

Name/Connection to Landowner	Statement
Mr Peter Bell Landowner 1964 - 1998	Peter Bell acquired the freehold to Sowley Gate House with his wife Heather in 1964, having initially purchased the remainder of a leasehold interest held by Mrs Eileen Browne. Mr Bell describes the gate at Point A as being wide, with a narrow opening to allow New Forest ponies and cattle to roam down Browns Lane and onto the beach. He also confirmed the existence of a barrier at Point B to prevent vehicles continuing down the driveway and onto the beach, more recently replaced by a fence and gate. Mr Bell states that there was no sign pointing down Browns Lane, and that the suggestion that there is inconsistent with the notice which was fixed to the gate. Over the years the sign has been replaced but the wording has remained substantially the same. He also confirmed that there was a fence at the saltmarsh end of the beach and a sign to warn that the beach was private property – the fence was subsequently removed but a sign reading “Private to LWM” remained. Permission was granted to a local fishing club to allow fishing to take place in front of Sowley Gate, on the proviso that fishermen park on Sowley Lane and walk down Browns Lane with their equipment. Due to recent abuses this permission is being reviewed. Mr Bell states that he has never met anyone on Browns Lane who had not been given permission to be there.
Mrs Penelope Melville Joint landowner - 1998 - Present	Mrs Melville states that as children, the Bells spent many happy summers at Sowley. Her statement generally echoes the points made by Judith and Peter Bell. She confirms the existence of gates and signage, and the permissive arrangements that were put in place to allow fishing to take place on the foreshore. She also confirms that at present, the gate at Point B is now closed at 6pm every evening. In all the time she has known the property there has never been a sign directing the public down Browns Lane.
Mr Simon Bell Joint landowner - 1998 - Present	Simon Bell is the eldest son of Peter and Heather Bell, and has been familiar with the property since 1962. He states that the house was built in the 1920s and he believes that the driveway was built at the same time. When the family first came to Sowley Gate there was a fence on the beach, which was taken down some years ago, but there were signs on the beach indicating that it was private to the low water mark. Mr Bell reinforces the above assertions with regard to gates and notices, and permissive access for fishermen and immediate neighbours. He also confirms there is a stile part way down Browns Lane which enables gamekeepers to climb over the wire fence to get into a small area of woodland. Mr Bell states that occasionally while staying at Sowley Gate he has met somebody walking down Browns Lane, whereupon he has advised them that the lane is private and that there is no public right of way.
Mr Aidan Bell Joint landowner - 1998 - Present	Aidan Bell completed a County Council pro-forma in which he provided information about how Browns Lane has been managed over the years. He confirms the permissive arrangements for local fishermen, scout and guide groups and immediate neighbours, and that permission has also been given to the agister to inspect New Forest Ponies and to the coastguard to practise off the beach. He asserts that public use of the path has been challenged by friends and members of his family, and (under his instructions) by tenants. He also confirms that the gate at Point B is now locked at 6pm each evening.
Mrs Virginia Phillips Tenant of Sowley Gate Cottage 1997 - Present	Mrs Phillips has been a tenant at Sowley Gate Cottage with her husband Harry since 1997. She confirms that since they have lived there, a sign has been fixed to the gate at Point A identifying the property and notifying members of the public that the driveway is private. The gate is kept closed but there is a narrow opening at one side to enable access by ponies and free roaming cattle. The drive is maintained by Mr Phillips. Mrs Phillips confirms the permission that has been extended to gamekeepers, immediate neighbours, the agister, to people wishing to camp on land owned by the Pylewell Estate and, occasionally, to the emergency services. She is aware of the permission granted to local fishermen by Peter Bell, and that this allows them to walk down Browns Lane (but not drive). Since the advent of the internet, the location has been more widely recognised as an ideal site to fish for Smoothound, and over the years the number of fishermen to Sowley Gate has increased. Mrs Phillips states that the permission does not extend to ‘non-locals’ but in practise it is simply not possible to distinguish between those fishermen who are local and those are not. On the occasions she has seen fishermen walking down Browns Lane Mrs Phillips has asked them if they are members of the local fishing club, and in some instances has been met with verbal abuse. A number of the fishermen park on Browns Lane, obstructing access to the property. In light of the problems being experienced, Mr Phillips erected the fence and gate at Point B, in place of an existing barrier, and for a period of time this had the desired effect. However, many fishermen come from further afield, and ensure they arrive before the gate is closed at 6pm. When they leave in the early hours of the morning they break or climb through hedges and fences as they leave.
Dr Peter Melville	Dr Melville is married to Penelope Melville and has known Sowley Gate House since 1998. In all that time he has never known the claimed route to be a right of way and states there has always been a gate at the top of the lane with a sign saying ‘private’. He states that as a rule strangers have been questioned in the lane, and there is no public land at the end of the lane.
Mr Mark Whitfield Employed by Landowner as Groundskeeper since 1980s	Mr Whitfield was employed by the landowners for more than 30 years to maintain the grounds. He confirms that the signage and gate at Point A have been in place since he has known the property, and that the gate is usually kept shut. He also confirmed the installation of the fence and gate at Point B, in place of wooden barrier to prevent vehicles driving into the beach. He denies that there has ever been a sign post pointing down Browns Lane. Mr Whitfield confirms the permissive access that has been granted, and states that the only people he has seen on a regular basis are fishermen on the beach, who are often abusive when confronted.
Ednyfed Hudson-Davies Neighbour from mid-1990s - 2013	Ednyfed Hudson-Davies lived at the neighbouring Sowley Farmhouse for over 25 years up until 2013. He confirms that anyone using the route without permission was challenged, and that there was always a closed gate at Point A with clear signage indicating that it was private land with no public access.
Mrs Catarina van der Vorm Neighbour since 1985 (Sowley House)	Mrs van der Vorm has lived at the neighbouring Sowley House since 1985. Since that time she states that the Bells have given her permission to walk across the foreshore, and that she rarely sees people she does not know there, with people she does meet tending to be people staying at Sowley Gate House. In all the time she has known the property there has been a sign on the gate at Point A reading “Sowley Gate House – Private Road” or words to that effect. To the best of her knowledge there has never been a sign marking Browns Lane as a right of way.
Mrs Susan Campbell Neighbour since 1968 (Pitts Deep)	Mrs Campbell has lived at Pitts Deep, on property a little way to the west of Sowley Gate House, since 1968. She often walks her dog along the length of Browns Lane and other than the occasional fisherman or immediate neighbours of the Bells, has never seen anyone else using the route. The road has always had notices denoting it as private. She also acknowledges that the Bells had a gate installed at Point B to mitigate the problems caused by fishermen.
Mrs Ruth Evans Neighbour between 1962 - 2014 (Pitts Deep)	Mrs Evans also lived at property at Pitts Deep from the 1960s until last year. She confirms that at least since the 1960s there has been a gate at Point A which has been kept shut and a sign which, although the wording has changed over the years, has always made it clear to anyone visiting the property that Browns Lane is a private road. Mrs Evans confirms that she has never seen a footpath sign pointing down Browns Lane. She also confirms the permissive access extended to her and others already mentioned by the Bells and states that there is no public land at the end of Browns Lane.