

THE DUDLEY BOROUGH LOCAL ACCESS FORUM (DBLAF)

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help.

Contact: Karen Griffiths
Tel: 01384 818219
Email: karen.griffiths@dudley.gov.uk
for any queries relating to this Agenda or if you wish to submit an apology.

DUDLEY BOROUGH LOCAL ACCESS FORUM AGENDA

The next meeting of the Dudley Borough Local Access Forum will be held at 2:00pm on Wednesday 25th September, 2019 in Meeting Room 1 at 3 – 5 St James's Road, Dudley to consider the business set out below:-

1. Election of Chair
2. Election of Vice-Chair
3. Apologies for Absence
4. Declarations of Interest
5. [To confirm the Minutes of the meeting held on 10th July, 2019](#)
6. Rights of Way Improvement Plan – Future Maintenance Programmes
7. Planning Applications
8. Access/Rights of Way Issues and Updates
 - (a) Monarch's Way Signs
 - (b) Lower Illey between path 107 in Dudley and path 6 in Worcestershire – T Pritchard
 - (c) Footpath H115 Site of Hawne Colliery and Footpath 116 rear of Oil Refinery Shelah Road, Halesowen
 - (d) PROW – H129 and H130 Furnace Coppice, Hawne, Halesowen
 - (e) PROW – H119 Stour Valley, Hawne, Halesowen
 - (f) PROW – H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen

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.

- (g) Footpaths – Oldnal/Foxcote area
- (h) Footpath H398 Manor Way to site of Fordrove Bridge, Halesowen (not shown on the definitive map) – R Burgess
- (i) Footpath H359 Amber Way to Chancel Way, Halesowen (not shown on the definitive map) – R Burgess
- (j) Desire line at Hodge Hill, Wollescote (to be added to the Definitive Map as a Public Right of Way to connect paths “128 to S133) – R Burgess
- (k) Request to Stop Up public footpath, section 66 through Stone Mill Walk, Upper Gornal

9. Any Other Business

It is requested that Members e-mail Karen Griffiths 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.

10. Dates of Future Meetings:-

(All Meetings to commence at 2pm in Meeting Room 1, 3 – 5 St James’s Road, Dudley)

- Wednesday 11th December, 2019
- Wednesday 26th February, 2020
- Wednesday 8th April, 2020
- Wednesday 15th July, 2020

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

Mrs T Boothroyd	R J Brooks	R Burgess	Cllr C Elcock
P Greenaway	Ms A Nicholls	Cllr G Partridge	T Pritchard
N J Williams	Ms S Yeadon		

Minutes of the Dudley Borough Local Access Forum

Wednesday 10th July, 2019 at 2.00pm in Conference Room 1
at 3-5 St James's Road, Dudley

Present:

R Brooks (Chair)
Councillors C Elcock and G Partridge
R Burgess, P Greenaway, A Nicholls, T Pritchard and N Williams

Officers:

D Jacobs – Project Engineer, D Keeley – Countryside Manager, A Radford – Maintenance Manager (All Place Directorate) and K Griffiths – Democratic Services Officer (Chief Executive's Directorate).

1. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of T Boothroyd and S Yeadon.

2. **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.

3. **Minutes**

Resolved

That the Minutes of the meeting held on 20th February, 2019, be approved as a correct record.

4. **Rights of Way Improvement Plan – Future Maintenance Programmes**

The Maintenance Manager reported that the 2019/20 maintenance programme had now been approved. He referred individually to the seven footpaths programmed for improvement. He welcomed suggestions from Members in relation to any potential work/repair, or maintenance projects for consideration for inclusion in the forward plan of the maintenance programme.

Action	Officer/Member
That requests be submitted 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.	All Members of the Forum

5. **Planning Applications**

The Forum noted that there were no planning applications to be considered. The Project Engineer indicated that any future planning applications would be reported to a future meeting of the Forum.

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

(a) **Footpath and Steps off Coombes Road, Gorsty Hill, Halesowen**

The Project Engineer reported that the above steps had now been adopted. Members of the Forum expressed their gratitude to the officers involved in the work undertaken.

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

(b) **Monarch's Way Signs**

The Chair referred to the progress made in relation to signage and indicated that a meeting would be arranged in the near future to discuss locations. An update would 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

(c) **Illey and Lapal Footpath Maintenance Funded by Section 106 Receipts from P08/1373 and potential future Community Infrastructure Levy (CIL) Funding**

Members of the Forum were informed of the successful grant of £9,968 received from the two Halesowen Community Forums and were provided with a breakdown on what the funding would be used for. It was envisaged that a part-time Warden would be recruited in the near future to be based at Leasowes Park and would be co-ordinating the required work.

It was suggested that the item be removed from the agenda and discussed further at the February, 2020 meeting, under the new title of “Nine Mile Way Footpath” and in the meantime, a plan of the footpath be circulated to Members of the Forum.

