

Rutlish report Appendix 4

Representations in opposition to the proposed partial closure of the gates

Email from resident of Windermere Avenue, copied to Councillor John Sargeant, 23 June 2016

Email from a local resident to Councillor Peter Southgate, 18 June 2016

Letter from resident of Wilton Grove and member of Pedestrians Association/Living Streets sent to Councillor Martin Whelton, 30 June 2016

Letter from the John Innes Society, 28 June 2016

Email from member of Merton Croquet Club and resident of Grand Drive, Raynes Park, 8 June 2016

Email from a park user, 28 June 2016

Letter from Merton Croquet Club, 19 July 2016

Letter from resident of Leamington Avenue, 24 July 2016

Letter from Merton Park Ladies Bowls Club, received July 2016

Email received through "GetInvolved" 20 July 2016

Email received from local resident, SW20, 24 July 2016

**Email from resident of Windermere Avenue, copied to Merton Park ward
Councillor John Sargeant, 23 June 2016**

Subject: John Innes/ Rutlish School Path Closure

Dear Sirs

The above consultation is flawed on several counts:-

- The information given, implies that the path crosses the School Site. This is incorrect as the School crosses the footpath. Several people have said to me that they did not realise the path is on Rutlish property.
- I would refer you to your own website for the history but in precis you clearly state that the the Park and Recreation Ground, along with the connecting path, was bequeathed to the residents of Merton after his death in 1904. The School was not built until 1958. Much of the original brickwork remains.
- I know of no reported attacks on Schoolboys in this area and yet you slant your questions in such a way that can only suggest that by disagreeing one cares little for security of the pupils.
- The School have a Police Constable on site every day. If the School are so concerned about safety surely his experience can be utilised as well as a more visible presence as a deterrent.
- The Consultation itself is loaded in favour of closure and does not ask for reasons as to why it should not be closed.
- No alternative is given and yet a footbridge would be simple, non-controversial solution. More expensive to construct but in the long term, with legal expenses, cheaper

I hope that you will take these views into account but as the Dundonald Recreation Ground consultation proved, any objections from Residents are futile.

Thank you

Submission by email to Councillor Peter Southgate from a local resident, 18 June 2016

1. It is reasonable to assume that the path running through from the John Inness Recreation Ground towards Mostyn Road to the John Innes Park was established as a public right of way during the time that John Inness created Merton Park before his death in 1904.
2. He left most of the grounds of the Manor House to be converted into a public park for the benefit of the residents of the parishes of Merton and Morden.
3. He left his home, the Manor House, the Manor Farm and its grounds for the establishment of what became The John Innes Horticultural Institution which was founded on the site in 1910 and left the site in 1945.
4. Rutlish Junior School relocated to this site in 1953 even though the buildings lacked heating and the rest of the school relocated into the new build school off Watery Lane, from Rutlish Road in 1957.
5. As the walls either side of the footpath are original and are inside the Conservation Area it is reasonable to assert that the footpath existed before the school and was used as access by the public as had been envisaged by John Innes.
6. To assert that the footpath creates difficulties for the school to safeguard the students and staff is questionable as there is no evidence offered to prove the reality of this statement.
7. Closing the footpath at 08.00 am and 05.00 pm seems rather excessive as the school day is from 08.30 am until 03.30 pm which will inconvenience all staff and students who arrive or depart outside of these times.
8. As there is no other pedestrian access to the school site, closing said public footpath would deliberately restrict access to the school which would inevitably cause more foot-traffic on already overcrowded and dangerous road ways.
9. The proposal makes no mention of the other schoolchildren who use the path daily to get to their schools, or the commuters and other users who would similarly be required to divert onto these congested roads at this time.
10. Knowingly putting the aforesaid people at unnecessary risk could have serious legal implications should any incidents occur as a direct result of such an action.
11. Rather than securing the area, closing the footpath would restrict emergency access to and egress from the site.
12. It could potentially concentrate large numbers of pupils and staff in a confined area which could be severely disadvantageous in an emergency situation.
13. The idea of closing the path has been tried before when it was decided to install and close a metal gate across the footpath to the gardens when the other gates were shut to stop people using the path at night. This did not work and resulted in the gate remained open as are indeed the other gates to the park and gardens – on the grounds of public safety.
14. The exact timescale over which various works have been done to ‘secure’ and restrict other casual pedestrian access to the school site through what had been open gates – where they existed – etc. is a matter of record and has already caused a greater footfall along the path than before the new buildings were created.
15. There is a danger that closing off a public footpath and thus public access to the public park and playing field during the day by locking both gates on the footpath adjacent to the school would send out entirely the wrong message to the local community and other members of the public in the area as well as being potentially counterproductive.

