

Tim Haynes

From: [REDACTED]
Sent: 26 October 2022 13:38
To: Tim Haynes
Subject: Proposal in Combe Down, Bath, to rebuild wall adjacent to allotments to head height 1.5m and to remove access gate to allotments off public footpath.

Dear Tim Haynes,

I wish to register my opposition to the above proposal. This is an outrageous proposal due to the basic fact, that it's an historical wall and important historical access gateway for all local allotment cultivators. Surely the people who wish to heighten the wall and close this access, are missing the most important detail. That being, about educating the children who attend this posh school (and their parents) about inclusiveness and community. Not to mention, the very valuable lesson of growing your own and the absolutely essential lesson of saving our planet, which is the responsibility and should be the priority of us all together,,,,especially those privileged people who potentially are the influenced for the future. The focus here needs to be, on conservation and honest respect for all by all. Leave this access and original wall for those who use the allotments.

Monkton Combe School needs to stop this utterly ridiculous selfishness!

This is a here and now issue, which needs serious intervention.

Please do not hesitate to contact me if you wish to discuss this further.

Thank you,

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPad

Tim Haynes

From: [REDACTED]
Sent: 26 October 2022 15:15
To: Tim Haynes
Subject: Rerouting of footpath at Monkton Combe Prep School

Dear Mr Haynes,

I object to the proposed rerouting of the foot path on the road leading to Monkton Combe Prep School. I believe to be unnecessary and will result in the demolition of an old wall, an act of vandalism.

I find the argument by the school to be unconvincing and specious. I do not believe that there have frequent incursions by leaping youths and others intent on damaging school property. The proposed gravel path will deteriorate more rapidly than the current tarmac.

Who will be paying for the rerouting of the path and the upkeep of the gravel path. Not BANES.

A selfish land grab by Monkton Combe School.

Sincerely,

[REDACTED]

Sent from my iPad

Tim Haynes

From: [REDACTED]
Sent: 27 October 2022 07:28
To: Tim Haynes
Subject: Proposed Diversion of public footpath BC62/3 Combe Down, Bath

Dear Sir

I have read the above notification and application to the proposed diversion of the public footpath adjoining the boundary to Monkton Combe Prep School.

Having read the application and accompanying papers I wish to place on record my objection.

I am sympathetic to the safeguarding issues and responsibilities of the school but consider that the proposal potentially creates alternative safeguarding and security concerns for pedestrians and allotment holders whilst not fully addressing the schools issues where alternative more secure options exist.

I object for the following reasons:-

- > The present footpath has been in existence and enjoyed by the public for many years. With a low boundary wall the footpath enjoys an open vista which, with street lighting, is reasonably safe and secure for pedestrians (particularly lone walkers and children) during dark mornings and evenings. Building a 1.5m wall will remove the open vista and increase the risk to lone walkers, many of whom will be out of sight from neighbouring houses or pedestrians on Church Road.
- > Traffic/Congestion. At present the school provide public membership to sports centre many of whom walk from the village. Any increased perception of risk caused by the diversion to the footpath that discourages sport centre members (and indeed members of the general public) from walking will lead to an increase in car usage contrary to the council policy. Have the school consulted their membership on this issue to gain a wider sense of perspective and completed a traffic Impact assessment?
- > Theft. There have in the past been incidents of opportunistic petty theft and damage to allotment holders property. Re-routing all pedestrian traffic through the allotments will potentially increase this risk.

As I say I am sympathetic to the general safeguarding issues outlined however I am not sure quite how the proposal solves the problem, unless the school propose to install an equally high secure gate at the entrance to the site? Can you comment on this and clarify if there will be any change to public access to the sport centre? Assuming therefore no change is proposed this will not close the site to any meaningful extent from a safeguarding perspective??

I would therefore ask the council to decline this application for the reasons outlined.

As an alternative I would commend to the school that they construct secure fencing along the border of their sports field, securing the inner boundary of the school facilities, leaving the existing footpath and two way road and car parking facilities as they are whilst satisfying their own safeguarding requirements.

With thanks

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 27 October 2022 12:15
To: Tim Haynes
Cc: [REDACTED]
Subject: Proposed diversion of footpath adjacent to Monkton Combe School and Combe Down allotments

Dear Mr Haynes

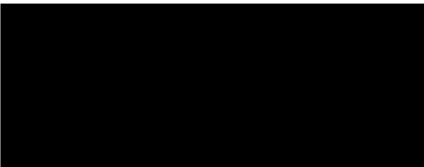
As an allotment holder at Combe Down allotments, I have seen the notice pinned up by the existing gateway entrance plus an electronic copy provided by the Allotment Association site representative Chris Pearce, (to whom I have copied this email) which contains more detail, and strongly object to this plan

1. The plan as conceived, even assuming there is the degree of danger to pupils and staff which the school's safeguarding statement suggests, does not prevent either an accidental or any determined intruder from entering the school's premises.
 - a. First, the existing drive and footpath access from across the playing fields from North Road does not appear to be blocked, so simply diverting the footpath to the other side of a wall does not prevent access to the school. If the school are planning to block this access, I presume a planning application will be made.
 - b. Second, even if that access is blocked off and pedestrians have to take the proposed new footpath adjacent to the allotments, a wall only 1.5m (5 feet) high would not deter the kind of intruder who might want to enter into the school's grounds – youngsters wanting to use the playing fields or older trouble makers who want to get at the premises. We're not talking here of elderly or infirm people.
 - c. Whilst there would be very little inconvenience for the usual walker or dog walker, the plan will inconvenience just about every allotment holder on the site, even if none of the cultivated areas are affected, because of the changes to access.
2. On the site plan as submitted, there seems to be no provision at all for vehicular access to the allotments, since the new footpath will consume 1.6m of the existing track and not leave room for vehicles. I understand now from Chris Pearce that what is shown on the plan as a "footpath" is actually intended as a track for both pedestrians and vehicles accessing the allotments. That is not clear from the plan as submitted and needs to be made clear so pedestrians are aware of the possible danger. In any event, a track just 1.6m will not be wide enough for most vehicles, particularly if there are pedestrians in the track. Vehicular access to the allotments is vital. Whilst I endeavour to use my bike to attend at the allotment, this is not always possible when I have either difficult to handle items – e.g. trays of seedlings - or heavy items – e.g. sacks of potatoes, boxes of fruit – which can't be accommodated on my bike. Furthermore, once a year, I need to have a trailer load of farmyard manure delivered (as do others) – how do you propose those deliveries should be made? And, even if a sufficiently wide track can be created for safe vehicular access, the plan shows just 1 gated entrance into the allotments, so I would only be able to get deliveries made to the existing drive which cuts across the allotments at roughly the point on the plan where you show an entrance gate to the allotments, and then have to carry to my plot. And it is not clear how wide that gate is. It needs to be wide enough, with a curved entrance, to permit vehicles to access/exit what is a right angle turn.
3. Looking at the school's problem constructively, it can be solved at much less inconvenience all round by replacing the existing low palisade type wooden fence which runs down the side of the playing field (shown on your plan in light brown) with a much higher metal fence, which intruders would not be able to climb over. A pedestrian gated entrance could be made at the northern end (with for example digital locks) and lockable gates could then be installed at the southern end for any traffic which has to enter the school premises and pedestrians. Other vehicles would continue to use the existing circular one way road system with car parking. The benefits
 - Much safer enclosure of the school grounds
 - No change to the public footpath
 - no interference with the allotments

- continued vehicular access to the allotments
- no need to demolish and rebuild to 1.5m about 125 metres of stone walling
- a massive saving on cost
- no disturbance of the ancient metal pedestrian gate in that wall.

Incidentally, the application particulars contain 2 errors in paragraph 7 – it is claimed that the applicant is a “lessee” of the land on which the new footpath is to be created. That is incorrect. The statement also states they have written agreement from others who have an interest in the land. I am not aware of what the Council, as lessees of the existing track has signed up to, but the applicant does not have the written agreement of the allotment holders who, as tenants of the council also have an interest in the land.

Regards



Sent from [Mail](#) for Windows

Tim Haynes

From: [REDACTED]
Sent: 27 October 2022 12:25
To: Tim Haynes
Subject: Monkton Prep school application (BC62/3)

I am writing to say that I object to the application by Monkton school to divert the footpath to the side of the allotments, building up the wall and putting up an unsightly with fence next to the allotments.

This will have a detrimental impact on allotment holders and the wider community. It would be unsightly and I think unnecessary.

It would put under threat the allotment gateway which dates back to 1895 and which is in regular use by allotment users.

The school states safeguarding reasons for the proposal, however it would be creating a pathway which is walled on one side and fenced on the other. As someone who uses the school's leisure facilities early in the morning, I would not be comfortable walking down such a path at 6am on a dark morning. No woman would. In addition the pathway is to be shared with allotment traffic which brings its own safeguarding issues.

Finally, I don't see how this pathway would deter any trouble makers who set their minds to getting onto school grounds from doing so. It would only have negative impacts on the local community.

Tim Haynes

From: [REDACTED]
Sent: 31 October 2022 14:24
To: Tim Haynes; Will Godfrey; Bharat Pankhania (Cllr)
Subject: Monkton Prep school footpath & ancient wall destruction proposal Ref BC62/3 Combe Down

Dear Mr Haynes , good to meet you earlier by chance at the 'site'. This is my formal notice of Objection to the proposal. Please respond that you have received this.

I did request ,last week , in a conversation with the CEO of Bath Council's office Mr Godfrey (his PA Jo) , that I was concerned the application was , shall I say , hidden on the BANES website.... and that , when objectors ring the number on the Council's notice at site , there is no message to say e.g ' you have reached the voice mail of Mr Tim Haynes ' only just leave a message , and also that , very seriously , the application is being made on behalf of the School by a Council Official (a Mr Haynes) and a Council Official will determine the decision.

I was alarmed to note that as the Council Officer responsible for the management of this proposal (not the proposer) , you were unaware that the wall (your council member Mr Pearce has applied to destroy , on behalf of Monkton School) is the last remaining ancient dry stone wall in the Village.

We have noted your comment regarding a width of 1.6 metres for the 'new road and path ' has in our opinion very serious implications for users..... you replied that it must be at least 2 metres..... Obviously this fact alone must require a new application , as the current proposal is flawed.

I have cc' d in to this communication : Mr Godfrey CEO Bath Council and my Councillor for Combe Down Bharat Pankhania .

Kind Regards and thank you for your time this morning.

[REDACTED]

Sent from Samsung tablet

Tim Haynes

From: [REDACTED]
Sent: 01 November 2022 16:52
To: Tim Haynes
Subject: Diversion of Footpath BC62/3

Hi Tim

I refer to our telephone conversation earlier today and am grateful for the additional information you provided.

I still believe there are problems with this proposal and would comment as follows:

You advised the minimum width of the new footpath would be 2m and not the 1.6m shown on the drawings. I think this is insufficient given the dual use of the path by allotment holders and the public. As an example my car's width is 1.9m and given the rough nature of the ground alongside the new path it will not be fully accessible by wheelchairs and cars at the same time and there may be conflict between the various users.

The suggested height of the stockproof fence is insufficient to prevent trespass and it should be increased in height. Access to the allotments adjacent to the new path will generally be worsened. Currently it is possible to park alongside your allotment to load/unload and this facility will be removed to the majority of allotments. Given the age of many of the allotment holders this is a serious disadvantage.

The increase in height of the stone wall will totally transform the appearance of the area. Currently there is a very open feel with good views. Under the proposals the view over the playing fields will be lost. I think this is detrimental to the area as a whole and particularly to users of the footpath and the allotments. The current good visibility over the allotments and playing fields provides a level of security for both, the imposition of a high solid structure will restrict this.

Whilst I note the school's concerns I do not believe their security will be significantly enhanced by this proposal unless they are also planning to do other works. Similarly I believe their security could be improved in other ways without all the disadvantages of the current scheme.

I am aware BANES are also formulating proposals for Scholars Way being a means of providing safer cycling to Ralph Allen School and the footpath diversion may be premature until the route for this has been determined.

We also discussed ownership of the small area of land adjacent to the rugby club and I note this will be resolved if the scheme progresses.

I would be grateful if you would let me know in due course if it is intended to progress the diversion.

Many thanks

[REDACTED]
Sent from [Mail](#) for Windows

Tim Haynes

From: [REDACTED]
Sent: 01 November 2022 18:33
To: Tim Haynes
Subject: antique wall at Monkton Junior School

I am disturbed that a proposal to re-align/demolish an antique stone wall in Combe Down has any traction whatsoever.

The existing pathway to the school is safe and suitable for children, wheelchairs and walkers and the dual carriageway is perfectly adequate - quite new in fact. There is no need to re-align the road or to enroach into the allotment pathway, in fact, any change is a very silly and expensive idea.

The wall does need maintenance of course but this is the best option and a drystone walling company could carry out this work without too much expense. Probably a concrete capping/top layer might be best for maintenance. The National Trust may be able to use this as an example. Have you asked them?

Life is expensive and the every opportunity to grow own food in this financial climate should be encouraged. I know that the allotment is a huge benefit to all of the local tenants who take great pride in their plots and they need access down the earth path for heavy work. I often see them at their work, know some of them and the site is a model of productivity. So to impede their access is very counter-productive.

So the idea is invasive, environmentally unsound and highly detrimental to Combe Down's residents. I doubt that you should get approval to demolish a wall more than 150 years old. I vigorously challenge your motives and background to the proposal.

Please acknowledge that you have received this,

Many thanks,

Tim Haynes

From: [REDACTED]
Sent: 02 November 2022 10:53
To: Tim Haynes
Subject: Re planned diversion of footpath BC62/3 in Combe Down

Dear Mr. Haynes,

As resident of Combe Down, a daily walker along this path (and a former parent at Monkton Combe Prep School) I am writing to strongly object to this plan on the following grounds.

1. This is a beautiful country walk lined by an old wall and changing the pathway and putting up a fence will ruin the view and the feeling of the walk for the many, many people for whom this is a regular (and free!) source of enjoyment.
2. IF the school wants to increase protection for the children why don't they put up a security fence across the entrance to the carpark at the bottom of the walk. This would be a) safer for the children; b) less obnoxious for the neighbours; and c) presumably much cheaper.

Thank you for your consideration and I hope that sanity prevails and that the benefit to the whole community is considered.

If you have any questions please feel free to get in touch.

Best regards,

Tim Haynes

From: [REDACTED]
Sent: 03 November 2022 09:51
To: Tim Haynes
Subject: Footpath diversion Monkton Prep School BC62/3

As a daily user of this route i wish to register my objection to the proposals which have implications for the ancient wall and gates. The footpath is along a road which has public access for the sports club facility and the school could add additional fencing on the other side of the road where it is already fenced with secure gates into the school ground's themselves so the safeguarding issue seems nothing more than a convenient excuse. The path was here long before the school use and they should adapt not seek to move it.

[REDACTED]
(Resident in Byfield)

Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 03 November 2022 10:09
To: Tim Haynes
Subject: Consultation: MONICTON PREP SCHOOL (BC62/3), COMBE DOWN

Dear Tim Haynes,

I'm emailing to object strongly to the above proposal to extinguish/divert the existing public footpath. This footpath is an integral part of our heritage, the gateway in the dry stone wall having been put in during the latter part of the 19th century, and it would be a great loss to remove it and/or the existing wall and replace it with a modern one. Perhaps the council will consider instead repairing the old dry stone wall which has stood in place much longer than the gateway, and so preserve this part of our living history.

I have read Monkton School's application on your site and wonder whether they might put other security measures in place, should they feel a need to further safeguard their pupils, one that would not so adversely impact the residents and heritage of Combe Down. They say that a 'significant' number of people have wandered off the footpath and onto the school grounds attempting to get in, which makes me wonder first what constitutes a 'significant' number in this case, and whether any of these people were looking for Monkton School gym which, as you probably know, is open to the paying public.

Yours sincerely,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 03 November 2022 16:23
To: Tim Haynes
Subject: Proposal to relocate a public footpath adjacent to Monkton Combe School

I am writing to OBJECT to the above proposal. The proposal:

1. will result in the loss of an ancient wall and gateway of historical importance and which are important local heritage assets.
2. has a detrimental impact on allotment holders and the local community as well as other people who use the current footpath.

3. would result in an inferior footpath that has significant access, health and safety and safeguarding issues.

There are also alternative actions that the school can take to deal with its own health and safety issues.

Can you please confirm receipt of this OBJECTION and advise me of how many Objections have been received so far.

Tim Haynes

From: [REDACTED]
Sent: 03 November 2022 17:44
To: Tim Haynes
Subject: Planning objections proposed footpath BC62/3 Monkton Prep School

Dear Tim

We are writing to object to the planning proposal to re route the footpath at Monkton Junior School .
This is a historic footpath which we as pedestrians have a right to use and to re route it seems to be a tragedy to not only pedestrians but the allotment holders too.

Monkton school cite safeguarding as their reason but I very rarely see any children walk unaccompanied down the path and most never walk but are driven, so this seems a very strange reason. We would like to see how their safe guarding is related to this footpath.

How in practice is this re routing going to help and how are members of the public who walk to use the school sports facilities (which the income generated benefits Monkton school community) going to be affected?

If allowed, is there going to be access from Church road to this new path and if not will that mean people from Church road will have to go the long route down Tynning road and then right onto north road , then right again accessing through the rugby fields and then get on the footpath?

This will force people to drive and then increase the cars and presumable risk to the school children who might be walking, even more.

Please note our formal objection.

Yours sincerely
[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 04 November 2022 17:52
To: Tim Haynes
Subject: Application/Proposal BC62/3 - Monkton Combe Prep School

Dear Mr Haynes

We write to advise a strong objection to the current proposal BC62/3 to alter the route of the historic public footpath adjacent to the road leading to Monkton Combe Junior School.

This footpath has been in use since ancient times and appears in early historic maps of Combe Down.

We have lived in the village since 1959 and on no occasion have heard of any safeguarding issues concerning the nearby school and the proximity of the footpath to the school during this past 65 years.

Growing in the wall are some rare succulent plants which I have admired since childhood and have not encountered growing anywhere else.

I hope that a survey of these plants by a qualified botanist would be required prior to any works affecting this wall.

Our village primary school at Church Road has several pavements and a foot path to its boundary and yet no suggestion has been made to likewise move the footpath there over safeguarding concerns. The Old village of Combe Down has a very safe reputation over the past few decades and I fail to understand how relocation of this footpath would add to the schools security. However the conservation and character of our village would certainly be altered and history lost were the proposal to proceed.

Further the proposal does not explain who would pay for this alteration of route were it to be approved ?

Would it fall to Monkton Combe School or to the council tax payer ?

Kind regards

[REDACTED]

Sent from Mail for Windows

Tim Haynes

From: [REDACTED]
Sent: 05 November 2022 14:02
To: Tim Haynes
Subject: Monkton Combe Footpath diversion

We are local residents who use the footpath adjacent to the school and allotments. The planned diversion makes no sense for improving security on a large school site with an open entry point adjacent to the path on their driveway.

Members of the public access the school site to use their commercial sports club every day and evening. Delivery vehicles frequently enter the school.

Pupils from the senior school use the public path to visit the prep school at times

The access route into the allotments is narrow and would be unsafe for walkers and vehicles.

The historic right of way provides a safe walking route between Mount Pleasant, Monkton Combe village and Combe Down. Pupils of Combe Down school may use this route - we have not seen this but it is possible.

Tim Haynes

From: [REDACTED]
Sent: 06 November 2022 14:33
To: Tim Haynes
Subject: Monkton Combe plan to divert footpath

Dear Tim.

I am an allotment holder and also a Combe Down resident who walks along the current path.

I object to the proposed change in the route of the footpath and am unclear why the school is so keen to do this. Their Sports Club is open to the public anyway so members of the public are entering and leaving the school from that area.

There is already a fence separating their access road from children playing on the field in that section.

If members of the public are now supposed to walk within the allotment area, sharing the road with vehicles, this is a safety issue for us all. Also I do not see how there is enough space to bring the path inside . Surely we need a fence to separate our allotments from the new path/road or we will have people straying onto our allotments.

Along all along the current low wall inside the allotments is a wild area and wildlife would be affected and there would be loss of habitat by removing it.

If Monkton's concern is to keep the public farther away. why does it not instead be more concerned about its playing field adjoining the main road, where members of the public walk and play freely.

This is an historic wall and gate and part of the history of Combe Down.

I do not think the disruption and loss of habitat of changing the footpath will stop determined intruders but will certainly upset and inconvenience many residents, most of whom are not currently aware of this proposal .

It does not make for good relations with local residents .

Yours sincerely

*

[REDACTED]
Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 08 November 2022 14:04
To: Tim Haynes
Subject: Ref: Monkton Prep School BC62/3 Combe Down.

Dear Tim,

As a resident of Combe Down Village, I am writing to you to voice my objection to the destruction of the historic dry stone wall that lines the access road to Monkton Prep School.

I have lived in the village for many years and use that section of the footpath regularly.

I believe that the reason the school wishes to destroy the original wall and create a higher wall or fence structure is based on the safety and security of the school and its pupils.

However there are other ways they could achieve this rather than destroy a structure that has withstood hundreds of years and should be protected for posterity.

The redirection of the footpath on to the allotment site which is potentially at threat of stealth closure by the quarry owners raises fears that at some point the footpath will be lost forever along with the connection to Mount Pleasant, Shaft Road and Monkton Combe Village.

Please do all that you can to protect this historic right of way and the dry stone wall.

Kind regards.

Tim Haynes

From: [REDACTED]
Sent: 08 November 2022 14:20
To: Tim Haynes
Subject: Proposed changes to the approach to Monkton School

Dear Tim

I was horrified to learn of the proposed demolition of the historic stone wall and moving of the equally historic footpath alongside the allotments approaching Monkton Combe School. I say horrified but I am also not surprised as the arrogance of the school is legendary. I understand the reason they are giving is 'safe guarding', which is clearly nonsense as we members of Monkton Combe Sports club will still have to walk down the path *inside* the proposed high fence/wall to access the club.

I would be interested in hearing their rationale for the proposed plans as I suspect it's just that they don't like the proximity of the allotments and the solution as they see it is to just remove them from sight.

I therefore oppose the plans very strongly and if Monkton insist on going ahead with it then a public consultation would be an important step in the right direction.

Yours sincerely

Tim Haynes

From: [REDACTED]
Sent: 08 November 2022 18:25
To: Tim Haynes
Subject: Monkton Combe school

Dear Mr Haynes,

I would like to voice my concerns re: moving the pathway that leads down to the sports centre and the knocking down of the historic dry wall(almost feels like sacrilege) and replacing it with a high fence. This would spoil the ambience of the walk that I do regularly round there.

Your sincerely

[REDACTED]

Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 08 November 2022 21:11
To: Tim Haynes
Subject: Proposed Diversion of Public Footpath BC62/3

Dear Mr Haynes

I am saddened reading the Proposed Diversion of Public Footpath BC62/3, moving the footpath at Monkton Combe Junior School. The reason is that this pathway has been used for hundreds of years and since this is the last dry stone wall left in Combe Down, I see no reason to alter it. I realise the school intends to rebuild the wall higher etc but realistically what the school intends to do is alienate its neighbours by further shutting them out. I am aware of their safe guarding concerns, but they have more than enough space. Let them erect whatever fence they like on their land, without further inconveniencing the local people.

