

Coast Cottage  
149 Sandgate High St.  
Near Folkestone  
Kent CT20 3BZ

14 August 1985

Dear Councillor Hamer,

DEVNSHIRE TERRACE, SANDGATE - PUBLIC ACCESS ROAD

Thank you very much for pursuing my letter of 9 July 1985 and for letting me see the Council's reply of 2 August (returned herewith).

I am sure you will agree that the enclosure of a public road (albeit unmade) no matter by whom, is contrary to the public's right and interests. Access to this particular stretch of beach and seawall is absolutely essential to vehicles engaged in routine maintenance, as well as in emergency conditions where life and property are affected -- as well as for sport and pleasure.

The sooner the full facts are available the better.

1. When did the Council sell the land obtained by compulsory purchase order
2. To whom was it sold
3. a. for what price  
b. Was the land offered by closed tender
4. Who is now the present owner
5. What stipulations or restrictions applied at the time of the sale
6. What precise area did the sale encompass
7. What action is the Council taking towards the removal of the present obstructions, wall, fence etc.

Knowing how much you too have the interests of Sandgate at heart, I hope the reply will not be too long in forthcoming.

All the best

Sincerely yours

*Linda Rene-Martin*  
Linda Rene-Martin



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

**SHEPWAY DISTRICT COUNCIL**

Your Ref:

My Ref: 29/67/CEF/Mr.East

Date: 2nd August, 1985

Ext: 266

Cllr. E.J.C. Hamer,  
131 Sandgate High Street,  
FOLKESTONE,  
Kent.

Dear Councillor Hamer,

DEVONSHIRE TERRACE, SANDGATE - ACCESS ROAD.

I refer to your letter of 9th July, 1985 and my interim reply of 18th July, regarding the apparant obstruction of the roadway leading off Sandgate High Street to the site of the former Devonshire Terrace.

I have made some initial inquiries which do lead me to believe that the roadway in question was a public highway, albeit an unmade one. The current position is however, somewhat complex and I am having to pursue my enquiries further to establish exactly what arrangements were made when the site was sold by the Council in connection with the development of the former Royal Kent Hotel. If you could bear with me a little longer therefore, I would hope to let you have a more detailed response to satisfy your constituents enquiry.

Yours sincerely,

(R.J.Thompson)  
Secretary and Solicitor.

LINDA, For your perusal + return

Eric Thanks so much

Linda



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

**SHEPWAY DISTRICT COUNCIL**

Your Ref:

My Ref: CJ10/Mr. Lewis

Date:

12th March 1986

Ext:

248

Councillor E.J.C. Hamer,  
131 Sandgate High Street,  
Sandgate,  
Folkestone,  
Kent.

Dear Councillor Hamer,

DEVONSHIRE TERRACE, SANDGATE

Further to my letter of 28th January I write by way of a report on the result of my investigations into this matter so far.

My department was first made aware of the problem in May 1985 when it was reported that a new concrete wall and chain link fence had been erected along side the footway leading from Sandgate High Street to the seafront. As an initial step I requested the Council's Technical and Planning Services Department to investigate whether there had been a breach of planning control, but was informed that planning permission would only have been required for the wall and fence (which is less than 2 metres high) if it had abutted a highway used by vehicular traffic. It also appeared from the planning files that the area of land at the rear of Nos 91 - 99 Sandgate High Street was intended as a parking area to serve the adjoining Sir John Moore Court flats. It was believed also that conflict had arisen in recent years between the occupants of the flats and the Sandgate Windsurfing Club; this may have been one of the reasons why the wall and fence were constructed.

From my investigations into the ownership of the land I discovered that the registered proprietor of the freehold is a Company known as the South Kent Management Company Limited whose registered office is Marston House, 43 Sandgate High Street, Sandgate. The sole director of the Company is a Mr. Charles H. Davies of 45 Sir John Moore Court, Sandgate, whilst the Company Secretary is a Mr. Geoffrey M. Tyler, of 32 Sir John Moore Court. I have taken the matter up with the Company, drawing attention to the fact that an obstruction of the public highway appears to have occurred and for which, as owners of the land, the Company would be responsible, but I have so far received no reply. However, I will, of course, keep pursuing the Company for an early explanation of the situation.

