

Effingham Residents Association (EFFRA) object to the closure, temporary or otherwise, of public footpath no. 75.

## Background

The Howard of Effingham School owns three playing fields, and makes use of a fourth. These are:

1. Browns Field – this field is fenced on all sides, with access via locked gate from Browns Lane, Effingham.
2. GBC field – this field is located adjacent to the school buildings, with a hedge on its southern and eastern boundaries. The field is located in Guildford Borough Council (GBC). Access is from Lower Road, the School, and MVDC field.
3. MVDC field – this field is located on the eastern side of GBC field, with Little Bookham Church on its southern boundary. The field is located in Mole Valley District Council. Access is from Public Footpath 75, Lower Road, and GBC field.
4. King George V playing fields – these fields are owned Effingham Parish Council and managed by Effingham Village Recreation Trust.

Note the names GBC field and MVDC field have been invented for ease of reference.

## Consultation

The School undertook an informal consultation on the temporary closure of the footpath. EFFRA published this consultation on its website on the following pages, along with the formal notice.

<http://effinghamresidents.org.uk/proposed-closure-of-public-footpath-75>

<http://effinghamresidents.org.uk/history-of-footpath-75>

<http://effinghamresidents.org.uk/effra-does-not-support-temporary-closure-of-footpath-75>

<http://effinghamresidents.org.uk/application-for-limited-closure-of-footpath-75>

<http://effinghamresidents.org.uk/ramblers-use-of-footpath-75>

And also on its Facebook page at <https://www.facebook.com/EffResident>

These posts have proved to be of great interest to a large number of residents, and has been widely shared on social media, and many comments received. The post regarding the proposed closure of the footpath has been the most widely viewed post, attracting a record 28 comments.

## Reasons for Objection

1. **Health and Safety.** There is a real risk of death or serious injury to people who have to take alternative route due to the closure of Public Footpath No. 75. There are only two alternatives available:
  - a. **Manor House Lane detour.** From the south, the detour is along Footpath 73, past All Saints Church, and then down Manor House Lane to Lower Road. The section down Manor House Lane is dangerous to pedestrians because the road is narrow, and requires pedestrians to walk in the road.
  - b. **Church Street detour.** From the south, the detour is along Footpath 118, through St Lawrence Church graveyard, down some steps into Church Street, on a bend. This is a dangerous part of Church Street, as there is no pavement, requiring people to walk

in the road on a blind corner. The detour continues down Church Street to Lower Road. This detour is approximately 1.16km long.

Currently there is also a narrow permissive footpath running along the western boundary of the Howard of Effingham School to the private road, Effingham Place. EFFRA understands that the intention of the landowner is for the permissive footpath to be closed permanently.

