

THE DUDLEY BOROUGH LOCAL ACCESS FORUM (DBLAF)

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DUDLEY BOROUGH LOCAL ACCESS FORUM AGENDA

The next meeting of the Dudley Borough Local Access Forum will be held at 1:00pm on Wednesday 13th September, 2023 in Committee Room 4 at The Council House, Priory Road, Dudley, DY1 1HF to consider the business set out below:-

1. Apologies for Absence
2. Declarations of Interest
3. To confirm the Minutes of the meeting held on 14th June, 2023 (Pages 3 – 11)
4. 9 Mile Walk
5. Leasowes Park, Access, Footpath Network, Signage and Interpretation
6. Future Maintenance Programme
7. Delivery of the Rights of Way Improvement Plan
8. Planning Applications
 - (a) Planning Application – Land off Old Wharf Road
 - (b) Planning Application P23/0940 – Field at Illey Lane (Illey Brook Farm) – Proposed Battery Energy Storage System and Infrastructure

The DBLAF is an advisory body established under Section 94 of the Countryside and Rights of Way Act 2000, to provide advice as to the improvement of public access to land in the Dudley Borough for the purpose of open-air recreation and enjoyment of the area. Its views do not necessarily represent those of the Council.

9. Access/Rights of Way Issues and Updates

- (a) Lower Illey between Footpath 107 in Dudley and Footpath 6 in Worcestershire
- (b) Public Right of Way – H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen
- (c) Stile Improvements – Lapal area – T Pritchard to provide an update

10. Any Other Business

- (a) Legal Event Modification Orders – Halesowen – D Jacobs
- (b) Dudley paths south of A456 – T Pritchard (Pages 12 – 14)
- (c) Access/rights of way issues. Survey to assess the condition of various Public Rights of Way in Halesowen – R Burgess (Page 15)
- (d) Lack of Access to Halesowen Abbey – J Pilkington
- (e) Alleged Public Right of Way across Halesowen Golf Club – D Jacobs

It is requested that Members e-mail Karen Malpass at the address shown on the Agenda cover at least seven clear working days before the Meeting, details of any issues that they would wish to raise under this Agenda Item.

11. Dates of Future Meetings:-

(All Meetings to commence at 1pm at a venue to be confirmed)

- 13th December, 2023
- 13th March, 2024

TO: All Members of the Dudley Borough Local Access Forum namely:-

| | | |
|----------------------|------------------|---------------|
| Mrs T Boothroyd | R J Brooks | R Burgess |
| Councillor K Denning | Councillor P Lee | Ms A Nicholls |
| T Pritchard | Ms S Yeadon | |

Minutes of the Dudley Borough Local Access Forum

Wednesday 14th June, 2023 at 1.00pm

At Saltwells Wardens Base, Saltwells National Nature Reserve

Present:

R Brooks (Chair)

T Boothroyd, R Burgess, Councillor K Denning and A Nichols

Officers:

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:

M Freer - Honorary Secretary, Halesowen Abbey Trust

1. **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.

2. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of T Pritchard, S Yeadon and D Keeley, Countryside Manager.

3. **Declarations of Interest**

R Burgess declared a non-pecuniary interest in relation to Agenda Item No. 11 – Access/Rights of Way Issues and Updates, as a Member of the Halesowen Abbey Trust.



4. **Minutes**

Resolved

That the Minutes of the meeting held on 22nd March, 2023, be approved as a correct record.

5. **9 Mile Walk**

Action

Officer/Member

That the Countryside Manager be requested to provide an update at the next meeting of the Forum. D Keeley

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

In referring to the ongoing issues relating to Leasowes Lane, the Group Engineer indicated that an informal meeting had taken place with N Williams, D Chaffey, D Jacobs, H Edwards and members of the Golf Club to discuss the twenty-eight evidence forms submitted, to support the process of changing the status of the well-used footpath from Manor Lane via Stennels Field East to Leasowes Lane, to a Public Right of Way. Whilst it was agreed that a Public Right of Way was essential, it was considered that the evidence forms submitted might not be sufficient to support a modification to the definitive map. H Edwards had suggested that consideration be provided to identifying an alternative Public Right of Way within the grounds of the Golf Club that would be supported by all parties. It was suggested that David Chaffey be invited to the next meeting of the Forum to provide an update on progress.

