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NEWLY OPEN

EARL DE LA WARR ESTATE TAKES ON VILLAGERS... AND LOSES

Ramblers and residents of Withyham, East Sussex are celebrating as a blocked footpath across the 11th Earl de la Warr's Buckhurst Estate has been declared a public right of way following a 10 year dispute.

This long-used path, which connects Withyham centre to the village Church – 14th Century St Michael and All Angels – has been blocked since 2000 when a barbed wire fence and a 'private' sign were erected over the way. This was a surprise to many people, some of whom had used it since the 1930s.

The obstruction led to villagers complaining to Rambler Malcolm McDonnell, of the parish council Rights of Way Committee, who made a formal application for the route to be recognised as a Right of Way based on a long history of public use. For seven years the application was lodged with East Sussex County Council, who then rejected the evidence. An appeal to the Secretary of State led to a public inquiry in January of this year. The Ramblers represented Mr McDonnell and called several villagers to testify to their use of the path without let or hindrance.



"The views from the path are spectacular," wrote 66-year-old Pamela Morros, who first knew the way 60 years ago, and sent a sworn affidavit all the way from Montreal in Canada. "The walk down from the churchyard is extremely beautiful. I used it as a child and always believed it to be public. But when visiting in 2003 I was shouted at and told to leave. This path is an intrinsic part of Withyham and Withyham life – a vital, beautiful connection naturally flowing from the church to the road. I cannot see a moral reason for taking this away from the people."

Rosemary Russell, who has lived in Withyham since 1941, said: "I still live in the house I was born in, and I used the path frequently, three or four times a week to go to the church and sometimes on longer walks. As well as Sunday School and normal church services, I joined the choir and later took up bell ringing. All such visits were on foot, and the Knoll path was used as a short cut, or just for pleasure when the weather was nice."

"Lots of kids from the village used to play on the Knoll where the path is, sledging in the winter and camping with the Scouts in the summer" said 57 year-old Les Stone. "I always assumed it was public as it had gates at both ends, and no one ever told me not to use it or gave me permission."

At the inquiry the Earl maintained that he had never seen anyone use the path. But the Inspector found otherwise, and ruled that both under common law and through at least 20 years' public use under statute, the public had acquired a right of way over the land.

Ramblers member, Malcolm McDonnell, comments: "The celebration is tinged with sadness, because, following nine years of delays and mal-judgements by East Sussex County Council, at least four villagers who had used the path throughout their lives have not lived to see its re-instatement." Malcolm McDonnell is now the Ramblers Area Footpath Secretary for East Sussex, a position he took to give something back to the Ramblers in return for the help he received throughout the Withyham case.

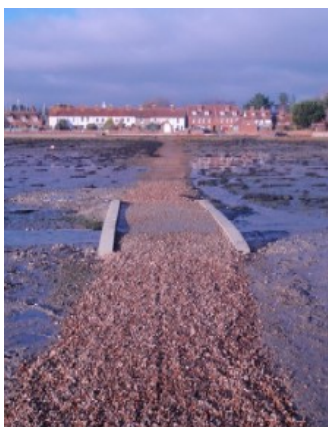
At the time of writing, ESCC have still not cleared the wired-up stile obstructing the path or installed a mandatory footpath sign, a month after the Order was confirmed by the Inspector.

NEWS FROM WEST SUSSEX

The items below in the newly open session have been sent to us by West Sussex Rights of Way team. They haven't sent us grid references, but you can find the places on their map at www.westsussex.gov.uk/imap which gives path numbers.

Bridge projects

Hassock FP12K – rangers from the County Council and South Downs Joint Committee worked in partnership to replace a worn out wooden bridge with a new 2-plank crossing. Work required the removal of a tree and debris from the channel that was causing the water to back-up.



Bosham FP2949 – a 2.5m span timber footbridge in the Bosham Channel, part of Chichester Harbour Area of Outstanding natural Beauty, has been replaced by a 4m span reinforced concrete structure with ramp approaches. Both structures are inundated twice a day with the natural tides, which meant consent was required from the Environment Agency, Natural England and Chichester Harbour Conservancy. We had received complaints about the slippery timbers and the need to step onto the old bridge. The profile of the new structure had to be kept low as to minimize hazard to boating traffic at high tide. It is envisaged that algae and other vegetation will also soon soften its outline.

Resurfacing project

Itchingfield BW1600 – Smugglers Lane – this route had been very muddy with no positive drainage. Contractors resurfaced and dug out a ditch to drain the area.

ACCESSIBLE RAMBLES

The routes have been there for some time, but up to now there has never been any comprehensive guide to rambles in the county for those who are less agile than they would like to be, use wheelchairs or buggies or are rambling with children in prams. A path isn't open for you if you can't use it because of disability. It is rare to find a rambling guide that takes account of these issues. But now the Ramblers have produced one on which you can find one at:

<http://www.sussex-ramblers.org.uk/> (fourth item down). This is very much a work in progress and we would like you to contribute your own rambles. Send them to chris.smith@hbgHELP.co.uk

PERMISSIVE PATHS

As the leaflet says "Welcome to Bevern Farms. Enjoy the bridleway, a safe and tranquil route for riders,affording fine views across the Vale of Sussex to the South Downs. The landscape is a splendid example of ancient enclosed Wealden countryside. Enjoy the rich diversity of habitats and wildlife as you pass by a mosaic of arable fields, pasture,ancient woodlands, species rich hedgerows and the meandering Bevern stream."