16. I am unsure how the staff now patrols the school at break and lunchtime but as they have a duty of care, if the Police are concerned about security then they could patrol the area as they do the local shops at break and lunchtime or have direct CCTV surveillance with face recognition.
17. Unauthorised access or egress to and from the site by the boys will continue to happen even if the all the gates to the park and gardens are closed as they will simply continue to go over the wall at the back of Awkward Road or simply walk through the front or rear access to the school or find some other way.
18. The only secure alternative to closing off the public footpath is to reinstate the plan for a dedicated footbridge from the science block across the footpath to the other site as had been planned when the new buildings were built.
19. I believe that this bridge was not built as the contractor ran out of funds.
20. Such an undertaking today would have to take into account all the work that has been done on the site the exact location of such a bridge would be a matter of consultation and logistics but a covered walkway is viable and gives the school the opportunity to lock its gates to the footpath which will stop undesirables just walking into the school at a stroke.
21. Health and Safety requires that emergency procedures be put in place to cover the safe evacuation of the premises to a safe assembly area, in an emergency.
22. If a fire alarm is set off there can be no option but to vacate the premises by the shortest and safest route available.
23. The same principle applies to emergency evacuation in the event of a potential bomb threat, only in this case the assembly points must be as far away from the buildings as possible.
24. These evacuations may occur by accident, design or be the real thing but evacuation is the key to safety, not locking people in.
25. It is interesting to note the statement to justify the argument states that there have been a series of bomb hoaxes at a number of schools in the borough.
26. It begs the basic Health and Safety question, 'What is the probable risk?'
27. How many hoaxes have been found to be real events?
28. Was the bomb squad called out to any of these events?
29. Were the Police deployed?
30. How many other schools have public footpaths running through their grounds?
31. It also begs the question, 'What would happen if a bomb was placed or thrown into a restricted area from which there was limited opportunity for escape for the victims but nothing to stop the perpetrator escaping?'
32. The current presumption is that closing the footpath would make the area more secure, I would contend that it could pose a greater threat to life and limb than the status quo.
33. It is proposed that the closure of the footpath Monday to Friday only during term time: what about Saturday and Sundays when the school is in use for other matters such as sport or event in the school?
34. I have restricted mobility; I do not use the park daily but enjoy a stroll when I can.
35. Closing the footpath would require me to walk further than I can without severe discomfort or drive around the block to park.
36. I am not alone in being a casual user; it is a public place, a place of special scientific interest owing to its history with John Innes and a valuable local resource.

37. I can find no real evidence to support the proposed restrictions to full public access to an established and historic public footpath, only etheric anxieties unsubstantiated by fact to support this paper exercise.
38. Draconian measures do not necessarily solve problems or improve quality of life.

Transcript of handwritten letter to Councillor Martin Whelton from resident of Wilton Grove and member of Pedestrians Association/Living Streets

I strongly object to this proposal. Pedestrian rights of way are extremely important in principle. This is a valuable shortcut between Cannon Hill Lane and Mostyn Road – as well as providing a recreational route.

There is no evidence whatsoever that the Rutlish pupils are being endangered. The reference to a bomb scare is both spurious and irrelevant. Many schools operate on split sites. If locked gates are considered necessary the pupils should be issued with swipe cards.

Rutlish pupils are not small children. They are independent travellers who arrive and depart from school along the public highway. Why should the police and Rutlish Governing Board imagine that the boys are any more endangered by the users of the park?