Action

Officer/Member

That David Chaffey be invited to the next meeting of the Forum to provide an update on progress. Democratic Services Officer

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

Democratic Services Officer

7. **Future Maintenance Programme**

Whilst the final maintenance programme had not yet been approved, the Maintenance Manager referred individually to the seven footpath proposals programmed for improvement for 2023/24 with the proposed work being carried out in-house. The proposals had been discussed with the Cabinet Member for Highways and Environmental Services, and it was anticipated that the programme would be approved in the near future

The Group Engineer referred to the requirements of securing Section 106 monies from developers. Whilst the agreement would need to be made in the initial development plans, funding would be ringfenced to use on a specific development and not distributed to other projects within the Dudley Borough.

The Group Engineer informed Members that Active Travel England were now statutory consultees on planning applications exceeding 150 housing units, 7,500 square metres of floorspace or an area of five hectares. The role of Active Travel England was to support planning authorities to implement good active travel design, such as ensuring developments included walking and cycling connectivity to schools and local amenities, improve public health and reduce harmful emissions.

Action

Officer/Member

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

Democratic Services

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

The Group Engineer indicated that the Rights of Way Improvement Plan (ROWIP) had now been finalised and awaited approval by the Cabinet Member for Highways and Environmental Services. The ROWIP would be discussed at the next meeting of the Forum.

A copy of the final ROWIP would be circulated to Member, once the Plan had been finalised.

In referring to the walking route leaflets provided by the Local Authority, T Boothroyd undertook to discuss the possibility of updating the information with the Countryside Manager.

| Action | Officer/Member |
|---|-----------------------|
| That a copy of the final ROWIP be circulated to all Members of the Forum. | D Jacobs |
| T Boothroyd to discuss with the Countryside Manager the possibility of updating Local Authority leaflets in relation to walking routes provided within the Dudley Borough, to enable the most up-to-date walking routes to be distributed to members of the public. | T Boothroyd/D Keeley |
| That the item remain on the agenda for an update at the next meeting of the Forum. | Democratic Services |

9. Planning Applications

Planning Application – Land off Old Wharf Road

The Project Engineer indicated that negotiations were still ongoing and further consideration was required before the developers would sign a Section 38 Agreement to secure a link between the development and the open space. An update would be provided to Members at the next meeting of the Forum.

Planning Application P23/0316 – Innage Farm, Halesowen

Members were advised that whilst the initial plan had not considered the Public Right of Way Programme, following negotiations with Planning and the developers, the Group Engineer was now satisfied with the updated plans. The Maintenance Manager and Group Engineer indicated that a site visit would be undertaken to monitor progress.

Planning Application P23/0699 – Illey Brook Farm, Halesowen – proposed electricity storage site approximately 8 hectares

R Burgess referred to the implications of the above planning application and indicated that, as the proposed site area exceeded 0.5 hectares, a letter be sent to the Planning Department recommending that the applicant submits an Environmental Impact Assessment (EIA) in line with current Government Legislation.

Planning Application P23/0492 – No. 70 Quarry Lane, Halesowen – proposed Care Home

R Burgess referred to the Public Right of Way located to the side of the proposed development and indicated that due to the nature of the development, inconsiderate parking might be observed. Whilst it was confirmed that potential incidents of inconsiderate parking would be dealt with by Enforcement Officers, the Group Engineer undertook to raise the issue with the Planning Department.

| Action | Officer/Member |
|--|--|
| That a site visit take place in relation to Planning Application No. P23/0316 – Innage Farm, Halesowen to monitor progress. | A Radford/D Jacobs |
| That a letter be submitted to the Planning Department, on behalf of the Dudley Borough Local Access Forum, relating to Planning Application P23/0699 – Illey Brook Farm, Halesowen – proposed electricity storage site approximately 8 hectares, recommending that the applicant submits an Environmental Impact Assessment (EIA) in line with current Government Legislation. | R Burgess/ Democratic Services Officer |
| That Members comments in relation to potential inconsiderate parking in relation to Planning Application P23/0492 – No. 70 Quarry Lane, Halesowen – proposed Care Home, be raised with the Planning Department. | D Jacobs |

That an update be provided to Members at the next meeting of the Forum on Planning Application – Land off Old Wharf Road.

