

**Rights Of Way Committee**

**20 October 2015**

**Highways Act 1980 Section 118B and 118C**

**Highways Act 1980 Section 119B and 119C**

**Highways Act 1980 Section 25**

**Southwater: Proposed diversion of part of Public Bridleway 1642, extinguishment of part of Public Footpath 1650 and creation of public bridleway over part of Public Footpath 1650 and Public Footpath 1651**

**Report by Director for Highways and Transport**

**Executive Summary**

A request has been received for the diversion of part of Public Bridleway 1642 and extinguishment of part of Public Footpath 1650 which currently run through the grounds of Christ's Hospital School. The School has concern that continued public use of these paths presents it with security and safety problems. It has recorded a number of incidents arising from use of the paths that have caused a danger or have been threatening or intimidating to staff and pupils. The School has a duty under various statutes to safeguard and protect both pupils and staff.

The application for a special extinguishment order is made under the provisions of Section 118B and 118C of the Highways Act 1980 as amended by the Countryside and Rights of Way (CROW) Act 2000. The application for a special diversion order is made under Section 119B and 119C of the Highways Act 1980 as amended by the CROW Act 2000. The proposal to dedicate bridleway rights is made under Section 25 of the Highways Act 1980. Members are requested to refer to paragraph 4.3 and 4.5 of the "Guide to the Law for the Rights of Way Committee".

The School proposes to divert the existing bridleway onto a route largely around the edge of the School playing fields. This would allow the School to install fencing and hedging so as to clearly separate the public from the playing fields. The new route would in part be achieved by upgrading existing footpaths to bridleway. The proposal is also to extinguish a section of path that would be left within the School grounds as a cul-de-sac if the existing bridleway is diverted.

The School has submitted a log of incidents of indecent behaviour, harassment, alarm, distress and other risk to the health and safety of pupils and staff from the public; see Appendix 1.

The relevant legal tests are set out in paragraph 5 below.

### **Conclusion**

From the evidence submitted by the School it is the case that incidents of threat to pupils and staff have occurred, also incidents of theft and anti-social behavior. The School has also considered other measures that could otherwise be implemented but has concluded these are not practical or reasonable. It is considered that the legal tests are met by this proposal – see paragraphs 5.3.3 and 5.4.9.

### **Recommendation**

That, following a reasonable period to allow the Parish Council to respond to the consultation and subject to consideration of that response, the Director of Law, Assurance and Strategy be authorised to :

- a) make a special diversion order for diversion of part of Public Bridleway 1642 under Highways Act 1980 sections 119B and C;
- b) make a special extinguishment order for part of Public Footpath 1650 under Highways Act 1980 sections 118B and C;
- c) enter into a Public Path Creation Agreement under Highways Act 1980 section 25 to create a public bridleway over part of Public Footpath 1650 and Public Footpath 1651; and,
- d) to take reasonable steps to implement the proposals.

## **1 Introduction and General Location (see [Location Plan 01671](#))**

- 1.1 Christ's Hospital School is an independent, charitable School founded by King Edward VI in 1552. The School relocated from sites in Newgate, London and Hertford to its current location south-west of Horsham in 1902.
- 1.2 Christ's Hospital Foundation has made an application to divert a section of public bridleway 1642 and extinguish a section of public footpath 1650 currently running through the School grounds. The School is concerned that continued public use of these paths present it with security and safety problems. It has recorded a number of incidents arising from use of the paths that have caused a danger or have been threatening or intimidating to staff and pupils as shown at Appendix 1.

- 1.3 Public Bridleway 1642 runs east from the Downs Link bridleway, which runs along the former railway line, through the School grounds and between playing fields to Two Mile Ash Road. Part of Public Footpath 1650 runs south from bridleway 1642 on the western edge of playing fields to its junction with footpath 1651.

