

Broads Authority

Broads Local Access Forum

Minutes of the meeting held on 7 Sept 2016

Present:

Dr Keith Bacon (Chairman)

Mr Olly Barnes	Mr George Saunders
Miss Liz Brooks	Mr Charles Swan
Mr Nick Dennis	Mr Martin Symons
Mr Alec Hartley	Mr Ray Walpole
Mrs Dawn Hatton	Mr Chris Yardley

In Attendance

Ms Lottie Carlton – Administrative Officer
Mr Adrian Clarke – Senior Waterways and Recreation Officer
Mr Mark King - Waterways and Recreation Officer
Ms Andrea Long – Director of Planning and Resources
Ms Karen Sayer - Design and Information Supervisor

Also In Attendance

Mrs Kirsty Webber-Walton – Norfolk County Council

1/1 To receive apologies for absence and welcome new members

Apologies for absence were received from Mr Louis Baugh, Mr Tony Brown, Mr Mike Flett, Mr Tony Gibbons, Dr Peter Mason, Mr Stephen Read and Mr Richard Webb. Members were welcomed.

1/2 To receive declarations of interest

No declarations of interest needed to be made.

1/3 To receive and confirm the minutes of the meeting held on 8 June 2016

The minutes of the meeting held on 8 June 2016 were confirmed as a correct record and signed by the Chairman.

1/4 To receive any points of information arising from the minutes

(1) Minute 4/4 (1) Ludham Footpath

The new landowner has signed the permissive path legal agreement and a meeting was due to take place to decide if any gates would need to go in. A request would be made to open the path with a hoped for official launch in October 2016. It was noted that the path could be used by wheelchair users if weather conditions meant the path surface remained dry otherwise it could prove too muddy. Ramps rather than steps were in place to get onto the grassed bank.

(2) Minute 4/4 (2) How Hill Footpath

It was hoped that a funding bid submitted to the Broads Charitable Trust would be confirmed as successful. Completion of work to this stretch of the How Hill footpath will increase access available in the Broads.

(3) Minute 4/4 (3) Herringfleet

The Broads Authority no longer has a lease agreement with the landowner at Herringfleet and therefore does not have any authority or responsibility regarding any future issues arising there. Concerns surrounding access at the site would need to go to Suffolk County Council.

(4) Minute 4/4 (7) Cycle and Walking Investment Strategy

The Cycle and Walking Investment Strategy has not yet been published on the Department for Transport website.

(5) Minute 4/7 Draft Integrated Access Strategy Action Plan

The Integrated Access Strategy Action Plan has been updated with BLAF members' comments. It has also been included in the draft revised Broads Plan which was due to go to consultation from October to December 2016.

(6) Minute 4/8 Hickling Project update

Following a site visit, planning permissions have been granted to those elements of the Hickling Project that required them.

1/8 'Access all Areas' video

It was agreed to bring forward Item 8 to this point in the meeting.

Ms Karen Sayer showed the 'Access all Areas' video that had been filmed after the idea had been raised at the March BLAF meeting. The video would be included as part of a series of similar videos taken around the country both in the National Parks and in London.

Comments and answers to questions as follows:

Distribution of the video would be via website links with Visit Britain, Visitor Norfolk, Broads Authority and others. The link to the video is freely available on Youtube (using the search 'access all areas broads national park') and can be used to help promote access in the Broads.

The variety of activities shown was really good. The Ra boat trip was particularly liked due to the height above the water giving a better view.

A press launch for the video would be taking place on 27 September at Barton Broad.

Mr George Saunders was thanked for his help and advice with the video.

1/5 Norfolk County Council update

Unfortunately Dr Andy Hutcheson had to send his apologies for the meeting. At short notice Mrs Kirsty Webber-Walton was attending in his place but was only able to provide update information directly concerning Item 6. However she agreed to take back any comments or queries raised by BLAF members about other issues for this agenda item as follows:

