

The Chief Clerk,  
The Crown Court,  
County Hall,  
Maidstone,  
Kent.

Dear Sir,

Case Number 736135 Folkestone Borough Council  
v. self in application to close Footpaths 26 & 47  
in Sandgate.  
-----

Due to business pressures, I am unable to be present in court today. I would be grateful if the following statement could be submitted in place of personal attendance.

In addressing the court, I would like to direct my comments specifically to the situation existing with Footpath 47, running north from Brewers Hill. This is a footpath which I use regularly; the usage of which is well known to me.

I would submit that this footpath is vital to the residents of Sandgate on three counts 1) As a means of access in an emergency. 2) As access to an area of considerable natural beauty. 3) As affording extensive panoramic views of the coastline.

1) Three or four times per year, the A 259 along Sandgate Esplanade becomes completely impassable due to a combination of S-Westerly winds and 'Spring' tides. The duration of closure can last up to two hours. During this period, the residents of the Brewers Hill area are inaccessible to the emergency services. Whilst one accepts that this footpath terminates at an Army road, one would assume that an ambulance crew would be allowed through should a resident of Brewers Hill be seriously ill. No other means of access other than this footpath would be available.

2) The area adjacent to this footpath is one of scrub, bracken and gorse bushes offering a haven to many forms of wild life and an extremely attractive open space on the edge of urban development.

3) The northernmost point of this footpath offers extensive views across Dymchurch Bay, to Dungeness and across to the Sussex hills.

Continued.



Case 736135 Cont.

As evidence of the usage of this footpath, one has only to examine the state of the path itself. At this time of the year, when all forms of vegetation are growing at their most vigorous, there is no vegetation growing along the length of this path.

To submit that this footpath is unnecessary because it does not lead anywhere is grossly incorrect. The amenity value of this path enormous. Many of the most attractive walks in the British Isles do not lead anywhere. Is the public to be deprived access to Lands End because it does not go anywhere?

In this court today, there is a tremendous cross section of Sandgate people being represented. They think that this footpath is necessary. The necessity of this path must surely be in the needs of the people expressed here today and at the previous hearing where two magistrates with knowledge of the area deemed these paths to be necessary.

It seems completely incongruous that our own Council sees fit to go to such great lengths and to such great expense to deprive the public of an amenity which the public wants on the grounds that 'it is unnecessary!'

It was strongly rumoured before the lower court hearing that the real reasons for wishing to close these paths were not that they were unnecessary, but that their closure was necessary in implementing the long term plans for this land. The lengths to which our council are going must surely substantiate these rumours.

If these paths are closed, the public will have been deprived of an extremely attractive amenity. They will also have been deprived of a potentially life-saving means of access.

I find these paths both necessary and useful. I also doubt the motives behind their intended closure. I would respectfully ask you to re-affirm the judgement of Folkestone Magistrates in enabling the public to continue using paths which have <sup>given</sup> them so much pleasure over the years.

*P.D. Calver*

P.D. CALVER.



(1)

I represent the Sandgate Society which was formed in 1962 and has a membership of 315. The Society is affiliated to the Civic Trust, the Kent Federation of Amenity Societies and the Committee for the Preservation of Rural Kent.

Society.

On behalf of the Society's members <sup>who</sup> ~~which~~ represent a good cross section of the community of Sandgate, I wish to object to the closing of Footpaths 47 and 26.

Map. May I put in a map of Sandgate which I hope will assist the Court in following some of the points I wish to make. It covers an area which includes both Footpaths and is approximately to the scale of 25 inches to the mile.

Sandgate is a long narrow village confined between high cliffs on the north and the sea on the south and can be divided into four separate parts which are marked A.B.C and D on the map.

There is no east to west connection between these four parts except by going down and along Sandgate Esplanade by the side of the sea or up and along Martello Road.

Areas A, B, C & D

Each of these areas has one <sup>to the north</sup> exit in the form of a footpath over the cliff top ~~and on to Martello Road~~ with the exception of area C which has no northern outlet.

