



HEADQUARTERS
2nd INFANTRY BRIGADE
RISBOROUGH BARRACKS
SHORNCLIFFE
KENT CT20 3HR

SHORNCLIFFE MIL } Ext 2038
FOLKESTONE 49541 }

4800.11

White Cliffs Countryside Project
6 Cambridge Terrace
DOVER
Kent
CT16 1JT

15 October 1991

(for attention Melanie Wrigley)

Dear D W Kesby (your copy)

FOOTPATH - SANDGATE ESCARPMENT

In confirmation of our telephone conversation of 15th October 1991 it is agreed that you may improve the existing footpath to the East of the Western martello tower (number 7) and may clear the path round the Eastern martello tower (number 6).

We would be grateful if you would not touch the path to the West of the Western martello tower as the correct alignment of this section has still to be finalised with Kent County Council, et al.

1000
sim early
8.00
D.W.

Copy to:

Mr D W Kesby, 16 Romney Avenue, Folkestone
DLA, Victoria House, Military Road, Canterbury CT1 1JL

COPY.

Kent County Council

Highways & Transportation,
Sandling Block, Springfield,
Maidstone Kent ME14 2LQ

Ask for Mrs.M.Ross,
Our Ref. 2s MR P45/SH/G/1

4th February 1991

Mrs. P.Wilson, Wildwood
Harvel Meopham
Kent.

Dear Mrs. Wilson,

Path linking The Corniche with Brewers Hill, Sandgate.

Thank you for your letter of the 25th January 1991

I wrote to Shepway District Council on 11th January to ask the present position regarding the above link path. The reply received from that Council is as follows:-

"The footpath link from The Corniche to Brewers Hill has been completed *. I regret because of other difficulties with the Section 38 Agreement works, The Corniche and the link path remain unadopted. I expect these problems to be satisfactorily resolved but I am unable to give any forecast of when this will be."

(* last letter to P.Wilson said works not completed on link path.)

I am advised that the Council will write to me as soon as the link has been adopted. I confirm that I shall endeavour to establish the connection as soon as possible, and when the path becomes public, signposting will be implemented.

Yours sincerely,

Sgd. M.Ross
Public Rights of Way Officer.

Footnote to Dave Kesby:

Always snage about FPs which look as if they ought to be definitive paths, on def. map, but are part of Estate development, and therefore subject to s.38 Agreements whereby the LA takes over responsibility for highways from the developer. There is no statutory provision for them to be signed, as for def. paths, and they certainly do not get on to def. maps; but as Mrs.Ross seems keen to have it signed, let's hope she succeeds.

Perhaps you can press for news of this from the Sandgate Society? I will chase to Mrs.Ross in due course, too.

Yours. P.W.

PRESIDENT: Fay Godwin.
CHAIRMAN: Chris Hall.
DIRECTOR: Alan Mattingly.

Our Ref
Your Ref

The Ramblers



1/5 Wandsworth Road, London SW8 2XX
Telephone: 01 - 582 6378

36 The Ramblers' Association promotes rambling, protects rights of way, campaigns for access to open country and defends the beauty of the countryside. 99

Mr Hatt
Head of Defence Lands
Ministry of Defence
Leatherhead Road
Chessington
Surrey
KT9 2LU

Dear Mr Hatt,

The Ramblers' Association is a national voluntary organisation whose aims include protecting and promoting public footpaths. In October of last year, the RA held a meeting with your predecessor, Ian Andrews, when we discussed items of mutual interest regarding public rights of way. We received an assurance from Mr Andrews (earlier given by Armed Forces Minister, Roger Freeman MP) that the MoD will respect rights of way and act lawfully.

Mr Andrews also kindly supplied us with the names and addresses of your local defence land agents which we have in turn sent to the many local branches of the RA. In the event of any problems, the local RA was to contact the local DLA: Mr Andrews, however, wished to be informed of any problem which was not locally solved, prior to it becoming a major issue.

I am now writing to you as a few of our local branches are complaining about the lack of effectiveness of their DLAs. However, there is one issue in particular which I consider requires your urgent attention. I will send details of the other issues in due course.

Please find enclosed a copy of two letters from the Kent Area of the RA to your Aldershot-based DLA. Neither of these letters, nor an earlier one of 21st May, have yet been answered.

The issue here surrounds footpaths HF47 and HF26 at Shornecliffe Camp, Sandgate, Shepway. There are reports that these public rights of way are unlawfully obstructed by the MoD, going totally against your stated policy of acting lawfully. Furthermore, it is possible that these particular obstructions are contrary to a Crown Court judgement.

The RA has been consulted about a possible alternative route for the paths and, in the normal course of events, this would be processed by the RA and in due course matters would be resolved. However, in this case, it appears that the MoD is acting unreasonably. Not only are the paths obstructed, but your proposal is to try to get the paths entirely extinguished before creating alternative ones, and to do so by the now discredited section 116 magistrates court procedure (which the DoE itself advises local authorities not to use).

Colm

my cdy

49541

EX 2038

Shornecliffe Pk
Shepway

4 September, 1990

MOMENT SUITE KCC

KCC Mrs BRODA
TRACET

LINDA NIGHT
14/9/90

.... /2

As things stand at the moment, if the local authority proceeds to the magistrates court with a section 116 application, the RA might decide to fight the case. We demonstrated earlier this year that, when right is on our side and the council and MoD are acting unreasonably and against the public interest, we are capable for taking a case right through to the High Court, and winning. Indeed, in the Lydd case, Lord Justice Woolf praised the RA for acting in the public interest and awarded us all our costs.

In the Shornecliffe case, we are keen to find a mutually acceptable solution and are convinced that a plan is possible whereby all parties will be satisfied. However, if your local DLA will not negotiate with our local branch, but insists on the council proceeding with a section 116 extinguishment order without any firm provisions for alternative routes, another lengthy and troublesome case could be set in motion to nobody's benefit.

I would be very grateful if you would give the Shornecliffe case your earliest attention. In the first instance, I would be most grateful if you would instruct your local DLA to ask the council not to proceed with the section 116 extinguishment order. We would then wish to have full discussions with the DLA in order that our views and proposals can be adequately considered.

If you wish to have any further information, please do not hesitate to contact either myself or Pat Wilson (the local RA contact dealing with this matter whose address is given on the attached).

Thank you very much for your attention to this matter which I hope can be resolved in the near future.

Yours sincerely,

David Beskine

David Beskine
Countryside Officer

encs.



THE SANDGATE SOCIETY

Affiliated to:—
Kent Federation of Amenity Societies
Committee for the Preservation of Rural Kent
The Civic Trust

Hon. Treasurer
Mr. H.B. Chaplin

Chairman
Mrs. R.E. Greenwall

Hon. Secretary
Mrs. B.A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone Kent

4th August 1973

Dr. A.C. Gripper Gray
Vice-Chairman, Kent Rights of Way Council
Lion Yard, Lowson Street
Teynham, Sittingbourne Kent ME9 9JS

Dear Sir,

Thank you for sending copies of your Council Minutes, which members of my Committee found most interesting. Much work appears to have been done and is being done by the Council and it is nice to know of the existence in Kent of such a dedicated body of people to whom one can turn for advice and help on the subject of footpaths should these be required.

It may be of interest to you to learn that the Sandgate Society, with help from other Objectors, successfully opposed the closing of two public footpaths in Sandgate when the Folkestone Borough Council, as the responsible authority, made application to the Folkestone Magistrates, on 20th March, for an order to close the two footpaths running over Military land, under Section 110 of the Highways Act, 1959.

Upon the application being refused by the Magistrates, the Council (again one felt through pressure by the Military) appealed to the Crown Court against the Magistrates' decision.

The Appeal was heard at Maidstone Crown Court on the 24th May before His Honour Judge John Gower Q.C., and once again vigorously opposed by the Sandgate Society and I am pleased to say, successfully.

Two points of interest arise from this case: It was decided by the Judge that an application to close a footpath on the grounds of it being unnecessary must show that it was without amenity value. This now means that even if a footpath does not lead anywhere (the main reason for the application in the case quoted) if pleasant views can be obtained from it and it has a use say for exercising dogs or for picnicing, then those are amenities and good grounds for refusing an application to close it. This decision can, I feel sure, be quoted as case law on footpaths.

/Continued.....

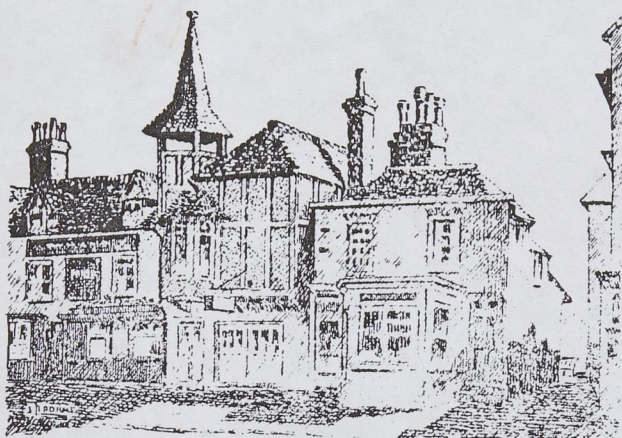
1) Refer
Queen's Bench

5/3/7964.

2) Answer for 1st?

3) Ref for write judgment.

See Crown Court & High Court. A useful precedent.



THE SANDGATE SOCIETY

*Affiliated to:—
Kent Federation of Amenity Societies
Committee for the Preservation of Rural Kent
The Civic Trust*

Hon. Treasurer

Chairman

Hon. Secretary

/Continuation

- 2 -

The second point is a personal opinion. Success is as likely, if not more likely, if local inhabitants attend a Court and press their case themselves honestly and enthusiastically, as it would be if they employed a Solicitor or Counsel to do it on their behalf. We feel that apart from the saving of costly fees, Counsel cannot speak so knowingly, simply and sincerely as the people themselves who are likely to be personally affected by a much liked footpath being taken from them.

Yours sincerely,

Ann Kerr

Hon. Secretary

Footpaths 46/27

Mr. H. D. Chaplin

Mrs. R. E. Greenwall

Mrs. B. A. Kerr
Somerville Lodge
~~St. Mary's Church~~
Sandgate Esplanade
Folkestone Kent
CT20 3DB

11 October 1973

E. W. Parker Esq.,
Hon. Sec. Southern Area Footpaths
The Ramblers Association
1 - 4 Crawford Mews
Vork Street
London W1H 1PT

Dear Sir

This is to report on the activities of this Society so far as footpaths are concerned. We would point out that there are not many of these in the area covered by this Society.

On the 20th March 1973 the Folkestone Borough Council applied to the Folkestone Magistrates Court for permission to stop up footpaths Nos. 26 and 47 on the definitive map. This my Society opposed and the application was refused by the Magistrates.

On 24th May 1973 the Borough Council appealed against this decision to the Crown Court at Maidstone. The Society again opposed and the judge disallowed the appeal, adding a direction that the Council should ensure that these paths were properly maintained and signposted. On the 29th May my Society wrote to the Town Clerk, asking that the Judge's direction be complied with. The Town Clerk replied on the 31st May 1973 stating that our letter had been passed to the Borough Engineer for his attention.

As nothing had been done, my Committee instructed me to write again to the Town Clerk. This letter was dated 28th September. In his reply dated 1st October the Town Clerk stated that clearing work would commence fairly soon but that no money for signposting would be forthcoming until next year!

Yours sincerely,

Barbara A. Kerr

Hon. Secretary

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/MC/304

THE CIVIC CENTRE,
FOLKESTONE.
CT20 2QY

N. C. SCRAGG, LL.M., LMRTPI

SOLICITOR

TOWN CLERK

TELEPHONE: 55221
(STD 0303)

1st October, 1973

Dear Mrs. Kerr,

Footpaths 47 and 26

Thank you for your letter dated 28th September, 1973.

I have spoken to the Borough Engineer who informs me that some clearing work on the footpaths will be carried out fairly soon.

Regarding the signposting, an item has been placed in next year's estimates of expenditure. Unfortunately there is no money available this year for this work to be carried out.

Yours sincerely,

N. C. Scragg
Town Clerk

Mrs. B. A. Kerr,
Hon. Secretary,
The Sandgate Society,
Somerville Lodge,
Sandgate Esplanade,
FOLKESTONE,
CT20 3DB.

The person dealing with this matter on my behalf is.....Mr. E. Bell.....Ext. 265.....

All correspondence to be addressed to the Town Clerk

Folkestone 38694

Mr. H.B. Chaplin

Mrs. R.E. Greenwall

Mrs. B.A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone Kent
CT20 3DB

28th September 1973

R.C. Scragg Esq., LL.M.,
Town Clerk
Borough of Folkestone
The Civic Centre
Folkestone CT20 2gy

Your reference : B/C/304

Dear Mr. Scragg

Footpaths 47 and 26

I would refer to the Society's letter written on the 29th May and to your reply dated 31st May 1973.

My Committee have instructed me to ask if you can give any information as to when your Officers will be signposting and putting in order footpaths Nos. 26 and 47, as instructed by the Judge.

Also may we ask that the footpaths through the Encombe Woods be treated similarly.

Yours sincerely,

Hon. Secretary

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/C/304

THE CIVIC CENTRE,

FOLKESTONE. CT20 2QY

31st May, 1973

N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

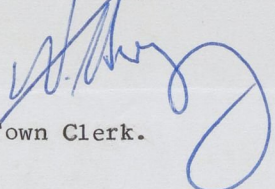
TELEPHONE: 55221
(STD 0303)

Dear Mrs. Kerr,

Footpaths 47 and 26

Thank you for your letter of 29th May 1973, which has been passed to the Borough Engineer for his attention.

Yours sincerely,


Town Clerk.

Mrs. B.A. Kerr,
Hon. Secretary,
The Sandgate Society,
Somerville Lodge,
Sandgate Esplanade,
Folkestone CT20 3DB.

18/5/73
MR. Arundel inspecting
foot paths to ascertain
if sign posts have
been erected.

Wm

The person dealing with this matter on my behalf is..... Mr. E.G. Bell Ext. 265

All correspondence to be addressed to the Town Clerk

The Civic Centre

FOLKESTONE, CT20 3DB

31st May, 1973

Mr. H. B. Chaplin

Mrs. P. E. Greenwall

Mrs. B. A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone
CT20 3DB

29th May, 1973

N. C. Scragg Esq., LL.M.,
Town Clerk
Borough of Folkestone
The Civic Centre
Folkestone

Dear Mr. Scragg

Footpaths 47 and 26

Now that the matter of the above footpaths has been resolved the Sandgate Society write to ask that these paths should now be cleared and kept in order; also that each path should be signposted as a "Public Footpath". Footpath 26 should be clearly marked "Public Footpath to the Sir John Moore Statue and Memorial Hall."

Thank you for your co-operation in this matter.

Yours sincerely,

B. A. Kerr

Hon. Secretary

Mr. H. B. Chaplin

Mrs. R. E. Greenwall

Mrs. B. A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone
ct20 3db

29th May 1973

N. C. Scragg Esq., LL.M.,
Town Clerk
Borough of Folkestone
The Civic Centre
Folkestone

Dear Mr. Scragg

Footpaths 47 and 26

Now that the matter of the above footpaths has been resolved the Sandgate Society write to ask that these footpaths should now be cleared and kept in order, and that they should be signposted as "Public Footpath". Footpath 26 should be clearly marked "Public Footpath to the Sir John Moore Statue and Memorial Hall".

Thank you for your co-operation in this matter.

Mr. H. B. Chaplin

Mrs. R. E. Greenwall

Mrs. B. A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone Kent

2nd April 1973

Messrs. Frederic Hall & Co.,
Bouverie Chambers
Bouverie Square
Folkestone CT20 1BD

Dear Sirs,

Folkestone Magistrates Court : 20th March 1973
Folkestone Corporation : Footpaths Nos. 26 and 47

Mr. D. G. Worley, who represented the Sandgate Society at the above hearing, has received your letter dated the 30th March 1973 and the Society has noted the Folkestone Corporation's intention to appeal against the magistrates decision in the matter.

The Society also notes that you will notify us the date on which the appeal will be held at the Crown Court.

Yours faithfully,

B. A. Kerr

Hon. Secretary

Your Ref: DW/AFB

1, Castle Road,
Sandgate.
Folkestone. Kent.

2nd April, 1973.