I am writing this letter on behalf of my late husband who for many years represented the pedestrian interest on Merton's transport committees.

Letter from Dese Child, Co-Chair of the John Innes Society, 28 June 2016

Dear Ms. Regan,

re: Consultation on Rutlish School and John Innes Park and Recreation Ground.

The Committee of the John Innes Society has considered the proposal for a partial closure of the part of the park that runs between the two sections of Rutlish School and our majority view is that there should be no closure as proposed.

Our reasons are as follows

- 1) Although used as a path, this land is actually part of the Park, which is protected by the Innes Covenants, and we would oppose any application to have them waived. When the school expanded it would have taken into account their two sites would be divided by the Park path, and if that presented a difficulty then a bridge over the Park should have been included in the building project. It was obviously not seen as a problem and circumstances have not changed. The risk is perceived - not proven. Closing this part of the Park would be in breach of covenant and would greatly inconvenience and possibly endanger members of the public who use it as a safe passage to avoid the traffic in Watery Lane, sections of which have no pavements.
- 2) Our majority view is that recent hoaxes, being just that, have not made any difference to the situation. No evidence has been provided that a school on separate sites is at any special risk. There are many such schools (e.g. Eton, Harrow, Marlborough) operating from different sites, and no one is suggesting they are unsafe even though some of their pupils could well be targets for abduction.
- 3) Anyone who really wanted to carry out an attack at Rutlish School would have no difficulty with access even if the Park path were to be closed. The school has numerous access points which are not capable of being secured including the alleyways behind houses alongside the playing fields and token boundaries between the John Innes Park and the school.
- 4) Learning to live with risk and being aware are all part of education. Daily, millions of people use the public transport systems or cycle on our roads, and have to assess the risk every time they do so. We think the gates which are already in place, allowing lock down if thought necessary, are quite adequate. They arose out of the last public consultation and in our view it has not been shown that anything has changed since.

Yours sincerely,

Dese Child - Co-Chair.

**Email from member of Merton Croquet Club and resident of Grand Drive,
Raynes Park, 8 June 2016**

Re: proposed closing of footpath in John Innes Park

I am a member of Merton Croquet Club which is in John Innes Park. I live in Grand Drive, Raynes Park, and walk or cycle to the park almost every day. As has been pointed out, the path running from John Innes Recreation Ground towards Mostyn Road provides a direct pedestrian route between John Innes Recreation Ground and John Innes Park and has been enjoyed by local people for many years.

This path does not cross the Rutlish School site. The path was there long before either of the two sites of Rutlish School was built which are on either side of the path. If, therefore, the open access to the school site, afforded by the footpath, increases the possible risk of harm to both students and staff, it is for the school, or the Council to provide an answer to this problem, not the people of Merton, to whom the park was bequeathed.

If the Council is considering a proposal to allow the school to close the gates at either end of the footpath between 8am and 5pm, Monday to Friday, this would seriously impact my life. I would have to take a car to drive to the park, which would add to congestion on the roads, cost me money, and adversely affect my health, since I would miss out on my walk. I strongly object to any suggestion that my rights should suddenly be withdrawn because plans regarding the school buildings have not been thought through properly. If the safety of the schoolchildren is a concern, the children should be kept on the school premises with the doors shut throughout the school day.

A further point is that for pedestrians, the pavements they would be forced to use, if this path were shut, are not suitable either for prams or for disability scooters. Is the safety of babies and the disabled to be sacrificed simply because the school is not able to lock its doors?

Email from a park user, 28 June 2016

Subject: Footpath that runs between the recreation ground and John Innes Park

I use the footpath daily at least 3 times and two of those times are during school hours.

I am very angry that the school is trying this trick yet again. I have asked the Head Teacher why they do not close the gates on either side of the footpath during school hours and open them when lessons end and the pupils need to go from one site to the other. I was told that it was inconvenient.

