

***NOTE:** In the case of non-members, this agenda is for information only

DEREHAM TOWN COUNCIL

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21st September 2023

To All Members of the Heritage and Open Spaces Committee

Councillors A Brooks, K Cogman, P Duigan, A Greenwood, H Jones-Seymour and P Morton.

Dear Councillor

You are hereby summoned to attend a meeting of the **Heritage and Open Spaces Committee** at the Memorial Hall, Dereham on **Tuesday 26th September 2023** upon the rising of the Recreation Committee meeting to consider the items on the Agenda below. All Councillors are welcome to attend the above meeting even if they are not a member of the particular committee.

Yours faithfully

A N Needham

Mr A N Needham
Town Clerk

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Council.

AGENDA

1. To receive apologies for absence.
2. **Declaration of Interest**
In accordance with the Localism Act 2011, Members are asked at this stage to declare any Disclosable Pecuniary Interests or Other Registerable Interests; as defined by the Code of Conduct adopted by the Council. Councillors shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of those interests. Failure to disclose any Disclosable Pecuniary interests or to knowingly give false or misleading information is a criminal offence under section 34 of the Localism Act 2011.
3. To receive and discuss report from the Footpath Warden.
4. Exclusion of press and public
To pass a resolution to exclude the Press and Public from the meeting on the grounds that the Business to be transacted is confidential and publicity would be prejudicial to the public interest.

5. To consider draft letter to Norfolk County Council regarding obstruction or PROW.



Community Access Warden report for the Heritage and Open Spaces Committee meeting on 26 September 2023

Many of the activities described in this report have drawn extensively on the support of colleagues within Dereham Walkers are Welcome. The following abbreviations are used:

FP - Footpath; BR - Bridleway; RB - Restricted Byway; NCC - Norfolk County Council; BDC - Breckland District Council
DTC - Dereham Town Council; PRoW - Public Rights of Way; WaW - Walkers are Welcome

Requested action

1 General report - led walks

Since June, WaW short walks have continued on the first Friday of every month and are planned to do so through 2023. Our 'Easy Tuesday' walks have also continued and seem to be meeting a small but specific demand. We have also a few longer walks, including two always popular walks: one using the Mid-Norfolk Railway to travel to Thuxton and walk back, ending with discounted tea and cake at the station refreshment rooms, and the other the 'garden party' walk, which ends with tea/coffee and home made cake in a garden kindly provided by a supporting couple - who also managed to ensure good weather. Just completed is our entry into this year's Heritage Open Days programme - a walk taking in a number of places around the town, many of which were open for HODs in their own right; we are pleased to have been able to use this to promote Dereham to its residents and visitors. Still to come is another linear walk, using a Konect bus out to Mattishall, and walking back.

2 Path issues

- 1 **FP2** - No change and none expected without further pressure. The response from the Countryside Access Officer was raised through Norfolk Local Access Forum as it seemed to indicate a lack of intention to address the problem on the path, but there has been no further response from a higher level of management. I understand that DTC has instructed solicitors in this matter and will continue to press this issue.
- 2 **RB3** - No change and none expected without further pressure. The response from the CAO was raised through Norfolk Local Access Forum as it seemed to indicate a lack of intention to address the problem on the path, but there has been no further response from a higher level of management. I understand that DTC has instructed solicitors in this matter and will continue to press this issue.
- 3 **FP6** - To make a change from reporting a problem, I would congratulate the landowner of the field behind Eting Green for making a perfect path through the maize crop. Contact had been made some years ago when the path had not been made; this led to a very positive response and the path has been reinstated to a high standard every year since, particularly important when crops like maize

DTC to press NCC for action

DTC to press NCC for action

no action at this time

Requested action

or oil seed rape are grown. It's not a major problem, but a small issue has arisen where this path goes through the garden of a house at Ething Green. The path has not followed the legal line (along the edge of the property boundary) for some years, but it has always been possible to follow it fairly closely. Over the last couple of months, shrubbery has grown which obstructs that route, forcing walkers closer to the house; not a problem for walkers, though may be less welcome to the residents. I have reported this to NCC asking it to speak to the house owners, though am not too optimistic, having only recently received a response to an unrelated report submitted through its system on November 2022.

4 **FP12/12a** - When the bypass was built, FP12 was severed, so the formal public right of way ceased to exist along the land owned by Neatherd, including the underpass. I note from Council minutes (8 August) that National Highways would be carrying out work on the underpass between December and February to try and establish why it continues to flood. As this is a major walking route it would be helpful to know (1) more precisely when work would be undertaken, and (2) that the work would not involve closure of the path.

to note

5 **FP14** - I have not recently checked whether the tree on this path has been removed.

to note

6 **FP14a** - I await progress on this by NCC to repair/replace the damaged boardwalk.

await NCC

7 **RB32 (Shillings Lane)** - Is there any update on getting the surface of the remainder of this byway improved, and extended to crossing The Neatherd?

to note

8 **FP34** - The northern section of the part of this path running alongside the stream is prone to extreme muddiness in wet weather; NCC is aware of this, but has no resources as yet to take any steps to deal with it (and would require a number of permissions to do so). I have asked for the part of this path that leaves the boardwalk to run through the woods to meet FP18 to be added to NCC's contract for cutting as parts of it can easily get overgrown. Contracts are to be relet in 2024 and I am told it will be considered then.

to note

9 **RB37** - This byway is currently in a much improved state with vegetation and rubbish cleared. In earlier exchanges, the NCC CAO had stated that they would press National Highways to rebuild the fence separating the A47 layby from the byway once all other work was completed and I will seek to follow this up.

to note

10 **New path linking RB39 with Hurn Road** - No change since last meeting. At the Town Clerk's suggestion, I submitted a request for enforcement action by Breckland District Council in regard to the lack of a means of ensuring maintenance of the path. The condition concerned is: "The