Dear Sirs,

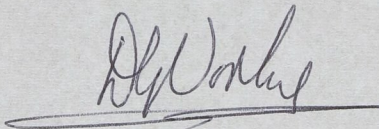
Folkestone Magistrates Court - 20th March, 1973.
Folkestone Corporation. Footpaths 26 and 47

Thank you for your letter dated 30th March, enclosing Notice of Appeal by Folkestone Corporation regarding the above matter.

As I appeared at Court on 20th March on behalf of the Sandgate Society, I have passed a copy of your letter and Notice to their Hon. Secretary Mrs. B. A. Kerr who will be replying to you separately.

I note that I will be notified of the time and place of the Crown Court hearing, when these have been fixed.

Yours faithfully,



D. G. Vorley.

Messrs. Frederic Hall & Co., Solicitors,
Bouverie Chambers,
Bouverie Square,
Folkestone. CT20 1BQ.

Copy to Mrs B.A. Kerr for information.

Thank you for copy of your letter to F.H. & Co.



FREDERIC HALL & CO.

SOLICITORS
COMMISSIONERS FOR OATHS

JOHN P. MEDLICOTT, T.D., M.A.
JEAN M. ANDERSON, M.A.
B. P. HARDING
D. A. TAPLEY
M. S. KIRK
DIANE K. L. WRAY

ASSOCIATE
J. K. LAWSON, LL.B.

TELEPHONE 52248 (4 LINES)

BOUVERIE CHAMBERS

BOUVERIE SQUARE

FOLKESTONE

CT20 1BQ

AND AT MIDLAND BANK CHAMBERS, DOVER, (TEL. 2771)

30th March 1973

DW/APB

Dear Sir,

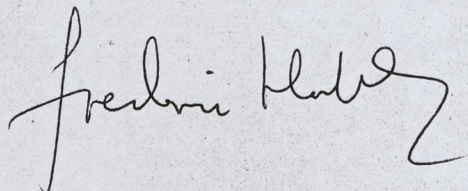
Folkestone Magistrates Court - 20th March 1973
Folkestone Corporation.
Foot Paths 26 & 47

As you will be aware we act for the Folkestone Corporation on whose behalf we made application to the above court for closure of the above two foot paths for which application was refused.

We have now received instructions from the Local Authority that they wish to appeal against the Magistrate's decision and, as you were one of the persons who appeared and opposed the application, we are serving you with Notice of our intention to apply to the Crown Court against the Magistrate's decision.

Would you kindly acknowledge safe receipt in due course, and you will be notified when a hearing date has been fixed.

Yours faithfully,



D.G. Vally, Esq.,
1 Castle Road,
Sandgate,
Folkestone,
Kent.

NOTICE OF APPEAL

Highways Act 1959 - Section 275

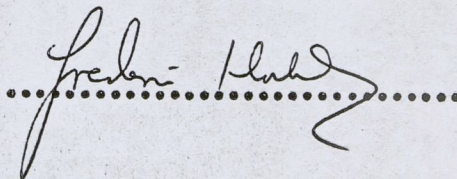
Courts Act 1971 - Schedule 9 and 11

TO: The Clerk to the Justices,
The Magistrates' Courts Sitting
at the Town Hall Folkestone in
the County of Kent.

WE, FREDERIC HALL & COMPANY of Bouverie Chambers Bouverie Square Folkestone
in the County of Kent, Solicitors for and on behalf of Noel Copeland Scragg
Town Clerk of the Folkestone Borough Council of the County aforesaid DO HEREBY
GIVE YOU NOTICE of the intention of the said Folkestone Borough Council to
appeal to the Crown Court for the County of Kent against the decision made by
the Magistrates' Court sitting at Folkestone aforesaid on the 20th day of March
1973, whereby the Magistrates refused to make an Order under Section 108 of the
Highways Act 1959 authorising parts of the highways known as Footpaths Nos. 26 and
47 to be stopped up.

AND that the grounds on which the appeal is to be made are that the
decision of the said Magistrates was wrong in fact and law and against the weight
of the evidence.

Dated the 30th day of March 1973


.....

Folkestone 38694

Mr. H.D. Chaplin

Mrs. R.E. Greenwall

Mrs. B.A. Kerr
Somerville Lodge
Sandgate Esplanade
Folkestone Kent

12th March 1973

Clerk to the Justices
The Court
Townhall
Guildhall Street
Folkestone Kent

Dear Sir

Proposed closure of Footpaths No. 47 and 26

We hereby wish to give notice that we intend to oppose the proposed closure of footpaths numbered 47 and 26 and shall attend the Court Hearing on the 20th March 1973 to present our case for objection.

I enclose herewith a letter written on the 3rd March 1973 by Mr. Norman J. Stewart addressed to the Sandgate Society, submitting his objection to the closure of path no. 26

Yours truly,

B. A. Kerr
Hon. Secretary

1, Castle Road,
Sandgate,
Folkestone,
Kent.

12th February, 1976

Dear Sirs,

APPEAL - *No. 736/35*,

Folkestone Borough Council-V-Vorley, Todd, Calver,
Stewart and Phillips - Crown Court Maidstone, 24/5/73

I am informed by the Chief Clerk, Crown Court, Maidstone, that the shorthand record of the above Appeal which was heard in Court No.2 by His Honour Judge Gower, Q.C. was made by one of your shorthand writers.

In dismissing the Appeal the Judge ordered that the two footpaths which were the subject of the Appeal should be cleared of obstructions, well defined and sign-posted to indicate they were public footpaths.

Despite our efforts to get the Borough Council of Folkestone (now Shepway District Council) to do as they were ordered, the required action has not been taken by them.

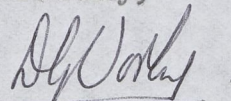
So as to be able to renew our request in more detail we are desirous of quoting the actual instruction given by the Judge which accompanied his Judgment, i.e. the treatment to be given to the footpaths.

I should be grateful therefore, if that part of the transcript of the Appeal material to the point in issue, could be sent to me at your early convenience.

I would add that I have the following judgment and do not ask you to confirm this:-

"On 20th March, 1973, the Folkestone Borough Magistrates refused an application from the Folkestone Borough Council for an Order under Section 108 of the Highways Act, 1959, authorising parts of the highway known as Footpaths 26 and 47 to be stopped up on the grounds that they are unnecessary. On hearing the Appeal against the refusal it is ordered that the appeal against the refusal is dismissed."

Yours faithfully,



(D.G. VORLEY)

Acting on behalf of the above-named Respondents.

G.L. Bannerman, Kinghorn & Co.,
Chronicle House,
72-78, Fleet Street,
London, E.C.4.

Kent Rights of Way Council

Wildwood, Harvel,
Meopham, Gravesend,
Kent DA 13 ODB
30th October 1973.

Mrs.B.A.Kerr,
Hon.Secretary,
The Sandgate Society,
Somerville Lodge,
Sandgate Esplanade,
Folkestone, Kent.

Dear Mrs. Kerr,

Our Vice-Chairman, Dr. Gray, has asked me to acknowledge your most interesting letter of 4th August, giving details of your successful battles for paths running over Military Land. Congratulations to you all; but how sad it is that one can not help regarding the local Council, in such cases, as the enemy rather than the elected, representative ally!

I thought you might be interested in details of a case I preserved, reported in the Municipal Journal of 13/3/'64; I don't think it has been over-ruled. Mr.Justice Widgery, with Lord Parker (Lord Ch.Justice) & Mr.Justice J.Stephenson, sitting in the Queen's Bench Divisional Court, rejected a case on appeal from Quarter Sessions where the appellants contended that the "two paths could not be public highways because the first one did not terminate in another public highway or a place where the public had a right to resort." Agreeing, Mr.Justice John Stephenson said: "The authorities show that a footpath may come to a dead end and nevertheless be a highway." Lord Parker also agreed.

So even if there are no views, or other high amenity values, I hope the legal argument will still apply.

Secondly, I wonder if, since it is such an interesting case, you have let the Commons Society see a copy of your report? Also, the Ramblers' Association, for their publication (quarterly) "Footpath Worker"? No
yes 11/10/73

Lastly, it was suggested to me that since a written judgment might, presumably, be available from

/the

Kent Rights of Way Council

Crown Court, did your Society receive this in writing?

We really would be fascinated to hear further about this, and it does seem that it merits more publicity so that other Groups may know about it.

Yours sincerely,

(Mrs.) Pat Wilson

Hon. Joint Secretary.

THE SANDGATE SOCIETY

THE PATH TO VICTORY!

The Society has won a famous victory in its 3-year battle to prevent the footpaths across Shorncliffe Barracks, which link

Sandgate and Cheriton, being permanently closed.

UN- NECESS- ARY PATHS

The paths were closed more than two years ago because of the Army's legitimate need to guard against terrorist attacks.

However, the Society has been strenuously objecting to Defence Ministry applications to have the footpaths permanently extinguished on the grounds that they were unnecessary. David Kesby, the Society's Footpaths Secretary, and Society member Reg Turnill have been instrumental in having created a new procedure for temporary closure of these paths.

The outcome of several years work on this issue and the making definitive of the new Escarpment Path has been complete victory

for the Society.

The "Supplementary Public Path

NEWSLETTER No.. 38
JULY, 1992

blers Association had given up the fight against permanent closure of the paths but

the Society fought on.

GOLIATH COMPLAINS -

BULLIED BY DAVID

(or Reg!)

At the meeting, where the agreement was reached there was a light-hearted complaint from the MoD about being "bullied" by the Society!

TOURIST ATTRACTION

It appears that KCC and the MoD are even looking favourably at the suggestion that there should be public access to the Garrison Church at Shorncliffe which is on the route of the closed paths. It was pointed out that its cathedral-like proportions and regimental banners are an impressive monument to the achievement and sacrifices of 1939-45, and could well be made the focal point for both domestic and foreign visitors.

SUBS NEWS

Your subscription to the Society has been held at a very reasonable level but we have a few members who delay their payment until the last minute. It would save a lot of time if we all paid up when subs are due on January 1st!

PROGRAMME

September 9th

KENT TRUST FOR NATURE CONSERVATION

October 14th

MARINE CONSERVATION

November 11th

TALES OF OLD SANDGATE

December 9th

CHRISTMAS PARTY

No meetings in July and August

All meetings at 7.30 p.m. at The Chichester Memorial Hall.

Creation Agreement" which has been drafted is a unique document in that it commits the Ministry of Defence to reinstating and reopening all the footpaths concerned when the terrorist danger diminishes or should "the land over which these footpaths pass be sold or vacated by the Secretary of State for Defence".

This will prevent the Ministry from selling the land to developers when it is finally relinquished at a much high price because local residents would have lost any say in what is done with it. Members may be interested to know that the Ram-

9 Helena Villas,

Hospital Hill,

Seabrook, Hythe,

Kent.

6th September 1985.

Mr J. W. Gluntz,
Shepway District Council,
Ross House,
Ross Way,
Shorncliffe, Folkestone, Kent.
CT20 3UP.

Your ref: FMH/DP 83/799.

Dear Sir,

Development, Sunnyside Road, Sandgate.

Thank you for your letter dated 27th August 1985. Regarding the zig-zag path suggestion, I think it is probably the best solution. It was certainly the way the original path took when the Military Hospital was in operation (excuse the pun) and although the setting up of a similar path would prove probably more expensive it would at least pacify Mr Williams. Also, I would have thought, this solution would be more acceptable to Mr Godden (the bank's owner) who is not likely to need the bank or land at the top for any development he is likely to make.

Regarding any alternative route, I agree there does not seem to be one and, indeed, there never was one in all the years I have known the area. It is certainly needed as a 'Stormweather' alternative and as I mentioned at our meeting, Mr & Mrs Smith who live at Channel View in Sunnyside Road will be enormously handicapped if they cannot get to their business (Seabrook Post Office) due to the main road being blocked after storms.

I hope this helps you to make progress. I have sent a copy of your letter to those who have shown concern over this matter and it may be they will add to my remarks.

Thank you for your interest.

Yours sincerely,

Bernard Binns

B. BINNS.

Copy to Mr Fisk for information.

24th

Public
Footpath - Hillside to Encombe
2006 a small bridge is now in place



240

F.G. 30 MAY 1973

Footpaths to nowhere stay open

Footpaths appeal dismissed by judge

Vorley

AN application by Folkestone Corporation to close Sandgate's footpaths to nowhere was refused by Folkestone magistrates on Tuesday. The paths are from Brewers Hill to Martello Road and from Military Road across infantymen's barracks to Shorncliffe Camp. Mr John Medlicott, for the Corporation, said the paths had no rights of way and were therefore unnecessary. Chief objector to the proposal, Mr Dennis Gordon, said the paths served the area. Sandgate Society, representing Hill footpath, contained 60 houses with the sea in front. "At times of the year we have violent storms and the Sandgate Esplanade becomes impassable," he said. "Then these people can only get to their homes by use of this path." Or the Military Road path, he said: "This has not the urgent need of the other footpath, but it has a very real use and value as a link around for a circular route around Sandgate." It also provides a very direct route to Cheriton without having to worry about cars.

F.H. 24 MAY 1973

AN appeal by Folkestone Town Council against refusal to close two public footpaths at Sandgate was dismissed at Maidstone Crown Court on Thursday. The council claimed that the paths did not lead anywhere, therefore they were unnecessary. The appeal was opposed by Mr. Dennis Gordon, Vorley, of the Sandgate Society, of Castle Road, Sandgate, Mr. Alexander Todd, of Boundary House, Black House Hill, Hythe, Mr. Norman Stewart, of Chichester Road, Sandgate, Phillips, and Miss A. L. A. Phillips, of Heather Cottages, Brewers Hill, Sandgate. Mr. Vorley, who gave evidence, also spoke of using the paths as a young girl and more recently taking her grandchildren for walks along them. Dismissing the appeal, Judge John Gower, Q.C., sitting with two lay justices, said the court viewed the appeal with some scepticism because as recently as 1970 the paths were included on an official map. "The local council then considered them to be necessary. Why the change? No alteration in the circumstances has been put to the court."

'Not true'

The council's point that the paths led to nowhere was because both filtered on to Army land where at Shorncliffe Camp where the public had no authority to be. The judge said: "It is not true to say they lead nowhere. Certainly the public had no right to go on military land but in practice the authorities allow it. They would not block off the paths for the sake of it." They are the military themselves. Just for the public to use. It was not for the council to continue for the paths into uselessness. "They are there and they are used." One might be used more often if there were a notice put up saying it was a public footpath; the other if obstructions such as overgrown hedges were removed. It was the duty of a local authority to keep the footpaths clear. The paths led to a statue of Sir Thomas Moore, the Sir Thomas Moore Memorial Hall (the public had raised half the cost of building it), a military library and a church all on Army land but to which the public were welcomed. The paths provided pleasant views over the Channel and Romney Marsh scenery and walks, the judge said.

February 5th 1973
FOLKESTONE BOROUGH COUNCIL
Act 1959 - Section 108
Twelfth Schedule
Notice of intention to stop up
parts of footpaths numbered 23
and 47 on Ministry of Defence
Land at Shorncliffe Camp

NOTICE IS HEREBY GIVEN that the Folkestone Borough Council being the highway authority for the highway hereinafter being mentioned intend to stop up the highway numbered 23 and 47 on Ministry of Defence Land at Shorncliffe Camp. The highway is situated in the area of the Folkestone Borough Council. The highway is situated in the area of the Folkestone Borough Council. The highway is situated in the area of the Folkestone Borough Council.

The effect of the proposed Order is shown on the plan deposited at the Town Clerk's Office, Folkestone, where it may be inspected free of charge during normal office hours.
DATED this Second day of February, 1973.
N. C. SORAGG, Town Clerk.
Town Clerk's Office, Folkestone

FORTHCOMING

F.H. 10 FEB 1973

From Heritage Room
Folkestone Library.

Linda R-M. Sept 20



John Bantle

SHEPWAY DISTRICT COUNCIL

Your Ref

Ross House, Ross Way,

My Ref

Mr. J.W. Gluntz/FMH/DP 83/799

Shorncliffe, Folkestone, Kent. CT20 3UP

Telephone: Folkestone (STD 0303) 30022 Ext. 238

Date

27th August 1985.

Mr. B. Binns,
9 Helena Villas,
Hospital Hill,
Seabrook,
Hythe, Kent.

Dear Mr. Binns,

Development Sunnyside Road, Sandgate.

