

## **Broads Authority**

### **Broads Local Access Forum**

Minutes of the meeting held on 8 June 2016

#### **Present:**

Dr Keith Bacon (Chairman)

Mr Louis Baugh	Mr Stephen Read
Mr Tony Brown	Mr George Saunders
Mr Robin Buxton	Mr Charles Swan
Mr Mike Flett	Mr Ray Walpole
Mr Tony Gibbons	Mr Peter Warner
Mr Alec Hartley	Mr Richard Webb
Dr Peter Mason	Mr Chris Yardley

#### **In Attendance**

Mr Adrian Clarke – Senior Waterways and Recreation Officer  
Mr Mark King – Waterways and Recreation Officer  
Ms Andrea Long – Director of Planning and Resources  
Mr Rob Rogers – Head of Construction, Maintenance and the Environment

#### **Also In Attendance**

Mr Kevin Hart – Norfolk Wildlife Trust

#### **4/1 To receive apologies for absence and welcome new members**

Apologies for absence were received from Mr Olly Barnes, Miss Liz Brooks, Mr Nick Dennis, Mrs Dawn Hatton, Mrs Lana Hempsall and Mr Martin Symons. Members were welcomed.

#### **4/2 To receive declarations of interest**

No declarations of interest were made.

#### **4/3 To receive and confirm the minutes of the meeting held on 02 March 2016**

The minutes of the meeting held on 2 March 2016 were confirmed as a correct record and signed by the Chairman.

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

(1) **Minute 3/3 (1): Ludham Footpath**

Accommodation works have now been completed. However, due to a last minute sale of a parcel of land, the permissive path agreement had been delayed. Solicitors have confirmed the new land owner is in agreement in principle and the signed agreement is awaited. Once the signed agreement is received, the path will be opened and negotiations regarding furniture on the footpath will start with the new landowner. A resolution is expected before the September BLAF meeting.

(2) **Minute 3/3 (2): How Hill Footpath**

Natural England has agreed the works to the footpath and costings have been received. A bid for funding has been made to the Norfolk and Suffolk Broads Charitable Trust but if funding for the project cannot be obtained from the Trust a funding application will be made to the Broads Authority's internal Project Development Group.

(3) **Minute 3/3 (3): Herringfleet**

An issue regarding the condition of the steps onto the Open Access Land from the bridleway was raised. It was noted that no reports had been received from Broads Authority officers regarding any upgrading of the steps.

(4) **Minute 3/4 (3): Broadland Way**

The need for cycling and pedestrian routes allowing safe access from the Postwick Hub to Whitlingham Country Park whilst new works were being undertaken at the Hub was raised. With works continuing, it was felt these routes would benefit hundreds of users with minimal impact to the overall scheme of the Northern Distributor Road.

(5) **Minute 3/5: River Wensum Strategy Update**

Extensive and informative work has been carried out by George Saunders on the Riverside Path Audit. The report has now been submitted to the Wensum River Partnership for review. Greater Norwich Investment Partnership has funding available to elevate some of the more important key River Wensum Strategy projects.

Generation Park update: Following on from one of the main funding bodies ceasing its support for the project the Consortium had indicated that new funding had been located and details are being agreed.

(6) **Minute 3/6: Draft Integrated Access Strategy Action Plan**

Ludham Parish Council organised a 'joint bodies' meeting to discuss refuse collection issues within North Norfolk. The North Norfolk District Councillor agreed to organise another meeting to come up with a solution to the ongoing refuse collection problems.

(7) **Minute 3/7: Cycle and Walking Investment Strategy**

A letter from BLAF signed by the chairman had been sent to the Secretary of State regarding the lack of rural cycling and walking within the strategy documents. Both the Broads Authority and National Parks England had also emailed their concerns to the Secretary of State. An outcome is awaited.

(8) **Minute 3/8: 'Access All Areas'**

The 'Access All Areas' video was looking good with some fine tuning of subtitles to be completed before the video could be presented at September's BLAF meeting.

