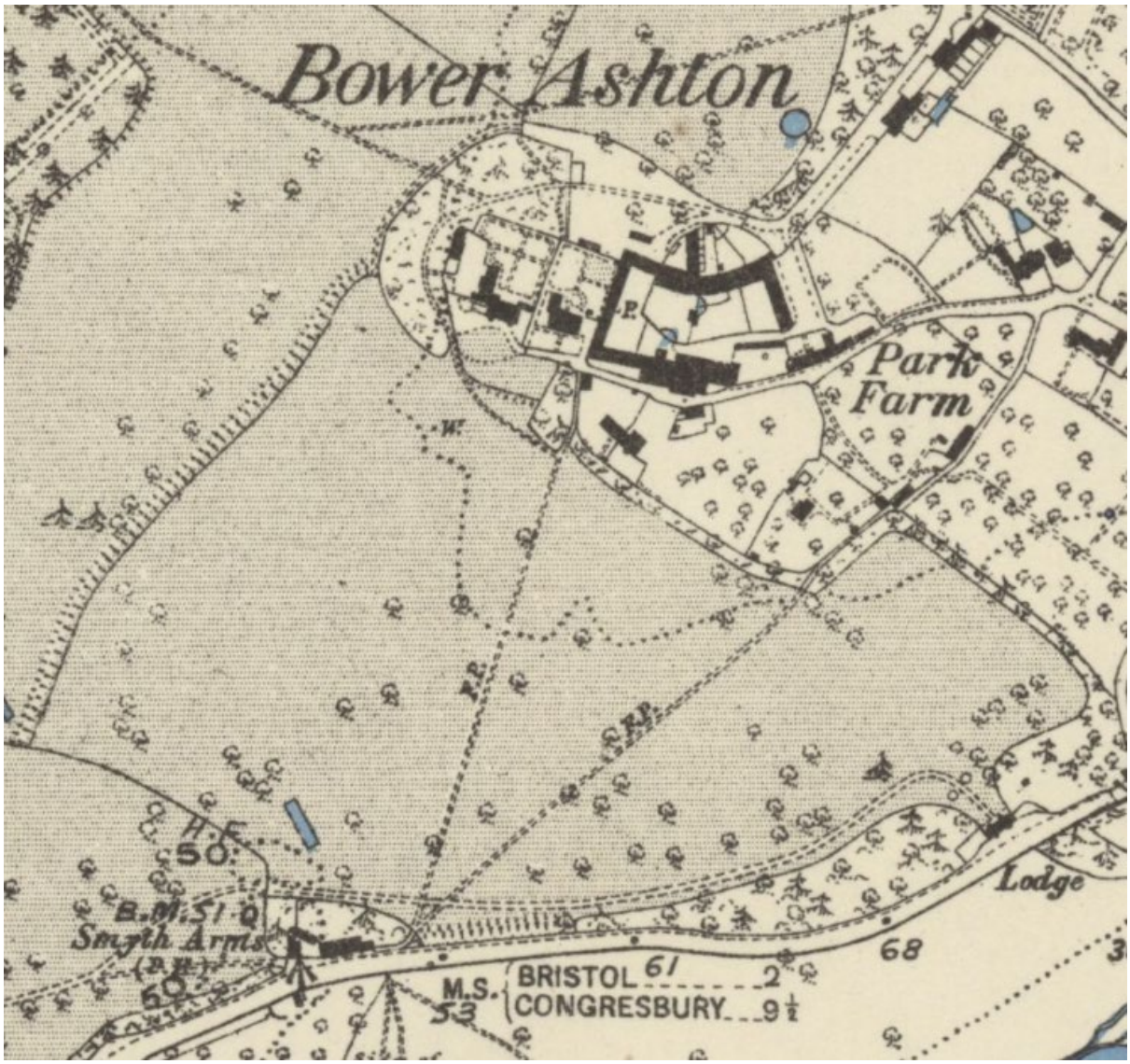
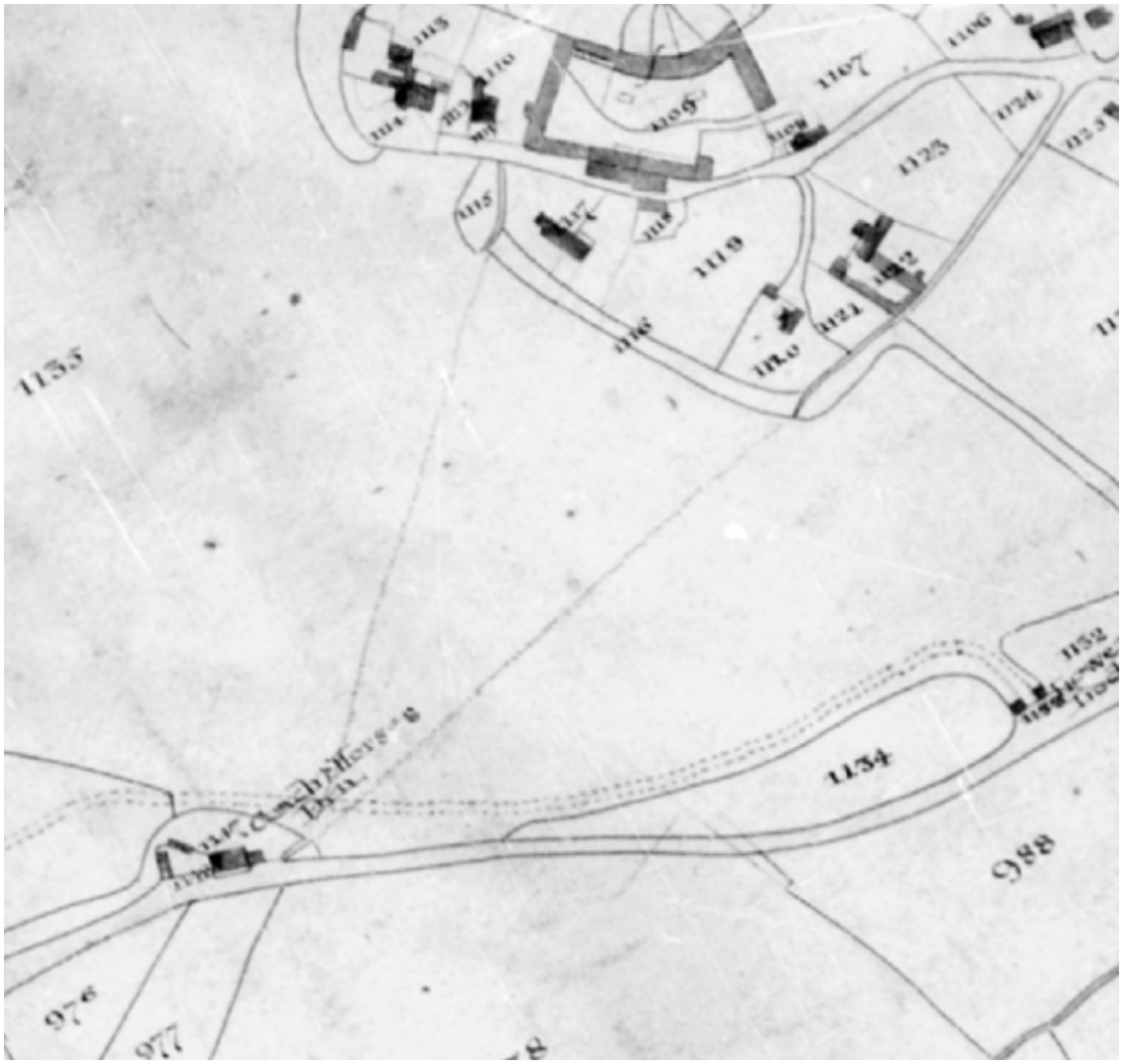
**Note to Address the assertion in Appendix 4 to the Proof of Helen Powell "Examples of PROW across other Schools"**