Following our site meeting on Thursday last (22nd), I confirm that I am looking into the possibility of trying to reach agreement with the owners concerned on a footpath between Sunnyside Road and Hospital Hill, as I feel that this could prove easier than trying to prove a right of access exists or asking the Council to consider taking compulsory powers. Nevertheless, I shall be looking into the latter options with my colleagues in case negotiations fail. In this respect I understand that you and other residents are prepared to give statements on the previous use of the path.

Mr. Williams appears willing to allow the footpath immediately to his fence to remain, but he is not willing to allow it to turn at right angles when it reaches the bank. This means that if this option is to be pursued, steps or at best, a steep, zig zag path, would be needed up the bank. Have you any views on this suggestion, since I realise it is far from ideal, but probably better than nothing. Have you or other residents any suggestion for an alternative route should this one not be possible? I have looked for a route lower down the hill, but cannot find any suitable opening to the Corniche area.

Finally, as staff resources permit, I am undertaking a wider study of the footpath system through Sandgate, with particular regard to the "storm weather" route and I would welcome any ideas or thoughts from you and other residents.

Yours sincerely,

For Controller of Technical
and Planning Services.

Mr. Fisk,

Your Committee may like to respond to this letter. I have urged the interested residents in Lark Bay and Sunnyside Road to do likewise!
Bernard.

9 Helena Villas,

Hospital Hill,

Seabrook,

Your ref: SH/86/0148.

Hythe, Kent.

20th March 1986.

The Controller of Technical & Planning Services,
Ross House,
Ross Way,
Shorncliffe, Folkestone.

Dear Sir,

Re: Details of layout for Phases 11, 111A & 111B of the
Corniche Development.

On looking at the plans at Ross House I notice no provision has been made for a footpath to connect with Sunnyside Road, Sandgate.

I refer to earlier correspondence with Mr Gluntz on this subject and in particular his letter dated 27th August 1985 (your ref: Mr T. W. Gluntz/FMH/DP. 83/799. It seems to me this is an appropriate time to include the footpath on this latest plan especially in view of the discussions that have already taken place. There was an intention to include such a footpath in the development brief. There is also a need for an alternative 'storm weather' route which, since the building of the property known as 'Wellington' by Mr P. Williams, has been denied to Sunnyside Road residents and others.

When I saw Mr Simmons from your office to-day he assured me everything will be done to re-establish this path which, even though it is not on the definitive map, has been enjoyed by many local residents for at least forty years prior to Mr Williams' development.

My letter dated 6th September 1985 sets out the course the path took when the Military Hospital was there and as Mr Williams has 'done his bit' I hope the Planning Committee will see fit to insist that Mr Godden does his bit.

Yours faithfully,

B. BINNS.

9 Helena Villas,
Hospital Hill,
Seabrook, Hythe, Kent.
1st June, 1985.

Dear Mr Gluntz,

Development, Sunnyside Road, Sandgate.

You may recall our telephone conversation on 22nd May 1985 when I enquired about lack of access between Sunnyside Road and Hospital Hill as a result of a development by a Mr Williams. It is a single plot and the house now standing on it is called 'Wellington'.

I wrote to the County Secretary on 1st May 1984 concerning this access because it was evident that Mr Williams' drive gave the impression that pedestrian access was going to be prevented. Since then, so far as Mr Williams is concerned, he has made provision for public access alongside his drive and continued it past his eastern boundary wall to the foot of a steep bank belonging to Mr Godden who is developing the 'Corniche' land, formerly the Military Hospital site. Beyond the north-eastern corner of Mr Williams' land the path is now totally inaccessible.

Although the fears of numerous householders were forcibly expressed at a site meeting conducted by Mr Rollinson at which both Messrs. Williams and Godden were present, no satisfactory assurance as to the future of the public access past Mr Williams' house was given.

I appreciate that the path, referred to on a map provided by your department when my enquiries first started is not on the definitive map, but the public have enjoyed access by foot from Sunnyside Road to Hospital Hill for many years and I personally have used it for nearly fifty years. To lend weight to this a report prepared by the Controller of Technical and Planning Services for the Plans Sub-Committee to consider on 5th January 1982 certainly intended that access at this point was to be maintained. The report is numbered 1966.

What perturbs me in our conversation on 22nd May 1985 was that you seemed to indicate that no such undertaking would be insisted upon so far as your department was concerned.

Can you please, therefore, make the position clear so that there may be no necessity for the many householders, who have enjoyed access through Sunnyside Road over the years, to consider further remedies.

Yours sincerely,

Bernard Binns

B. BINNS.

Copy to Mrs Fisk, The Sandgate Society and
The Secretary & Solicitor, Civic Centre, Folkestone.

*Riverbank Land and
Trees etc.*

Phoned Burns 13th

9th Aug.

Letter from Glauk suggested site meeting.
Sunnyside Rd

9 Helena Villas,
Hospital Hill,
Seabrook,
Hythe, Kent.

1st May 1984.

238486

The County Secretary,
Kent County Council,
County Hall,
Maidstone, Kent.

Dear Sir,

I have been advised to write to you by Mr Dennis Astridge, one of the Planning Officers at Ross House, Ross Way, Shorncliffe, in connection with a development taking place at the end of Sunnyside Road shown on the enclosed map and marked with an 'X'.

You will notice the dotted line running from the spot I have marked with an asterisk. This is a footpath which I and many others have enjoyed using for many years and, in my case, since a boy. I was born in 1930.

I appreciate this path is not on the definitive map but it certainly was a well trodden path and the Army, when the Military Hospital was in use, had a path cut in zig-zag fashion up the hillside to join what is now the 'Corniche' development.

As recently as January 1982 the Shepway District Planning Sub-Committee (report number 1966) approved a development brief which provided for pedestrian access to be maintained to Sunnyside Road.

As there is no other way such access could be provided for other than the path I have indicated, could you please confirm that such access will be mandatory on Mr P. Williams who is developing that particular site.

Yours faithfully,

B. Binns.

B. BINNS.

Copy to Mrs Fisk, the Sandgate Society and The Secretary Solicitor,
Civic Centre, Folkestone.

Mrs Fiske.

I have a copy of the map if you wish to see it.

Bernard Binns.



Civic Centre, Folkestone, Kent. CT20 2QY
Telephone: Folkestone (0303) 57388
DX 4912 Folkestone

SHEPWAY DISTRICT COUNCIL

Your Ref:

My Ref: 29/15/DB/Mr D East

Date: 16 August 1985

Ext: 266

Councillor E J C Hamer
Coastguard Cottage
131 Sandgate High Street
FOLKESTONE
Kent
CT20 3BZ

Dear Councillor Hamer

FOOTPATH ADJOINING MILITARY ROAD, SANDGATE - MAINTENANCE

I refer to your letter of 6 August 1985 and to my interim reply regarding the current condition of the footpath on the eastern side of Military Road, Sandgate.

As your letter suggests, this footpath was indeed provided as part of a highway improvement scheme designed and undertaken by Folkestone Borough Council in the early 1970's. The scheme created the low level footpath on the eastern side of Military Road, on land which had formally comprised part of the grounds of Enbrook House and the existing embankments and boundary wall to Enbrook House were constructed at the time.

The severe restriction on County Council funds for highway maintenance, particularly for footways, has inevitably meant that the condition of this area has deteriorated over the past few years and the Controller tends to share your view that it now requires some improvement works to be undertaken. A substantial amount of work would be required to bring the whole area up to its original condition and it is not possible for this to be undertaken from within the current years cyclic maintenance budget. The Controller will therefore be including an item within the Council's bid for the 1986/87 highways structural maintenance programme.

In the meantime however, the Controller has made arrangements for the area to be thoroughly swept and cleared up which should improve its visual appearance considerably at least for the time being.

I hope that this is satisfactory.

Yours sincerely

(R J Thompson)
SECRETARY AND SOLICITOR

*To Sandgate Society for information
Please return to me.*

E J C Hamer.

*Original
returned
to Sinc
2/9/85
ITF*

BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.
SOLICITOR

TOWN CLERK
CLERK OF THE PEACE

TELEPHONE : 55221

The Civic Centre,
Municipal Offices,

West Terrace,
Folkestone.

YOUR REF.:-

MY REF.:- CL/MC/344/2

6th January, 1969

Dear Mr. Vorley,

Flooding at Sandgate - Proposed Footpath

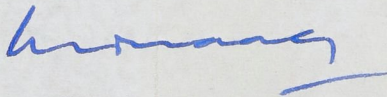
Further to my letter of the 10th December, 1968, your letter of the 8th December and the petition were placed before the last meeting of the Highways and Watch Committee.

The Committee considered the petition and the case in favour of the construction of the footpath but were of the opinion that it was not necessary and would not justify the expenditure involved.

The Committee therefore decided that the petition be received. The minute of the Committee has now been confirmed by the Council.

Yours sincerely,

D. G. Vorley, Esq.,
Hon. Secretary,
The Sandgate Society,
1 Castle Road,
Sandgate, Folkestone.


Town Clerk.

5, Encombe, Sandgate.
27th December, 1968.

Dear Mr. Vorley,

Minutes received this morning with summons ^{to Councillors} to Council Meeting to be held on FIRST January, 1969. Matters of interest to the Society:-

Highways & Watch Comee-17.12.68.

SANDGATE-PROPOSED FOOTPATH.

"Further to Minute 89 of the proceedings of this Committee of the 19th Nov. 1968, the Town Clerk reported the receipt from the S'gate Socy. of a petition requesting reconsideration of the proposal to construct a footpath from Wilberforce Road to Prospect Road via Encombe. The petition had been signed by 121 residents of Sandgate, most of them living in the area west of Sandgate which can at present only be approached by the Esplanade. The petition stated that the signatories considered the proposed path essential for the comfort of the residents and for providing access for urgent medical assistance, It urged upon the Council the need to proceed with this matter. The Committee considered the petition and the case in favour of the construction of the footpath but were of the opinion that it was not necessary and would not justify the expenditure involved. RESOLVED- That the petition be received."

You will have noted in the article in the Herald of 20th December the concluding sentence-"It is likely that the footpath will be discussed when the full Council meets next month". I have been on the phone to the Herald and they say they were informed by ~~xxx~~ a Council official that the H & W Committee had resolved to "receive" the petition. He was NOT told that they had expressed the opinion again that the path was not necessary. He is going to get on to the official again and ask why he was misled, and is going to ring me back. He also says he has quotes from the Fire and Ambulance Authorities, which he did not have space for on 20th Decr.

Sandgate High Street.

Police advise prohibiting waiting for whole length between Little Theatre and Chichester Hall on North side and parts of South side opposite. Comee were of opinion such restrictions unnecessary at present. RESOLVED-No action.

Bus stops to be removed from present position and replaced by ONE stop only outside R. Norfolk Hotel. No restriction on waiting at the stop.

Town Planning Committee.

Encombe-Open Spaces. Minister of ~~Exxxxxx~~ Housing & L. Govt. approved acquisition of land FOR USE AS AN OPEN SPACE-grant to be paid at 50% of notional loan charges referable to the exp. incurred in acquiring the land...

21, Encombe.

Tree lopping- proceedings to be instituted.

9, Sandgate High St. (Next to R.Norfolk Hotel)

Outline Planning Permission refused for 7 storey block of 12 2-bedroom flats.....overdevelopment of site....lack of parking... prejudicial to devt. of adjoining properties...in accordance with direction of Minister of T'port re stopping and turning traffic interfering with free flow of traffic etc.

Granville Rd.East/Granville Parade/Granville Road West.
(Highways & Watch Commee)

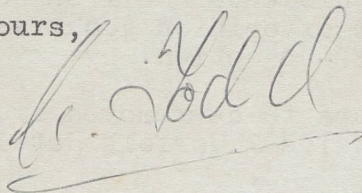
Following suggestions by Sandgate Society, consultations with Police. Agreed that one-way order would improve traffic conditions in above roads. Recommended above roads be made one way streets in a southerly, westerly and northerly direction respectively. As part of scheme for redevt. of Sandgate, Granville Road West would eventually have to be widened.

RESOLVED. That the proposal to make the one way orders be approved in principle but that consideration of this matter be deferred until the devt. has taken place.

LATER.

Heràld have not rung up so presume they are unable to tell me anything. As I see it there is nothing we can do about the path except either a handout to the Press or a resolution of the Society's public meeting in February or something of that sort, containing a clear warning so as to put the responsibility publicly on the Corporation. And it could be argued that enough publicity had already been given to take care of that. In which case we do nothing more at all. But if you want anything done, let me know. I shall be available.

Yours,



BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

YOUR REF.:

MY REF.: TC/W/344/2

THE CIVIC CENTRE,
FOLKESTONE.

10th December, 1968.

Dear Mr. Vorley,

Flooding at Sandgate - Proposed Footpath.

Thank you for your letter of 8th December, enclosing petition which I will place before the next meeting of the Highways and Watch Committee.

Yours sincerely,

Town Clerk.

D. G. Vorley, Esq.,
Hon. Secretary,
The Sandgate Society,
1 Castle Road,
Sandgate,
Folkestone.

8th December, 1968

H.B. Chaplin.

Mrs. E.B. Greenwall.

D.G. Vorley,
1, Castle Road,
Sandgate.

Dear Mr. Scragg,

Flooding at Sandgate - proposed footpath.

I acknowledge receipt of your letter dated 6th December, 1968, informing the Society of the Council's decision regarding the 'bad weather' footpath it was proposed to construct from Wilberforce Road to Encombe.

We are very disappointed that this excellent idea should have been abandoned particularly for those who might have found it a real boon on the occasions when the main road is rendered impassable through stormy weather conditions.

The people who live in the areas most likely to be affected by the abandonment of the footpath idea, following the publication of the Minutes, have all signed a Petition asking that re-consideration be given to the Council's decision in the hope that it is not a final one. I forward this herewith, and am sure you will see in it a strong disagreement with the opinion of those who have advised that such a footpath is not necessary.

Yours sincerely,

N.C. Scragg, Esq., LL.M.,
Town Clerk,
Civic Centre,
FOLKESTONE, Kent.

8th December, 1968

H.B. Chaplin.

Mrs. E.B. Greenwall

D.G. Vorley,
1, Castle Road,
Sandgate.

Dear Sir,

Flooding at Sandgate - Proposed footpath.

BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

CLERK OF THE PEACE

TELEPHONE: 55221

(STD 0303)

YOUR REF.:

MY REF.: CL/B/344/2

THE CIVIC CENTRE,
FOLKESTONE.

6th December, 1968

Dear Mr. Vorley,

Flooding at Sandgate - Proposed Footpath

Further to my letter of the 5th January, 1968, the Borough Engineer prepared a report on the proposal to construct a new footpath above the level subject to occasional flooding and placed it before the meeting of the Highways and Watch Committee held on the 15th October.

At that meeting the Committee decided to make provision in the estimates for the next financial year for the construction of the footpath and associated works. However, the minute was referred back at the following Council meeting and at the November meeting of the Highways and Watch Committee, the necessity for the proposed footpath was reconsidered in the light of observations made by persons who had been residents at Sandgate for a considerable time and it was resolved to rescind the Committee's previous decision and take no further action.

I am sure that the Committee and the Council as a whole felt that the expense which would be involved in constructing the footpath would not be justified.

Yours sincerely,

D.G. Vorley, Esq.,
1 Castle Road,
Sandgate,
Folkestone.

Town Clerk

BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.
SOLICITOR

TOWN CLERK
CLERK OF THE PEACE

TELEPHONE: 55221

YOUR REF.:-

MY REF.:-

B/A/319/1

THE CIVIC CENTRE,
~~MUNICIPAL OFFICES,~~
~~WEST TERRACE,~~
FOLKESTONE.

10th September, 1968.

Dear Mr. Vorley,

Footpath at Encombe

With reference to your letter dated 2nd September, 1968, the owners of some of the properties affected by the proposed route of the footpath have raised certain difficulties and I am still in communication with these owners.

Regarding the minutes you mention, these date back to 1850 and, with the exception of the two missing volumes 1881 to 1885 and 1893 to 1897, these can be inspected by Mr. Todd at any time convenient to him and the Town Sergeant, Mr. Jenkins.

Yours sincerely,

N. C. Scragg
Town Clerk.

D.G. Vorley, Esq.,
Hon. Secretary,
The Sandgate Society,
1 Castle Road,
Sandgate,
Folkestone.

