

Adam,

I have discussed this with Louisa and our collective thoughts are as follows:

EH are responsible for the reinstatement of the chalk grassland in relation to the closure of the previous road. We would expect the restoration to be completed to a reasonable standard and this means fit for its intended afteruse. It is ultimately meant to be a surface that will stand up to being walked on and cycled on but without any artificial strengthening. Therefore the continued integrity of the sward will rely on well established roots.

EH have had an independent ecologist/botanist inspect the site and his opinion is that it would benefit from a further growing season to establish a better root system, to make it more resilient to trampling. Even if the use of this permissive path is likely to be light, in wet weather even light use could result in muddy, unusable areas that do not recover well the following spring.

If boggy areas result from use in wet weather, people will walk around the boggy bits, enlarging the trodden area and these in turn will become boggy, then enlarged etc etc., so that eventually the area will need re-seeding yet again in order to restore it to a pathway that is usable. This is a worst case scenario but with chalk grassland, wet weather and disturbance can be very damaging to a newly established sward.

If it is a permissive pathway, who is responsible for its upkeep? Is it EH because it is on their land, or is it our RoW team because it is a "public" pathway? Neither body has resource to undertake major repairs in subsequent years, so waiting a few more months now, to allow a stronger sward to develop would be a better option.

On reflection, I think we would be wrong in insisting the pathway is opened before it is judged ready for use. As EH are responsible for the restoration and have engaged an ecologist to assess it, they should be the ones to say when they are satisfied with the standard of restoration, especially if they are going to be responsible for its future upkeep. The ecologist engaged by EH suggests one more growing season, so autumn 2017 would be reasonable. The current closure does not have safety or economic consequences as there is an almost adjacent pathway that is being used, so we don't really have a reasonable argument to insist on it being re-opened if it is judged not to be ready.

Sorry if that all sounds rather convoluted. Hope it makes some sense! I am happy to discuss again if needed.

Best wishes,
Fiona.