

6 Assessment and Evaluation

6.1 The Need to Evaluate the Network

- 6.1.1 East Sussex County Council is required, under the rights of way improvement planning process, to assess how the public rights of way network (and other public access provision) meets the present and likely future needs of the public.
- 6.1.2 One way in which the network has been evaluated has been by a map based assessment of existing public rights of way. There is more detail on the assessment in 6.2 below. This has been merged with other assessments (such as the Highways Agency's vulnerable road user crossing survey) to produce a draft series of issue-based lists. These lists are not 'definitive' but the start of a process by which the County Council is informed about these network issues.
- 6.1.3 The public consultation on the Draft Rights of Way Improvement Plan included the lists of site-specific issues and allowed for each item to be commented on or additions to be made. Many respondents took this opportunity to contribute to the lists and they will be kept continually updated.
- 6.1.4 The lists cover the following issues:
- Bridleway and byway road crossings
 - Roadside verges connecting bridleways and byways
 - Gaps in the bridleway and byway network
 - Paths which could be upgraded
 - Important footpath road crossings
 - Areas lacking a rights of way network
 - Dead end paths
 - Gaps in the Footpath network
 - Bridleways and byways potentially useful to cyclists
 - Cross border dead end paths and changes of status
 - Duplicated Paths
- 6.1.5 The County Council also holds lists showing improvement suggestions from:
- South Downs Access Forum
 - Town & Parish Councils
- 6.1.6 In assessing the present and likely future needs of the public, the County Council has approached a number of rights of way users, land owners and managers, as well as town and parish councils, to ascertain their priorities for public access to the countryside. This has followed initial consultations with the East Sussex Local Access Forum and South Downs Access Forum.

6.1.7 The outcome of these consultations is detailed below in 6.2.

6.2 Assessing the Needs of Specific Interest Groups

East Sussex Local Access Forum

6.2.1 The East Sussex Local Access Forum (LAF) was formed in June 2003 as one part of the County Council's new duties under the Countryside & Rights of Way Act 2000.

6.2.2 All appointing authorities have sought to achieve a balance of interests on their Forums. The East Sussex LAF consists of five users, five land managers and two with other interests (currently rural business and disabilities). The lead County Council cabinet member for Transport & Environment also sits on the Forum, making a total membership of thirteen.

6.2.3 In September 2003 the members of the East Sussex LAF took an initial look at its priorities for the Rights of Way Improvement Plan (ROWIP). After looking at a number of different issues they prioritised eight:

1. Information – maps/signs/etc
2. Improving waymarking
3. Getting businesses more involved
4. Improving links between paths
5. Creating short circular routes
6. Encouraging landowners to create new paths
7. Clearance of overgrown routes
8. Improving bridleways (and RUPPs and byways)

6.2.4 Some of these issues are more relevant to the Improvement Plan than others. Those relating mainly to maintenance (particularly items 2 and 7) have been used to help guide the County Council's Rights of Way Priority Statement (see 4.5).

6.2.5 Out of these discussions the County Council adopted two main 'quick wins' that it could work on in advance of the Improvement Plan being published – a bespoke signposting project and a series of bridleway links alongside a busy road.

South Downs Access Forum

6.2.6 In addition to the East Sussex LAF, the South Downs Access Forum was set up to cover the area of the proposed South Downs National Park, and has representatives from the Forums for East Sussex, Brighton & Hove, West Sussex and Hampshire. Unlike the local authority Forums, the South Downs Access Forum is a non-statutory sub-Forum of the four statutory Forums covering the South Downs, and acts in an advisory role to those statutory Forums and the South Downs Joint Committee on the specific countryside access issues that affect the South Downs.

6.2.7 A working group of the South Downs Access Forum was established to examine potential rights of way improvements for the area of the South Downs within East Sussex. That working group proposed the following over-arching priorities:

SD

- New routes or amendments which improve public safety.
- Missing links (particularly in areas where there is a significant shortfall in the provision of rights of way).
- Circular routes from centres of population.
- Routes along desire lines which can solve problems with trespass.

