

# Minutes of the Dudley Borough Local Access Forum

Wednesday 13<sup>th</sup> September, 2023 at 1.00pm

In Committee Room 4

At the Council House, Dudley

## **Present:**

T Boothroyd (Chair)

R Brooks and T Pritchard

## **Officers:**

D Keeley – Countryside Manager, D Jacobs – Group Engineer and

A Radford – Maintenance Manager (Directorate of Environment) and

K Malpass – Democratic Services Officer (Directorate of Finance and Legal)

## **Also in attendance:**

D Chaffey – Chair of the Friends of The Leasowes

### 16. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of R Burgess, A Nicholls, S Yeadon and Councillor K Denning.

### 17. **Declarations of Interest**

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

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### 18. **Minutes**

#### **Resolved**

That the Minutes of the meeting held on 14<sup>th</sup> June, 2023, be approved as a correct record.



DBLAF/10

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19. **Change in Order of Business**

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

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

The Chair of the Friends of the Leasowes and D Jacobs provided an update to Members and indicated that following a meeting between members of the Golf Club on 29<sup>th</sup> March, 2023, a number of concerns were raised during consideration of the reinstatement of the well-used footpath from Manor Lane via Stennels Field East to Leasowes Lane and the change of status to a Public Right of Way, therefore, it was agreed that an alternative route be identified. The proposed new route was displayed on screen and Members were advised that, should the footpath be approved, it would be dedicated as a Public Right of Way and maps publicising the route would be made available. As a tribute to the late Nick Williams, it was suggested that a section of the route be named after him to honour his memory and contribution to the work he carried out on behalf of The Leasowes Park.

The Countryside Manager referred to the grassland located at Stennels Fields which had been declared a Site of Special Scientific Interest (SSSI) for its nationally important assemblage of waxcap fungi and species-rich neutral grasslands. Whilst an agreement had been made in principle on the proposed new route, it was on the provision that no surfacing of any nature would be laid through Stennels Fields. It was exceptionally important to preserve the grassland and avoid altering the nutrient levels around the footpath.

The Countryside Manager indicated that a section of the grassland had a gradient and would be extremely difficult for disabled users to access, however, signage would be put in place in an appropriate location to notify disabled users of the gradient.

D Jacobs informed Members of next steps and indicated that a report would be submitted for approval and signed off by the Director of Environment in November.

The Chair welcomed the progress made and requested that Officers be thanked for the work undertaken.

<b>Action</b>	<b>Officer/Member</b>
That part of the proposed new Right of Way connecting Manor Lane to Leasowes Lane be named in honour of the late Nick Williams for his contribution to the work carried out on behalf of The Leasows Park	D Jacobs
That Officers be thanked for the work undertaken to identify a new route connecting Manor Lane to Leasowes Lane.	D Jacobs
That the item be removed from the agenda.	Democratic Services Officer

## 21. **9 Mile Walk**

The Countryside Manager referred to the recent work carried out to trim back vegetation and maintain the footpath along the Hawne Colliery section of the 9 mile walk and ongoing discussions were taking place with The Friends of Hawne Park regarding some work required in Hawne Woods. A map of the 9 mile route was now available and would be circulated to Members of the Forum.

The Countryside Manager advised Members of the work being undertaken, which focussed on providing three key longer routes in the North, Centre and South of the Borough, which included:-

- North of the Borough - The Limestone Way, which was a long-established route leading to Sedgley Beacon.
- Centre of the Borough – Collaborative work with The Friends of Saltwells was currently taking place to identify a route to connect Bumble Hole, Saltwells and Buckpool and Fenspool Nature Reserves.
- South of the Borough - 9 Mile Walk.

Additional resources had been secured to ensure that the three key footpaths were maintained by the Council. It was envisaged that an A2 size plan of the Borough would be made available to promote the longer distance walking footpaths in the three areas of the Borough. Ideas had been provided to Communications and Public Affairs and once agreed, the Plan would be submitted to Members of the Forum.

<b>Action</b>	<b>Officer/Member</b>
That a map of the 9 mile walk be circulated to Members of the Forum.	D Keeley
That a plan incorporating the three key longer walking routes in the North, Centre and South of the Borough be circulated to all Members of the Forum once approved.	D Keeley
That the item be removed from the agenda.	Democratic Services Officer

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## 22. **Future Maintenance Programme**

The Maintenance Manager updated Members on progress to date on the programme for improvement for 2023/24. It was noted that the programme was on target to complete the programmed works by the end of the municipal year.

In referring to the increased issues with motorbike users, Members were advised of the difficulties in erecting motor bike barriers that restricted access for motorbikes and the disadvantages any potential restriction would cause disabled path users. T Boothroyd undertook to raise the matter with the Chief Executive.

<b>Action</b>	<b>Officer/Member</b>
That the potential disadvantages to disabled users by restricting access to footpaths due to the increased use of motorbikes and possible alternative solutions be discussed with the Chief Executive.	T Boothroyd
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services

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## 23. **Delivery of the Rights of Way Improvement Plan**

The Group Engineer provided Members with an update in relation to the Rights of Way Improvement Plan (ROWIP). Members were advised that the completed ROWIP was available to view on the

Internet. Comments and queries submitted by all consultees had been considered and responded to and feedback had been incorporated in the ROWIP where necessary.

The main points raised by consultees were referred to and discussed with Members. Concerns were raised in relation to the lack of support provided by Dudley Council Plus Officers and the inadequate reporting system used to report issues.

Members were advised that dividing footpaths into rural and urban footpaths within the Borough was not viable due to various reasons.

D Keeley referred briefly to issues concerning the River Stour and it was agreed that the item on the 9 Mile Walk be replaced with The River Stour and an update would be provided at the next meeting of the Forum.