"A" Sunnyside Road running into a footpath (E-F)

"B" Brewers Hill and Footpath 47 - one of the two being considered to-day. (G-H & J)

"D" Footpath by side of undercliff which forks left to Martello Road and right to Military Road. (K-L & M)

~~All three footpaths show evidence of regular use.~~

The Esplanade at Sandgate becomes impassable when a high tide coincides with a southerly or south-westerly wind and the sea comes over the road. At such times the road is closed to traffic and the only contact with the outside world at such times for the people living in area "B" is via Footpath No. 47. There are some 60 houses within this area some of which are divided into flats, so there is an appreciable number of people residing within the area.

Bad weather

When the main <sup>A259</sup> coast road is closed all traffic in both directions is diverted via Shorncliffe Camp, the eastbound up Hospital Hill along West Road, North Road and down Military Road. <sup>and the west bound</sup> ~~is the reverse direction.~~

People from area "B", and for that matter others living in the vicinity have been in the habit of alighting at Point "Y" on the map, walking along Martello Road <sup>to Point 'H'</sup> and then reaching their homes by walking down Footpath No. 47.

Martello Road has for years been open for use both by



vehicles and pedestrians but recently has been closed to vehicular traffic. This did not interfere with the continued use of the road by pedestrians. However, since the application in the Magistrates' Court on the 20th March was refused, I understand the Military have extended the pole barrier across the road by a fixed fence which one would imagine is intended to make clear that pedestrians should not pass the ends of the pole on either side of the carriage way.

To get through, one now has to make a detour out on the grassland to reach Footpath No. 47, but it can be reached in this manner and people are grateful of a means of getting to Footpath No. 47 even though it now entails walking over the grass for some distance.

At the Magistrates' Court <sup>hearing</sup> the need for a bad weather route from Area "B" was deprecated and it was said that Sandgate Esplanade never really became unusable. May I show the Court Press photographs which illustrate effectively what happens along the main road during rough seas.

*Storm  
Photographs*

The Folkestone Corporation themselves recognised the need for an all weather path in this area and it was only because of the expense involved in erecting fencing demanded by the people over whose private land it was to pass and the maintenance costs, that the scheme was turned down. Without this all weather path the only access to and from Area "B" is by Footpath No. 47.

It can well be imagined that an ambulance driver would not be willing to risk the swamping and consequent abandonment of his vehicle en route to collect a patient or in taking an urgent case to hospital. <sup>by driving along Sandgate Esplanade</sup> One feels sure that in a case of emergency, <sup>when this road was impossible</sup> the Military would willingly allow an ambulance to pass their barrier in Martello Road and drive to the top of Footpath No. 47 in order that a stretcher case could be loaded on to the vehicle and moved to hospital and safety. Without Footpath No. 47 even this could not be done. <sup>the same condition apply with the attendance of a doctor</sup>

Apart from its usefulness during bad weather Footpath No. 47 has a great amenity value flanked as it is <sup>on one side</sup> by colourful gorse bushes, and even if one is not intending to go further than the top and not on to any road it affords lovely uninterrupted views of the Channel and its coast line, and across Romney Marsh.

*Amenity  
value*

Dog owners find it provides not only exercise in safety for their animals but also for themselves and it is popular in consequence.

In addition, Footpath No. 47 is, or has been until very recently, regularly used by Military personnel as a short cut to a safe piece of beach or for obtaining a drink in the pleasant little Clarendon Arms.

*Use by  
Military*

It may be said that such personnel could still do both



(3)

these things even if the Footpath were closed up, but surely it would prove difficult to pass the fence, or at the least laborious in obtaining a passkey for a gate if one were provided. The easy freedom they have enjoyed in the past would be missing.

#### Footpath No. 26.

Turning now to Footpath No. 26 although not having the bad weather/significance that Footpath No. 47 has, it has the same, if not greater, amenity value.