We have lived next door to the School for the last thirty years, during which time we have observed them trying to separate themselves evermore from the Community. They cause considerable traffic nuisance in term time, being ever more officious over their possession of the Glenburnie Field. I consider that if they re-purpose the driveway, the local residents will be evermore excluded, which does not lead to a harmonious neighbourhood.

I look forward to your comment.

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 09 November 2022 12:59
To: Tim Haynes
Subject: Footpath diversion

I am writing to object the proposed footpath diversion from Monkton Combe School onto the allotment site. My objections are as follows:

1. The grounds that the school have given for this diversion are questionable. A cursory search of planning applications countrywide provides no precedent for this. Schools have diverted footpaths to the edge of their site where possible and then run a fence between the school site and the footpath. The footpath already runs along the edge of Monkton's site so I see no reason that the school cannot fence the existing footpath. Furthermore, moving the footpath does not make the school site any more secure as there will still be nothing preventing members of the public walking down to the school buildings. Rather Monkton will continue to encourage this by opening their facilities to paying members of the public. If the council were to approve this application on the grounds of safeguarding this would set a precedent that could have wide reaching ramifications and I would encourage the council to think very carefully about this.
2. The proposed diversion is unacceptable on several grounds:
 - a. Building the historic wall up would alter and forever change the character of this very old structure. It is integral to the village and the school have no right to alter this.
 - b. There is no need to take out the original access gate for the allotments which is centuries old.
 - c. The shared path would be too narrow for a vehicle and pedestrians to safely pass. This would cause a problem when allotmenters drive onto the site and could pose a safety risk.
 - d. Fencing walkers in along this stretch would dramatically change the feel of walking this path. Running the fence along the existing footpath would at least retain some feeling of openness as the low wall into the allotments would stop people feeling completely penned in.

I hope the council will fully consider all of these point and there will be the opportunity for residents of Combe Down to discuss this with the council further in a public consultation.

[REDACTED]
Sent from [Mail](#) for Windows

Tim Haynes

From: [REDACTED]
Sent: 09 November 2022 16:26
To: Tim Haynes
Subject: Ref : Monkton Prep school (BC 62/3) Combe Down

Dear Mr Haynes

I have been unable to find this planning application on the BANES website so I am writing to you directly to express my concern about the application by Monkton School to destroy an ancient dry stone wall in the Village and move the footpath into the allotments. This is not simply a footpath move but the destruction of an ancient pilgrimage route and boundary wall, and will also have safety implications for all users. The width proposed of a 1.6 metre wide combined path and road will not accommodate both a vehicle and pedestrians.

Please will you recognise that this proposal by the school is completely unnecessary, is flawed, destroys a historical Combe Down historical feature and will provide no benefit to the village community. I see no reason for the School to even suggest this footpath change as necessary.

Your sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 09 November 2022 17:16
To: Tim Haynes
Subject: RE: Monkton Prep School - Application to Divert Public Footpath BC62/3

Dear Mr Haynes

Thank you for your email and link to the footpath diversion application.

I would only add to my previous comments and objections to the proposal shown below is that the safeguarding justification for this change by the School looks very questionable as access to the school will remain an open road and strangers will continue to visit the sports facility adjacent to the school buildings at all hours.

They should consider better signage to deter people from wandering unknowingly into the school grounds as determined trespassers will not be stopped by this proposal

Your sincerely

On 9 November 2022 16:41:46 Tim Haynes <Tim_Haynes@BATHNES.GOV.UK> wrote:

Dear [REDACTED]

Thank you for your e-mail below.

Please note that this is an application to the Highway Authority to divert a Public Right of Way under Section 119 Highways Act 1980, rather than a planning application.

You may find the full application documents within the Highways section of our website, at the following link:-

<https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prow-legal-order-case-documents/public>

However we can treat your e-mail below as your formal written objection to the proposals unless you wish to submit a lengthier objection, once you have considered the application documents.

We shall add your objection to the others that we have received. They will all be considered fully at the conclusion of the current consultation.

Yours sincerely,

Tim Haynes
Public Rights of Way Officer

Environmental Services
Bath and North East Somerset Council
Telephone: 01225 477649 or (07855) 515594
Email: tim_haynes@bathnes.gov.uk
www.bathnes.gov.uk

Bath & North East Somerset - *The place to live, work and visit.*
Please consider the environment before printing this email

Tim Haynes

From: [REDACTED]
Sent: 10 November 2022 12:19
To: Tim Haynes
Subject: Objection to part of planning application BC62/3

Dear Tim Haynes

I have just read the details for the above planning application regarding the new footpath to be constructed alongside the present historical wall.

I understand the need for safeguarding the pupils of the school but I object to the demolition of the gate which is of historical significance and adds (as does the existing wall) to the character of the heritage of Combe Down area. This footpath is used by many who appreciate being in touch with the past industry on which Combe Down was built.

Please keep me informed of developments.

[REDACTED]

Sent from my iPad

MONKTON PREP SCHOOL (BC62/3), COMBE DOWN

Dear Tim Haynes

The proposal to divert a section of public footpath, BC62/3, as defined in the Order, would fail to achieve the goals of the applicant. The proposal, if enacted, would bring cars into close proximity with footpath users, a situation that does not currently exist, would present footpath users with a less favourable surface on the proposed path than currently exists, and will create long term maintenance issues, going forward.

From the information supplied by the applicant in their "Application Pack" (AP) it is explained in the "Safeguarding Statement" that the school have a "duty of care and compliance framework" and that the school wish to do all they can to protect children. This is a laudable aim; the proposal fails to secure that objective.

The applicant sites a single case where the police were called due to some concerns. Dealing with such matters is for the police, not Public Rights of Way Orders. There is no suggestion by the applicant, that this proposal is part of an overall scheme to introduce gates at *all* access points to the campus. In the event of any agreement to adjust the public footpath, the campus would still be easily accessible for anyone to enter the site, just by the simple process of walking to the right of the proposed gate at point "A", as defined in the plan within the "site notice". One might imagine that anyone who has ideas of entering the school campus would not be put off, because they were not on a public footpath.

The AP (Par.5) explains the propose surface is to be "Rolled Gravel", while the photographs on [page 2](#) shows the existing footpath surface is tarmac, this appears to be in very good condition, with expectations of a long serviceable life. A Rolled Gravel surface will require more frequent maintenance.

The AP states that the existing footpath is "circa 1m", when measured at point "A" it shows the existing path to be about 1.6m. There appears to be a discrepancy in the length of footpath to be extinguished/diverted, the AP states 125m while the B&NES Site Notice states 209m. However, from the photographs on [pages 2 & 3](#) there is no evidence that basic signs have been placed by the school to advise footpath users where the public right of way exists and the school campus begins, while the photographs on [pages 3 & 4](#) show the Council has made the situation clear, with a low cost, low impact sign.

The applicant has stated that they will rebuild the wall, which is acknowledged to need maintenance. One has to wonder if the applicant has fully understood the associated costs/benefit analysis of this proposal, where any intruder only has to step the other side of the wall to obtain open access to the school campus. If planners were so minded to approve this application, a condition that the wall *will* be repaired would seem prudent.

Rotating the existing street lighting will lower the light along the course of the access road, while the existence of garden sheds within the allotments offers concealment for any would be wrongdoer, this will create nervousness with some path users.

[Text continues on page 5](#)

MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



Picture looking at point "A" towards the south easterly direction



MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



MONKTON PREP SCHOOL (BC62/3), COMBE DOWN

It appears the proposal creates a section of shared vehicle access road and public footpath, which brings public footpath users, which presumably would include children, in direct conflict with motor vehicles, while the current arrangement provides a natural separation with the advantage of a 4" kerb to help protect footpath users. One can see from the second photograph on [page 2](#) that there is limited space between the drystone wall and allotment huts, and with the wall, *and* the Stockproof fence, footpath users are hemmed in, with no escape for almost the entire length of the 209m diversion.

Under the "Relevant Considerations" in the AP, section e), it is not clear who will shoulder the ongoing maintenance of the path in perpetuity.

Alternatives solutions.

Currently, there are no gates, barriers, security or signage at the entrance to the school off of Claverton Down Road ([see page 6](#)), information placed at strategic locations and certainly at every access point to the school campus would ensure that any intruder should have been aware of the limits to public access.

At a point close to "B" of the B&NES plan, the footpath continues. Along this section a substantial steel security fence has been erected ([see page 7](#)) A similar fence could be erected along one of two different lines. ([see page 8](#)) Either following the course of the access road that adjoins the existing footpath (mauve dots) or behind the existing wooden picket fence that follows the course of the current exit road (green dots)

It is understood that the school allows public access (for a fee) to some sports facilities within the campus. This proposal appears to remove public access along the footpath, while at the same time, continues to allow the public to access the school campus in vehicles. Why should it be assumed that walkers are more likely to wander across the campus, rather than car users?

B&NES Public Rights of Way have previously expressed the view ([see page 9](#)) to the University of Bath, that the shared use of a bridleway and an access road (new) to what was then a proposal for a new car park (LPA Ref. 14/02715/FUL) was not acceptable. It was agreed between the University and Public Rights of Way, that the bridleway and the proposed access road could follow a similar course, but two distinct tracks offering *full* separation of public path uses and vehicle traffic.

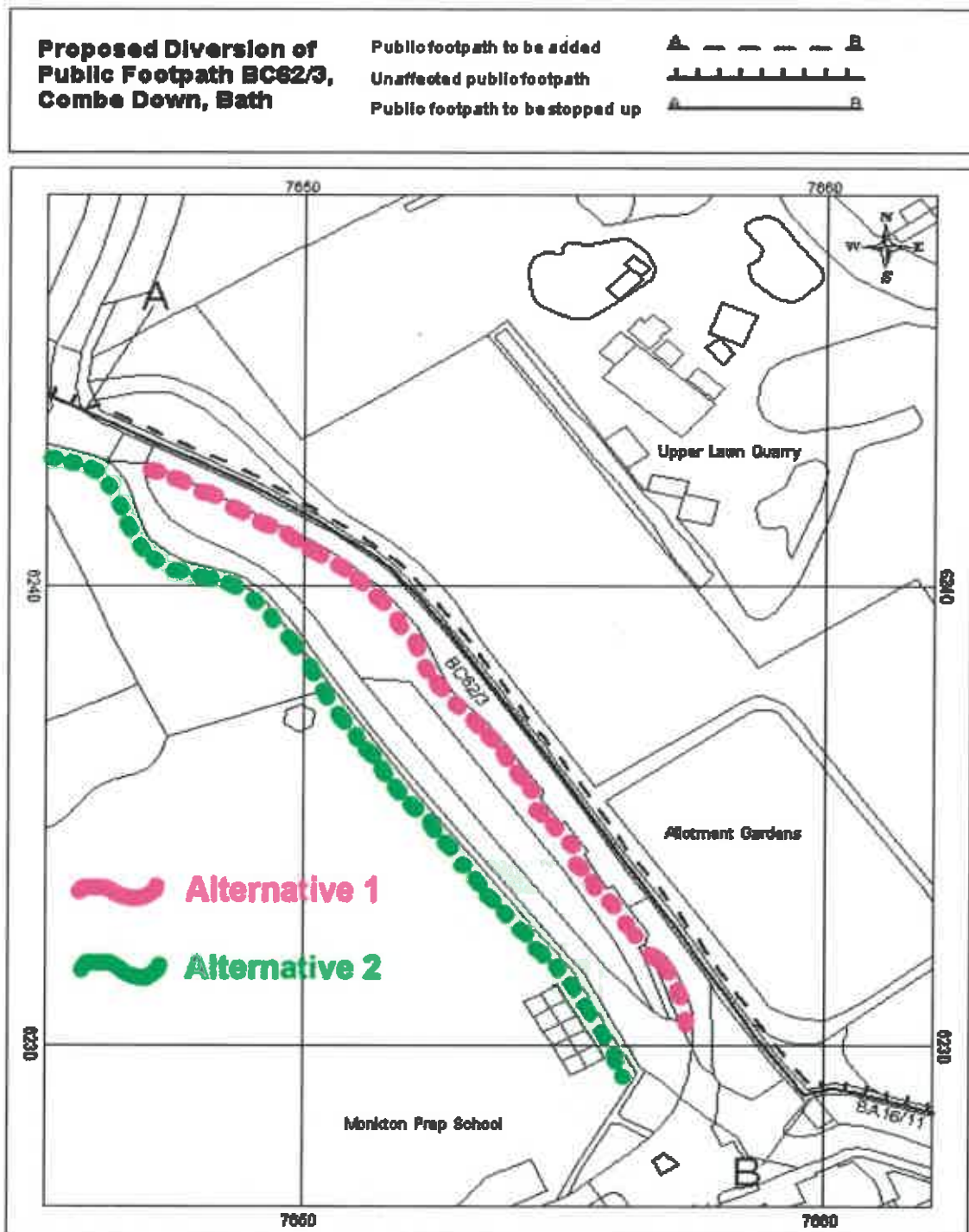
MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



MONKTON PREP SCHOOL (BC62/3), COMBE DOWN



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Scale 1:50,000

MONKTON PREP SCHOOL (BC62/3), COMBE DOWN

From: [REDACTED]
Sent: 1 Sep 2014 09:26:06 +0100
To: [REDACTED]
Subject: FW: 3208A - D1 - UoB North Car Park - PROW response

[REDACTED]

Thank you for your emails and for the plans forwarded by Charles. My comments relate to the drawing attached by Charles showing the Bridleway Existing and Proposed (IMA-14-055 016), which doesn't appear to be on the website.

We are happy with the proposal for the bridleway to run adjacent to and separate from the new access road and welcome the addition of the wooden posts to prevent vehicles straying onto the bridleway. We are also happy with the proposal to use the same surfacing as is presently used.

We have had a look at the revised proposal and a diversion order will be required to move the line of the bridleway. My colleague, Ariane Robinson, deals with diversion orders and I have copied her into this email. She will be best able to advise you on the process involved and the time scales to be expected. Her contact number is 01225 394161.

PROW is happy to withdraw its objection to the proposal subject to the successful diversion of the bridleway.

Kind regards

Jenny Nobbs

Technical Officer (PROW)

APPLICATION BC 62/3

OBJECTION

Tim Haynes,
PROW
Bath and North East Somerset Council
Lewis House, Manvers Street
BATH BA1 1JG

Dear Sir,

My objections are to current plans for a change in the status of the traditional path (Right of Way BC62/3) running from the junction with Church Road along the old dry stone wall and after that alongside the Oldfield Old Boys RFC and the Monkton School fence towards Mount Pleasant. We are invited to comment upon the diversion of a public footway under Section 119 of the Highways Act 1980.

1. "To divert a section of a public footpath" sounds so innocuous!! But it is an established, habitual path used by many many people, not only for leisure but also to catch a bus on North Road, to get to the churches, or the local shop, or indeed to get to school or to work. In addition it is known as an historic route between Bath Abbey and Hinton Priory by those who value the heritage of the area, on the fringes of Bath Heritage City. This old right of way is to be diverted (and significantly altered) for the **perceived** safeguarding issues that Monkton Prep School has persuaded B&NES Council to quote in an emotive ploy to undertake this disruptive and unnecessary work. The B&NES Council strapline says : **'The place to live, work and visit'**. That ought to apply in this case too. I enumerate why:

2. In the course of this proposed change a dry stone wall and old gateway will also be lost, last remaining examples of the local craftsmanship. Under government guidelines for Countryside Stewardship stone walls should be maintained, and repaired in keeping with the traditional dry stone character and not cemented. In 2013 when Monkton created a new roadway, the school altered the character of the wall by raising the level of the path against the old wall. It immediately became a more stumpy wall. NO one maintained it. The school's stated aim of being aware of its environment is to be questioned. To achieve those roadway changes **seventeen** trees were taken down. I know, because I counted them and I have photographic evidence.

3. In addition a fence is to be erected within the allotment area. This is necessarily a stockproof fence to protect the gardeners from incursion onto their plots. I am not an allotment holder but I like being able to visit them, to learn from the practices and to share in the pleasure of this valuable facility. I understand the inconvenience that will now be experienced by plot-holders in terms of circuitous access. Anyone with mobility restrictions who needs a car is further hampered. None of this need happen if the path stayed where it is.

4. By putting in train this application Monkton School demonstrates no understanding of the inconvenience to be suffered by the local community, the allotment holders and the users of the long-standing route. Access will be in a

narrowed funnel that seeks to corral users into a route that will have no exit point for nearly a mile. This 1.6 metre wide path is to be shared with vehicles as well as users of mobility scooters, wheelchairs, pushchairs and walkers, whether nimble or not.

The quality of the path too raises long-term issues that need to be clarified. It fails the Two Gateway tests Section 2.3.8, in particular Test 2. Section 119 (c) of the Rights of Way Act. In Section 2.3.9 and 2.3.10 it puts the onus on the decision-maker to judge the 'expediency' of this issue. It is to be hoped that strongly-felt community views will prevail over any slick presentation by this public school. No doubt the 'welfare inspection duty' by people remote from the locality have put the wind up the school to be able to tick more boxes.

5. If the lights are swivelled to cast their beam over the new path then it becomes a light pollution issue affecting nocturnal creatures and pollinating insects which operate at night. The nearby Horseshoe bat population has had its habitat protected since 2006 (*see below) and the 'chimney' aperture that allows egress for these creatures is very close by along the hedge bounding the rugby ground and within, I guess, about 200 metres of the lighting.

6. I wish to quote a precedent from the summer of 2006 when the B&NES Council gifted a new fence along the west boundary footpath to the Oldfield Old Boys Rugby Club for their co-operation in allowing spoil on their field for workings to install a habitat for Horseshoe Bats.* [see B&NES Stone Mines Association Newsletter no. 24] However, the community wasn't consulted about the effect an ugly chain-link fence would have upon them along a well-used route. At the time there was also a chain-link fence on the school side of the path and it would have been like walking in a prison exercise yard. The first posts were already dug in when I presented a petition to protest. To their credit the Stone Mines (B&NES) team accepted our request of considering public opinion and a change was made. There was consultation with representatives. I'm asking for similar understanding about the visual and safety aspects of a very well-used footpath route at a time when outdoor exercise and the right of access to open space is highlighted nationally.

7. The safeguarding argument doesn't pass close examination. Monkton School cannot demonstrate that by closing off this route that any substantial safeguarding will be achieved, over and above what is already in place. The school doesn't clarify the issue of users of the Sports Centre and how that public intrusion onto their property is to be addressed [I have paid subs to the Sports Centre since 1999]. I'm acquainted with movements along the established path at all times of day and into the hours of darkness. Pupils from the Senior School also regularly use the footpath. When we pass each other we greet, stand aside, and act as normal citizens do, with common courtesy. It is this that Monkton School can be congratulated upon.

8. The Monkton School states that it '**does things differently**', that they try to find solutions to problems.

We have had no recent approaches as a community to solving the footpath questions, have seen no evidence of alternative proposals (the effects of a meeting

at The Hub on 12 March 2019 fizzled out) At that meeting the then Bursar actually claimed that we, the community should 'help' the school. Monkton School cannot separate itself from where it is, and act as if their needs override ours. I speak as a local home owner, user of the sports centre and a person who has supported the school by my subscription. I enjoy the sight of the school grounds and have observed all the activity over many years. I feel bonded with the school in a way that they would not even know, but these plans are saddening and upsetting.

Above all, I speak as a person who values my environment. When I emerge from the built-up area I walk into what feels like countryside. The beneficial effects of walking and gardening are essential components of our well-being, for the simple abundance of life. To have this curtailed by a shoulder-height wall and a high fence is to suffer the insult that my quality of life doesn't matter and can be reined in by the insensitive changes proposed by those with influence and money.

I address all these questions within my overall objection that the Monkton School misunderstands the effect of its plans on the community that surrounds it. At a time when the world is acutely aware of ecological losses, individual carbon footprints and an international focus on climate it beggars belief that this cavalier action can be set in train.

Finally I refer to this Christian School's credo on its web-site from John 10. verse 10 *The thief does not come except to steal, and to kill, and to destroy. I have come that they may have life, and that they may have it more abundantly.*

Food for thought.

Yours sincerely,

A large black rectangular box redacting the signature of the objector.A small black rectangular box redacting the address of the objector.

Tim Haynes

From: [REDACTED]
Sent: 12 November 2022 20:11
To: Tim Haynes
Subject: FOA Tim Haynes. Objection to Application to Divert Footpath BC 62/3

FOA Tim Haynes
 Public Rights of Way Officer Environmental Services
 Bath and North East Somerset Council

Dear Tim

I am writing to object to the planning application to divert the footpath BC62/3

My objections are as follows.

The shared diverted path will be extremely inconvenient to allotment holders, as it will severely restrict pedestrian and vehicle access to the allotments. At 1.6m wide this proposed path is far too narrow for cars to manoeuvre (not meeting width regulations) and this width will be potentially extremely hazardous when drivers meet other drivers or allotment holders head on, including some allotment holders with wheelbarrows, or footpath users including groups with pushchairs, dogs, users of mobility scooters or wheelchairs. There is only one point of access/exit to the allotments from this diverted path which is insufficient and very inconvenient for the majority of allotment holders who will have to walk and push barrows etc greater distances to access their specific allotment.

I object to the rolled gravel surface of this diverted path as being unsuitable for pushchairs, and those users with mobility issues. Vehicle and pedestrian use of such a narrow path will quickly cause the surface to deteriorate becoming uneven and increasingly boggy.

I object to the appearance and safety of this diverted path. The existing dry stone wall and gate are to be removed and the diverted footpath contained within a new high stone wall and high fence. This will severely impact on the enjoyment and well being of footpath users, discouraging the local community from taking exercise, thus having a detrimental effect on their health and well being and increasing local transport emissions. Users may well feel or be trapped within a narrow path with no point of exit for almost a mile. They will no longer enjoy the open aspect of the historic footpath with its ancient dry stone wall and gate. The dry stone wall is among the last remaining dry stone walls in the village as evidenced in photographs from the early 1900s. There are strict government guidelines regarding protection of dry stone walls outlined in <https://www.gov.uk/protecting-rural-landscapes-and-features/dry-stone-walls>

I object to the diverted path causing destruction of part of the ancient route that connects Bath Abbey, Monkton Abbey and the Abbey at Hinton Charterhouse.

It will have a detrimental environmental impact on the local area, including the destruction of habitats and historical features in the environs of our local conservation area and World Heritage City of Bath.

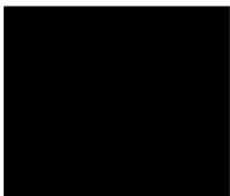
I object to the need for this footpath diversion being cited as safeguarding for Monkton Combe Pupils, given that the school runs a public access leisure facility at the site, and that they could far more successfully secure the school site by replacing the low picket fence with a high fence.

The footpath diversion will have a negative impact on the all important relationship between school and community. A good example of the current existing positive relationship would be the very recent visit of Monkton Combe pupils Photography Club to the allotments.

I object to the environmental impact and financial cost of the footpath diversion works. What will happen to the stones and historic gate that are to be removed? Who will bear the cost of rebuilding the stone wall to such a height? Use of a large amount of materials, resources and machinery in this time of climate emergency is unacceptable. BANES declared a Climate Emergency in 2019 and an Ecological Emergency in 2020 in which a statement of intent was provided to protect wildlife and habitats. The existing wall provides an important habitat to

wildlife. The redirection of lighting towards the allotments will affect night pollinators (thus reducing crop production) and will also affect protected bats. I look forward to these and other objections from local residents being raised at a public meeting.

