

## **Minutes of the Dudley Borough Local Access Forum**

Wednesday 9<sup>th</sup> December 2020 at 2.00pm  
Microsoft Teams Meeting

### **Present:**

T Boothroyd (Chair)  
R Brooks (Vice-Chair)  
R Burgess, A Nicholls, T Pritchard and N Williams; Councillor G Partridge.

### **Officers:**

D Jacobs – Project Engineer and A Radford – Maintenance Manager (Directorate of Public Realm), K Griffiths and K Taylor – Democratic Services Officers (Directorate of Finance and Legal).

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

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

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

R Burgess and T Pritchard declared non-pecuniary interests in relation to Agenda Item No. 6 – Access/Rights of Way Issues and Updates as Members of the Halesowen Abbey Trust.

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### 18. **Minutes**

#### **Resolved**

That the Minutes of the meeting held on 23<sup>rd</sup> September, 2020, be approved as a correct record.

### 19. **Rights of Way Improvement Plan – Future Maintenance Programmes**

The Maintenance Manager reported that the 2020/21 programme had now been approved. He referred individually to the footpaths programmed for maintenance and highlighted that delays had been experienced due to the current COVID-19 pandemic. He confirmed that due to the tight budget restrictions, a number of large scale schemes had been postponed to enable funding to be used for more urgent maintenance projects. Members were requested to contact the Maintenance Manager in relation to any potential work/repair or maintenance



projects for consideration for inclusion in the forward plan of the maintenance programme.

<b>Action</b>	<b>Officer/Member</b>
That requests be submitted via E-mail to the Maintenance Manager on any suggestions for potential work/repair or maintenance projects for consideration for inclusion in the forward plan of the maintenance programme.	A Radford – Maintenance Manager

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## 20. Planning Applications

### Proposed Closure of Public Footpath D27A adjacent to 83 Langstone Road and 112 Russells Hall Road

The Project Engineer referred to the approved plans to close Footpath D27A to enable development to be carried out. The footpath was in a very poor condition and was considered unnecessary as there was an alternative path, D28 serving the same purpose, which was more open and disabled friendly. Notices would be placed on site and in a local newspaper advertising the proposed closure for residents to consider and object if necessary.

<b>Action</b>	<b>Officer/Member</b>
(1) That the Forum support the plans to close Footpath D27A to enable development to be carried out.	D Jacobs – Project Engineer
(2) That the item be removed from the agenda	Democratic Services Officer

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## 21. 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 attempt to resolve the matter, however, Worcestershire City Council were insisting that they would not accept maintenance responsibility of any new bridge that was constructed despite the location being in Worcestershire.

It was noted that the land had recently been sold and an option was to establish who now owned the land and approach the landowner with a view to ascertaining their views on including the path on the definitive map.



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A suggestion to approach Andy Street, Mayor of West Midlands was made to support Dudley MBC with the matter, however, it was confirmed that Worcestershire was not in his jurisdiction and was unlikely that it would influence Worcestershire's decision.

The Project Engineer explained the law in relation to the creation of a Public Right of Way. However, with both Dudley Metropolitan Borough Council and Worcestershire City Council refusing to take maintenance responsibility for the creation of a new bridge, the simplest option was to bring public rights of way evidence forms to Worcestershire City Council with a view to Worcestershire reassessing their responsibility. It was hoped that should evidence be provided that the footpath was well used, Worcestershire City Council may take on the responsibility of maintaining the footpath.

<b>Action</b>	<b>Officer/Member</b>
(1) That investigations be made to identify the landowner with a view to ascertaining their views on including the path on the Definitive Map.	D Jacobs – Project Engineer
(2) That evidence of the use of the Footpath be established and brought to the attention of Worcestershire City Council with a view to Worcestershire reassessing their responsibility.	R Burgess/T Pritchard
(3) 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 Maintenance Manager acknowledged that Footpath H115 required clearing, however, the maintenance work had been delayed due to the current COVID-19 situation. Green Care had been contacted and Members were assured that the Footpath would be cleared shortly.

<b>Action</b>	<b>Officer/Member</b>
(1) That Green Care be requested to clear Footpath H115.	A Radford – Maintenance Manager
(2) 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

It was reported that Councillor S Phipps had e-mailed R Burgess in support of diverting the Public Right of Way and the possibility of creating a number of other Public Right of Ways in the surrounding areas. Further consideration was essential as there were problems with gardens encroaching onto the current Public Right of Way and management responsibilities of any new footpaths as it was considered that Green Care did not have sufficient budget or resources to dedicate to the maintenance of any new footpaths.

Members of the Forum considered the possibility of residents funding the process for the footpath to be diverted or consider reducing their gardens back to the original footprint in order for the Public Right of Way to be reinstated. Indicative costs of diverting footpath, creating new footpaths and maintenance were requested to enable further discussion and consider various options and for Councillor Phipps to be updated on the current position.

<b>Action</b>	<b>Officer/Member</b>
(1) That indicative costs of diverting the footpath, creating new footpaths and maintenance be circulated to Members of the Forum.	A Radford – Maintenance Manager
(2) That Councillor S Phipps be contacted to update him on the current position as referred to above.	R Burgess
(3) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer

(d) Footpath S454

The Project Engineer explained the legal procedure involved in creating a Definitive Map Modification Order and indicated that in order for the Footpath to be included on the Definitive Map and Ordinance Survey, creating an Order was the most appropriate option.

The Project Engineer sought support from volunteers to clear the Footpath and bring it up to a suitable standard, however, it was considered that it was not essential for the Definitive Path Order to proceed. It was recognised that the Footpath was a public right of way maintainable at public expense.