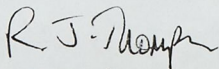
The major problem which I have encountered is that none of the Council's records establish conclusively that Devonshire Terrace, is or has been a public right of way, although there is a good deal of evidence which suggests that this is so. The Highway's Register describes Devonshire Terrace as a non repairable public highway - that is one not maintainable at public expense. The Council itself has a right of way over the piece of land abutting the sea wall, but it appears that this right exists solely for the purpose of maintaining the sea wall, rather than the right to pass and repass.

However, as I have suggested to you, a considerable amount of evidence from local residents as to the past use of this land would help a great deal. In particular I shall need to establish the precise nature and extent of the right of way - that is, (1) the last time the land was used by vehicular traffic in pursuance of the right of way, and for what period of time prior to this that the land was so used; (2) whether the whole of the land (including that part abutting the sea wall which is now fenced off) was subject to vehicular and pedestrian rights. I believe that the concrete bollards erected on the access way between Sandgate High Street and the sea have been there for some years (at least since 1976) and it would be particularly helpful if a date could be placed on this event. Further, what is needed is for local residents to let me have their recollections as to the use of the land, particularly over the last 30 years or so. At your suggestion I have written to both Councillor Bowden and Professor Dame Sheila Sherlock, and the latter informs me that between 1929 and 1934, when she lived at No 7 Devonshire Terrace, there was a right of way for vehicles and persons in front of this property between the property and the beach, together also with a right of way from Sandgate High Street to Devonshire Terrace itself. Any further evidence which can be obtained from this time up until recently will certainly help, and perhaps you could ask anyone who is likely to be able to assist to write to me direct with their information.

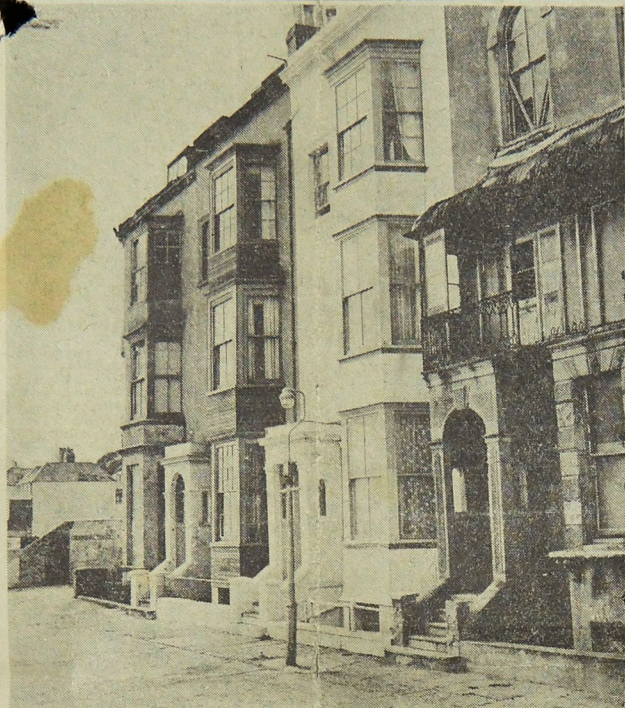
You will appreciate that it is vital for me to have as much evidence concerning the right of way as possible. In the event that the land-owning Company contests the issue which I have raised with them (and I suspect that they probably will do so) the only course of action then open to the Council would be to take proceedings in the Magistrates Court for wilful obstruction of the highway. To be successful in such an action it would be necessary to prove, beyond reasonable doubt that Devonshire Terrace is a public highway, as well as proving that it had been obstructed wilfully.

I hope that the foregoing indicates clearly the steps which the Council has been taking and points out the difficulties relating to possible future action. I appreciate your concern for this matter to be progressed speedily, but I would assure you that all possible steps have been taken, within the constraints of the manpower within the department, to research and formulate action upon what is by no means an easily-resolvable problem.

Yours sincerely,



(R.J. Thompson)  
Secretary and Solicitor



Mrs. Elizabeth Keller's house in Devonshire Terrace. It is painted white and is second from the right.

# £4,000 OFFER IS UNFAIR, SAYS MOTHER

## *Sandgate homes take-over row*

MRS. Elizabeth Keller, grey-haired mother of three, faces the loss of her home and business. And all she has been offered under a compulsory purchase order by Folkestone Town Council is £4,000.

Her 10-bedroom terraced house in Devonshire Terrace, Sandgate — which for the past 18 years she has run as a boarding house — is needed under Sandgate redevelopment plans.