Yours sincerely



Tim Haynes

From: [REDACTED]
Sent: 13 November 2022 13:48
To: Tim Haynes
Subject: Footpath diversion BC 62/3

Dear Mr Haynes,

I am writing to ask you to please reconsider the footpath diversion in Combe Down (near Monkton School).

I am a 93 year old Combe Down resident and go for daily morning walks around this area. I often go very early in the morning, and have been walking these routes for the last 60 years. There are many other elderly residents who rely on this route - and as I'm sure you can appreciate remembering new routes is more challenging in older age.

Some of my routes involve some patches of more challenging terrain, and my eye sight is not as good as it was which is why I appreciate the pavement on this part of the route.

I am passionate about maintaining the beautiful stone walls in the village and hope that these will not be affected by any changes. I appreciate this route is close to the school but for elderly residents like myself it is an important route and helps keep me active. As the population of Combe Down does include a lot of older people I hope you are able to see the impact on residents and reconsider these changes in the immediate future.

Regards

[REDACTED]
Resident of Combe Down

Sent from my iPad

Tim Haynes

From: [REDACTED]
Sent: 13 November 2022 13:59
To: Tim Haynes
Subject: Application - Monkton Prep School (BC62/3) Combe Down

Dear Mr Haynes

I am a resident of Combe Down and frequently use this foot path when walking, I write to record my strong objections to the alterations to the footpath proposed by this application for the following reasons:

- The proposed new footpath will be an unattractive fenced corridor not an attractive footpath to the detriment of members of the community who walk in the area
- The historic wall may be in a state of disrepair but this reflects its age and does not need to be disturbed or altered in any way
- Moving the footpath will not prevent members of the public walking or driving down the access road to the school and anyone seeking to trespass on their land will not be prevented by the change of the footpath route. If the school wishes to prevent access they should put gates and fences across the front of the school at the end of the access road.

Any consent to make changes will strongly favour one part of the community over another larger group and should not be granted.

Regards

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 13 November 2022 14:02
To: Tim Haynes
Subject: monkton combe allotments footpath

Dear Sir

I wish to register my objection to Monkton schools proposal to move the public footpath onto the allotment site.

yours

[REDACTED] (plot holder Combe Down Allotments)

Tim Haynes

From: [REDACTED]
Sent: 13 November 2022 18:12
To: Tim Haynes
Subject: Proposed diversion of public footpath BC62/3 Monkton prep School

Dear Mr Haynes

Whilst I can understand the safety concerns of the School, as a local resident who has walked along the path on countless occasions I write to express concerns:

- 1) The diverted path will encroach on the privacy on the allotments
- 2) Walking that stretch sandwiched between a much higher wall and an unattractive fence will feel as if you are very much fenced in and drastically reduce the pleasure of the walk. That will be made worse if the wall is not a dry stone one, the same as the existing wall.
- 3) I cannot see that diverting the path and building a higher wall will do anything to exclude any 'bad guys'. If people are intent on getting onto the school grounds they will easily be able to jump over the wall.
- 4) There is already a substantial wooden fence alongside the Monkton playing field to deter unwanted visitors.
- 5) Have security cameras been considered? They would provide evidence of intruders which the Police could use to prosecute any offenders.

Yours sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 13 November 2022 21:21
To: Tim Haynes
Subject: Footpath to Monkton School

The proposal to build a fence and hem people in to safeguard students at Monkton school seems ridiculous, unnecessary, ugly and unpleasant. Has there ever been a safeguarding issue? Surely the fact that there is a public leisure centre makes this safeguarding redundant.

I work at Ralph Allen School. I have little sympathy for parents who pay for their children's exclusive education and then want to spoil the public's access to local walks. Disgraceful and I object.

[REDACTED]

[REDACTED]

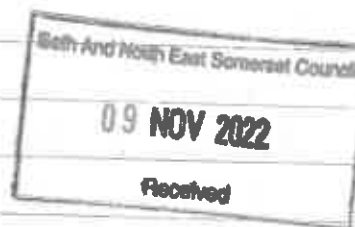
th
9 Nov 2022

Hello I am somewhat concerned that Mark Tan Junior school at Cowbe Down want for some reason to move the 100 yr old wall into the allotment it as it progress down restrict me in my car getting to my plot 24 its the last one at end of the wall. There is a entrance off north rd which meets near one gate entrance there is no safety for person that get brought by coach to use the swimming pool no pavement either side just pebbles as large as oranges sunk into concrete. The pupils get ushered along this stretch I say again no pavement but they want to move the 100 yr old wall why could be another reason I P.T.O.

9th Nov 2022

I am disabled with arthritis
and lung problems walking that
distance I would not have the
ability to do much on my plot
24. I hope it's not the case I
have to give it up after many
years.

BC62/3



Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 11:08
To: Tim Haynes
Subject: Monkton footpath objection

Dear Tim

I am formally objecting to the proposed footpath and changes to the wall alongside the allotments by Monkton Prep.

I live off of Shaft road and walk this path daily.

It's always a pleasure to have the view either side of the path with open sky and seeing the allotments through the seasons. It allows for social interaction and conversation, something too easily being lost. It creates a most enjoyable route through to the village or the woods.

The relatively new and costly footpath that runs down to the school is in perfect condition. It is substantial in width and does not create any issues.

The redirection really should not be something that infringes upon everyone else's enjoyment of the allotments and its pretty aspect. The allotments provide a very beneficial community base and should be treated with respect.

The historic wall running the length of the footpath is an integral part of the Combe down /Mount pleasant aesthetic and to start modifying and demolishing its charm with such disregard for the community is really shocking coming from a school based on a Christian ethos. Surely there are other more accommodating ways to secure their playing fields and pitches, which are actually placed away from the existing footpath and allotments. If these alleged trespassers are really getting in to use their facilities then I don't believe this inconsiderate and potentially ineffective redirection is the answer.

The idea of a stock fence is truly offensive.



Kind regards



Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 11:19
To: Tim Haynes
Subject: Tim Haynes Proposed change to footpath. BC 62/3 Combe Down, Bath.

I wish to oppose the plans altering the footpath running along the length of the Church road Allotments and the removal of the old historic wall, the erection of a new stone wall of 1.5 meters height and a narrow path further enclosed with a wire fence of 1.2 meters. I am a resident of Combe Down and an allotment holder.

I strongly oppose this application on many points.

1. I do not believe these fences will be effective in stopping youths entering the school grounds unless the entire school is completely fenced with security at the car entrance points as well as around the entire site.
2. The old wall is historic, it is characterful and sits subtly within the environment. The idea of having a harsh, 'facility' style hemmed in on both sides, narrow pathway is unattractive, detrimental to it's surroundings and will impact negatively on the feel of the area which is one of open space. To remove the old wall and replace it with one 1.5 mts high is alienating for the allotment growers as well as those on the path. It changes the nature of chatting over the wall, it is segregating, the exact opposite of the friendly feel of the area today.
3. The school has a great deal of land for a privileged few, it can afford to part with a small strip of land of it's field adjoining the 'toast rack' parking area to create a new two way driveway on that side [the drive way is very quiet almost all of the day] with the fencing being installed along the downward driveway affording more space to the pathway. This would allow the existing path to be left unaltered benefiting the much wider community and allotment holders: a kinder, tolerant and more inclusive approach to local residents, who are hardly the perpetrators of the damages referenced.
4. There is an issue with security, the narrow nature of an enclosed path is a trap for women. With such high boundaries there has been no thought put to safety. A man can block such a tight path, there is no escape. At quiet times ie. early in the morning or at dusk, I would not use this path. Such a narrow path does not allow two people walking abreast, a person with a large dog cannot easily pass another or parents with a double buggy will struggle with oncoming walkers. This could result in the allotments becoming an alternative pathway, which is unfair to the allotment holders.
5. The path way leads on to another path down alongside the quarries towards Monkton Combe. Access to this pathway will be channelled through the proposed pathway only, which I am unhappy about for reasons mentioned above.
6. Psychologically, one of the gifts of the allotments is to get away from life's restrictions, to feel relaxed and commune with nature through growing vegetables, being outside with green spaces, not walled in by high sided alienating structures. This psychological freedom is something which I understand Monkton School also likes to offer it's pupils. Residents of Combe Down are just as important as the schools pupils, we should not be piped down narrow spaces for their concerns over ours. Another solution should be found.

Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 14:06
To: Tim Haynes
Subject: Proposed new footpath on Combe Down

Dear Sir

Whilst appreciating that Monkton Combe school has a safeguarding issue that needs to be resolved, I am sure there must be a solution that does not involve

- a) the destruction of a long-standing wall
 - b) the building of a new, aesthetically unsatisfactory higher wall
 - c) impingement onto allotment territory - I do not hold an allotment
- amongst other things

There must surely be a solution that does not have such a major effect on communal land and structures.

Regards

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 15:45
To: Tim Haynes
Cc: [REDACTED]
Subject: Objection to Application to Divert Footpath BC 62/3

I regularly use this footpath and believe that the safeguarding Issue at the school is a pretext for closing it. They do not even lock their existing gates! The loss of amenity for the public (and for allotment holders) is significant and not justified and if safeguarding were genuinely the issue, the school could easily erect fencing on the other side of the road. I object.

Yours

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 16:21
To: Tim Haynes
Subject: BC62/3 Monkton School Footpath Diversion

Dear Mr Haynes,

I have seen the above numbered proposal to divert the footpath along what is currently Monkton School's access road to the other side of the wall on "safeguarding grounds".

My concern about this proposal is what the safeguarding issues can possibly be and what gain can in fact be made by diverting the footpath through the allotments for such a short section. If the concern is the public mixing with school students, then this will clearly not prevent members of the public from walking down the existing pavement if they insist on doing so - ie enforcement would seem rather impossible. As a member of the public who regularly uses this path I have to say that the incidence of school students using it is pretty negligible, even when I have been there during school pick up times and one might expect to see students walking from school. If the safeguarding concern is overcrowding such that students have to walk in the road - I have never witnessed this myself given the heavy reliance on cars to deliver students to the school.

Without strong reason it seems a significant over-reaction to go to the expense of building a new path and disturbing what is clearly rather an historic and characterful piece of walling.

On these grounds I oppose the proposal.

Regards

Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 16:27
To: Tim Haynes; mailer.banes-allotments@membermojo.co.uk
Subject: Proposed diversion of a section of public footpath BC62/3 in Combe Down, Bath
Attachments: Proposed footpath diversion.docx

Dear Tim,

Attached my comments on the attached word document for the public consultation on the above proposal.





14th November 2022

Dear Mr Haynes

Public consultation of a diversion of a section of public footpath BC62/3 in Combe Down, Bath

I write as an allotment holder on the site with the following comments **against** the proposed diversion of the public footpath onto the allotments.

1. This proposal will not help child protection.

A 1.5m stone wall with a rounded top provides very easy access onto the site the school wants to protect, and indeed, could well become a comfortable seat for possible miscreants. In recognising the schools safeguarding concern I detail a very simple alternative on point 5 below. A far greater threat for safeguarding purposes would appear to be the random unmonitored public traffic using the school swimming pool.

2. Health and Safety of footpath users and allotment holders will be jeopardised.

Combining vehicular traffic with pedestrians, no matter how briefly, should not be entertained under any circumstances. There is a good separation at present with a well-placed zebra crossing. Cars driving onto the site provide much needed access for heavy loads, the elderly and disabled and it is prized by those that use it. I spend many hours on the allotments and can vouch for the busyness of the footpath with often up to 20 or more people passing in a few minutes with children's buggies, dogs, elderly and disabled people. To consider driving through them would be extremely dangerous and I am amazed it is even under consideration. There is also a constant stream of vehicles onto the allotment site, not the few that seems to be indicated.

3. The proposed 1.6m rolled gravel path is inadequate for the load and purpose.

The proposed gravel path is nowhere near adequate to take the envisaged loads of pedestrians and vehicles. I attach a photograph (see photographs 1, 2 and 3) showing the poor condition of the present vehicular access which has a similar construction to that proposed for the diverted footpath. Inevitable mud from the allotments will be transferred to the footpath and the footpath will also sink and break into mud with the weight of vehicles, leaving a very sorry footpath for those out walking. At present, loose mud is shaken off onto the allotment exit road before reaching the tarmac school exit road. Under the present proposal pedestrians will suffer from the loss of the fine footpath which also allows quick access past the school and aids child protection.

4. The proposed gateway onto the allotments provides difficult and dangerous vehicular access

There are no details of the size or design of the proposed gateway but it appears to swing at 90 degrees across the footpath. Once again, safety of pedestrian is jeopardised and there doesn't seem to be any thought put into how vehicles then take a sharp right or left onto the allotments. All in all, it's far cry from the existing gate which has served the allotments, school and pedestrians for over 100 years, yet under this proposal is in danger of being closed off.

5. There is an easy alternative to the present proposal

I would concur with the schools need to constantly monitor the safety of their charges. There is a wooden fence (see photograph 4) which runs along the school playing fields which presumably has been breached in the past. A good quality, 2m high, green chain link fence along this fence line

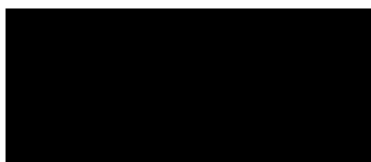
2

would make an attractive boundary and prevent future incursions without the expense, risks and problems incurred by the present proposals.

6. In conclusion, I am against the current proposals on the grounds that it will not help the safeguarding issue and will greatly jeopardise health and safety of footpath users. In addition, the proposed path and gateway are inadequate for the task and there is a far simpler, adequate and cheaper alternative to be found by placing a chain link fence along the playing field boundary.

I would suggest the school revisits their proposal and abandons the present one.

Yours faithfully



Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 17:25
To: Tim Haynes
Subject: OBJECTION BC62/3 DIVERSION PROPOSAL

I am writing to express in the most strongest terms ,my objection to the re routing of the footpath, and interference in the Combe Down Allotments as proposed by Monkton Combe School.

I am a third generation Combedowner, and there has never been any reason to make the case for a safeguarding issue in regards to this footpath!

I strongly believe that Monkton Combe School should be showing themselves to be kind and inclusive neighbours to the residents of Combe Down. There must be an open and transparent discussion between the School and the residents in order that people get the chance to be heard.

With kind Regards,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 14 November 2022 22:59
To: Tim Haynes
Subject: BC62/3 Diversion of public footpath

Dear Mr Haynes

I am writing in regard to the above application to divert the public footpath between Monkton Prep School and the allotments.

My observations are:

1. By moving the path to the other side of the drystone wall and raising the height of this wall slightly, this isn't much of a deterrent! The 'youths' who have been referred to in the Prep School safeguarding statement are already capable, apparently, of scaling the considerably higher fences around the AstroTurf pitches! A 1.5m stone wall will present very little challenge to them, or anyone, with a mind to accessing the school grounds.
 2. By erecting an additional 'stock fence' only 1.6m away from the stone wall, how will that possibly be wide enough for vehicles to easily have access - especially when there are people walking/cycling/dog walking down it. Also, anyone walking between these two barriers will feel trapped in this alleyway and quite vulnerable. I wouldn't like the thought of my daughters walking through there if they were on their own.
 3. The drystone wall, along with the ancient gateway, is of real sentimental interest to locals and deserves to be protected.
 4. There is currently a fence between the road and the school playing fields of 'stock fence' height. Apparently, this doesn't stop people from "attempting to get in or make use of our play areas and open spaces". Unless a substantially higher fence/boundary is erected here the rebuilding of the drystone wall will make little if any difference to the 'safeguarding' situation.
 5. The safeguarding issue could also be improved by raising the height of the 'wicket' fence which contains the Pre-Prep play area from the car park. I would suggest this is singularly the most vulnerable area in terms of safeguarding!
 6. How will members of the Clarke Sports Centre who live at the Mount Pleasant end access it by foot in the future? Will they have to walk all the way up through the allotments to then doubleback and come down the driveway? This would also apply to Senior school pupils walking up to the Prep school.
- 'Monkton' has not endeared itself to the local community over the years and this 'stone wall' issue could be handled better in my opinion. I am not convinced that the safeguarding situation will improve significantly by raising the stone wall by another foot or so. All that will happen is the school could be getting rather a lot of bad press! I'm very happy to talk on the phone if this helps.

Regards

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 08:48
To: Tim Haynes
Subject: Change of footpath

Dear Tim,

I am writing to strongly add my objection to those who are opposing the application to divert the footpath BC62/3.

These seemingly small insignificant areas which include ancient walls and footpaths are hugely important. They are areas of continuity, they provide everyone with an important sense of place. We walk them daily and they are part of our history giving us all a sense of belonging to the area and the wider landscape.

Destroying these areas gradually erodes our landscape and all that it gives us. Once gone these areas are not replaceable. The proposed changes are not essential or even needed but the path and wall are very much needed, by all of us.

Yours sincerely,
[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 10:47
To: Tim Haynes
Cc: Monkton Combe Parish Council
Subject: Application - Monkton Prep School (BC62/3) Combe Down

Application - Monkton Prep School (BC62/3) Combe Down

We would like to raise an objection to the proposed changes. Seeing no value to the school land/user's safety but a detrimental effect to the safety of path users. Our concerns about the suggested new route.

This is a section of the church path leading from St Michael's Church, Monkton Combe to Holy Trinity Church, Combe Down. This path is a well-used commuter path leading to the bus service and local facilities in Combe Down village. Used by residents of Monkton Combe including Mount Pleasant and Bathite Cottages.

4. REASONS FOR THE DIVERSION OF THE PATH

- Security and safeguarding concerns of Monkton Combe School.

From the website: Monkton Sports Club is a members sports club situated on the grounds of Monkton Prep School. As part of Monkton Combe School, our aim is to offer an accessible Leisure facility that offers competitive, fully inclusive membership packages to the local community. Our friendly staff will offer you a warm welcome, which we hope will inspire you to become more active, more often. The facilities are open from 6am weekdays and from 8am on weekends.

The local community are offered membership at the school sports facilities to inspire more activity so why do they wish to take away a perfectly good well used commuter footpath to substitute it with an inferior quality shared with vehicles footpath?

5. PARTICULARS OF NEW PATH

b) Width in metres: 1.6m

The average width of a car is around 1645 to 2743 mm.

c) Surface: Rolled gravel

Not an equivalent surface. Not a suitable surface for this well used pedestrian access route to the church, the village facilities, i.e., school, shops, doctor surgery, dental practice, bus service in Combe Down village.

e) Monkton Combe School will undertake all works and rebuild wall which is currently in a dilapidated condition.

The current dilapidated wall is a traditional dry-stone wall that over the years has been robbed of some of the stone. Will the rebuild of the wall be in the same style? Be carried out by a professional trained in the art of the traditional craft? Including leaving the present access gate and pillars.

6. RELEVANT CONSIDERATIONS

a) Connectivity

- None

This is a section of the church path leading from St Michael's Church, Monkton Combe to Holy Trinity Church, Combe Down. A direct link to bus service and local facilities in Combe Down village. Not everyone drives or wishes to drive everywhere. Cycling and walking being a much better sustainable option.

b) Equalities Impact

- The new path will be fully accessible for wheelchair users and people with mobility impairments.

A user of a manual wheelchair deals with an assortment debris attaching itself to the wheels. On a gravel track small stones adhering to the wheels make propelling more difficult. A gravel path may be fine for an all-terrain chair but not so for a manual chair or pushchair. Gravel gets messy in wet weather.

c) Gaps & Gates

- A gate will be installed in the repaired wall to allow access for allotment holders.

Where will this be located? Will the present gate be kept institute as a landmark of local history?

d) Gradients

- None

e) Maintenance

- The new path will be maintained as required. Potholes will be filled and repaired with clean stone routinely and users of the path will be able to report problems using the Council's Report it (Fix My Street) online mapping system.

This statement is predicting the path will wear with vehicle use. How can this be a suitable replacement for the present tarmac path that has always been in existence?

f) Safety

- Existing lights will be rotated 180 degrees to light diverted path

Pedestrians sharing a path with vehicles is not a safe idea, with or without lighting.

g) Status

- None.

h) Width

- Increasing from 1m to 1.6m. N.B. The new route will be a shared use path and the main route for vehicle access to the allotments. There will therefore be a small volume of car use along the route and limiting the new path width to 1.6m will allow for safe passing spaces for pedestrians on route and prevent any disruption to adjacent allotment plots.

The average width of a car is around 1645 to 2743 mm.

From the Highway code. Rules for pedestrians. General guidance. Rule 1.

Pavements and footways (including any path along the side of a road) should be used if provided. Where possible, avoid being next to the kerb with your back to the traffic. If you have to step into the road, look both ways first. Always remain aware of your environment and avoid unnecessary distractions. Always show due care and consideration for others.

Pedestrians are being asked to stop using a purpose build tarmac footpath along-side a road and share the vehicle access to the allotments. The average width of a car is around 1645 to 2743 mm. How can a car safely pass a pedestrian, a wheelchair or pushchair on a 1600mm wide road or footpath? Which is it?

i) Features of Interest

- Stone wall will be repaired

Will this be repair be done using the traditional dry stone wall method?

7. PARTICULARS OF OWNERSHIP

a) Applicant's interest (owner/occupier/lessee) in the land over which the existing path referred to in this application passes.

- None

b) Applicant's interest in the land over which the new path is to be provided

- Lessee

c) Do any other persons have an interest in the land over which existing or proposed paths pass? If so, give names and addresses of persons and nature of interest

- Proposed path is over allotments owned by [LANDOWNER] who has consented to this diversion.

We understand the need to ensure the safety of the pupils. Threatening behaviour is not acceptable under any circumstances. However, moving this footpath will not stop bad behaviour, or youngsters trying to play on the AstroTurf pitches or trespassers. It will only penalise the genuine users. Sadly, we seem to live in an age where some people believe they have a right to do whatever they wish with no consequences.

If the current four-foot fences around the school car park is not stopping access to the pitches and the playground a four-foot stone wall will not work either.

In the statement it is mentioned the Security Report & Review (November 2021) states: "Given the sensitivity of protecting children and particularly boarders outside of normal school hours the school needs to do everything within their powers to separate the public from access to the children, particularly as they have a regulatory duty in the form of national minimum standards for boarding schools to prevent that sort of avoidable contact."

The school removed the fence that separated the path and school at the bottom of the access road. May be inadvertently by doing this they encouraged people to wander off the footpath. We hope our concerns will be considered.

Yours sincerely


Mount Pleasant residents and frequent users of the footpath

cc Monkton Combe Parish Council for reference

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 13:26
To: Tim Haynes
Cc: Bharat Pankhania (Cllr); Gerry Curran (Cllr); [REDACTED]
Subject: Public Right of Way Diversion -Monkton School

Dear Tim

Having left voicemail for the team I have now found via the Public Right of Way information on the BANES site the above application.

A great deal of public concern has been shown especially by those frequently using the existing path/pavement to access, in my case, the sports facilities at Monkton. I've enjoyed that benefit for at least 20 years!

Although not stated it would appear from the cross section A-A that the pavement will go and that the new path on the east side of the wall would be my walking access to Monkton sports facilities.

