



Yare Valley Society Newsletter

Issue 66

February 2005

Subscriptions—New life membership

The new year means that subscriptions are due. As you will have read in the attached letter, at public inquiries and on other occasions, we may be asked about the number of paid up members in the Society. For this reason, please return the form to the Treasurer, so that we can update our membership records. If for some reason, you no longer wish to remain a member, again, please let us know. The annual minimum subscription remains at £1 per household, with a discount if you pay for five years in advance. We have introduced a life membership fee of £10.

Annual general meeting

This will take place on Tuesday 10 May 2005 at St Andrew's Church Hall, Church Lane, Eaton, starting at 7.30 pm. After the business part of the meeting, we shall welcome a speaker from the Broads Authority. More details will be in the April newsletter.

Spring walk

Another date for the diary is **Sunday 24 April**, when Glenn Collier has very kindly offered to lead a walk on Eaton Common and nearby Mill area looking at birds and other wildlife. Meet at 2.30 pm at Cringleford Bridge car park. Stout footwear is recommended and do bring binoculars if you have them. If you have any questions, please ring Glenn on 01603 451193.

The Loke now a public right of way

Dr Graham Hussey, one of our members, reports:

The Loke, part of an ancient footpath, now consists of an un-adopted road starting at the beginning of Intwood Road, Cringleford, and continuing as a leafy footpath which leads to the Recreation Ground. Although the public right of way was rescinded for unknown reasons in 1828, use by the public eventually resumed and the Loke has been walked freely for at least the last half century. In 1995, following an initiative by the County Council to ensure that all local footpaths were correctly registered, the Parish Council applied for formal reinstatement of the right of way. Under the Highways Act of 1980, a right of way can be established if it can be shown that a path has been used by the public without challenge or interruption for 20

years. Evidence collected from 50 local walkers, walking groups and the Ramblers Association showed that the path had been used without challenge for up to 60 years.

The County Council took five years to consider the evidence and in October 2000 rejected the application on the grounds that from 1945 until 1993 a notice was displayed at the Intwood Road end. The notice read "The Loke Private Road 5mph". The Council contended that this showed that the owners of the road and footpath had no intention of allowing a right of way to be established. The County Council also contended that another notice stating "Private" had existed further along the Loke, a claim contested by the Parish Council. The Parish Council appealed, pointing out that Section 31 of the Highways Act makes it clear that the wording of any notice must clearly deny a right of way. Such a notice should read "Private. No Public Right of Way". The words Private Road are ambiguous and could apply only to vehicles and not to walkers. The Parish Council argued that the addition of a speed limit of 5 mph to the Loke notice made it doubly clear that it applied to vehicles and not walkers. The Appeal was upheld and the new Right of Way Order confirmed by the Secretary of State for the Environment. Before the Right of Way was formally reinstated however, a last minute legal objection by one of the landowners in the Loke precipitated a full Public Inquiry. This was held at Cringleford School on 10 August 2004.

At the Inquiry, 18 people testified that they had regularly walked the Loke over long periods during the past 60 years. None had been challenged by any of the landowners. The Inspector agreed with the arguments put forward by the Parish Council concerning the notice. He confirmed the Right of Way Order. The Loke has now been added to the Definitive Map of Footpaths for Norfolk.

Colney Wood Burial Park

The buildings in the Colney Wood Burial Park have recently won the category of New Building in the South Norfolk Design Awards. They were nominated by the Yare Valley Society as an example of good development in the valley.

Change in statutory planning

The familiar County Structure Plan and the various Local Plans that have set out overall planning policy for our area are being replaced by the Regional Spatial Strategy East of England Plan and Local Development Frameworks. The latter will be prepared by district councils who are already gathering opinions from various bodies in order to prepare their frameworks. The Norwich Environmental Round Table, on which the Yare Valley Society is represented, is one such body.