## **2 Background**

- 2.1 Christ's Hospital School has 870 pupils on its roll of boys and girls aged from 11 to 18 years. A high number of pupils are from inner-city, disadvantaged backgrounds; also, many are on the 'at risk' register and some are classified as having special needs. Almost all pupils are boarders resident on the site during term time and the School regards provision of emotional support and pastoral care as a very high priority.
- 2.2 Outside of School terms the School's facilities are used by large numbers of foreign students of similar ages on residential English language courses. The School, therefore, operates for 24 hours a day, seven days a week for most of the year.
- 2.3 In addition, the School has nearly 400 staff and places an equally high priority on their welfare and protection.
- 2.4 An application to divert and extinguish paths on grounds associated with the safety and security of pupils was turned down at the County Council's Public Rights of Way Committee of March 2002. The proposal was similar to that proposed now but significantly differed in proposing a route wholly outside the playing fields and running behind hedges and trees, thereby denying views of the School grounds and buildings. Since that determination, the legislation for diversion and extinguishment of paths on Schools has changed; the relevant tests to be considered are set out in paragraph 5 below.
- 2.5 The School is also aware of its responsibilities under other legislation, some of which has also been revised or created since the previous application. This includes:
- The Health and Safety at Work Act 1974 (with responsibilities towards employees, pupils and visitors);
  - The Children Act 2004, which imposes a need to "safeguard and promote the welfare of children";
  - National Minimum Standards for Boarding Schools (currently dated 1 January 2013), which requires boarding accommodation to be "protected from access by unauthorised persons" and "does not allow members of the public ... substantial and unsupervised access to children, or to boarding accommodation while occupied by children";

- The Education and Skills Act 2008, which places a duty on prescription of standards, amongst other things, for 'the welfare, health and safety of students at independent educational establishments.' These standards are regulated through The Education (Independent School Standards) (England) Regulations 2014 and The Handbook for the Inspection of Schools – The Regulatory Requirements (currently dated January 2015).

### **3 Existing Paths (see [Site Plan 01672](#))**

- 3.1 Public Bridleway 1642 runs east from bridleway 3568 (part of the Downs Link bridleway) to Two Mile Ash Road. It leaves the Downs Link initially on a tarmac surface formerly used as access to Junction Cottages. The bridleway then heads south east between woodland to the south and, separated by post and rail fencing, a playing field to the north; the path has an earth surface that is often poached and puddled during the year. Thereafter it joins a sealed surface used as an access road through the School grounds, heading south then east past outbuildings used by the School's ground staff. This section of the path is lined with trees set back many metres from the path and giving a feeling of openness to path users, and the gaps between them offer views across the playing fields on both sides and of the Victorian and later buildings to the north. When leaving the access road, the bridleway runs on a broken tarmac surface between verges and hedges to meet Two Mile Ash Road.
- 3.2 Public Footpath 1650 runs south from bridleway 1642 on the western edge of playing fields on the tarmac access drive to Stedman's Cottage, which is owned by the School and occupied by its staff. It meets footpath 1651 north of a stile where it turns east to run 70 metres between an existing hedge and woodland. Thereafter it continues east for approximately 90 metres along the southern boundary of the School playing field to a stile, where the footpath turns south.
- 3.3 Public Footpath 1651 leaves the Downs Link approximately 360 metres south of the present route of bridleway 1642. Passing through a stile, the footpath then runs on a grassed northern headland of a pasture field grazed variously by cattle and sheep. There is another existing stile at the exit of the field at the junction with footpath 1650.

### **4 Proposal (see [Site Plan 01672](#))**

- 4.1 The School proposes to divert Public Bridleway 1642 along Public Footpath 1651 and part of Public Footpath 1650, then continuing east on a new route for approximately 685 metres to be created on the southern and eastern edges of the School playing field to re-join the

current route of bridleway 1642 approximately 100 metres west of Two Mile Ash Road.