"This is unfair," she said this week.

"I don't want to leave Devonshire Terrace, of course.

"But I am more upset about the price the council want to pay me."

She feels there is little hope of getting a realistic amount for her loss of living.

Mrs. Keller is still paying off the mortgage on her home and also £50 a year for her share of the cost of the sea wall.

"The council told us we had to pay for the wall after they bought the land for a compulsory fee of 1s.," she said.

### MUCH LESS

"I have still got over £250 to pay to the council for my portion.

"By the time I have sorted it out I will have much less than £4,000."

"And what, in the way of a house, let alone living, could you buy for that money?"

Mrs. Keller's is one of three houses in Devonshire Terrace which may be bought by compulsory purchase.

The other two who are fighting for a better price are Mrs. R. G. Groombridge and Mr. J. W. Marston, senior director of the Imperial Hotel at Hythe.

Mrs. Groombridge told the Herald: "The position and amenity of Devonshire Terrace is very good.

"And there is something just wonderful about my house.

"I think the terrace ought to be preserved for people of quiet tastes and moderate means.

### DISAPPOINTED

"But if the council is intent on demolishing the houses I think a reasonable price could have been offered."

Mr. Marston said: "I had intended to convert the house for staff living quarters.

"But when I found out about the plans for the area it was obviously no good carrying on with the project.

"Because since then the building has not been kept up, the council has offered me a lower price than my neighbours.

"I am disappointed that we have not arrived at a more reasonable price."

Children

# rs and safety

instructors have been the subject of Folkestone of late, as our correspondents have been quick to leap to their aid in this matter, like most issues, has two sides. When residents of a particular locality or neighbourhood appears to be a favourite of the law, holders to be put through their paces where children may be at play can be particularly to mothers and the elderly.

**I**N spite of the somewhat unpredictable weather the success of this year's Make Hythe Bloom competition already seems assured.

The scheme, which is supported by Hythe Town Council, Hythe and District Gardeners Society and Hythe Chamber of Commerce, is, as usual, in three sections.

The first—for the Walter

vase—is open to council house tenants for the best kept front gardens abutting to a public highway. No entry form is needed, and all council house gardens will be judged.

The second section is for private residents' best floral frontage of window boxes, tubs, garden vases or hanging baskets. The winner will be awarded the Walter rose bowl.

Entry forms are needed for this section. They must be completed and returned to Councillor G. P. Walter, hon. organiser of the competition, 88, High Street, Hythe, not later than Sunday, July 25.

In the third section—for the Walter trophy—floral frontages of window boxes, hanging baskets or tubs at business premises will be judged. Here again no entry form is required as all such premises will be included.

The Make Hythe Bloom competition was inaugurated several years ago by Councillor Walter during his Mayoralty.

His donation of the valuable trophies offered for annual competition provides yet another example of his affection for his native town and his never-failing desire to make its beautifying an integral feature of its prosperity.

## Seeking news of her brother

**A**N Irishwoman whose brother was stationed at Folkestone during the first world war is anxious to hear from anyone who may have known him in those days.

In a letter to the Mayor of Folkestone, Ald. Wilfred Harris, Mrs. Mary Cullen McDonnell, of 7a, Shannon



Lance-Corporal Cullen as he looked in 1914.

Hill, Enniscorthy, Co. Wexford, describes how her brother, Lance-Corporal James Cullen, was stationed at Folkestone in 1914.

She enclosed the photograph reproduced here, which was taken that year, in the hope that someone may remember him.

He later rose to the rank of captain.

She wrote to the Mayor: "Will anyone who can remember him and who may have known him personally please write to me as soon as possible and tell me all about him?"

She concludes: "Please help me all you can, sir, to find someone who knew my military brother."

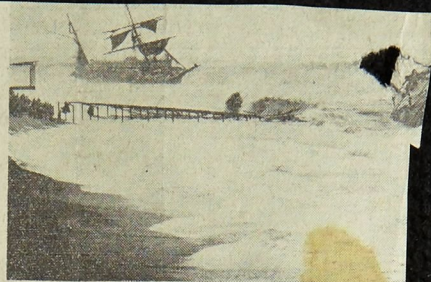
## Paintings for rent

**F**OLKESTONE is becoming more and more interested in art and, what is more important, in purchasing works of art.

This is shown by the very successful exhibitions at the New Metropole Arts Centre of John Eveleigh, Lui She Kwan and Gerald Norden.