A draft East of England Plan has been prepared by the (unelected) East of England Regional Assembly and comments are currently invited. The policies concerned are very general but those covering environmentally sensitive areas, such as the Yare valley, do not seem to have changed significantly from previous ones. The whole Plan, however, is in a state of flux as in December, the government failed to endorse adequate funding for the proposed infrastructure. If anyone is interested to see this Plan, please contact Elaine Tucker, telephone 458657.

Newsletter distributors

Following the plea for more distributors in the last newsletter, we are extremely grateful to several members who volunteered.

More on life in the valley

Colin and Maureen Forbes have sent more observations.

On a sunny evening when the finals of some of the field events in the Athens Olympics were being shown, our attention was diverted to a large red Virgin hot air balloon moving towards us from beyond St Peter's Church, Cringleford. Other balloons had been leaving from the Bluebell Road site and heading off north as per the wind direction, so where the Virgin red started was not clear. After urgent and repeated firings for more hot air, the balloon began a steady descent towards our domain, fortunately making a gentle landfall on the water meadow midway between the river and the Equestrian Yard at the end of the Loke. The large basket with eight or more passengers was soon engulfed by a great red shroud which settled gently over them. It was not long before the follow-up long wheelbase landrover and trailer appeared, as heads and shoulders began to emerge from under the red shroud into the mass of shoulder high nettles and brambles on the meadow. Darkness descended so we were not able to see how the balloon was detached from the brambles, folded up and taken off with the huge basket, but all was gone the next morning.

The summer twilight times can be most magical when a mist forms across the water meadow and then imperceptibly builds up against the trees to the far right and then, though seemingly windless, drifts in the opposite direction. The whole scene can be heightened by the eerie grey winged outline of Henry the Heron drifting in soundlessly to land at the riverside but sometimes shattering the silence with a primordial cry

beloved of film makers when pterodactyls swoop about in cretaceous settings.

Ducks can be taken for granted but they do seem to have their comings and goings. Sometimes there is no sight or sound of them anywhere, while at other times great gatherings congregate in the shallows below a neighbours' garden and seem to be sharing great jokes by the raucous yak, yak, yaks which break out during these gatherings. There seems to be another summer period when large numbers take to going up or down stream in strict line-a-stern formation, with changes of leadership like racing cyclists.

There are two seasons when the drakes take to pestering the single females but at other gatherings, a single female has been seen to pursue a single drake, whilst rapidly stroking her beak across her breast and making odd utterances. On each occasion the drake sets off at great speed with glances behind to see if she is gaining while the other ducks in sight converge on the action in great anticipation, only to be thwarted as it fizzles out but to be hyped up again by another female starting off from another direction altogether, with the bystanders reacting in the same way.

About mid October, a pair of swans appeared with one brown cygnet. Some days later these were replaced by a single mum with two larger cygnets but by the next day, dad had joined them to have hours of 'synchronised swimming' as they all fed from the river bottom with tails extended upwards. When fed the cygnets made persistent piping demand noises. The families alternated in our reach over the weeks but never came together though there were fly-pasts from time to time. In January, after a long period of no sightings, a lone cygnet appeared and was glad of a feed but with no demand piping noises. A day or so later, a larger brown cygnet joined but would not come across with the other for a feed. They did not stay long and now a set of parents has returned alone—parental responsibilities over for this season.

Finally, almost on the dot of 1 December, our timid and secretive moorhen family, parents plus this year's brood of three, took to our grass, assiduously grazing or gleaning from dawn to dusk. Sometimes they were joined by others making as many as eight at one time. Does anyone have any ideas about this bold, winter behaviour?

We have had infrequent visits to the nut feeder by marsh or willow tits (very difficult to tell one from the other).

It would be good to hear from other members about their observations in the valley, whether it be on walks or from a particular vantage point. AW.

Articles, comments and letters for possible publication in future newsletters can be sent to Alison Ward, 20 Brettingham Avenue, Cringleford, Norwich NR4 6XG