<b>Action</b>	<b>Officer/Member</b>
That the item on the 9 Mile Walk be replaced with the River Stour and an update be provided to Members at the next meeting of the Forum.	K Keeley/ Democratic Services
That the item remain on the agenda for an update at the next meeting of the Forum.	Democratic Services

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## 24. **Planning Applications**

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

The Project Engineer indicated that negotiations were ongoing and an update would be provided at the next meeting of the Forum.

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

- (b) Planning Application P23/0940 – Field at Illey Lane (Illey Brook Farm) – Proposed Battery Energy Storage System and Infrastructure

In referring to the concerns associated with Planning Application P23/0940 – Field at Illey Lane (Illey Brook Farm) – Proposed Battery Energy Storage System and Infrastructure, Members were advised that a letter of objection, approved by the Chair of the Forum, had been submitted to the Planning Department on behalf of the Dudley Borough Local Access Forum.

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25. **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 indicated that the draft Section 25 Agreement was currently awaiting approval by Worcestershire County Council. Dudley's legal section had been requested to seek clarification on the ownership of the land and should the owner of the land not have altered, it was envisaged that the document would be approved in the near future. Whilst it was confirmed that Illey House Farm was currently on the market, it was unknown whether the current Right of Way located at the front of the property would be impacted. Although the process was slow, it was acknowledged that progress was being made and an update would be provided at the next meeting of the Forum.

Members were advised that the signage and post in the vicinity of the Farm had gone missing, however, it was in the process of being replaced.

<b>Action</b>	<b>Officer/Member</b>
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 Group Engineer indicated that following a meeting with representatives of The Friends of Hawne Park, it had been agreed that an alternative footpath be identified and maintained by the Local Authority. The Countryside Manager informed Members that additional staffing resources had been provided which would enable Officers to focus and manage additional sites within the Borough. Members were advised that there was a section of the footpath that was privately owned land, which would not be maintained by the Council. The Group Engineer indicated that correspondence had been submitted to Harden Housing Association on two separate occasions asking for a meeting to take place on site to discuss the matter further. Members would be updated at the next meeting of the Forum.

<b>Action</b>	<b>Officer/Member</b>
That the item remain on the agenda for the next meeting of the Forum.	J Jacobs/ Democratic Services Officer

(c) Stile Improvements – Lapal Area

Whilst it was acknowledged that work was still required to improve the Stiles in the Lapal area, Members accepted that funding remained an issue which had created significant delays.

<b>Action</b>	<b>Officer/Member</b>
That the item be removed from the agenda.	Democratic Services Officer

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26. **Any Other Business**

Legal Event Modification Orders

The Group Engineer reported that progress had been delayed due to a number of work issues that had taken priority, however, delegated authority had been requested to assign responsibility to a Senior Officer to approve the Legal Event Order in Halesowen with a view to the document being completed by the end of the year.

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

Dudley path south of A456

In referring to the report submitted to the meeting, T Pritchard indicated that the barbed wire fence located on footpath 183 alongside Uffmoor Wood that left the track to Tack Farm had now been repaired and expressed appreciation to the Maintenance Manager for addressing the issues raised. The Maintenance Manager indicated that he had since received a response from the Woodland Trust in relation to the watercourse that crossed the footpath and was in the process of arranging a site visit with the Contractor to discuss the matter further and identify an appropriate solution. The condition of the footpath was very concerning, and Members were assured that the matter would be addressed.

<b>Action</b>	<b>Officer/Member</b>
That the item be removed from the agenda.	Democratic Services

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

<b>Action</b>	<b>Officer/Member</b>
That R Burgess be requested to provide an update at the next meeting of the Forum.	R Burgess



### Lack of Access to Halesowen Abbey

T Pritchard referred to the ongoing concerns in relation to the planning approval for a barn conversion at Halesowen Abbey. Whilst progress with the development had been delayed, concerns were raised regarding the condition to ensure that a footpath was created to access the Halesowen Abbey. As the developer had adhered to the planning regulations, it was considered inappropriate for Planning Officers to intervene with the development at the current stage. Members agreed to remove the item from the agenda, with a view to discussing the matter further should planning conditions not be observed moving forward.

<b>Action</b>	<b>Officer/Member</b>
That the item be removed from the agenda.	Democratic Services Officer

### Alleged Public Right of Way across Halesowen Golf Club

An update had been provided to Members during consideration of the Leasowes Park, Access, Footpath Network, Signage and Interpretation item.

<b>Action</b>	<b>Officer/Member</b>
That the item be removed from the agenda.	Democratic Services Officer

### Restoration of lands south of the former Crooked House

Concerns had been raised in relation to the public right of way that existed on the land south of the access road of the former Crooked House. The paths were subject to a Highway Order to allow development to take place. The Planning Officers would be in discussions with the developer in the near future to re-establish the conditions that were required to be met regarding the site. The site did not directly affect the land on which the former crooked House stood. Access to the former Crooked House was via a connection of paths in two Authorities from Himley Road to the former public house.

## Advertisement of Members

Various recruitment opportunities were being explored to ensure requirements were being observed and updates would be provided to Members at a future meeting.

### **Action**

### **Officer/Member**

That an update be provided to Members at a future meeting of the Forum.

D Keeley

## Proposed 8 Hills Regional Park (Clent and Lickey Range and surrounding district)

### **Action**

### **Officer/Member**

In the absence of R Burgess, it was agreed that the item be placed on the agenda for consideration at the December meeting.

Democratic Services Officer/  
R Burgess

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## 27. Future Meeting, Date and Time

Future meeting dates and times of the Forum were noted as follows:-

- Wednesday 13<sup>th</sup> December, 2023 – 1.00pm
  - Wednesday 13<sup>th</sup> March, 2024 – 1.00pm
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The meeting ended at 3.20pm.