The rolled gravel path is not the best surface to cycle on and presents similar difficulties to wheelchair operators.

The 1.5 m wall will be easily scaled by those trespassers intent on doing so!

I do think that clarification of the plan would be best served by a public consultation meeting to be held prior to progressing the planned PRWD to fruition.

Respectfully yours

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 14:04
To: Tim Haynes
Subject: BC62-3

Dear Sire

I would like to raise concern about the proposed alteration to the footpath as proposed.

Firstly I can see no impact on "safeguarding" by moving the path as proposed as the wall is currently only about 2 feet high and the move is about 3 feet different in position. I expect the school will now use this to also erect a high fence enclosing the footpath.

Secondly, without significant improvement the proposed path (especially with a high fence) will make my usual walk more difficult and muddy with risks of falling and with the fence will create a much less safe route especially in the dark.

Regards

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 15:43
To: Tim Haynes
Subject: Monkton Prep School (BC62/3), Combe Down

To: Mr Tim Haynes, Public Rights of Way Team: BANES

Re: Application/Proposal Monkton Prep School (BC62/3), Combe Down

Dear Mr Haynes,

I am writing with regards to the above application and proposal of moving a footpath and most amazingly destroying an historic and ancient dry stone wall that was erected by craftsmen hundreds of years ago. I was under the impression that all dry stone walls were preserved and protected for our heritage.

According to the plans notification the said reason being for safeguarding. I was not aware that any protections under safeguarding issues were necessary in our quiet village of Combe Down.

Would you please note my strong objections to the above application and request that you save our historic wall and footpath for future generations.

Yours sincerely,

[REDACTED]

Sent from my iPad

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 15:44
To: Tim Haynes
Subject: Objection to Footpath diversion BC62/3

To: Footpaths Officer
 B&NES
 PROW team
 Lewis House
 Bath BA1 1JG

tim_haynes@bathnes.gov.uk

Dear Tim Haynes,

I object to the proposed diversion of Public footpath BC62/3 in Combe Down under Section 119(c) of the Highways Act.

for me it fails to meet the criteria listed under this legislation:

Under section 2.3.3 the diversion would be expedient only if it is judged reasonable by the Inspector on the basis that it needs to be convenient for the public. I say it fails the test of reasonableness. In section 2.3.5 it requires the test of being enjoyable to the public to be applied and that it needs to be considered whether the new way will have a detrimental effect on the land over which the diversion path is planned.

The Monkton School claims it is for **safeguarding** reasons. No one believes that this is a valid reason as there are other and better ways to secure the school grounds.

There will be continued public access on an open route to the Sports Centre. The school got planning permission for the centre on condition that it could be used by the general public, which is on a subscription basis. There is no sign suggesting that access is limited.

I object on the grounds of it being an insensitive undertaking given the world's awareness of **protecting habitat** and lowering our carbon footprint. **EVERYONE** is required to be aware and to take any action they can to be responsible about this. The old stone wall is somewhat dilapidated, partly because the height was lowered when the school created a new access road in 2012/13. That allowed for more children clambering and people stepping over it in parts. We understand it is the landlord's responsibility to maintain the wall according to government guidelines for managing dry stone walls. This wall is an example of **local craftsmanship** and also harbours small creatures and rare plant species.

I object on the grounds that the wishes of the **local community have not been taken into account**. It affects young and old, able and not very able people who use that route for exercise and access to the villages of Monkton Combe and Combe Down. The new route would restrict the available walking space and it needs to be shared with any traffic onto the allotments. Current plans suggest it will be of a rolled substance, easily eroded into potholes, with **no plans for maintenance** specified.

I object on the grounds that a historic route can be altered at the behest of Monkton School, where the people demanding such a change may have no interest in **local heritage** or preserving the local character of the old wall or the **historic gateway**.

I object on the grounds that it is a **long-distance route marked in guide books** and routes like the Palladian Way. It is an ancient route, as well as a much-loved route into the open aspect of country before it becomes hemmed in again along the rugby ground.

In passing the allotments one enjoys them with all their colour and character. I understand that the plan is to **fence in the allotments** in a move to prevent entry for all without a code or key to a gate. This is insensitive and ridiculous when we are all encouraged to grow our own food and to understand where food comes from. It will limit the way that growers can access their plots, and in addition I object that a fence will create the uncomfortable feeling of **having views restricted and enjoyment of the open space curtailed. Open access and a right of way is so necessary for our health.**

I trust that strongly felt public views will hold sway with the authorities who are there to represent us and our interests in B&NES

Yours sincerely

A solid black rectangular box used to redact the signature of the objector.

Tim Haynes

From: Gerry Curran (Cllr)
Sent: 15 November 2022 16:09
To: Tim Haynes
Cc: Bharat Pankhania (Cllr); [REDACTED]; Neil Butters (Cllr); Matthew McCabe (Cllr)
Subject: RE: Proposed Change to the Rights of Way Network in Combe Down, Bath

Dear Tim,

Following a visit to this site on Saturday with Cllr Pankhania, where we spoke with members of the public, walkers and allotment users, as well as a representative of the school, I am minded to object to the above proposed change to Rights of Way in Combe Down.

I believe this proposal will now have to be heard at Planning Committee at a future date.

Thank you Tim for the information and I look forward to hearing from you.

Kind Regards

Gerry Curran (Cllr)
From: Tim Haynes <Tim_Haynes@BATHNES.GOV.UK>
Sent: 20 October 2022 08:30
To: Tim Haynes <Tim_Haynes@BATHNES.GOV.UK>
Subject: Proposed Change to the Rights of Way Network in Combe Down, Bath

Dear Sir/Madam,

I am writing to consult you on a proposal to divert a section of public footpath BC62/3 in Combe Down, Bath.

The general effect of the proposal is shown on the attached plan.

The section of the footpath commencing from grid reference ST 7645 6243 (point A on the plan) and proceeding in a generally south-easterly direction for approximately 209 metres, along the side of the private road leading to Monkton Preparatory School, to grid reference ST 7659 6228 (point B on the plan) would be stopped up, as shown by a continuous black line. The new line of the footpath would commence from grid reference ST 7645 6243 (point A on the plan) and proceed in a generally south-easterly direction for approximately 210 metres, along the edge of the allotment gardens, to grid reference ST 7659 6228 (point B on the plan), as shown by a dashed black line.

These changes are proposed in the interests of the occupier of the land, to divert the footpath away from the school grounds, for safeguarding reasons.

The changes would be achieved by way of a diversion order made under section 119 Highways Act 1980. The new path would be created without any limitations. Two-metre wide gaps would be made in the stone wall at point A, and in the fencing at point B, to allow unobstructed passage to walkers.

If you have any comments regarding the above proposals, please ensure that they are received by the Public Rights of Way team no later than 18 November 2022.

Email: tim_haynes@bathnes.gov.uk

Postal address: PROW, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG.

If you require further information please telephone 01225 477649.

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 16:15
To: Tim Haynes
Subject: Proposed repositioning of footpath at Monkton Combe Junior School Combe Down

Dear Tim,

As a local resident who uses & enjoys this route regularly, I'm writing to express an interest/concern about the planned changes to the above mentioned footpath. In particular how this will impact and/or change the existing stone wall. This has an aesthetic and cultural role in our village.

Regards,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 17:25
To: Tim Haynes
Subject: Monkton Combe School proposed footpath diversion

I am writing to object the proposed footpath diversion from Monkton Combe School onto the allotment site. My reasons are:

- a) to make a such a change to this wall is unacceptable, the wall is part of the history of the village and not the school, and the school has no moral right to destroy its integrity.
- b) the original access gate to the allotments is likewise historic and there is no reason for it to be removed.
- c) there is a clear safety issue as the proposed shared path is too narrow to be safely shared by pedestrians and allotment holders needing vehicle access to their plots.
- d) permitting this diversion would set an potentially far reaching precedent. Schools do on occasion feel the need to divert public footpaths, but this is commonly to the edge of their own site, and fenced on their property.
- e) there is no justifiable claim that the diversion is needed to ensure the safety of the Monkton site. The school have a policy of making their site freely accessible to members of the public who are prepared to pay money into the school coffers in order to use their facilities and this access is not monitored (as a one-time user I speak from personal experience). So to claim the footpath compromises the safety of students is, to put it politely, unfounded.

I sincerely hope the council will very carefully consider the implications of this proposal and take the views of the Combe Down community into account against the wishes of an independent school, which is of course a commercial enterprise.

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 18:22
To: Tim Haynes
Subject: Objection to changes to the footpath at Monkton Combe Preparatory School BC62/3

Dear Mr. Haynes,

I am writing to object to the changes to the right of way down the drive of Monkton Combe Preparatory School on Combe Down.

- a) I do not believe it is necessary to divert the footpath other than to enable the school to exclude the public from their property, despite the public having rights to cross it. It is therefore of no benefit to the wider community to alter the existing arrangements
- b) I do not think that it will give the school any added security because the driveway can still be accessed by pedestrians from Gladstone Road/Church Road at point W and, unless the school keeps the gate shut at this point (which I think is very unlikely) cars will also be able to freely access the school. Furthermore, the school operates a sports club open to the public, which surely undermines any claim that the proposed arrangements will enhance security.
- c) If the school really wants to secure the grounds from intruders, they should consider erecting a fence on the school side of the driveway. They have plenty of land on which they can do so.

I think the school's proposal is unnecessary and not in the public's interest and I hope it will not be acted upon.

Yours faithfully,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 18:40
To: Tim Haynes
Subject: Proposed Diversion of Footpath BC62/3 Combe Down

Dear Mr Haynes,

I was dismayed to read of the proposed changes to the public footpath as described in your notice to users and would like to register my objection.

We have lived adjacent to Monkton Combe Junior School for more than 30 years. The relationship used to be friendly and open but, particularly over the past few years the school has become increasingly closed-in and restrictive.

We have watched as the Glenburnie Field has become less and less of a pleasant local space and more of a road and car park. Beside the increase in the road traversing the Glenburnie field, the school has been allowed to build a second road down to the site with yet more car parking and a large new car park to the side of the school. The volume of traffic has risen noticeably as a result.

Now the school wishes to push their neighbours further away with yet more walls and restrictions. Presumably this will also mean that allotment holders will no longer be able to gain easy access to their allotments.

Yours sincerely,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 18:58
To: Tim Haynes
Subject: Monkton Combe Pathway Proposal

Dear Tim Haynes

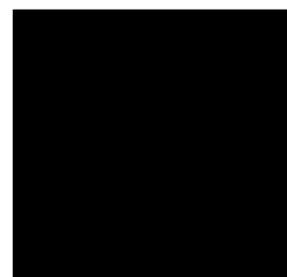
As a regular user of the pedestrian footpath alongside the allotments by the historic wall, I would like to register my profound concern at the proposals to alter the layout and access proposed by Monkton Combe School.

I hope these plans will be reviewed and reconsidered.

Yours sincerely

[REDACTED]

To Tim Haynes, PROW, B&NES



15.11.22

Dear Tim,

Re application to divert footpath BC62/3

I object to the proposed footpath diversion primarily because the basic premise of addressing the school's security and safeguarding concerns does not stand up to scrutiny. It appears to be a disproportionate and inappropriate response to the issue and one which will adversely affect the wider community.

On more than one occasion I have witnessed people climbing over the wooden gates into the school grounds at the Church Road end of the school boundary. Diverting the footpath would have absolutely no effect on such behaviour. A simpler and more obvious solution would be to raise the height and increase the security of this boundary, which is currently a fairly low picket fence. In addition "the public", or at least a subset in the form of paid members and their guests, have access to the school sports centre and so have the ability to encroach further into the school grounds. Unless the school are also planning to stop community use of their sports centre this will continue to represent a safeguarding risk without additional measures, which a diverted footpath would certainly not address. Clearly other options are possible to control access points, particularly with the use of modern technology, as evidenced by very many state schools who equally have to address issues of safeguarding their pupils.

The proposed diversion of the footpath is definitely not in the public interest. In terms of equality a rolled gravel path would not appear to be a good surface to be fully accessible and a shared path, which includes vehicular use, of the proposed width would not be safe. A path enclosed between a wall and a fence of the proposed heights will reduce the sense of wellbeing gained from walking along the current path with an open aspect. For anyone feeling at all vulnerable an enclosed path of such a length will feel very unpleasant. At a time when we need to encourage people to walk more (to support physical and mental health, and to mitigate climate change) we should be developing more pleasant spaces not aversive ones. In addition the removal of the old historic gate seems a completely unnecessary diminishment of the local environment.

The proposal represents unnecessary environmental destruction and wastage of resources, inconvenience and upset to the local community, and will not effectively address the stated reason given for the diversion.

Yours sincerely,

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 15 November 2022 20:12
To: Tim Haynes
Subject: objection to proposed relocation of footpath adjacent to Monkton Combe school
Attachments: objection1.docx

Please find attached my Objection to the above. I would be grateful if you would confirm receipt.
There is a reference to 2 photographs in the Objection - these are being sent to you in a separate email

[REDACTED]

I am a local resident and **OBJECT** to the proposal to divert the Public Footpath No BC62/3 made by BANES acting as the representative of Monkton Combe School. The application is ill judged and unnecessary. Furthermore It contains statements that are, in my view, misleading and untrue.

My objection is based on 7 elements :

1. The reasons for the application

1.1. The sole reason for the application is stated as safeguarding concerns for Monkton Combe School and a safeguarding statement is attached. The safeguarding of pupils is of paramount importance and unauthorised entry to school grounds is, unfortunately, a significant issue in society. It is a schools responsibility to tackle this and take all reasonable and necessary precautions but in this case it appears that the school has not done so. Its only proposal is to move the footpath whereas there are other alternative approaches that it could take to improve safety without moving the footpath. Furthermore it is probable that other approaches would be more immediate and more effective in improving the security of the school.

1.2 The Safeguarding Statement suggests that this issue has come to the fore over the last 12 months This is misleading as it was raised at a meeting of 12 March 2019 between Council Officers, an Allotments Association Representative and allotment holders , the Cabinet Member for Development and Neighbourhoods and the School Bursar. At that meeting the Bursar advised that a Risk Assessment had been undertaken by the school, expert advice had been taken and that the solution was to move the footpath. Following a request from allotment holders the bursar advised that he could not provide details of the risk assessment. It was, therefore, being presented as a fait accompli.

1.3. The timing of this meeting in 2019 is significant. In the Safeguarding Statement the school says that "we are always doing as much as we can to safeguard our pupils". Why then has the school not brought this issue forward for over 3 years and / or taken other appropriate action during that time? It has had ample time and opportunity to improve its perimeter security in the area of the footpath and reduce any risk of unauthorised access.

1.4. The current footpath is to the left of the access road as one approaches the school. The current security of the school grounds in this area is, therefore, set to the right of the road. **The current level of security, through the provision of a perimeter fence is clearly deficient.** It consists of a 1.2m high insubstantial wooden picket fence that a 5 year old could climb over. Furthermore at the end of this fence is a pedestrian gate (as shown in photographs A and B) which during October and early November has been unlocked and often left open! Is this really an effective deterrent? If unauthorised access is an issue in this area the school can deal with it through the installation of a higher security fence along this boundary. This is something that other local schools have had to do and would be a much more effective deterrent than moving the footpath. There is such a security fence further along the path and this needs to be replicated along the perimeter of the school facing the footpath.

1.5. The applicant seems to be of the view that moving a footpath behind a 1.5m wall will reduce/prevent access to the site. It will not – a 1.5m wall can be very easily climbed over and what is needed if there is a need to protect the site is a higher security fence. The movement of the footpath would offer a minimal improvement to security at best.

1.6. The applicant has provided no evidence to support the claim that moving the footpath would reduce unauthorised access to the school site. No Option Analysis or Impact Assessment has been

presented despite the applicant stating that they are presenting the schools preferred option. What other options have been considered and why have they not been shared with the other interested parties?

1.7. Given the above there is no real case made for the relocation of the footpath. There is no real increase in the safety of the children through its relocation. There are alternative ways that the school can improve its current level of security in this area and these would not have the detrimental impact that I have detailed below. The application is ill judged, ill founded and unnecessary.

2. The application fails to satisfy BANES Expectations For A Public Path Order.

2.1. The BANES Public Path Order Policy details a number of Additional Criteria that it expects an application to meet. There are 9 in total and the current application clearly fails to meet 7 of these including:

2.2. Equalities Impact

"Proposals should seek to improve access for all, particularly those with mobility or visual impairments".

The proposed footpath is of an inferior quality to the current one and will be more difficult to use for those with mobility or visual impairment. The danger of having to share the proposed footpath with traffic will again reduce their access. The proposed fence will reduce the current level of access that allotment holders have to their plot. ie. FAIL

2.3. Gradients

The applicant states that there is no gradient. Anyone walking the route will tell you that there is a gradient – the applicants statement is, therefore, untrue.

2.4. Maintenance

The applicant states that appropriate maintenance will be completed speedily. Given that the current wall has been allowed to fall into disrepair what confidence can we have for the future maintenance of the proposed route? Furthermore because the proposed path will be gravel and used by vehicles, allotment equipment and walkers it will need much more regular maintenance. The new fence and wall will also need regular maintenance. At a time that BANES says that its resources are very stretched there will be additional maintenance costs placed on the Council. ie. FAIL

2.5. "a new route should not introduce new hazards It should not encourage or be likely to encourage anti-social or criminal activity" "Any proposed route must take into account the safety of users."

The proposed route (be it 1.6m or 2m) clearly introduces new hazards. It is not safe or reasonable to expect vehicular traffic, allotment equipment and pedestrians to use it at the same time. The proposed surface will not be as stable as the current one and that is hazardous to those with mobility problems. Further Health and Safety issues are detailed in 4 below. ie. FAIL

2.7. Status

"Consideration should be given to establishing routes that offer increased opportunities for other users"

The proposed route does not offer increased opportunities for other users- in fact it decreases them eg. It reduces access to the allotment and reduces the opportunity for access by people with disabilities to use the footpath. ie. FAIL

2.8. Features of Interest –"the new route should not result in a lower quality or diversity of views for the user".

The current footpath is very open and has uninterrupted views on all sides. The proposed footpath will be enclosed by a wall and fence and result in a lower quality and diversity of views for the user. ie. FAIL

As the proposal fails to meet most of the Councils own requirements the proposal must fail.

3. The proposal fails to satisfy the requirements in relevant legislation and guidance

3.1. The Highways act 1980 (paras 1 and 6) states that the relocated path "will not be substantially less convenient to the public in consequence of the diversion".

The applicant has produced no supporting evidence that this will be the case. Furthermore my own objection, and other objections , provide ample evidence that the proposed new path will be significantly less convenient for the public and presents significant health and safety risks for the public (see 4)

3.2. Government Guidance issued on 29/07/22 contains Two Gateway Tests which reinforce requirements that a proposal should meet. This proposal fails both, particularly Test Two which reiterates that "the path must not be substantially less convenient to the public in consequence of the diversion" .Government Guidance also attaches importance to the need of users with mobility problems.

The proposed path expects those with mobility problems to compete with vehicular and allotment equipment traffic, has other health and safety issues, makes life more difficult for allotment holders, and so is clearly substantially less convenient for the public.

4. Health and Safety Issues

4.1. The proposed new path poses significant health and safety issues.

4.2. The proposed gravel path is not suitable for vehicles and the movement of allotment equipment. It will be easily damaged by these and consequently present dangers to the public especially those with mobility problems.

4.3. It is not safe or reasonable to expect vehicular traffic, allotment equipment and public pedestrians to share a footpath that is 1.6 or 2 m wide. It is particularly dangerous for those with mobility or visual problems. The proposal is creating an accident waiting to happen.

4.4. The proposed path, enclosed by a wall on one side and a wire fence on the other poses risks for lone walkers, particularly for women and children. It is, in effect, a long tunnel with no easy escape along its entire length. The current footpath has an open aspect and if one feels uncomfortable or threatened one has a much greater ability to "run" and escape. The proposed path restricts that possibility. The proposal hides the footpath behind a wall which reduces the ability for those using it to be seen which increases the risks to them and the opportunity for crime and anti-social behaviour. There is ample evidence that areas that are open and visible are safer for the public to use. And the proposed footpath flies in the face of such evidence.

4.5 The health and safety issues detailed above will discourage the local community from using the footpath for exercise and enjoyment. This will have a detrimental effect on health and well-being of the community.

5. Heritage and Environmental Issues

5.1. The proposal would destroy an important local heritage asset and result in an impoverished local landscape. The ancient wall and gateway are accepted by the Council and the National Trust as being amongst the last remaining true dry-stone walls in the village. The wall is believed to mark an ancient route between Bath Abbey and the Abbey at Hinton Charterhouse. When the school was negotiating planning permission for changes to its access road in 2013 BANES Public Rights of Way Officer advised Development Control that

"Public Footpaths BC62/8 and BA16/11 run through and along the site. The line and widths of the footpaths must not be affected during OR AFTER the construction."

If that was the Council's position then, and there have been no material changes to the site, why is the Council now considering a change?

5.2. Government Guidance states that you should not remove a dry stone wall, or remove stone from it, except in special case. This proposal is not such a case. Furthermore the gate and posts in the wall are of historical importance and their removal would be an act of cultural vandalism.

5.3. The proposal makes no reference to possible impact on local habitat. The construction of the new wall and fence will impact on the habitat adjoining the allotments and impact on the routes that wildlife such as badgers and deer take across the area. The proposal has no consideration for the areas flora and fauna.

5.4. The repositioning of lighting for the new route will increase light pollution over the allotments. This may drive away some nocturnal pollinators, reducing the ability of plants to bear fruit.

5.5. The new wall and fence will lead to a lower quality and diversity of view of this local heritage site for users.

5.6. The building works associated with the proposal will have a significant, detrimental impact on the ecology of the immediate area and the proposal is silent on both this, and any post construction restitution.

6. Council Priorities

6.1. The proposal is counter to priorities such as:

Bath as a heritage city

Promoting the health and well - being of the local community

Community involvement/development

The Climate and Ecological Emergencies

7. The climate emergency

7.1. BANES has declared a Climate Emergency and so it should be doing all that it can to reduce carbon impact and emissions.

7.2. The proposal to relocate a perfectly good footpath includes building a new path, wall and fence. It will have a significant carbon impact. This impact can be avoided by an alternative approach that will not only be less carbon damaging but will also lead to a greater improvement in the security of the school.

Summary

The proposal is ill judged and unnecessary. Its rationale is flawed and fails any real scrutiny. It fails to meet BANES requirements and relevant National Legislation and Guidance. It is also contrary to the Councils established position on the footpath and its current priorities.

It is the schools responsibility to deal with any Health and Safety / Safeguarding issues and not the Councils. The school can easily make improvements to the security of its perimeter that will not have the damaging impacts that this proposal would result in. The schools application shows a cavalier disregard for the impact it would have on its neighbours, allotment holders and the wider community that has enjoyed using the current footpath for many years.





Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 10:57
To: Tim Haynes
Subject: Proposed Diversion of Public Footpath BX62/3, Combe Down Bath.

Dear Mr. Haynes,

RE: - Proposed Diversion of Public Footpath BX62/3, Combe Down Bath.