<b>Action</b>	<b>Officer/Member</b>
(1) That posters be placed in public places requesting volunteers to clear Footpath S454 and that the Maintenance Manager be made aware of the date of the proposed “clean up project”.	R Burgess/ A Radford – Maintenance Manager
(2) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer

(e) Footpath H398 Manor Way to site of Fordrove Bridge, Halesowen

(f) Footpath H359 Amber Way to Chancel Way, Halesowen

Items (e) and (f) were considered together. Although it was acknowledged that the footpaths appeared in Dudley’s Map of Urban and Rural paths, Members emphasised the importance of them being officially recognised by the public and included on the Definitive and Ordnance Survey Maps. The Project Manager referred to the number of new housing developments in the Borough that had been constructed over a number of years, some including public rights of way being created as part of development plans but not necessarily being included on the Definitive or Ordnance Survey Maps. The Project Manager indicated that a review was currently being carried out to identify all public rights of way in the Borough that were not recognised and creating a Legal Event Modification Order (Omnibus Order) to be sent to the Ordnance Survey for inclusion in their next review.

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

(g) Footpath off Uffmoor Lane connecting to Worcestershire Footpath 502

The Project Engineer updated the Forum in relation to a query raised by Mr M Freer regarding a particular length of footpath that had been omitted from the Dudley and Worcestershire Definitive Maps, the location of which was shown to all Members on the on screen map. Following investigation and a site visit, it was acknowledged that a legal statement from Worcestershire had been identified which confirmed the status of Footpath 182 and had now been included on the Definitive Map.

The possibility of including a stile on the path was referred to and it was noted that the Maintenance Manager would investigate and update Members of the Forum at the next meeting. Due to budgets restraints, any



further identified maintenance work could not added in the 2020/21 Maintenance Programme, however, it would be included in the 2021/22 Maintenance Programme.

<b>Action</b>	<b>Officer/Member</b>
(1) That Members be updated on the possibility of erecting a stile on the footpath and include in the 2021/2022 Maintenance Programme.	A Radford – Maintenance Manager
(2) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer

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22. **9 Mile Walk**

An update by the Countryside Manager to be provided 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.	Democratic Services Officer

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23. **Stone Mill Walk**

It was noted that access from Stone Mill Walk to Quarry Park had now been re-opened and CCTV had been installed to monitor any signs of anti-social behaviour. Although the positioning of the CCTV was from Hill Street, it was recognised that it had been placed in that location to overlook the Children's playground. The Forum expressed gratitude to Marco Longhi, MP for Dudley North for the support provided to allow the access to be re-opened.

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

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24. **Draft Advertisement to recruit Forum Members**

An update by the Countryside Manager to be provided 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

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**25. Legal Event Modification Orders**

It was noted that this matter had been dealt with under (e) and (f) above.

**Action****Officer/Member**

That the item to be removed from the agenda.

Democratic Services Officer

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**26. Any Other Business****Don't Lose Your Way Campaign**

Members were informed that the Ramblers Association had, for some time, been asking members to identify footpaths which had not been included on the Definitive Map and were in danger of being lost if no maintenance work was carried out on them before 2026. Maps had recently been published by the Association of all Authority areas where residents could search their post codes to view a map of the Local Authority in which they resided. Although the map of Dudley was of poor quality, it was noted that there were numerous "lost paths" identified on the map.

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

Mr Williams updated Members of the Forum on the issues affecting Leasowes Park, an information report and photos were circulated to all Members prior to the meeting. Members recognised the importance of having a thoroughly thought-out network of footpaths within and out of Leasowes Park, with appropriate signage, way-making and interpretation. Illegal signage had been erected by the Golf Club, confusing the public and Members requested that the matter be investigated. The Maintenance Manager reported that the issue of illegal signage had been referred to officers for action and for a legal sign to be placed at the top of Leasowes Lane to state no vehicle access, the exact wording of the sign would be circulated to Members for information.

Reference was made to Halesowen Golf Club's intention to close certain sections of the footpath around the golf club, which caused concern as the footpath had been in regular use for many years. It was essential to maintain the link between Manor Lane and Leasowes Lane. Alternative routes were discussed, however, these were considered unsuitable and more difficult to access due to muddy



surfaces.

It was noted that the footpaths could not be included in the Legal Event Modification Order as there had not been an order or dedication made officially recognising the footpaths. The Project Engineer indicated that the land was owned by the Council and leased to the Golf Course and acknowledged the issued raised in relation to the implications for the use of Leasowes Park. An update by the Countryside Manager would be provided to the Members at the next meeting of the Forum.

In referring to the project to develop Leasowes as a visitor destination with new facilities, café, play area, car park and entrance and the creation of a visitors hub, the need to develop an efficient system of footpaths linking significant visitor attractions with proper signage and that key footpaths be included on the Definitive Map was considered essential.

The Chair undertook to raise the matter with the Countryside Manager and an update to be provided to the next meeting of the Forum.

<b>Action</b>	<b>Officer/Member</b>
(1) That the official wording of the signage be circulated to Members of the Forum.	A Radford – Maintenance Manager
(2) That the Countryside Manager provide an update at the next meeting of the Forum.	D Keeley – Countryside Manager
(3) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer

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## 27. **Future Meeting Dates and Times**

Future meeting dates and times of the Forum at 2pm on Wednesdays were noted as follows:-

- 24<sup>th</sup> February, 2021
- 21<sup>st</sup> April, 2021
- 14<sup>th</sup> July, 2021

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

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The meeting ended at 15.47 pm