This is a well established and attractive footpath from Military Road through woods and an avenue of trees which by their regularity and spacing appear to have been especially planted to flank the path. It then leads across playing fields to the Sir John Moore Memorial Library and statue and makes a very pleasant walk from Sandgate to the Parish of Cheriton with little or no use of the road.

*The B2003 road which is the only alternative to Footpath 26*  
~~Being a B Class road it carries a fair volume of ordinary~~  
through traffic as well as Army vehicles and becomes very busy when the main coast road traffic is diverted through Shorncliffe during stormy weather. *apart from traffic itself,* Pedestrians are also faced with the problem of having no footpath on either side of the road from the top of Military Road to approx. half way along North Road and must therefore walk in the roadway or go on to Military ground.

It is claimed that the path finishes at the Memorial and that no exit exists on to ~~North Road~~ *the B2003* and since the Hearing on the 20th March the Military have been to some lengths in erecting signposts in front of the Church/saying "No civilian vehicles beyond this point". Yet this road is thronged with parents on foot and in cars taking their children to school or meeting them afterwards. *who have come from North Road almost a road itself*

There is also a further wide passage-way leading from the Memorial Library to North Road which, together with the road between the School and Library, *to which I have just referred* forms a short link between Footpath No. 26 and North Road. *these* and *are obvious and most convenient exits from Footpath No 26* *there are no other exits or barriers* *Very close to each other and near the end of Footpath No 26 then are the library, the School and the Church, all of which the public are invited to attend.*

#### Sir John Moore Memorial Hall and Statue

The Hall was opened and the Statue unveiled on the 5th July 1923 by H.R.H. Duke of Connaught attended by the Mayor and Mayoress of Folkestone, their deputies and the Mayor and Mayoress of Hythe, so it was not only an Army ceremony.

A total of £5,500 was raised to cover the cost of these two Memorials of which £2,137 was by public subscription.



(4)

The site, overlooking the Sir John Moore Plain, was chosen because it was on this historic plain that Sir John Moore between 1803 and 1806 instructed the 43rd 52nd and 95th Regiments in his new system of battle training which, first applied in Spain and Portugal, was instrumental in achieving the final victory of the allies at Waterloo in 1815.

The Statue and plinth is some 20 feet high and faces towards France.

In connection with this Memorial and its surroundings I should like to make the following submissions :-

1. The Memorial could have been placed anywhere along about a half a mile of ground overlooking Sir John Moore's Plain. It is very significant that the site chosen was at the end of Footpath No. 26.  
As it had been partially paid for by the public, could it not have been appreciated that the public had a right to see it and Footpath No. 26 was the only place to which the public had rightful access. I submit this right still exists.  
If this Footpath is closed, the public will never again be able, as a right, to view this statue and survey from it the historic Plain on which the immemorial training took place all that time ago.
2. During World War I and World War II when Shorncliffe was stiff with troops it was not found necessary to close the Footpath yet it is now considered necessary to close it when the Plain is used for recreation for boys.
3. In this part of south-east ~~of~~ Kent which is so closely connected with the Napoleonic War period there are two principal reminders
  - (1) The Royal Military Canal
  - (2) Sir John Moore Plain

There is marked contrast in the treatment of these two places -  
in (1) the public are encouraged to walk along it and part of it is owned by the National Trust  
for (2) it is proposed to debar the public from entering on it forever.

In conclusion, may I say that one hopes that the need for the strict security which has been imposed because of possible I.R.A. attacks and which is the main reason given for the application to close these Footpaths, will not go on forever.

Also, with the ever changing policy of Military recruitment and training and the widespread sale of Military land there is the



strong possibility that the present set-up at Shorncliffe could be changed at any time. If then, the two Footpaths are closed that would be the end of them permanently and they would be lost to the public forever. This despite the original reason for asking them to be closed having ceased to exist.

I do ask your Lordship and Worships to consider this final point very carefully before taking away two useful and attractive footpaths from the ever diminishing number of public footpaths in Kent which, thank goodness, can still be called the Garden of England and long may it remain so.