(9) **Minute 3/9: Boudicca Way by Powerchair**

Mr George Saunders would be delivering his Boudicca Way by Powerchair presentation at the Joint LAF Meeting at the end of June.

(10) **Minute 3/10: Hoveton and Wroxham Station Improvements**

Mr Peter Warner was due to present an Action Plan to the Bittern Line Community Rail Partnership.

The need for clear information regarding cancelled rail services was raised. People using remote train stations within the Broads (in this case Berney Arms) could be stranded after having walked for miles. PW agreed to take these concerns to Abellio.

(11) **Minute 3/11: Broads Forum**

The Chairman advised the group of the sad passing of Dr Martin George OBE.

**4/5 Norfolk County Council update**

It was agreed to defer Item 5 due to NCC Officers being unable to attend. However it was noted that a joint LAF meeting organised by NCC was due to be held at Beccles Public Hall on 27 June. BLAF members attending would be Dr Keith Bacon, Mr Alec Hartley, Mr Stephen Read, Mr Charles Swan and Mr Ray Walpole alongside the SWRO and WRO.

#### 4/8 Hickling Project update

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

Mr Rob Rogers presented the Hickling Enhancement Project to the Forum highlighting the elements that made up the project:

**Dredging:** The priority task was to dredge at the top end of Hickling Broad. As Pymnesium is a real issue in Hickling Broad, the dredging was carried within the confines of a 'moon pool' which helped contain sediment re-suspended in the water column as a result of the dredging operation. The second issue with dredging within Hickling Broad was spoil disposal. All the surrounding land is classified as Site of Special Scientific Interest and therefore protected. Also the dredged spoil was too 'gloopy' to deposit normally. Therefore the Broads Authority is using this spoil in reed fringe restoration projects.

**Erosion protection at Hill Common:** Erosion protection here is achieved by the installation of a geotextile barrier and baskets with reed plugs inserted to act as a wall. The dredged spoil is then 'backfilled' where it will drain off and the reed can establish itself.

**Planned future enhancements such as reeded fringes:** In 2016 the enhancements will include establishing new reed beds at Churchill's and Studio Bay to create natural erosion protection. Additionally, a local land owner has approached the Broads Authority to allow the depositing of the remaining dredged spoil on his land. This will be deposited in man-made lagoons for use in 12-18 months' time.

#### **Comments and answers to questions were received as follows:**

Regarding the broad depth when dredging was completed as Catfield Dyke seemed very shallow, it was explained that the Broads Authority only ever dredged according to a defined waterway specification depth which was 1.5 metre 'mean' depth in Catfield Dyke. Catfield was on the list to have more material removed in due course.

Regarding the use of 'tidal defences' to stop erosion, it was explained that the idea had been raised during the consultation for the scheme but there were currently no proposals to construct these. Further consultation would be carried out if any proposals were likely to proceed.

It was confirmed that the 'gloopy' material was a mixture of goose guano, decomposed plant matter and naturally occurring mud.

The planning application for the Hickling Enhancement Project had been submitted (the application number is BA/2016/0191/FUL). The SWRO had submitted comments on the application and was wholly supportive of the project as there was no impediment to access.

The works are needed to maintain the navigation of the Broad and the Authority has made progress in dredging accurately using new measuring and dredging techniques.

The Broads Local Access Forum also agreed unanimously to support the planning application for the works.

#### **4/6 Wherryman's Way River Chet**

Apologies had been received by NCC officers who were detained at the last minute and could not attend the meeting.

A well-attended public meeting had been held (where local feeling was very strong). In particular concerns about the potential impact of the path closure on the navigation had been raised at the public meeting. Since then further discussions had taken place with Norfolk County Council regarding the situation and potential alternative routes for the Wherryman's Way had been considered.

