

Norfolk County Council
County Hall, Martineau Lane
Norwich
NR1 2SG

December 20, 2018

I, Dr. David Ormerod of Mill House, 7 Mill Lane, Swaffham, Norfolk PE37 7EU hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 to modify the definitive map and statement for the area by:

- A. Establishing a multiple character highway on Black Drove, Fincham, extending as a Restricted Byway from TF 67620574 at the entrance to Black Drove on Downham Road, Fincham, to TF 68080398 at the south end of the current Black Drove opposite the entrance to Fincham Village Nature Reserve, with a Footpath extending from TF 68080398 to TF 68650405, crossing the Nature Reserve.
- B. The vehicular road currently stops at Besenel Farm at TF67810465. I suggest that it may be easier to protect the surrounding flat farmland if the present status with an unlocked gate is maintained to permit vehicular observation, and the possibility of locking it behind interlopers, but with the vehicular road ending in a parking lot outside the Nature Reserve; there might be a prohibition on overnight parking. Alternately, to encourage cars to park up at Besenel Farm, there might be a small number of spaces for public parking in front of the large storage tanks, possibly provided by the farmer in recognition of a compromise. Instead of the gate, a control structure to allow the entry of horses, bicycles, disabled carts, and horse-drawn carriages but not motorized vehicles could be considered. A third possibility would be to make Black Drove a vehicle-accessible road to its end and this flat countryside would likely be more difficult to protect. Perhaps the farmers at Raven and Besenel Farms, Hall Farm, and Albanwise could be consulted

As part of any compromise with the farming community, it may be possible to negotiate a Restricted Byway bypass of the Fincham Village Nature Reserve by creating a track just beyond the southern border of the Reserve where there is a large and traditional area that is former 'waste of the manor' for the 'poor' of West Dereham, and is not farmed. This belongs to another party, but it may be possible to find a collective agreement amongst the farmers of this somewhat remote region. See DMMO Application # EH011.

- C. Black Drove was confirmed as a carriage road at the Fincham (Stoke Ferry) Enclosure Act (1774), but was de facto blocked at its exit south when the later Wereham Enclosure Act (1818) stopped-off Skinners Lane, and possibly also the continuation south of Black Drove. A modified restricted byway would be a useful

compromise in maintaining traditional access, yet helping the farmers protect their particularly exposed landholdings.

D. It is suggested that as a basic principle involving this major old drove road, that it should at least be accessible to horses as were used in droving and coaching. The proposal in EH011 is to create Wereham FP1 ad FP2, both of which are wide, former drove roads, as a new restrictive byway creating a useful north-south route together with Black Drove, that can also easily connect with other suitable roads within a landscape comprised primarily of former extensive Commons and manorial 'waste.'

I attach copies of the following documentary evidence:

- OS 25-inch County Series, Fincham Norfolk 1956 superimposed upon an aerial view
- Finance Act (1909-10) IRS Duties on Land Values Map, Swaffham
- Screenshot: Norfolk County Council Online Right of Way Gazetteer, Fincham, 2018
- Photograph of Northern entry to Black Drove from Downham Way, Fincham, looking south. April 2008
- Photograph Looking south along Black Drove from Besenel Farm, April 2018
- Photograph of Entry to Fincham Village Nature Reserve, April 2018
- Fincham Enclosure Award and Map, 1772/1804
- Faden's Map of Norfolk, 1797
- Bryant's Map of Norfolk, 1826
- Tithe Map for Fincham parish, 1839
- Ordnance Survey Boundary Map, 1882
- Ordnance Survey First Series 25-inch Norfolk
- Swaffham Enclosure Map and Award 1863/68
- Ordnance Survey 1st edition 25-inch County Series Norfolk Sheets 57Se and 69NE composite, 1884
- Ordnance Survey Object Name Book Sheet 69NE, 1904
- Bartholomew Half-inch Map of England and Wales , 1903, 1911, 1921, 1943
- Finance Act (1909-10) IRS Duties on Land Valuation Map, Swaffham
- Status of Fincham Village Nature Reserve on the Definitive map.
- Ministry of Food National Farm Survey Map, Sheet 57.16, 1943
- Aerial View of Black Drove, 1988
- Fincham Village Council "Fincham Circular Route," 2018
- Geo-referenced INSPIRE HM Land Registry polygon data consolidated using QGIS 2.18, 2018

- Applicant's statement.

Sincerely Yours,

A handwritten signature in black ink that reads "L David Ormerod". The signature is written in a cursive style with a distinct loop at the end of the word "Ormerod".

L David Ormerod MB,BS, MSc, MBA, FRCP, FRCS, DTM&H

Applicant's Reference: EH009

Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for the County of Norfolk

Certificate of Service of Notice of Application for Modification Order

To: Norfolk County Council
Of County Hall
Martineau Lane
Norwich
NR1 2SG

I, Dr David Ormerod of Mill House, 7 Mill Lane, Swaffham PE37 7EU hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with.

Dated: 20 December 2018	Signature: 
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Applicant's Reference: EH009
NCC Reference:

Schedule of persons on whom notice was served

The owners and occupiers of the land crossed by the route known as 'Black Drove', Fincham parish in the county of Norfolk. Black Drove runs from Downham Road, west of Fincham, Norfolk, at grid reference TF 67620574, passing southwards over the former Fincham Common, to a perpendicular bend at grid reference TF 68080398, turning to the east along the parish border where, by a N.C.C Agreement approximately 20-years ago, a Fincham Parish Nature Reserve was created, and proceeding to a point at grid reference TF 68650405.