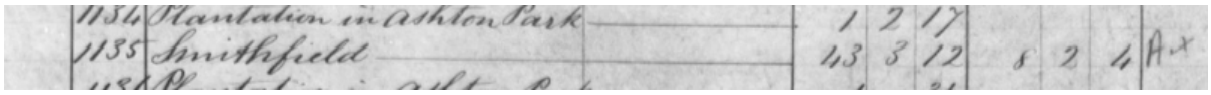
**Ashton Park School Bristol**

The footpath is mapped (with others) on the 1887 6 inch OS map and there is no evidence of the land being set out as sports pitches at that time:




It also appears as a feature on the 1842 Tithe Map crossing Apportionment No 1135 which is pasture land owned by Sir John Smyth Baronet:

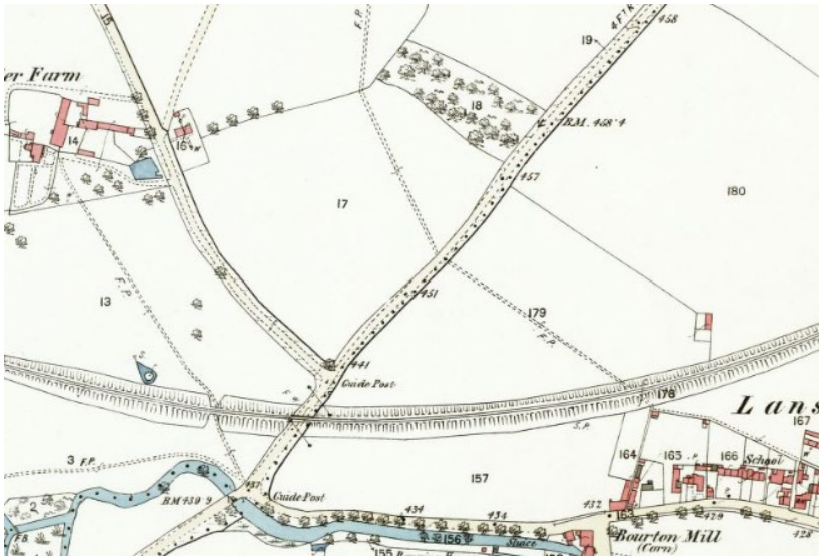



Conclusion – this is an ancient path predating the laying out of sports pitches by the School.

**Cotswolds School Bourton-on-the Water.**

The path is shown to have existed on the 1884 OS Map crossing a field with no evidence of the School at that date:

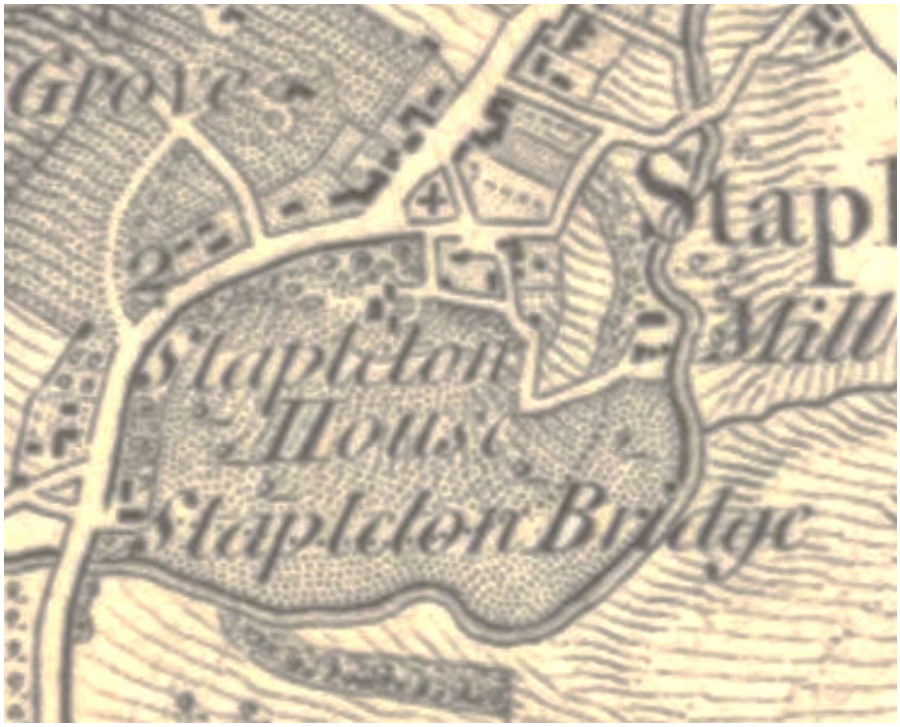



Conclusion – this is an ancient path predating the laying out of sports pitches by the School.

