

1 Introduction

1.1 The Importance of Public Rights of Way and Access to the Countryside in East Sussex

- 1.1.1 Public rights of way are the public footpaths, bridleways, restricted byways and byways open to all traffic that criss-cross England & Wales, often on private land. They can be in towns or in remote countryside. They can be narrow paths or wide tracks. All public rights of way are highways in law.
- 1.1.2 Highway authorities, such as East Sussex County Council, are responsible for recording, protecting and maintaining those public rights of way within their boundaries. Those that own or manage the land over which a public right of way runs are responsible for ensuring that they keep the public right of way free from obstruction and interference. Failure on the part of either the highway authority or a land holder to fulfil their duties may result in legal action.
- 1.1.3 There are other forms of access to the countryside. There are areas of land, both large and small, where the public may roam either by legal right or by the permission of the owner of the land. Often this land is held by a local authority (such as the County Council) or by a national body (such as the National Trust). The public, whilst having the right to access the countryside, also have responsibilities. The Countryside Code sets out these responsibilities and is shown in Appendix J.
- 1.1.4 In most areas public rights of way are the main, if not only, method by which the public can access the countryside. In rural East Sussex they link villages and sites of interest, provide views and make an important contribution to the rural economy.
- 1.1.5 The foot and mouth disease crisis in 2001 highlighted just how vital access to the countryside can be for some rural businesses. For most of spring in 2001 the rights of way network and countryside sites were closed to the public in order to prevent the possible spread of the disease between farms.
- 1.1.6 As a result of this closure, the public who would normally have enjoyed a visit to the countryside were limited in doing so. The village shops, public houses, tearooms and other rural businesses that they would have normally visited during a trip to the countryside suffered a noticeable downturn in income, threatening the future of some.
- 1.1.7 Since the foot and mouth disease crisis, the links between the public rights of way network and the rural economy were strengthened by the Paths to Prosperity project (see 4.8). Awareness has also increased of the importance of public rights of way in promoting exercise and healthy living (see 3.5).

1.2 The Countryside & Rights of Way Act 2000

1.2.1 East Sussex County Council, like all Highway Authorities, is required under Section 60 of the Countryside & Rights of Way Act 2000, to publish a Rights of Way Improvement Plan by November 2007.

1.2.2 The Statutory Guidance states that a Rights of Way Improvement Plan must assess:

- The extent to which the local rights of way meet the present and likely future needs of the public;
- The opportunities provided by local rights of way for exercise and other forms of outdoor recreation and enjoyment of the County Council's area;
- The accessibility of local rights of way to blind and partially sighted people and others with mobility problems.

1.2.3 This is a new duty for highway authorities, such as East Sussex County Council, that builds upon the principles of the Countryside Commission's Milestones Initiative (aiming to bring the existing public rights of way network up to a good condition) by looking at adapting the network to both current and possible future needs. However, the Statutory Guidance also states that the Plan itself should not contain information on site specific assessments but draw broader, generic conclusions which are then the focus of a statement of action for specific delivery on the ground.

1.2.4 Though undoubtedly a major element of access to the countryside, looking at the local rights of way network alone does not show the full picture. There are many other routes and sites that are used by the general public for informal countryside access that are not legally recorded as definitive public rights of way. This is recognised in the Statutory Guidance, and as a result, the East Sussex Rights of Way Improvement Plan also considers the wider network of off-road routes, public open spaces and sites, including the access to open country & common land gained under the Countryside & Rights of Way Act 2000.

1.2.5 The County Council is required to make a new assessment of the Rights of Way Improvement Plan within ten years of first publishing the Plan.

1.3 Aims of the Rights of Way Improvement Plan

1.3.1 East Sussex County Council has developed seven key aims for the Rights of Way Improvement Plan. The listing of the aims from 1-7 does not indicate prioritisation or importance. The aims are:

1. Improve resourcing
2. Improve partnership working
3. Improve safety and convenience
4. Improve access for all
5. Improve information
6. Improve access to the countryside from urban areas
7. Improve promoted routes

- 1.3.2 These aims have developed out of the priorities highlighted by the East Sussex Local Access Forum and user discussion group meetings (detailed in chapter 5) and the public consultation carried out through the winter of 2006/07.
- 1.3.3 Emerging from these seven aims are more detailed objectives and the actions required to meet them. The objectives appear at relevant places within the text of the Plan and are described in Chapter 7. The full Statement of Action is Appendix A.