Assessing the Mapped Network

- 6.2.8 During the early part of 2005 an assessment of the rights of way network was carried out by the County Council through a methodical analysis of the Definitive Map, grid square by grid square. This assessment highlighted over 150 individual site specific issues and many of these have been included in the lists referred to in 6.1.
- 6.2.9 The assessment also highlighted ten larger areas of the county which have few, if any, rights of way. For some of these areas having little or no public access can be beneficial for conservation reasons. The areas lacking a rights of way network are in:
- Ashdown Forest
 - Frant & Eridge
 - Ashburnham & Penhurst
 - Pevensey Levels
 - Middle Rother Valley
 - Tillingham & Brede Valleys
 - Wootton Farm near Polegate
 - Glynde Levels
 - Iford & Rodmell Brooks
 - Sheffield Park
- 6.2.10 During the assessment process, thirteen recorded public rights of way were found to stop at the East Sussex county boundary without full continuation. Of these paths:
- two are East Sussex paths that are not recorded as continuing into Kent;
 - two are East Sussex paths that change to a lesser status when continuing into Kent;
 - one is an East Sussex path that changes to a lesser status when continuing into West Sussex;
 - four are Kent paths that are not recorded as continuing into East Sussex;
 - two are Kent paths that change to a lesser status when continuing into East Sussex;
 - one is a Brighton & Hove path that is not recorded as continuing into East Sussex;
 - and one is a Brighton & Hove path that changes to a lesser status when continuing into East Sussex.
- 6.2.11 Information on these routes has been shared with officers developing the improvement plans for Kent County Council, West Sussex County Council and Brighton & Hove City Council. East Sussex shares a very short boundary with Surrey and no obvious problems have been identified here.

Assessing Users' Needs

- 6.2.12 Discussion group meetings were held with four separate user groups between March and September 2005. These groups considered their priorities for the Rights of Way Improvement Plan.
- 6.2.13 The individuals on these groups were mainly selected by the Local Access Forum member representing each type of user, and the only specific request was that the group should have, as far as possible, a wide geographical and age spread.
- 6.2.14 The groups were asked to consider their 'over-arching' priorities for the Improvement Plan, as well as taking the opportunity to highlight some site-specific priorities.
- 6.2.15 'Access for all' came out as the highest priority overall, followed by 'improved maintenance' which was mentioned by all groups, as was 'improved signage'. 'Improved road crossings and verges' and 'circular routes and close gaps' were also high priorities. More detail on these discussions is described in Chapter 5.

Land Owners and Managers

- 6.2.16 As previously described in 4.3, 63.4% of the land in the county is farmed. This makes private landowners and managers, especially farmers, a very important part of the management and provision of access to the countryside in East Sussex.
- 6.2.17 During the winter of 2005/06 a survey of Sussex and Hampshire land owners and managers was carried out. This was a joint project between the National Farmers Union, Country Land & Business Association, South Downs Joint Committee, East Sussex County Council, Brighton & Hove City Council, West Sussex County Council and Hampshire County Council (who led and coordinated the project).
- 6.2.18 The general findings showed that many of those responsible for managing land find public access to the countryside troublesome. The main problems associated with public access were listed as: litter (quoted by 40% of respondents); fly-tipping (39%); dogs not under control (38%); vandalism (32%); trespass (31%); gates and accesses blocked by vehicles (31%).
- 6.2.19 There was also a great deal of concern about the health & safety and insurance risks that public access is perceived to bring.
- 6.2.20 When asked to record views on a selection of statements, there was most agreement to the following:
- I am concerned that greater public access will create extra work on things like risk assessments and health and safety – 89%
 - I am concerned that greater public access to my land may leave me open to being sued – 88%
 - Members of the public do not realise that sometimes farming and access are incompatible – 86%

- I am concerned that greater public access will lead to higher insurance premiums – 83%
- Dog owners seem to be unaware of the problems their animals can cause in the countryside – 81%

6.2.21 When asked ‘which of the following best describes your attitudes towards public access on your land?’

- 46% said they accept that people have a right to use public rights of way but do not agree with allowing further forms of access;
- 15% said they would prefer to exclude all public access from their land;
- 35% said that they don’t mind people coming on to their land as long as they don’t cause any damage and act responsibly, and;
- 4% said they welcome people onto their land as they think that providing for public recreation is worthwhile.

6.2.22 The general conclusion from this survey is that many land holders see public access to their land as having little or no benefit to them, and can have a negative effect on their livelihoods. However, 26% said they would consider providing public access if there was sufficient financial incentive, and a further 8% believed that access to the countryside attracted extra customers to farm shops.

6.2.23 Ideally, any new access will be provided with the co-operation of affected landowners. The privacy and security of property and the management of the land will be key considerations in developing new access.