Details of the path on the farm ,which is just south of Chailey in East Sussex, can be found at <http://cwr.naturalengland.org.uk/Default.aspx?Module=CountryWalkDetails&Site=5600>

Let us know of any permissive paths you think could do with some publicity..

Other countryside stewardship walks can be found at <http://cwr.naturalengland.org.uk/>

WALKS ON NEWLY OPENED ROUTES

Are you organising a walk that takes in a recently opened path? Send us the details. Please say what new path(s) you are using, a brief description of the walk, the time date and meeting point, mileage and how to contact the organiser if people want to come. We also welcome short accounts of walks you have done. Bear in mind that the newsletter goes out at the beginning of each month with a deadline of 24th of the month before.

STILL CLOSED

Sadly, there are still a lot of paths that have been closed for some time.

Since the 1990s, more and more authorities have adopted 'priority systems' which allocate paths to categories according to their use, popularity and strategic importance to the network. This is despite the fact that maintenance of rights of way is a mandatory duty not a discretionary one. These systems dictate the way that problems reported on the routes are dealt with – or, as is too often the case, neglected. Failing priority systems are a problem in themselves, but combined with the huge budget cuts which rights of way departments are facing as the authorities try to save money, suddenly the threat of rationalisation by neglect looms large over our path network.

We are beginning to see a process scarily reminiscent of Dr Beeching's rationalisation of the railways, putting smaller, local routes at risk as they are branded unimportant. While the Ramblers recognises the need to spend money in a way that best delivers path maintenance and improvement, many of the prioritisation systems are failing. Issues reported on paths rated as less important are being ignored, consigning many paths to the scrapheap, and once a path has been categorised it can be difficult to get it moved to another category, even if the initial assessment was wrong. Parishes and Communities which once had an extensive network of useable paths are now seeing their network dwindle as scarce resources are concentrated on even fewer paths.



As yet there is no evidence that West Sussex Council is adopting this system of prioritisation, but in East Sussex prioritisation is a big problem. In theory there is quite a sophisticated system of prioritisation but in practice this is not used and instead paths are lumped into “priority” and “not a priority” in an apparently arbitrary way. Officially, there is no way of challenging this. One of the key issues taken into account by ESCC is the number of complaints, but this does not reflect the importance of the issue. Take the path along the cliffs at Portobello, near Peachaven, for example. You can walk right along the shore and the cliffs from Hove lagoon, through Brighton and all the way nearly to Newhaven- except at Portobello where the water company has illegally closed the foot-path and put up a sign saying that there are no

rights of way on its land. For years only one or two people complained, because they all thought it was a legally done deal. It was only the diligence of a member of the South Downs campaign and the Ramblers local footpath secretary that resulted in the discovery that no legal diversion had been made. The resulting outcry has ensured that ESCC have entered into negotiations to resolve the issue. Outside the South

Downs Area of Outstanding Natural beauty about half the paths in East Sussex have some sort of problem although the proportion varies from Parish to Parish.

Faced with these issues the Ramblers are doing all that we can to defend and publicise our paths. You can see some of what we are doing in this newsletter. But we are skint. The recession is hitting us hard. So we have launched a "Beeching Appeal" for money.

How to donate:

Website: Visit the [Make a Donation](#) page

Post - Please send cheques / postal orders / CAF vouchers (made payable to the Ramblers' Association) to:

Adrian Morris Beeching Appeal
Ramblers' Association
FREEPOST SE15
London SE1 7BR

GIFT AID IT! If you are posting a cheque, please print out this [Gift Aid declaration](#) and send it with your donation. Alternatively, we have an [online form](#). This lets us claim an extra 28% of your donation from the Inland Revenue at no extra cost to you!

Telephone - Please call 020 7339 8500 to make a credit or debit card donation

WEST SUSSEX

Petworth BW3251 – the bridge crossing the River Rother is currently closed to all users. We will be installing kissing gates either side of the bridge which will restrict use to pedestrians only. We plan to replace the bridge as part of the prioritised projects in 2010.

Unavailable paths in West Sussex

You can see a list of these for West Sussex at: www.westsussex.gov.uk/ccm/navigation/leisure-and-tourism/public-rights-of-way/4--unavailable-routes On this page there are links to paths that are temporarily closed and those that are long term unavailable for other reasons.

EAST SUSSEX

East Sussex currently only has available a list of paths temporarily obstructed for maintenance. This list is at <http://www.eastsussex.gov.uk/leisureandtourism/countryside/rightsofway/pathclosures.htm>

This list is updated on a fortnightly basis. They hope to have a list of long term unavailable paths on their site soon.

