Section 228 Notice would be produced and signed by the Highways Development Project Engineer under delegated authority.

Action	Officer/Member
That the item remain on the agenda for an update at the next meeting of the Forum.	D Jacobs/ Democratic Services

Access/rights of way issues – surveys to access the condition of various Public Right of Ways in Halesowen

In referring to the report submitted to the meeting, R Burgess indicated that a response had not yet been received from the Maintenance Manager in relation to progress. The Democratic Services Officer undertook to contact the Maintenance Manager to request that a response be circulated to all Members of the Forum with an update to be provided at the next meeting.

Action	Officer/Member
That an e-mail be sent to the Maintenance Manager requesting him to provide a response to all Members of the Forum in relation to the survey to access the condition of various Public Rights of Ways in Halesowen.	Democratic Services
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services

Advertisement of Members

Various recruitment opportunities were being explored to ensure requirements were being observed and updates would be provided to Members as necessary.

Leasowes Park, Access, Footpath Network, Signage and Interpretation

In providing an update, the Project Engineer reported that an agreement had now been made for an alternative footpath to be created which would not affect the Golf Course. A Decision Memorandum had been produced to finalised the agreement and would be signed by the Cabinet Member for Highways and Environmental Services in the near future, which included plans to dedicate part of the footpath to the late Nick Williams, known as “Nick’s mile”. The Project Engineer indicated that whilst an agreement had been made to create the new footpath together with appropriate signage, it was on the provision that no surfacing of any nature would be laid through Stennels Fields due to the site being declared as a Site of Special Scientific Importance (SSSI). The Forum welcomed the update provided.

38. **Future Meeting, Date and Time**

That the next meeting of the Forum on Wednesday 13th March 2024 at 1.00pm, be noted.

The meeting ended at 2.15pm.