- 4.2 A section of Public Footpath 1650 running south of the existing route of Public Bridleway 1642 for approximately 180 metres will, in addition to becoming a cul-de-sac if Public Bridleway 1642 is diverted as proposed, permit the public access within the perimeter the School is proposing to create. This length is therefore proposed to be extinguished.
- 4.3 To provide for future bridleway users the existing stiles on footpath 1651 would be removed and replaced with gaps. The new bridleway would be separated from the grazing field and the playing field by the installation of a post and rail fence; a Hornbeam hedge would also be provided along the section bounding the School playing fields. Both the fence and hedge will have a height of 1.2 metres to allow continued views of the grounds and School buildings. A stoned surface of 3 metres width bounded on each side by a 0.5 metres grass verge will be laid to provide a convenient and year-round usable surface for bridleway users.
- 4.4 Where footpath 1650 runs south from the proposed new bridleway route, the School has agreed to replace an existing stile with a kissing gate to improve accessibility for walkers.

## 5 **The Legal Tests**

- 5.1 The Highways Act 1980, as amended by the Countryside and Rights of Way Act 2000 sections 118B and C(1) and 119B and C(1), makes provision for paths to be extinguished or diverted following application from the proprietor of a School, in order to protect pupils and staff of a School.
- 5.2 There is a two stage process to be followed. It is the responsibility of the County Council to first determine whether the making test is satisfied at which time there is discretion to make an Order and then to move to consideration of the confirmation test.
- 5.3 The tests for extinguishment and diversion are substantially the same, and must be satisfied before diversion and extinguishment orders can be made. The tests will be considered jointly as below excepting where a specific or particular test is relevant, when this will be specifically referred to. The use of letters, e.g. (A), has been made to help identify and refer to different parts of the various tests.
- 5.4 The Highways Act 1980 section 25 allows for the highway authority to enter into agreements creating new public access rights, such as a public bridleway.

## 5.5 The Tests for the making of diversion and extinguishment Orders

### 5.5.1 **(A) that the paths are a relevant highway which 'crosses land occupied for the purposes of the School'**

A 'relevant highway' is defined as including public footpaths and public bridleways. The sections of bridleway and footpath proposed for diversion and extinguishment respectively are recorded on the definitive map and statement of rights of way as bridleway 1642 and footpath 1650.

Given that they run on land owned by the applicant, Christ's Hospital Foundation, and through playing fields used for the recreation of pupils, the land is occupied for the purposes of the School.

### 5.5.2 **(B) that it is expedient that the paths should be stopped up or diverted 'for the purpose of protecting the pupils or staff from:**

- **violence or the threat of violence;**
- **harassment;**
- **alarm or distress arising from unlawful activity; or,**
- **any other risk to their health or safety arising from such activity'**

The applicant reports that the present routes of the paths have, it is felt, a detrimental impact on the safety of pupils and staff, and the security of the School itself. The paths allow free access through the School campus during school hours and also at night and when the School is closed.

The School has submitted evidence of this concern and has provided details of recorded incidents over recent years of threats to pupils, staff and property; a table is listed in Appendix 1 and includes:

- a man exposing himself to a group of female pupils;
- a man disrupting a clay pigeon shoot for pupils on School grounds, putting himself and others at risk;
- theft of private property from School buildings;
- noise, anti-social behaviour and attempted theft of property by local youths;
- pupils and foreign students being taunted and verbally abused by users of the public rights of way, especially local youths;
- horse manure and dog fouling on the paths or areas of the School grounds adjacent to the paths.

### 5.5.3 **Conclusion on the Making Tests for diversion and extinguishment:**

That part of the making test as outlined in paragraph 5.5.1 – point (A) – is considered to be satisfied for the reasons outlined.

In considering whether the making test as outlined in paragraph 5.5.2 – point (B) – is satisfied, it is noted that the number of incidents recorded by the School since February 2010 may, by some, be considered not compelling. It is, however, evident that incidents of threat to pupils and staff have occurred, also that incidents of theft and anti-social behaviour (including verbal abuse and animal fouling) have occurred. Use of school grounds for exercising dogs causes health and safety concerns due to excrement on recreation areas. Broken glass and other hazardous litter present a further health and safety danger to pupils. It is though possible that the disruption of a clay pigeon shoot could have been avoided by different management of the event.