OTHER THINGS

WHO WILL MANAGE RIGHTS OF WAY IN THE NEW NATIONAL PARK?

East Sussex residents are invited to give their views on how the new South Downs National Park should be run at a meeting at Seven Sisters Country Park on 3 March. The County Council is due to make important decisions on the matter including whether the responsibility of looking after the Rights of Way in the area could be given to the new National Park Authority, following current practice.

The East Sussex Local Access Forum (ESLAF) is an advisory body to the council and will be meeting to discuss these issues. Sitting on the forum are representatives from the National Farmers Union, The Ramblers, The South Downs Society and The British Horse Society.

Venue: East Sussex Local Access Forum, The Turkey Barn, Seven Sisters Country Park,
Date: Wednesday 3rd March 2010
Time: 2 pm

The meeting is open to the public and if people wish to request to speak to the ESLAF they can write to the Chair at the address below.

Patrick Wallace, Chair of the East Sussex Local Access Forum
c/o Tim Squire, Secretary to the East Sussex Local Access Forum, County Hall
Lewes BN7 1UE

Or contact Tim Squire by email tim.squire@eastsussex.gov.uk or telephone 0345 6080 193. You can use these contacts to express your views if you are unable to attend.

WHERE'S THAT PATH?

My current favourite web site is <http://wtp2.appspot.com/wheresthepath.htm>. This is a smashing web site that will show you maps of any part of the country in various formats, including current OS 1/50k, old out of copyright OS maps, Open Street Map, Google maps Google earth etc. You can split the screen and show two maps of the same area, plot routes and measure distance and gradient. There is even a feature which tells you if you start now whether you will complete the route before it gets dark! It can be a initially a bit difficult to work with. Try to find the page that has the instructions on! But what a resource!. There is a button for donations and if you find the site useful please use it.

WEALDWAY AT DICKER

Have you walked the Wealdway at Upper Dicker (west of Hailsham in East Sussex)? Just east of the village the paths goes across a field that St Bedes School have been using as a cricket pitch for some years, without the benefit of planning permission, since it is supposed to be agricultural land. Now the school wants to apply for planning permission and to divert the Wealdway round the edge of the pitch, where local people think it might be hemmed in by netting and become overgrown and impassable. What do you think? Contact Now Open with your views.

PATH NUMBERS AND GRID REFERENCES

In this newsletter paths are identified by grid references. In some cases path numbers are used. There is no easy way to find out the path number in East Sussex but in West Sussex you can find a map of paths with numbers at www.westsussex.gov.uk/imap. The map can also provide a quick way of checking grid references as if you put the cursor over the spot you want the grid reference appears in the bottom left corner. Otherwise visit www.streetmap.co.uk and type in the grid reference you want to locate prefixed by TQ for most of Sussex or SU for western West Sussex. You will need to go to zoom level 3 or 4 in the zoom control on the right hand side.

COULD YOU BE (MORE) ACTIVE IN THE RAMBLERS?

Throughout Sussex Ramblers volunteers are active, checking paths, reporting problems, lobbying for more access, organising walks and putting out information like this. We always need more members and, in the current financial situation your support is particularly valuable. If you are not yet a member why not join now? It's easy. For further information. Visit <http://www.ramblers.org.uk/membership/about/joinand-share-the-joy.htm> Walking groups can affiliate to the Ramblers.

If you are already a member but are not yet active could you do something practical? Sussex area is always looking for people to help by checking paths, lobbying for open access, leading walks, helping with publicity, monitoring the press, to name just a few things. If you are interested email me at chris.smith@hbhelp.co.uk, saying what you might be interested in and I will point you in the right direction.

Reporting Path Problems

Footpath problems can be reported to West Sussex County Council at

<https://secure.westsussex.gov.uk/formbuilder/showForm.do?title=Public%20Rights%20of%20Way%20Feedback%20Form>

and to East Sussex County Council at

<https://www.eastsussex.gov.uk/contactus/emailus/email.aspx?n=Rights+of+Way&e=rightsofway&d=eastsussex.gov.uk>

If you know that the problem is inside the South Downs area of outstanding national beauty(AONB) it may be quicker to report the problem to the South Downs Board <http://www.southdowns.gov.uk/rte.asp?id=158>
The board will also deal with problems over problems with access areas on the downs.

This information was compiled from usually reliable sources, but mistakes get made and things do change. Please let us know about any mistakes or changes.

This newsletter is now being received by people active in the Ramblers in Sussex, as well as people and groups outside the Ramblers who are interested in receiving it. They include councillors, walking groups, parish councils and others. If you have received it via someone else and you want to get the newsletter in future then you need to email Chris Smith at chris.smith@hbhelp.co.uk. (If you want to be taken off of the list then email the same address). Your email will not be given to anyone else or used for any other purpose. You can chose to have your mailing with pictures (which makes a bigger file) or without (which may be better if you have a dial up connection- you can still see the pictures on the web site above.)

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Ramblers - at the heart of walking

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Find your local Ramblers group at <http://www.ramblers.co.uk/groups/groupInfo.php?group=SX>