Action	Officer/Member
(1) That a plan of the footpath be circulated to Members of the Forum.	D Jacobs – Project Engineer
(2) That the item be removed from the agenda.	Democratic Services Officer
(3) That the item be included on the February, 2020 agenda for further discussion under the new title “Nine Mile Way Footpath”.	Democratic Services Officer

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

The Project Engineer referred to ongoing issues associated with defining the path as a definitive path and including this on the definitive map. It was noted that a culvert had been detected on the Worcestershire side of the pathway, which had been neglected. It was suggested that the Forum contact Worcestershire Local Access Forum with a view to discussing the matter further. The issue would continue to be pursued and an update would be provided to the next meeting of the Forum.

Action	Officer/Member
(1) To contact Worcestershire Local Access Forum to discuss ongoing issues with a view to establishing a solution, in order that arrangements be made to define the path as a definitive path and to include on the definitive map.	T Pritchard
(2) That the item remain on the agenda for the next meeting of the Forum.	Democratic Services Officer

(e) Footpath H115 Site of Hawne Colliery and Footpath 116 rear of Oil Refinery Shelah Road, Halesowen

It was confirmed that the missing statutory signage for footpath H116 had now been replaced, however, the signage for footpath H115 was still outstanding.

It was noted that further investigation of the footpaths was essential to ascertain flood levels in the area prior to any engineering work being carried out, however, it was agreed that clearing the paths of overgrown vegetation would not cause an issue and would not require written authorisation.

The Maintenance Manager undertook to look into the matter and update the Forum at the next meeting.

Action	Officer/Member
(1) To investigate the possibility of replacing the missing statutory signs formally located at the footpath H115 and to ascertain flood levels.	A Radford – Maintenance Manager
(2) That the overgrown vegetation on pathways H115 and H116 be cleared in the Autumn.	Volunteers of the Halesowen Abbey Trust
(3) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

(f) H129 and H130 Furnace Coppice, Hawne, Halesowen

Following investigation of the possibility of relocating the signage on the footpath, the Maintenance Manager reported that the statutory signage and associated work had been ordered and Members would be updated at the next meeting of the Forum. It was reported that a group of volunteers had offered to clear the pathway.

Action	Officer/Member
(1) Members to be updated on progress at the next meeting of the Forum.	A Radford – Maintenance Manager
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

(g) H119 Stour Valley, Hawne, Halesowen

Reference was made to the missing statutory signage and it was requested that signs be erected on the footpath.

Action	Officer/Member
(1) The possibility of erecting statutory signage on the footpath be investigated.	A Radford – Maintenance Manager
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

(h) H124 and H125 Hawne Bank/Park, Belle Vale to Hawne Lane, Halesowen

It was noted that the H124 and H125 paths had now been cleared of overgrown vegetation, however, it was considered essential that improvement work be undertaken to ensure that they were safe to use. The possibility of diverting the H125 footpath would be investigated and reported back to the next meeting of the Forum.

Action	Officer/Member
(1) Enquiries be made in relation to the possibility of officially diverting the H125 path, to include work to be undertaken, costs involved and any legal implications.	D Jacobs – Project Engineer
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

(i) Footpaths – Oldnal/Foxcote area

Reference was made to the following footpaths:-

- (a) Public Right of Way H214 – completely obstructed with thorny regenerating woodland and two statutory signposts missing. The Maintenance Manager referred to the approximate costings of the necessary work required and budget restrictions for the 2019/20 financial year. It was reported that only work assessed and considered as a priority would be undertaken as part of the Future Maintenance Programme and Improvement Works.

Councillor G Partridge undertook to look into the matter further with a view to discussing a solution with fellow Councillors and Officers and update Members at the next meeting of the Forum.

- (b) Public Right of Way H215 – Obstructed with thick regenerating woodland in the area to the rear of former Nursery Land and Deer Park Gardens. The farmer not “lining out” the path across a ploughed field adjacent to the public right of way was referred to. It was reported that a group of volunteers had offered to clear the pathway in the Autumn.
- (c) Public Right of Way S108 – It was considered that Old Green Lane from Oldnall Road to public rights of way S156 and H125 should be added to the Definitive Map. It was noted that Dudley’s Country Walks Leaflet (Lutley) used the route and noted it as “of Medieval Origin”. It was also noted that three statutory signs were missing on pathways S108 and S109 – Oldnall Road to Foxcote Lane.

- (d) Public Right of Way S156/S155 – Definitive route not available in parts of the path and desire line in use goes down a steep slippery bank and one statutory signpost is missing on Seymore Road. Pathway S155 – it was suggested that a direct connection to H124 be considered. The path was originally shown on the Worcestershire Definitive Map as making an unbroken connection and it was considered that it should be placed back on the Dudley Definitive Map. The Project Engineer reported that pathways were not taken off the Dudley Definitive Map and referred to assessments carried out to define a pathway as a definitive path and assured Members that all successful assessments of paths had and would be included on the Definitive Map.
- (e) Public Right of Way H163 – Path obstructed through woodland/wetland areas, the definitive route was not available in certain places and that a statutory signage post was missing on Abbey Road.
- (f) Public Right of Way H162a and H161 (Bridleway) – Two statutory signposts missing off old Lutley Lane.