Not every one, however, can afford to purchase a picture outright, much as they would wish to do so.

The Enterprise Art Library, 8, Bouverie Square, which is run by Mr. E. C. Ealey, has



## A dinkum life for Stephen

**SEVENTEEN - YEAR - OLD** Stephen Potter, of 4, Elm Gardens, Hythe, left home on Monday to begin a career in Australia.

Stephen, a former pupil of Brookhill County Secondary School, Hythe, decided not long ago to emigrate and



This dramatic picture heavy seas at Folkestone 1896. The vessels were the **Hoburg and Agder.**

The picture belongs to Mr. Hernandez, of 81, Bouverie, who discovered it among the papers of Mr. Hernandez himself many years.

The two vessels in the picture were launched when a gale of great violence struck Dover, Folkestone and the crews were

the weather suddenly cleared. A special thanksgiving service was held in the parish church later in the

## How the ceremony

**L**AST week's ceremony of placing flowers on the graves of Canadian soldiers in Shorncliffe Garrison cemetery, carried out by 120 children from our school, passed almost unnoticed by the public.

How many people recall the origin of this youthful tribute of homage to our sacrifice?

Your Ref.  
Our Ref.  
Ext.

M3/Mr. Moore  
208  
21st April 1988

*Highway Bill  
is Proposed 1986.  
(Phase 1, 22. 9. 88)*



**SHEPWAY**  
District Council

The Civic Centre,  
Castle Hill Avenue,  
Folkestone,  
Kent CT20 2QY.

Telephone: (0303) 57388  
DX 4912 Folkestone

850388

Mrs. L. Rene-Martin,  
Coast Cottage,  
149 Sandgate High Street,  
FOLKESTONE,  
Kent.  
CT20 3BZ

Dear Madam,

**DEVONSHIRE TERRACE, SANDGATE**

I am writing in connection with the above and I am hoping to enlist your assistance. The problem that the Council is faced with is one of proving that Devonshire Terrace is a highway and in any Court proceedings which are anticipated, this proof must be available.

I note from the file that you have been of great assistance in the past and wondered whether I could prevail upon you once again for your assistance. Mr. Moore is now dealing with the matter and is collecting the witness statements to prove its use as a highway. If you could make a witness statement to Mr. Moore, progress can then be made in this matter. Therefore, I would be obliged if you could telephone him on 57388 extension 208 to arrange a suitable date and time for him to interview you as to your knowledge.

Your assistance in this matter would be greatly appreciated.

Yours faithfully,

(R.J. Thompson)  
Secretary and Solicitor

Please refer to LR-M.



**SHEPWAY  
District Council**

The Civic Centre,  
Castle Hill Avenue,  
Folkestone,  
Kent CT20 2QY.

Telephone: (0303) 850388  
Fax: (0303) 45978  
DX 4912 Folkestone

Your Ref.  
Our Ref. jph/Miss Atyeo  
Ext. 297

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

23rd August, 1988

Dear Councillor Hamer,

DEVONSHIRE TERRACE, SANDGATE HIGH STREET

As promised, I am letting you have a brief note of progress to date on this matter.

The Council has removed the gate and spikes which extended over the sea wall which is in the Council's ownership. This followed notice to the residents to remove the same but did not produce any response.

The question of the obstruction to Devonshire Terrace by the erection of the fence is being pursued but is complicated by the fact that the registered owner of these flats is the South Kent Management Company Limited, which is currently in liquidation. I have written to all of the residents advising them that in the absence of their voluntary removal of the fence, the Council will serve a Notice requiring it to be removed which gives it the powers to carry out works in default.

In response to this, I have been advised by local solicitors that they have been instructed to seek the restoration of the Management Company to the Companies Register in order that this matter can be dealt with between the Company and the Council. As this has some benefit to the Council, I have given the solicitors a period of some four weeks until the beginning of September to have the Company restored. If this course of action is not taken by the solicitors, then I shall seek authority to serve the required Notice from you and your Vice-Chairman. I think it does require to be served upon the owner and if the Management Company is not registered, then this does pose some difficulties.

Mr. Moore is in day to day control of this matter and I will ask him to keep you informed of any development.

Yours sincerely,

(R. J. Thompson)  
Secretary and Solicitor





**SHEPWAY  
District Council**

The Civic Centre,  
Castle Hill Avenue,  
Folkestone,  
Kent CT20 2QY.