This said, the threshold applied to the expediency test for the making of an order is the civil standard of proof, namely the balance of probabilities. Evidence has been provided that pupils or staff are endangered or have reason to feel a threat of violence, even if an act of violence has not occurred, and it is reasonable to conclude that these risks, reasonably, will be present in future. It is therefore considered that the part of the making test outlined in paragraph 5.3.2 – point (B) – is satisfied.

### 5.6 **The Tests for the confirmation of special diversion and special extinguishment Orders**

5.6.1 To confirm an Order, the highway authority must be satisfied it is expedient to do so having regard to all the circumstances and in particular to the following:

#### 5.6.2 **(C) ‘any other measures that have been or could be taken for improving or maintaining the security of the School’**

The School acknowledges it is impractical to supervise every pupil closely for 24 hours a day and has adopted a risk-based approach to pupil safeguarding, with appropriate controls put in place depending on the degree of risk. It has a Safeguarding, Welfare and Child Protection Policy, which is monitored and reviewed each term by a Safeguarding Monitoring Group comprising of senior managers. The following controls have been developed and implemented for the safeguarding of pupils and the security of the School:

- all pupils are briefed regularly and given clear guidelines on what action they should take if they feel threatened, or are approached by members of the public;
- various areas of the School grounds are designated as out of bounds to pupils at certain times. In particular this includes a number of wooded areas adjacent to the public rights of way;
- all staff are expected to be vigilant when in areas crossed by the public rights of way and to monitor the movements of members of the public, challenging and/or reporting any who appear to be straying from the paths onto the School's private property or who are behaving in an inappropriate or suspicious fashion;
- Grounds Maintenance staff are specially briefed to be vigilant as their tasks often mean they are working in the more remote areas of the School site;
- the School has security personnel on site 24 hours per day, and security personnel patrol the areas crossed by rights of way on an hourly basis during the night;
- additional outside lighting has been installed in a number of areas, although; and,
- key buildings and entrance points are covered by CCTV cameras.

The School has considered whether it can extend the above measures to further protect pupils and staff from endangerment. It considers it is not possible or reasonable, due to the size of the site and its rural location, to cover the entire site including the more remote locations with additional lighting and CCTV coverage. The School has considered installing fencing and gates along the northern boundary of the existing bridleway route. However, it considers these measures would be unreasonable and impractical to implement, and would also diminish the resources available to pupils and staff and their enjoyment of the School grounds. In conclusion therefore it is felt that the school has properly considered any other measures that have been or could be taken for improving or maintaining the security of the School and that this part of the confirmation test is therefore met.

#### 5.6.3 (D) **'whether it is likely that the coming into operation of the order will result in a substantial improvement in that security'**

The School contend that the present paths through the campus prevent more effective security being put in place. The School accepts it has no right to challenge members of the public who may access along either path, but it is concerned that the existing paths, being open, give unimpeded opportunity to trespass elsewhere on the campus.

In the event the proposals are implemented, the School believes the installation of appropriate hedges and fencing will prevent members of the public from straying accidentally or deliberately from the rights of



way, so improving pupils, staff and the School's security. Should any person cross this barrier they would be easily identifiable, so enabling them to be challenged earlier and reducing the potential for threats of violence or harassment of pupils or staff. The problem of general trespass, dog fouling, noise and harassment, and the resultant risk to pupils' health and safety, will be effectively controlled if the site is made secure. Access to the grounds using the existing access points of the routes proposed for diversion and extinguishment will be blocked to deny access to the public.

In the circumstances, it is felt likely that the coming into operation of the order will result in a substantial improvement in School security and that this part of the confirmation test is therefore met

5.6.4 The remaining confirmation tests for diversion and extinguishment differ and are set out as below and are also considered to be met.

5.6.5 Additional tests for confirmation of a diversion Order:

**(E) 'the effect which the coming into operation of the order would have as respects land served by the existing public right of way'**

It is not anticipated that other land served by the existing bridleway will be affected by the diversion.

