



The Broads

Local Access Forum

Wednesday 07 Sept 2016

2.00pm

Yare House

62-64 Thorpe Road, Norwich

AGENDA

Wednesday 7 September 2016

2.00 pm

	Page	Time
1. To receive apologies for absence and welcome to new members		2.30
2. To receive declarations of interest		
3. To receive and confirm the minutes of the meeting held on 8 June 2016 (herewith)	1 – 9	2.40
4. To receive any points of information arising from the minutes		
5. Norfolk County Council update Presentation by Norfolk County Council representative		2.55
6. Norfolk Rights of Way Improvement Plan and Strategic Review Report by the SWRO (herewith)	10 – 12	3.10
7. Wherryman's Way update Report by the SWRO (herewith)	13 – 17	3.30
8. 'Access all Areas' video Video presentation		3.45
9. Registration of unrecorded rights of way - Deregulation Act 2016 Presentation by the SWRO		3.55
10. River Wensum Strategy update Report by Vice-Chairman (herewith)	18 – 19	4.15
11. Broads Forum updates Broads Forum representative to report		4.25

	Page	Time
12. To receive any other items of urgent business of which notice has been received. If any member has any item they wish to raise, please let the Local Access Forum Secretary know as soon as possible after the receipt of the agenda.		4.35
13. To note the date of the next meeting Wednesday 7 December 2016 at 2.00 p.m.		4.45

Details of the membership of the Broads Local Access Forum are enclosed for your information.

Broads Authority
Broads Local Access Forum Members

Name	Address	Phone No	Email	Interest
Keith Bacon	Woodcroft Wood Street Catfield Gt Yarmouth, NR29 5DF	01692 581314	keithbacon@keme.co.uk keithbacon@broadland.net	Archaeology and landscape heritage
Oliver Barnes	18 Nethergate Street Bungay Suffolk NR35 1HE	01986 892074	barnes@cockrill.fsnet.co.uk	Local Authority / Waterborne recreational users
Louis Baugh	Neatishead Hall Neatishead Norwich NR12 8XX	07785 224589	lbaugh@netcom.co.uk	Landowners and managers
Liz Brooks	Heronway Norwich Road Ludham Gt Yarmouth, NR29 5QD	01692 678674	elizabeth@brooks96.wanadoo.co.uk	Equestrian riding and driving
Tony Brown	4 Clare Road Kessingland Lowestoft NR33 7PS	01502 740639	tonybrownrwt@gmail.com	Nature conservation
Robin Buxton	tbc	tbc	tbc	Landowners and managers / Tourism and local businesses
Nick Dennis	4 Lavender Way St Ives Cambridgeshire PE27 3AN	01480 382731	nickdennis1@virginmedia.com	Waterborne recreational users (canoe users)
Michael Flett	Broadmead Turf Fen Lane Ludham, Norfolk, NR29 5PH	01692 678560	mikeandjeanne@btinternet.com	Local Authority (Parish Councils)
Tony Gibbons	19 Blithewood Gardens Sprowston Norwich NR7 8PS	01603 400973	tonygibbons.ndaa@gmail.com	Angling
Dawn Hatton	'Windward' Woodland Drive Thorpe End Norwich NR13 5BH	01603 433174	stock.dawn@gmail.com	Walking / People with disabilities/Access for all

Name	Address	Phone No	Email	Interest
Alec Hartley	23 Ipswich Road Norwich Norfolk NR2 2LN	01603 452884	alecandkathie@gmail.com	Wensum River Parkway Partnership
Lana Hempsall	Southacre 21 South Walsham Road Acle NR13 3EA	01493 751562	ana.hempsall@broads-authority.gov.uk	Broads Authority
Peter Mason	7 Brick Kiln Gardens Catfield Gt Yarmouth NR29 5DW	01692 583152	peter.mason51@sky.com	Walking / Tourism and local business
Steve Read	The Anchorage Broadview Road Oulton Broad Lowestoft, NR32 3PL	07720 808715	stevereadcon@btinternet.com	Walking / Water borne recreational users
George Saunders	c/o Broads Authority Yare House 62-64 Thorpe Road Norwich, NR1 1RY	01603 413485	georgesauanders@btinternet.com	People with disabilities/ Access for all
Charles Swan	18 Woods Loke West Oulton Broad Lowestoft NR32 3DW	01502 588915	clerkoulttonparishsuffolk@hotmail.co.uk	Local Authorities (Parish Councils) / Educational establishments
Martin Symons	6 Springfields Poringland Norwich NR14 7RG	07943 734460	martin.symons1@btinternet.com	Cycling / People with disabilities / Access for all
Ray Walpole	15 Broadland Drive Thorpe End Norwich NR13 5BT	01603 300221	r.walpole05@tiscali.co.uk	Walking / Cycling
Peter Warner	10 Crouchmans Close London SE26 6ST	02086 700999	peter.warner@broads-authority.gov.uk	Broads Authority
Richard Webb	9 Bek Close Norwich NR4 7NT	01603 505362	dickwebb@talktalk.net	Walking
Christopher Yardley	Thorpe Cloud Creake Road Burnham Thorpe Kings Lynn, PE31 8HW	01328 738705	cj.yardley@tiscali.co.uk	Waterborne recreational users / Nature conservation