It is INCONVENIENT for all of us who regularly use the main footpath. The footpath predates the development of the school. I have monitored its use over the last month, since you put the notice up. Each day there are more than 50+ people of all ages who use it. Many are women with toddlers. If you close the gates, they would have to go along a lane that has no footpath on either side with cars coming round corners without warning. Will it take the death or injury of a child to make you see sense?

I have seen students from Rutlish School regularly climb over a gate at the side of the school playing field and then climb over a wooden fence into a lane that leads to Aylward Road. Security is a joke. We regularly see students smoking in John Innes park rather than attend classes. Me and my friends are of the opinion that this planned closing of the gates at either end is about keeping pupils in school rather than keeping potential bombers out.

If I wanted to plant a bomb on the school site, it would be a breeze. The gates between the two sites are left open all evening and on Saturdays and Sundays. I could walk in unchallenged, plant a bomb somewhere and walk away unchallenged. Even if the gates were closed there are many places that are not secure where someone could gain access to the school. What do you intend to do about that - put barbed wire all the way round - mount lookout posts with guards and guns. Get real!

Don't punish us because of the stupidity of the planners who built the school in such a stupid way.

It is a much loved walk by all of us who use it and we DO NOT WANT IT CLOSED

Letter from Merton Croquet Club, 19 July 2016

Response from Merton Croquet Club to the proposal to close John Innes Footpath

1. Public Amenity

The John Innes Park, Recreation Ground and the Footpath were opened to the public in 1909 and established by the trustees, of the John Innes Charity. They were transferred by way of a deed of gift to the District Urban Council in 1949 as a public amenity. The closure of the footpath may breach rights of way and covenants laid down by the donors of the land. The park currently holds a Green Flag award of which the public is rightly proud. Is it possible that closure of the path could affect this recognition?

At the time of the previous proposal to close the footpath the Council consulted with lawyers about the legality of closing the path, which is a public right of way. They claimed that the park pathway used to be closed in the past, about 11 years ago. Residents in the area can give evidence that this is not the case. The footpath has never been closed in daylight hours during the past 40+ years.

2. Impact on Croquet Club members and local residents.

The closure would have a severely detrimental effect on members of Merton Croquet Club. More than 50% of our members live on the SW side of the park and use the footpath regularly to access the Club. A number of our members are elderly and frail. The Croquet Club is a vital part of their lives, providing companionship and physical activity. Some would find it difficult to access the Club at all if the gates were closed. It would encourage people to come to the park in cars, increasing problems with already limited parking facilities.

The impact of closure would affect the wider public. The footpath is used regularly and all year round by parents with buggies, dog walkers, people with mobility difficulties and those wanting to take exercise in a safe environment. It is a safe route for pedestrians to use facilities on either side of Merton Park (e.g. to access shops in Wimbledon and the station in Wimbledon Chase, to access the tram etc.)The entrance from Aylward Road is the only SAFE step free access to the park from the Cannon Hill Lane side for people with buggies mobility scooters and wheel chairs and is regularly used in this way. If the gates were closed then the only access would be via Cannon Hill Lane where there is only one footpath on the opposite side of the road, and Watery Lane where there is no footpath. This would create a risk to the public, which is far more real than any potential risk to the pupils and staff of the school.

Closure of the gates could cause serious problems in the park. Who would be responsible for ensuring that the gates are opened at the correct times? Any failure to do so could lead to members of the public being stranded in the tree covered pathway in the evening without an immediate exit, leaving them feeling most vulnerable.

3. Concerns for the future of the park

There is also great concern about possible development creep. Once the gates are closed on a regular basis then an argument could be used that the right of way is diminished and the school might then fully enclose the site preventing any access for the public. This would result in a most serious loss of amenity for the general public and must be prevented at all costs.

4. Safeguarding and security

The Croquet Club recognizes the concern for the safeguarding of pupils and staff of the school. However there has been little evidence of the school's regard for pupil safety over the years. The school has multiple entrances which are kept open all day. Pupils are to be found wandering around the park and locality at lunchtimes and other times of the school day.