**(F) 'the effect which any new public right of way created by the order would have as respects the land over which the right is so created and any land held with it'**

The applicant owns all the land concerned and is proposing to accommodate existing bridleway users by dedicating bridleway rights over two lengths of public footpath.

5.6.6 Additional tests for confirmation of an extinguishment Order:

**(G) 'the availability of a reasonably convenient alternative route or, if no reasonably convenient alternative route is available, whether it would be reasonably practicable to divert the highway under section 119B below rather than stopping it up'**

To avoid extinguishment by means of diversion, it is not considered there is a reasonable alternative to propose.

5.6.7 **(H) 'the effect which the extinguishment would have as respects land served by the highway'**

The applicant owns all the land concerned, including Stedman's Cottage and the grazing field south of the playing fields.

- 5.6.8 The additional tests to confirm an Order for both diversion and extinguishment, referred to in (E), (F), (G) and (H) above, must also have regard to liability for compensation. Compensation is not considered to arise under this proposal given the applicant owns all the land concerned and is willingly making the proposal.
- 5.6.9 Conclusion on the Confirmation Tests for diversion and extinguishment:

In considering the test outlined in paragraph 5.6.2 – point (C) – the School has demonstrated it has considered 'other measures that have been or could be taken for improving or maintaining the security of the School'. It is noted that Sussex Police has not suggested further additional measures in its consultation response (see paragraph 6.2).

As to whether the proposal 'will result in the substantial improvement' of security for pupils and staff – paragraph 5.6.3 and point (D) – the School states it can not further improve security whilst the existing routes of public paths are available. It has concluded improvement can only be gained by diversion and extinguishment of the current routes. The response by Sussex Police is silent in this respect but weight can be inferred in support of the School's statement as Sussex Police support the proposal and have not suggested alternative or additional measures. On issues of public trespass, dog fouling, noise and harassment, and the resultant risk to pupils' health and safety, it is considered the proposal will introduce effective control and so be of substantial improvement to pupils, staff and the School generally.

The tests outlined in paragraph 5.6.5 – points (E) and (F) – paragraph 5.6.6 – point (G) – and paragraph 5.6.7– point (H) – are considered to be satisfied for the reasons outlined.

In summary, it is concluded that the Confirmation Tests for diversion and extinguishment are satisfied.

## 5.7 The test for creation of public bridleways

- 5.7.1 In addition to proposing to divert and extinguish parts of public rights of way, the applicant proposes, in order to maintain bridleway continuity, to dedicate bridleway rights on lengths of existing public footpaths by means of a public path creation agreement under the Highways Act 1980 section 25. The County Council is able to enter into an agreement with any party subject to being satisfied that that party has the necessary power to dedicate; the County Council is

satisfied that the applicant is owner of the land crossed by the various paths.

## **6. Consultations**

- 6.1 The County Council has consulted with the relevant local councils, amenity societies and the Sussex Police Crime Prevention Design Adviser.
- 6.2 The Sussex Police Crime Prevention Design Adviser supports the proposal from a crime prevention perspective. He agrees with the applicant that installing new fencing and hedging, together with appropriate signage, will make a clear demarcation between the public path and private property. He also reminds the applicant of the need to maintain all existing security measures in the event the proposal is successful.
- 6.3 Horsham District Council has raised objection to the proposal as it is concerned that the proposal is unjustified and may have a detrimental impact on enjoyment of the paths as presently available. It is also concerned that the introduction of fencing and hedging as proposed will be a loss within the rural landscape. Horsham District Council has expressed interest to know what other measures the School has 'considered, and rejected, as a means to either remove or mitigate the perceived security and safety problems'. It also suggested that more substantiating evidence is needed regarding the logged security incidents.
- 6.4 Southwater Parish Council has responded to raise an objection to the application. The Parish Council explains that it is responding on behalf of local residents, however the grounds for the objection raised have not been provided.
- 6.5 The Ramblers has not raised objection to the proposal but did note that the proposal will not stop someone who is determined to carry out some of the more serious incidents mentioned.
- 6.6 The British Horse Society does not object to the proposal and supports the widening to 4m and stone surfacing east of footpath 1651 to provide a comfortable year-round usable route for all, as is enjoyed at present on the bridleway. The Society does, however, request the section of footpath 1651 to be up-graded to Public Bridleway status be similarly surfaced and fenced, which would separate future path users from grazing animals.
- 6.7 In addition a number of objections have been received from individual members of the public. Objections have cited the following reasons:

- i. not being aware of any crime incidents themselves
- ii. a change to the start / finish point with the Downs Link
- iii. doubt that the proposal will result in a 'substantial' improvement in security as required by the legal test
- iv. walkers would be herded along a narrow passageway between a hedge and/or fence on each side with no views for children
- v. parts of the new route will 'inevitably' become muddy in winter when churned up by horses
- vi. the alleged dangers to children are over-stated
- vii. the incidents involving a "single white male", theft of bicycles and others could have happened even had the proposed changes been in place
- viii. whilst accepting the School cannot have total control over all its pupils, it is suggested that litter including glass can be left by pupils, and that thefts from the tennis pavilion could have been carried out by pupils themselves.

6.8 A number of the objections raised, such as diminishment of views, amenity or enjoyment of the paths, are not relevant to the legal tests that must be considered with this application. Comments too about the future path surfacing can be given no weight regarding the legal tests, however, in the event the proposal is successful, will be addressed in the specification eventually agreed between the School and the County Council. In the event that Orders are made and objections are received, the Orders would be unable to be confirmed by the County Council and, if the applicant wished, be submitted to the Secretary of State to decide on confirmation.

## **7 Rights of Way Improvement Plan considerations**

7.1 The proposal has been examined in the context of the Rights of Way Improvement Plan (ROWIP) and is considered to meet ROWIP objectives such as designing to minimise conflict, providing a year-round usable path surface for all, and reducing the number of stiles.

## **8 The Equality Act 2010 and Equality Impact Report**

16.1 The Committee should be aware that the Equality Act 2010 bans unfair treatment, and seeks equal opportunities in the workplace and in wider society. It also introduced a Public Sector Equality Duty (PSED). The PSED requires us to have due regard in all decision making processes to the need to:

a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;

b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and

- c) Foster good relations between those who share a relevant characteristic and those that do not share it.
- 16.2 The relevant protected characteristics are age, disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 16.3 No relevant impact upon any of the protected characteristics in the Equality Act 2010 emerged during the consideration of this application.

## **9 Crime and Disorder Act 1998 – Implications**

- 9.1 The Sussex Police Crime Prevention Design Adviser has been consulted (see paragraph 6.2).

## **10 Human Rights Act 1998 – Implications**

- 10.1 It is unlawful for a public authority to act in any way which is incompatible with a convention right. The rights which should be considered are rights pursuant to Article 8, Article 1 Protocol 1, and Article 6.
- 10.2 Article 8 protects the right to respect for private and family life including an individual's home. This is a qualified right and there may be interference by a public authority if that authority does so with an intention of protecting the right and freedom of others.
- 10.3 Article 1, Protocol 1 deals with the protection of property. Again this is a qualified right and interference of it may take place where it is in the public's interest to do so subject to the conditions provided by law. Any interference, however, must be proportionate. The main body of the report identifies the extent to which there is interference with these rights and whether the interference is proportionate.
- 10.4 The Committee should be aware of Article 6, the focus of which (for the purpose of this report) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for rights of way matters, the decision making process as a whole, which includes the right of review by the High Court, complies with Article 6.

## **11 Costs and Works**

- 11.1 The School has agreed to undertake a programme of works to provide the routes for public enjoyment at its expense and to the satisfaction of the County Council. It has also agreed to bear the County Council's costs for any change to signage. The applicant is required to pay the administration charges and advertising costs associated with the making of the Orders.