My Comments regarding the above proposal are: -

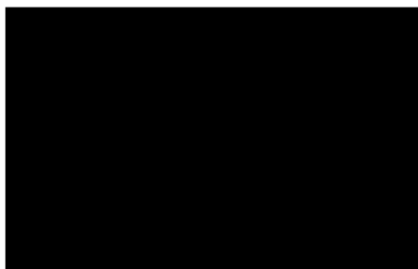
Due to the lack of design details on the plans, it is difficult for me to reach any firm conclusion on the current levels of access and enjoyment of the site.

A good design of the public space with good specifications of track, wall and fence could overcome some of the practical issues that are worrying me.

However, my primary concern regarding the above mentioned proposal is the stock-fence. The one protecting the allotment gardens from the public and their children and dogs will need to be delicately designed for the protection and safety of all and to allow the allotment plot holders easy access to their plots either walking, wheelbarrowing or by motor vehicle without undue inconvenience to the plot holders. Additional lockable access gates must be provided to access those plots that are adjacent to the fence.

Please keep me informed of the process.

Thank you,



On 31 October 2022 at 08:41 Tim Haynes <Tim_Haynes@BATHNES.GOV.UK> wrote:

Dear [REDACTED]

Thank you for your enquiry. You may find the application documents on the Council's website at the following link:-

<https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prow-legal-order-case-documents/public>

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 12:15
To: Tim Haynes
Cc: [REDACTED]
Subject: Footpath Diversion BC62/3 Consultation Objection
Attachments: IMG_20221116_064935.jpg

Dear Sir,

We would like to offer our objections to the proposed diversion to the Public Footpath BC62/3. Our comments are as follows:

School Safeguarding :

The school suggests that the diversion and increased height of the wall will address their safeguarding concerns. Their safeguarding statement says that *'the unrestricted flow of public pedestrian traffic down towards the School entrance leaves us vulnerable to people attempting to make chance visits onto site'* They give examples of experiencing *'a threatening visitor on site'*, *'youths jump the fences onto our AstroTurf pitches'* and *'people attempting to get in or make use of our play areas and open spaces.'*

The proposed footpath diversion will not restrict or prevent people from attempting to gain access to the School on foot as they imply. Access to the school will still be available to anyone along the access drive. Their sports centre is required to be open to the public by the planning obligations imposed when planning permission was granted for it, therefore public access for anyone walking to the sports centre will still have to be maintained along the existing footpath.

The diversion of the footpath will not prevent anyone from jumping the low picket fences that run along the boundaries of their playing fields or to walk through/jump the, often unlocked, gate (see photo taken 07/11/2022. 09:26am. We can provide more photographic evidence for other days it was unlocked)

The school also say that they have had *'a significant number of people wandering off the current footpath onto the School site.'* The current footpath used to have a clear turn in it at the bottom bend where it continued to follow the line of the dry stone wall alongside the rugby pitches. The school have, more recently, changed this so that the path, at this bend, now flows directly into the school grounds encouraging the user to *'wander off the path and into the school grounds'*. We have done this ourselves several times, even though we have used that footpath regularly for many years and know how it should be followed.

The school says that *'A change to the footpath route would significantly improve the safeguarding of our children, as this currently remains an urgent concern to us.'* and that they *'seek to ensure that we are always doing as much as we can to safeguard our pupils, as part of our duty of care and compliance framework.'*

The current footpath does not run through the school grounds. It runs alongside the school access road and is separated from the school grounds by this road. The school grounds where children are regularly playing are secured by a low picket fence with an often, unlocked, low gate. (as mentioned previously)

If security and safeguarding their pupils is a major concern of the school they could *'seek'* to fully secure the school grounds by erecting a higher fence around the boundary of the school playing fields. The school say that they should do *'everything within their powers to separate the public from access to the children'* as was suggested in their recent Security Report & Review (November 2021). When we suggested securing the grounds with the higher fence to Nick Alexander, the property manager/officer at Monkton School we were told that it was not an option as it would feel like they were in a prison. Looking at the vast amount of playing field bordering any fencing along the boundary, we fail to understand the concern of feeling imprisoned being of higher importance than doing *'everything within their powers to separate the public from access to the children'*

To avoid any confusion or *'wandering off the path'*, clearer direction could be placed on the current path in the form of public footpath signs at strategic points along the path. Fencing and gates on the school side of the current footpath could be another option.

Public Safeguarding :

The proposed footpath diversion has significant health and safety risks to the general public and the school children who walk to the school from Monkton Combe village and Mount Pleasant.

It would become a shared vehicle and pedestrian track. Does this mean that the footpath will actually become a restricted byway and if so, would it need to meet the recommended guidelines for a restricted byway? The proposed width of the path does not appear to be wide enough in places to accommodate both pedestrians and vehicles.

There is further concern for personal security with new allotment fencing and a higher wall creating a contained route. This route then merges with the existing fenced in footpath alongside the rugby field. This means a longer area of footpath will be created with no exit points along it. When we highlighted this concern to Nick Alexander, he said that there will be a gate within the allotment fencing and more gates could be put in. We would assume that these gates to the allotments might be locked at times, especially at night and we fail to understand why the safety of the public should be put on the allotment holders.

We also note that the proposal indicates the wall to be 1.5 metres high. It is not clear which side of the wall this is to be measured from, the current footpath is much higher than the proposed new path because of Monkton Combe School's development to the access road. A 1.5 meter high wall on the school side will create a much higher sided wall along the proposed new footpath. Currently the existing footpath is safe as it's open to view on all sides and anyone using it can be seen by people working on their allotments and people in the school grounds. Likewise, it could be said that the school children are offered a degree of security by the fact that the playing fields can be seen by passers by and allotment workers. This higher wall could be deemed as a security risk to walkers using the path alongside it.

We note the Bath and North East Council Development document for Combe Down <https://beta.bathnes.gov.uk/view-conservation-area-character-appraisals> where it mentions, under the heading of Open Space and Parks, that there are few designed open spaces in the character area of Combe Down and says 'the presence of Monkton Prep School playing fields forms a spacious boundary between village and the more open semi rural landscape beyond'. This open space is particularly important for the less able villagers to walk through and enjoy. Several elderly people in our road use the current path for their daily exercise but might be deterred from doing so if the footpath is diverted. This higher wall could close off this open space, potentially impacting on their enjoyment, health and wellbeing.

Historic Wall, Gate and Current Footpath Surface Safeguarding:

The rebuild of the wall and removal of the historical gate and pillars with in it would be a loss of local heritage assets. The wall, gate and pillars are an important landscape feature and, therefore, it should be noted that any stone removal would need to be done in accordance with the published government guidelines for dry stone walls (<https://www.gov.uk/protecting-rural-landscapes-and-features/dry-stone-walls#:~:text=You%20must%20not%20remove%20a,Walling%20Association%20for%20more%20information>) and without any environmental or ecological impact. It should be also noted that the current wall has not been maintained by the owner, [LANDOWNER] in accordance with the same published government guidelines for dry stone walls. Was the stability and preservation of this wall considered when the school created the new access road? The building of the higher level road against it must have put in under considerable strain and threat. By giving the school the opportunity to rebuild and raise the height of the wall now, is [LANDOWNER] handing over ownership of this wall to the School? What about the wall that continues along the footpath between the school's quarry land and the rugby field? Who is responsible for maintaining this? The wall does need to be repaired and maintained, whatever the outcome of this proposal, but it should be done sympathetically and sensitively in the same way that the local National Trust and Combe Grove Hotel are repairing and maintaining the drystone walls on their land.

The proposed rolled gravel track is an inferior quality to the current footpath causing inconvenience to all users. There is potential for potholes, an uneven surface and flooding. (There is, currently and historically, very wet land in the proposed location of the new route.) The current surface of the footpath is safe and easy to use, especially for the less physically able.

Allotment Safeguarding :

The stock proof fencing would be welcomed by the allotment holders in the fact that it adds an element of security from trespass, theft and vandalism. The suggested access point in the fencing into the allotments could be an inconvenience to some of the allotment holders and might be difficult to negotiate in a larger vehicle. Sadly it would become a barrier in the relationship between the local community and allotment holders as the current lack of fencing allows inclusiveness. Passers by stop to admire and show interest in the allotments. Local residents and even school clubs are welcomed on to the allotments to enjoy the environment, chat and share produce. This all contributes to the health and wellbeing of the community. We, as allotment holders, have never experienced any problems due to the lack of fencing but understand that most allotments do have secure boundaries.

The position of lighting to the new route will increase light pollution over the allotments. This lighting might drive away some nocturnal pollinators, reducing the ability of plants to bear fruit. We believe the local Horseshoe Bats might also be affected by this change in lighting. Also, if the current lights are to be swivelled over the new path that would make the current path darker for children or gym members using it. Will the school then want to put in even more lighting and further increase light pollution in that area?

Our main concerns are around the safeguarding of the lease on the allotments. We have been led to believe that, as allotment holders, we should be supporting the school's application for the footpath diversion as it might help the council to get a longer extension on the lease. The suggestion to have to support makes us feel very uncomfortable in the fact that a lack of support from us could have an

Impact on the future of the allotment site. This seems very unfair and we are upset that the allotment holders are being influenced in this manner.

Objection Summary:

As local residents, we are objecting because, overall, this proposal is

- a) totally unnecessary when there are other, more effective options available to address the schools safeguarding concerns,
- b) appears to have no consideration for the conservation of flora, fauna and geological and physiographical features,
- c) has a significant carbon impact .
- d) is not sympathetic to the current climate emergency.

Yours sincerely,

A black rectangular box used to redact the signature of the objector.



Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 12:59
To: Tim Haynes
Subject: Objection to BC62/3 Diversion Proposal

Dear Mr Haynes,

I would like to lodge a strong objection to rerouting this well-used footpath. It forms part of a daily walk for dog walkers and non dog-walkers alike, as well as providing a safe walkable route to Combe Down school as well as Monkton Combe for pupils. As I understand it the proposal is based on 'safeguarding' grounds, which is ludicrous, since the path is separated from the playground of the school by waste ground and certainly doesn't represent the only access to the school. It does, however, provide access to the allotments for local residents who would have to do a sizeable detour if coming from the Monkton Combe direction.

I hope you can appreciate the value of the path as an essential public right of way, the closure of which would bring no discernible improvement to school safety if indeed that is the reason for the proposal.

I am at a loss to how this benefits anyone.

Thank you for taking the time to read this if you have.

Best wishes,

[REDACTED] (Combe Down resident of long-standing)

14 November 2022

Ref. BC 62/3

Dear Mr. Haynes,

Re. proposal to divert PROW adjacent to Monkton Prep School.

The PROW in question is a section of the historic Monks' path that linked Bath Abbey to Monkton Combe, Hinton Charterhouse and beyond, bordered on one side by a Dry Stone Wall that is archetypal of what one would expect in an area that is designated as a 'Cotswold Area of Outstanding Natural Beauty'.

An opportunity was missed in 2006 to rebuild the continuation of this wall that forms the boundary of the Oldfield Boys Rugby Club and the footpath. Instead a metal fence was erected. On the other side of the path the low, old metal 'Estate' style fencing was replaced by an even higher fence thus hemming in pedestrians throughout the length of that section.

The current proposal threatens to extend even further the funneling together of pedestrians young and old, allotment holders with wheelbarrows, cyclists, but now with the addition of vehicles into a track of 1.6m. wide? Even 2m. is not wide enough.

The onus of safeguarding Monkton's pupils lies with Monkton Prep. If this means that the current fence that borders their playing fields needs to be raised, then sadly, so be it. The alteration of the historic footpath which includes a proposed removal of the very fine architectural feature that is the current gateway to the allotments will not stop a five year old climbing the locked, barred gate at the Church Road end of Monkton's land, let alone a group of fifteen year old youths. Anyone with malevolent intentions has only to walk ^{or drive} down the road unless measures are taken to fence and secure the Sports Centre entrance.

I therefore object wholeheartedly to the proposal that would only lead to the detriment of the open aspect of the particularly beautiful part of Combe Down that is used and enjoyed by many of the immediate community and residents, and also walkers of the Polledian Way.

Yours sincerely

A solid black rectangular box used to redact the signature of the objector.

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 14:59
To: Tim Haynes
Subject: Footpath at Monkton Combe School - relocate

Dear Mr Haynes,

I object strongly to the proposal to relocate/move this ancient footpath, part of The Palladian Way. Relocation will not serve any useful purpose, will cost unnecessary expense, will not give the school children any added security or safeguarding.

I have walked this footpath many hundreds of times, and never been treated by traffic, but just enjoyed the peaceful setting. To demolish this footpath which is hundreds of years old, is to lose something very special and historic. Please save it.

Yours sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 15:50
To: Tim Haynes
Subject: General Arrangement Drawing NPA-10479-305 Rev P02 showing details of the proposed Public Right of Way Diversion

Dear Mr. Haynes

I am writing to voice my concerns about the above proposal.

This matter has been raised over several years now and I wish to protest as I am a tenant of one of the allotment holders on the site affected.

1. If Monkton Combe School is concerned to have a barrier between the school grounds and public access, I would point out that there is already a fence which runs down the side of their grounds, with a gate to allow access for those having business at the school. If this fence was moved further to the east, it would be impossible not to allow access to the school area by non-school personnel due to the sports centre which has public membership, thus defeating their safeguarding issues.
2. In order to prevent public access to the allotment site by fencing it off to the east of the new proposed footpath, there would be a loss of vehicular access to the allotment plots. This is not used frequently by allotment holders but is essential when bringing large items onto our sites. I am a seventy-four year old woman and use my car to convey compost etc. for use on my plot. I would not be able to do this with a wheelbarrow and this lack of access may lead to my having to give up this valuable physical and mental exercise which keeps me as fit as I currently am.
3. This also leads me to point out that there are many women who work their allotments on this site, quite a few are of similar age to me, and I speak for others in saying that we would feel very vulnerable working inside a fenced area to which the public have access. In the summer we often work late into the evening when there are few other people working on the site. Maybe we deserve a safeguarding arrangement too.

Your consideration of these points is appreciated.

[REDACTED]



16 Nov 2022

PRoW
Bath and North East Somerset Council
Lewis House
Manvers Street
Bath
BA1 1JG

Dear Mr Haynes,

MONKTON PREP SCHOOL (BC62/3), COMBE DOWN

I object to this application.

Heritage

Bath in its entirety is a UNESCO World Heritage Site.

The footpath, running beside the area on which Monkton Combe Junior School (MCJS) now sits, has existed since 'time immemorial'.

It is a part of the route between Bath and Monkton Combe and can be seen on Thorpe's map of 1742.

We cannot chip away at pieces of our World Heritage Site and expect the whole to remain.

Application

MCJS state "we are always doing as much as we can to safeguard our pupils" and then note their concern about a few trespasses.

They are not instancing safeguarding.

They should refer to security.

Health and safety law requires the school to assess security risks and put in place proportionate control measures. This footpath diversion goes well beyond that remit.

To prevent the trespasses, only one instance of which seems, possibly, to be serious MCJS propose: moving the public footpath, rebuilding the stone wall to 1.5 metres and erecting a stock proof fence.

This has some problems:

- I find it hard to believe that a c 4ft 9in wall provides much of a barrier, especially to "youths (who) jump the fences".
- In addition, many people walk across the playing fields above the quarry. This has a road that links seamlessly with the road that leads to the school. There is no suggestion that this will change, so, there is no 'barrier' at all.

- The proposed fence is totally out of keeping with the character of the area and destroy an old wall and gate that really should be considered for listed status.

Combe Down is a complex and delicate hierarchy of interrelated urban spaces. Its landscape and architecture can be easily disrupted by overbearing or misinformed development. The authenticity of the area is of the essence; its preservation and enhancement must be key criteria for all development.

In summary this application contains basic errors and a dreadful proposal that will disrupt and adversely affect the character and authenticity of this conservation area.

Yours faithfully,

A black rectangular box used to redact the signature of the objector.

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 16:51
To: Tim Haynes
Cc: [REDACTED]
Subject: Re: BC62/3

Dear Tim Haynes, Re: BC62/3

I am writing to you today to raise my objections to the diversion of the current footpath. I am a resident of Combe Down, previous employee of Bath and North East Somerset Children's services (now retired), parent of two former pupils (now adults) of Monkton Combe School and member of Monkton Leisure Club.

1. The current footpath serves the community, which includes pupils of Monkton Combe Pre-Prep, Prep and Senior schools well, which the new proposed path does not.
2. The wellbeing of all children will be diminished by the proposed changes as the new pathway would be less safe, it being of an inferior surface material, narrow, isolated and closed in, would become part of the adjacent allotments and above all a shared space with vehicles. There can be no good safeguarding reason for the proposed changes. In my opinion, as a retired children's social worker, the proposals increase not decrease safeguarding risks to children and therefore consider that the motivation for these changes should raise questions about increasing risks to children and pupil safety for Monkton Combe School's Governors and the B&NES Local Safeguarding Children Board.

In summary, I consider that the proposed changes increase safeguarding and wellbeing risks to children including those who are pupils at Monkton Combe School and as safeguarding is everyone's business, I hope that my concerns and objections will be considered extremely carefully.

Yours Sincerely

[REDACTED]

On 16 Nov 2022, at 10:48, Tim Haynes <Tim_Haynes@BATHNES.GOV.UK> wrote:

Dear [REDACTED]

Thank you for your enquiry. You may find the application documents at the following link:-

<https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prow-legal-order-case-documents/public>

Yes, please send me your written objection by e-mail.

Best wishes,

Tim Haynes
 Public Rights of Way Officer

Environmental Services
 Bath and North East Somerset Council
 Telephone: 01225 477649 or (07855) 515594
 Email: tim_haynes@bathnes.gov.uk
www.bathnes.gov.uk

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 17:26
To: Tim Haynes
Subject: Proposed Diversion of Footpath BC62/3, Combe Down, Bath

Dera Mr Haynes

I wish to object to the proposed diversion of footpath BC62/3, Combe Down, Bath for the following reasons:

1 The safeguarding case made by Monkton Combe School is subjective and flawed.

- When the access arrangements at the school were re-arranged the safety assessment made for what is now the current arrangement was assessed as Good.
- The proposed arrangement will not stop the trespassing described – the rebuilt wall will be easier to cross than the fence crossings reported and school site will not be secured where the footpath crosses the school access road.
- The safeguarding case only proposes one strategy to achieve the school's aims whereas in reality there is a range of options which are not made explicit nor are their relative merits and reasons for rejection stated.
- The National Minimum Standard for Boarding Schools does not contain the regulatory duty attributed to it by the Monkton Combe School. There is therefore no regulatory case for this diversion and the Security Report and Review produced by Monkton Combe School is misleading in this respect.

2 The proposed width of 1.6m is inadequate for shared use with vehicles and doesn't comply with statutory requirements.

3 The description of the route as level is incorrect, there is a significant dip in the allotment access road that causes scouring of the unmade surface in heavy rain and very muddy conditions with ponded water at the low section which is the lowest point in the allotments.

4 The existing section of footpath is tarmac surfaced and any new route should be similarly surfaced. It ought to be noted that the safer footpath route inside the school's low palisade fence that runs parallel to the route under consideration remains largely unused because its rolled gravel surfacing and low level lighting was not installed when it was constructed. Rolled gravel is an unsuitable material where use is shared with vehicles especially when they need to make a sharp turn to access the allotments.

5 There is no scope for surface water drainage to deal with the problems outlined in 3 above nor is there any scope for such. The existing footpath crossfalls to the school access road which in turn crossfalls to the adjacent verge which acts as surface water storage and a soakaway area.

6 No provision for vehicle turning circles has been made and the gate design therefore will not work.

7 The existing site road loops through the bottom allotments so that reversing is not necessary significantly improving site safety – the provision of a single gate means that this is no longer possible and therefore is a retrograde step.

8 The barbed wire in the stockproof fencing represents a safety hazard for allotment users whose plots will be immediately adjacent to the fencing.

9 Allotments adjacent to the existing access road can get bulk materials delivered direct onto their plot – the new fence line will mean that this will not be possible for a large number of plots.

10 The new fence line and single gate will make accessing the allotments more onerous for allotment holders.

In summary the footpath diversion proposed will mean a significant reduction in provision for both allotment and public footpath users whilst achieving negligible improvements in security and safeguarding for Monkton Combe School. All would be better served if the school upgraded their existing unmade footpath adjacent to the playing field and replaced their short palisade fence with a proper security fence and left the existing footpath on its historic alignment.



Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 17:27
To: Tim Haynes
Subject: Proposed re-routing of Footpath BC62/3 Monkton Combe Junior School

Dear Mr Haynes

I wish to raise objections to the application to re-route a public footpath adjacent to Monkton Junior School. I have used the current footpath very frequently over the past 35 years and request far greater insight into the school's application, including:

1. The number of safeguarding incidents the school has recorded over the past 5 years, which may be linked to the current footpath / school driveway?
2. Sight of the Risk Assessment which I assume the school has prepared to support the proposed re-routing?
3. How, in practice, the school expects this re-routing to reduce the safeguarding risks to which pupils are currently exposed?
4. Assuming that the General Public will still be admitted to use the Sports and Swimming facilities at MJS, how does the school propose to minimise this safeguarding risk?
5. How the re-routing of the footpath prevents the General Public and school children crossing one another's paths, as pupils walk to / from the main road to the school, and the public, like me, walk from Church Rd down the footpath. (The 'safeguarding risk' would be much the same as it is now.)
6. Does the school plan to install fencing and gates to prevent the General Public mixing with the school pupils? Will these gates be monitored at all times?
7. The proposed re-routing will generate much more 'pedestrian traffic' adjacent to the allotments. Allotment holders have already experienced considerable disruption due to re-allocation of space to the Stone Quarry. Is it really necessary to cause more disruption to them? Further the proposed 1.6m width upgraded path will not comfortably accommodate both motor traffic accessing the allotments and the pedestrian traffic
8. The local community already has to accommodate having the MJS school traffic on North Road, and along what was originally a pleasant lane which over the years the school has gradually morphed into a school drive; I would have hoped that the school community would not wish to impose further impositions on the local (walking) community by re-routing this footpath.
9. The school operates under charitable status, and during school holidays, when there is minimal safeguarding risk, local families have enjoyed a measure of liberty in using the main drive to teach little children to use cycles and scooters, or simply enjoy a short, safe traffic-free walk. Is the school planning to stop all this for the long school holidays it enjoys?

In conclusion, I am far from convinced that this application will achieve a reduction in unwanted visitors on school grounds, a much more draconian plan will be required, including 2m high security fencing and security gates. These will not be in keeping with this locality. Therefore, in my opinion, this application should be rejected.



Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 17:33
To: Tim Haynes
Subject: BC62/3 objection

Dear Mr Haynes

I would like to lodge an objection to the application BC62/3 made to move a public right of way. The application was brought to my attention as I am a member of the Combe Down Heritage Society committee; however, this objection is being made in a purely personal capacity as a resident of the village and frequent user of the pathway.

(1) For many years, the public right of way has run along a pavement which is part of the Monkton Combe Prep School driveway. Only now has the school decided it presents a safeguarding problem. This does not seem credible. Unchecked public access to the school grounds will remain possible even if the plan is implemented - at the top of the driveway and through gates.

(2) The proposed works entail the rebuilding of an ancient dry stone wall, perhaps the last example of such a wall in the Combe Down village. The plan currently on the Council's website also indicates that the old stone and iron gateway is to be destroyed.

