

Footpath Warden report for meeting 28 July 2015

1 Footpaths update and specific path issues

1.1 Survey

I have as usual walked all rights of way in the town (several times!) since the last meeting. Updates are recorded on the accompanying 'State of Dereham Paths' report, while dates of actions since my last report are highlighted in green. The majority of actions are either affixing waymarking disks, reporting issues to NCC or undertaking clearance work (nettles, brambles and small bushes). Other actions are reported in 1.2 below.

1.2 Specific footpath issues

Attention is drawn to some specific issues, particularly regarding the priorities identified at the Heritage & Open Spaces Committee meeting on 24 February 2015.

- 1 FP1a (past issues in reinstatement of path after ploughing/cropping): At the April meeting, it was noted that a clear path had been made along the correct line through use of a tractor to flatten two wide tracks. As the crop grew, this path became more overgrown, until it presented a major problem. I contacted Victoria Buckingham at NCC, who contacted the farmer, who in turn cleared an excellent path within the week.
Action proposed: KH to continue monitoring
- 2 FP2 south section (reinstatement of path after ploughing/cropping): The low crop has been cleared from the line of the path along most of its route.
Action proposed: KH to continue monitoring
- 3 FP2 north section (full provision of field edge path): A less than satisfactory path remains, though it is possible to walk in the adjacent ploughed 'gutter'. Photographs have been sent to Victoria Buckingham at NCC as requested.
Action proposed: KH to continue monitoring
- 4 RB3 (reinstatement or diversion required): As reported in April, a Freedom of Information request asking about what actions had been taken or were planned produced the response: "*A notice (part A) was issued in 2013 to the land owner which has been disputed. This dispute has history ... to some degree on the basis that the restricted byway is 'land locked' by footways and private tracks. No alternative plans have been made concerning RB3. RB3 is likely to be a longer [than this financial year] term resolution.*" Nothing further has happened so far as I am aware, and a phone call to Victoria Buckingham indicated that this was 'not on the NCC radar at present'.
Action proposed: DTC/KH to seek discussion with NCC
- 5 FP6, FP7 (reinstatement required), RB28 (removal of obstruction and clearance): The above reported Fol request also covered these paths. The response was: "*Norfolk Youth Offending team were given permission to undertake 'voluntary' cutting of sections of RB28 particularly to the east. FP6, FP7, RB28 land owner was written to and met on site to discuss items such as electric fences and barbed wire. Further follow up was made, as wire fence was removed as a consequence of this as requested. However this was then replaced by wooden fence on RB28. This is*

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currently the subject of ongoing discussions/enforcement with the landowner. Suggestions have been made to the Town Council and local County Councillor that a more local approach indicating the desires of local walkers and residents may receive better co-operation in the case of FP6, FP7 and RB28 as the owner appears to be amiable, albeit does not always execute remedies in the best manner (ie such as signing indicating that walkers should respect his land but also on same sign indicating that it is private land). Sections of the PRowWs are unavailable for use unfortunately due to obstructions such as the fencing. It is hoped the more local approach could improve the situation in terms of RB28, FP6 and FP7 this financial year.” Paul Sellick of NCC had promised to provide information about the landowner/farmer last year, but has not done so.

(a) FPs 6 and 7: I have discussed the situation with Victoria Buckingham of NCC, who states that FP6 can be walked from Etling Green through the garden of one of the houses, but is then blocked by electric fences to keep horses or cattle contained. FP6 also ends at a track which is not a public right of way, so she sees it as of little priority. (DTC has identified this track as one for which a claim could be made in future.) FP7 branches from FP6 in the middle of the fields which cannot be accessed, and ends on RB28, though its course is no longer evident.

Action proposed: DTC/KH to seek discussion with NCC

b) RB28: Victoria Buckingham of NCC, tells me that she has noted issues with the farmer, but would review and visit again. I have obtained provisional agreement from The Ramblers to take either or both of two actions - (1) to provide funding towards clearance work, and/or (2) to arrange volunteers to undertake the clearance. I am currently establishing whose land the path is on in order to seek appropriate permissions. I have twice walked the obstructed section of RB28 recently, and found it passable apart from the 15m or so immediately to the east of Rookery Farm, which was blocked by trees and growth requiring heavier duty clearance. Unhappily, the wire ‘gate’ across the path at the cowshed was again present on the last occasion.

Action proposed: DTC/KH to seek discussion with NCC

6 RB27 (misleading signage and gate at north end): A letter had been proposed to remind the landowner of the fact that this route was a restricted byway open to any legitimate user, and that, as such, it would be unlawful to erect a gate across it. I have spoken to Victoria Buckingham at NCC, who has told me that she has spoken to the landowner. He has explained that he has experienced antisocial behaviour down the track from 4x4 drivers and others, so erected the gate in order to lock in offenders while the police were called, and it would not be closed for any other reason.

Action proposed: DTC to send a revised letter to confirm this position

7 **Overall action proposed:** convene a meeting with relevant NCC staff to take matters forward, as many seem to be making little or no progress. See also items 1.3, 4, 5 and 6 below.

8 RBs 28, 32 and 33: To report any progress on discussions with Breckland DC regarding the byelaws governing Neatherd Moor and Etling Green, to

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provide context for deciding the best approach to whether these should be promoted as restricted byways, compared to their current use largely as footpaths.

Action proposed: once the process for confirming/reviewing byelaws is agreed and being implemented, to consider whether RBs 28, 32 and 33 should be promoted as restricted byways.

1.3 Fingerposts and waymarkers

[Appendix 1](#) Ken Hawkins agreed at the last meeting to prepare a full report identifying exact proposed locations for this meeting. I will bring this on the night.

