

Foot Path 37 in the District of Frinton & Walton

Purpose

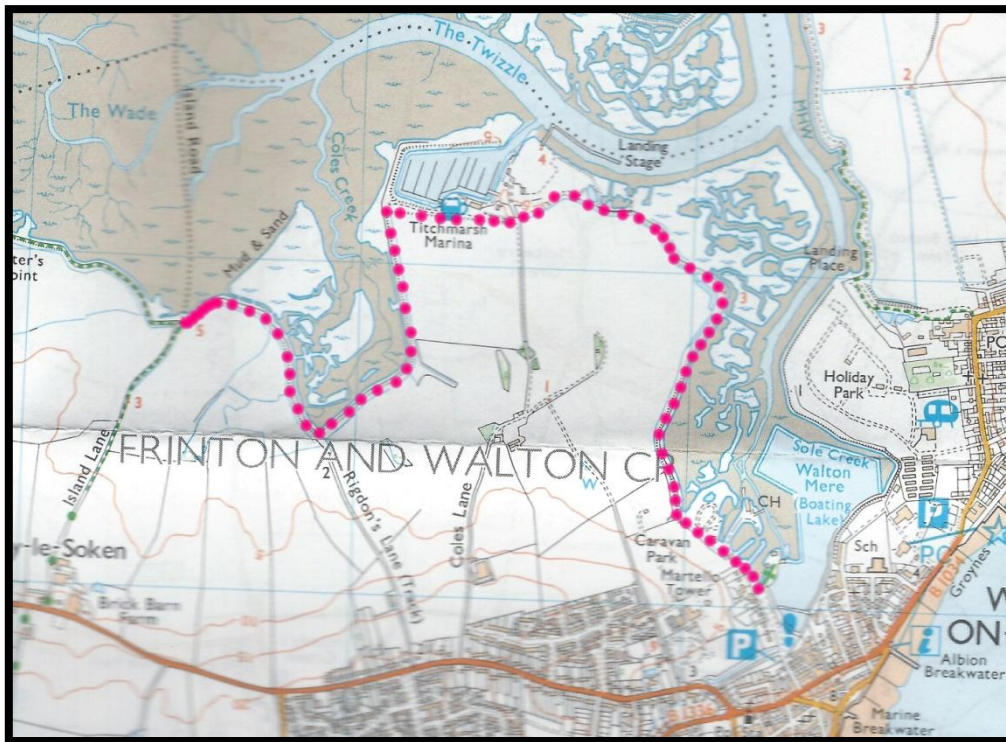
The purpose is to have the Public Footpath around the seawall from Mill Lane to Island lane registered as a public right of way on the definitive map. This path would then link up the Naze/Walton Coastal Path and the Existing Coast Path from Island Land, Kirby le Soken, through to Landemere and Beaumont.

From a public meeting at Kirby Village Hall, and subsequent meeting at the Walton Forum, I believe there is significant public support (some based on previous user experience) for the reinstatement/establishment of such an attractive recreation walk which would bring people into the centre of the Town via Mill Lane, as either a starting or finishing point.

I am also aware that local boat owners have historically used the Colonels Hard as a landing area for small boats when the tide is low, and made their way along the wall to the yacht club and the town.

It should also be bourn in mind that seawall has been maintained at the expense of the Public Purse/ Tax Payer, and therefore it would be wrong for the land owner to expect exclusive use and benefit from such expenditure.

Below is a map showing the area as it is now, with the route of FP 37 added and shown in Pink:



Brief Resume

In 1949 an Act of Parliament was passed into law called the National Parks and Access to the Countryside Act.

Part of the purpose of this legislation was to determine and record 'Public Rights of Way over Open Countryside' and this was to be enforced by the Ministry of Town and Country Planning. The ministry required County Councils, in this case Essex, to provide it with such information, and in turn Essex County Council required the district councils, in this case the Frinton and Walton Urban District Council, to carry out surveys and provide records in the form a map and written description for each Public Right of Way.

However this imposed considerable work on the Council Engineer and so with the approval of E.C.C. the District Council sought voluntary assistance to complete the survey work, this in many cases was the Ramblers Association. (See minute 252 of the P.H.C. 17th July 1950).

But E.C.C. reminded the District Council that they should have already carried this work under previous legislation and that all that was required was the paths to be traversed, the schedule completed and the maps checked; and a voluntary organisation could undertake this work. (See minute 384 of the S.R.C on 21st August 1950). This would explain why the path was shown on previous OS Maps.

So the District Council set about the work and as the paths were decided upon and scheduled they were discussed by the council members. (See minute 65 of Footpaths Sub Committee 6th June 1952, and minute 368 of the R.C. 26th August 1952).