(3) The relocated pathway will have to serve not only the general public but also allotment tenants, who sometimes need vehicular access. The proposed pathway width of only 1.6m would seem to be too narrow for both pedestrians and vehicles. The proposed gravel surface is unlikely to survive continuous footfall during the wetter months of the year, and is a poor substitute for the current tarmac pavement.

I hope you will disallow this application.

Yours faithfully

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 18:11
To: Tim Haynes
Subject: Object to re route of path

I am writing to object to the re route of footpath & removal of dry stone wall along side of allotments.
[REDACTED]

Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 19:49
To: Tim Haynes
Subject: Public footpath diversion BC62/3

Dear sir

In response to the proposed Monkton School footpath diversion, I would like to strongly object to the plans for the following reasons:

In creating a barrier which will essentially be built to prevent people wandering onto Monkton School car park, the plans will create a larger 'safeguarding' issue for the general public. The footpath is well used by children traveling to and from Combe Down Primary and Ralph Allen school as well as dog walkers and Monkton Combe village residents. If there are indeed safeguarding fears then corralling the public down a narrow, unescapable path would be creating a danger for everyone but the school.

As an allotment holder I am concerned about the stock fence which appears to cut across the looped track on the allotment. Many elderly and infirm allotment holders use this track for access to their plots which would be impossible with a fence slicing through the access loop.

The proposed wall and stock fence will further narrow the wildlife corridor that links Rainbow Woods and surrounding countryside to the Midford Valley.

Yours sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 19:59
To: Tim Haynes
Subject: Objection to footpath diversion BC62/3

Dear Tim

As a long time local resident who regularly enjoys using the existing footpath, I am writing to object to the diversion of footpath BC62/3.

I object because this diversion will alter the course of an ancient footpath in our World Heritage City connecting Bath Abbey with Monkton Combe Abbey and Hinton Charterhouse Abbey. A historic dry stone wall will be destroyed, affecting habitats, and the redirection of lighting will affect night pollinators and protected bats on the allotments.

I object to the given reason for this diversion being safeguarding for Monkton Combe School, as the diverted footpath will be ineffective as a safeguarding measure. The most obvious effective way to secure the school site is to replace the low picket fence and gate with a high fence.

Yours sincerely

[REDACTED]

Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 21:34
To: Tim Haynes
Subject: footpath near Monkton Prep School

Hope I am not too late

Am very concerned with proposal to destroy the stone wall described in the notice affixed near by.

I oppose this wall being removed or altered in any way.

would appreciate being kept informed re any action being proposed

yours sincerely,

[REDACTED]

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 22:47
To: Tim Haynes
Subject: Application to footpath diversion

Dear Tim Haynes,

I am writing to object as strongly as possible to the application by Monkton Combe School to divert the footpath running alongside the allotments at the end of Church Road Combe Down. The existing wall and gate are of historic value and are important to Combe Down Village. I urge you to take all possible steps to resist this application.

Best wishes

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 16 November 2022 22:50
To: Tim Haynes
Subject: BC 62/3

I would like to object to this proposal as this is an ancient right of way.
Monkton Combe leisure club is open to the public and I would ask how the school children are safeguarded from these people.

Yours faithfully

[REDACTED]

Sent from my iPhone

Tim Haynes

From: PROW
Sent: 17 November 2022 08:37
To: Tim Haynes
Subject: FW: URGENT - TIME SENSITIVE ATTENTION TIM HAYNES Application Proposal BC62/3 Combe Down Attention Paul in Planning development.

Hi Tim,

From the PROW mailbox.
Jen

Jenny Nobbs
Technical Officer (PROW)
My work pattern is Monday, Tuesday and Thursday
Bath & North East Somerset Council
Telephone: 01225 394940
Mobile: (07980 998698)
Fax: (01225) 394205
Email: jenny_nobbs@bathnes.gov.uk
www.bathnes.gov.uk
www.twitter.com/bathnes

Bath and North East Somerset – *The* place to live, work and visit.

Please consider the environment before printing this email.

From: [REDACTED]
Sent: 16 November 2022 15:41
To: PROW <PROW@BATHNES.GOV.UK>
Cc: Development Management <development_management@BATHNES.GOV.UK>
Subject: URGENT - TIME SENSITIVE ATTENTION TIM HAYNES Application Proposal BC62/3 Combe Down Attention Paul in Planning development.

Dear Mr Haynes

As Technical Officer of Banes Public Rights of Way I am writing to you to share my deep concerns over the proposed re-routing of the public footpath adjacent to Monkton Junior School. This is a footpath I personally use a lot as do most of the village of Combe Down.

I cannot find the answers from the council site nor from Monkton Combe School to my concerns and feel strongly that I am fully in my right to have the full reasoning behind this very questionable change.

The school, in the past has not always shown a concern for the community of Combe Down and I am deeply suspicious of their motives regarding this. The local community is already absorbing the MJS school traffic on North Road, and the original lane school has is now a school drive. The school has imposed itself significantly over the past decade creating changes to accommodate its needs heedless, at times, of the community's concerns. As the majority of the village live here peacefully, walking and living in this historic village I am astounded at the lack of care the school is showing to

the people of this community in it's very questionable reasoning to destroy this landscape and its historic nature, particularly the wall.

Many others have written to you about this. I AM NOT AN ALLOTMENT HOLDER. I have heard of a very concerning conversation with the Estate manager of Monkton Combe school where he said it was ONLY the allotment holders who were making a fuss about the plans. As a member of this community I can assure you the majority of neighbours in my vicinity care and are not happy at all at the high handed way the school is behaving. The allotment has more purpose now as the affect of climate change and the pressure on finances imposed by the government are resulting in many being unable to meet everyday needs. Pensioners particularly, of which there are many in this village, are grateful for the allotment and the damage these changes will make to the wellbeing of the allotment would be, I think significant.

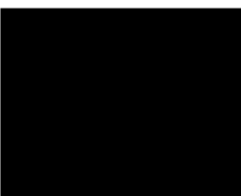
In my opinion the use of 'safeguarding' as a reason to do this does not stand up to scrutiny. I would like access to the General Public Risk Assessment as I believe there are various problems for those of us who are no part of the school who may be affected as a result of these changes. I cannot see how this re-routing to reduce the safeguarding risks to which pupils are currently exposed will actually work? As a community we need to know much more before we would consider accepting this proposal. Also doesn't the general public, of which I was one, use the Swimming Pool and other facilities such as the gym and fitness classes, to name a few? I cannot see how they can do this and, having lived here over the past 20 years, I cannot see how this re-routing of the path will in anyway help the safeguarding? In fact it seems that the re-routing of the path would not change the interaction of public and children who walk to and from Church Rd down the footpath?

A knock on effect of the footfall is the alternative way for school children and others who to actually walk to the school and Ralph Allen school, would be Shaft Road. This would increase significantly the footfall on Shaft Road and cause great concern re health and safety for all, should the change of the path happen. Due to the steepness of the banks along the sides of Shaft Road it is unreasonable to expect a child let alone adults to precariously climb the banks to get out of the way as two cars pass each other? So if this goes ahead have plans been made to create proper footpaths for pedestrians who can no longer use the existing route to their schools? When a public footpath is being rerouted health and safety steps must be adhered to as the forefront of the concern. Alternative routes must be a similar or same way of right, when an alternative route has no safe passage, leaving the general public to walk any distances along the surface of a road without pathway alternative solutions must be taken. This present solution, I am led to understand, will never be accepted by health and safety, especially where children are involved, where there is no alternative route but to walk on the road where no path is available. It is irrelevant whether it is a journey to school, or to any other destination during the day.

I am sending this to you today with the understanding that this will be included for consideration as there is a cut off date of the 18/11/2022. Can you please inform me in your reply what exactly will be happening after this? Surely a public meeting and proper explanations are needed by the village?

I am very distressed that the school has shown what feels like a flagrant disregard to the community and in a very underhanded way.

Yours Sincerely



This email address isn't working - tim_haynes@bathnes.gov.uk.

So, I have also sent this for the attention of Paul in planning, who I spoke to and the main email address for Public Rights of Way - Please can you confirm you receipt of this email. Many Thanks

Tim Haynes

From: [REDACTED]
Sent: 17 November 2022 11:04
To: Tim Haynes
Subject: Objection to Monkton Combe School planning proposal (BC62/3)

Dear Mr Haynes

Please note my objection to the current proposal from Monkton Combe School to replace the existing historic wall and gate and to divert the footpath to the other side of the wall.

The footpath has been in use as it is for at least two hundred years for local people walking from Combe Down to Monkton Combe and a such should be protected in this conservation area.

This proposed change would have a very detrimental effect on the atmosphere and outlook of this green area.

The application mentions the need for increased security to stop the public trespassing on school land and endangering pupils but presumably anyone will still be able to drive or walk down the existing road and jump the fence if they wish.

As a member of the public who regularly uses the current path, I would not feel as comfortable walking on a path behind a taller wall/fence with allotments and a stock proof fence closing me in if I was being followed by a suspicious individual.

Can Monkton not increase the height of fencing around their astroturf and have a more secure entry system at the entrance to the school?

I hope that after due consideration the proposal will be declined

Kind regards

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 17 November 2022 13:39
To: Tim Haynes
Subject: Footpath diversion

Dear Mr Haynes,

Monkton Prep School (BC62/3) Combe Down

I would like to raise an objection to the above proposal.

1. I appreciate that Monkton Prep School have a duty to keep their pupils safe, but presumably there will still need to be access for members of the public to the sports centre, as well as vehicular access for parents/visitors etc, so I wonder quite what the point is.

If people want to get onto the site they will do so even if the footpath is diverted.

2. I use the footpath twice daily to walk to work from Monkton Combe to Combe Down. I am concerned that a gravel path will not be as robust as a tarmac path and will get muddy and waterlogged in wet weather. Vehicles and buggies are likely to churn it up.

3. If the path is only 1.6 m wide and is to be used by both vehicles and pedestrians there will not be a lot of room. How will a buggy get past a car?

4. I am concerned about the destruction of the wall and the existing gates. Will the wall be rebuilt in a traditional manner by a competent dry stone waller?

Best wishes,

[REDACTED]
Monkton Combe

Sent from my iPhone

Tim Haynes

From: [REDACTED]
Sent: 17 November 2022 16:28
To: Tim Haynes
Subject: Consultation input re MONKTON PREP SCHOOL (BC62/3), COMBE DOWN proposal to divert public footpath

Dear Mr Haynes

I am writing to provide some input regarding the proposed diversion of the public footpath along the border of the Monkton Prep School grounds in Coombe Down BC62/3

While we live in the Horsecombe Vale on the other end of Combe Down we are very frequent visitors to the area in question as our children's grandmother lives at the end of Gladstone Road, and the children pass by the area in question every day on their way to Ralph Allen School and we use the path to visit friends at Mount Pleasant and on walks into the valley below. We want the area to remain pleasant, open, friendly and safe for everyone.

My comments are as follows, and some options are given below that could remedy the situation.

1. It appears unnecessary to me for the applicants (Monkton School) to encroach with any building works that THEY feel are necessary to satisfy THEIR needs (In this case safeguarding of pupils, even if as a broader topic it is recognisable as a social issue) on the enjoyment of the current and long standing arrangements by others including walkers and allotment gardeners. From the accounts of the Monkton Combe School Charity (No Charity number: 1057185) as deposited for 2021 with the Charity Commission the financial situation of the applicant looks more than healthy, and overall Monkton School has sufficient space to deal with its challenge on its own grounds and does not need to encumber its neighbours. It is reasonable to expect the school to use its own resources first.
2. As a parent of school aged children I have sympathise with the desire of the school to improve the safeguarding arrangements for its pupils, however, it should be seriously considered whether erecting a 1.5 m high and 200m + long stone wall is an effective protection against intruders, especially as it is far from where school staff can monitor it effectively. I grant that it will somewhat discourage opportunistic trespassing (which the school mentions as an issue), but a stone wall is no obstacle to someone seeking access if there is criminal intent. This will be especially true as the main entrance to the drive leading to the school will remain open for most hours of the day and into the dark hours in winter as it is required for pretty constant parent vehicle access.

As a regular observer I notice an endless stream of traffic across the day, certainly one every few minutes during low usage times, and many, many vehicles a minutes during peak times. A locked gate at the top (where the drive meets the end of Church Road and the roadway to North Road) will probably cause major unhappiness amongst parents and residents when faced with delays, queues and running motors (until everyone drives electric vehicles this will cause significant pollution and noise). The school does not reflect on any of this and does not mention how it wants to deal with the open access through the gate even if a wall is built. Safeguarding will remain an issue with the proposed solution.

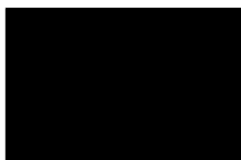
3. Currently the wall is a low drystone wall, which I understand is of historic interest and value. Building a 1.5 m high drystone wall of the proposed length will take a long time, be difficult to make stable at this height, and cost a fortune in terms of materials and labour. I doubt that Monkton School is ready to look at this option (despite its financial reserves) and will therefore build a stone but cemented wall. This would be a loss as historic drystone walls are becoming rare.
4. The allotments and its community add a lot to the area in that people, growers and visitors alike, learn how to engage with the environment and the value of food. The community should be supported and

encouraged and not made to feel beleaguered, unwanted and not recognised in their concerns by neighbours and the Council.

Here are some options that I hope might be helpful to explore to avoid a standoff between different parties who all have legitimate interests.

1. Overall people should avoid thinking about spatial planning solutions to particular challenges mainly in terms of barriers and separation. Society and communities do not gain from everyone pulling up the gates and building fortresses. It alienates and in many ways generates a greater potential for crime than a cohesive community where people look out for each other because they are out and about and take an interest in each other's safety and wellbeing.
2. My starting point would be that if safeguarding concerns exist Monkton School may wish to consider putting a gated fence roughly where the disabled car parking spaces are, to connect with the edge of the building and the fence of the playing fields. That way, with exception of access for blue badge holder vehicles and major deliveries, car traffic remains separated from the access points to the buildings and school as such, and pedestrians accessing the school grounds can be monitored more easily. This solution would also avoid all the issues associated with the current proposed alterations to the public footpath and building of walls etc.
3. However, if that cannot be agreed, and the footpath would be diverted to run on the other side of the current drystone wall, the current pavement along the Monkton School drive will not be necessary anymore. A footpath for people heading to Monkton School exists on the side of the playing fields and / or could be firmed up. The space occupied by the current public footpath could then be used to build a wall / fence to satisfy Monkton's safeguarding needs, fully on its own lands, without bothering others.
4. If a small say 50 cm gap is left between the old wall and the new wall / fence various creepers and other plants could be established to give the new wall / fence a pleasant look from the side of the allotment.
5. This way the old historic drystone wall can be kept as it is as a cultural heritage feature, even if it becomes somewhat obsolete as a visual separator. Since overall the consensus seems to be that the wall is in a bad state the National Trust could be asked to share their experiences about maintaining a drystone wall as they have recently rebuilt, and are still working on a very long one in Rainbow Woods. Council and Allotment leaseholder and tenants could share the maintenance and planting.
6. Personally the diversion of the footpath itself should in my view not be too much of an issue, if it comes to that. The space on the allotment side of the old wall is wide enough to ensure that occasional vehicles and walkers to Mount Pleasant and beyond can use it in a shared way. The proposal to make it a hard rolled gravel path sounds sensible. It should be wide enough to enable all wheels of vehicles to roll on it, otherwise you have a mudtrench on either side.
7. The decision whether the allotments need a stockproof fence could be left to the allotment tenants in consultation with walkers / residents. Currently there is no such general fence and it is unclear whether a fence is desired.
8. The allotment tenants should be supported in their work well into the future. They make a contribution to our wider wellbeing which is of significance in a period where we all need to look after the environment.

Best wishes for a good solution



Tim Haynes

From: [REDACTED]
Sent: 17 November 2022 18:06
To: Tim Haynes
Subject: Proposed Diversion of Public Footpath BC62/3 Combe Down

Dear Mr Haynes

We are writing to express our concern about this proposal. We note that the school are quoting safeguarding as a reason. If the school are genuinely concerned about safeguarding surely a better solution would be to raise the height of the fence between the road/car parks and the sports fields and improve security at the entry gate between the sports centre and the school. The proposed footpath will not decrease the safeguarding risk from traffic on the road, visitors to the school site, van deliveries, people who use the sports club/centre facilities, etc. Diverting the footpath and rebuilding a historic wall (and removing gate) seems the wrong solution to a safeguarding concern.

We note that the proposed path will be shared with motor vehicles accessing the allotments. This seems to pose a safety risk to children and adults walking on the path.

We do use this footpath regularly and having to walk beside a high wall would impact on our enjoyment of this footpath. It would also be more isolated and potentially pose an additional safety/safeguarding risk.

Yours sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 17 November 2022 19:41
To: Tim Haynes
Subject: MONKTON PREP SCHOOL (BC62/3), COMBE DOWN

Dear Mr Haynes,

I write to object to the proposed "diversion of footpath" (BC62/3).

1. It is clear that building a wall lower than the reach of most teenagers and adults will not prevent youths or "threatening" people from gaining access to the grounds. The wall will be easily climbed.
2. Nobody intent on trespassing will *need* to climb the wall, as there does not appear to be any proposed new barrier where the road leads from the playing fields' entrance at North Road down towards the school, or from Church Road down to the school. Surely people will still just be able to enter via the road.
3. I am a member of the school leisure centre. It is very easy to just walk in and enter the gym without anyone noticing. A wall is not going to change that. In order to prevent people from "attempting to make chance visits onto site", the school might do well to pay attention to the people entering its buildings, rather than erecting fairly useless barriers that negatively impact public land.
4. The wall and path have existed for a long time and should be considered part of Bath's cultural heritage.
5. It will be ugly.

Regards

[REDACTED]

15.11.22

The Footpaths Officer
BANES Council

Dear Sir

Proposed Diversion of Footpath BC62/3 by
Haukton Conde School

As a local resident and user of this path, I would like to make the following comments: -

- 1 Diverting the public footpath through the allotment field would cause significant conflict of use, as what is currently a track giving vehicle access to the allotments would have to accommodate also the ancient pedestrian route to Mount Pleasant.
- 2 The existing historic dog-stone wall and gateway, should be legally protected and properly maintained, not rebuilt into something quite different as proposed.
- 3 Building a high wall in that position would not make any real difference to the security of the school grounds, which are wide open at their entrance.

In my view, if the school wants to build a security

barrier it should do so on its own land (of which it has plenty) and not encroach on an area that is much used and enjoyed by local people.

Yours faithfully,



17th November, 2023

Mr. T. Haynes,
Technical Officer,
Public Rights of Way,
Bath & North East Somerset,
Manver Street,
BATH.

Yr. Ref. TH/BC62-3

Dear Mr. Haynes,

re: Application No. BC62-3
Diversion of public footpath in Combe Down

Thank you for sending a copy of the above proposal following our discussion.

I strongly object to the above proposal submitted by Bath & North East Somerset Council to any changes being made to the Combe Down heritage wall surrounding the allotments and the lane leading to Mt. Pleasant, to either remove and/or extend the height of this unique boundary wall. This wall is and has been loved and admired by residents, locals, families, friends and visitors for hundreds of years. A dry stone wall few of which remain today. If you chose to go against the residents' wishes then the following conditions must be sought:

1. The heightened wall must be built of reclaimed old stone to match the existing historical/heritage wall;
2. The ancient iron gate must be retained and
3. The pillars must be retained.

The issue of safeguarding the Monkton Combe Prep School pupils is spurious. Using normal visual acuity you would remove the wall completely to secure the children's safety as per the School's November 2021 Report. The proposals dated April 2019 as seen by the School's plan evidence in Council's Application - how can these proposals predate their Security Report by three years? One may consider this a cynical attempt to permanently remove any member of the public from the School's side of this wall. Why not erect a stock proof fence of 1.6m and not a wall? On such a large site why is the school concentrating on this 110m wall and path to raise it 30cm? If you look at the Independent School's Inspectorate 2018 Report, there is not one issue raised on the security of Monkton Combe Prep School site (Page 8 ISI Report 2018).

Yours sincerely,

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 11:35
To: Tim Haynes
Subject: Objection to Application to divert footpath BC 62/3

Dear Tim,

I am writing to object to the application to divert the footpath BC62/3.

My objections to the proposed footpath:

- too narrow to safely be used by allotment users and the public. Cars will find manoeuvring difficult in such a narrow space, especially when simultaneously being used by pedestrians; particularly those using a pushchair, wheelchair, the elderly or those walking with children or dogs
- the public footpath, as it exists now, benefits the population as a whole. It should not be modified to satisfy the needs of a discreet group
- a stockproof fence is unsightly and would diminish the public's enjoyment and sense of space and access which the path presently provides
- combined with the above objection, rendering and raising the height of the stonewall would create a hemmed-in, barricaded feeling. This would adversely affect the now much-understood value which the outdoors and open spaces have on the public's mental wellness
- the ancient dry stonewall is of historical value and the rebuilding of it would completely erase this. Many path users observe and appreciate the wall because of its present condition.
- the proposed diversion would erase the feel and history of the present footpath. The sense of walking in the footprints of others, of being able to pass through history, is profoundly meaningful. The proposed diversion would create a loss which could not be undone.
- safeguarding pupils in the adjacent school could be addressed in other ways, including raising the height of the school's picket fence which already exists
- cutting-off and excluding MC in the way that is being proposed would be detrimental to the school and local community's relationship. The pupils benefit from seeing the allotment sight and have had school visits to the site to learn about allotments. This good relationship is valuable to both the school and the allotment holders, worth expanding and building on. I think the proposed footpath diversion would be counterproductive to this vision.

I look forward to these and all the objections being raised at a public meeting.

Sincerely,
[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 14:17
To: Tim Haynes
Cc: [REDACTED]
Subject: Application BC62/3 Monkton Prep School OBJECTION

Dear Sir,

I am writing to register my objection before today's deadline to Monkton Combe School's request to move this footpath.

Combe Down's old miners' paths, rights of way and Drungs are extremely historic, one in particular dating back to the course of a Roman Road from the South into the city.

I see this as little more than an arrogant land grab by the School. Their justification of 'child protection' from the public by moving the footpath, is nonsensical as all and sundry actually visit the school for exercise classes and swimming. Anyone who pays can enter school premises and their car park is not 'policed'.

The existing route follows a very old, historically established pathway and is charming with its drystone wall. Moving it onto the allotments - (thus giving the Private School, Council land it would appear?) will inevitably result in another ugly fence having to go up along the revised route. The currently unfenced allotments are picturesque and testimony to people's basic decency and honesty hereabouts.

Possibly most importantly, I have seen glow-worms in this dry-stone walling on hot summer nights (July time) and fear for the environmental impact this upheaval will have on a rarely seen insect that is resident in Combe Down

Please reject it

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 15:59
To: Tim Haynes
Subject: Objection to proposal BC62/3

Hi Tim,

I am writing to object to the proposal BC62/3 in Combe Down (diversion of footpath between Come Down and Monkton Combe). I am a local resident (at 16 Gladstone Road) who uses the footpath regularly for recreational purposes, including walking, running etc, as do my family. I am a former allotment holder (not presently).