Secretary to the Broads Local Access Forum:
Lottie Carlton, Yare House, 62-64 Thorpe Road, Norwich NR1 1RY
Telephone 01603 610734, Fax 01603 756069, Email BLAF@broads-authority.gov.uk

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, Mrs 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

Norfolk's Rights of Way Improvement Plan Strategic Review

Report by Senior Waterways and Recreation Officer

Summary: This report provides members with a summary of Norfolk County Council's strategic review of its Rights of Way Improvement Plan (ROWIP) which covers the period 2007-2017. The report highlights that there are opportunities for the County Council to work with the Broads Authority on a range of access projects. The report also highlights that the County Council is seeking comments on its draft plan as it is keen to make sure that the new plan reflects its partners' public access-related goals and priorities accurately.

Recommendation: That members note the contents of the report and comment on the issues that have been identified in the report for inclusion in the County Council's new ROWIP Action Plan.

1 Background

- 1.1 It is a requirement of the Countryside and Rights of Way Act 2000 for access authorities to produce a rights of way improvement plan. Norfolk County Council's last plan covered the period 2007-2017 and is therefore due for review. The County Council has published a review document for the last plan and will be consulting on a new plan which will come into effect after 2017. The review document is available online <https://www.norfolk.gov.uk/out-and-about-in-norfolk/public-rights-of-way/about-public-rights-of-way>
- 1.2 Having published the review document the County Council has written to the Broads Authority and BLAF to ask if we would be willing to consider and comment on the new developing plan. The County Council has indicated that it is keen to see that the new plan reflects our public access-related goals and priorities accurately. It has also stated that the plan will provide a framework for access which will be managed by the County Council with the intention of reviewing and updating the plan as appropriate. The County Council has also asked for the BLAF's thoughts on revising the structure to reflect the advice of the Local Access Forum.

2 The Review Document

- 2.1 The review document is divided into thematic chapters covering the following issues:
- Green Infrastructure and Planning

- Health and Wellbeing
- Access for All
- Community Engagement and Volunteering
- Children and Young People
- Economic Partnership and Business Engagement
- Historic Environment
- Environment, Biodiversity and Conservation
- Coastal and Open Access
- Cycling
- Horse riding and Carriage Driving
- Mechanically Propelled Vehicles

2.2 Each chapter then goes on to look at the current situation on the ground regarding the identified issues, opportunities for development (highlighting partnership working opportunities), recommendations for action and priority short and mid-term actions. The final aim of the review is to produce a local action plan which will be based on the outcome of the strategic consultation and the review of the existing plan's aims and objectives. In order to produce this plan the County Council proposes to involve a range of partner organisations and officers with the intention of ending up with a final plan which will inform the Norfolk Local Access Forum's (NLAF) forward work programme and be integrated with cross sector/ business strategic plans and objectives.

3 Links to the Broads Authority's Integrated Access Strategy

3.1 While the review does mention the Broads Authority as a stakeholder it does not highlight a number of the major opportunities that exist for partnership working with the Broads Authority that would help to achieve the aims of the NLAF and the BLAF. There are also several areas where the Broads Authority could be mentioned in the list of organisations that Norfolk County Council could work with to achieve the priority actions identified in the document and several specific projects that could be highlighted in both the potential future projects lists and the priority actions that would deliver mutual benefits for both authorities.