Town and Parish Councils

6.2.24 During the summer of 2006 the County Council wrote to all town and parish councils in East Sussex asking for their local priorities in respect of the Rights of Way Improvement Plan. Of the 92 councils written to, about a third responded with suggestions.

6.2.25 Those town and parish councils that responded to the County Council’s request for improvement suggestions are listed in Appendix F.

Objective 2.b

Improve working with land managers.

Objective 2.c.

Improve working with town and parish councils, other authorities and organisations.

Objective 3.e.

Seek the addition of new paths to the rights of way network to improve opportunities for users.

Objective 4.b.

Improve and promote a series of routes designed for disabled people.

6.3 Draft Rights of Way Improvement Plan Consultation

6.3.1 The Draft Rights of Way Improvement Plan was launched in December 2006. During a 14 week consultation period the County Council received responses from just over 200 individuals and organisations. After the completion of the consultation in March, the Plan has been reviewed against over 1,100 separate comments that were made. The East Sussex Local Access Forum have also reviewed key parts of the Plan in light of some comments that were made.

6.4 Barriers to Enjoying the Network

6.4.1 There are a number of physical barriers to people enjoying the public rights of way network, some of which can depend on the abilities of the user.

Potential barriers include:

- Gaps in the path network
- Busy roads
- Railway lines
- Missing bridges over rivers, streams and ditches
- Obstructions
- Vegetation overgrowth
- Poor surface condition
- Land use (such as crops, ploughing, etc)

6.4.2 Some of these 'barriers' (poor surface condition, land use, obstructions and missing bridges) should be resolved through basic maintenance and enforcement action. Of the remaining problems, three main categories of severance are dealt with in more detail:

Busy Roads

6.4.3 In recent years there tends to have been a greater awareness amongst highway planners of the needs of public rights of way users. New roads often involve the separation of public rights of way from road traffic by bridges or underpasses.

6.4.4 However, much of the county's rural trunk and primary road network ('A' class roads) is single carriageway and has not been improved by recent new road building. As a result, there are many instances where public rights of way either terminate at these roads or cross 'at grade'.

6.4.5 The improved safety of 'at grade' crossings is high on the list of priorities of users, the County Council and the Highways Agency. Fortunately, with the building of a new bridge over the A26 at Itford Farm, the South Downs Way now no longer crosses any trunk roads in East Sussex 'at grade'. This also

SD

resolved the agreed top priority in the county of the Highways Agency's vulnerable user crossings consultation in 2003.

SD 6.4.6 Crossings for equestrians are particularly important, as many riders will not risk trying to cross a major road. There are several sites where equestrians would like a safe crossing of the A27. This is especially important for access to and from the South Downs by those living in the Low Weald.

6.4.7 Access for equestrians to and from Ashdown Forest is also a problem as the A22 cuts across the Forest. At least two improved crossings are ideally needed here.

6.4.8 New road schemes can offer a good opportunity for separating path users from traffic with bridges or underpasses. A good example of this is the underpass under the new A22 at Polegate allowing walkers, horse riders and cyclists to cross from the Abbots Wood area to the Cuckoo Trail.

6.4.9 The problems of busy roads are not confined to the primary road network. The increase in traffic on rural roads has extended this problem into the countryside where recreational walking, cycling and horse riding are more common on secondary and minor roads.

Dead-End Paths

6.4.10 There are a number of dead-end paths across the county. These usually stop at parish boundaries although there are other examples of routes that have been made dead-ends by previous diversions or closures. Some routes, if continued to an obvious point of termination at another path or highway, could offer useful additions to the public rights of way network.

Changes of Status

6.4.11 Some otherwise continuous paths change their status along the route. This is not a barrier to walkers, but there are four places where bridleways or byways are 'severed' by incorporating a section of footpath. These are all over existing or former railway lines.

6.4.13 There are two bridleways (at Arlington and Icklesham) and one byway (at Arlington) where the sections crossing the railway are mapped as footpath only. Interestingly though, there are two existing level crossings in the county that have retained their bridleway status, at Wootton Farm, East Chiltington and at Stonegate.

6.4.14 A similar situation occurs at Hellingly where a bridleway/footpath crosses by a bridge over the former Polegate to Tunbridge Wells railway, which is now the Cuckoo Trail. Upgrading the footpath section to bridleway could help create a useful access point to the Cuckoo Trail for local horse riders and cyclists.