I hope that instead of finding as you have been asked by the appellants to find that these Footpaths are no longer necessary, you ~~will~~ find that they are indeed very necessary.



BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/MC/304

THE CIVIC CENTRE,  
FOLKESTONE.

CT20 2QY.

N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

TELEPHONE: 55221  
(STD 0303)

19th March, 1973

Dear Sir,

Proposed stopping up of footpaths  
numbered 26 and 47

Thank you for your letter dated 16th March, 1973, a copy of which has been passed to the Magistrates' Clerk for presentation to the Justices at the hearing on 20th March, 1973.

Yours faithfully,

Town Clerk

L. D. Syer, Esq.,  
Balcony House,  
148 Sandgate High Street,  
FOLKESTONE.

Mr. E. Bell

265

The person dealing with this matter on my behalf is.....Ext.....

All correspondence to be addressed to the Town Clerk



DIRECTOR OF PARKS,

DEAR SIR,

PUBLIC FOOTPATHS Nos 26 and 47 , SANDGATE.

Your records will show that at the instigation of the Military at Shorncliffe, Folkestone Corporation applied to the Magistrates' Court, Folkestone on..20.Mar.1973. for authority to close both of the above footpaths.

The application was opposed by the Sandgate Society and other interested parties, as a result of which the application was refused.

Folkestone Corporation then appealed against this decision to the Crown Court, Maidstone, the Appeal being heard by His Honour Judge Gower, Q.C. on.24.May.1973.....

The Sandgate Society opposed the Appeal which was not allowed, and in his lengthy summing up of the reasons for his decision the learned Judge, as part of his judgment ordered that the two footpaths should be cleared and constantly maintained as footpaths by the Folkestone Corporation as the responsible Authority.

Despite this judgement and verbal reminders and requests by this Society, nothing has been done, and the footpaths are at present in a deplorable state. We ask therefore that the Court Order be observed without further delay and the two footpaths cleared and properly signposted.

Your early attention to this matter ~~xxxxxx~~ is requested.

Yours sincerely,



PART OF PARISH MAP, CHERITON.  
1828

PATH 26

H  
Q

PATH 47

BREWER'S HILL.





53  
KNOWN AS  
**"LYNCOMBE"**  
SANDGATE, KENT.

1883.

①

WITH  
VIEW

ICE  
WELL

STEPS: 

COUNCIL LAW ENDED: \_\_\_\_\_

Reference &amp; Contents

GREEN	Excluded	02	5	11
PIKE & BROWN	Included subject on the point, to general comments not in the conditions	7	1	10
PIKE	Did not raise the issue on a yearly running of 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821			



Councillor J.F.Setterfield.

19th September, 1976

Dear Councillor Setterfield,

I have just returned from holiday and seen the piece in the Herald about Paths 26 and 47 in Sandgate, where I used to live and to which I hope to return.

I enclose a map showing a path which I feel would suit the understandable needs of the military and be of much greater benefit to the residents of Sandgate than paths 26 & 47 put together.

The suggested new path follows the military boundary throughout so making it easy to effect security. The military can hardly object on the grounds of the danger to users of the new path from overshoots as such overshoots would also be dangerous to users of Encombe Woods which are public property and to the residents of Encombe.

I have also marked on the map three short link paths making a storm path which would enable the residents of developments in the Hospital Hill, Castle Bay, Sunnyside and Brewer's Hill areas to avoid the Esplanade in gales. These three links are roughly those I suggested to Mr. Greening in my letter of 25th January last, the Sandgate Study having only suggested the Hillside-Encombe link.

Should you wish I should be happy to show you the route of the suggested path.

Yours sincerely,

A.H.T.TODD.