D Jacobs

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

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

Members were advised that the matter was ongoing and an update would be provided to Members at the next meeting of the Forum.

| Action | Officer/Member |
|--|--------------------------------------|
| That the item remain on the agenda for the next meeting of the Forum for an update to be provided. | Democratic Services Officer/D Jacobs |

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

A Radford confirmed that the above footpaths had been included in the yearly maintenance programme.

| Action | Officer/Member |
|---|-----------------------------|
| That the item be removed from the agenda. | Democratic Services Officer |

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

Negotiations were ongoing in relation to identifying an adequate alternative footpath. The Group Engineer to pursue the matter and arrange a meeting with the Maintenance Manager, R Burgess and appropriate officers to discuss further.

| Action | Officer/Member |
|---|-----------------------------|
| That the Group Engineer be requested to arrange a meeting with the Maintenance Manager, R Burgess and appropriate officers to identify an alternative route option. | D Jacobs |
| That the item remain on the agenda for the next meeting of the Forum. | Democratic Services Officer |

(d) Footpath S454

The item to be discussed at Agenda Item No. 12 – Any other business, Legal Event Modification Orders.

(e) Stile Improvements – Lapal Area

Stile improvements in the Lapal area was ongoing and an update would be provided to Members at the next meeting of the Forum.

Members were advised that the bridge located at Coopers Wood had now been replaced. Improvement photographs were circulated to Members of the Forum.

| Action | Officer/Member |
|--|-----------------------|
| That an update be provided at the next meeting of the Forum. | D Jacobs |

11. **Any Other Business**

Legal Event Modification Orders

Members were advised that the Legal Event Modification Order for Halesowen was making good progress and would be signed shortly. There were five anomalies identified in the Halesowen area and work to support a Section 228 Agreement was underway. An update would be provided to Members at the next meeting of the Forum.

Action**Officer/Member**

That an update be provided to Members at the next meeting of the Forum on the position in relation to the Legal Event Modification Order for the Halesowen area.

D Jacobs.

12. Future Meeting, Date and Time

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

- Wednesday 13th September, 2023 – 1.00pm
 - Wednesday 13th December, 2023 – 1.00pm
 - Wednesday 13th March, 2024 – 1.00pm
-

13. Election of Chair for the 2023/24 Municipal Year**Resolved**

That T Boothroyd be elected as Chair of the Forum for the 2023/24 Municipal Year.

14. Appointment of Vice-Chair for the 2023/24 Municipal Year**Resolved**

That R Brooks be elected as Vice-Chair of the Forum for the 2023/24 Municipal Year.

15. Nick William – Former Member of the Dudley Borough Local Access Forum

The Chair referred in sympathetic terms to the recent passing of Nick Williams and the valued contribution he had made to the Forum and projects that he had been affiliated with. Members observed a period of silence as a token of respect in his memory.

In view of Nick's association with the Leasowes Park and in honour of this memory, Members considered the possibility of naming a footpath in his name. T Boothroyd indicated that she would pursue the matter with the Countryside Manager.

| Action | Officer/Member |
|--|-----------------------|
| That T Boothroyd be requested to discuss the possibility of naming a footpath in memory of Nick Williams with the Countryside Manager. | T Boothroyd |

The meeting ended at 3.13pm.

FOOTPATH REPORT FOR ALAN RADFORD
by Tony Pritchard - July 2023

I have completed my walk along all Dudley paths south of A456 and done first aid clearance work where I was able. With a few exceptions all paths can be walked by someone with a reasonable level of fitness and agility. That is not to say that they are good. A proper job is only possible by a work party with some power tools and many stiles need updating.

Problem areas.

Path 183 alongside Uffmoor Wood should be top of priorities. Where the path leaves the track to Tack Farm there is a barbed wire fence between the field and the wood for 200m and it is very much overgrown. I made it walkable for the first 100m to a point where the fence has fallen down. Wakers step over it and walk along the field. The path then is overgrown with bracken and is in the course of a ditch. It was too much for me so I left it, did the same as everyone else and walked along the field. Once the end of the fence is reached it is an easy walk along the edge of the field.