3.2 In particular the chapters on Environment, Biodiversity and Conservation, Historic Environment, Green Infrastructure, Access for All and Cycling make no mention of the Broads Authority as a prospective partner organisation with regard to project delivery or any specific projects at all.

3.3 There are a number of projects that could be highlighted as opportunities in these chapters. These include sections two and three of the Three Rivers Way which has already received joint funding from both the Broads Authority and Norfolk County Council and managed to draw down £800,000 of funding from the Department for Transport, the Broadland Way route and the Broads Authority's Water, Mills and Marshes HLF funded Landscape Partnership Scheme which has the potential to provide access to and interpretation of the historic environment.

3.4 In general there appears to be significant scope for referring to partnership working opportunities with the Broads Authority in the draft Action plan particularly with regard to cycling, access to the historic environment linked to promoted trails and access to the environment and biodiversity.

4 Conclusions

4.1 The fact that Norfolk County Council is reviewing its ROWIP and is seeking the views of the Broads Authority and the BLAF on the draft plan is to be welcomed. The consultation presents an opportunity to identify and take forward projects that will deliver mutual benefits for both authorities. Moreover, the opportunity to include projects identified in the Integrated Access Strategy Action Plan or linked to themes included in the Broads Plan with commitment to partnership working on the part of both authorities gives the potential to deliver improved access for the public to Norfolk and the Broads.

4.2 Members are invited to consider the document via the link in paragraph 1.1 of this report or the printed copy included in the BLAF papers and make comments on the ROWIP review and future action plan.

Background papers:	Nil
Author:	Adrian Clarke
Date of Report:	25 August 2016
Broads Plan Objectives:	TR1, TR2, TR3
Appendices:	None

Wherryman's Way Update
Report by Senior Waterways and Recreation Officer

Summary: This report provides members with an update on the latest position regarding the closure of the Wherryman's Way at Hardley Flood on the River Chet.

Recommendation: That members note the contents of the report.

1 Background

- 1.1 At the meeting of the Broads Local Access Forum (BLAF) on 7 June 2016, members considered a report on Norfolk County Council's proposal to extinguish the section of the Wherryman's Way trail which runs on the true left bank of the River Chet at Hardley Flood. The extinguishment was considered necessary as the bank was deteriorating in condition and a bridge structure had failed at one of the breaches in the bank where water flows into and out of Hardley Flood. Aside from the effect of the County Council's proposal to extinguish the path on countryside access the report also considered the implications of the potential extinguishment on the management of the river bank, the hydrology of the River Chet and the future maintenance of the navigation.
- 1.2 The report explained that Norfolk County Council did not consider that it had any responsibility for maintaining the structure of the bank and neither did the Environment Agency as the bank was not part of the flood defences. Accordingly the County council was proposing to have the section of path stopped up and the route permanently diverted.
- 1.3 Members will recall that the report also highlighted the fact that officers had been presented with anecdotal evidence from local businesses that the deterioration of the bank was having an adverse impact on tidal flow and water levels upstream of Hardley Flood. As there was no scientific evidence to substantiate this claim the report notified members that the Authority would be installing a tidal monitor at Pye's Mill to gather data on tidal fluctuations in the River Chet.
- 1.5 Members accepted that the Authority was not responsible for maintaining banks in private ownership or public rights of way and that its main responsibility with regard to the River Chet was the maintenance of the navigation. However, in general members felt that the Authority should object to the proposed extinguishment and work with the other public authorities with an interest in the matter to see if a project to deal with the underlying issues of

the bank could be developed and funded. In reaching this conclusion members were mindful of the Authority's second purpose (*promoting the enjoyment of the Broads by the public*) and recognised the importance of walking as highlighted in the stakeholder surveys carried out for the Authority in 2014.

- 1.6 The BLAF therefore resolved to advise the County Council under Section 94 (4) of the Countryside and Rights of Way Act 2000 to place a traffic regulation order (TRO) on the route rather than extinguishing it. Members felt that the loss of the path would potentially have an adverse impact on the quality of the route of the Wherryman's Way, tourism and navigation and also advised the County Council to work with the other relevant public authorities (South Norfolk District Council, Environment Agency, Natural England and the Broads Authority) to explore the possibility of developing a partnership project to protect the route.