- (1) Cess Staithe, Martham:** Norfolk County Council (NCC) had proposed an alternative diagonal route (across the bollarded car park area) but this was not liked by the landowner whose argument against the proposal included the assertion that Staithe and highways should not be on the same site. NCC's legal advice disagreed and there are plenty of examples of this happening elsewhere. The Forum agreed to NCC's proposed route and provided a letter of support. Additionally, the Parish Council was trying to legally register the Cess Lane link to Martham footpath number 1 which was part of a published circular walking route.
- (2) Horsey footpaths:** NCC are looking at all the current footpaths from Horsey to the sand dunes. There are many anomalies, including the road to the Horsey car park being partially public highways responsibility and partially private. This survey work does not include the dangerous route from Horsey Mill car park to the dunes along the main road taken by families going to view the seals which are becoming a nationally important attraction. However the Broads Integrated Access Strategy has identified this route an issue to look at with a view to talking to landowners to see if a permissive pathway agreement can be negotiated.
- (3) Pathmakers projects at Burgh Castle:** The newly set up charity, Pathmakers, has been working on improvement projects at Burgh Castle with a view to taking these forward in the Norfolk LAF Action Plans.

1/6 Norfolk County Council Rights of Way Improvement Plan

The Review of the NCC Rights of Way Improvement Plan had been circulated prior to the meeting. Mrs Kirsty Webber-Walton gave a presentation highlighting the Countryside Access Improvement Plan (CAIP) 2017-2027 review process. CAIP is the proposed new name for the Rights of Way Improvement Plan.

The Forum was grateful of the opportunity to comment and gave the following initial observations:

- (1) There are opportunities to increase mention of access within the Broads as currently this is virtually missing from the document. For example the themes Biodiversity, Heritage Structures and archaeology, Green Infrastructure and Cycling/Access do not mention the Broads. This misses the opportunity to link to the benefits the Broads National Park brings particularly for tourism, partnership working and funding bids.
- (2) Linking in with the BLAF's Integrated Access Strategy and associated Action Plan could help identify potential partnership projects.
- (3) The section on the governance of LAFs should explain the requirements both for County and National Park LAFs within Norfolk and provide details not just about Norfolk LAF but also the Broads LAF and how the two can work in partnership to deliver parts of the plan.
- (4) The River Wensum Strategy is another omission from the document. This is a major partnership between Norwich City Council, Broads Authority and the Environment Agency delivering access projects along the riverside in Norwich.
- (5) The Historic Environment theme should include Norwich. NCC needs to get more involved with paths in the city including trails out/in and the urban fringe.
- (6) 'Countryside Access Improvement Plan' is perhaps the wrong title as NCC could be accused of trying to dilute away from its statutory function surrounding the Rights of Way network. It would also not work with the inclusion of comments (4) and (5) above.
- (7) BLAF has already fed into Norfolk County Council's Cycling and Walking Action Plan which was similar to the above review, but there does not seem to be any cross working or reference to this plan within the ROWIP/CAIP.
- (8) Stakeholder suggestions for consultation about the ROWIP/CAIP: Norwich City Cycling Campaign and Impact from the Northern Distributor Road.

Timetable: It was noted that a new draft ROWIP or CAIP was being put together between August and December 2016 and this revised draft would then go out to public consultation from January 2017 for 10-12 weeks. A further revision would be put together for consideration by Norfolk LAF between May and July 2017. A final CAIP would then be presented to Norfolk County Council's Environmental Development and Transport Committee.

It was agreed that further comments by Forum members should be submitted as section 94 (4) under the Countryside and Rights of Way Act 2000 via the SWRO. The Chairman and SWRO would then put in a response to NCC's ROWIP/CAIP revision on behalf of BLAF incorporating Forum members' comments.

1/7 Wherryman's Way update

At the last BLAF meeting it had been agreed to advise Norfolk County Council, under Section 94 (4) of the Countryside and Rights of Way Act 2000, to place a traffic regulation order on the section of the Wherryman's Way rather than extinguish it in order to give time to try and resolve the problem and carry out remedial works to prevent further deterioration. NCC had accepted this advice.

A meeting is due to take place in October 2016 between all relevant public authorities (NCC, BA, South Norfolk Council, Environment Agency and Natural England) to discuss options.

The Broads Authority has surveyed the route regarding tree and scrub removal and costed up potential work that can be carried out straight away.

Water level monitoring is also being undertaken and results confirmed that water is reaching Loddon basin as normal.

Section of the Wherryman's Way from Putts Lane to Chedgrave Common:

This is currently having the surfacing replaced. The old mesh surface is being removed and a new easy access, wheelchair friendly surface will be put in to replace it. It was suggested that a launch event be used to publicise the work.