Have there been any incidents affecting the safeguarding and welfare of the pupils as a result of public access to the path? Local residents are not aware of any. In the previous consultation the school quoted some incidents of intruders in the school. However they did not indicate how these intruders had accessed the premises. There was no evidence that they had come in via the pathway.

The bomb hoaxes were not directed at this school. Closing the footpath is an overreaction and does not take into account other risks to local residents.

Having members of the public regularly using the path is a deterrent for troublemakers. Lone pupils would be more vulnerable if the path was no longer in use by the public. It would be easy for an intruder, wishing to make trouble, to access this area through hedges and fences. Having the general public around is a form of protection.

5. The school and the local community

In the past, the school's relationship with local residents has been extremely poor. (This is likely to be reflected in responses to the consultation.) We acknowledge that recently there has been evidence that the school is attempting to remedy this. Attempts to stop littering of the cricket field at lunchtimes are having an effect. It is positive that some students are involved in the planting and maintenance of the new trees around the cricket pitch.

Does the school now want to further sour public relations by closing the path? A more constructive approach would be to develop serious school policies to promote positive relationships between the school and the locality.

6. The consultation and democratic rights

Our rights are being restricted in this consultation process. Reports including the police report are not available to the public. The Police Report is the key document in support of the application. It is both unsatisfactory and undemocratic that this is not available to the public as part of the consultation. How can the residents respond to the public consultation without access to all the essential facts? Although some reasons have been given for non disclosure relating to paragraph 7 of part 1 of Schedule 12A of the Local Government Act 1972, these do not justify the complete non disclosure of information in the early stages of the consultation. It is understood that summary information of the police report may be made available to be included in papers to the Cabinet Committee. This is far too late for residents making a response. The process of this consultation is flawed and we understand that any decision made by cabinet in this situation could be subject to judicial review.

7. Solution

The simple and most effective solution would be to make the school's own gates on either side of the footpath more secure and fit them with key pads. Students and staff would then have access to both sites whilst maintaining necessary security in the area of the footpath. Many schools, even primary schools, successfully operate such systems. Also many schools around the country have split sites, which cross public paths and roads. They do not need to take such extreme measures.

8. Conclusion

The footpath has existed as a local amenity since 1909 long before the school was developed on two sites. The reasons given for closure are based on conjectured safeguarding issues. No account has been taken of the safety and well being of the local residents and park users. No real consideration has been given to less draconian and simpler solutions. Closure may also breach public rights of way and the covenants of the original donors of John Innes Park.

The members of Merton Croquet Club are strongly opposed to the closure of the footpath in John Innes Park.

Ann Barry, Secretary Merton Croquet Club, 19th July 2016

Representation received from two local residents

As residents in Merton Park my wife and I object to this application to close the right of way and footpath linking the two public amenities of John Innes Park and John Innes Recreation Ground during school hours.

The partial closure of the footpath is a disproportionate response to the perceived, but regrettably “unknown” safeguarding/security issues.

It should be noted that on part of the council’s website it refers to the footpath running through the grounds of the school. This implies that the public have access through the school grounds by some right; this is not accurate. The footpath is not part of the school grounds rather the school grounds run either side of this footpath which is on public land in the ownership/trusteeship of the London Borough of Merton.

We make the following observations with some knowledge of safeguarding issues for children in that I have been a part time High Court Judge for over 16 years dealing with amongst other matters children’s welfare and safety. Also I am President of The UK National Safeguarding Panels for Sport. My wife was Head of the Specialist Advisers to the Foreign Office where one of her responsibilities was the overall charge of safeguarding of British nationals abroad. We therefore have a very wide, extensive and vast experience of children’s safety, welfare and the safeguarding. Such matters often have to be balanced against other matters including the wider public rights and interests. Children’s safeguarding is not something which trumps or over-reaches all other considerations. This is especially so when other reasonable measures can be taken to safeguard children from the risk of harm.

The Consultation Process

The police report is clearly fundamental to the present application. The police do not have a monopoly on safeguarding or security matters or opinions and to accept their opinion as the correct one may be very misleading. There are many other experts who may take a very different view. Have any such experts been asked to report?

