

Our Ref: JMR/103373-0001

Your Ref:

East Sussex County Council
East Sussex Highways, Rights of Way and Commons and Greens

By email only to:

highways@eastsussex.gov.uk

rightsofway@eastsussex.gov.uk

Commons.Greens@eastsussex.gov.uk

Date: 4 August 2023

Dear Sirs

**RE Commons Act 2006 (the "Act"):
s16 Application to Deregister Land & to provide Exchange Land; and
s38 Application to Carry out Restricted Works,
at Foulride Green Common, Eastbourne Rd, Lower Willingdon (CRU CL57 and CL96)**

Acuity Law acts for Messrs Charles and Peter Vine, who have made the above applications to the Secretary of State (Defra) via the Planning Inspectorate ("PINS"). These applications have previously been notified to your Council as the Commons Registration Authority, and copies of the applications were provided.

This letter only concerns the Deregistration and Exchange application made under section 16 of the Act. Because both the Release Land, and the proposed Exchange Land, are traversed by public rights of way ("PROW") which are highways maintainable at the public expense, the applicants need to obtain the consent of your Council as highway authority, to the proposals. We attach a copy of the Application Form, and the Application Plan (a revised Plan from the one previously submitted to your Council), and it will be seen from the Plan that the PROWs affected are:

- WIL/5/1, both the definitive route and the apparent 'walked' route which both cross the land which is proposed to be deregistered; and
- WIL/6/1, part of which lies within an attenuation basin which is proposed as a feature of the development which has been granted planning permission to take place on part of Mornings Mill Farm, and part of which also crosses part of the proposed Exchange Land.

It is not proposed that either of these PROW's should be diverted.

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PINS has advised that in order for this application to be considered, your Council as Highway Authority for the PROWs will need to please sign the Declarations at Section K of the Application Form for both the release land and the exchange land.

This can be done by printing out those pages from the Application Form and them being signed by and dated by a duly authorised officer of the Council and then scanning the signed and dated pages back to the writer please.

We anticipate that you may have concerns about the route of PROW WIL/6/1 across the proposed attenuation basin. This existing route is elevated above the prevailing ground level, and will be retained at this level once the attenuation basin has been constructed. We attach a copy of a plan and sections which confirm that this is the case.

We anticipate that you may have queries and/or concerns about this proposal and would ask you to contact the writer in the first instance please if you need any further information.

Thank you in anticipation of your assistance.

Yours faithfully



Acuity Law Limited

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cc: Matthew Harper ESCC Highways matthew.harper@eastsussex.gov.uk

Client team, by email

Encs:

S16 Deregistration and Exchange Application Form

Revised S16 Application Plan

Basin 1 Cross Sections

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