DTC to consider any action it can take

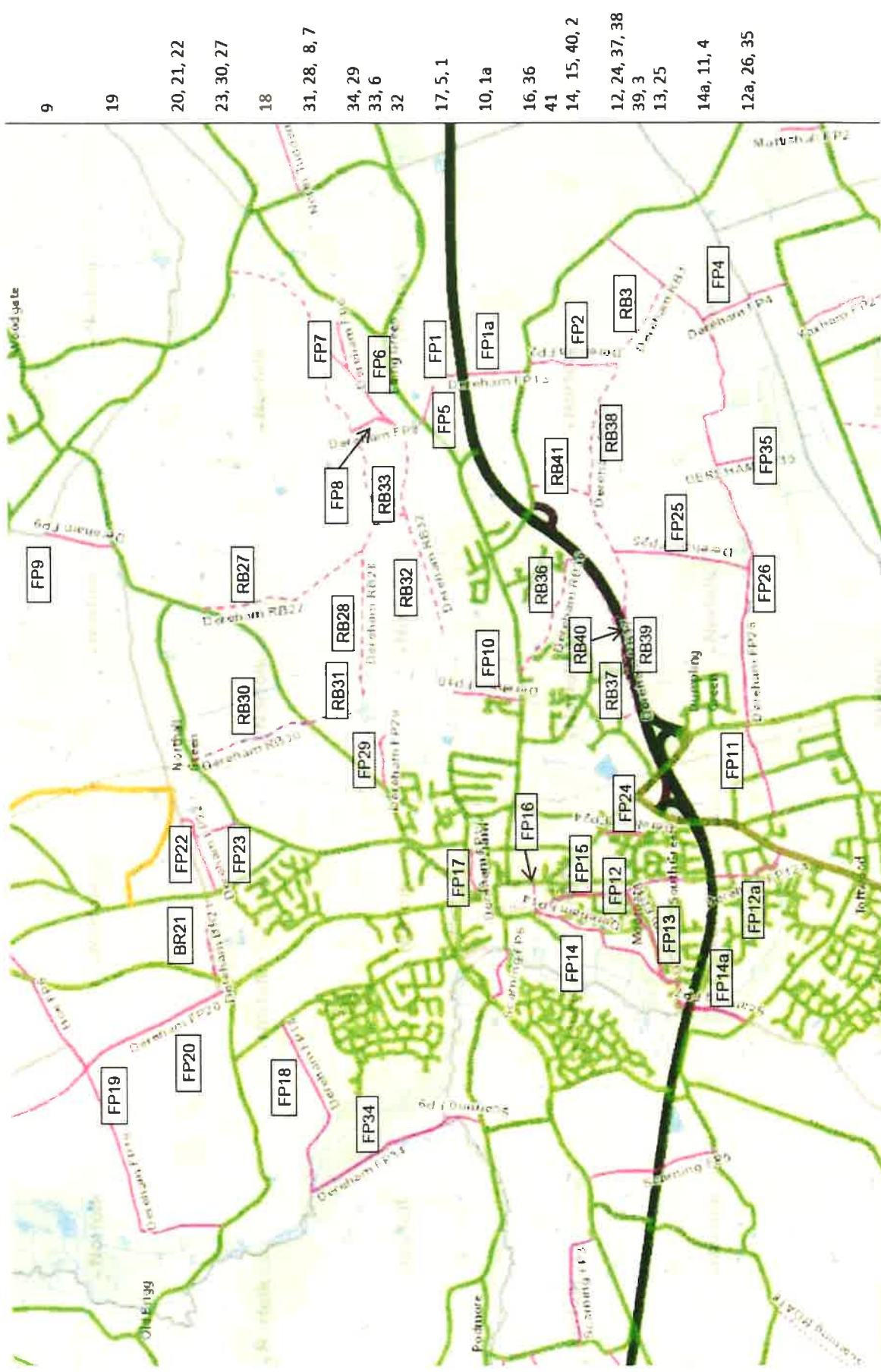
Requested action

pedestrian footpath to the eastern and southern perimeter of the site shall be permanently made available for all members of the public upon the development first being brought into use and retained as such in perpetuity. Reason for condition: In the interests of retaining pedestrian links within the vicinity. This condition is imposed in accordance with the requirements of Policy". My complaint is: In practice, although a walking route is available outside the boundary fence of the property, it is unsatisfactory for two reasons: (1) there is no guarantee (such as dedication as a public right of way) of it being available 'in perpetuity'; (2) no one is identified as having responsibility for preventing vegetation growth from the adjacent property which partially obstructs the path, nor for improving the uneven nature of the surface of the path, which currently constitutes a tripping hazard for users. After a number of follow up emails I have a recent reply from BDC saying two main things - (1) their "assessment is medium, meaning other investigations may take precedence. ... Our Key Performance Indicators set a period of 12 months to resolve investigations." and (2) when I have questioned why BDC is seeking and waiting for information (what information?) from NCC, I am told "Whilst you may seek a fuller explanation regarding our investigations there are aspects that must, for the time being at least, remain confidential." In the meantime, when I last looked, the path continues to be very overgrown.

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| 3 | <u>Other work</u> | |
| 3.1 | The further 5000 copies of our booklet of short walks have now been produced, just in time as the previous stock is now exhausted. | to note |
| 3.2 | A second print run of the Wayfinding leaflet is almost ready to be done, incorporating the extra signs installed since the first run was completed. | to note |
| 3.3 | The public talk on 24 July at the Library about Dereham's rights of way went well, though to quite a small audience. There was some suggestion of holding another one at some time. | to note |

Ken Hawkins, Community Access Warden, Dereham Town Council

13 September 2023



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