On the 29th September 1952 the Council in Committee considered that the footpath 'along the seawall from Island Lane, Kirby le Soken, to Mill Lane, Walton-on-the-Naze', should be included the 'Schedule of Public Footpaths'. (See minute 536).

Consequently, this path was walked 'surveyed' by R.H. Eade on the 11th October, 1952.

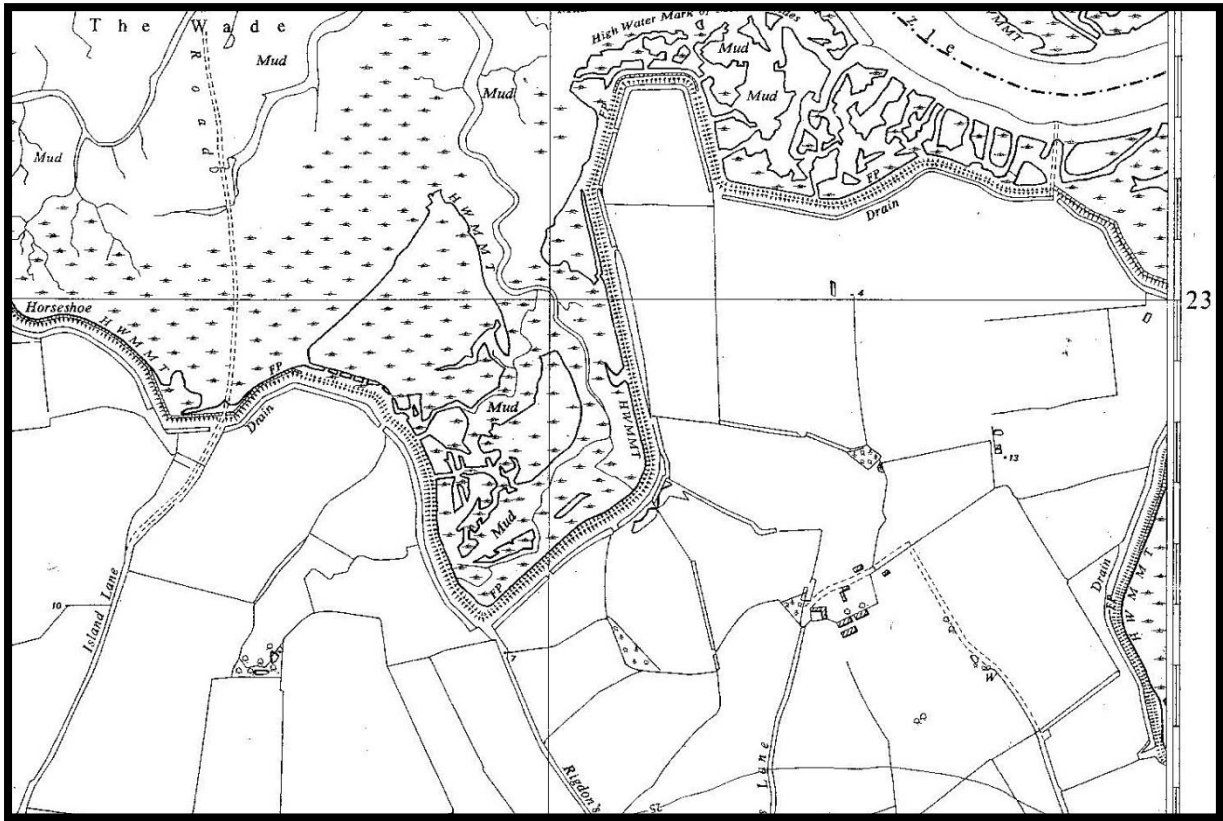
The path was assigned a number, in this case '37', and described as follows:

F.P. to MILL LANE.

Starts at sea wall on path 36, end of Island Lane, here is a pill box, proceed along the sea wall in easterly direction to the termination of path 33. Here is a stile in good condition of 2 iron rails with barbed wire down each side of the bank. Cross over the stile and continue along wall to first sluice at termination of path 34, sluice in good condition. Continue along bank to second sluice, and onto third sluice with concrete steps down either side of bank. Continue on to workshops on right side of path. Here is barbed wire fence on bank at side of path. Continue along bank to exit over private footbridge onto Mill Lane, near gateway to Walton and Frinton Yacht Club. No direction boards at either end.

The details of Path 37 are included in the Schedule of Paths for the Urban District of Frinton and Walton, document reference 25/471/S. So at the time the Council regarded this section of the seawall as public footpath – and note that the description of the path includes 'stiles' in fences to allow access for persons on foot over fences/property boundaries.

