

# DEREHAM TOWN COUNCIL

28<sup>th</sup> January 2020

At a meeting of the Heritage & Open Spaces Committee held in the Assembly Rooms on **Tuesday 28<sup>th</sup> January 2020** upon the rising of the Plans Meeting.

**Present:** Councillors P Duigan (Chair), C Bunting, L Monument and P Morton

Also in attendance: Town Clerk Tony Needham, Deputy Town Clerk Jillian Barron, Footpath Warden Ken Hawkins and aboutDereham Carolyn Coleman.

1. **To receive apologies for absence.**  
Apologies for absence were received from Councillors A Brooks and K Grey.
2. **Declaration of Interest.**  
Councillor P Morton declared that he is a resident of the Neatherd.
3. **To receive a report from the Footpath Warden.**  
The Footpath Warden Mr K Hawkins presented his report to the committee. He continued by advising the Committee that he would be writing to Highways England requesting that work be carried out on a section of land within the limits of Restricted Byway 37 and the A47 which is infested with rubbish and more substantial items, making it very unpleasant experience for users of the Restricted Byway.  

The committee recommended that the Town Council also write to Highways England confirming their support for the Footpath Warden
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4. **To receive a report from About Dereham regarding signage.**  
Carolyn Coleman from aboutDereham presented her report regarding new signage in Dereham. The proposals for the new signage were discussed and the committee thanked Carolyn for all her hard work.
5. **Update of footpath matters.**  
There were no updates.
6. **To discuss Neatherd track.**  
In June 2019 the Council considered issues around the long term maintenance of the Neatherd track. Dereham Town Council own the Neatherd, Breckland Council have some management responsibilities and are liable for any injury on the Common.

Nobody is responsible for maintaining the track but everybody who has rights over the track along with Breckland Council (as managers) and Dereham Town Council have powers to maintain. The Town Council carries out periodic 'scrapes' of the track to try and keep it in a reasonable state of repairs.

The committee recommended that the Town Clerk contact Norfolk County Council to establish the legal status of Neatherd track.

The committee recommended that a survey be carried out to understand the car usage of the common. The survey to be carried out for one day during the week and one day at the weekend. This can be carried out immediately and repeated when the weather improves.

The committee recommended that Breckland Council be informed on the condition of the track as they maintain the common and are responsible for public liability.

This item would be brought back to committee when more information has been gathered.

7. **Walking and cycling strategy-verbal update.**

The Clerk updated the meeting that Norfolk County Council were progressing the plan very well and that there will be more walking aspects of the strategy than was originally anticipated. It was hoped that the strategy will be available for public consultation in April and given the time scales would form part of the evidence base for the Neighbourhood Plan.

8. **To consider request to graze Etling Green northside.**

A request has been received from Mr Canham to graze animals on the North side of Etling Green. Mr Canham has been grazing sheep on the South side of Etling Green for 2 years with no problems or concerns.

Temporary fencing will need to be erected to contain the animals, being a registered Common, fencing would normally require consent from the Secretary of State under section 38 of the Commons Act 2006. The Works on Common Land (Exemptions) (England) Order 2007 (SI2007/2587) however, defines a number of classes or restricted works for which section 38 consent is not required. One of these exemptions is the temporary fencing for the purpose of grazing animals, provided the fenced area does not total more than 10% of the registered common and is not in one place for more than 6 months

The committee recommended that the Council issue a grazing licence to Mr Canham for the North side of Etling Green with the following conditions:

- The fencing does not exceed the limit laid out in the Works on Common Land (Exemptions) (England) Order 2007 (SI 2007/2587)
- That the exception notice is displayed.
- He carried public liability insurance.
- No fertiliser or pesticides are applied
- The licence is annual and needs to be applied for every year.
- Does not obstruct FP6 in any way.

Chairman