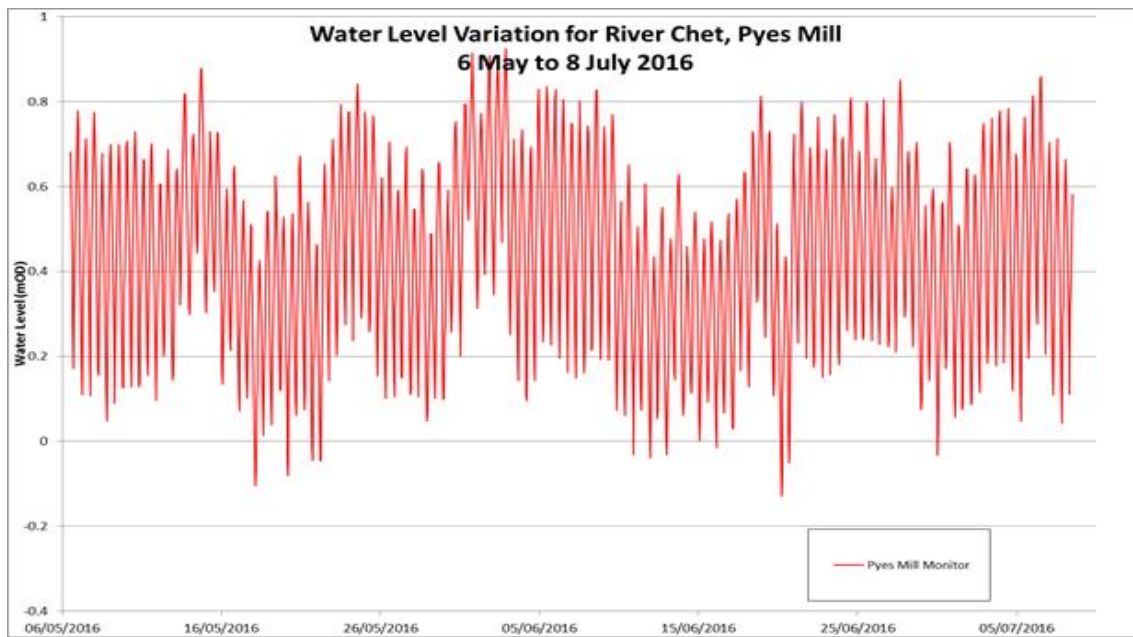
2 Current position

- 2.1 The County Council has now responded to this advice by agreeing to the BLAF's suggested approach and it is now placing a TRO on the route which will allow discussions to continue with the other authorities involved.
- 2.2 Officers have had further meetings with the County Council and suggested that a jointly funded tree and scrub clearance project should be carried out on the path to remove trees in danger of collapse on the bank in order to reduce the risk of further breaches. Scrub clearance on the front face of the bank will also encourage reed growth which will also help to provide natural erosion protection.

3 Water Level Monitoring

- 3.1 As mentioned at paragraph 1.3 the Broads Authority has received anecdotal evidence to suggest that the breaches in the bank have had an adverse effect on water levels at Loddon. The Authority has therefore been monitoring water levels at Pye's Mill since early May in order to be able to assess water levels accurately and compare tidal range in the Chet with that in the River Yare. Figure 1 shows the data for the period 6 May to 8 July.

