

creating a better place



Environment
Agency

Mr Stephen Kisko
County Hall
St Anne's Crescent
Lewes
East Sussex, BN7 1UE

Your ref: RWO213
Date: 10 April 2018

Dear Mr Kisko,

**RE: Wildlife and Countryside Act 1981 – Section 53
Claimed Public Right of Way at Barcombe Mills**

I write to you following your letter of 3 April 2018 and in connection with the above.

Our position

I can state that we are in opposition to the claim which you have received.

Ownership

You will see that the section of track running north from the Barcombe Mills Road to the weir is un-registered at Land Registry (please see 'Fig 1.' of the appendices to this letter). Our internal records indicated that we did own the land and that was our belief up until this point (please see 'Fig 2.' of the appendices to this letter).

That said we do have an ongoing, operational, interest in this section of land and maintained it as our own in excess of thirty years. It is not known why the land was never registered as part of our Land Registration Project. This may have simply been a clerical oversight so is something we will investigate. We have installed a gate and branded signs at the location which have been in place for some time (please see 'Fig 3.' of the appendices to this letter).

Background

The Environment Agency maintain this section of track at the Barcombe Mills site – including the natural surroundings. We also ensure that health and safety requirements are stringently, and continually, met. This is both for our staff and members of the public.

Due to competing needs and requirements much work and effort has gone into negotiations with our professional partners, local residents and landowners in order to achieve the current state of equilibrium. For example, we have – in co-operation with local residents – controlled access to the location following an increase in traffic and associated issues (please see 'Fig 4' of the appendices to this letter).

A change in the status (and subsequent use) of the footpaths to public bridleways would have adverse effects. We are confident that it would spoil the good faith and trust which we have built and nurtured with various parties.

In addition to the sensitivities as referred to above, we have developed wildlife and habitat at the location over the course of a number of years.



Funding

With regards any future requests/enquiries, I would ask you to carefully consider funding issues. The Environment Agency would not be prepared to fund any ongoing maintenance and nor would we agree to meet any costs incurred.

Should you require any further information, please do not hesitate to contact me using the details below.

Yours sincerely

[Redacted signature block]

Estates Surveyor (South East)

Encs.

Direct dial

Mobile

Direct e-mail

[Redacted contact details]

Appendices to letter, dated 10 April 2018

Fig 3.



Fig 4.



Appendices to letter, dated 10 April 2018

Fig 1.



Fig 2.