Action	Officer/Member
(1) That the work outlined above be considered and actioned if necessary and that Members be updated at the next meeting of the Forum.	A Radford – Maintenance Manager
(2) That further investigations be carried out to consider other available options to rectify the issues affecting the Public Right of Way H214 and report back to the next meeting of the Forum.	Councillor G Partridge
(3) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

7. **Change in Order of Business**

Resolved

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

8. **Access/Rights of Way Issues and Updates (Continued)**

- (n) Public Footpath/Bridleway – H137, H137a and H161 Lutley Lane, Halesowen

It was noted that new statutory signs had now been erected.

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

- (j) Footpath H398 Manor Way to site of Fordrove Bridge, Halesowen (not shown on the Definitive Map)

Action	Officer/Member
(1) That an assessment be carried out and included on the Dudley Definitive Map if necessary.	A Radford – Maintenance Manager
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

- (k) Footpath H359 Amber Way to Chancel Way, Halesowen (not shown on the Definitive Map)

Action	Officer/Member
(1) That an assessment be carried out and included on the Dudley Definitive Map if necessary.	A Radford – Maintenance Manager
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

- (l) Footpath H250

Concerns were raised in relation to implications concerning an earth dam in the region of Mucklows Hill. The Countryside Manager indicated that should issues arise in the future, concerns raised would be revisited.

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

- (m) Desire Line at Hodge Hill, Wollescote (to be added to the Definitive map as a Public Right of Way to connect paths S128 to S133)

In referring to the ongoing safety issues associated with the pathways, it was suggested that the route be changed to allow a safer route along the public footpath. It was suggested that discussions take place to decide on an appropriate route prior to the consideration of the possibility of altering the route of the current pathway and including it on the definitive map. An update would be provided to the next meeting of the Forum.

Action	Officer/Member
(1) To arrange a meeting with appropriate parties to discuss and decide on an appropriate route with a view to discussing the possibility of altering the route of the current pathway and including it on the definitive map.	R Burgess
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

9. New Permit Scheme

In referring briefly to the new legislation introduced for working on highways, the Maintenance Manager confirmed that Dudley had adopted a new permit scheme, in order to better co-ordinate and control works undertaken on the public highway. It was confirmed that work which involved either an excavation or restriction of the available highway width, would require a permit, however, work to simply cut back vegetation manually would not require a formal permit, although, an e-mail notification to the Maintenance Manager from volunteer groups would be appreciated.

It was noted that any proposed work on the highways must be notified to the Street Works Team prior to any works being carried out, by completing a form, which was circulated to Members during the meeting. It was suggested that an e-mail be circulated, together with a description guide, to all persons/organisations that would need to be made aware of the new requirements.

Reference was made to Lutley Lane and the number of times that the area had been cleared by hand and it was suggested that consideration be given to a machine being used. The Maintenance Manager undertook to investigate the matter further.

Action	Officer/Member
That a list of contacts/organisations be provided to the Maintenance Manager in order to circulate a copy of the application form to be completed to notify the Street Works team of any proposed works, together with a guidance note on requirements.	R Burgess/A Radford – Maintenance Manager

10. **Access/Rights of Way Issues and Updates (Continued)**

- (o) Request to Stop Up public footpath, section 66 through Stone Mill Walk, Upper Gornal

The Project Engineer updated Members in relation to the circumstances surrounding the proposal received, regarding the request to stop up the public footpath through Stone Mill Walk.

Having considered all of the information and photographs submitted, the comments made at the meeting, the Chairs comments, submitted by e-mail and the submissions made by West Midlands Police showing no evidence of any anti-social behaviour, Members of the Forum were of the view that they could not support the request to stop up the public footpath, section 66 through Stone Mill Walk, Upper Gornal. It was requested that the following formal objection be circulated to appropriate officers:-

The Dudley Borough Local Access Forum does not support any proposal to close the public right of way as they cannot see any good reason to do so. The Police do not consider the anti-social behaviour to be significant and the alternative route suggested is longer, therefore less convenient and not an improvement. Furthermore should any order be proposed, the Members of the Forum would attend, in person, any court proceedings or inquiry objecting to the order.

Action	Officer/Member
(1) That the above objection on behalf of the Dudley Borough Local Access Forum be circulated to appropriate officers.	D Jacobs – Project Engineer
(2) That the item be included on the agenda for the next meeting of the Forum.	Democratic Services Officer

11. **Any Other Business**

Petition requesting the closure of the public footpath from Catherine Road to Hurst Road, Coseley

It was noted that the item had now been dealt with.

Action**Officer/Member**

That the item be removed from the agenda.

Democratic
Services

Community Engagement Open Event – Gornal Fields – 18th June, 2019

A Nicholls referred to the recent successful community open event at Gornal Fields and encouraged members to access the online consultation to provide their views on how to improve the area.

Notification of the Leasowes Site of Special Scientific Interest (SSSI)

Members of the Forum were notified that the Leasowes Site had now been designated as a Site of Special Scientific Interest.

12. **Future Meeting Dates and Times**

Future meeting dates and times of the Forum were noted.

The meeting ended at 4.20 pm