

Footpath Link from Ludham to St Benet's Abbey
Report by Senior Waterways and Recreation Officer

Summary: This report provides members with a summary of the latest situation regarding the negotiation of a footpath linking Ludham Bridge with St Benet's Abbey.

Recommendation: That members note the contents of the report and support the Broads Authority's proposal to continue to seek to establish a permissive path linking Ludham Bridge with St Benet's Abbey.

1 Background

- 1.1 The Broads Rights of Way Improvement Plan identifies the negotiation of a footpath route to link Ludham Bridge to St Benet's Abbey as a priority for the Broads Authority.
- 1.2 There have been difficulties regarding the negotiation of the route of the proposed path in the area of Ludham Bridge Boatyard. Primarily this is because the landowner and tenant have concerns regarding public health and safety issues if a pedestrian route were formally established through the working boatyard.
- 1.3 Officers have therefore explored the viability of alternative routes prior to commencing a formal project initiation through the Broads Authority's agreed project development process.

2 Outcome of Recent Landowner Discussions

- 2.1 Recently officers have had discussions with the owner of some land in the area of Ludham Bridge who has indicated that he would be prepared to agree to have a permissive path on his land which would link the new floodbank downstream of Ludham Bridge to the road and avoid the boatyard area entirely.
- 2.2 Officers consider that this route should be formally agreed and have asked the landowner to demonstrate that he is the sole landowner of this area of land and therefore has the ability to enter into a formal permissive path agreement with the Broads Authority.
- 2.3 The route in question would require minimal work to establish on the ground and would link directly to the floodbank and thence to St Benet's Abbey without crossing operational agricultural land.

3 Additional Landowner Discussions

- 3.1 If the route outlined at paragraph 2.1 is established there would still be a need to negotiate formal permissive path agreements with adjacent landowners to establish a continuous route to St Benet's Abbey.
- 3.3 Officers consider that formal permissive path agreements are necessary in order to give the landowners certainty that all necessary maintenance works will be carried out on structures on the proposed path and that there will be no presumed dedication of a new public right of way should they enter into a permissive path agreement. Additionally the establishment of a permissive route gives the Broads Authority the ability to have more control over access management.

4 Alternative to Permissive Access

- 4.1 Officers are aware that Ludham Parish Council has asked for parishioners to come forward if they have evidence of use of the riverbank from Ludham Bridge to St Benet's Abbey in order to be able to consider whether there is scope for submitting a claim for a new public right of way.
- 4.2 Officers continue to believe that every attempt should be made to negotiate permissive access as this would achieve the Broads Authority's stated aim of negotiating a route linking Ludham Bridge to St Benet's Abbey without having to go through the protracted legal process involved with the claims procedure under the Wildlife and Countryside Act. Further, there are uncertainties regarding the likelihood of such a claim being successful as the route now available on the riverbank has only been in existence for approximately 5 years as the recent flood defence works involved the removal of the old floodbanks on which the evidence submitted to Norfolk County Council under the claim procedure would have to be based.

Background papers: Nil

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Broads Plan Objectives: TR1, TR2,

Appendices: Nil