

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

Wednesday 24<sup>th</sup> February, 2021 at 2.00pm  
Microsoft Teams Meeting

### **Present:**

R Brooks (Vice-Chair in the Chair)  
R Burgess, A Nicholls, T Pritchard and S Yeadon; Councillor G Partridge.

### **Officers:**

S Frost – Senior Technician, D Jacobs – Project Engineer and D Keeley –  
Countryside Manager (Directorate of Public Realm), K Griffiths and H  
Shepherd – Democratic Services Officers (Directorate of Finance and Legal).

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### 28. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of T Boothroyd  
and A Radford – Maintenance Manager.

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### 29. **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.

S Yeadon declared a non-pecuniary interest in relation to Agenda Item No. 6 –  
Access/Rights of Way Issues and Updates, as Chair of the Friends of  
Coombeswood Wedge.

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### 30. **Minutes**

#### **Resolved**

That the Minutes of the meeting held on 9<sup>th</sup> December, 2020, be approved  
as a correct record.

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

In the absence of the Maintenance Manager, it was agreed for this item to be  
deferred to the next meeting of the Forum.



DBLAF/16

**Action****Officer**

That the item be deferred to the next meeting of the Forum.

Democratic Services Officer

32. **Planning Applications**

The Project Engineer confirmed that there were no new planning applications for consideration at this meeting.

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

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

T Pritchard provided an update and in doing so stated that he had contacted the new landowner with regard to establishing their views on including the path on the definitive map. After a period of a month, the landowner had still not responded and therefore a formal application and supporting evidence that identified the footpath to be frequently used by the public, was submitted to Worcestershire City Council for further consideration and an application number was awaited.

It was noted that the landowner had since replied and indicated that the path was a private access route, which had been confirmed at the time of purchase.

The Project Engineer suggested that the more statement forms submitted by users of the path to Worcestershire City Council, the more evidence they would have to support the application, particularly should the landowner be minded not to agree to enter into a dedication agreement.

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

(1) That statement forms for completion by users of the path be shared with Forum members.

T Pritchard

(2) 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

It was noted that the footpath was due to be cleared by Green Care, following which a further site visit would be conducted.

<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

The Project Engineer commented that this item of business had been on the agenda for a considerable amount of time and Councillor S Phipps, in his capacity as Ward Councillor, was now involved in the process.

It was reported that several properties within Princess Crescent had encroached onto Council owned land and the subsequent path, however the definitive public right of way was still identified on the definitive map. It was noted that diverted pathways had been developed across adjacent land, however, concerns were expressed with regard to those people unfamiliar with the area, guided by the ordnance survey map, who would be unaware that the path was not accessible.

The Project Engineer outlined possible measures that could be taken, which included requesting all residents to adjust their garden curtilages in line with the original footprints; for residents to pay for the path diversion or for residents to purchase the encroached land, however it was recognised that this would require a higher officer level decision.

Arising from the discussion, it was commented that previously, in similar circumstances, a report on the issue would have been submitted to the local area committee for consideration. It was suggested whether a tentative report could be submitted to the Community Forum to establish the views of the public.

The Project Engineer reported that there was a similar issue at the rear of Ashfield Crescent/Woodfield Avenue, Wollescote and Forum Members were of the opinion that a consistent approach was required when dealing with these issues, rather than on a case by case basis and requested that

the Project Engineer write to the Legal Department to establish what the Council's Policy/Strategy was in dealing with encroachments on Council land and public rights of way.

<b>Action</b>	<b>Officer/Member</b>
(1) That the Project Engineer contact the Legal Department to establish what the Policy/Strategy was for dealing with encroachments on Council owned land and public rights of way.	D Jacobs
(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 reported that it was believed that the landowners had now been identified, however he was awaiting confirmation whilst the appropriate deed documentation was assessed.

It was noted that the path was not currently identified as a public right of way on the definitive map, however the view of the Council would be that it did form part of the public highway.

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

(e) Footpath H398 Manor Way to site of Fordrove Bridge, Halesowen (Not shown on the definitive map)

(f) Footpath H359 Amber Way to Chancel Way, Halesowen (Not shown on the definitive map)

Items (e) and (f) were considered together.

The Project Engineer, together with the Senior Technician gave a detailed demonstration of the work that was currently taking place to identify all public rights of way in the Borough and for a modification order to be submitted to Ordnance Survey for inclusion on the Ordnance Survey map.

Forum Members commented positively and acknowledged that the inclusion of a path on the definitive map was not straightforward and it was time consuming. Forum Members commended Officers for the exceptional and detailed work that had already been undertaken and which continued to be carried out.

<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 confirmed 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.

It was agreed that this item could now be removed from future agendas.

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

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34. **9 Mile Walk**

In referring to discussions at a previous meeting, A Nicholls commented that she had contacted the suggested person with regard to exploring which parts of the 9 Mile Walk would be accessible for disabled users as requested, however had not received a response. It was recognised that due to current COVID restrictions it was difficult to undertake site visits, however welcomed the opportunity to meet when safe to do so.

<b>Action</b>	<b>Officer/Member</b>
(1) That the Countryside Manager contact the appropriate person with regards to arranging a site visit to identify which parts of the 9 mile walk would be accessible for disabled users, when safe to do so.	D Keeley
(2) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer



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

The Countryside Manager reported that wording for the advertisement would be reviewed by the Communications and Public Affairs Team and shared with the Chair of the Forum before publication. It was noted that the publication of the advertisement would be tailored to the appropriate audience, and if timed accordingly, could be included in the Council publication that was posted out to residents.

The possibility of the establishment of a Dudley Borough Local Access Forum group mailbox was referred to and would be explored.

<b>Action</b>	<b>Officer/Member</b>
(1) That the wording of the recruitment advertisement to be shared with the Chair of the Forum prior to publication.	D Keeley
(2) That the establishment of a Dudley Borough Local Access Forum Group Mailbox be explored.	D Keeley
(3) That the item remain on the agenda for the next meeting of the Forum	Democratic Services Officer

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36. **Leasowes Park, Access, Footpath Network, Signage and interpretation**

The Countryside Manager provided an update on the issues affecting Leasowes Park. It was noted that a site visit had been arranged but had subsequently been cancelled due to Covid restrictions, but would be reconvened once safe to do so.

It was noted that the visitor pressure at the park was currently to its maximum, and due to the wet weather that had been experienced this had impacted on the infrastructure, improvements for which would be explored and reported to a future meeting.

It was reported that work was on going with the Regeneration Team with regard to appropriate signage and a steering group had been established. Further updates and information would be shared with the Forum moving forward.

<b>Action</b>	<b>Officer/Member</b>
(1) That the Countryside Manager provide an update at the next meeting of the Forum.	D Keeley
(2) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer



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37. **Any Other Business**

No items were raised under this agenda item.

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38. **Future Meeting Dates and Times**

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

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

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The meeting ended at 15.20 pm