IN THE COUNTY OF KENT

Petty Sessional Division of the Borough of Folkestone

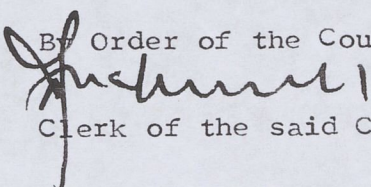
The Council of the Borough of Folkestone having  
this day applied to the Justices for the said  
Borough for an order under section 108 of the  
Highways Act 1959 authorising parts of the  
highways known as footpaths 26 and 47 to be stopped  
up on the grounds that they are unnecessary

AND witnesses on behalf of the said Council  
and certain objectors to the application having  
been heard by the Court

IT is hereby ordered that the said application  
be and is hereby refused.

DATED this 20th day of March, 1973.

By Order of the Court

  
Clerk of the said Court.



Appeal to the Crown Court

No. 736135

FOR HOME OFFICE USE

at *Maidstone*  
on *24th May, 1973*

1	2	3	4	5

before Judge *J. Gower Q.C.*  
Justices *Mrs Gee - Rochester*  
*Mrs Stewart - Maidstone*

Appellant Name *Folkestone Borough Council*  
date of birth  
Counsel *B. Pryor*  
Solicitors *Frederick Hall & Co*  
*Bowen Square, Folkestone*

CROWN COURT				
6	7	8	9	

Respondent Name *D. G. Vorley, A. Todd, P. D. Colver*  
*N. G. Stewart, & Miss Phillips*  
Counsel  
Solicitors *Respondents in person*

~~Legal Aid/Private~~

~~Legal Aid/Private~~

MAG COURT			
10	11	12	13

Magistrates Court *Folkestone*

Date of Sentence or Order *20th March, 1973*

OFFENCE	APPEAL AGAINST					OFFENCE				
	Conviction	Finding of Guilt	Sentence	Conviction & Sentence	Order	DECISION	CLASSIFICATION		SUB-CLASS'N	
<i>Application for footpaths 26 and 47 to be stopped up on the grounds that they are unnecessary</i>						<i>✓</i>	14	15	16	17
						<i>Appeal dismissed decision of the magistrates court confirmed</i>	18			

APPEAL AGAINST

19

RESULT

20	21

CARD TYPE

79	80



PATHS WALKED: - 26- 18<sup>2</sup>/43  
47- 25<sup>2</sup>/43

PROVE

Public NEED paths  
Public USE paths  
Public wish to CONTINUE TO  
USE paths.

SANDGATE SOCIETY

THE CASE AGAINST CLOSING

20 MAR 1973

PATHS 26 & 47

MAGISTRATE'S COURT  
FOLKESTONE.

(\*) Todd will bring to Court.

1. HAND IN MAP (AT BACK OF FOLDER).
2. PREAMBLE.

SANDGATE is a long narrow village confined between high cliffs on the north and the sea on the south. It is divided into four separate parts, marked A, B, C & D on the map. There is no east/west connection between these four parts except by going down and along the Esplanade, or up and along Martello Road, though this cannot be done from Area C.

Areas A, B & D each have one exit over the cliff top to the north onto Martello Road. These exits are all readily usable and show signs of regular use.

The westerly arm of Path 47 and the south easterly arm of Path 26 are shown on the 1828 Parish Map of Cheriton and on every Ordnance Survey Map since the first in 1872.

3. HAND IN COLOUR PHOTOGRAPH OF PARISH MAP (PART OF).

(\*) 4. OFFER A SIGHT OF ALL ORDNANCE SURVEY MAPS.

5. PATH 47

As the only exit to the north from Area B, which includes most of the westerly Conservation Area, this path has amenity value to walkers as a direct link with B 2063 on both east & west and as an alternative route to the Esplanade.

6. HAND IN TWO RENÉ-MARTIN COLOUR PRINTS OF BREWERS HILL.

7. Path 47 also has a special value when high seas and flooding make the Esplanade impassable-as the ONLY all-weather link between Area B and the outside world. In Area B there are some 60 houses, some divided into small flats. A plan to connect this area and also Area C with Wilberforce Road and the rest of the village by an all-weather path along the line N-P by-passing the Esplanade was classed as a sound suggestion by Folkestone Corporation but was later thrown out on grounds of cost. In 1968 a Petition pointing out the need in emergency for such a path was signed by 121 people in Areas B & C.