This process being carried out by the council is potentially flawed in law. The police report has not been published either in its full form or in a redacted form. Therefore, without seeing this document it is impossible to comment either properly or authoritatively on the proposal for closure of this footpath.

Without knowledge of the way in which the police may have reached and expressed an opinion on the matter local democracy through transparency and openness cannot operate adequately on this planning matter where an important document has been kept secret from consultees. The report should have been published, at the very least in a redacted version, as part of the consultation process. Although a reason has been given for non-disclosure by virtue of paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 this cannot be accepted at face

value as a valid reason for total exemption of the police review. That relates to action taken or to be taken in connection with the prevention, investigation or prosecution of crime. There is no investigation or prosecution of a crime advanced; the reason can only be for the prevention of crime. But no crime has ever been committed or threatened on this footpath by a third party towards a pupil or member of staff. Therefore is there no actual evidence to on which to base "prevention of crime"; it is speculative. Further, it is important to note that in relation to all exemptions under paragraph 7 it is necessary in addition to apply the public interest test. The public interest test here is the closure of a footpath which has been in existence without any closure for over a hundred years and was donated to the council for the public to have use. There is a major local public interest which must outweigh a speculative criminal incident. If non disclosure is persisted with that decision may have to be the subject of judicial review proceedings.

The Public Amenity

1. The rights granted over this footpath to the general public were first laid out in the grant of the land to the local authority over a hundred years ago. Its closure would remove the rights the original donors of the land intended. It may also breach rights of way and covenants laid down by the donors. Have these been checked and with what result? Importantly this public amenity existed before this school was developed on twin sites either side of the footpath.
2. The footpath links two significant public amenities available to local residents and other visitors to the area. To our knowledge the footpath has never legally been closed at any time in the past. It should not be underestimated how much these two amenities mean to local residents; they are really one and the same and provide a large and contrasting landscape with garden on one side and an open space on the other for all manner of daily activities. This amenity would be seriously impeded for a significant part of the year to local residents, during the school day at times when the locals would most likely be using them. This brings a huge loss of enjoyment to a whole area and Merton residents.
3. Over and above this impairment, those local residents who are disabled or infirm and those with mobility scooters or pushchairs, would be severely impeded from accessing the recreation ground at times of closure. At the moment once in John Innes Park, which does not have access problems, they can walk or manoeuvre on level ground all the way through to and around the recreation ground. They would lose this means of access to the recreation ground. Their only potential access to the recreation ground would be near the pavilion near Cannon Hill/Aylward Road. All others have steps up to the ground. This entrance is at the very furthest corner and is not easily accessible to anyone of the above users who reside on the Merton Park side as there are barriers in place at the end of Watery Lane and Manor Gardens.

4. The footpath provides the most direct access from Mostyn Road to Cannon Hill and Wimbledon Chase areas and vice versa. It would entail local residents having to use a longer and less pleasant route between the two areas. I like many other local residents use this footpath to walk to through the John Innes Park to Wimbledon Chase and the shops and the local train station. Partial closure during school hours would disrupt many local residents who take this route to Wimbledon Chase Station. Many residents do the same, others residents use it to walk their dogs between the park and the recreation ground where they are exercised, to access the recreational facilities of the park and as part of their exercise regime.

Other Means of Security

1. Many schools all over the country have buildings on separate sites and pupils have to pass over public footpaths, roads, open grounds and areas to which the public have direct access. This they do on a regular daily basis without problem. The principle advanced here by the school would set a very serious precedent for many other areas and schools.

2. The security concerns of the school can be overcome by other methods without closure of the footpath. A bridge over the footpath or a subway under it to link the two parts of the school could be constructed and the school gates which open on to it permanently closed and locked save in an emergency.

3. This would give pupils and the staff access to the two sites without having to keep the gates open or to walk over the footpath. This would then meet the concerns of locals not to lose an established and valued local amenity and the school's concerns for greater security.

