

Minutes of the Dudley Borough Local Access Forum

Wednesday 15th February, 2023 at 1.00pm
In Committee Room 4 at the Council House, Dudley

Present:

T Boothroyd (Chair)

R Brooks, A Nicholls, T Pritchard and S Yeadon

Officers:

D Jacobs – Group Engineer, D Keeley – Countryside Manager and
A Radford – Maintenance Manager (Directorate of Environment)
and K Malpass – Democratic Services Officer (Directorate of
Finance and Legal)

42. **Election of Chair for the 2022/23 Municipal Year**

Resolved

That T Boothroyd be elected as Chair of the Forum for the
2022/23 Municipal Year.

43. **Appointment of Vice-Chair for the 2022/23 Municipal Year**

Resolved

That R Brooks be elected as Vice-Chair of the Forum for the
remainder of the 2022/23 Municipal Year.

44. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of
R Burgess and N Williams.



45. **Declarations of Interest**

T Pritchard declared a non-pecuniary interest in relation to Agenda Item No. 8 - Access/Rights of Way Issues and Updates, as a Member of the Halesowen Abbey Trust.

S Yeadon declared a non-pecuniary interest in relation to Agenda Item No. 8 – Access/Rights of Way Issues and Updates, as Chair of the Friends of Coombeswood Wedge.

46. **Minutes**

Resolved

That the Minutes of the meeting held on 7th December, 2022, be approved as a correct record.

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

The Group Engineer indicated that he had now received the twenty-eight evidence forms 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. The owners of the Golf Club had now been made aware of the request and have requested that a meeting be arranged with appropriate parties to discuss the matter further. The Group Engineer outlined the process involved should the Golf Club dispute the request, and indicated that the final decision would be referred for public inquiry should a compromise not be made. The Group Engineer indicated that an update would be provided at the next meeting of the Forum.

Action

Officer/Member

That the Group Engineer be requested to arrange a meeting with N Williams and the owners of the Golf Club to discuss the request received to change the status of the footpath from Manor Lane via Stennels Field East to Leasowes Lane to a Public Right of Way and provide an update at the next

D Jacobs/N
Williams

meeting of the Forum.

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

Democratic Services Officer

48. **Planning Applications**

Planning Application – Land off Old Wharf Road

The Project Engineer referred to the ongoing negotiations in relation to the Planning Application for a housing development on land off Old Wharf Road to ensure that there was an adequate link available, and which was accessible for disabled users and cyclists, between the development and the open amenity space. The Forum noted that there was currently a private bridge to the open space, however, it was not available for public access. Whilst it was recognised that considerable funding would be required for the project, alternative funding options would be pursued with a view to securing a link from the development to the open space and amenities. Whilst it was unfortunate that section 106 monies had not been secured to ensure that a sustainable link was included in planning proposals, the Chief Executive would be consulted with a view to offering advice on funding opportunities available to support the disabled community. An update would be provided to Members at the next meeting of the Forum.

Action

Officer/Member

That the Chief Executive be approached with a view to offering advice on funding opportunities available to support the disabled community.

T Boothroyd/A Nicholls

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

D Jacobs

Planning Application P22/1734 – Outline planning application for up to 650 dwellings at the former Ketley Quarry - Ketley Quarry, Dudley Road, Kingswinford, DY6 8WT

The Group Engineer informed Members that the above Planning Application was controversial and had received numerous objections from members of the public. The development details outlined a proposal for a public footpath to be diverted to allow for an access

road into the development, however, concerns were raised that the proposed gradient did not meet the requirements of grading standards in the UK and was not considered disabled friendly. Members raised further objections in relation to the poor condition of the public footpath, which would require significant funding to bring up to modern day standard and suitable for disabled people and that the area in which the applicant had suggested putting in an access road had been designated as a Site of Special Scientific Interest, which would be protected from development.

In view of the above, Members requested that a letter be produced and submitted to the Planning Department, on behalf of the Dudley Borough Local Access Forum, strongly objecting to the proposed development

Action	Officer/Member
That a letter be submitted to the Planning Department, on behalf of the Dudley Borough Local Access Forum, strongly objecting to Planning Application No. P22/1734 – Outline planning application for up to 650 dwellings at the former Ketley Quarry - Ketley Quarry, Dudley Road, Kingswinford, DY6 8WT on the grounds outlined above.	Democratic Services Officer

Planning Application P22/1733 – Provision of battery energy storage, substation compound with associated infrastructure, fencing, access road, drainage and landscaping (resubmission of refused application P22/0541)

In referring to the above Planning Application and having previously submitted an objection letter dated 18th January, 2023, Members suggested that, whilst the Forum's objections were still valid and strongly supported refusal, the following proposal be considered should Planning Application P22/1733 be approved. Members suggested that a letter be produced and sent to the Planning Department for consideration.