Subsequently a report had also been presented to the Broads Authority's Navigation Committee and they had agreed that the priority should be to gather scientific evidence in order to be able to assess how the river is currently functioning and whether there are any issues for navigation. Further modelling work would also be required to assess how the hydrology would respond to potential future scenarios. As a first step to gathering this information the Broads Authority has installed tidal monitors at Pyes Mill to compare the tidal range in the River Chet upstream of Hardley Flood with the range in the River Yare.

Norfolk County Council has approached the Environment Agency to ask for modelling to be carried out on a range of potential future scenarios and they are now awaiting a response.

It would be necessary to assess how works carried out on one area of the bank might impact on the rest of the bank before any consideration could be given as to what works it would be possible to include in a bank reinforcement scheme. The SWRO confirmed that he will continue to discuss the issue with the other public authorities.

#### **Comments and answers to questions were received as follows:**

The total length of the affected banks is approximately 1.3km. A wide range of potential works could be carried out to the bank. These ranged from major re-piling to less expensive solutions using dredgings to reinforce narrow areas combined with the replacement of weirs.

Installing simple culvert pipes was an option but without a full and extensive engineering survey there was no way of knowing the most effective solution and how much associated piling would be required.

In an ideal world, fully restoring the bank and the footpath would be the desired outcome, however, there were various bodies with an interest and no obvious source of funding to pay for the works. The Broads Authority's main responsibility was for the navigation, but it had no duties regarding rights of way or responsibility to maintain private banks. It was also noted that there was conflicting case law regarding the duty to maintain rights of way on riverbanks.

It was noted that the diversion of the Wherryman's Way meant that walkers were made to travel along a road that, whilst not busy, was dangerous. Vehicles travelled very fast along it and this meant walkers had to be extremely careful along this stretch of the route.

It was confirmed that there were currently only proposals to move the existing bird hide not to install a second bird hide.

Norfolk County Council was proposing to seek a Stopping Up Order on the path from the Magistrates' Court that would result in it being removed from the definitive map of public rights of way (though only between the Weir and the east end of Hardley Flood). The SWRO advised that it was theoretically possible to exclude the public from the route while leaving it on the definitive map. Placing a permanent Traffic Regulation Order (TRO) on the path would mean that it could remain on the definitive map while the public authorities gathered data and explored potential funding opportunities for a scheme to reinstate the bank and path furniture.

If landowner permission could be obtained it would be possible to side-cast dredged material from the River Chet on the bank while a TRO was in place. This could then be used to bulk up the rear face of the bank. Having a TRO in place would also allow for consideration to be given to a scheme to remove large trees at risk of falling and creating holes in the bank and clearing overhanging scrub on the face of the bank to encourage reed to grow which would provide erosion protection for the bank.

Could the route be diverted at Chedgrave Common via of a Public Right of Way Diversion Order or could Norfolk County Council seek a Creation Order for any newly diverted path to avoid the road walking involved in the current diversion? The SWRO was certain that Norfolk County Council would not agree to this as there was no existing landowner agreement.

It was agreed that diversion and creation orders could be expensive but it was thought unlikely that Norfolk County Council would consider taking this approach.

Not keeping the footpath open may make the Broads Authority seem less than proactive in the eyes of the public.

Clarification of the Broads Authority's 'stand' on any consultations was requested: Under the Standing Orders, responses to consultations of this nature were usually dealt with under delegated powers. However, depending

on the timing and nature of any consultation from NCC on this subject it could be an Authority decision.

There was agreement that a multi-agency approach is the best way to progress.

This length of the Wherryman's Way had always been in poor condition, even before the formation of the long-distance trail.

BLAF members agreed that a Stopping Order should be avoided and a Traffic Regulation Order be placed on the red highlighted section of the map (see appendix 1) so it can be lifted if required at a later date.