Reedham Section of Wherryman's Way:

Due to a mapping route anomaly, taking a 120m stretch of the Wherryman's Way through a property, a permissive path agreement had been set up instead. As, at the time, NCC did not enter into such agreements Broads Authority had taken the lead. Various pieces of countryside furniture had been put in place to facilitate use of the path and these had since deteriorated. The stretch of path has now been closed for health and safety concerns. An estimated £15k to carry out essential works was not considered justified from National Park funding for such a small section of path. NCC have put in a CIL bid for £30k to reinstate the same route but it will need a new permissive path agreement which NCC still do not wish to lead on. The Parish Council are aware of the situation and could potentially act as the lead organisation.

1/9 Registration of unrecorded rights of way – Deregulation Act 2016

The SWRO gave a presentation updating Forum members on the Deregulation Act 2016 provisions regarding registration of unrecorded rights of way.

The Act allows for historical claiming of rights of way but with a cut-off date of 1st January 2026 for claims based on pre 1949 historic documentary evidence. There will continue to be some potential for modification applications based on 20 years use.

Applications will need to be reviewed within 3 months of receipt and either added to the Local Authority's list or returned to the applicant with scope for appeal.

The Act allows for negotiated solutions where cases are disputed, for example where a building now blocks the route of an historical path. Diversions would then be included with any modification in one 'consent order'.

The Act intends to make the process less adversarial, time consuming and costly.

After the cut-off date local authorities will not be able to delete any unrecorded rights of way not covered by applications submitted through the above process if the deletion would affect the use of definitive rights of way.

There are likely to be many potential Broads paths to put forward; for example those leading to staithe, unrecorded white roads, unrecorded bridleways and even those that are missing but where there is historical evidence for their existence.

Comments and answers to questions as follows:

Public highways leading to private bridges and then continuing as public highways would need to be considered individually regarding checking the definitive map and historical records.

The SWRO and WRO agreed to check the status of the Berney Arms path from the station.

There is no definitive map of paths in Norwich and therefore confusion arises over rights of way along the riverside walk.

Linked to water mills by disappeared paths could fit the criteria. Any specific examples to be raised through the SWRO in the first instance.

The Chairman and SWRO will be attending a September briefing in London on the Deregulation Act 2016.

1/10 River Wensum Strategy update

The first draft of the River Wensum Strategy would be going out to public consultation in November 2016. A full list of projects within an action plan would be published alongside the draft strategy. An integrated map will be used to show existing and potential river use.

As a stakeholder, the Forum would be consulted prior to the public consultation. Since the next Forum meeting was due to occur after the consultation period it was agreed that members would email any comments to the SWRO or Chairman who would put together a response on behalf of the Forum.

1/11 Broads Forum updates

At the 28 July meeting of the Broads Forum the following items were discussed:

- Re-appointment of Chairman Dr Keith Bacon and Vice-Chairman Mr Michael Flett.

- Presentation on the Lake Restoration Action Plan by BA Senior Ecologist
- Report on the Broads Authority's Mooring Strategy
- Presentation on Staithe Research work by Tom Williamson, UEA.

Comments and answers to questions as follows:

It was hoped that BLAF would receive the presentation on Staithe Research at the December meeting.

Waste bins/collections: Following a reclassification of boat waste from domestic to commercial and the withdrawal of collections by District Councils due to a levy placed on such collections by Norfolk County Council, a workshop had taken place in July 2016 attended by stakeholders. A report would be going to BA Navigation Committee on 08 September.

Dredging of Irstead Shoals was also due to be discussed. There could be important access repercussions.

1/12 To receive any other items of urgent business

At their last meeting Oulton Parish Council had discussed Barns Meadow Dyke and a proposal to put in a culvert under Sands Lane eventually flowing into the Broad. No information was available as to where the culvert would be sited or how much water would flow into the Broad. Both the Inland Drainage Board and Suffolk County Council were involved. If the planning authority is Waveney District Council they will have to consult the Broads Authority otherwise it would come to the Authority.

The Director of Planning and Resources agreed to check which Planning Authority would deal with any applications submitted and report back to Mr Charles Swan.

1/13 To note the date of the next meeting

It was noted that the next meeting was scheduled to take place on Wednesday 7 December 2016 at 2pm.

The meeting concluded at 4.25pm.

Chairman