STEAMER COTTAGE,
5, ENCOMBE,
SANDGATE,
FOLKESTONE,
KENT

10¹²/68.

Dear Mr. Vorley,

Petition duly delivered
this a.m.:

I have just rung Mr.
Moody and asked him to
amend notes, para 4, to read:-
"Four persons refused to sign &
a fifth person - - - - -"

Total - - who did not ^{sign} - 7

Yours,

Li. Todd.

For Mr. Vorkley

To The Council of the Borough of Folkestone

A PETITION

STORM PATH - PROSPECT ROAD TO WILBERFORCE ROAD

We, the undersigned, whose dwellings in west Sandgate can only be approached via The Esplanade, strongly support the Sandgate Society's contention that an alternative route ought to be provided for use when The Esplanade is made impassable in rough weather.

We consider that apart from the question of comfort such a path is essential for the purpose of providing access for urgent medical assistance.

In the absence of such a path and with up to six inches of shingle on The Esplanade making it impossible for an ambulance to pass, evacuation of persons to hospital, perhaps late at night, would have to be on a stretcher carried by ambulance men staggering through shingle and soaked by waves with spray rising up to 80 ft. above The Esplanade.

Such a path already exists and could be formalised for the small sum of £300. We urge upon the Council the need to take this step and in the meantime to arrange with the owners of land involved the continued use on an informal basis of the present rough ^{but} usable path.

Signature:-

Address:-

NOTES

The above Petition was circulated from 4th December, 1968 to 9th December, 1968 inclusive in the area Wellington Place to Encombe, again inclusive. With the exception of the two marked signatures on page 1 in Gloster Terrace, the Sunnyside area was not approached. Regency Cottage was approached.

The attached map showing the two portions of path advocated by the Sandgate Society was shown to persons approached.

The Petition is made up as follows:-

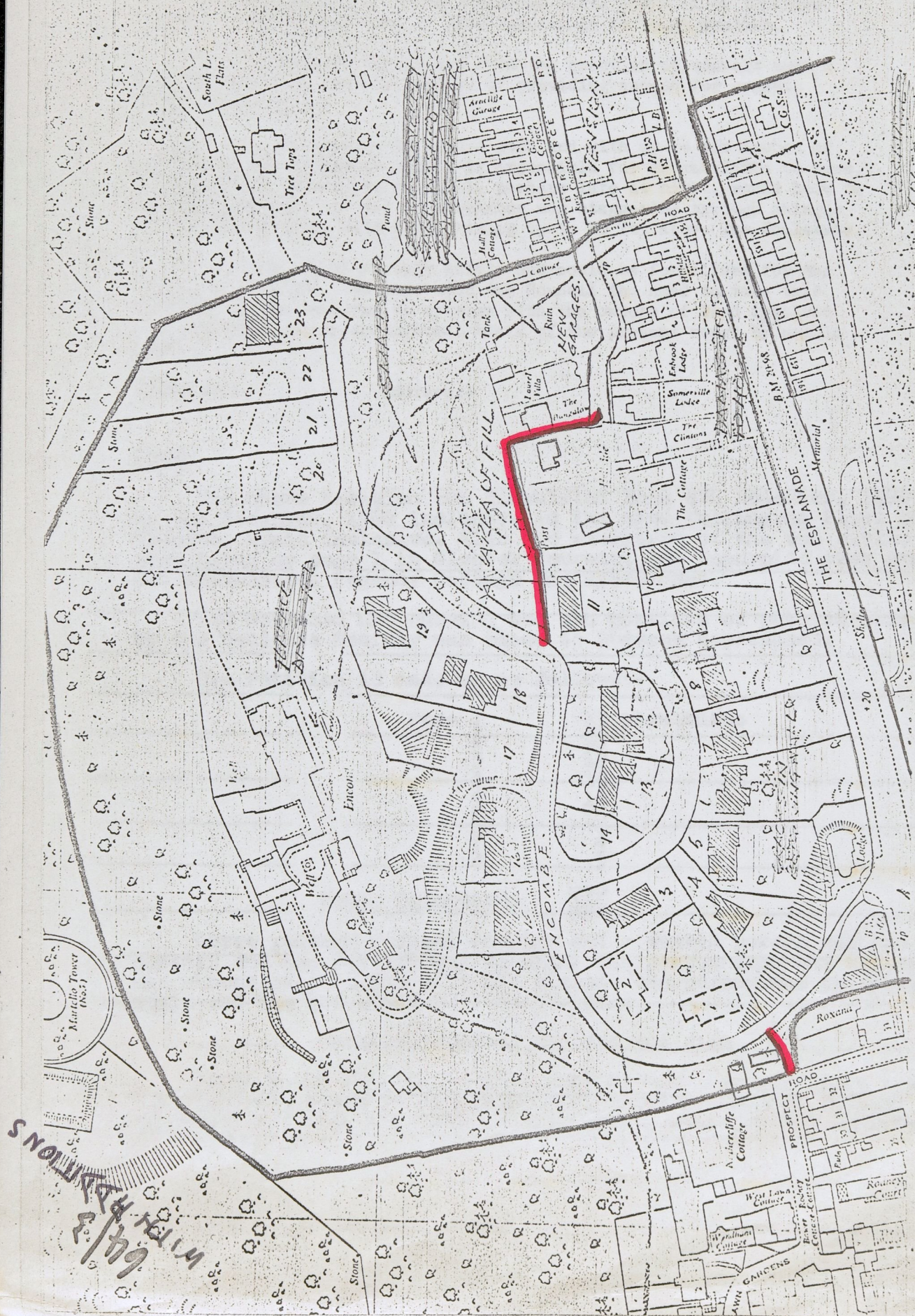
| | |
|--------|---------------|
| Page 1 | 19 signatures |
| 2 | 19 |
| 3 | 19 |
| 4 | 19 |
| 5 | 19 |
| 6 | 19 |
| 7 | 4 |
| 8 | 3 |

Total Signatures 121

Three persons refused to sign and a fourth person was uncertain and was not pressed to sign. One person felt his signature was unnecessary as his wife had signed. One person was in great haste and has not since been contacted.

Total approached who did not sign 6

Pages 9 and 10 with amended wording bear one signature each. The amendment was made as the persons concerned wished to sign but could not sign the Petition as worded. They are NOT included in the above totals.



To the Council of the Borough of Folkestone

A PETITION

STORM PATH - PROSPECT ROAD TO WILBERFORCE ROAD

We, the undersigned, whose dwellings in west Sandgate can only be approached via The Esplanade, strongly support the Sandgate Society's contention that an alternative route ought to be provided for use when The Esplanade is made impassable in rough weather.

We consider that apart from the question of comfort such a path is essential for the purpose of providing access for urgent medical assistance.

In the absence of such a path and with up to six inches of shingle on The Esplanade making it impossible for an ambulance to pass, evacuation of persons to hospital ^{PERHAPS LATE AT NIGHT} would have to be on a stretcher carried by ambulance men staggering through shingle and soaked by waves ^{WITH SPRAY} rising up to 80ft above The Esplanade.

Such a path already exists and could be formalised for the small sum of £300. We urge upon the Council the need to take this step and in the meantime to arrange with the owners of land involved the continued use on an informal basis of the present rough but usable path.

Signature: -

Address:-

This image shows a blank sheet of white paper with three horizontal rows of small, dark grey dots. The dots are arranged in straight, parallel lines across the page, providing a guide for handwriting practice. There are approximately 20 dots per row.

.....

.....

.....

[illegible][illegible]

5, Encombe,
Sandgate.

30th November, 1968.

Dear Mr. Vorley,

It occurs to me since first writing this morning that if you do not see any need to check with the Town Clerk as to the reasons for the rescinding of the Path resolution AND if you like the idea of a Petition, you may wish to go ahead straight away.

I have accordingly drafted a possible form of Petition which I enclose. I estimate that leaving out Sunnyside there are over 80 houses involved. Including Sunnyside would add another 20 and including Gloster Terrace 10 plus Castle Bay. There is no doubt the path would be of use to all these people even although they would have to use part of The Esplanade. If we could get 20 signatures on a sheet, with the wording as attached on every sheet of course, we would need twelve sheets, at two signatures per house, 240 signatures. These I could type by hand, all originals.

I would guess that the real objection may have come from people in Hillside and that the stated objection will have been the old chestnut that "the Prom. is never impassable". In this connection I have a cutting from The Times of 19.1.65 showing a milk float "trapped" in the shingle thrown up by the heavy seas on the "Folkestone-Hythe Road". It shows 6" of shingle at the wheel hub and about 7 men pushing-in daylight. There would 'nt be 7 men around late at night.

Yours,

A. Todd

*P. S. Have told Mrs. Jannwall about Path
and Royal Kent etc. J*

STEAMER COTTAGE,
5, ENCOMBE,
SANDGATE,
FOLKESTONE,
KENT

3rd November, 1968.

Dear Mr.Vorley,

Herewith Minutes of 6.11.68 for perusal and return.

I am worried about Mr.Syre and the Minutes. Am I right in thinking that he is the Society's officially appointed "Reader of the Minutes" in the Local Library, with a duty to report all items of interest to the Committee? If so, then I am very rudely treading on his toes by obtaining my own copy and passing it to you, so to some extent making his report at the Committee Meeting a waste of his effort. (I had missed at least two items on the last occasion).

Would you think about this? Perhaps it would be better if I merely advised you of anything of an urgent nature to make sure Mr.Syre had already done so?

Yours,

B. Vodd.

5, Encombe, Sandgate.

³⁰
~~20~~th November, 68.

Dear Mr. Vorley,

Minutes for 4.12.68 received this morning. The attached extracts relate to the "Storm" path. What is your reaction?

My reaction would be for the Society to write the Town Clerk pointing out that they are at a loss to think of any possible objection to the path and are unable to believe that anyone can doubt its value in rough weather, and that they would like to know the nature of the doubts or objections raised.

On receipt of the Town Clerk's reply, the doubts and objections could be considered by the Society and if thought to be invalid the Society could continue to press for the path.

The action to be taken in continuation of this pressure might consist of a petition by residents of Encombe and houses west of Encombe. I myself would undertake, under the Society's supervision, the preparation and canvassing of such a petition.

The next Meeting of the Highways and Watch Committee would be on 17th December next unless there is any change on account of Christmas. I feel there is much to be gained by having the matter raised at that meeting in order not to lose the impact of any heavy winter gale we may be going to have.

I have not phoned Bushell or anyone else in this matter. If you wish to see me I shall be happy to come down when you like.

Yours,

Li. Todd.

P.S. I also enclose copy of 68/273-Outline.

J

COUNCIL MEETING--6th November, 1968.

(90) HIGHWAYS AND WATCH

Moved by Councillor Lamb

Seconded by Alderman Hamer

That the acts and proceedings of the Highways and Watch Committee of the 15th and 28th October, 1968, be received and adopted, save that Minute 66 be referred back to the Committee for further consideration.

HIGHWAYS AND WATCH COMMITTEE MEETING--19th November, 1968.

(89) SANDGATE-PROPOSED FOOTPATH

Further to Minute 66 of the proceedings of this Committee of the 15th October, 1968, and Minute 90 of the proceedings of the Council of the 6th November, 1968, the Committee reconsidered the necessity for the proposed footpath in the light of observations made by persons who had been residents of Sandgate for a considerable time and

RESOLVED--

(1) That the resolution to minute 66 of the proceedings of this Committee of the 15th October, 1968, be rescinded

(2) That no further action be taken in the matter.

(7)

APPENDIX to Proceedings of Town Planning Committee-20th Nov.1968.

Applications referred to Local Planning Authority

(12) That the local planning authority be recommended to grant the outline application number 68/273 and be informed that there would be no objection to the proposal outlined in 68/294.

Reference No.

- 68/273 - Sites of Nos.67-77 Sandgate High Street, Royal
Outline Kent Hotel, No.89 Sandgate High Street and
 No.1 Devonshire Terrace-area coloured pink on
 plan-erection of two 4-storey blocks of eight
 and twelve dwelling units, one 6-storey block of
 fifteen dwelling units wuth car parking under and
 car parking area at rear for the Folkestone Borough
 Council.
- 68/294 - No. 46 Coolidge Road-demolition etc.etc.

(66) SANDGATE-PROPOSED FOOTPATH

Further to minute 67(b) of the proceedings of the Highways Committee of the 14th December, 1967, the Borough Engineer reported that he had been in touch with the various owners of the land which would be required to form the proposed footpath parallel to the Esplanade but following a more northerly route so that all parts of Sandgate would be accessible in bad weather. The owners of the land over which the larger and more important parts of the proposed path would pass, viz. between Prospect Road and Wilberforce Road, had agreed to part with the land provided the Corporation erected certain lengths of fencing. The cost would be approximately £300.

The Borough Engineer informed the Committee that the scheme was feasible and would provide a means of access for the residents of the Esplanade when the road was impassable due to high seas.

RESOLVED - That provision be made in the estimates for the next financial year for the construction of the suggested footpath and associated accommodation works.

Note by A.Todd re "Open Spaces".

By appointment I called on Mr. Marshall, Director of Parks as instructed at the last S.S. Committee Meeting. The meeting took place on 29.10.68.

I said we merely wished to ensure that he knew of the "storm" path and the related suggestion regarding the Ice Well and to give him maps, photographs etc. of same and of the "Open Space" area with its stone seat so that should the Council ~~xxxx~~ be considering uses to which the "open spaces" might be put, they would know of its attractions. I asked if he would like two copies of the maps and photos and he said he would-"they would be useful for passing round"

I gave him:- Full size photostat copies of half of the 1882 Map of Encombe showing old paths, summer house, etc. *Tree House & name of "Storm" path.*

(2)

Reduced size photos of whole of same map with coloured ink used to show path to top which had been found and to a certain extent cleared, and "storm" path.

Large scale Plans of "storm" path from Encombe Carriage Drive to Wilberforce Road, showing Ice Well.

Photos of Ice Well and of stone seat at top.

I gained the impression that the Council intend to tidy up and make the "open spaces" usable by the public as a place to walk.

The residents of Encombe all seem to be taking the thought of such use quite happily and to appreciate that the big area of trees even if publicly owned is much better than an area of bungalows.

My wife and I have now located without doubt most of the path in question, to the seat at the top. Over one short length the old path does not show at all and we have had to select a line over likely ground which roughly fits the line on the map. We have cut a lot of the ground ivy so as to make the whole path usable and have put a small number of white spots on trees here and there so that people can follow the path. (The children have tramped out other paths, which are not old and tend to be very steep).

There is unlimited work up there killing the ivy growing up trees which Mr. Marshall says we may do. And if and when we hear the Council have bought the Ice Well I should like to tidy it up and perhaps clear it out a bit more, but I fear we may have to wait some time before we hear just what ground they are taking over.

L. D. Ford
2"/68.

*Original to
Mrs. Greenwall.*

2nd September, 1968

H. B. Chaplin

Mrs. E. B. Greenwall

D. G. Vorley
1, Castle Road,
Sandgate.

Dear Mr. Scragg,

Footpath at Encombe.

I refer to the suggestion put forward by Mr. Todd for a footpath leading from Wilberforce Road through Encombe Estate which was discussed at the Council Meeting of 3rd January, 1968. You will recall at this Meeting it was resolved "That the Borough Engineer look into the matter and report back to the Committee at a later date."

As winter gales are now approaching with the need for such a path, I should be pleased if you could inform me what developments have taken place towards its construction.

It is noted that the preservation of the Ice Well has been turned down and I feel that the footpath idea would at least ensure that it was not destroyed and would put it to a good use as a most attractive amenity on a path which is likely to be used as leading to the land the Council are expected to buy in the North Western part of Encombe, planning permission having been refused.

Thank you for making the Committee Minutes available to Mr. Todd who I understand has read these from 1900 to 1934, when Folkestone took over. May I ask whether any Committee Minutes exist before 1900 which he could peruse, or are these missing ?

Yours sincerely,

N. C. Scragg, Esq.,
Town Clerk, Folkestone.



SHEPWAY DISTRICT COUNCIL

Your Ref:

My Ref: Mr.K.Hills/FMH

Date: 6th December 1983.

Ross House, Ross Way,

Shorncliffe, Folkestone, Kent. CT20 3UP

Telephone: Folkestone (STD 0303) 30022 Ext.....231

Mrs.J.E.Thompson,
Secretary to The Sandgate Society,
33 Bybrook Field,
Sandgate,
Folkestone.