8. OFFER PHOTO-COPY OF PETITION & SIGNATURES.

9. In high seas spray rises 90ft above the Esplanade and water and shingle are thrown over its entire width in some depth making it impassable to both pedestrians and vehicles including busses, which latter are diverted via Shorncliffe Camp. Passengers for Area B leave their bus at Point Y and walk down Path 47. The sea wall has neither wall nor railings.

10. HAND IN STORM PHOTOGRAPHS.

11. The Sandgate Society therefore opposes the stopping up of Path 47.

12. PATH 26.

The Sandgate Society opposes the closing of this path as the portion of it running from East Road to Military Road



forms, with Martello Road, part of the circular walk  
and of the essential all-weather route into and out of  
west Sandgate.

- (\*) 13. HAND IN LARGE COPY OF KENT COUNTY AERIAL SURVEY 1967  
(ANNOTATED).

Mr. Vorley-note.

Path 26 does not go through to North Road on the  
Definitive Map. It is only shown as going as far  
as the south east corner of the Library behind  
"Memorial"-as shown by me on my map.

A.T.



Mr.Vorley.

DEFINITIVE MAP

As you will know the marking of a path on this map is positive evidence in law of a Right of Way.(at the time the map was made) (Law of Footpaths-Ian Campbell LL B-Commons, Open Spaces & Footpaths Presn. Society). 1972 - h Y. from (1)

The Copy of the Map in the Library is accompanied by a printed booklet in which are given brief details of the route of each path. Our two paths are described as follows:-

- Path 26. TR 23 NW & TR 13 NE.  
Military Road at Soldiers' Home WNW  
to Memorial by Camp Library.
- Path 47. TR 13 NE  
Martello Road south to north end of  
Brewer's Hill, then NW to Martello Road  
SW of school.
- Path 8 is shown as  
TR 23 NW  
Road north of Bybrook NW to Military Rd  
opposite Recreation Ground.

The Map in Folkestone Reference Library is marked:-

Kent County Council. National Parks & Access to  
Countryside Act 1949-Countryside Act 1968.  
Revised Statement in Draft Form.  
Date of Review 1.10.1970.



COPY SUPPLIED BY  
FOLKESTONE  
CORPORATION.  
19TH FEBRUARY 1973.



Environmental Services,  
Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY  
Telephone: 0303 850388  
Fax: 0303 258854  
DX 4912 Folkestone

# SHEPWAY

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## DISTRICT COUNCIL

Your Ref.  
Our Ref. IRR/CAU/11a  
Ext. No. 482  
Date 21st September 1992.

Mr. D. Kesby,  
The Sandgate Society,  
16 Romney Avenue,  
FOLKESTONE, Kent.

Dear Mr. Kesby,

### Footpath Maintenance - Encombe

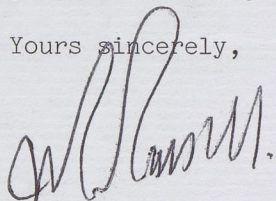
I refer to our recent meeting and can confirm that footpaths, AB, BC and BX identified on the enclosed plan are maintainable by the Shepway District Council under the terms of its agency agreement with the K.C.C.

There is no objection, and indeed the Council would welcome, assistance from your organisation in maintaining and improving these paths. It is noted that you propose to organise a working party for Sunday, 4th October.

If you think these paths could benefit from the erection of public footpath signs, the Council may be able to assist. To this end could you please contact Mr. K. Hills at the Civic Centre on Extension 490.

The other matters raised at our meeting are being progressed and, in particular, Wimpeys have been formally approached to seek their agreement to access to their site for the purpose of effecting works to the proposed path within the grounds of Enbrook House.