2 **Claims for paths not currently recognised as rights of way (RoWs)**

I have contacted NCC regarding initial evidence, and have been advised to seek more; which I have added to my 'to do' list.

Action already agreed: me to prepare outline claims submission, and to meet with Tony to prepare plans to collect user evidence, but hold off applying until the new process is clear.

3 **Badley Moor**

Awaiting the installation of the kissing gate promised for 'July or August'.

Action already agreed: if not installed by 31 August, DTC to pursue the already agreed legal action.

4 **InterACTIVE Walking in Dereham**

I have developed details of 4 walks, plus a general leaflet, ready for distribution. (Draft copies are attached)

[Appendix 2](#) outlines my updated plan for implementation.

Actions proposed: (1) to consider and if appropriate agree the Implementation Plan (see also item 5 below), and (2) to add this to the agenda of the proposed meeting with NCC to seek agreement to ensure paths featured in the walks will be kept in good condition.

5 ***Walkers are Welcome***

Work on *Walkers are Welcome* has taken second place to developing the InterACTIVE walks pack, though this was an essential precursor. There are three Norfolk holders of this status - Aylsham, Cromer and Swaffham. I have contacted people the first two, and this has proved very helpful, but gather that Swaffham is experiencing some difficulties. I have also met with Helen Timson, Trails Officer (Development) for NCC to get her support.

I am aware that the Town Council has adopted a resolution of support for its public rights of way, and agreed to pay the initial subscription fee for *Walkers are Welcome*, and am very grateful for both of these.

I now plan that work on this is integrated with the InterACTIVE work, and have built plans into the implementation plan in [Appendix 2](#).

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6 Path cutting and clearance

Walking the town's paths since April has largely confirmed the list of paths requiring maintenance as proposed at the last meeting. That list is reproduced below, with additional comments.

Path or section	comment
FP1/1a - short sections either side of A47	KH can undertake these
FP8 - south section alongside gardens	KH can undertake this
BR21 - east end only	KH can undertake this
RB27 - last few metres at south	KH can undertake this
RB28 - east of FP8 to junction with farm track, and west of RB31 (in addition to section 'allocated' to NYOT and that needing major clearance)	If available, NYOT could continue to look after this once it has been brought into serviceable condition
RB30 - cleared last year, but susceptible to overgrowth	KH can undertake this if better equipped
RB31 - cleared last year, but susceptible to overgrowth	KH can undertake this if better equipped
FP34 - section immediately north of sewage works	has not been a problem this year, but KH can undertake this

I have also made contact with a member of the Dereham Air Cadets, who thought that they might be able and willing to offer time.

Action proposed: to discuss with NCC, then (1) make approaches to NYOT and other groups who might clear relatively light growth, and (2) equip and permit KH to undertake this work.

7 The wider context

I await with interest the attendance of Hilary Cox as Cycling & Walking Champion.

Ken Hawkins
Footpath Warden, Dereham Town Council

July 2015

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Appendix 1: Fingerposts and waymarkers

In response to the request for NCC to provide fingerposts for DTC installation, Paul Sellick had replied: "As you are aware we do not have a problem in continuing to supply you with way marker posts. However I am unable to agree to local representatives installing the finger posts in the highway verge, as I can foresee issues with permitting and more importantly health and safety surrounding the possibly of underground utilities. We will continue to install the fingerposts where identified as necessary, however as discussed previously there is a resource constraint on how many and how quickly we would install, once agreed by my inspector."

I estimate that 5 fingerposts are needed (over and above those agreed by NCC) for FP10, FP17, FP19, BR21 and FP26.

I estimate that up to 15 wylms are needed for FP4, FP5, FP8, FP10, FP12a, FP14, FP14a, FP17(2), FP18/34, BR21, FP25/26, FP26/35, RB27 and FP34.

I will bring a full report on the night.

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Appendix 2: InterACTIVE walking and *Walkers are Welcome*

“The primary aim of the [InterACTIVE] project is to produce leaflets and posters for widespread distribution to raise awareness of the existence of Dereham’s 35 public rights of way, to encourage their full appropriate use. These will be supported by one or more guided walks using those rights of way.

“A second aim is to work towards securing *Walkers are Welcome* status ...”

InterACTIVE Walking in Dereham: Implementation Plan

date	action
May	<ul style="list-style-type: none">• write text for leaflet• work out mapping needed, and source• find someone who could provide art work for leaflet• find suitable printer
June	<ul style="list-style-type: none">• follow up contacts for <i>Walkers are Welcome</i> - Aylsham, Cromer, Swaffham, <i>Walkers are Welcome</i> ‘central’
July	<ul style="list-style-type: none">• establish possible members for <i>Walkers are Welcome</i> ‘committee’• finalise leaflets• plan walks• arrange publicity for walks
August	<ul style="list-style-type: none">• seek a meeting with NCC Trails, NCC Highways, Dereham Society and possibly Open Spaces Society, to note the work under interACTIVE funding, in particular that we will be publicising the rights of way in the town, so wish NCC to commit to any necessary action to deal with footpath problems and set up maintenance to stop them recurring.• print and distribute leaflets• use leaflets to seek support for <i>Walkers are Welcome</i>• apply for Associate WaW membership and get mentor• run one or two walks (possibly repeating each one on a Saturday and a Sunday)• run further walks if possible
September	<ul style="list-style-type: none">• hold first <i>Walkers are Welcome</i> committee meeting
October onwards	<ul style="list-style-type: none">• build local <i>Walkers are Welcome</i> support, and, when ready, apply for full membership