Figure 1

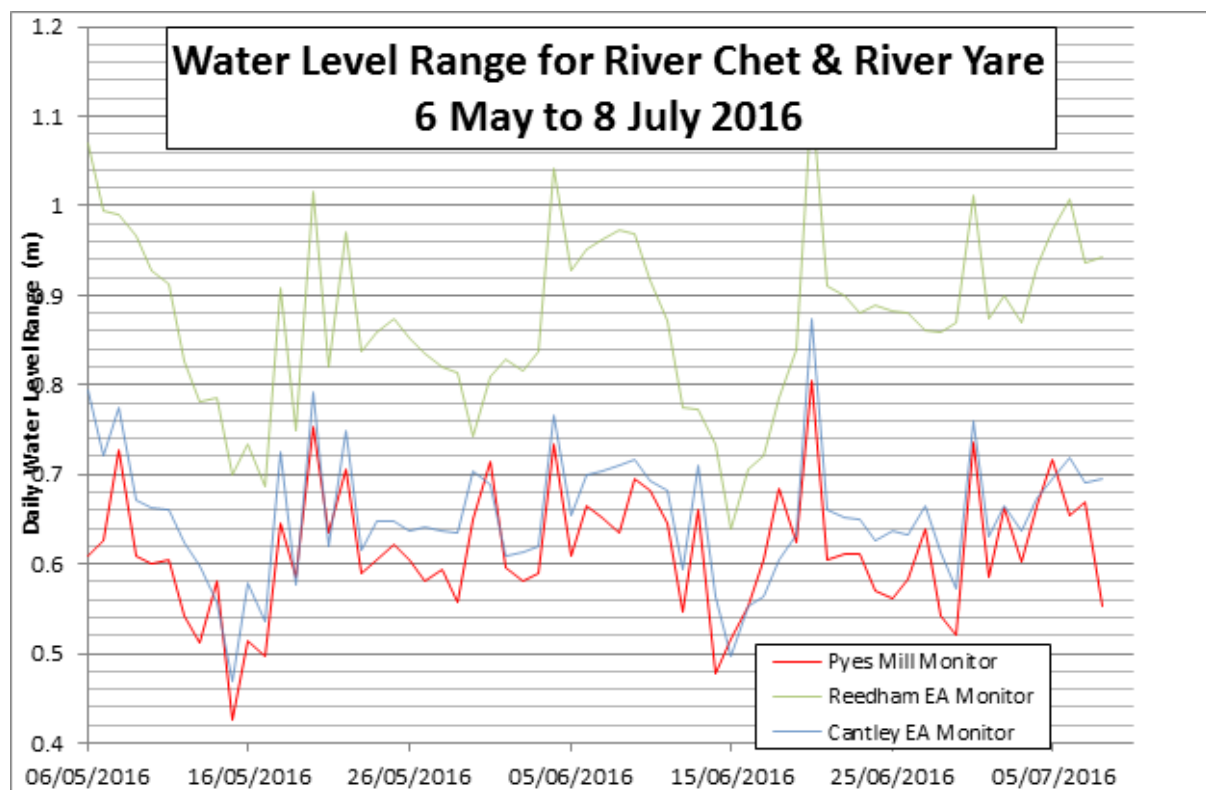


3.2 It is clear from the data that water levels at Loddon are following a typical tidal cycle of highs and lows. The plot shows that the tidal range (difference between high and low levels) varies between 0.5m and 0.8m. The actual high and low levels fit well with the tide levels given for Loddon in the 1993 Binnie & Partners Broadland Model Study, which are:

MHWS	MHWN	MLWN	MLWS
0.68mOD	0.38mOD	-0.05mOD	-0.10mOD

3.3 These data have been compared with data from the Environment Agency’s tidal monitors at Reedham and Cantley. Initial comparisons indicate that the tidal range on the Chet at Loddon is almost exactly the same as the range on the Yare at Cantley. Further, the timing of the tidal cycle at Loddon is also almost exactly the same as at Cantley. The tidal range at Loddon is approx. 200mm less than that at Reedham which is to be expected as the effect of the tide lessens as it progresses upstream. These data also indicate a 15 to 30 minute difference between tides at Reedham and Loddon (and the same for Cantley). Figure 2 shows a comparison of the data from the three monitors used.

Figure 2



- 3.4 The data gathered so far suggests that the inlets in the true left bank of the Chet which connect Hardley Flood with the river do not have a significant effect on tide levels. Further, there are no significant differences between current levels and those recorded in the Binnie and Partners Broadland Model Survey which was carried out in 1993. Neither is there a major time lag for high tide at Loddon which also indicates that the Hardley Flood inlets are having a negligible effect.
- 3.5 However, these data do not indicate what affect the connections between Hardley Flood and the Chet are likely to have on channel velocity or siltation which can only be assessed through hydraulic modelling. Modelling will also give some information on the effects of carrying out works to change the connections between the flood and the river on levels and the resulting flows through the connections. Officers feel that it is essential for modelling to be carried out in order to inform future project development and Norfolk County Council has indicated that this will be discussed at the joint meeting of the public authorities to be held in October.
- 3.6 In order to assess the level of boat traffic proceeding upstream on the River Chet the Authority's rangers have also been monitoring the number of boats mooring at Loddon. This has shown that Loddon mooring is usually full to capacity and indicates that boats are not having difficulties with channel depth.