Telephone: (0303) 850388  
Fax: (0303) 45978  
DX 4912 Folkestone

Your Ref.  
Our Ref. DT/VC5/Mr Moore  
Ext. 208

Mrs. L. Rene-Martin,  
Coast Cottage,  
149 Sandgate High Street,  
FOLKESTONE, Kent,  
CT20 3EX.

9th November 1988

Dear Madam,

DEVONSHIRE TERRACE, SANDGATE HIGH STREET

I write in connection with developments on Devonshire Terrace.

The Council has taken down certain structures at the southern end of the former Devonshire Terrace and the gate at the eastern end.

The residents of Sir John Moore Court have instructed Mr. Ellis of Ellis & Curran, Solicitors, to act on their behalf, and Mr. Ellis has been putting their affairs in order. My assistant, Mr. Moore, had a meeting with him on 7th November to canvass solutions. One possible solution is that the residents will voluntarily re-align the north-south fence. Mr. Ellis may be able to persuade the residents to adopt this course if he is shown proof that it was a highway used by pedestrians and vehicles. He will then attempt to persuade residents of the merits of this course.

Therefore, in an attempt to reach a satisfactory conclusion and in an attempt to stop the matter going to Court, I am asking for your consent to give a copy of your statement to Mr. Ellis.

... I enclose a stamped addressed envelope for your reply.

Yours faithfully,

(R.J. Thompson)  
Secretary and Solicitor

12 November 1988

R.J.Thompson Esq.,  
Secretary and Solicitor  
Shepway District Council

Dear Mr Thompson,

Devonshire Terrace, Sandgate High Street

You have my consent to give a copy of my statement to Mr Ellis, if this will lead to a satisfactory solution without going to court.

The solution must entail the removal of the present obstruction and setting back both the concrete boundary wall and chain link fence which has encroached upon a public highway.

I hope everyone will see sense, and that your efforts will be successful.

Yours sincerely

(Mrs) L.Rene-Martin

Your Ref.  
Our Ref. jph/Mr.C.Moore  
Ext. 208

20th May, 1988

Mrs. L. René-Martin,  
Coast Cottage,  
149 Sandgate High Street,  
FOLKESTONE.

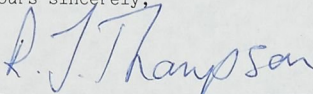
Dear Mrs. Rene-Martin,

RE: DEVONSHIRE TERRACE

I enclose your amended Witness Statement. I would be obliged if you could sign each page, date the Statement and return it in the envelope provided.  
...

I will notify you of any developments in the Devonshire Terrace saga.

Yours sincerely,



(R. J. Thompson)  
Secretary and Solicitor



**SHEPWAY**  
District Council

The Civic Centre,  
Castle Hill Avenue,  
Folkestone,  
Kent CT20 2QY.

Telephone: (0303)57308 850388

Wyndham Cottage,  
Prospect Road,  
Sandgate,  
Folkestone.

R.J. Thompson Esq.,  
Secretary and Solicitor,  
Shepway District Council.

Dear Sir,

DEVONSHIRE TERRACE, SANDGATE

My family and I have been connected with Sandgate since 1948, our family business was established when as a young photographer, my father recorded the demolishing by storms of the Coastguard cottages.

I have long held the belief that access to the sea, sea wall and promenade and general parking in Sandgate is pathetic to say the least. During my Windsurfing Career ( I was national champion from 78-81) I frequently practised all year round at the Windsurfing Centre at No. 97 Sandgate High Street when it was possible to park there.

The L-shaped road, known as Devonshire Terrace was always open to traffic until, around 1978 or later (shop owner Barry James dates it around '81) concrete bollards were placed two thirds off the road leading from Sandgate High Street to the sea wall and public beach, where windsurfing was highly popular.

Though I cannot date them precisely, I remember at least two incidents where ambulance and rescue services had to reach the beach, to save a child who had fallen into the sea, and to rescue a dog in difficulties.

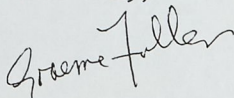
The blocking off of this road, means that the fire brigade has no access to the back of Tower Court, in case of fire...nor to the back of shops 91-99 Sandgate High Street. In storm conditions, these shop basements are often flooded, and it is essential that pumping equipment can be brought to them, at the back.