Dear Madam,

I refer to a recent telephone conversation and your letter dated 11th November, 1983, concerning the provision of handrails at Sandgate.

A quotation for providing handrails to the steps at Radnorcliff and Wilberforce storm path has recently been received. The amount is acceptable and an order has been issued for the work.

Once completed I hope this handrail will assist the users of these steps.

Yours faithfully,

For Controller of Technical
and Planning Services.

From: Lieutenant Commander R.F. Colville, D.S.C., R.N.(Ret.), M.I.E.E., M.Inst.M.C.

FRENCHES, 2 THE ESPLANADE, SANDGATE, KENT.

Tel. Folkestone (0303) 38272

February 13th 1980.

The Chairman ,
The Sandgate Society.
Sandgate. Kent.

Footpath linking West and East Sandgate.

Dear Mr. Vorley,

I understand from Mr Heath, that the Society considered and rejected the suggestion that they should take an interest in the provision of a footpath at the back of the Esplanade to link West Sandgate with East Sandgate.

The Sandgate Society has built up a considerable and enviable reputation as representing the interests of the villagers of Sandgate, and clearly the Society is opposed in principle to the provision of this footpath which will allow those at Encombe and the West thereof to reach the shops at Sandgate, and stretcher parties to reach an ambulance parked in Wilberforce Road on the not unusual occasion when a Southerly gale at high tide causes the road to be flooded and barraged with flying shingle, then we know where we stand and the matter can be raised at the next Annual General Meeting.

The Shepway Council, I understand, are not ill disposed to the project, but, rightly in my view, do not think that ratepayers money should be devoted to a project which only benefits the relatively small minority of the people of Shepway who live in the area. On the other hand the present reaction, according to the councillor for the Sandgate ward who has been partnering the project, is that if the path were obtained, they would be willing to take over its maintenance. No doubt they need the path completed to a certain standard and it will be necessary to ascertain the cost of completing the path to this standard, and testing that this belief is justified.

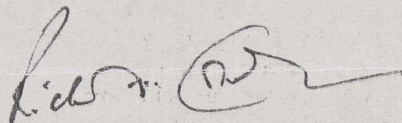
The Solicitors acting for the owners of the property over which the footpath would have to run to link up with the old Encombe right of way (now overgrown) from Encombe to Wilberforce Road, feel that they would prefer to deal with some public body, such as the Sandgate Society rather than an individual such as myself. (I am sure you will agree that we do not want any more societies in Sandgate, and that the Sandgate Society seems the most suitable body to take the project under its wing).

Mr Heath tells me, however, that the reason for the rejection of his suggestion that the Sandgate Society should enquire from the solicitors the terms upon which the land for the path could be sold was not one of principle, but a fear that if you enquired the terms on which the land might be sold, the Sandgate Society would be regarded as a possible purchaser, and that your present balance would not permit this. Such a reason seems to me to

incredible. We cannot start fund raising for the project until we know what is involved. Indeed the cost of implementing the scheme may be prohibitive, but this neither the Sandgate Society nor I know. Suffice it to say that the current balance is immaterial. A subscription list for the project would certainly gain the support of several hundreds and possibly a few thousands of pounds.

May I therefore ask the Society to think again, and write to the Solicitors to enquire the terms of sale, and possibly later to the Council to check their willingness to undertake the maintenance. I was privileged to see Mr Heath's draft letter to Frederic Hall and thought it admirable.

yours sincerely



REGINALD TURNILL
Aerospace Writer

0303-39012

Somerville Lodge
Hillside
Sandgate
Kent CT20 3DB

28 March 1981

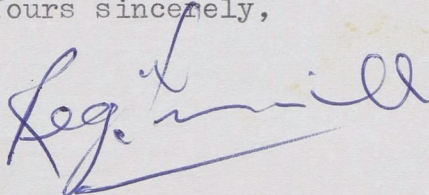
Dear Mrs Fisk,

Thanks for your help on the phone recently about the Encombe-Wilberforce Road footpath. I thought you would be interested in this copy letter sent by my neighbour, Bill Hobday, to the Council. It's an interesting example of the way the Sandgate Society allows itself to be pushed into something without making adequate inquiries about the effects of its proposals (or objections, as the case may be) on other Sandgate residents.

Incidentally, the only other person, apart from Mr Todd, we have found who wants this path is Commander Colville, who wants to walk through it as a convenient method of delivering his Conservative literature!

The path is now literally bogged down in the ground behind the car park. Even the Council had to give up pretending that they had the right to use somebody's private access path with even asking them.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Reg. Turnill', with a long horizontal flourish extending to the right.

W H HOBDAY

Folkestone 38217

Robingale
Hillside
SANDGATE
Kent CT20 3DB

29 March 1981

The Chairman
The Works Committee
Shepway District Council
Civic Centre
FOLKESTONE

Dear Sir

Proposed Footpath Linking
Encomb & Wilberforce Road

Further to my letter of 14 March, I would point out that I have had no formal reply or acknowledgment. Some of your officials have called however, and at their request I have provided the name and address of my solicitors.

I must however make a further protest at the way the Council has tried to create this footpath through private property without any discussion with the residents concerned; also, several thousand pounds of ratepayers' money is now involved in this unplanned enterprise which has run into problems that could easily have been foreseen if your officials had taken the trouble to knock on our door and walk over the ground concerned, before work started.

When your officials found they ~~were~~ were unable to take the proposed new footpath through the access path which is part of my property, they attempted to bargain: they would protect my garden and house with a 5ft fence in return for my allowing my access path to be turned into a public footpath. This I suggest is a most improper and cynical approach: a footpath on two sides of my house will reduce its value by many thousands of pounds, as you must well know. And any caring authority would in any case, I suggest, be concerned to protect the basic amenities of well-established and elderly ratepayers by being willing to fence a footpath on a level with their rooftops, giving passers by a full view into all their upstairs rooms as well as into every inch of what is now a secluded garden in which they enjoy their old age.

It seems extraordinary that whereas much Council time and money is spent on displaying notices asking for objections to the slightest change proposed by a private resident to his house work on this footpath was started without any notice being given let alone consultation with the residents involved.

Please confirm to me forthwith that you now intend to take this footpath (the need for which is somewhat marginal) through to the Wilberforce Car Park, and that in doing so you will protect my privacy and amenities by at least a 5 ft fence along my boundary. This issue is causing my elderly wife distress and sleepless nights.

Yours faithfully,

PRESIDENT: Mrs. R.E. Greenwall

The Old Fire Station.

Mr. C. Bryant

Mr. D.G. Vorley

Mrs. M.L.Lach.
Albion Cottage,
Sandgate.

7 April, 1981.

R. Turnill, Esq.,
Somerville Lodge,
Hillside,
Sandgate.

Dear Mr. Turnill,

Your letter to Mrs. Fisk, with enclosure, reached us in time for it to be read at our recent committee meeting.

Your comment concerning the Sandgate Society was considered totally unwarranted and displayed a lack of appreciation of the background concerning the 'stormpath'.

As long ago as 1968 a group of residents in the western part of Sandgate originated a scheme for such a path and organised a petition to the then Folkestone Borough Council. I believe there were over 100 signatures, and this would indicate considerably wider interest in the matter than that inferred in your note. The Sandgate Society role then was to forward this petition to the Council but they were not involved as a body, and although in favour of the idea throughout, has not been involved in the recent revival of the request.. We(the Society) know nothing of recent developments but would have thought that all householders would have been approached and would have agreed to the path with, or without conditions. From my own knowledge this matter has been aired in the local press from time to time, and such publicity usually inspires any adversely affected person to action.

I am sure you will be aware that a suggestion for such a path is contained in the Sandgate Study.

Yours sincerely,

NOTES on History of Proposed Storm Path-Wilberforce Road to Prospect Road.

The purpose of this path was to provide a means of access between Wellington Place, Brewer's Hill, West Lawn Gardens, Prospect Road, Encombe and the village of Sandgate which would not involve going along the Esplanade. The Esplanade becomes impassable at high tides in Southerly gales.

November, 1967. Sandgate Society forwarded to Council letter dated 5.11.67 suggesting path.

14.12.67. Highways Committee. Letter read. Committee agreed the suggestion was sound. Borough Engineer to look into it.

15.10.68. Highways & Watch Committee. Borough Engineer reported owners agreeable part with land provided Corporation erected fencing. Cost would be approx. £300. Scheme feasible & would provide means of access for residents of Esplanade when road was impassable due to high seas. Resolved-That provision be made in the estimates for the next financial year for the construction of the suggested footpath and associated accommodation works.

6.11.68. Minute 66 (of 15.10.68-above) referred back by Council.

19.11.68. Highways & Watch. Reconsidered necessity for path in light of observations made by persons who had been residents of Sandgate for a considerable time. Resolved-Resolution to Min. 66 rescinded-no further action.

NOTE.

(1) In December of 1968 Mrs. Large of Regency Cottage said she had been approached to sell a strip running east-west across the northern end of her back garden for a path linking Wellington Place and Sunnyside. She was violently against the intrusion on her privacy which she thought would result and refused to part with the strip of land. This indicates the Council had enlarged upon the Society's proposal of a path from Wellington Place and had decided to start the path in Sunnyside Road. This was a sound idea, but the people in the Sunnyside Road district are thought to resent anything which might bring any more members of the public into their area. Mrs. Large stated the Promenade was "never impassable".

(2) The owner of "Seagulls" at the foot of Brewer's Hill on the west side of the road also objected to the path as it would bring extra people along the back of her house. Wellington Place already runs along the back of the house.

4.12.68 to 9.12.68. Petition taken round Encombe, Prospect Road, West Lawn Gardens, Brewer's Hill, and Wellington Place area. Grafton Cottage and Regency Cottage approached but not any houses in Sunnyside Road. Of 128 persons approached, 121 signed.

17.12.68. Highways & Watch. Petition received. Considered angles of comfort and urgent medical assistance. Of opinion path not necessary and would not justify expenditure involved.

31.12.70. Erection of fence begun up west side of plots 30 & 31 & 25, Encombe. This will close present footpath at its western end at NW corner of 11, Encombe (Plot 14).

NOTE. Access across these plots to the old Encombe Right of Way between Robingale and The Bungalow, Hillside has been continuously enjoyed by many people, to our certain knowledge, since August, 1963, without any attempt to fence off the land.

The Corporation have also been asked ^{BUT HAVE FELT UNABLE} to take over the old Ice Well. (See map). This, if not emptied and fully restored, could be preserved in the meantime by making it into a rose bed and placing a seat by it. Seats are necessary at several points on this path on account of the gradients, steep for elderly people.

Frederick John Ralph

*Planning Consultant
Architectural & Surveying
Advisory Service
Land Agent*

FJR/CE

Country Office:
Rodney House,
Prospect Road,
Sandgate,
Nr. Folkestone.
Kent.

Telephone No.
Folkestone 38351

12th March, 1984.

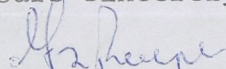
Mrs. J.E. Thompson,
Hon. Secretary,
The Sandgate Society,
33 Bybrook Field,
Sandgate,
Kent.

Dear Mrs. Thompson,

Thank you for your letter of 3rd March.

Perhaps you would be good enough to let my Solicitors, Messrs. S. Braga & Co., have a copy of the written assurance given by Mrs. MacDonald. I'm afraid I cannot agree with you that "not to close the footpath permanently" is good enough. I do not wish it closed at all, as if it is closed for one day a year they are trying to establish there is no right of way.

Yours sincerely,



F.J. Ralph

Mr C.Bryant
Mr F.J.Ralph
Rodney House
Prospect House
Sandgate

Mr D.G.Vorley

Mrs J.E.Thompson
33 Bybrook Field
Sandgate
Folkestone

3-3-84

Dear Mr Ralph,

Thank you for the sight of the correspondence you have had with both Shepway District Council and Mr. & Mrs. MacDonald, concerning the footpath between Brewer's Hill and West Lawn Gardens, Sandgate.

The subject was again discussed at our Committee meeting on 28th February and it was felt that the verbal and written assurances given by Mr. & Mrs. MacDonald, not to close the footpath permanently, is as much as can be expected from it's owners.

Yours sincerely

Joan Thompson.

Hon.Secretary.

"BRAEMAR"
WEST LAWN GARDENS
PROSPECT ROAD
SANDGATE, FOLKESTONE
KENT

20th January, 1984

The Chairman
Sandgate Society

Dear Sir,

I believe your Society has had several people contacting them about the path at the bottom of our garden leading from West Lawn Gardens to Brewers Hill.

According to our deeds, my solicitor and Shepway District Council this path is not a public right of way - please see photostat copies of relevant papers. It is owned by us and is part of the land belonging to Braemar. As such we feel responsible for keeping it clean and clear and safe underfoot. This, however is not an easy task as we are constantly clearing up dogs' mess, empty bottles and cans, crisp and sweet packets and even human excreta. On three occasions, when 3 different dog owners were requested to put their dog on a lead, the response varied from disinterest to outright abuse (the latter being witnessed by a neighbour). So we decided to put up two wooden gates - one each end - with a sprung catch so that pedestrians may walk through, cyclist may push bikes through but wandering dogs cannot get through. Also by the very presence of a gate it may make users realise this is not public property or a place to throw their litter. This will also stop motor cyclist riding through churning up the path. This will cost us quite a lot of money, and we are not very well off, it will also entail my husband continuing to keep the path tidy and my son hauling up gravel to put down in wet weather when the path becomes muddy, but this we were prepared to do in the interest of keeping the attractiveness of this little area unspoilt and as conservationists you must be in agreement with that.

The people who live around Brewers Hill area, who use this path specifically as a storm path to the village, as opposed to a short cut from the village to the pub, and especially our neighbour whose back gate comes out on the path, are very much in favour of our idea. Infact 2 people have already offered to pay towards the gates because they realise how very unpleasant the path can become if not properly cared for. We would also, according to my solicitor, have to close the path for one day a year giving the users due notice of this.

On the other hand we need not put up these gates, it will save me money, but also we will not clean up the path or put gravel down when it is muddy, it will save us a lot of work. We do not need to use the path ourselves, indeed we only walk along it when tidying it up, so we have nothing to lose.

Incidentally we have to-day, by appointment, visited the Secretary and Solicitors Office of Shepway District Council who say they have had a lot of obviously unfounded and inaccurate information passed to them by one or two people for reasons best known to themselves. We gave them the same information as we have given to you which is purely factual and they can see no reason for any objections.

Yours faithfully,

Maggie MacDonald.

(Mrs.) Maggie MacDonald

Mr C.Bryant

Mr D.G.Vorley

Mrs J.E.Thompson
33 Bybrook Field
Sandgate

'Braemar'
West Lawn Gardens
Prospect Road
Sandgate

28-1-84

Dear Mr & Mrs Macdonald,

Thank you for your letter dated 20th January, together with enclosures, concerning the footpath at the bottom of your garden leading from West Lawn Gardens to Brewer's Hill.

This matter was discussed at length at our Committee Meeting on 24th January as the subject of footpaths has always been a matter of great importance to the Sandgate Society. Important even to the extent of going to Crown Court, some years ago, and successfully opposing the proposal by the Military to close two footpaths leading from Brewer's Hill to Shorncliffe Camp.

The Committee felt that your proposed action of protecting and maintaining the footpath, especially the expressed intention of continuing it's accessibility for public use reflects credit upon yourselves and can only be in the public interest.

I might add that there has been a high regard for the access available by the footpath from Brewer's Hill to Prospect Road to join the Storm Path at Encombe during adverse weather and sea conditions. Anything to improve passage along it's surface must meet with general approval.

I would thank you for sight of your correspondence with regard to a pedestrian crossing near Brewer's Hill and return this herewith. We find this of interest and hope you will keep us informed of future developments.

Yours sincerely

Chairman.

Frederick John Ralph

*Planning Consultant
Architectural & Surveying
Advisory Service
Land Agent*

Country Office:
Rodney House,
Prospect Road,
Sandgate,
Nr. Folkestone.
Kent.

Telephone No.
Folkestone 38351

FJR/CE

1st February, 1984.

Mrs. J.E. Thompson,
Hon. Secretary,
The Sandgate Society,
33 Bybrook Field,
Sandgate.

Dear Mrs. Thompson,

Footpath Adjacent to "Braemar"

Thank you very much for your letter of 29th January and I note that this matter has been discussed in Committee.