6.4.15 Elsewhere, much local attention has been focused over a number of years on the anomaly of an isolated bridleway at Ditchling which can only be reached by the public via adjoining public footpaths. This too could

potentially form part of an important link for horse riders between the South Downs and Ditchling Common.

- 6.4.16 Some of these changes of status may be investigated by the 'Lost Ways' project and the County Council will pass information on such routes to them when the project team visit the county in the next few years.

Objective 1.b.

Seek to secure benefits to the public rights of way network from major developments and road schemes.

Objective 3.a.

To make crossings on busy roads safer.

Objective 3.d.

Seek adjustment of the existing rights of way network to improve safety and opportunities for users.

Objective 3.e.

Seek the addition of new paths to the rights of way network to improve opportunities for users.

6.5 Access to Attractive Areas

- 6.5.1 Attractive areas are places to which the public are likely to make specific journeys, perhaps from a distance, to visit. The two most visited rural areas in the county are the South Downs and Ashdown Forest. The South Downs is dealt with separately in 1.6.

Ashdown Forest

- 6.5.2 The Ashdown Forest is a former Royal hunting ground and is now a large area of lowland heath at the centre of the High Weald AONB. It is covered by heather, bracken, gorse and grasses, together with mixed oak and birch woodlands and landmark clumps of Scots pine. Its elevated position and broad open ridges afford outstanding views, notably across the Low Weald to the South Downs. As well as the natural beauty of the area, the Forest attracts visitors, including many from overseas, to sites referred to in AA Milne's 'Winnie-the-Pooh' books.
- 6.5.3 The right for the public to access the Forest for walking has been clearly established under the Ashdown Forest Act 1974 and it is a very popular area for walking. Horse riding along designated rides is permitted by purchase of a permit from the Conservators of Ashdown Forest (who have responsibility for managing the Forest). However, cycling is not permitted off public bridleways.

Reservoirs

- 6.5.4 There are four main reservoirs in East Sussex which have varying degrees of public access. Bewl Water near Flimwell and Arlington Reservoir near Berwick have very good public access with paths circuiting the reservoirs. However, access for horse riders and cyclists on permissive routes at Bewl Water is only on a seasonal basis.
- 6.5.5 Weir Wood Reservoir near Forest Row has a footpath along one side of the reservoir (from which it is fenced off), and Darwell Reservoir near Robertsbridge has no waterside paths at all. Improving the public access to these two sites would prove potentially very popular.
- 6.5.6 Proposals to enlarge existing reservoirs or to construct new ones are very likely to affect public rights of way. Such proposals could be an opportunity to achieve new and improved public access.

Historic Sites

- 6.5.7 There are a number of well known historic sites in the county. Castles such as those at Herstmonceux, Pevensey, Camber and Bodiam are popular destinations for walks and each are reasonably well served by public rights of way (including LDPs and other promoted walks) offering both near and far views.
- 6.5.8 There are also two battlefield sites designated by English Heritage at Battle and Lewes. The majority of the 1066 Battle of Hastings site at Battle is not accessible by right (only by entry fee to Battle Abbey) but the 1066 theme is very well served by the 1066 Country Walk LDP and the local Malfosse Walk. The site of the 1264 Battle of Lewes (on the western edge of the town) is well served by rights of way and access land although it is not specifically promoted.
- 6.5.9 There are many other historic sites in East Sussex, from the prehistoric tumuli on the Downs to Second World War tank traps and pill boxes, many of which are easily accessible from public rights of way.
- 6.5.10 The use of sites of historic interest to encourage more visits to the countryside is, perhaps, an under-used resource at present.

Riverside

- 6.5.11 Riverside walks can be very popular, especially from nearby towns or villages. The main rivers in the county are the Ouse, Cuckmere, Wallers Haven, Rother, Brede, Tillingham and Medway. There are many smaller rivers, streams, ghylls, ditches and drains throughout the county, especially on the levels at Rye and Pevensey and in the Ouse valley south of Lewes.
- 6.5.12 Access to river banks by public right of way is often co-incidental, with only the lower reaches of the Ouse south of Lewes and the Cuckmere south of Alfriston offering continual access along both banks of a main river to any significant degree. One LDP is themed on a river walk – the Sussex Ouse Valley Way – and several of the County Council's 'Paths to Prosperity' series of circular walks were designed on a wetland theme.

6.5.13 There is, therefore, potential to improve the amount of access to river banks, although this needs to be balanced with conservation considerations.