Yours sincerely,



I. R. Russell  
Director Environmental Services

c.c. Mr. N. Johannsen, White Cliffs Countryside Project  
Mr. D. Harman, Golden Valley Residents Association

Enc.



The map is a detailed military map of a coastal area, likely a beachhead. It features a coastline with several buildings, roads, and a large area labeled 'SANDGATE'. Handwritten annotations include 'JULY 17M.' in the top right, 'HF47' and 'HF8' along the coast, and 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O', 'P', 'Q', 'R', 'S', 'T', 'U', 'V', 'W', 'X', 'Y', 'Z' along the coast. A large 'X' is drawn over the map, and a line of dots is drawn along the coast. The map is oriented with North at the top.



SANDGATE SOCIETY

PROPOSED CLOSING

OF PATHS 26 & 47

1. HAND IN MAP.

2. PREAMBLE

SANDGATE is a long narrow village confined between high cliffs on the north and the sea on the south. It is divided into four separated parts, marked A, B, & C, & D on the map. There is no east/west connection ~~whatsoever~~ between these four parts except via the Esplanade. A, B & D each have an exit over the cliff top to the north. These exits are all readily usable & show signs of regular use. The westerly arm of Path 47 and the south easterly arm of Path 26 are shown on the 1828 ~~Cheriton~~ Parish Map of Cheriton and on every Ordnance Survey Map since the first in 1872.

3. HAND IN COLOUR PHOTOGRAPH OF CHERITON PARISH MAP (PART OF).

4. OFFER A SIGHT OF ALL ORDNANCE SURVEY ~~XXXX~~ EDITIONS.

5. PATH 47.

As the only exit to the north from Area B, which ~~is~~ includes most of the westerly Conservation Area, this path has amenity value to walkers as a direct link with B 2063 on both east and west and as an alternative route to other parts of Sandgate.

6. HAND IN 3 RENE-MARTIN COLOUR PRINTS.

7. ~~Path 47~~ also has a special value when high seas make the Esplanade impassable as the ONLY all-weather link between Area B and the outside world. In Area B there are some 60 houses, some divided into small flats. A plan to connect this area and also Area C with Wilberforce Road and the rest of the village by an all-weather path along the line N-P by-passing the Esplanade was classified as a sound suggestion by Folkestone Corporation but later thrown out on grounds of cost. In 1968 a Petition pointing out the need in emergency for such a path was signed by 121 people in Areas B & C.

8. OFFER PHOTO-COPY OF PETITION & SIGNATURES.

9. In high seas spray rises 90ft above the Esplanade and water and shingle are thrown over its entire width in some depth making it impassable to both pedestrians and vehicles including busses, which latter are diverted via Shorncliffe Camp. The sea wall has neither wall nor railings.

10. HAND IN STORM PHOTOGRAPHS FROM PRESS FILES.

11. The Sandgate Society therefore opposes the stopping up of Path 47. Suitable deviations rather than stopping up would however not be opposed. Certain possibilities have been marked on the Society's Map.- Q to R, W & X. QW would give Areas B & C an all-weather route and would improve the amenities of the publicly-owned Encombe Woods by giving them an outlet to the top. Some routes would be shortened and some gradients eased.



## 12. PATH 26

The Society considers that the part of Path 26 running south east from East Road to B 2063 (Military Road) should be kept open as being part of the circular walk and of the all-weather route unless the Army undertakes either to keep path LX open or provide a suitable alternative.

They do NOT oppose stopping up of the part of Path 26 running north west from East Road as it interferes with the economical use of the land for football pitches and B 2063 provides a reasonable alternative route.

## 13. HAND IN LARGE COPY OF KENT COUNTY AERIAL SURVEY 1967 annotated.



DRAFT

SANDGATE SOCIETY

PROPOSED CLOSING

OF PTHS 26 & 47

HAND IN MAP

SANDGATE is a long narrow village confined between high cliffs on the north and the sea on the south. It is divided into four parts, marked A, B, C & D on the Map. There is no east/west connection between these parts except via the Esplanade. A, B & D each have an exit over the cliff top to the north. That from area A is not marked on the Definitive Map. All three exits are readily usable and show signs of regular use.