I understand that the Tweddell Report 1964 updated 1972, made provision for a service road behind this row of shops, and this has never come about although the land was in the hands of the Folkestone Borough Council for many years.

For your information, the Windsurf Shop (97 Sandgate High Street) also acts as an official auxiliary with the Coastguard Services and at one time was able to operate it's own rescue boat, this of course is no longer possible.

If there is any way in which I can help you, I shall be glad to do so.

Yours truly,



G.R. Fuller

Coast Cottage  
149 Sandgate High Street  
CT20 3DA

25 June 1986

R.J.Thompson Esq.,  
Secretary and Solicitor  
Shepway District Council

Dear Mr Thompson,

DEVONSHIRE TERRACE, SANDGATE

I refer to my initial letter to Councillor Hamer, 5.7.85 and your reply to him of 2 August 1985 -- also to my letter of 14 January 1986 and your reply of 12 March 1986 to Councillor Hamer.

He is absent for a few months, so I am taking the liberty of writing to you direct, with a copy to him and to the Sandgate Society.

At the same time, I am passing to you a most useful letter from Mr Graeme Fuller, just received.

Over the past year, I have provided you with information, including a 1948 aerial view, ordnance survey map (1957), old photographs, and an extract from the Tweddell Report on Sandgate, all of which indicate that this L-shaped road was in regular use by pedestrians and transport, until the recent obstructions. Photos also show public street lighting.

You have also received many letters from former residents of Devonshire Terrace and others, including:

Mayor Kelland Bowden  
Dame Professor Sheila Sherlock (world's foremost expert on the liver)  
Mr Graeme Fuller (National Windsurf Champion 78-81)  
Mr Fred Moore, former Scout Master at the Devonshire Rooms, No.8

The site of the Sir John Moore Court with sea frontage was acquired by the Folkestone Borough Council by compulsory purchase order. Around 1972 it was conveyed to Franklyn 4th Co-Ownership, together with the site of the Royal Kent Hotel, Maltby's etc. The site now in question, was conveyed by Franklyn to South Kent Management Co Ltd, incorporated 15 Dec 1981 Registered Office Marston House, 43 Sandgate High St. Kent CT20 3AH. I have the microfiche from Company House. The presenter was shown as Ian F.Black until the 1984 return, left blank.

The records of Franklyn 4th Co-Ownership (now dead) can be obtained from the Housing Corporation, Pembroke House, Wellesley Road, Croydon Surrey CR9 2ER. I do not know the extent of land conveyed to them, but I do know that certain officials of the old Folkestone Borough Council were 'notorious' for their errors of judgement. It is clear, however, that the present owners have erected a concrete wall and chain link fence well beyond the old building line, over part of a Right of Way.

It should be borne in mind that there is no public vehicular access now, to the seawall between Granville Parade and the John Moore Statue. As I said in my letter of 14 January, it is important that this road be kept open for people wishing to use the beach, for transport of fishing and boating gear. It is vital that it be open to vehicles, rescue services including ambulance, fire brigade in case of fire or flood, accident, and seawall maintenance in this most vulnerable area.

I respectfully suggest that it is the Council's duty to uphold the public right and interest and would ask you to pursue the matter without further delay. As a most concerned resident, whose connections with Sandgate go back to 1932, I will continue to help in any way I can.

Yours sincerely

(Mrs) L.Rene-Martin



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

**SHEPWAY DISTRICT COUNCIL**

Your Ref:

My Ref: M3/Miss Atyeo

Date: 25th October 1985

Ext: 275

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

Dear Councillor Hamer,

RE: DISUSED CHAPEL, WILBERFORCE ROAD AND HIGHWAYS BETWEEN 99 SANDGATE HIGH STREET AND TOWER COURT

I refer to your correspondence regarding the above matters and apologise for the delay in repying, partially caused through the absence of Miss Atyeo on holiday.

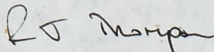
With regard to the disused Chapel in Wilberforce Road, I have spoken with Mr Bridger, the Principal Building Surveyor, who informs me that the condition of this building has been monitored and action taken as and when necessary to remove fallen slates. He is, at the present time, not of the opinion that the building is in such a state as to be dangerous but he has, however, agreed that a further inspection should take place with a view to action by the Council if not under those provisions relating to dangerous structures, then by virtue of the fact of its ruinous and delapidated condition, action should be taken to improve the amenities of the area. I hope, therefore, that this matter will be reported to the Development Committee either at its next meeting in December, or, failing this, early in the New Year.