Coast

6.5.14 The coastline of East Sussex is very popular with visitors and locals alike. Away from the traditional seafront promenades at Eastbourne, Bexhill, Hastings and Seaford, there are several attractive rural coastal areas.

6.5.15 The chalk cliffs of Beachy Head, the Seven Sisters and Seaford Head are some of the most iconic natural features of the United Kingdom – often featured in photographs, books, films and television programmes. This rare stretch of remote coastline in South East England is designated as Heritage Coast and is extremely popular for walking, being very well served by public footpaths including part of the South Downs Way National Trail.

6.5.16 Other popular areas include Hastings Country Park (between the Old Town and Fairlight), and the low-lying area around Rye Harbour and Winchelsea Beach which is easily accessible from several holiday parks.

6.5.17 To help satisfy the desire of the public to access the coastline, it has been suggested by some local walkers that a ‘Sussex Coast Path’ be developed. However, while the coastline of East Sussex is mostly undeveloped, with 58% of it rural and 49% cliff, the nature of the coastline of West Sussex and Brighton & Hove, with a largely flat coastal plain and extensive urban areas, is very different.

6.5.18 Access is very well provided for along the East Sussex coast – especially the most attractive areas – including 7½ miles of South Downs Way National Trail from Exceat to Eastbourne and an additional 17½ miles of other promoted routes (Sussex Ouse Valley Way, Vanguard Way and Saxon Shore Way). This makes access to 56% of the East Sussex coast very well maintained and promoted for walking.

6.5.19 The Department for Environment, Food and Rural Affairs published a consultation on the future of access to the English coast during 2007. The County Council will await the outcome of this consultation before considering if there is any need to develop a ‘Sussex Coast Path’.

Woodland

6.5.20 There is a desire to visit woodland amongst many people who access the countryside. About 17% of the land in East Sussex is woodland, making the county one of the most heavily wooded in England. Much of this is ancient woodland, dating back to at least the 1600s. Many private woodlands are only accessible to the public whilst using the public rights of way network. Some are open to the public as Country Parks, Woodland Trust reserves, Forestry Commission sites or similar. As part of the ‘Paths to Prosperity’ series of County Council promoted walks, a number were designed on a woodland theme.

6.5.21 There is pressure from some organisations for woodland to be included as access land under the CROW Act. At the moment there seems to be little enthusiasm for this in central government but, if this was to be change, it would have a very significant impact on access provision in East Sussex. This is especially the case in the central and eastern High Weald.

6.6 The Need for New Provision

6.6.1 There would not appear to be a great desire amongst local rights of way user groups for the County Council to dedicate its limited resources to developing entirely new public rights of way, especially by order, as this can prove to be an expensive option.

6.6.2 Most users see the priority for the Council to ensure that the existing network is in a fit condition for the public to use. In response to this, the County Council is developing a Rights of Way Priority Statement and a Business Plan. More detail on these can be found in 4.5.

6.6.3 However, within the priorities of various interest groups highlighted in 6.2, there is a clear need and desire for new access provision where it enhances or 'tidies up' the rights of way network, makes it safer for the public to use or is of strategic importance.

6.6.4 This includes the following objectives set out in the statement of action:

- Make roadside verges safer for horse riders (and other users) (objective 3.b.)
- Close obvious gaps in the bridleway and byway network (objective 3.c.).
- Improve opportunities for promoted off-road rides for equestrians and cyclists (objective 7.f.).
- Seek the addition of new paths to the public rights of way network to improve opportunities for users (objective 3.e.).
- Improve working with land managers (objective 2.b.).

6.6.5 The Council will also take advantage of the recent Accessible Natural Greenspace Study to identify areas where the local population has little or no 'accessible natural greenspace' when identifying potential new countryside sites. This is set out in the statement of action under objective 6.c. – 'Provide more open access to the countryside around towns and villages' and objective 2.b. detailed above.

Objective 6.c.

Provide more 'open' access to the countryside around towns and villages.

6.7 Assessment Conclusions

6.7.1 There are four common themes that have emerged from the assessment process:

- The need to reduce fragmentation
- The need to improve safety
- The need to improve information
- The need to improve accessibility

6.7.2 In most cases these themes cut across all interest groups. Together with the more detailed conclusions drawn from the assessment and consultation process, they have helped shape the aims of the Rights of Way Improvement Plan. These aims are described in more detail in 7.1.