**Nicola Debnam**  
**Director of Highways and Transport**

### **No Background Papers**

Appendix – Christ's Hospital School Historic Incidents Log

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## Appendix

### Christ's Hospital School Historic Incidents Log

APPROX DATE AND TIME OF INCIDENT	LOCATION IN RELATION TO SCHOOL BUILDINGS	PERSONS/ANIMALS INVOLVED (NUMBERS, APPROX AGE, ANY DETAILS)	LEVEL OF RISK/IMPACT ON THE PUPILS	COMMENT
7 Feb 2010, around 12.00 midday	Big Side, close to cricket pavilion	Single white male, aged about 45, accompanied by Labrador dog	High – the man concerned was reported to be exposing himself in front of a group of female pupils, causing alarm and distress	Police attended and escorted the man off site. Incident Number 677/07/02/2010
Jun 2012, morning	Big Side, not far from the footpath	Single white male	Medium – the man was being abusive and threatening violence towards pupils in the area	Left the site when challenged by Security
Summer 2012, weekday afternoon	Big Side	Single white male	High – the man concerned was seen to leave the footpath and he then approached 2 x staff instructors and a group of pupils who were clay pigeon shooting. He was extremely abusive, using foul language, and he posed a serious risk to the safety of the event	After a brief argument with one of the instructors, the man returned to the footpath and left the site

27 Sep 2014, 22.45	Between Barnes and Lamb boarding houses	About 10 x 16-21 year olds, white males and one or two females	High – the persons concerned were observed smoking, drinking and attempting to steal several bicycles belonging to pupils and staff	Left when challenged by 3 senior pupils; followed up by Deputy Head. Incident reported to Police. Incident Number 1747270914
8 Mar 2014, between 15.15 and 15.45	Tennis Pavilion changing rooms	Various items were stolen from the Away Team changing rooms by person(s) unknown. Relevant CCTV footage passed to Police	High – a number of items of personal property including mobile phones etc. were stolen, the property of pupils from Kings School, Canterbury	Incident reported to Police. Several witnesses were able to give a description of a 'middle-aged man with grey hair' seen acting suspiciously
29 Nov 2014, between 13.30 and 14.00	Tennis Pavilion changing rooms	Various items were stolen from the Away Team changing rooms by person(s) unknown. Relevant CCTV footage passed to Police	High – a number of items including mobile phones and iPads, etc. were stolen, the property of pupils from Hurstpierpoint College	Incident reported to Police – some CCTV coverage of an individual seen in the area may be relevant. Several witnesses were able to give a description of a white male seen acting suspiciously
Various dates (regularly)	Big Side	Horse riders regularly use the sports pitches alongside the bridleway to gallop on	Medium – damage to the grass continually needs to be repaired as any unevenness could cause injury to pupils and staff	No reported incidents of horses galloping while pupils are actually present in the area (which would raise risk to "high")



Various dates (regularly)	Big Side	Horses and dogs regularly foul on grass pitches alongside the bridleway	High – risk of a variety of diseases if pupils or staff come into contact with excrement. Unpleasant for Grounds staff to clean up	
Various dates (occasionally)	Along entirety of bridleway	Several instances have been reported of dogs attacking and killing wildlife (e.g. deer)	Medium – distressing and potentially traumatic experience for pupils or staff who may witness violent attack on wildlife	
Various dates (regularly)	Along entirety of bridleway	Litter dropped by users of the paths. As well as being unsightly, some presents health and/or safety risks	Medium – Grounds staff regularly have to deal with a variety of items including broken bottles which could cause significant injuries to pupils and staff, especially if they are found on sports pitches	
Various dates (regularly)	Big Side – all areas	Dog walkers (members of the public) are regularly found to have strayed from the path	Medium – potential child protection issues and some pupils and staff become distressed in the presence of animals, particularly dogs. Risk of dog attacking pupil or member of staff	Dog walkers who stray from the rights of way are challenged regularly by staff and they usually return to authorised routes with no objection. However, many are “repeat offenders”