Current situation:

The current footpath is well surfaced, sufficiently wide, and useable by all users including for purposes of access (commuters in work shoes, wheelchair, pram and pushchairs) and recreation (walking, running, children riding scooters etc). The footpath is safe for users, as it is well surfaced, sufficiently lit and has good quality natural surveillance meaning users feel secure using it;

The allotment is accessible on foot and by car/tipper-van, although users have to be conscious of vehicles when walking down the track. Vehicles do not need to reverse to access or egress the site. Allotment users frequently access the north end of the allotment (by the entrance) with wheelbarrows for chippings/leaf-compost. Allotment users and public are segregated by a low level wall, providing natural surveillance and corresponding safety and security to the allotment users.

The proposal changes this baseline, to put pedestrians onto the safe route as allotment traffic. This is clearly significantly detrimental to the enjoyment (and safety) of the users of the path (predominantly) and to the allotment users who drive to their allotments (secondarily).

Safeguarding

The school's safeguarding case is presented as the need-basis for the proposed change. I find it pretty weak given that the school will remain accessible to users of the gym and swimming pool, and that anyone who wanted to gain access could still gain access. So I'm really not sure what specific risk is being mitigated by this proposal. There are several simple changes the school could make which would actually have meaningful benefit at minimum impact to the overall environment, including their own fences, securing gates etc.

I'd also note that the council has a safeguarding responsibility to all children, including those who use the path who are not pupils of the school. I'd question whether the council would be fulfilling its safeguarding responsibilities if it was to put the footpath on the same spatially constrained route as allotment traffic, as the additional dangers the council would be introducing (for example to children on scooters, such as my son) are certainly reasonably foreseeable. As a result, in addition to its safeguarding responsibilities, if it were to approve the proposal I believe the council may be imposing a new duty of care onto itself, with the corresponding legal liabilities onto the organisation and executive – I hope the council has taken suitable legal advice here.

Access

I believe the proposal to be contrary to the council's responsibilities regarding equality. As per the government guidance (<https://www.gov.uk/government/publications/inclusive-mobility-making-transport-accessible-for-passengers-and-pedestrians>, Section 15), "All path surfaces should be compact, firm and stable. Suitable materials include concrete, bitumen macadam, stone, timber, brick/paving and mown grass. Loose sand or gravel, woodchips and cobbles should not be used.". I don't believe the proposal is in accordance with the suitable materials outline, or width requirements (see below).

Specification

The specified width is not in accordance with applicable guidance, or the council's own policy. However, given that the path is for pedestrians and vehicles, I'd generally question whether the council's policy has the sufficient scope to support the decision. It's clearly quite mad to propose a 1.6m wide path for vehicles and pedestrians, when the typical width of a van used to deliver manure is 2m – 2.4m!

Nevertheless, even if it were just for pedestrians, it would not meet the council's policy. In addition, the council's policy proposes a "minimum" and does not set out the basis for applying the minimum requirement. Further guidance (which no doubt underpins the council's policy) provides further information which is pertinent to this proposal. In the government guidance document (<https://www.standardsforhighways.co.uk/dmrb/search/9b379a8b-b2e3-4ad3-8a93-ee4ea9c03f12>, Section E.1) it states that desirable minimum width with no vertical features each side is 2.6m (minimum of 2m). With vertical features above 1.2m each side, an additional 1.2m is recommended, taking desirable width to 3.8m. The minimum width, given the wall height and proposed allotment fence would be 3.2m.

I note, that there is no standard for mixing track access and pedestrians. Track access standards available include this guidance (<https://www.gov.uk/government/publications/roads-and-tracks-operations-note-25>), which provides a minimum track width for forestry works of 3.5m, not including pedestrians. This is the closest guidance for the purposes of allotments that I'm aware of, but there may be others out there.

I would therefore note that the absolute minimum width which could possibly be proposed would be 3.5m, of a suitable material. However, I would also contend that this would be insufficient for pedestrians and allotment vehicles due to safety concerns, and in particular the dangers introduced here would still be reasonable foreseeable. I'd suggest that appropriate guidance be referenced and appropriately applied which mitigates risks to pedestrians (this may need to be as wide as ~ 6m width, properly engineered and constructed, although I don't believe there is space for such a solution).

In general, I'd note that this proposal falls so far short of meeting basic requirements, that the impact on the path users would be severe.

Safety

The increase in wall height, and enclosed nature of the path heavily reduces natural surveillance, and the perception of safety (and quite probably actual safety) of the path users. In short, it could create an increased risk of crime, through opportunities for concealment, in particular around the bend in the path. The proposal introduces a very long section with no escape routes. In short, it's a muggers paradise. With reference to (<https://www.standardsforhighways.co.uk/dmrb/search/9b379a8b-b2e3-4ad3-8a93-ee4ea9c03f12>, Section 2) *"dedicated networks and facilities not only improve pedestrian, cyclist and equestrian safety, but also their feeling of how safe the environment is. This includes access to adjacent areas, sightlines, fencing, lighting, landscaping and surveillance. It also includes avoiding opportunities for assailants to conceal themselves."*

This would very clearly negatively impact the enjoyment of path users.

Other comments

I find it quite incredible that this scheme has even be proposed. At best it is a misjudgement as to the impacts this would have on the community, and at worst it shows a complete disregard and even contempt for the community in which the school is located. It is going to take an awful lot of goodwill on the school's part to undo the damage to its reputation, but it can start by publicly apologising for putting this scheme forward and by working transparently with the community to find a solution to its issues.

Thanks,

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 16:32
To: Tim Haynes
Subject: BC62/3

Dear Tim,

I am writing to object to the proposal to re route this footpath.

This would deny access to the existing path following the southerly boundary fence of the Rugby pitch and accessing the lane beyond, avoiding a diversion onto the main road.

I have no objection to the path being re routed to the side of the allotment's but only if this path can then rejoin the existing one, following the southern boundary fence of the Rugby pitch. Being away from traffic, (which is difficult in a city), has huge benefits to health and well-being. It is vital that we keep these walking green corridors.

Yours Sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 16:51
To: Tim Haynes
Subject: Re: Monkton Prep - wall/footpath

Hi Tim,

Further to our conversation about the footpath diversion by Monkton Prep, I would like to lodge the following comments.

I understand the application is primarily on safeguarding grounds, to create a greater barrier and therefore deterrent to members of the public wandering on to the site. However, the entire site on this side is already now fully enclosed by fences and gates, except for the access road drive way and car park. Pedestrians can only wander on to the road and car park which does not seem too risky, especially with sports club members, who are unvetted members of the public, doing so throughout the week anyway. I really cannot see what an additional low wall with access points would add other than a lot of work, expense, and unnecessary and therefore unwelcome change. If the access footpath has to be more enclosed, why doesn't the school make use of the parallel footpath that already exists within their enclosure down their playing field?

I have contacted the school direct to understand access to the school site by pedestrian visitors from the proposed changed bath, and they have responded that there will be a gate through in any case, further undermining the rationale for the proposal.

With thanks,

[REDACTED]

On Mon, Nov 14, 2022 at 8:54 AM Tim Haynes <Tim_Haynes@bathnes.gov.uk> wrote:

Dear [REDACTED]

Thank you for your e-mail below.

Please note that the matter in question is an application to the Highway Authority to divert a Public Right of Way under Section 119 Highways Act 1980, rather than a planning application.

You may find the full application documents within the Highways section of our website, at the following link:-

<https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prow-legal-order-case-documents/public>

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 18:21
To: Tim Haynes
Subject: Application BC62/3 Monkton Prep School

Dear Sir,

I'm objecting to this application. This walk along the old wall toward Mount Pleasant is very popular with locals and has long been a place of big skies and open aspect, and a mental health boon especially in this time of isolation and home working. I walk it daily as a break in my sedentary day, enjoy meeting neighbours, seeing the allotments and walking under the historic trees where the school has its car park. If it was fenced in, something wonderful would be lost. I do feel the argument of child protection is disingenuous - the public access the sports facilities at the school. The plans would further increase the sense of separation of the school from the village, damaging the community feel here and counter-productively the instinct for vigilance among the vast majority of decent folk who live around here. I hope it will be rejected.

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 20:13
To: Tim Haynes
Subject: Comment on Monkton School Footpath Application BC62/3

Dear Mr Haynes,

We wish to comment on the subject application as follows:

1. The existing footpath is tarmac for the entirety of its current route. The proposal will replace the Monkton School section of the path with a new 'rolled gravel' surface, which will be maintained 'as required'. This will be a retrograde step for the less abled especially for wheelchair and mobility scooter users and the proposal acknowledges that this surface will deteriorate over time, particularly as it would be dual use as a footpath and for vehicle access to the allotments.
2. The stated purpose of the proposal is to enhance 'safeguarding' for the pupils attending Monkton School. However, the actual work proposed will not achieve that objective as the Monkton School site will still remain wide open to access for visitors both on foot and by car. Furthermore, if the concerns as expressed via the application relate to youths jumping fences and accessing playing fields, then a 1.5m stone wall will not be a deterrent to those determined to gain unapproved access to the site. Hence this seems to be a futile and unnecessary exercise that will disadvantage the local community by introducing a lower standard of footpath and mixing pedestrians and allotment vehicles on the same route, rather than safely segregating them as now.

Overall, the application fails to meet its stated objectives and hence should be rejected in its current form. Monkton School would be better advised to spend their money enhancing the current fencing that runs between the access road and the playing fields and extending it towards the swimming pool, thus protecting the areas beyond which is where their pupils are vulnerable. This would allow the fee paying public to continue with unrestricted access to the pool on foot and by car.

Yours sincerely

[REDACTED]

Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 21:47
To: Tim Haynes
Subject: No BC62/3 combe down Bath OBJECTIONS. Qui bono?

No. BC62/3 OBJECTION -Qui Bono? A few notes and observations.

Strangely, the proposal/plans were completed *prior to*, and finally drawn up, on 5th April of 2019 by Pearsons. This was over TWO YEARS BEFORE the school's own *alarmist* SECURITY REPORT [November 2021] upon which this application hinges, allegedly. This must be viewed as disingenuous surely?. The School's own, [internal] Security Report cites just one incident where the police were called to the school for someone 'unknown' in the area. Yet THIS is used as the underpinning [emotional?]reason for the current disproportionate, expensive proposal? How then can this COUNCIL application *truthfully* be based on their concern for the welfare of the children [IF THE PLANS WERE PREDETERMINED AND ALREADY DRAWN UP? A cynic might surmise that an alternative covert agenda might be in evidence, as this proposal has no merit. A cursory site perusal immediately shows that the outcomes do NOT reasonably address the argument put forth by the Council and the School. It appears there might be conflation/ manufacture of specially selected factors to drive a possible, covert agenda . Namely, to remove the walking public from the historical, council owned PUBLIC FOOTPATH - onto private land . Secondly, for the school to "improve " its aesthetic approach driveway for prospective/existing parents/governors/ Independent Schools Inspectorate Officers and so on., and finally, to bring to fruition the long held desires of the stakeholders - landowners [allotments] and the leaseholder [school] in their development/building ambitions - plus the connected school's Quarry site application currently going through BNES. Presumably this application also adroitly moves the public footpath regulatory obligations [financial] away from the council and onto the allotment owner [LANDOWNER]?

Independent Schools Inspectorate [ISI] Report- Interestingly, Monkton Combe Preparatory School's own all-powerful, authoritative **regulatory** body states nothing of the kind regarding the situation and systems for the safety of the children at the school. ISI reports shows ZERO concerns, reports, recommendations nor advisories concerning onsite security for the children. Quite the contrary, in fact. The ISI findings specifically highlights the children's environment and safety, giving only **positive feedback** at the school in it's existing state. Any concerns about perimeter safety concerns would have been, rightly, robustly and expressly highlighted if otherwise. Subsequently, all parents and relative bodies etc would have been, quite correctly, alerted - with immediate remedial actions instigated. This did not occur, yet in the background, alternative aims, plans and ideas were contemporaneously being developed - allegedly to the benefit of any and all [named] stakeholders., yet at the expense of the local community ., who are affected, and justifiably concerned, at the residential amenity [and historical] loss. All this, whilst *citing* "children's safety" as a means to pass smoothly and unchallenged, through Highways Planning [footpaths] - child safety eliciting such emotive, knee-jerk reactions...

Consider the REASONING BEHIND the schools decision to submit this application which cites the BANES Council as applicant. From a common sense perspective, and using simple visual acuity, one can see that the reason behind this might be several:- To permanently move [disallow] the many members of the public on the existing footpath, by diverting them a couple of metres- illogically, and without foundation -to the OTHER side of this ancient wall, and THEREBY OFF the school perimeter margins. [The wall and its footpath is probably at least 250-300 years old and has strong local historical interest].

The application states that the council currently MAINTAINS the footpath and it's wall. Therefore, it must -*by statutory obligation*- be in a good/reasonable condition. Or the council would be in breach of it's statutory obligations. Correct? yet Conversely, their application on behalf of the school states it is not in good condition. How is this so? Is it actually true? The school has *kindly* stated it will cover all the costs...the materials and labour costs would be extremely expensive. There must be another reason for this illogical application. Qui bono?

The heritage wall does need some slight remedial work at one end but other than that, is in good condition. What the school wants is to remove and rebuild it, at such disproportionate cost.. Why??? Admittedly, the returns on the sale for reclamation purposes of the existing stone might be a windfall financial asset to the school or council finances. On the other hand, to buy **brand new dry stone material** [for a purely aesthetic upgrade for the school perimeter] would be disproportionately expensive. Plus the labour costs make this prohibitive - tens of thousands of pounds. So why do it? Qui Bono? What is the real reason for this illogical application??

The allotment landowner [LANDOWNER] has reportedly already *given* his consent, and due to the nature of that consent [refer to the allotment land's planning/development history], it can reasonably be assumed that there might be a reasonable financial benefit involved, for mutual benefit *now*.. but more importantly, with future exponential profit gains. This includes future building development on the allotment site. The new 1.6 metre wide [rolled gravel] replacement path on the other side of the wall would consequently be a great asset to any allotment land's future resubmission of development plans -vis a vis planning 'creep'. Interestingly, this also might be relevant as it links to the farthest point of this path, where the Monkton Combe Prep School has a current application proposal for 4 luxury dwellings et al, leading from the Mount Pleasant end [Parish council meeting next week - Monday, refers]

The school already allows considerable unchecked public access, including the swimming pool, on site sporting /educational events etc, which provides further opportunities for unknown individuals to enter the grounds and buildings etc by an extensive camera /monitoring service.. So HOW is this replacement 110 metre long wall [being raised by a mere 30cms] going to reasonably

Increase children's security?! Sadly, the underpinning *raison d'être* for this footpath diversion simply does NOT accord with, nor address, the school's stated objective.

What is the *actual* true REASON/ motivation for the Council to submit this application on behalf of Monkton Combe Preparatory School?? Some ideas :-

- 1] Expulsion of certain members of the walking public??.
- 2] A more visually aesthetic brand new dry stone wall to Impress the visitors on their long driveway down to the school entrance??
- 3] Mutual benefits for current/future business /financial transactions with regard to the Allotment land [house building]??.
- 4] ditto with relation to the School's 4 dwelling plans within the Quarry linking at Mount Pleasant ??

Essentially there seems no good reason to divert the existing footpath. Certainly not for the B&NES/Schools stated objective, which might appear as a tenuous smokescreen. However, should the Council Officer and committees see fit to pass this, [or indeed, not be in a position to reject the application for footpath diversion on Highways regulations] it would equally satisfy the schools aims by including certain, and appease the local community, by means of reasonable conditional instructions to achieve the school's stated **security aim**:-

- 1] [Retain the existing footpath route]. If not, the wall *could* be raised to the higher height [additional 30 cms?!] "for School **SECURITY** reasons" but the entire wall be replaced/enhanced / rebuilt with the same RECLAIMED OLD stones. It must NOT be replaced with brand new quarried stone. This would satisfy the school's stated demand for a slightly higher security wall, and also accord with locals who wish to retain the existing historical stones, by adding to it with original reclaimed stone of the exact same vintage and hue.
- 2] The original iron gate must be retained and the two existing shaped stone upstands to be resealed at it's newer, 30 cm higher level.. This will retain the important historical integrity of the wall for future generations.
- 3] Everyone agrees - Child safety is always of paramount importance. Monkton Combe Preparatory School already utilises extensive cameras etc along this approach and also throughout the site, and presumably the buildings to ensure the children's safety. The school should therefore simply **increase/upgrade** its cctv from it's current considerable system, to have 24 hour, night vision and motion sensor technology, to cover this specific, allegedly "insecure" and "vulnerable" length of footpath and wall. This is a much more cost effective solution for the school. The school also should instigate robust protocols and drills for all members of staff, visitors and children if they consider the site is a risk. or if they feel the local vicinity is in such danger/peril.

ps this a random point but why is the stated new length of the wall twice as long as the existing wall? Is it extending right down "the lane" [to the Quarry with the Planning Application in for Parish consideration next week for 4 luxury dwellings plus ancillaries -or is this a typographical error? Is it a map error, not including the full length of the footpath - currently straddled by 2 very robust security fences along this ancient footpath - the school side has a 1800mm green metal prison style fence, and the other side is the sports field which has a lower but very sturdy fence system. One can easily see the advantage to the school of having these two areas connected by a new 1.6 metre wide path... This entire plan might be an elaborate strategy to gain massive development profits in the near future by overlaying it with CHILD SAFETY ISSUES. Who knows?? and again Qui Bono? Hopefully, the Highways legislation gives sufficient powers, and is robust enough, to protect all parties' interests , and to properly resolve this unhappy situation.

Tim Haynes

From: [REDACTED]
Sent: 19 November 2022 15:40
To: Tim Haynes
Subject: Proposed Footpath Diversion Monkton Prep School BC62/3

Dear Tim Haynes,

Whilst walking yesterday I came across a notice for the above proposal.

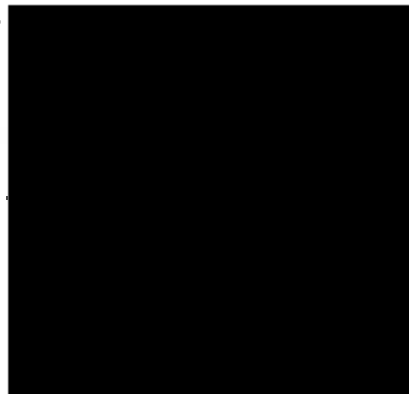
Having occasionally walked that way for about 25 years, I probably would not find the small diversion a problem or a loss.

The reason given, though I find bonkers.

I would object to any Public money being used for such a purpose, especially in the current economic crisis.

Regards,

[REDACTED]



REF: AL0015631

17-11-2022

PROW, BATH AND NORTH EAST SOMERSET COUNCIL

LEWIS HOUSE

MANVERS STREET

BATH BA1 1JG

RE: FOOTPATH ALONG ALONG ENTRANCE TO MONKTON PREST.

DEAR SIR

I AM WRITING IN RESPONSE TO THE SUGGESTION THAT THE FOOTPATH FROM POINT A TO POINT B ON YOUR PLAN.

THIS IS A EXISTING FOOTPATH THAT CONNECTS BATHING COTTAGES AND MOUNT PLEASANT TO COMBE DOWN.

THE EXISTING FOOTPATH UNDER DISCUSSION IS PLANTY WIDE ENOUGH. THE ROAD THAT IS BEING IS RESTRICTED TO 10 MPH AND IF DRIVERS KEPT THAT ROAD THE DANGER TO WALKERS IS VERY SMALL

TO FURTHER PROTECT PEDESTRIANS A BARRIER COULD BE CONSTRUCTED ALONG THE EDGE OF THE FOOTPATH TO KEEP PEDESTRIANS AND CARS APART.

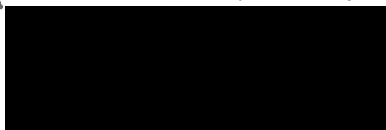
REGARDING A NEW PATH ON THE ALLOMMEY SIDE OF THE WALL WOULD CAUSE PROBLEMS FOR TENANTS BY REDUCING THE WIDE OF THE ACCESS SO AS BE UNABLE TO HAVE MANURE ETC DELIVERED OR TO REMOVE WAST MATERIAL FROM TERRACE PLATS -

THIS WOULD ALS CAUSE PROBLEMS FOR ANYONE DISABLED -

THE OTHER THING NOT CONSIDERED IS THE FOOTPATH
WHICH STARTS PART WAY DOWN THE RUDDER WALL AT
THE IRON GATE AND GOES ACROSS TO SHARP RD.

IT SHOULD BE POINTED OUT THAT THE PROPOSED RANTINE
ALLOTMENT PLOTS (WHICH HAVE BEEN ALLOTMENT FOR
THREE TWO HUNDRED YEARS) ARE TRAVANTS AND HAVE A
HUGE INTEREST AS OCCUPIERS OF THIS LAND INTO
KEEPING GOOD ACCESS TO THESE PLOTS.

YOURS SINCERELY



Tim Haynes

From: [REDACTED]
Sent: 27 November 2022 18:08
To: Tim Haynes
Subject: Monkton School footpath

Dear Tim

I am contacting you with my opinion regarding the above application.

There is no justification to move the public right of way and build a partition between it and the school, the reasoning for the proposal is to safeguard the pupils, although pupils are allowed to walk unsupervised between the Combe Down site and the Monkton site.

The open aspect of the path is a pleasure to walk down and to destroy a historic wall would be sacrilegious.

On a practical note, the proposed new road and footpath behind the new wall will not provide enough room for vehicular and foot traffic without encroaching onto the allotment boundary.

Please reject this planning application.

Yours sincerely

[REDACTED]

Tim Haynes

From: National Plant Enquiries <OSM.enquiries@atkinsglobal.com>
Sent: 21 October 2022 13:47
To: Tim Haynes
Subject: No Objection: Proposed Change to the Rights of Way Network in Combe Down, Bath
Attachments: Consultation Plan BC62-3.pdf

Dear Sirs,

New Roads and Street Works Act 1991
Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order

No Objection

We refer to the below or attached order and confirm that we have no objections

Please email Stopping Ups to osm.enquiries@atkinsglobal.com

To enable us to process your application as quickly as possible, please ensure you include Grid References.

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

IMPORTANT - PLEASE READ - Your Next Step?

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to c3requests@vodafone.com with a request for a 'C3 Budget Estimate'. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team(rg)
 T: +44 (0)1454 662881
 E: osm.enquiries@atkinsglobal.com

This response is made only in respect to electronic communications apparatus forming part of the Vodafone Limited electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK (now re-named Vodafone Enterprise UK), Energis Communications Limited, Thus Group Holdings Limited and Your Communications Limited.

ATKINS working on behalf of Vodafone: Fixed 

PLEASE NOTE:

The information given is indicative only. No warranty is made as to its accuracy. This information must not be solely relied upon in the event of excavation or other works carried out in the vicinity of Vodafone plant. No liability of any kind whatsoever is accepted by Vodafone, its servants, or agents, for any error or omission in respect of information contained on this information. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to Vodafone's apparatus and all claims made against them by third parties as a result of any interference or damage.



Please consider the environment before printing this e-mail

Tim Haynes

From: NRSWA <nrswa.nrswa@sky.uk>
Sent: 24 October 2022 12:01
To: Tim Haynes
Subject: Proposed Change to the Rights of Way Network in Combe Down, Bath



Thank you for your enquiry.

Please be advised that Sky Telecommunications Services Ltd will not be affected by your proposal.

Best endeavours have been made to ensure accuracy, however if you require further information, please contact us by email at nrswa@sky.uk.