That the Worcestershire path heading north and running parallel to the Motorway connect directly north to public footpath 87 as a planning gain.

Action**Officer/Member**

That a further letter be submitted to the Planning Department, on behalf of the Dudley Borough Local Access Forum outlining the above proposal should Planning Application P22/1733 – Provision of battery energy storage, substation compound with associated infrastructure, fencing, access road, drainage and landscaping (resubmission of refused application P22/0541) be approved.

Democratic Services Officer

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

(a) **PROW – H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen**

The Countryside Manager informed Members that officers, together with representatives of Hawne Park, had now cut back the vegetation on the footpaths. Ongoing work was required to ensure the footpaths were considered safe and usable for the public, however, significant funding would be required and further funding opportunities would be consider moving forward.

The Chair referred to specific funding/grants that were available for repair/maintenance project work and A Nicholls indicated that she would forward information onto the Democratic Services Officer for circulation to appropriate officers for consideration and action. An update would be provided at the next meeting of the Forum.

Action**Officer/Member**

That information be forwarded onto the Democratic Services Officer on specific funding/grants that were available for footpath repair/maintenance project work.

A Nicholls

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

Democratic Services Officer

(b) Stile Improvements – Lapal Area

T Pritchard expressed his gratitude to A Radford for arranging for the improvement work to be carried out by Lapal House. However, he indicated that a farmer had approached him indicating that his sheep had been jumping of a very low stile into Carters Lane. A temporary rail had been fitted to the stile as a solution, however, a second step was required and whilst the step had been purchased, posts were required to bring the step up to a suitable standard. An update would be provided at the next meeting.

A Nicholls referred to the recent sale of Tudor House and issues associated with the sale.

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

50. **Rights of Way Improvement Plan (ROWIP) – Future Maintenance Programme and the Delivery of the Rights of Way Improvement Plan**

In the absence of R Burgess, T Pritchard read out a statement in relation to comments made at the meeting held on 7th December, 2022 in relation to the publication of the Rights of Way Improvement Plan (ROWIP) and insufficient time provided for public consultation. Concerns were raised that Members had not been given sufficient time to study the document prior to the meeting and requested that a special meeting be arranged to discuss the ROWIP in more detail.

The Group Engineer confirmed that the ROWIP notice had been placed in the Express & Star on 30th January, 2023 and in the Halesowen and Dudley and Stourbridge News on 2nd February, 2023 with an expiry date to the public consultation of 30th April, 2023. Whilst it was agreed that comments in the minutes of the meeting held on 7th December, 2022 had been recorded accurately and were based on the requirements that had been understood at the time, however, following examination of specific requirements, it had been observed that a 12 week consultation period was required, which had been built into the notice period. The Group Engineer was satisfied that the Local Authority had complied with its legal obligations.

Hard copies of the ROWIP were circulated to all Members of the Forum with additional copies provided where Members were encouraged to circulate to any interested parties.

The Chair expressed her disappointment at comments made in relation to the future funding of the ROWIP, which was impossible to determine due to potential unexpected issues that may arise in the future.

The Group Engineer welcomed comments by Members and requested that comments be circulated as final to ensure the document contained the most up-to-dated information. It was suggested that a further meeting be arranged in March to consist of Members and the Democratic Services Officer only to discuss the ROWIP in more detail and to allow final comments to be recorded and sent to The Group Engineer for inclusion in the ROWIP.

The Group Engineer indicated that an update would be provided at the next meeting of the Forum with a view to finalising the ROWIP following the meeting.

The Group Engineer indicated that Members had been informed and kept up to date on all aspects in developing the ROWIP and had not received, until recently, any further adverse comments or criticism from the Forum in relation to the process. Members were satisfied that the requirements had been met and expressed gratitude to The Group Engineer and his team for the work carried out in developing the draft ROWIP.

The Maintenance Manager informed Members that, with the exception of one scheme, all maintenance/repair schemes identified for the 2022/23 maintenance programme had now been completed. The final scheme would be completed by the end of March. Photographs of completed work was circulated to the Forum and Members thanked The Maintenance Manager and his team for the work carried.

Action

Officer/Member

That a further meeting be arranged in March to consist of Members and the Democratic Services Officer to discuss the ROWIP in more detail with a view to circulating comments to The Group Engineer for inclusion in the ROWIP.

Democratic Services Officer

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

Democratic
Services

51. **Any Other Business**

There were no matters raised under this item.

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

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

- 14th June, 2023 – 1.00pm
 - 13th September, 2023 – 1.00pm
 - 13th December, 2023 – 1.00pm
 - 13th March, 2024 – 1.00pm
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The meeting ended at 14.48pm.