

Broads Authority

26 July 2019

Agenda item number 15

Permissive path at Reedham

Report by Director of Operations

Summary

A section of the Wherryman's Way long distance footpath at Reedham, used by agreement with the landowner, was closed for safety reasons in 2015 after an inspection by Broads Authority officers. The Broads Local Access Forum has recommended that a public footpath should be created over this route.

Recommendation

Broads Authority officers continue discussions with Norfolk County Council and Reedham Parish Council to find a collaborative solution to this missing permissive path link.

1. Introduction

- 1.1. For some time, Reedham Parish Council has been negotiating with the landowner of a closed section of the Wherryman's Way long distance footpath at Reedham, in an attempt to finalise an agreement to allow work to start with a view to reinstating the permissive route.
- 1.2. At the Broads Local Access Forum (BLAF) meeting on 5 June 2019, BLAF members were updated on the progress of the negotiations and took the view that they were unlikely to succeed. They resolved to recommend to the Broads Authority that it should create a public footpath over the route and propose to the Norfolk Local Access Forum that it write in similar terms to Norfolk County Council (see copy of formal letter from BLAF Chair in Appendix 1).
- 1.3. Norfolk County Council and the Broads Authority are required under the relevant sections of the Countryside and Rights of Way Act to 'have regard, in carrying out their functions, to any relevant advice given to them' by their Local Access Forums. 'Having regard' means that, although not bound to follow such advice, the Council and Authority are required to take it into account in carrying out their functions.
- 1.4. The Council, as the Highway Authority, and the Authority have powers, by way of a public path creation order under the S26 of the Highways Act 1980, to institute the creation of a public footpath or bridleway for conformation by the Secretary of State.

They have to be satisfied that it is expedient that the path or way should be created, having regard to:

- a. the extent to which the path or way would add to the convenience or enjoyment of a substantial section of the public, or to the convenience of persons resident in the area, and
 - b. the effect which the creation of the path or way would have on the rights of persons interested in the land, account being taken of the provisions as to compensation
- 1.5. Wherryman's Way is managed by the Norfolk Trails team at the Council. There are 12 circular walks on the route between Norwich and Great Yarmouth, one of them being the Reedham circular walk that includes the section of former permissive path. Each walk comes with directions, a map and ground way markers.

2. Next steps

- 2.1. Before taking any formal action, it would be advisable to liaise closely with Norfolk County Council, Reedham Parish Council and the landowner to determine the exact situation and the issues preventing this footway being repaired and opened. We would also need to understand the financial and operational implications for the Authority if more formal powers were to be used.

Author: Rob Rogers

Date of report: 20 June 2019

[Broads Plan](#) objectives: 6.1

Appendix 1 – Letter form Broads Local Access Forum Chair Keith Bacon

Appendix 2 – Map of Reedham

Appendix 1

Letter from Broads Local Access Forum Chair Keith Bacon



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2 July 2019

Dear Broads Authority

This letter constitutes formal advice from the Broads Local Access Forum (BLAF).

The Forum would like to advise the Broads Authority that it should create a public footpath under the S26 of the Highways Act 1980 in Reedham. The proposed footpath would link the right of way along the riverbank from Reedham Ferry to Station Road, in the interest of the general public. This follows the failure to achieve a Permissive Path agreement with the landowner on an important short section of the Wherryman's Way long-distance trail.

The Broads Authority is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from BLAF in carrying out its functions.

Yours faithfully

A handwritten signature in blue ink, appearing to read "K Bacon".

Dr Keith Bacon
Chair, Broads Local Access Forum

Appendix 2

Map of Reedham