1. Raven Farm, Black Drove, Fincham, Norfolk PE33 9HQ
2. Besenel Farm, Black Drove, Fincham, Norfolk PE33 9HQ
3. Mr. Maurice Mason, Hall Farm, Downham Road, Fincham, Norfolk PE33 9HB
4. Albanwise Farming Ltd, Estate Office, Green Farm, Saxlingham, Holt, Norfolk NR25 7JX
5. Sarah Thorpe, Fincham Parish Council Clerk, 88 Smeeth Road, Marshland St. James, Wisbech, Cambs PE14 8JF
6. Letter to other interested parties in transparent cover attached to post on Black Drove close to Besenel Farm.

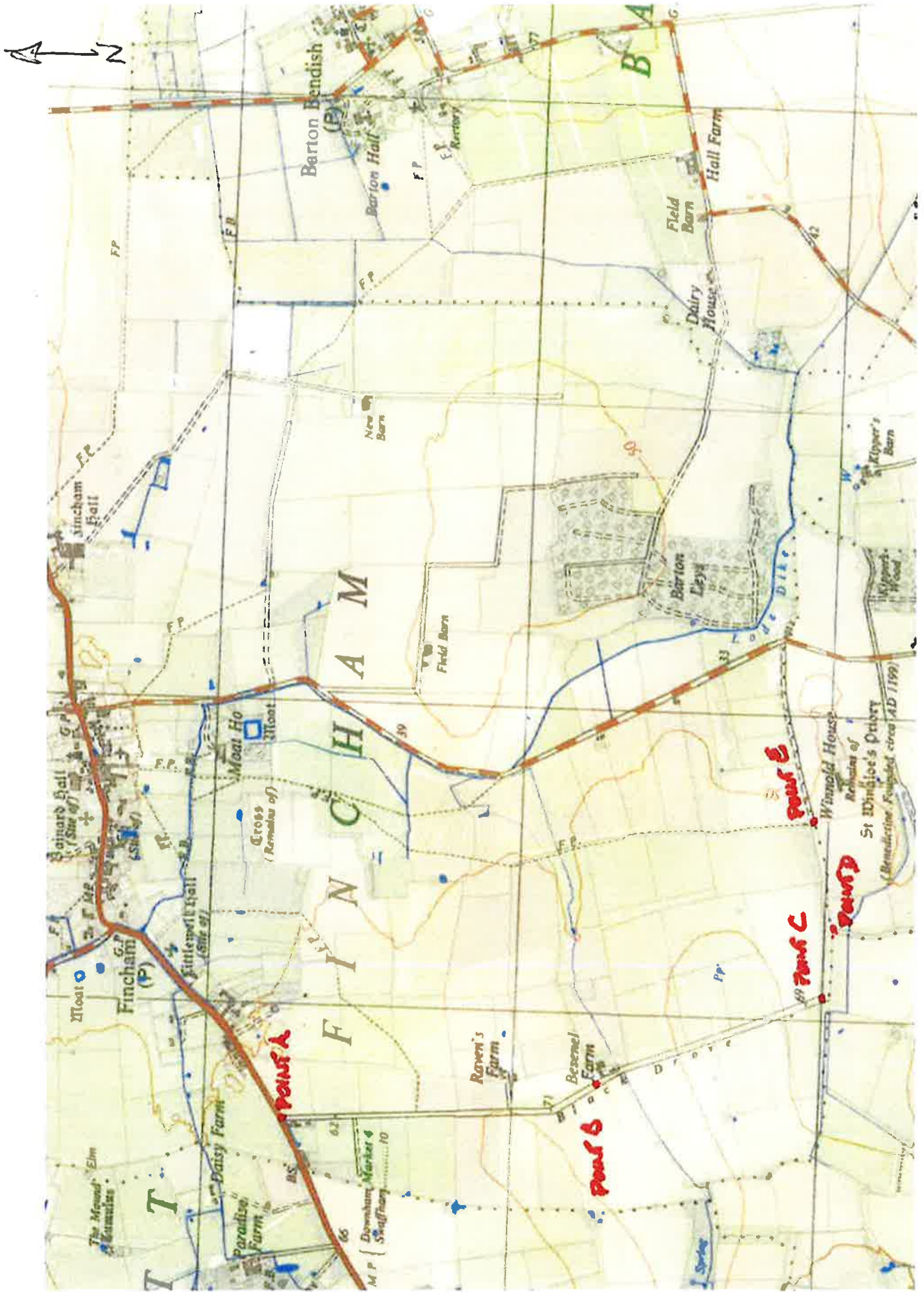


FIGURE 1. DEMANDS SURVEY 1:25,000 COUNTY SERIES MAP, NORFOLK, 1960
 SUPERIMPOSED OVER CURRENT AIRPHOTO MAP (SCOTTISH NATIONAL GRID).
 BLACK DRIVE - FORMERLY A MORE EXTENSIVE DRIVE ROAD.
 IMPORTANT POINTS - SEE TEXT FOR KEY.

● 2014.12.1

● 2014.12.2

● 2014.12.3

● 2014.12.4

● 2014.12.5

● 2014.12.6

● 2014.12.7

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● 2014.12.8