The Ordinance Survey Map identified the path on the published 1959 revision; see below, although it had already been identified as a footpath 'FP' on previous revisions.



Initially registration was delayed as result of the damage caused to Sea Wall by the 1953 Floods; this was limited to the Mill Lane end. But it would also appear that the land owners, the Yacht Trust and Mr D. F. Blyth had objected to the scheduling the path as a public right of way – and therefore this also prevented its registration in 1953.

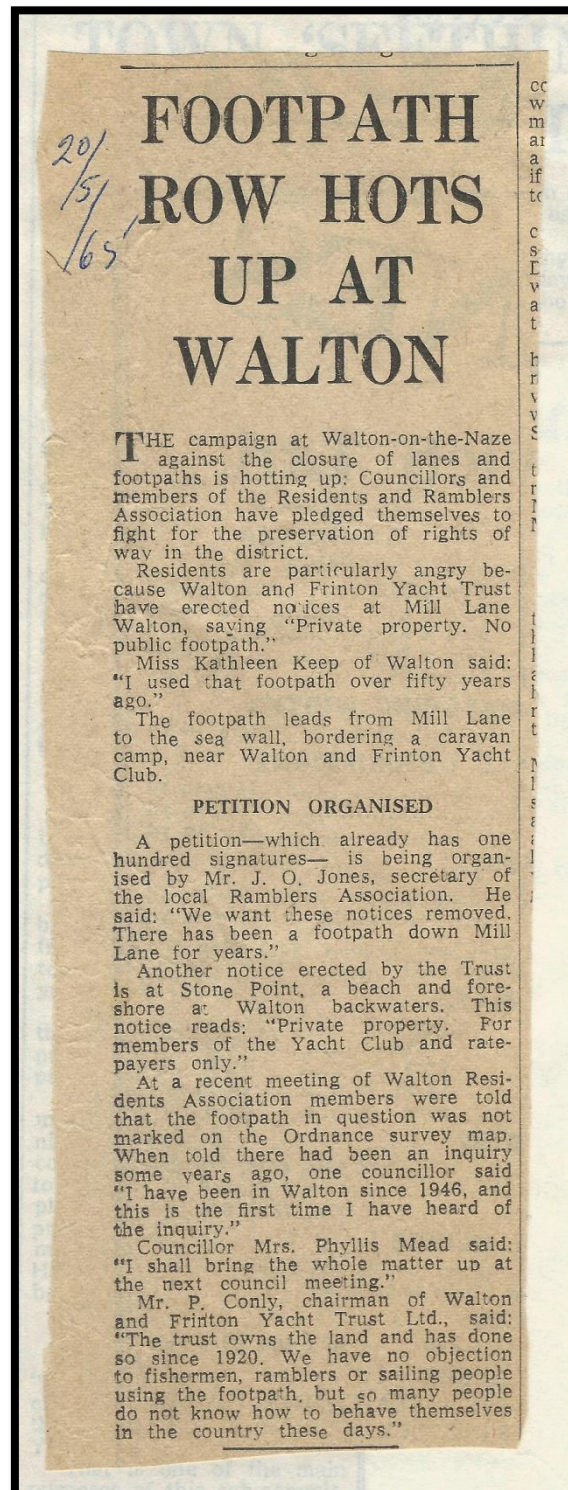
However, Mr D.F. Blyths position changed in 1962, we he wrote to the council 'agreeing to the public use of the sea wall footpath from Mill Lane to the Colonel's Hard (a hard standing projecting into the Twizzle just short of the proposed new marina) used by local boat owners, particularly at low tide – as they could moor up and walk in to the Town. This was recorded in minute 529 of an Ordinary Meeting.

This was about the time that proposals for the Titchmarsh Marina were being considered by the Council, so clearly it was not in his interests to agree that there was a public footpath though his new marina, so the continuance of the path to Island Lane was put to one side.

In the early part of 1963 the council entered into detailed negotiations with the Yacht Trust to facilitate public use of the path, and in part they did so because of the failure of the 1949 Act, as the landowner could simply object and the path would not be registered – irrespective of public use; and unlike today there was no opportunity for the public to be involved in the decision making process!

Negotiations where concluded with the Yacht Trust agreeing to Public Access on a clearly defined route, with certain fencing etc etc. The Council Surveyor was authorised to spend £46 on the necessary work – and it was established.

However in 1965 the view of the Yacht Trust Changed and they erected notices stating 'Private Property – No Public Footpath', and the view of the Local people seems to be summarised by this local newspaper report.



It is clear that members of the public used the path, and the Yacht Trust acknowledged both its existence and its use, but they regarded the Seawall as theirs despite the agreements reached with the council.