1.4 Delivering the East Sussex Rights of Way Improvement Plan

- 1.4.1 After the Countryside & Rights of Way Act was passed in 2000 the County Council appointed an Access Development & Forum Officer (in 2002). The Officer was made responsible for developing the Rights of Way Improvement Plan as well as setting up and managing the Local Access Forum and overseeing the introduction of the new right of access to open country and registered common land.
- 1.4.2 In developing the aims and objectives of the Plan, the County Council undertook a consultation exercise with the East Sussex Local Access Forum, South Downs Access Forum and various interested groups. During this process an assessment was also made of the recorded rights of way network using the Definitive Map, as well as other access provision. More detail on this process is set out in Chapter 6.
- 1.4.3 Once the Rights of Way Improvement Plan is adopted, an annual assessment of its delivery will be included within the Annual Report to the County Council's Lead Cabinet Member for Transport & Environment. This will assess the progress the County Council has made towards the delivery of each aim and objective. There will also be regular reports on the progress towards delivering the Plan to the East Sussex Local Access Forum. More on this process is in Chapter 7.

1.5 Consultation

- 1.5.1 In developing the Rights of Way Improvement Plan the County Council has carried out consultations with various individuals and interest groups including the East Sussex Local Access Forum, South Downs Access Forum, Town and Parish Councils, Land owners and managers and various user groups. Details of these consultations can be found in 6.2.
- 1.5.2 During the 14 week consultation on the Draft Rights of Way Improvement Plan it was sent to local and national groups, organisations and individuals and made available to the public through libraries, council offices and the internet.
- 1.5.3 Over 200 responses were received to the consultation with 128 respondents completing a questionnaire. A further 74 other responses were also received.

1.6 The South Downs

1.6.1 The Sussex Downs Area of Outstanding Natural Beauty (AONB) covers 12.6% of East Sussex and, along with the East Hampshire AONB, the public rights of way network and access land is maintained on a day-to-day basis by the South Downs Joint Committee. The bulk of these two AONBs form the designated but not yet confirmed South Downs National Park which also includes some areas which are currently outside the AONBs as well as excluding some areas within the AONBs.

SD

1.6.2 Whilst East Sussex County Council remains, as highway authority, responsible for the public rights of way network within the whole of the county, within the Sussex Downs AONB the South Downs Joint Committee acts on behalf of the County Council.

SD

1.6.3 The Downs are a very popular destination for outdoor recreation for both local people and visitors from further afield. In East Sussex alone there are a number of 'honey-pot' locations within the Downs. The most popular coastal sites are Beachy Head, Birling Gap, Seven Sisters Country Park and Seaford Head. Inland sites include Butts Brow, the Long Man of Wilmington, Alfriston village, Firle Beacon, Mount Caburn and Ditchling Beacon.

SD

1.6.4 The Sussex Downs AONB covers 15.29% of the public rights of way network in East Sussex and the popularity of the Downs for walking, horse riding and mountain biking puts pressure on the network and other access provision. The County Council recognises that the South Downs is a distinct and different area to the rest of East Sussex and may require a different approach to rights of way improvement planning.

SD

1.6.5 Where appropriate, the South Downs are dealt with separately in the Rights of Way Improvement Plan and issues and text specific to the South Downs are indicated by an 'SD' symbol in the margin. Much of the implementation of the Plan in the Downs will be undertaken by the South Downs Joint Committee and is likely to be included and developed within the Strategic Access Plan for the South Downs which is being prepared by the Joint Committee.

SD

1.6.6 The character of the landscape and the rights of way and access provision within the South Downs is described in more detail in Appendix E.

SD