PATH 47

which is largely a Cons. Area  
As the only exit to the north from area B this path has amenity value to walkers as a direct link with B 2063 on both east and west and as an alternative route to other parts of Sandgate. HAND IN RENE-MARTIN PHOTOGRAPHS (3).

It also has a special value when high seas make the Esplanade impassable as the ONLY all-weather link between area B and the outside world. In area B there are some 50-60 houses some divided into small flats. A plan to connect this area and also area C with Wilberforce Road by a path along the line N-P was classed as a sound <sup>SOCIETY'S</sup> ~~idea~~ by Folkestone Corporation but was later rejected on account of cost. In high seas spray rises 90ft above the Esplanade and water and shingle are thrown over its entire width in some depth making it impassable to both pedestrians and vehicles including busses, which latter are diverted via Shorncliffe Camp. The sea wall has neither wall nor railings. HAND IN STORM PHOTOGRAPHS, culled from the Press over the years.

Society

The Sandgate/therefore opposes the stopping up of Path 47. Deviation rather than stopping up would not be opposed provided a not unduly lengthened access to Martello Road and thence to both parts of B 2063 were maintained. Possible deviations are shown on the map-Q to R, W & X. QW would give areas B & C an all-weather route and would also greatly improve the amenities of the publicly-owned Encombe Woods by ~~makingxxxx~~ giving them an exit at the top. These deviations would shorten some routes and ease some gradients.

PATH 26

The Society considers that the part of Path 26 running south east from East Road to B 2063 (Military Road) should be kept open as being part of the circular walk and of the all-weather route unless the army gives an undertaking either to keep path LX open or provide an equally suitable alternative. They do not oppose abandonment of the part of Path 26 running north west from East Road.

KENT COUNTY AERIAL SURVEY 1967

HAND IN ANNOTATED COPY (LARGE).



X= point near Bybrook at foot of path up to old site of Officers Mess at east end of Martello Road.

QF shown as running along south edge of allotments below old Families Hospital.

QW shown as running over old laundry site at top of Brewers Hill, eastwards into Encombe Woods, round Tower 7 on its south side and north to Martello Road.

QX follows QW to Tower 7 then strikes on east through the woods at the top of the Encombe and Undercliff cliffs to X at Bybrook.

1. Are the 4 parts arbitrary?
2. Who owns the land for possible demolition



# SHEPWAY DISTRICT COUNCIL

TELEPHONE 57388 (STD 0303)

POST OFFICE BOX NO. D.R.39

YOUR REF:

MY REF: PK/PW/MJM/F30

THE CIVIC CENTRE,  
FOLKESTONE,  
CT20 2QY

16 March 1976

Mrs. M. L. Lachlan,  
Hon. Secretary,  
The Sandgate Society,  
Albion Cottage,  
Sandgate,  
Folkestone, Kent.

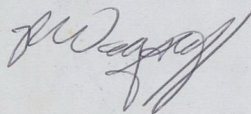
Dear Madam,

## FOOTPATHS SANDGATE AREA

I refer to your letter of 9 March regarding the Jacob's Ladder and No. 47 footpaths. I have passed this to my Department's Footpaths Officer to deal with direct and he will, if necessary, contact your Mrs. Fisk.

With regard to the Jacob's Ladder path, this may not be my Department's responsibility since it is one of the "urban alleyway" type paths which are directly the responsibility of the Controller of Technical and Planning Services Department as highway authority. Should this prove to be the case then my Footpaths Officer will pass it to the Controller for his direct attention.

Yours faithfully,



Parks Manager

The person dealing with this matter on my behalf is myself Ext. 317

but all correspondence should be addressed impersonally to the Recreation and Amenities Officer (and the Box No. quoted).