Regards

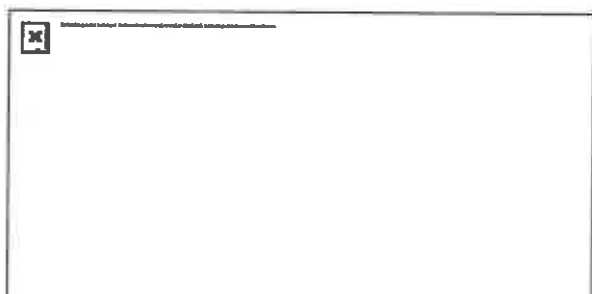


NRSWA Department
Sky UK - Technology - Operations

 nrswa@sky.uk  +44 2070323234

Richard Geary
GIS & Infrastructure Planner
Sky Technology UK Operations

*T - +44 (0)20 7032 3222 E - Richard.geary@sky.uk
SKY | 70 Buckingham Avenue | Slough | Berkshire | SL1 4PN*



Tim Haynes

From: .box.assetprotection <assetprotection@nationalgrid.com>
Sent: 25 October 2022 09:41
To: Tim Haynes
Subject: RE: [EXTERNAL] Proposed Change to the Rights of Way Network in Combe Down, Bath

Tim,

Thank you for your email.

Regarding planning application BC62/3, there are no National Grid assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Asset Protection Team

From: Tim Haynes <Tim_Haynes@BATHNES.GOV.UK>
Sent: 20 October 2022 08:30
To: Tim Haynes <Tim_Haynes@BATHNES.GOV.UK>
Subject: [EXTERNAL] Proposed Change to the Rights of Way Network in Combe Down, Bath

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Dear Sir/Madam,

I am writing to consult you on a proposal to divert a section of public footpath BC62/3 in Combe Down, Bath.

The general effect of the proposal is shown on the attached plan.

The section of the footpath commencing from grid reference ST 7645 6243 (point A on the plan) and proceeding in a generally south-easterly direction for approximately 209 metres, along the side of the private road leading to Monkton Preparatory School, to grid reference ST 7659 6228 (point B on the plan) would be stopped up, as shown by a continuous black line. The new line of the footpath would commence from grid reference ST 7645 6243 (point A on the plan) and proceed in a generally south-easterly direction for approximately 210 metres, along the edge of the allotment gardens, to grid reference ST 7659 6228 (point B on the plan), as shown by a dashed black line.

These changes are proposed in the interests of the occupier of the land, to divert the footpath away from the school grounds, for safeguarding reasons.

The changes would be achieved by way of a diversion order made under section 119 Highways Act 1980. The new path would be created without any limitations. Two-metre wide gaps would be made in the stone wall at point A, and in the fencing at point B, to allow unobstructed passage to walkers.

Proposed PROW Diversion into Combe Down Allotments site.

Thank-you for informing us of the proposed diversion. The B&NES Allotments Association represents the interests of allotment holders and leisure gardeners in the B&NES area. This note also reflects the views of the Combe Down Allotments Users Group (CDAUG) which was formed with the aim of fostering better relations with the neighbours, including the Quarry and the School.

The Council states that it will « have regard to the effect of a proposed diversion on the land affected by the any proposed new path ». It is also a material consideration as to effect on « features of interest ».

Our comments are restricted to the impact that the proposed diversion could have on the adjacent users of the allotments and features of interest associated with that use.

We understand that this consultation is non-statutory and that a further round of public consultation will be held, should the principle of the diversion be approved. We are aware that individual allotment holders have expressed their own views separately, which they are entitled to do.

The AA is concerned that there is no loss of growing area, or any other impact on the current levels of access, servicing and enjoyment of the site. This is especially important in the light of the Council's declared Climate and Biodiversity Emergencies.

The plans currently posted with the application are not of sufficient detail for us to be reassured that there will not be an effect on the use and enjoyment of the allotment site.

We have the following concerns and constructive comments to make:

At the point W on the submitted plan.

The existing vehicle access track to the allotments and the new footpath come together at this point. Is it intended that vehicles entering the allotments will still have to pass through the lockable gate and use the existing track? If so, then there is no need for this section of diverted path to be a shared surface – in fact it would be better if it wasn't as car drivers might be tempted to use the new path instead of the existing track. Some definition between the private carpark for the use of the allotments and the footpath should be considered and we would suggest a low fence with a native hedge. The allotment parking area is defined by a locked gate. Without a lockable gate, the parking area could be open to abuse. The Council does not control this land which is outside its current lease area – any misuse of it would be the responsibility of the free-holder. We suspect that he doesn't realise this.

The width and construction of the path.

There is a photograph of a gravel path in the submitted information and it is shown as 1.6m wide, which is not wide enough for vehicles, whose wheels would overrun the edge. This will quickly cause a problem as the gravel will collapse into the grass verges with wheels so close to the edge. Careful thought needs to be given to this, especially at the proposed new

gate, where there is a sharp 90 degree turn where wheels will dig into the surface. There needs to be an apron to connect the track to the shared path to avoid rutting and mud spillage. The optimum width of the shared path should be 2.5m, but this need only be from the corner of the quarry fence, as allotment vehicles have a separate track up to that point.

Proposed new gate/loss of vehicle access at point Y.

At present allotment holders and maintenance vehicles drive around the site on a narrow grass track and can exit at the bottom near the Rugby ground. Without a gate at that point, they will be forced to reverse long distances, sometimes with trailers. This is a point of concern to our members, who need to deliver heavy items occasionally.

Stock proof fence.

Whilst the allotments currently do not have a secure fence, users of the public footpath are separated from it by a good space and a low wall and intrusions are infrequent. Our concern is that on the new route, footpath users will be in close proximity to the allotments. The proposed height of 1.2m would not prevent anyone from leaning over and taking produce, throwing objects over or even climbing over. We consider that the fence should be 2m high to prevent this potential negative effect on the allotments. This fence will also block the access to at least 2 sheds and other plots which are accessed directly from the current track. The AA requests that the cost of the necessary adaptations are included in the final specification of the work.

Loss of historic allotment gate.

This gate, and its stone piers, is a local historical feature of interest and it is directly connected with the history of the allotments. This allotment site is the oldest in Bath, and was established for stone miners in the late 19th century by the Monkton Combe Parish Council, who also paid for the gate. The gate and its associated piers could be easily retained and simply fixed shut. We understand that the School are prepared to keep the gate, but must object to this part of the proposal until revised plans are published.

Re-arrangement of lighting scheme.

The Association supports the Council's Climate and Biodiversity Emergency actions and seeks confirmation that the changes to the street lighting (and any new lighting needed as a result on the school drive) will not contravene the Habitats Regulations, given the important bat habitat close-by.

Design of wall.

The rebuilding of the existing stone wall is in principle welcomed, subject to the costs (capital and maintenance) not falling on allotment budgets, which are funded directly from allotment fees. However, the Association points out that the proposed design does not match the distinctive local vernacular of Bath dry stone rubble topped by a "cock-and-hen" coping – which is in fact the type of wall to be found enclosing the school's land both along Church Street and the continuation of the public RoW immediately on the other side of the access road. The site is within the World Heritage Site and this is an important relevant consideration.

Conclusion.

We are given to understand that the School will give further thought to these concerns at a later stage, but as they stand, the plans have not been amended. The AA reluctantly must therefore raise concerns about the proposed diversion at this point in time due to the lack of information, the unresolved critical details which could have an impact on the allotment users immediately adjacent to the proposed path and the loss of a feature of high local historic interest (the 1890 gate and piers).

Jacky Wilkinson (Planning Officer B&NES AA) and Chris Pearce (Site Rep, Combe Down Allotments Users Group).

B&NES AA. 16.11.22

Comments on application to divert a PROW in Combe Down



North (from Church Road)

South (to Mount Pleasant)



Monkton Combe Prep School drive, PROW, wall and allotments

I am writing **to support the principle** of Monkton Combe School's application to divert the existing Public Right of Way (PROW) from its driveway so that it runs inside the Combe Down Church Road allotments. My support is only due to a concern for the future security of the allotments' lease which I understand may rest on the PROW diversion being successful, with the landowner in support of the School's proposal. It is subject to several questions which I ask are addressed and resolved during the consultation/consideration period.

I have lived in Church Road for nearly 20 years and experienced various planning issues during that period related to Glen Field, Glenburnie, Monkton Combe Prep and Pre-Prep, the Astro pitches on Sham Field, the extension of Upper Lawn Quarry and allotment lease negotiations. I am an allotment holder and a member of the Allotments' Association. I am a member of Combe Down Heritage Society, a parent of a former pupil of Monkton Combe School, and the School's volunteer archivist. I hope my contribution will be considered as it comes from a clear understanding of the issues related to the current discussions and a knowledge of their complex and inter-related background.

1. Inter-relationship of PROW Diversion Proposal, Allotments Lease and Quarry Extension

The proposed PROW diversion first came to attention in early 2019 when an expressed desire by the School to secure its boundaries coincided with allotment lease negotiations between the landowner and the Council, shortly after an application to extend the quarry (initially without replacing lost allotments). The inter-relationship of the three issues, combined with an implied threat to the long-term future of the allotments after 130 years and a general lack of communication between School and village, village and Council, appear to have contributed to an unfortunate level of anxiety in the community.

2. 19th century Pedestrian Gate



The School's Vice Principal has given a verbal assurance that if the PROW diversion is successful, the pedestrian gateway in the dry-stone wall that runs along the western side of the allotments, complete with its stone pillars and iron gate, will be closed but repaired and retained in its current position so that it continues to be a visible heritage asset. This is not explicit in the PROW diversion application. In August 1895 the Parish Council commissioned George Fisher, a builder who lived at 1 Oxford Place, Tynning Road, to build these stone pillars and to make an iron gate to fix between them, specifically for the allotments. He was paid £2 8s. This gateway is in regular use and is much cherished. The historic pathway across the allotments from the existing pedestrian gate is clearly marked on OS maps dating back to the 19th century.

3. Wall

Assurance has also been given by the School that the length of the wall will be rebuilt in vernacular and appropriate style, using local stone. The drawings accompanying the PROW diversion application do not show this detail. This is welcome as the existing dry-stone wall has not been repaired for very many years and is one of few such remaining in the area. Unfortunately, the level of this wall was effectively lowered when the School redesigned its drive and built an elevated tarmac pavement above the level of the new roadway. It has also been gradually robbed of stone over the years and subject to some vandalism, so is unstable in places and can be stepped over quite easily.



Height of wall



Examples of recent vandalism, repaired by allotment holders

4. Allotment Fencing and Security

I understand that the School is willing to provide whatever fencing and access gates the allotment holders may require in order to protect and secure the allotments from unwelcome visitors, dogs etc, in consultation with the Parks & Green Spaces team, the Allotments' Association and Combe Down Allotments' Users' Group.

Questions

1. Cannot the wall be repaired whether or not a PROW diversion is approved? It has not been maintained for many years and is subject to occasional vandalism, stone robbing, a height reduction, collapse etc and offers no security for allotment holders.
2. Who will pay for future maintenance of the wall, the footpath and the allotment fencing?

3. Could a situation arise in which the footpath is diverted before the School has fulfilled its commitments to rebuild the wall and provide fencing for the allotments? This would be extremely unwelcome and could result in no remedial action being taken.
4. Many of the local users of the existing PROW are elderly people, often with disabilities including a lack of hearing, who are unable to access Rainbow Woods for their exercise. There are also many local children on the path on foot and on bicycles, scooters etc. The Council has recently been consulting on enhancing cycling routes in the area, which could lead to even more cyclists using the shared path with little room to spare for safety. How will the safety of pedestrians be assured when the path must be shared with allotment vehicles and (more challenging) adult cyclists and moped users who are often careless with their high speeds and approach?
5. The path is not wide enough to satisfy requirements for a shared use path, so how will this be achieved without robbing allotment holders of plot space, allowing for a metre around each plot for access?
6. How will new access points to the allotments be decided? Will allotment users be involved?
7. How will the surface of the new roadway be built and maintained? The south-west corner of the allotments is extremely wet, and often churned up by vehicles turning the corner. The proposed surface does not appear to be sufficient to insure against damage.
8. From where will the 1.5m height of the proposed wall be measured? The creation of the new School driveway in c2014 effectively lowered the height of the wall and raised the existing footpath by over a foot. If rubble is cleared away to the wall's foundations on the allotments' side, the height measurement will be different to that taken from the School side.



Higher on the School side than on the allotment side

9. The existing Council lighting illuminates the footpath on the School's side of the wall/drive. How will this be managed? Will there have to be yet more lighting installed, with the implications for wildlife disturbance, light spill, energy use etc? The school has just installed low level lighting across Glen Field, much to the surprise of local residents who did not see any planning notice posted.



Existing light posts

10. A public waste bin which was always sited at the end of the footpath where it converges with the drung to Mount Pleasant was removed approximately a year ago. A new concrete base was installed, but the Council has since told local residents that it is not responsible for installing a new bin and that it was the School that had asked for the bin to be removed. This seems odd as the Council was regularly clearing the previous bin. As a result there is increased littering of the surrounding area, particularly by dog walkers. When will this bin be reinstated on the PROW and will the School allow the Council to access it for maintenance?

Background to the complex issue of the PROW diversion/allotment lease

In 2018, planning permission was granted for an extension of the Upper Lawn Quarry operations, resulting in the loss of 12 allotments at the north end of the Church Road site. The original planning application did not offer any replacement land. Following a campaign by allotment holders and others, permission was granted subject to a condition that the quarry operators must create 12 replacement plots before any new quarrying could begin.

In December 2018/January 2019, Combe Down's then local Conservative Councillor let it be known that the landowner was drawing up a new allotments lease which would also provide new allotments on the paddock of Shaft Road/St Winifred's Drive. This gave a welcome extension on the one year rolling lease to a five year lease, but with a six month notice period. However, the landowner was removing from the renegotiated lease access to the allotments via the pedestrian gate in the western wall as well as the northern vehicle access gateway to the allotments from Glen Field, and the land inside that gateway on either side of the existing trackway. This would effectively cut off the allotments to vehicle or pedestrian access in future should he choose to enforce the terms. Access to the allotments would only be granted from Shaft Road/St Winifred's Drive. This was said to be in support of the School's wish to secure its boundaries.

Closing the existing two access gates to the allotments would isolate the allotments entirely from Combe Down village and would place the plots outside the required national statutory walking distance for access (960 metres or 20 minutes for the majority of users). It would exclude many allotment holders from their plots and goes against all moves to reduce traffic movement and pollution in Bath.

The Council immediately stopped mowing the land either side of the trackway, confirming that it was no longer within its allotment lease so it had no responsibility to maintain it.

In January 2019, in anticipation of the new five year lease in which the existing access gates would be removed, the Council made a planning application for a new vehicle gate to be installed in the paddock fence off St Winifred's Drive, to allow future access for allotment holders (19/00116/REG03). This application was objected to by the residents of St Winifred's Drive and was eventually withdrawn. (There continues to be a pre-existing access gate to the paddock directly off Shaft Road, to which allotment holders are entitled to have a key.)

As part of the new lease arrangements, part of a field between Oldfield Old Boys' rugby club, Shaft Road and St Winifred's Drive, which belongs to the same landowner who owns the allotments and the quarry, was leased to the Council so that the 12 lost plots could be reinstated. This field had once been village allotments before it was separated from the lease and turned into a paddock some years ago. The replacement plots were created during 2021.

It was understood that the landowner also agreed that the Council could make further allotments on the rest of this paddock, in addition to the 12 that the quarry was required to reinstate. However, the Council has never proceeded with these additional plots, on the grounds that at 5 years with a six month notice clause the lease is too short for the investment in a new gateway, access road, paths and water to be worthwhile.

In March 2019 two public meetings were held at the Hub to hear directly from the Council and from the School about proposals for the re-siting of the footpath and proposed change of access to a gate from St Winfred's Drive. The first meeting was for residents of St Winfred's Drive who strongly opposed the new entrance gate. The second was for allotment holders at which it was made clear that the landowner supported the School's proposal for a PROW diversion and would withdraw the allotment lease if the allotment holders did not agree to the School's proposals.

As a result of these meetings, the Combe Down Allotments' Users' Group was set up at the request of the local Councillors and the School's Bursar to respond to the School's proposals in the most positive way possible, recognising the implied threat to the future of the allotments. The Group met several times over the next year to discuss and offer possible solutions which would satisfy both the School's objectives and allotment holders' concerns. Letters were sent to the School with suggestions for the most appropriate treatment of the allotment boundaries which included accepting the PROW diversion, but no reply was ever received. Other positive proposals for the allotments were made to the Council, in the hope that a more positive outcome could be achieved from future lease negotiations, including a community orchard, but there was little response.

Combe Down's peaceful and productive allotment sites are integral to Bath's working-class social history. Developed for the villagers who quarried the stone that built the beautiful World Heritage city, these unassuming local green spaces are easily forgotten amongst Bath's world-famous buildings and crescents. Nevertheless, Combe Down's simple allotment gardens have played an important role in the life of the village for more than 150 years. The crops they have produced and the social interactions they have encouraged have sustained a community for generations.

Local Green Space Designation Removed

In 2015, the Allotments Association successfully applied for Local Green Space designation for the Combe Down Allotments, which are sadly neither in the Green Belt nor the Conservation Area. However, on 11 October 2016, Lisa Bartlett, Divisional Director of Development, in consultation with the Cabinet Member for Homes & Planning (Cllr Liz Richardson) decided to remove the Local Green Space Designation during the examination of the draft Placemaking Plan for Bath. According to local Councillors, the decision was not discussed with Ward

Members. It is understood Ms Bartlett decided the change was necessary to ensure that what she saw as two conflicting designations (Mineral Safeguarding and Local Green Space).

The land occupied by the Church Road allotments site, together with a part of Monkton Combe School's playing field off North Road (Glen Field), plus all of Oldfield Old Boys' Rugby Club as well as the paddock off Shaft Road, are encompassed by the Council's *Minerals Safeguarding Policy M1*. This means that that none of this land can be developed in any way that would stop stone from being extracted at some point into the distant and unspecified future, if economically required. This would appear to rule out, for example, any future development on top of the land that would interfere with future extraction.

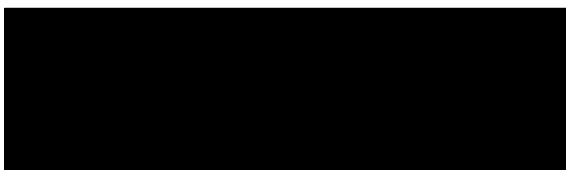
The Council's *Minerals Allocation Policy M2* defines an *Area of Mineral Search* which encompasses part of Glen Field and some, but not all, of the allotments site, but not the paddock off Shaft Road.

In an email to me dated 14 November 2016 Ward Councillor Cherry Beath noted that *"whilst designation as Local Green Space has been removed the allotments are still protected under the Allotments Policy which requires that any proposal for mineral development would need to ensure that suitable and equivalent allotments are provided in an area that is accessible to the community."*

Conservation Area Character Appraisal

The Council's Conservation Area Character Appraisal for Combe Down, May 2018, notes: *There are few designed open spaces as part of the Character Area. ... At the junction of Church Road and Gladstone Road on the eastern boundary of the Character Area, the presence of Monkton Prep School playing fields forms a spacious boundary between village and the more open semi-rural landscape beyond.* The allotments and the open aspect across the school are considered by the Council to be fundamentally important to the area's character and should be protected.

Despite this, the many actions noted above have given the impression over the last decade or so that the villagers of Combe Down are being slowly squeezed out of the amenities that they have enjoyed for over 130 years.



Tim Haynes

From: [REDACTED]
Sent: 18 November 2022 22:47
To: Tim Haynes
Subject: Re-routing of the public footpath at Combe Down Allotments

Dear Mr Haynes,

I'm writing in broad support of Monkton School's wish to divert this public footpath subject to certain provisos. Before expanding on these I would like to comment on the reasons given by the school for wanting to do this – safeguarding their pupils and discouraging occasional intruders to its site. Whilst this is commendable there are more effective ways of achieving this. The School is completely fenced from Church Road along the entire length of its site. The one access gate to the School is controlled by a security entrance linked to Reception. A simple (and cost-effective) reinforcement of this boundary is all that is required. When done the school would no longer need to concern itself (if it does) about changing the current unchecked public access to its swimming pool and gym as a further safeguard, the two parts of the school being isolated from one another.

As it stands the proposed PROW diversion will not resolve the safeguarding issues. There will still be general access to the School along the drive and the footpath which will be retained for anyone who wishes to intrude. An open aspect, whereby members of the local community are able to maintain a visibility and awareness of what is happening along the School's boundaries, would surely continue to be a useful discouragement.

However the current proposal could have advantages for Combe Down providing

1. The drystone wall which runs from the end of Church Road to the end of the allotment site is rebuilt in vernacular style before the footpath is re-routed. Its rebuilding has been offered by the school and I am anxious that this is not kicked into the long grass.
2. The allotments are protected from intruders, theft and vandalism by appropriate fencing with access points for allotment holders. This has also been offered by the school. Long grass concerns apply.
3. Vehicle access to the allotment site from the end of Church Road is maintained
4. The historic pedestrian gate situated in the drystone wall is repaired and conserved, albeit sympathetically blocked.
5. No allotment space is lost when the work is completed.

There are many other issues around this proposal not least of which is the air of distrust and speculation which has arisen because of the failure by key players and our democratic representatives to engage with, and respond to, stake holders from the village and others.

I wish you well in dragging this to a conclusion!

[REDACTED]

Tim Haynes

From: Monkton Combe PC <clerk@monktoncombepc.org>
Sent: 22 November 2022 17:52
To: Tim Haynes
Cc: [REDACTED]
Subject: RE: Application - Monkton Prep School (BC62/3) Combe Down
Importance: High

Tim,

Footpath / Bridleway / Restricted Byway* No. BC62/3 - PUBLIC FOOTPATH DIVERSION

Monkton Combe Parish Council considered the application to divert this path, located in the Parish of Combe Down because a number of our Electors have raised the matter with us.

The footpath in question forms a continuous tarmac surfaced footway from our Parish, linking Mount Pleasant and beyond, into Bath with a wholly accessible path for wheelchairs and other mobility aides.

We therefore consider that the Surface of Rolled gravel, for the New Path to be provided, is inappropriate as it is not 'at least as commodious' as the existing path. In particular, it is much more prone to potholes and ruts, particularly if it is also occasionally used by motor vehicles accessing the Allotments. This falling is acknowledged under **Paragraph 6 e – Maintenance** of the application, and it is not acceptable that liability to maintain the path falls to B&NES Council, and that users should have to endure potholes and ruts until such time as they can be reported and subsequently repaired.

Therefore the diversion of the path should only be allowed if the landowner and applicant undertake to construct this new path to the same standard as the existing path, with a tarmac surface or equivalent.

We also ask the Applicant and B&NES Council to satisfy themselves that this new path will not be compromised by any implementation of **16/05548/MINW - Upper Lawn Quarry, St Winfred's Drive, Combe Down, Bath, Bath And North East Somerset, BA2 7HR - Extension of quarry and variation of restoration strategy and period of extraction up until 2035**. As the proposed extension does appear to encroach very closely to this new proposed route.

Yours sincerely

Geoff Davis
 Clerk Monkton Combe Parish Council