However, if you don't mind my saying so, I think you have missed the point, as Mr. McDonald announced his intention of shutting, locking or bolting the gates once a day annually in front of a number of people at Clarendon Inn, and that of course means that he is trying to establish that it is his right of way. If you would like copies of all the correspondence I have had with Ron Thompson, the Secretary and Solicitor of the Council, I shall be pleased to forward you same.

At the moment I have placed the matter in the hands of my Solicitors. I think you will realise that if the path is not shut once a year for a period of 20 years it becomes invalid. What I wish is a legal written undertaking from Mr. & Mrs. McDonald that they will not shut the path on any occasion. That I think would then be the end of the matter, as I don't think anybody would object to swing closing gates, although I suspect the dogs would find a way to jump over or through them.

Yours sincerely,

F. J. Ralph

F.J. Ralph

Mr C.Bryant

Mr D.G.Vorley

Mrs J.E.Thompson
33 Bybrook Field
Sandgate
Folkestone.

Mr F.J.Ralph
Rodney House
Prospect House
Sandgate

6-2-84

Dear Mr.Ralph,

Thank you for your letter dated 1st February 1984. We would be pleased to have copies of the relevant letters for consideration at our next Committee meeting on Tuesday 28th February 1984.

Yours sincerely

Hon.Secretary.

Frederick John Ralph

*Planning Consultant
Architectural & Surveying
Advisory Service
Land Agent*

FJR/CE

Country Office:
Rodney House,
Prospect Road,
Sandgate,
Nr. Folkestone.
Kent.

Telephone No.
Folkestone 38351

17th January, 1984.

Mrs. M.L. Lachlan,
Hon. Secretary,
The Sandgate Society,
Albion Cottage,
Granville Parade,
Sandgate.

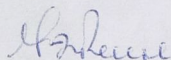
Dear Mrs. Lachlan,

It has been brought to my attention that the owners of Braemar have announced their intention to close the public footpath from the end of West Lawn Gardens to Brewer's Hill. As this was last closed in 1948 the rights have been established (being a 20 year period) and perhaps you would be interested in making sure that it is not closed.

I have already been in touch with the Secretary and Solicitor of the Council, Mr. Ron Thompson, who tells me it is very difficult to establish a right other than if it is blocked off it can be brought before the Magistrates. I should be pleased to hear your views on the matter.

No doubt you will remember the trouble we had with the other footpath leading from Prospect Road eventually into Wilberforce Road.

Yours sincerely,



F.J. Ralph

Mr C. Bryant

Mr D.G. Vorley

Mrs J.E. Thompson
33 Bybrook Field
Sandgate

Rodney House
Prospect Road
Sandgate
Folkestone

29-1-84

Dear Mr Ralph,

I am replying to your letter dated 17th January, addressed to Mrs Lachlan, as I regret to inform you that she died just before Christmas.

The matter about which you write has already come to the Sandgate Society's notice and was discussed at length during our Committee Meeting on 24th January because of the great importance the subject of footpaths has always had to the Society.

Written assurance has been given, by the owners of 'Braemar' that their intention is not to close the footpath but to take steps to protect and maintain it.

The Society has stressed the high regard in which the footpath, from Brewer's Hill to Prospect Road, has long been held as a safe access to the Storm Path at Encombe, during adverse weather & sea conditions and feels it's protection and maintenance, in the future, can only prove an advantage to the public.

Yours sincerely,
Joan Thompson
Hon. Secretary

Frederick John Ralph

*Planning Consultant
Architectural & Surveying
Advisory Service
Land Agent*

Country Office:
Rodney House,
Prospect Road,
Sandgate,
Nr. Folkestone.
Kent.

Telephone No.
Folkestone 38351

FJR/CE

651/MK/Mrs. Adams

27th January, 1984.

R.J. Thompson, Esq.,
Secretary and Solicitor,
Shepway District Council,
Civic Centre,
Folkestone, CT20 2QY.

Dear Mr. Thompson,

Accessway Adjacent to "Braemar"

Thank you for your letter of 26th January.

I regret to inform you, as I did on the telephone but to confirm this in writing to you, that Mr. McDonald categorically stated that he would be closing the path once a year in the presence of witnesses, which I told him would not be acceptable to the residents of Sandgate. Needless to relate, he went puce again.

I quite agree that it is difficult to do anything about it until he actually does something, but I have now instructed Messrs. S. Braga & Co. to look after our interests.

I am afraid I cannot agree with your first paragraph that the Council is not in a position to demand an undertaking; I would have thought it quite simple. I will, of course, keep you informed if anything happens.

I acknowledge your note with regard to the telephone call.

Yours sincerely,

F.J. Ralph



Civic Centre, Folkestone, Kent. CT20 2QY
Telephone: Folkestone (0303) 57388
DX 4912 Folkestone

SHEPWAY DISTRICT COUNCIL

Your Ref: FJR/CE

My Ref: 651/MK/Mrs Adams

Date: 26 January 1984

Ext: 315

Mr F.J.Ralph,
Rodney House,
Prospect Road,
Sandgate,
FOLKESTONE,
Kent.

Dear Mr Ralph,

ACCESSWAY ADJACENT TO "BRAEMAR"

I acknowledge receipt of your letter dated 24th January 1984 and regret that the Council is not in a position to demand an undertaking as suggested.

Whilst Mr & Mrs McDonald are of the opinion that maintenance of the path would be easier if swing gates were erected, it is by no means certain that this proposal will be implemented. It could well be that there is a change of mind over the matter and that they do not proceed with the course of action it was hoped to adopt.

In fairness to the owners, after receiving my communication explaining that representations had been submitted to the Council expressing concern over this matter, there was an immediate response by them by the assurance given that the path is to remain open for use.

I will of course, review the matter should the position alter and would appreciate your co-operation as a regular user to inform me if the path should at any time be obstructed by the owners.

Yours sincerely.

(R.J.Thompson)
Secretary and Solicitor

RJA/CE

651/CE11/Mrs. Adams

24th January, 1984.

Mr. J. Thompson, Esq.,
Secretary & Solicitor,
Sheffway District Council,
Civic Centre,
Pulkestone, ST20 2GY.

Dear Mr. Thompson,

Accessway adjacent to "Braemar"

Thank you for your letter of 20th January, which I received today.

I am glad you have managed to take steps to remove certain misgivings by the users of the path, mostly of course being residents of Sandgate, and I am pleased to see that Mr. and Mrs. McDonald have stated categorically that the path is to remain open for use.

I personally do not object to having swing gates (except I expect the dogs will find out how to open them) but I really must insist that Mr. and Mrs. McDonald give a legal undertaking to you, as representative of the Council, that these gates will not ever be locked in an attempt to establish a right of way to their own use, this to be in perpetuity.

I quite agree that there is fouling of the footpath by dogs but we are all quite used to this. As regards the cyclists' irresponsible use, as far as I know the only person to use the path with a bicycle is the newspaper boy which is only natural.

If you can obtain a legal undertaking from Mr. and Mrs. McDonald I will withdraw my objections which I have passed on to my Solicitors.

Yours sincerely,

F-J- Ralph



Civic Centre, Folkestone, Kent. CT20 2QY
Telephone: Folkestone (0303) 57388
DX 4912 Folkestone

SHEPWAY DISTRICT COUNCIL

Your Ref:

My Ref:

651/CFP1/Mrs. Adams

Date:

20th January, 1984

Ext:

315

Mr. F. J. Ralph,
Rodney House,
Prospect Road,
Sandgate,
Folkestone,
Kent.

Dear Mr. Ralph,

ACCESSWAY ADJACENT TO "BRAEMAR"

Further to my letter of 17th January, 1984, I have to-day met Mr. & Mrs. McDonald to discuss this matter and feel that you would wish to know the result of that meeting.

Mr. & Mrs. McDonald have stated categorically that the path in question is to remain open for use and that there has been no suggestion otherwise by them.

The present state of the path has become a matter of concern to them as owners responsible for the land, because of the fouling of the area by dogs and also irresponsible use by cyclists. Clearing the path of excreta is a very unpleasant task which it is hoped can be avoided through the erection of swing gates. Use of the path by residents of Sandgate would be unaffected apart from the need to open two gates in order to pass through them. It has never been their intention to deny users of the path the right to use it. The proposals are merely a practical means by which an unpleasant situation can be improved and enable the path as a whole to be maintained in a clean and tidy condition in the future.

I am satisfied from the information given to me that the rumoured closure of the path has no foundation and hope that this clarification will be acceptable to you and also others who have been worried over this matter.

Yours sincerely,

(R. J. Thompson)
Secretary and Solicitor

FJR/CE
651/JPH/Mrs. Adams

20th January, 1984.

R.J. Thompson, Esq.,
Secretary & Solicitor,
Shepway District Council,
Civic Centre,
Folkestone, CT20 2QY.

Dear Mr. Thompson,

Accessway adjoining "Braemar", West Lawn Gardens, Sandgate.

Thank you for your letter of 17th January. I appreciate your advice on the matter.

Unfortunately, if anybody speaks to Mr. McDonald at any time about the footpath he goes puce and looks as if he is about to have a heart attack, which is not conducive to civilised conversation!

I think the residents of Sandgate would be prepared to have swing gates put up as suggested, provided he gives an undertaking that they should never be locked. To my knowledge there has only been one motor cyclist, and the paper boy uses it on his daily round pushing his bicycle.

You will, of course, appreciate that Mrs. King of Littlemead, Brewers Hill, and Mrs. Francis of Hawkhurst, West Lawn Gardens, already hold statutory rights of way over the path for the purpose of dustbin collection and the like.

I have contacted the Sandgate Society to see what light they can throw on the matter.

Yours sincerely,

F.J. Ralph



Civic Centre, Folkestone, Kent, CT20 2QY
Telephone: Folkestone (0303) 57388
DX 4912 Folkestone

SHEPWAY DISTRICT COUNCIL

Your Ref:

My Ref: 651/JPH/MRS.ADAMS

Date: 17th January, 1984

Ext: 315

RECEIVED 20 JAN 1984

Mr. F.J. Ralph,
Rodney House,
Prospect Road,
Sandgate,
Folkestone.

Dear Mr. Ralph,

ACCESSWAY ADJOINING "BRAEMAR", WEST LAWN GARDENS, SANDGATE, FOLKESTONE

I thank you for your letter dated 6th January, 1984, from which I note your proposed action to obtain evidence of useage of the above-mentioned accessway.

It may be of assistance for you to bear in mind that claims of the existence of a public footpath would be strengthened if the period of public use can be supported for more than 20 years prior to the date on which such a claim is made and should, if possible, include information as to uninterrupted frequent use by the public during the period covered, i.e. not affirmation of use by a few persons on some occasions only.

With regard to your concern to ensure that the access in question remains available for use, my understanding of Mr. Mc Donald's intentions was not that he wished to close the path but rather to exercise some measure of control over it to prevent misuse.

I wrote to Mr. McDonald in July 1983 advising him that the path is not marked on the definitive footpath maps as a public right of way and suggested points which he should consider if some structure were to be erected to prevent access by motor cyclists but not impede persons entitled to use the path.

It seems to me that direct contact with Mr. McDonald, perhaps a joint approach by those concerned may help to establish precisely what is intended in connection with the path and it may well be that he would give you satisfactory assurance that the path will be available for use in the future. This could be a course of action you would care to consider before embarking upon further researches.

I have written to Mr. McDonald today suggesting that he reconsiders the matter in the light of the concern expressed by residents of Sandgate.

Yours sincerely,

(R. J. Thompson)
Secretary and Solicitor

FJR/CE

6th January, 1984.

R.J. Thompson, Esq.,
Secretary & Solicitor,
Shepway District Council,
Civic Centre,
Folkestone, CT20 2QY.

Dear Mr. Thompson,

Footpath at "Braemar", West Lawn Gardens, Sandgate.

It has been brought to my attention that the new owners of "Braemar" are contemplating closing the public footpath between West Lawn Gardens and Brewers Hill.

Although I have not been here for the statutory 20 years myself, my wife has been here since 1951, during which time there has been no restricted usage. I have not been able to find out yet all the users of more than 20 years, but Mr. & Mrs. Beatty of 31 The Esplanade who came to Sandgate in 1947 report that it was shut in 1948 but has not been shut since. Dr. Yates of 29 The Esplanade also confirms that for 24 years the footpath has not been closed.

Over the weekend I will ascertain from the other users who have been here for more than 20 years if they have seen any sign of closures, but I am pretty certain they will confirm this is not the case.

Therefore, perhaps you would be kind enough to inform Mr. McDonald that we do not wish to have our public footpath closed, and if he does so we shall take the necessary action.

Yours sincerely,

F.J. Ralph

Footpath costing £550 is rejected

A RECOMMENDATION has been made that Folkestone Town Council should take no further action in establishing a footpath between Encombe Estate and Wilberforce Road.

The council had tried to buy a strip of land for the path, but received a letter from the owner's solicitors saying that the land would only be sold if the council erected and maintained a six-foot-high close-boarded fence along the boundary.

It is estimated that this fence would cost £550 to erect and a further £100 a year to maintain.

The council's highways and watch committee has recommended the council, which meets next month, to take no further action over the matter.

^{17/12/71} Council to think yet again on footpath

FOR the second time in six weeks Folkestone's highways and watch committee has promised to think again about the need for a footpath at Sandgate, between Wilberforce Road and Encombe estate.

Residents complain that a footpath is necessary because during storms the only road access, via Sandgate Esplanade, becomes blocked by tons of shingle and is swept by the sea.

So far the committee has refused to recommend the town council to provide a footpath because of the high cost.

Apart from having to buy the land for the path, the council would also be faced with meeting the special conditions of the present owner.

They are that a six-foot high close-boarded fence should be erected and maintained.

This would cost £550 plus £100 a year in maintenance.

At last week's council meeting the committee agreed to look into the matter again after some councillors said they felt there might have been some misunderstanding over what was being demanded by the owner.

No stormy weather footpath

Herald
23/9/72

NOTHING more should be done to try to provide a stormy-weather footpath for the people living on the Encombe estate at Sandgate, Folkestone Town Council decided last week on the casting vote of the Mayor, Alderman Wilfred Harris.

Efforts were made by the council last year to establish a public footpath from Wilberforce Road to Encombe, but the council was unable to reach agreement with landowners in the area.

On many occasions an unofficial footpath in use was fenced off by owners.

Now even more fences have been put up across the path.

One Encombe resident wrote to the council saying many people had used the path on stormy days when the only road access, via Sandgate Esplanade, was blocked by shingle and rough seas.

He asked the council to reopen negotiations with the landowners to acquire the necessary land and build a footpath, which it is estimated would cost about £1,000.

In the past residents of Encombe have said the estate was marooned during storms and have pointed to the dangerous situation that would arise if emergency services, such as fire and ambulance, could not reach the area in an emergency.

Last week the council was told by officials that in fact ambulance and fire brigade vehicles could reach Encombe even at high tide during severe storm conditions.

The issue was put to the vote after Councillor Sam Martin moved that a no-further-action recommendation from the council's highways committee should be referred back for further consideration.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 3.1.68.

HIGHWAYS COMMITTEE - 14th December, 1967.

E 233 & E 234

(67)

(b) Suggested Footpath.

The Town Clerk read a letter from a Sandgate resident pointing out that under certain weather conditions the Sandgate Esplanade between Wellington Terrace and Coastguard Cottages became impassable to pedestrians and vehicles. The resident felt that there was a need for a footpath parallel to the Esplanade but following a more northerly route so that all parts of Sandgate would be accessible even in bad weather.

The letter suggested a route which would entail the acquisition of strips of land from private property to link up existing lengths of footpath. As well as providing an essential accessway in bad weather the footpath would prove to be a valuable amenity.

The Committee discussed the matter and agreed that the suggestion was a sound one and

RESOLVED - That the Borough Engineer look into the matter and report back to the Committee at a later date.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 6.11.68.

E.39

(90) HIGHWAYS AND EATON

Highways and Watch - 15th October, 1968.

(66) SANDGATE - PROPOSED FOOTPATH

Further to minute 67(b) of the proceedings of the Highways Committee of the 14th December, 1967, the Borough Engineer reported that he had been in touch with the various owners of the land which would be required to form the proposed footpath parallel to the Esplanade but following a more northerly route so that all parts of Sandgate would be accessible in bad weather. The owners of the land over which the larger and more important parts of the proposed path would pass, viz. between Prospect Road and Wilberforce Road, had agreed to part with the land provided the Corporation erected certain lengths of fencing. The cost would be approximately £300.