4 Conclusions

- 4.1 The fact that the County Council has agreed to place a TRO on the route rather than extinguishing it will allow the public authorities to consider options for a project to deal with the breaches in the bank in order to bring it up to a standard suitable for continued public access. The County Council has indicated that it will convene a meeting of all the public authorities with an interest in the matter which is likely to be held in October and this will be the first stage of that process.
- 4.2 There is still a need for hydraulic modelling to be carried out and it should be recognised that funding sources will need to be identified to pay for any works to the bank as none of the public authorities have funding available to pay for such works. The TRO will allow for tree clearance to be carried out and as dredging takes place the Broads Authority will seek landowner permission to place material dredged from the river on to the bank which can be used to bulk up the bank.
- 4.3 In the meantime there is a diversion in place and flood defence works are currently taking place on the section of the route that runs from Pitt's Lane Chedgrave to Chedgrave Common. These works include the construction of an easy access path and once they are completed it should be possible to reopen the section of the route that run up to Hardley Flood.

Background papers: Nil

Author: Adrian Clarke
Date of Report: 25 August 2016

Broads Plan Objectives: TR1, NA1, NA2

Appendices: Nil

River Wensum Strategy Update
Report by Vice-Chairman

Summary: Following on the report from the Senior Waterways and Recreation Officer on March 2, this report provides another update on progress by the River Wensum Strategy Partnership.

Recommendation: That members note the content of the report.

1 Background

- 1.1 Not to repeat too much of Adrian's last report, it is still worth reminding members that the River Wensum Strategy (RWS) is being developed by a Partnership consisting of Norwich City Council, the Broads Authority, Norfolk County Council, the Environment Agency and the Wensum River Parkway Partnership. Its purpose is to deliver a strong vision for the future of the river corridor within the City Council's boundary and Whitlingham Country Park to maximise potential for regeneration, in particular by: encouraging greater access to, and activity on the river; improving its environment, heritage and biodiversity value; stimulating appropriate development including leisure and business opportunities; also addressing social inequalities where relevant.
- 1.2 The strategy will consist of a set of integrated proposals to cover a period of approximately ten years. These projects will be included in a **strategy plan** and those deemed deliverable in the short to medium term will also be included in an **action plan**. Work is in progress to identify these projects.

2 Roles and Responsibilities

- 2.1 As reported previously, the RWS will also provide public clarification about who does what, also what powers the individual partner authorities have. Businesses, organisations, boatowners and members of the public will be signposted to relevant organisations and service areas for a range of functions including planning, navigation, property management, flood risk management, angling, boat mooring, biodiversity, ecology, water supply, leisure and tourism and maintenance of the riverside walk and open spaces.

3 Delivery

- 3.1 The RWS will propose a delivery body: i.e. a structure to deliver individual projects, oversee and monitor progress and identify and bid for funding. The development of a costed and feasible set of projects, agreed by all partner

authorities, will make it easier to mount bids for Community Infrastructure Levy cash and other sources of external and partnership funding.

- 3.2 Work on individual projects is in progress. Individual Project Initiation Documents (PIDs) are being drawn up for a series of projects. These PIDs include feasibility assessments, cost estimates and likely sources of funding. A full list of projects will be included in the **action plan** published as part of the strategy document.
- 3.3 Thanks to Broads Authority expertise, an interactive map is nearly complete which will plot existing and potential river usage e.g. sites for moorings, angling, biodiversity enhancement and all proposed projects. This will be placed on the RWS webpage when consultation starts.
- 3.1.1 The structure of the report itself is being finalised. Each of the major partners has contributed individually themed chapters – the Environment Agency, for example, writes on biodiversity and the ecosystem, the County Council on general access, footpaths and the Riverside Walk and the Broads Authority (i.e. Adrian) on leisure – though we are still debating on his title, since most of his proposals relate more to practical activity access, moorings and small craft launch points.
- 3.1.2 Before the strategy document goes out for public consultation the RWS team will consult major stakeholders (e.g. the Cathedral, Great Hospital, Jarrolds, anglers, the Broads Society and of course the Broads Local Access Forum). Due to the complexity of the work the timetable for this has slipped slightly, and the consultation is now likely to take place towards the end of the year. If members wish to be consulted in advance of the public consultation, it may be necessary to call a special BLAF meeting.

Background papers: Nil

Author: Alec Hartley
Date of Report: 10 August 2016

Appendices: Nil