

Stephen Kisko
Definitive Map Officer
East Sussex County Council

Our ref NB/MT/977516/1
Your ref
Date 10 September 2018

By email only to: stephen.kisko@eastsussex.gov.uk

Dear Mr Kisko

**Wildlife and Countryside Act 1981 s53
Claimed Public Right of Way (Bridleway) at Barcombe Mills/Hayes Lane
Our client: Mr Leonard Leeson**

We have reviewed the latest representations from Mary Parker, submitted on 21 July 2018.

There is little in Ms Parker's comments which actually relates to the evidence of use. Ms Parker says that there is sufficient evidence to claim 20 years' use prior to 2005. Whilst she is not specific as to which use she refers to, in terms of the claimed use on horseback, her comments are disputed given that only 9 of the users who submitted statements in support of her application have ever used the route on horseback and of those only 3 appear to have potentially used the route for in excess of 20 years. Aside from Ms Priest and Ms Simpson (and their evidence is unclear), none of the others have used the route for in excess of 20 years. Ms Kalogerides has only used the route on horseback from 2009. It is submitted that insufficient evidence exists to claim 20 years' use on horseback prior to 2005.

Ms Parker's statement that "none of the claimants have ever been challenged when using the claimed route" has to be set against the comments by our client as to the challenges made to several people who have used the route on horseback since 2005.

The comment that "the rights of way exist but they have not been put onto the Definitive map" is logically unsound; it presupposes the outcome of the current process and adds nothing to the application.

Mr Rigby's comments dated 13 April 2018 as to the lack of use of the claimed route by horse riders (he says "there is little to no riding in this area and very few horse-riders are using this currently (perhaps 2 a month)") is a useful indication of the actual levels of use of the claimed route by horse riders, from a local resident who has lived close to the claimed route for 11 years. Mr Rigby's estimations support our estimate of the level of use of the claimed route by horse riders, as set out in our letter dated 19 April 2018. In fact our client has not seen a horse rider using the claimed route for several months.

Yours sincerely

[Redacted signature]

Niall Blackie
FBC Manby Bowdler LLP
Email: [Redacted]
Direct Dial: [Redacted]