With regard to the question of access over part of the highway (formerly Devonshire Terrace), considerable research has been undertaken over this matter and is still continuing in an effort to ascertain the history of it. I understand that the area was originally acquired by means of a Compulsory Purchase Order and subsequently a sale took place through a Housing Society who have granted long leases on part of the premises and, in particular, it would appear that ownership of approximately half of the area on which the roadway exists has passed into private ownership. I am endeavouring to ascertain the identity of the owner of the land over which rights of way are apparently being obstructed. I have still not yet been able to specifically identify the rights of way which may or may not be in

existence, although I would have thought that, at the very least, public rights of way of the land would have been acquired by prescription and that there has been an obstruction of this right of way. As soon as I have any further information I shall, of course, inform you of this fact.

One other matter in which you have an interest is of course the properties 27-33 Sandgate High Street. This matter is proceeding to compulsory acquisition and I understand that in respect of 31-33 Sandgate High Street the owner is electing to demolish this property and is applying for listed building consent in this respect. We can therefore anticipate this application coming before the Plans Sub-Committee in due course and depending on that decision the situation in respect of compulsory acquisition of 31-33 may need to be reviewed. Once again I will keep you informed of progress on this matter.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'R.J. Thompson', written in a cursive style.

(R.J. Thompson)  
Secretary and Solicitor



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

**SHEPWAY DISTRICT COUNCIL**

Your Ref:

My Ref: JMC126/Mr. Lewis

Date: 17th July 1986

Ext: 248

Mrs. L. René-Martin,  
Coast Cottage,  
149 Sandgate High Street,  
FOLKESTONE,  
Kent. CT20 3DA

Dear Mrs. René-Martin,

**DEVONSHIRE TERRACE, SANDGATE**

Thank you for your letter of 25th June enclosing also the letter from Mr. Fuller. I am most grateful to you for continuing to supply such useful information.

I most certainly note your concern that action be taken against the owners of the land in question. As I have previously explained to Councillor Hamer, this is by no means a straight-forward matter and Officers in my department have been actively concerned in researching the Council's archives and collating and considering the evidence supplied by yourself and other residents of Sandgate, past and present. This process is continuing and in due course I should like the opportunity of obtaining formal statements from such people. In particular it will be necessary to try to ascertain as nearly as possible the precise date when the obstructions were first erected. There is a good deal of uncertainty as to when, for example the concrete bollards were first placed in the road. The Controller of Technical and Planning Services department have photographic evidence that they were placed there in 1976, whereas Mr. Fuller dates this event at "1978 or later", and Mr. James at around 1981.

So far my attempts to discuss the problem with the land owner Company have failed, and so urgent consideration is given to the possible methods of undertaking Court proceedings under the Highways Act 1980.

I shall of course be pleased to receive the evidence of anyone else with personal knowledge of this problem, and in any case I shall shortly be writing to past and present Sandgate residents in order to obtain fuller statements.

Yours sincerely,

(R.J. Thompson)  
Secretary and Solicitor



Your Ref.  
Our Ref. JPH/Miss Atyeo  
Ext. 275

Councillor E.J.C. Hamer  
131 Sandgate High Street  
FOLKESTONE  
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Dear Councillor Hamer,

DEVONSHIRE TERRACE

I refer to your meeting with Miss Atyeo last Friday regarding progress on the above matter.

As you are aware, the legal section is under considerable pressure, and this is a situation which has now existed for some time. Research and enquiry undertaken by the Council has revealed some doubt as to the length of time that the route has been obstructed, and assistance has been sought by local residents to establish precisely when the bollards restricting vehicular access over part of Devonshire Terrace were first erected.

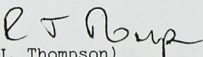
As it is claimed that vehicular rights have been obstructed, to take successful action to remove such obstructions the Council must prove two things. Firstly, that the route is in fact a highway over which vehicular rights exist, and, secondly, that such obstruction has in fact occurred.

This is not quite as simple and straightforward as it may appear. Had it been so, then action would have been taken by the Council by now.

However, I give you my assurance that this matter will now receive priority treatment, to which end I anticipate reporting to the next meeting of the Environmental Services Committee on the 15th June as to possible course of action.

I am sorry that the matter has "dragged on" for the period it has.

Yours sincerely,

  
(R.J. Thompson)  
Secretary and Solicitor