2. **High usage.** Public Footpath No. 75 is used on a daily basis, during daylight hours, by Effingham residents, Little Bookham residents, as well as ramblers traversing the wider footpath network. The closure of the footpath will have a negative impact on local businesses such as The Vineries, and church goers, such as mothers with prams and toddlers. Given the duration and times of the closure this will be an effective permanent closure of the footpath for several years.
3. **Increased Air Pollution.** People who want to access local businesses or the Church via Footpath 75 who would normally walk, may seek alternative means of transport, such as by car, as they deem the alternatives routes too far or too dangerous. This will increase congestion and pollution. Increased air pollution can hardly be considered as beneficial to pupils of the school.
4. **Duration of closure.** The new school is likely to take two years to build once planning approval has been given. Given the complexity of the planning application, and the many issues that will need to be resolved, such as construction traffic, etc, this could easily take a year. Given that the initial planning approval for the new school was outline only, the developer will need to develop the detailed plans before submitting them to GBC for approval. The developer is likely to have only started work on the detailed plans in late March 2018 when the Secretary of State announced his decision on the planning appeal. Whilst the School has stated it would like to in the new buildings by 2020, this has not been agreed by the developer. It is likely that the duration of the closure would be at least three to four years.
5. **Times of closure.** The hours 7.30am to 6pm are not the times when the pupils of the school will be using the playing fields. Most pupil leave the school at 3:30pm in the afternoon.
6. **Arbitrary closure.** The closure of the footpath during the school holidays is completely arbitrary. Users of the Public Footpath will not have prior warning when the footpath may or may not be closed.
7. **Impracticable closure.** The proposal is to close Footpath 75 along its entire length by the installation of lockable gates. However, this is impracticable, as the southern half of the route is across a field belonging to the Church which is fully open on its southern boundary. The School has no reason whatsoever to close the footpath on Church lands.
8. **Inconsistent policies.** The school uses the King George V playing fields for some of its activities, where the general public are free to walk across the fields. However, the School has deemed that the risk is so great from the general public that they must be prohibited from accessing the public footpath that runs across their land. If the risk is so great (and we don't agree that it is), then the school should not be using the KGV playing fields.
9. **Historic Right of Way.** Footpath 75 is an ancient footpath to All Saints Church. Historically the footpath used to run across the middle of MVDC field to form a direct route from Dunglass Farm to the Church (as shown on the 1873 Ordnance Survey map, surveyed 1869). At the beginning of the 20<sup>th</sup> Century, the footpath was moved to its present route to run along the eastern side of the parish boundary between Effingham and Little Bookham. This was well before the Howard of Effingham School was built on its current site, as clearly shown on 1936 Ordnance Survey map.

10. **Known Constraints.** When the School purchased the MVDC field, they were fully aware that there was a public right of way across the field. The School removed part of the parish boundary hedge to enable access between the MVDC and GBC playing fields. On the ground the bank from the hedge is clearly visible, as well as old tree stumps.
11. **Negligible Risk.** Over the last ten years there has been no incident where the police have been involved. This would strongly suggest that there is currently a negligible risk to pupils and staff from criminal activity. This suggests that the closure of a public footpath is unwarranted. However, if the School feels the risk is significantly higher, then why have they failed to report the incident to the police?
12. **Failure to maintain Footpath.** The entrance to Footpath 75 from Lower Road has become overgrown, so consequently people are forced to walk around the hedge and enter footpath 75 from the GBC field side.
13. **Failure to maintain southern boundaries.** Until early 2018, there was large gap in the hedge on the south-east corner of the GBC field. With the signposts at both ends of the footpath been hidden by vegetation, people have become confused of the route of footpath 75. This gap was well used, whereas the other side of the hedge where the footpath actual runs was less well used. The school has now installed a fence with a gate at this section of the hedge.
14. **Failure to maintain northern boundaries.** The pavement on the southern side of Lower Road, which runs from Manor House Lane terminates at the parish boundary, and members of the public have to cross the road, and continue on the pavement on the other side of the road. At this point there is a gate that is usually left wide open. The appearance on the ground is that the footpath continues along the southern boundary, as it is tarmacked, and runs along the northern edge of GBC field.
15. **Failure to signpost School land.** The School has failed to erect any signs whatsoever in the areas of GBC field and MVDC field that state that these are School property, and private. No doubt this has caused some confusion with residents with the KGV playing fields been so close by.
16. **Failure to explore alternatives.** The School has made no effort whatsoever to find alternatives to the draconian closure of a Public Right of Way. There has been no effort whatsoever to properly mark out the route of the footpath, by signs, fences, or anything else. We totally fail to understand why some fence could not be erected that would clearly show the route of the Right of Way, and still permit pupils and staff to freely move between the two playing fields. This does not need to be some high security fence, but could simple be just a series of posts.
17. **Won't solve problems.** Whilst it is regrettable that the School has experienced problems by a tiny minority up to mischief. The proposed solution will not solve those problems, and will just move the problems elsewhere on the school boundaries. For example, a group of youths waiting on the footpath.