The Borough Engineer informed the Committee that the scheme was feasible and would provide a means of access for the residents of the Esplanade when the road was impassable due to high seas.

RESOLVED - That provision be made in the estimates for ~~the~~ the next financial year for the construction of the suggested footpath and associated accommodation works.

(2) That no further action be taken in the matter.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 1.1.69.

Highways ²~~and~~ Watch Committee 17.12.68. E. 56.

(107) SANDGATE - PROPOSED FOOTPATH

Further to minute 89 of the proceedings of this Committee of the 19th November, 1968, the Town Clerk reported the receipt from the Sandgate Society of a petition requesting reconsideration of the proposal to construct a footpath from Wilberforce Road to Prospect Road via Encombe. The petition had been signed by 121 residents of Sandgate, most of them living in the area west of Sandgate which can at present only be approached by the Esplanade.

The petition stated that the signatories considered the proposed path essential for the comfort of the residents and for providing access for urgent medical assistance. It urged upon the Council the need to proceed with this matter.

The Committee considered the petition and the case in favour of the construction of the footpath but were of the opinion that it was not necessary and would not justify the expenditure involved.

RESOLVED - That the petition be received.

Highways and Watch - 2nd February, 1971.

E.247

PROVISION OF FOOTPATH, ENCOMBE ESTATE TO WILBERFORCE ROAD

The Town Clerk stated that the land over which the footpath previously connecting the Encombe Estate with Wilberforce Road had changed hands and that the new owner had closed the footpath. This was not a public footpath.

He submitted eight letters from residents in Sandgate High Street, Sandgate Esplanade, Wilberforce Road, Wellington Place, Prospect Road and Encombe Estate, complaining of the closure of this footpath which, at some times during the year, was their sole means of access to Sandgate owing to Sandgate Esplanade being impassable near the Sir John Moore memorial due to high seas.

The Town Clerk reminded members that the provision of a footpath parallel to the Sandgate Esplanade and including the length referred to above had been considered during 1968 (minutes 66, 89 and 107 of the proceedings of the meetings of this Committee of the 15th October, 19th November and 17th December, 1968 and resolution 90 of the proceedings of the meeting of the Council of the 6th November, 1968 refer) and it had been decided that no action be taken. The Town Clerk stated that, at that time, there had been no suggestion that the short length of footpath now being considered would be closed and it was assumed that it would therefore continue to meet the essential needs of the public when a section of the Sandgate Esplanade was impassable.

RESOLVED - That enquiries be made regarding the possible purchase, by the Council, of the strip of land between Encombe Estate and Wilberforce Road shown coloured pink on drawing number 620/30 and that the result of these enquiries be considered at a future meeting of this Committee.

MINUTES attached Summons to Council Meeting of 4.8.1971.

Highways & Watch Committee-29th June, 1971.

Page E 268.

(9) PROVISION OF FOOTPATH-ENCOMBE ESTATE TO WILBERFORCE ROAD

Further to Minute (144), 2nd February, 1971, the Town Clerk submitted letter dated 7th May, 1971 from Messrs. Frederic Hall & Co., Solicitors acting for the owner of the land stating that his client would, in principle, subject to ~~the agreement~~ an appropriate price being negotiated, be agreeable to transferring a strip of land to the Corporation, but only provided that the Corporation would erect a 6' close boarded fence on the northern boundary of the strip of land and remain responsible, permanently, for the maintenance of the fence.

The Borough Engineer stated that the cost of providing and erecting such a fence was estimated to be £550 and that the annual maintenance of the fence could cost an estimated £100.

RESOLVED- That no further action be taken in the matter.

*See Minutes of Council Meeting of 3/1/68 -
Highways C'ttee Meeting of 14/12/67*

5th November, 1967.

D.G. Vorley, Esq.,
Hon. Secretary,
The Sandgate Society,
1, Castle Road, Sandgate.

Dear Sir,

SANDGATE ESPLANADE IN HIGH SEAS

When a spring tide coincides with a strong wind from a southerly quarter Sandgate Esplanade between Wellington Terrace and Coastguard Cottages becomes impassable to pedestrians and to vehicles. The recent series of gales has made glaringly obvious the need for at least a footpath parallel to the Esplanade but following a more northerly route on higher ground out of reach of the sea.

Such a path exists along the following route.

Wellington Place and up Brower's Hill.

Footpath to West Lawn Gardens.

Prospect Road.

*Out through to Encombe, south of new garages.
Encombe.

*Along North Boundary of 11, Encombe.

*Along North Boundary of The Cottage and Robingale,
both in Hillside.

Through the old Encombe Right of Way between
Robingale and The Bungalow, both in Hillside.
Wilberforce Road.

The portions marked * are not yet official Rights of Way and badly require to be widened and surfaced to make them suitable for use by elderly persons.

I suggest that the portions marked* should be purchased by the Corporation and made safe and convenient to use. This would provide all weather communication for pedestrians to and from houses otherwise cut off from Sandgate, Polkestone and indeed London and the rest of the country in certain weather conditions. I need hardly stress that quite apart from the convenience of the residents concerned there is the important question of access by

(2)

Doctors, Nurses and Ambulance men.

The above route, the portion of which from Encombe to the passage between Robingale and The Bungalow I laid out myself, is in increasing use, not only by the residents of Encombe but by persons going to or from places west of Encombe. Inquiry would I am quite certain show strong public support for the route I have outlined. I would also remind the Society that just North of the North West corner of the plot of No. 11, Encombe lies the old Encombe Ice Well and that here and at the North end of the old Encombe Right of Way seats might be placed to ease the climb for elderly persons. Between these two points I have taken the path through a copse of trees which are preserved under the Tree Preservation order, the whole route making a delightful as well as essential alternative to The Esplanade.

The flooding which occurred yesterday in Sandgate left only one means of getting from ~~Wellington Place to Encombe~~ and places West ^{TO FOLKESTONE,} as follows:

The route outlined above from Wellington Place to Wilberforce Road.

Up the steps between 20 and 21 Wilberforce Road.

East along the service (?) road along the south side of Wharnclyffe Lodge and the other houses in its group on Undercliff.

Across the Field to the North of Bybrook into Bybrook Fields.

Military Road.

It was not possible owing to the flooding to turn down the Undercliff and proceed East along Sandgate High Street in front of the garage at present being re-built. If a gap were to be made in the fence along Undercliff at the North East corner of the said garage and a flight of steps erected outside the West door of the Methodist Church (which door appears to be unused), access would be gained to Gough Road and so to the War Memorial. I appreciate that the flooding may ~~be~~ have been due to demolitions on the South side of Sandgate High Street but feel that a flight of wooden steps as a temporary measure here with a notice that they were not dedicated as a Right of Way might be worth while until the possibility of further floods has been ruled out by re-building.

I would further suggest that if the above routes were to be laid out, small signs should be erected so that residents could follow them in fair weather and so become familiar with them

Yours truly,

ROUTES.

A.H.T. TODD.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 3.1.68.

HIGHWAYS COMMITTEE - 14th December, 1967.

E2338E 234

(67)

(b) Suggested Footpath.

The Town Clerk read a letter from a Sandgate resident pointing out that under certain weather conditions the Sandgate Esplanade between Wellington Terrace and Coastguard Cottages became impassable to pedestrians and vehicles. The resident felt that there was a need for a footpath parallel to the Esplanade but following a more northerly route so that all parts of Sandgate would be accessible even in bad weather.

The letter suggested a route which would entail the acquisition of strips of land from private property to link up existing lengths of footpath. As well as providing an essential accessway in bad weather the footpath would prove to be a valuable amenity.

The Committee discussed the matter and agreed that the suggestion was a sound one and

RESOLVED - That the Borough Engineer look into the matter and report back to the Committee at a later date.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 6.11.68.

E-39

Highways and Watch - 15th October, 1968.

(66) SANDGATE - PROPOSED FOOTPATH

Further to minute 67(b) of the proceedings of the Highways Committee of the 14th December, 1967, the Borough Engineer reported that he had been in touch with the various owners of the land which would be required to form the proposed footpath parallel to the Esplanade but following a more northerly route so that all parts of Sandgate would be accessible in bad weather. The owners of the land over which the larger and more important parts of the proposed path would pass, viz. between Prospect Road and Wilberforce Road, had agreed to part with the land provided the Corporation erected certain lengths of fencing. The cost would be approximately £300.

The Borough Engineer informed the Committee that the scheme was feasible and would provide a means of access for the residents of the Esplanade when the road was impassable due to high seas.

RESOLVED - That provision be made in the estimates for ~~the~~ the next financial year for the construction of the suggested footpath and associated accommodation works.

COUNCIL MEETING-6th November, 1968.

(90) HIGHWAYS AND WATCH

Moved by Councillor Lamb

Seconded by Alderman Hamer

That the acts and proceedings of the Highways and Watch Committee of the 15th and 28th October, 1968, be received and adopted, save that Minute 66 be referred back to the Committee for further consideration.

HIGHWAYS AND WATCH COMMITTEE MEETING-19th November, 1968.

(89) SANDGATE-PROPOSED FOOTPATH

Further to Minute 66 of the proceedings of this Committee of the 15th October, 1968, and Minute 90 of the proceedings of the Council of the 6th November, 1968, the Committee reconsidered the necessity for the proposed footpath in the light of observations made by persons who had been residents of Sandgate for a considerable time and

RESOLVED-

(1) That the resolution to minute 66 of the proceedings of this Committee of the 15th October, 1968, be rescinded

(2) That no further action be taken in the matter.

MINUTES ATTACHED SUMMONS TO COUNCIL MEETING OF 1.1.69.

Highways [&]~~and~~ Watch Committee 17.12.68. E. 56.

(107) SANDGATE - PROPOSED FOOTPATH

Further to minute 89 of the proceedings of this Committee of the 19th November, 1968, the Town Clerk reported the receipt from the Sandgate Society of a petition requesting reconsideration of the proposal to construct a footpath from Wilberforce Road to Prospect Road via Encombe. The petition had been signed by 121 residents of Sandgate, most of them living in the area west of Sandgate which can at present only be approached by the Esplanade.

The petition stated that the signatories considered the proposed path essential for the comfort of the residents and for providing access for urgent medical assistance. It urged upon the Council the need to proceed with this matter.

The Committee considered the petition and the case in favour of the construction of the footpath but were of the opinion that it was not necessary and would not justify the expenditure involved.

RESOLVED - That the petition be received.

Highways and Watch - 2nd February, 1971. E.247

(144) PROVISION OF FOOTPATH, ENCOMBE ESTATE TO WILBERFORCE ROAD

The Town Clerk stated that the land over which the footpath previously connecting the Encombe Estate with Wilberforce Road had changed hands and that the new owner had closed the footpath. This was not a public footpath.

He submitted eight letters from residents in Sandgate High Street, Sandgate Esplanade, Wilberforce Road, Wellington Place, Prospect Road and Encombe Estate, complaining of the closure of this footpath which, at some times during the year, was their sole means of access to Sandgate owing to Sandgate Esplanade being impassable near the Sir John Moore memorial due to high seas.

The Town Clerk reminded members that the provision of a footpath parallel to the Sandgate Esplanade and including the length referred to above had been considered during 1968 (minutes 66, 89 and 107 of the proceedings of the meetings of this Committee of the 15th October, 19th November and 17th December, 1968 and resolution 90 of the proceedings of the meeting of the Council of the 6th November, 1968 refer) and it had been decided that no action be taken. The Town Clerk stated that, at that time, there had been no suggestion that the short length of footpath now being considered would be closed and it was assumed that it would therefore continue to meet the essential needs of the public when a section of the Sandgate Esplanade was impassable.

RESOLVED - That enquiries be made regarding the possible purchase, by the Council, of the strip of land between Encombe Estate and Wilberforce Road shown coloured pink on drawing number 620/30 and that the result of these enquiries be considered at a future meeting of this Committee.

MINUTES attached Summons to Council Meeting of 4.8.1971.

Highways & Watch Committee-29th June, 1971.

Page E 268.

(9) PROVISION OF FOOTPATH-ENCOMBE ESTATE TO WILBERFORCE ROAD

Further to Minute (144), 2nd February, 1971, the Town Clerk submitted letter dated 7th May, 1971 from Messrs. Frederic Hall & Co., Solicitors acting for the owner of the land stating that his client would, in principle, subject to ~~the agreement~~ an appropriate price being negotiated, be agreeable to transferring a strip of land to the Corporation, but only provided that the Corporation would erect a 6' close boarded fence on the northern boundary of the strip of land and remain responsible, permanently, for the maintenance of the fence.

The Borough Engineer stated that the cost of providing and erecting ^{such} a fence was estimated to be £550 and that the annual maintenance of the fence could cost an estimated £100.

RESOLVED- That no further action be taken in the matter.

NOTES ONTHE ENCOMBE STORM PATH, SANDGATE

By

A.TODD.

The southern boundary of the Encombe estate bordering the A 259, Sandgate Esplanade, consists of a high stone wall some 142 meters long unbroken except for one gateway which is kept locked. This is the worst stretch of the Esplanade in gales, being swept by the sea and buried in shingle. With a strong southerly gale at high water of Spring tides it is impassable. 22 houses on the Encombe Estate and some 64 houses to the west of it are therefore cut off from the main body of Sandgate village in such conditions, not counting Sunnyside & beyond.

Encombe had always had its own pedestrian access to Wilberforce Road but for those living to the west of Encombe there was no alternative to the Promenade.

In 1893 Encombe was bought by the Reilly's of the Undercliff and on 20.7.1906 Mrs.K.M.Bell, one of the Reilly's nieces, took it over.

In 1907 Temple, Barton offered for sale three plots on Encombe. Lot 2 comprised the land on which The Clintons and The Cottage now stand, plus an extension to the north.

Pike's Directory for 1909 lists "The Clintons", under Hillside. On 9.8.1909 Mrs.Bell mortgaged Encombe and the attached plan showed that the area mortgaged did not include the above part of Lot 2. It seems fair to presume therefore that it had been sold.

When this land was sold a strip of land for a footpath on its eastern side was sold subject to a Right of Way for the owner of Encombe. (Letter of 11.11.1966 from Solicitors investigating question of path). This path ran between the property called "The Bungalow" and "Robingale", both in Hillside.

On 12.9.1963 I raised the question of the footpath with Mr.R.P.Davis of Land & Property Development (Folkestone) Ltd, Developers who had bought the Encombe Estate and laid out roads and building sites for sale to prospective residents. We began building No.5 in August 1963 and the Melville-Smiths began work on the site of No.11 about the same time. They had already discovered the Right of Way and had themselves cut steps to it down the face of the tip of soil behind No.11.

On 1.2.1966 L & P wrote to all those who had moved in on Encombe offering to donate the land for a footpath to the Right of Way and to lay it out and fence it for the sum of £10 per dwelling. The response to this was apparently not good enough and the idea was dropped. On 31.10.1966 L & P offered to give me the land and leave me to lay out the path and fences. On 21.11.1966 we cleared the route of the path for survey. By March 1967 L & P's proposals had changed into something much less simple and the matter fell into abeyance.

In November, 1967 a letter suggesting the need for a storm path was sent to the Sandgate Society and forwarded by them to the Council. In December, 1967 the letter was read at a meeting of the Highways Committee and it was agreed that the suggestion was sound. The Borough Engineer was requested to look into the matter.

15.10.1968. Highways & Watch Committee. Borough Engineer reported owners agreeable to part with land provided Corporation erected fencing. Cost approx. £300. Scheme feasible and would provide means of access when Esplanade impassable in high seas. Resolved:- That provision be made in the estimates for the next financial year for the construction of the suggested footpath and associated ..works.

6.11.1968 Above Minute referred back by Council.

19.11.1968. Highways and Watch Committee. Considered necessity for path in light of observations made by persons who had been residents of Sandgate for a considerable time. Resolved-Resolution to Minute 66 rescinded-no further action.

Note. In December, 1968 the owner of Regency Cottage said they had been approached by the Corporation for a strip of land across the back garden linking Wellington Place & Sunnyside for an extension of the storm path system. They asserted the Promenade was never closed and refused. This indicates the Corporation had enlarged on the idea put forward to them by residents which only extended to Wellington Place (via Prospect Road over a cut through from Encombe over Corporation land and over the existing path from West Lawn Gardens to Brewers Hill). The Corporation's enlarged plan is good and will presumably be put into effect someday. Sandgate is bedevilled by north/south roads without east/west links.

