

## **APPLICATIONS TO ADD MAPS TO THE RIGHTS OF WAY MAP MADE IN LEWES TOWN by Chris Smith UP TO 26/5/20**

There are three main ways that a new footpath (or bridleway) can be added to the rights of way map.

- 1) Evidence that the way has always existed (historic)
- 2) Evidence that the way has been used as of right, without obstruction, objection or permission, for a period of 20 years continuously (I have done this for paths through the Garages near the course, through Clevedown, on the Chalk pits and most recently down the old railway line at Malling (user evidence is collected)
- 3) The land owner can dedicate a route as a footpath, bridleway or whatever. I have asked the district council, which is the owner of the Malling railway line, to dedicate this as a right of way- check with the Bridge district Councilors for details.

**In the first two cases the issue of whether or not a path is desirable are not relevant**, although people often get misled into discussing this. The only relevant facts are in (1) whether there is historic evidence that the route existed, in (2) whether people used the route as of right. In (3) this is a matter between the county council and the land owner. There is no public consultation.

### **PROCEDURE**

Someone applies to East Sussex County Council to add a route to the map of rights of way providing the necessary evidence. The council considers this and does its own research and may consult local groups. This can take years. If they are satisfied they make an order. The public can object. If there are no objections the council confirms the order and the route is put on the map of rights of way.

If even one person objects then the matter must be referred to the planning inspectorate for a final decision. The inspectorate may hold a public enquiry. If the inspector confirms the order then the route is added to the rights of way map

(There are similar procedures when someone wants to divert or stop up a right of way, but the criteria are different and the desirability of the route can be taken into account

**NAME OF APPLICATION** Lewes A path through garages off of Grange Road and the Course

**TYPE OF APPLICATION** user evidence, footpath

**STAGE REACHED** Landowner agreed to dedicate. Now on the rights of way map

**NAME OF APPLICATION** Lewes B Path next to railway in Winterbourne

**TYPE OF APPLICATION** User evidence, Bridleway

STAGE REACHED landowners have agreed to dedicate, but have not yet done so

SIGNIFICANT LANDOWNERS Network Rail

**NAME OF APPLICATION Lewes C Love Lane in Winterbourne between bypass and allotments**

TYPE OF APPLICATION user evidence, bridleway

STAGE REACHED Council have obtained dedication from Highways agency and the route is on the map, but there appear to be other owners. I have asked the county to say if they have approached them but they have not replied

SIGNIFICANT LANDOWNERS Highways Agency, Lewes Town Council, possibly Network Rail

**NAME OF APPLICATION Lewes F**

Route Lane branching off A26 to Spences Lane in Malling

TYPE OF APPLICATION Historic byway open to all traffic

STAGE REACHED application made

**NAME OF APPLICATION Lewes H path through Clevedown Housing**

TYPE OF APPLICATION user evidence.

STAGE REACHED Order made, Objections received, with the planning inspectorate Public hearing scheduled for November

**NAME OF APPLICATION Lewes J**

Route from Lewes towards Ringmer over Malling Down

TYPE OF APPLICATION Historic, Bridleway

STAGE REACHED Direction made by Planning inspectorate to ESCC to decide application.

**NAME OF APPLICATION Lewes K path between De Montfort and Western roads**

TYPE OF APPLICATION User evidence (common law dedication, shorter period)

STAGE REACHED In ESCC pipeline

SIGNIFICANT LANDOWNERS Private developer

**NAME OF APPLICATION** Lewes N Offham Chalkpit and around

TYPE OF APPLICATION user evidence, 12 footpaths

STAGE REACHED In ESCC pipeline

SIGNIFICANT LANDOWNERS various including town council

**NAME OF APPLICATION** Lewes O

Disused railway line in Malling

TYPE OF APPLICATION user evidence, 50 forms, some not sent in yet due to coronavirus

STAGE REACHED In ESCC pipeline

SIGNIFICANT LANDOWNERS Lewes District Council, leader has promised to dedicate the route

**NAME OF APPLICATION** Iford C Southover to Iford via Rise Farm

TYPE OF APPLICATION Historic, Byway

STAGE REACHED Negotiating dedication by owner, Iford Farms as a bridleway