Regarding the current status of the Reedham stretch of the Wherryman's Way: Following a number of accidents, a small section of permissive path linking the Wherryman's Way from the top of the riverbank to the village was closed for health and safety reasons. Negotiations had been started with a neighbouring landowner with regard to diverting the path but these were dismissed. The Broads Authority approached Norfolk County Council to discuss joint funding a remedial plan, but when the project was estimated to cost £15,000 both parties deemed this cost too high to be funded. However Norfolk County Council have applied for £35,000 Community Infrastructure Levy (CIL) funding to re-open the path and are awaiting the outcome of their application.

#### **4/7 Draft Integrated Access Strategy Action Plan**

The SWRO took members through the Integrated Access Strategy Action Plan that has been developed to highlight the central 'themes' that were identified in the BLAF Workshop: Canoes and Small Craft Access, Land Access, Extension of Water Space Access, Access for All, Local Access Hubs, Moorings/Slipways, River Wensum Strategy, Extension of Broads Cycling Offer, Angling, Sustainable Transport and Information.

It was suggested that small craft should be added to the Canoe theme to ensure dinghy's etc. are represented within the action plan.

Members' comments to the Integrated Access Strategy Action Plan were received as follows:

#### **G1 – G7:**

G2: The original wording to be amended as follows: "Carry out audit of land registered as open access land under CROW 2000 to assess whether access improvements are ~~desirable~~ **a priority or practicable.**"

G3: The original wording to be amended as follows: "Extension of water space **access**. Review and audit water space access including all broads identify gaps and where access could be extended for various types of craft."

G4: Identifying hubs would be relatively straight forward, but provision of these hubs within the Action Plan would be the difficult part. The coastal hubs of Lowestoft and Great Yarmouth needed to be encouraged to look inland and at the Broads as well as over the sea. There was also a need to include public transport bodies within any consultation.

**W1 – W8:**

W7: A concern was raised over the 'distant' dates of the work plan in view of the feasibility study of cycle access at Burgh St Peter. The SWRO advised that imminent developments would soon make this clear.

Partner working with River Waveney Trust would bring a level of expertise to any projects relating to the River Waveney.

**Y1 – Y6:**

Y2: It was confirmed that projects that extended the river boundary would certainly be included in the River Wensum strategy.

**B1 - B6:**

Specific sites have already been identified as high priority following consultation with Navigation Committee.

B5: Any works within Caen Meadow may require careful negotiation with the current land owner.

B2: There was a need for a slipway design that was sympathetic to the needs of both small craft users and anglers to ensure conflicts were avoided.

**AT1 – AT9:**

AT2: A recent change in ownership at Coldharbour Farm was highlighted. Access had changed as a result of the High Level Stewardship Scheme coming to an end.

AT8: The original wording to be amended as follows: "Create PROW to link existing PROW's on ~~Horsefen Bank~~ **Thurne Riverbank at Horsefen, Ludham.**"

**4/9 Broads Forum updates**

There were no updates to report as the April Broads Forum meeting had been cancelled.

**4/10 To receive any other items of urgent business**

**Update to the Pegasus planning application which had recently submitted amended plans:**



Initial proposals for the redeveloped Pegasus site was to include seating and observation points. These have not been realised and it was felt this was a missed opportunity. The Director of Planning and Resources assured members that the amendments were only on the elevations of buildings within the site and did not affect access elements.

**Clarification regarding the Ludham footpath and whether a different approach could have seen the path installed and opened sooner:**

As there was no landowner agreement in place before negotiations, the Broads Authority would have had to prove the need for the path and go through a Public Enquiry (which involves advertising of the route, making a new creation order and then gathering any objections to the footpath being created). As the process is long-winded and expensive and there is no guarantee that the outcome would be favourable, it was not considered a viable option. It was also not felt at that time that sufficient evidence could be found to demonstrate long-term use. There was usually only a 50% success rate with Public Enquiries of this sort.

**4/11 To note the date of the next meeting**

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

The meeting concluded at 5.00pm.

Chairman