4 to 9.12.1968 Petition circulated round properties on Encombe and west to include Wellington Terrace and Place but excluding Sunnyside, Castle Bay and beyond to the west. This was signed by 121 people. 7 did not sign.

17.12.1968. Highways & Watch Committee. Petition received. Considered angles of comfort and urgent medical assistance. Of opinion path not necessary and would not justify expenditure involved.

Unofficial path and Right of Way continued in use.

31.12.1970. Erection of fence begun up west side of "The Tip". This fence would close the unofficial path.

23.1.1971. Fence torn down. Solicitors' notice put up and fence re-erected. Fence torn down again. Re-erected. Wires cut.

20.2.1971. Matter again before Council. Folkestone Herald of 24.7.1971 reported "No further action".

11.8.1971. Gazette reports another petition. 41 signatures.

17.12.1971 F.Herald. Council to look into matter again.

12.7.1972. Owner of Robingale stops up Right of Way. Passage onward to Car Park impassable due to undergrowth. Path goes out of use.

23.9.1972. Council throws out the idea. Ambulances and Fire Brigades COULD get through in all conditions

29.1.1979. Matter raised with Sandgate Conservation Area Advisory Committee.(Clr.Margary). No success.

2.6.1980 Matter submitted to Works Committee and agreed. £900. "Esplanade frequently closed by severe winter storms".

18.6.1980.Finance & Genl.Purposes Comee. Refused. Recommended to include in draft estimates for 81/82.

9.7.1980. Council. Authorised in present financial year.

18.3.1981. Work on clearing line of path begun. Ground being smoothed.

23.3.1981. Work stopped. Permission to use Right of Way refused as it was not, as had been thought, a Public Right of Way.

April, 1981. Council now approaching owner of The Cottage, who had already given the land for the bulk of the footpath, for another piece of land to extend it to her eastern boundary where it would cross land owned by No.23, Encombe into car park.

2.11.1981. Small triangle of land in unknown ownership between these two areas. Land Registry unable to help. Works Committee resolve to take Compulsory Purchase Order on the triangle.

1.2.1982. Owner of No.23 considers land should be his and applies for Possessory Title. C.P.Order no longer necessary.

16.3.1983 Work begun again on path.

31.3.1983. Path finished.

1963-1983.

x

A.T.

From: Lieutenant Commander R.F. Colvile, D.S.C., R.N.(Ret.), M.I.E.E., M.Inst.M.C.

FRENCHES, 2 THE ESPLANADE, SANDGATE, KENT.

Tel. Folkestone (0303) 38272

February 13th 1980.

The Chairman ,
The Sandgate Society.
Sandgate. Kent.

Footpath linking West and East Sandgate.

Dear Mr. Vorley,

I understand from Mr Heath, that the Society considered and rejected the suggestion that they should take an interest in the provision of a footpath at the back of the Esplanade to link West Sandgate with East Sandgate.

The Sandgate Society has built up a considerable and enviable reputation as representing the interests of the villagers of Sandgate, and clearly as the Society is opposed in principle to the provision of this footpath which will allow those at Encombe and the West thereof to reach the shops at Sandgate, and stretcher parties to reach an ambulance parked in Wilberforce Road on the not unusual occasion when a Southerly gale at high tide causes the road to be flooded and barraged with flying shingle, then we know where we stand and the matter can be raised at the next Annual General Meeting.

The Shepway Council, I understand, are not ill disposed to the project, but, rightly in my view, do not think that ratepayers money should be devoted to a project which only benefits the relatively small minority of the people of Shepway who live in the area. On the other hand the present reaction, according to the Councillor for the Sandgate Ward who has been furthering the project, is that if the path were obtained, they would be willing to take over its maintenance. No doubt they need the path completed to a certain standard and it will be necessary to ascertain the cost of completing the path to this standard, and testing that this belief is justified.

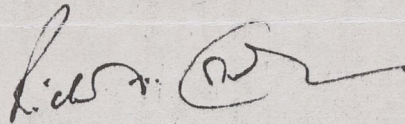
The Solicitors acting for the owners of the property over which the footpath would have to run to link up with the old Encombe right of way (now overgrown) from Encombe to Wilberforce Road, feel that they would prefer to deal with some public body, such as the Sandgate Society rather than an individual such as myself. (I am sure you will agree that we do not want any more societies in Sandgate, and that the Sandgate Society seems the most suitable body to take the project under its wing).

Mr Heath tells me, however, that the reason for the rejection of his suggestion that the Sandgate Society should enquire from the solicitors the terms upon which the land for the path could be sold was not one of principle, but a fear that if you enquired the terms on which the land might be sold, the Sandgate Society would be regarded as a possible purchaser, and that your present balance would not permit this. Such a reason seems to me to

incredible. We cannot start fund raising for the project until we know what is involved. Indeed the cost of implementing the scheme may be prohibitive, but this neither the Sandgate Society nor I know. Suffice it to say that the current balance is immaterial. A subscription list for the project would certainly gain the support of several hundreds and possibly a few thousands of pounds.

May I therefore ask the Society to think again, and write to the Solicitors to enquire the terms of sale, and possibly later to the Council to check their willingness to undertake the maintenance. I was privileged to see Mr Heath's draft letter to Frederic Hall and thought it admirable.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'L. Heath', followed by a large, stylized flourish or initial.

Telephone: Folkestone 38212

4 CHICHESTER ROAD,
SANDGATE,
FOLKESTONE,
KENT CT20 3BN

16.2.80.

Dear Mr. Vorley,
Footpath at Encombe.

I think those directly interested should form a Residents Association prepared to meet the cost of ascertaining:-

1. Approx. purchase price of land involved.
2. Cost of constructing the path
3. Cost of maintenance.

Regarding (3) even if present residents are prepared to finance this, how can they speak for their successors? In other words (3) has to be the Council.

May I suggest that our Society should express interest as in your letter but your

para. at the top of page 2
should perhaps refer to the
solicitors costs (heavy?)
plus (1) + (2) above & that your
para. "With this assurance
.... practicable" should be
omitted.

I hope this is helpful.

Yours sincerely,
Elizabeth Haight

16/2/80.

Dear Mr. Vorley,

I have read the letters you gave to me on Sat. 16th Feb. 1980 and have the following comments:

- (1) I feel that the scope of your letter to Cmdr Colville adequately covers the matters raised in his letter dated 13Feb.'80 addressed to the Sandgate Society.
- (2) The remarks in the Cmdr's ^{letter} dealing with the mechanics of Purchasing; Maintaining; Subscriptions etc, whilst of interest are somewhat premature until a desire to sell (or easement obtained) is given by the Owner.
- (3) Following the Meeting at my house (4 Encombe) on the 7thJan. '80 with Cllr Eastwick and Others (As reported by me to the Society February '80 Com. Mtg. at which Mtg. you read out by Draft letter) Cllr Eastwick again visited me on 12thFeb.'80. and agreed to send a letter to Fred. Hall & Co, acting for the Owner Miss Page, to ask if a sale is possible and the Terms thereof. (In similar terms to the above draft which you read to the Committee)
- (4) Until an agreement to sell is obtained there is little point in pursuing this matter and Shepway D. C. would be loath to put a C.P.A. on this land at the present time.

H. B. Heath.

*P.S. Above letters now
delivered to Roger
H. B. H.*

Notes from L.M.L.

Cmdr. Glvile's description "Footpath linking west and east Sandgate" is a misnomer I think. There is a way, so far as I know, from Wellington Place - Prospect Road, emerging just West of Encombe on the Esplanade.

to be

The Nut of the matter seems to me, the provision of a path from East of Encombe to Wilberforce Road and the maintenance thereof.

I think that there are not in fact many days that the road is closed during the year, and when stones fly. This happens at High Tide periods only. It would be helpful if someone would note these occasions, as facts carry more weight.

The most vulnerable part of the Esplanade is from Prospect Road to the beginning of the Coast Guard Cottages 75 - 100 yds. only and I would say that this is always passable for essential services. Also the roadsweepers are turned out with commendable promptitude by Shepway on every occasion.

I think we need to know if Encombe is a public road (adopted by the Council), and to whom the land over which the footpath we trod this afternoon belongs to.

A through footpath would be a two-way thing if publicly owned: and could lead to invasion of privacy and undesirable access.

I personally would suggest that the residents get together as they did in 1975 over the Encombe Drain affair, with a view to buying the land for the path themselves, keeping it open, but closing it on one day a year to prevent it becoming a public right of way. ✓

I would not be particularly happy to have C.C. attend the Feb 26 Committee meeting, but would have no objection to an arranged meeting similar to that laid on for Mr. Cheney. ✓

Many thanks for letters we came this afternoon

it was great fun & I not only had a look at the ground under review, but also so glad to see the 'pioneer place' at last.

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/MC/344/2

THE CIVIC CENTRE,
FOLKESTONE.

N. C. SCRAGG, LL.M.
SOLICITOR
—
TOWN CLERK

18th September, 1972

—
TELEPHONE: 55221
(STD 0303)

Dear Sir,

Proposed Footpath - Encombe to Wilberforce Road

Further to my letter dated 2nd August, 1972, your letter dated 15th July, 1972 was considered at the Highways and Watch Committee held on 15th August and by the Council at their meeting held on 13th September, 1972.

Members were informed that it was estimated that the cost of providing a footpath and fencing in the present circumstances would be £900 to £1,000. In addition an annual maintenance charge would have to be allowed for.

Members also considered that, even during severe storm conditions at high tide periods, the ambulance services and fire brigade vehicles could gain access to the Encombe Estate and properties to the west of the Estate. Pedestrian and light vehicular traffic was only limited along the section of the Sandgate Esplanade between Encombe and the Coastguard Cottages at high tide periods during these severe storm conditions.

After carefully considering the matter the Council decided that no further action be taken in the matter.

Yours faithfully,

N.C. Scragg

Town Clerk

L. N. Bennett, Esq.,
3 Encombe,
Sandgate,
FOLKESTONE.

The person dealing with this matter on my behalf is..... Mr. E. Bell..... Ext..... 265
All correspondence to be addressed to the Town Clerk

BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

YOUR REF.:

MY REF.: B/B/344/2

THE CIVIC CENTRE,
FOLKESTONE.

2nd August, 1972

Dear Sir,

Proposed footpath - Encombe to Wilberforce Road

Further to my letter dated 19th July, your letter of the 15th July, 1972, will be presented to the next meeting of the Highways and Watch Committee to be held on 15th August, 1972.

When the decisions of the Committee have been ratified by the Council on 13th September, 1972, I will write to you again.

Yours faithfully,

N.C. Scragg

Town Clerk

L.N. Bennett, Esq.,
3 Encombe,
Sandgate,
Folkestone.

The person dealing with this matter on my behalf is..... Mr. Bell 265
Ext.....
All correspondence to be addressed to the Town Clerk

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: M/MC/344/2

THE CIVIC CENTRE,
FOLKESTONE.

N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

19th July, 1972

Dear Sir,

I have received your letter of 15th July with regard to the footpath from Encombe to Wilberforce Road. Enquiries are being made and I will write to you again as soon as possible.

Yours faithfully,

L. N. Bennett, Esq.,
3 Encombe,
Sandgate,
FOLKESTONE.

Town Clerk

July 15th 1972

The Town Clerk,
Borough of Folkestone,
The Civic Centre,
Folkestone, Kent.

Dear Sir,

Ref:- Footpathh- Encombe to
Wilberforce Road, Ref:- B/MC/344/2

With reference to your letter of the 8th. February 1972 and the 10th May 1972, a Mr. Hobday of "Robingale" at the Encombe end of Wilberforce Road, has purchased a small piece of land immediately at the rear of his house and astride the footpath in question.

He has now taken down his fence and placed it across the footpath in two places, so that it is now impossible to use the footpath at all.

On behalf of the many old people who use this footpath to Sandgate High Street on stormy days, it is requested that negotiations be re-opened with the owners of the land as a matter of urgency, so that our escape route may once again be open to all the inhabitants west of Encombe.

Yours faithfully,

L.N.B.
L.N. BENNETT

Mr Hobday - Lobingale

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/MC/344/2

THE CIVIC CENTRE,
FOLKESTONE.

N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK
CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

10th May, 1972

Dear Sir,

Footpath - Encombe to Wilberforce Road

Further to my letter dated 8th February, 1972 I regret that, as provision for this item in this year's estimates was not agreed by Council, this matter will have to remain in abeyance until at least the beginning of 1973.

Yours faithfully,

N.C. Scragg

Town Clerk

L. M. Bennett, Esq.,
3 Encombe,
Sandgate,
FOLKESTONE.

BOROUGH OF FOLKESTONE



N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK

CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

THE CIVIC CENTRE,
FOLKESTONE.

YOUR REF.:

MY REF.: B/MC/344/2

8th February, 1972

Dear Sir,

Footpath - Encombe to Wilberforce Road

Further to your letter dated 26th October, 1971 the latest position regarding the above proposed footpath is as follows:-

The owner of the land was prepared to consider selling a strip for footpath purposes provided that the local authority erected and maintained a 6' high close-boarded fence to screen her property.

In addition to the cost of the land, the cost of such a fence was estimated to be £550 plus an estimated annual maintenance cost of £100. With this expenditure in mind the Council decided to take no further action.

It was then suggested that the owner might consider the erection of a "live" fence which would be cheaper to plant and maintain. Owing to site conditions this suggestion was not practicable.

Regarding your suggestion of a compulsory purchase order, this has been considered but the Secretary of State, in granting such an order, would also bear in mind the reasonable requests made by the owner affected and, it is considered that, in granting the order, he would require the local authority to erect the 6' high close-boarded fence referred to.

The Highways and Watch Committee has now resolved that the owner be requested to consider the fencing of part only of the proposed footpath and also suggested that a site meeting be held to determine whether or not alternatives to fencing the entire length of the proposed footpath would be considered by her.

The solicitor acting for the owner has now agreed that this site meeting be held and the results of this meeting will be reported to

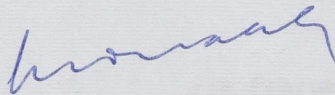
Mr. E. Bell

The person dealing with this matter on my behalf is.....Ext. 265

All correspondence to be addressed to the Town Clerk

the Committee.

Yours faithfully,



Town Clerk

L. M. Bennett, Esq.,
3 Encombe,
Sandgate,
FOLKESTONE.

3, Encombe,
Sandgate,
Folkestone, Kent.

October 26th 1971

The Town Clerk,
Folkestone Corporation,
Civic Centre,
Castle Hill Avenue,
Folkestone, Kent.

Dear Sir,

Footpath - Encombe to Wilberforce Road.

I note from the Council Minutes dated 27th. October 1971 Para 51 that the Highways & Watch Committee have again decided to take no further action with regard to taking over the Footpath leading from Encombe to Wilberforce Road.

We, who signed the petition, are surprised by the Committee's decision, in view of the fact that the necessity for this path has already been established, and the problem will not go away simply by being ignored.

We suggest that the Committee re-consider the idea of growing a hedge for a third of the way, and a fence for another third with nothing at all for the remaining third which runs immediately from Wilberforce Road. This would save money.

Why are the Committee not recommending compulsory purchase?

Yours faithfully,

L.N.BENNETT.

BOROUGH OF FOLKESTONE



YOUR REF.:

MY REF.: B/MC/344/2

THE CIVIC CENTRE,
FOLKESTONE.

N. C. SCRAGG, LL.M.

SOLICITOR

TOWN CLERK
CLERK OF THE PEACE

TELEPHONE: 55221
(STD 0303)

21st May, 1971

Dear Sir,

With reference to your letter dated 19th May, 1971, the owner of the strip of land over which the proposed footpath will run has stated that she would, in principle, subject to an appropriate price being negotiated, be agreeable to transferring the strip of land to the Corporation subject to certain conditions.

These conditions will be considered at the next meeting of the Committee concerned on 29th June, 1971 and the Committee's decisions will be ratified by Council on 4th August, 1971.

Yours faithfully,

Town Clerk

L. N. Bennett, Esq.,
3 Encombe,
Sandgate,
FOLKESTONE.

The person dealing with this matter on my behalf is Mr. E. Bell Ext. 265
All correspondence to be addressed to the Town Clerk