No History of Breaches of Security caused by this footpath

1. The strength of this application by the school is seriously diminished by the absence of any known serious security or safeguarding incidents at this school arising from this footpath reasons for partial closure are speculative and contingent. The proposal is designed to avoid a future incident only, an incident that may never happen, not to meet experienced known threats.

2. The bomb threats are not linked to this footpath's current use. They were understood to be directed at another school but even if they were not would lead to an evacuation of the entire school and not be resultant on this footpath.

3. The school has multiple entrances many of which are kept open all day and area more obvious security risk than two small gates along this footpath.

4. The school pays little regard to the safety and welfare from perceived security threats as it allows pupils regularly to be outside school premises during the day wandering around the streets, park and recreation ground.

Development Creep

1. What guarantees are available to ensure that if the footpath is closed there is no future development creep by the school. Who is to say that the next move would not be to annex the footpath and/or recreation ground as part of the school premises on safeguarding grounds? The next step possibly could be to completely enclosure of the whole area of the footpath by walls to make it entirely part of the school and never available to local residents on the basis of an argument of diminished usage by local residents.

Local Relationship between the school and local residents

1. Although schools must be located in residential areas little is done to contain or reduce the disruption already caused to local residents by this school's presence. The closure of this footpath even if only during school terms, would be yet one more difficulty for which local residents have to contend with which arise from the school's presence.
2. There are other safeguarding and security concerns about their pupils' arrival and departure which the school should address. There is virtually no proper or adequate supervision to attempt to reduce this. When there is a complaint or when there is an application of this nature a member of staff sometimes appears at the exit from the school on to Mostyn Road at the end of the school day to supervise pupils' departure; this lasts for no more than a few days. It is by no means a regular feature.

3. By way of example during school terms local residents experience:

[i] A constant stream of cars dropping off and picking up pupils right outside the school entrances, or as near there to as cars can get. They have been seen to even drop off across private driveways and on a private road, Church Path. When kit and other equipment has to be unloaded or loaded this can take quite sometime.

[ii] There is constant parking on Mostyn Road near the school entrance and across residents' driveways more particularly at the end of the school day, sometimes for as long as an hour before school day ends. This parking occurs where no parking is allowed and even where it is allowed payments are rarely made for the parking.

[iii] Cars dropping off or pick up then often engage in doing turns in Mostyn Road and in residents driveways; this itself is a safety issue of some seriousness to pupils as well as residents and other road users.

[iv] Rowdy and unsupervised behaviour from pupils around the school exits with pupils entering local residents gardens and driveways and even playing ball games.

[v] Constant litter on the surrounding streets, thrown over into local gardens or stuffed into hedges. There are far too few litter bins near the entrances and exits to the school.

**Transcript of handwritten letter received from resident of Leamington Avenue,
24 July 2016**

Re: public consultation on proposed closure of footpath between Rutlish School and John Innes Park

The justification given is the safety and security of Rutlish School pupils. If the pupils' safety were likely to be enhanced by the proposed measure, then the inconvenience to the public of (partially) closing the path could be justified; but it seems to me that making Rutlish School physically more secure would require much more drastic measures which would be likely to make the pupils, parents and local residents more miserable in order supposedly to diminish a very unlikely threat. Such measures would heighten tension and perhaps make it more likely that an imaginary threat would become real.

Presently there is easy public access to the school along its whole frontage by Watery Lane. Closing the John Innes footpath would not increase security unless access to the school by Watery Lane were also restricted. A high fence would need to be erected to supplement the school's present low brick wall, to leave only the two official entrances facing Watery Lane. These entrances would also need to be made secure, i.e. those entering and exiting would need to be verified by electronic or human means (even scanning or searching). The vulnerable hidden side of Rutlish at its boundaries with the Bowling Club and the park would also need to be made secure. Lastly, the entrances in Mostyn Road would also need to be secured by pedestrian-proof and vehicle-proof security gates.

Perhaps plans for all these measures have been or are being prepared. Without them, (partial) closure of the John Innes path where it goes between the two parts of the school would be quite futile. With them, the school would arguably become more secure, in the same senses in which a prison is more secure than a country house.