Further along the same path a water course crosses the path. It is difficult to cross and I have reported it previously. Last year I recommended two railway sleepers to make a bridge but we have gone beyond that now as water crosses in two places. It may be that there is a blocked culvert as the water downstream just off the path is 3 feet lower. I think it needs an expert to look at it. This isn't a minor path but a through route from Hayley Green to Romsley and gets a fair amount of use.

Path 174 parallel to the bypass continues to be a problem. A 2m strip between the hedge and the barley crop in the western field has been left by the farmer as a path but it cannot be walked as it is so overgrown. I went along it making my way between the barley and the path with difficulty, Clearing this isn't a job for someone with handtools. I opened up the stiles at each end and in the middle. When the barley has been cut it will be possible to walk along the stubble but that isn't ideal.

There are 3 footpath signs missing in Uffmoor Lane at the start of paths 173, 183 and 182. In Illey Lane there are two signs needed, at the start of paths 93 and 100. If we have to prioritise, the two in urgent need are at Uffmoor Lane, path 183 where there is confusion because of a private drive sign and 100 in Illey Lane because of proposed house building at Innage Farm. The sign at the start of H402 at Illey is hidden in a holly bush and needs a Council crew to fix it. This is at the start of the track to Warstones farm.

I have not opened up two stiles, on path 76 and at the junction of 76/67/80. The opening by them has no farm gate so walkers can go straight through. If I find gates I will clear the stiles but each would take me an hour.

A signpost is needed at the right angle on path 78. The wooden post has rotted and fallen over twice in the last 15 years and I have re erected it twice but there is now not enough left for further use. If you could give me a 2m post and a couple of footpath and monarch`s way signs I can do the job. I could collect from Leasowes.

We still need a second step and a permanent top rail on the stile on path 58 at Carters Lane. Perry fitted a temporary top rail to stop the sheep jumping the stile and that could be reused as a grab post.

Path 109 at Lower Illey is an annual problem. I have opened up the stiles at the western end and in the middle. Walking alongside the western field is passable with difficulty and the farmer has done a bit of clearance where he has cut the hedge but alongside the eastern field is obstructed with vegetation and I didn`t attempt to clear it.

Path 105 is well used and some years ago a fence was put between the woodland and the field. The woodland has now extended out beyond the fence and everyone walks along the field. 30m from the stile at the south end the fence has fallen down and it is possible to step over it to get to the stile, not ideal. Some years ago I asked the farmer if he could fix the barbed wire at the other end of the stile but he said he would be blocking the footpath.

On path 112 near the Worcestershire border there is a flight of overgrown steps. I have ignored them for the last two years as everyone walks down the slope and there is no footfall to keep the steps open. In winter the slope is difficult as it is slippery.

The bridge on path 66 near The Abbey is in urgent need of replacement. The top rails are bowing down 5 or 6 inches near the eastern end probably indicating that the main beams are fractured. That`s about it for the moment.

Access/rights of way issues. Survey to assess the condition of various Public Rights of Way in Halesowen – Roy Burgess

On the 11/7/ 23 – Visited Tack Farm, Hasbury noted the following:

Paths H174 and H183 require ground vegetation clearance.

Path 183 needs a boardwalk over a small stream.

Paths 183, 173 and 182 require statutory signposts at Uffmore Lane.

On the 15/7/23 – Visited Hawne/River Stour Valley and noted the following:

Paths H115 and H116 require ground vegetation clearance.

Path 115 fallen tree obstructing the path.

Path 116 Dangerous vertical drop needs fence/ barrier.

Path 115 needs surface treatment and vertical retaining in selected location.

On the 15/7/23 – Visited Coombeswood Green Wedge, and noted the following:

Paths H25, 21, 26, 26a and 32 all in need of ground vegetation clearance.

On the 19/7/23 – Visited Lutley lane (Track) and noted the following:

Paths H137, 137a and 138 all in need of ground clearance (impassable in places).

On the 19/7/23 – Visited Foxcote/Oldnall and noted the following:

Path H215 completely obstructed with ground and side vegetation and in need of some serious clearance.

Path S454 fallen trees and ground vegetation in need of clearance.

Paths S155/156 need Statutory Signpost at Seymoure Road.

The report has been sent to Alan Radford and progress would be reported on at the meeting.