Is this what we want for our youngsters? Is this the psychological atmosphere with which they are to be given a liberal education?

Thinking of trying to make schools, hospitals or homes physically 'secure' already gives way to the handful of unbalanced, attention-seekers who have always existed but who are now given publicity and even 'celebrity' status. We play into their hands if we restrict our own freedom for the sake of vainly striving for an unobtainable security. Surely the way to answer them is by carrying on calmly as usual and preserving all the freedoms, including that of lawful movement, which our ancestors have built up over so many generations and maintained against worse threats.

Yours sincerely...

Response from the Merton Park Ladies Bowls Club, received July 2016

We are not completely sure of the nature of the security problem for the pupils of the school. They are free to use the whole area on their way to and from the school, at lunch time and are often seen in the park during the morning or afternoon when one would assume they would be in lessons. The time of 8am to 5pm also seems excessive when the pupils leave the school at approximately 3pm. When arriving or leaving the school at the end of the day do they all have to enter from the Mostyn Road entrance? We understand that there are pre-morning school lessons and after school clubs but surely they are supervised by staff in a dedicated area, so why would it still be necessary to keep the gates locked? The path in question has been there since the park was opened in 1909 and is probably classed as a right of way.

There is a wide age range in the community and closing the path would require members of the public and pupils to take a more dangerous route to the Rutlish School, the local primary school, the local church and the bowls, croquet and tennis facilities within the park. There are also many residents who have to use wheelchairs or mobility scooters and also mothers with young children in buggies. For people coming from the Aylward Road side the path is the only access to the park that does not have steps or kerbs to negotiate.

There are 4 lockable gates, 2 on each side of the footpath; one or both on each side could be fitted with key pad locks on the school side so that it is a simple operation to allow pupils to pass from one building to the other or to leave the premises.

The John Innes Park has been in existence much longer than the buildings for the Rutlish School. Why was no provision made at the time of construction for the security now being requested? One such option would be to have built a bridge from one building to the next.

The Council and the Park Staff are very proud of holding a Green Flag status but I imagine closing a public path could negate that award.

As members of the public and users of the John Innes Park's facilities we are concerned at the attitude of some pupils at times. During the afternoon there are some pupils on bicycles who hurtle down the path, around the edge of the Croquet Lawn between the shelter area and the lawn and straight out in to the Car park. We are waiting for an accident to happen.

The members of Merton Park Ladies Bowls Club are strongly opposed to the closure of the footpath in John Innes Park.

Margaret Plastow, Captain of Merton Park Ladies Bowls Club

Email received through "GetInvolved" 20 July 2016

Subject: Closure of footpath between John Innes recreation ground and John Innes Park

I am very concerned about the proposed closure of the path.

There were bomb threats earlier this year. The school has gates on either side of the path at present. WHY HAVE THEY TAKEN NO ACTION SINCE THE BOMB THREATS. Why are they waiting for this consultation to go through? Surely if there was a supposed threat to students then the school should have put measures in place. So why are the existing school gates always wide open during school time, during the evenings and during the weekends?

The school is just being vindictive towards local residents. They have gates already TELL THEM TO CLOSE THEM

The school obviously doesn't see the risk as being very serious otherwise they would take measures now.

My friend asked the head teacher why the existing gates were not closed and was told that it was 'INCONVENIENT' Well it is bloody inconvenient to those of us who use the path two or three times a day to have our access denied. There is a covenant stating that there should be a right of way and that the footpath should NOT be closed, so why are you even considering it.

Email received from local resident, SW20, 24 July 2016

Subject: Footpath John Inness /Rutlish School.

Hello,

I have been a Merton resident for nearly 45 years, and went to Rutlish school .I hereby lodge my objection to closing the path to pedestrians as this would cause a great deal of inconvenience to anyone accessing the park from canon hill lane .In my time this was a popular way of "bunking" of school, and I am wondering if this is one of the "security concerns". I feel this is very unfair to regular users of the park especially those of an elderly disposition who are the most frequent users of the park.

Regards