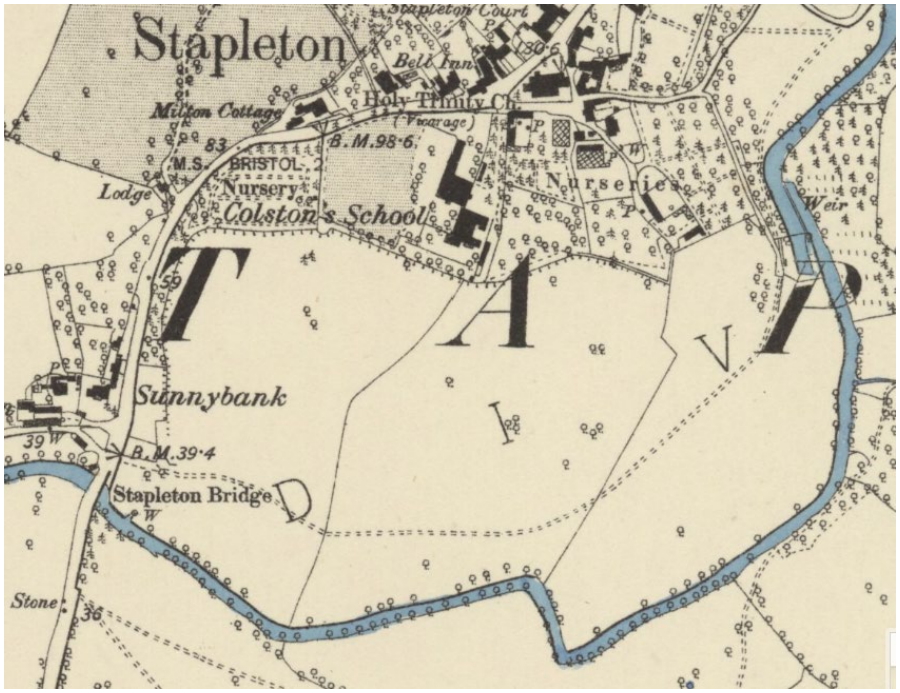
**The Collegiate School, Stapleton**

Moved to its site in 1861 (from School's website)

A route matching the footpath appears on the 1830 1 inch OS Map (running through the word "Stapleton" for identification):



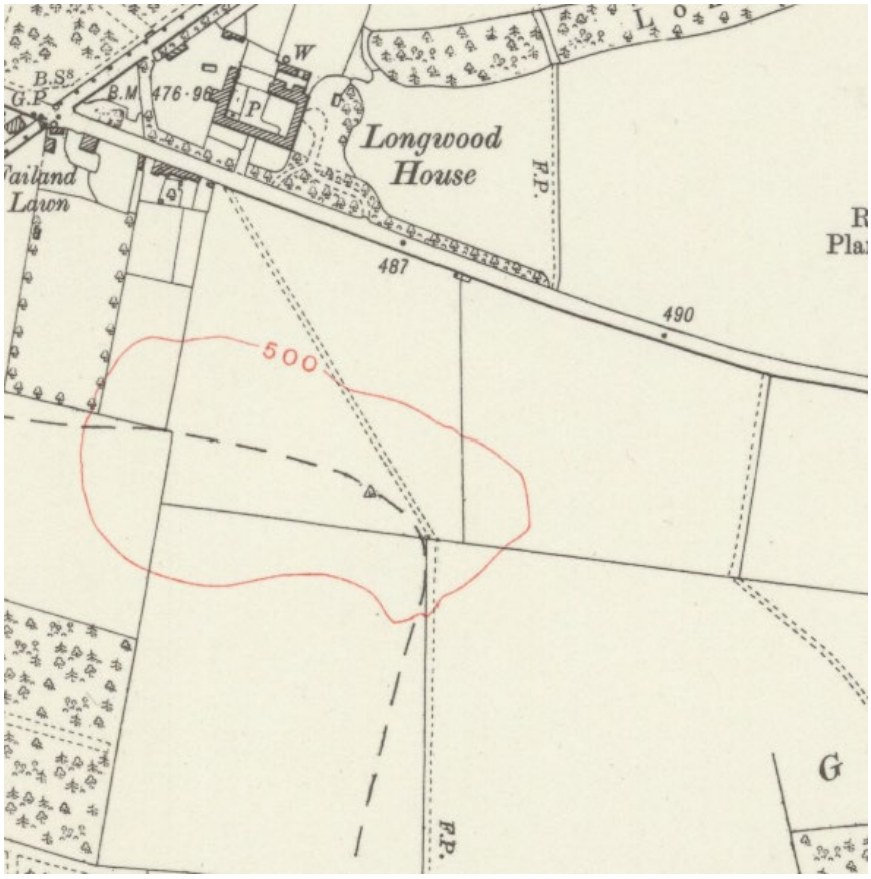

It appears on the 1887 6 inch OS Map and no sports pitches are shown:




Conclusion – this is an ancient path predating the laying out of sports pitches by the School.

**Queen Elizabeth Hospital (QEH) School Sports Ground Failand**

A footpath on a diagonal alignment is shown on the 1932 6 inch OS map. There is no evidence of any sports pitches shown on that plan:

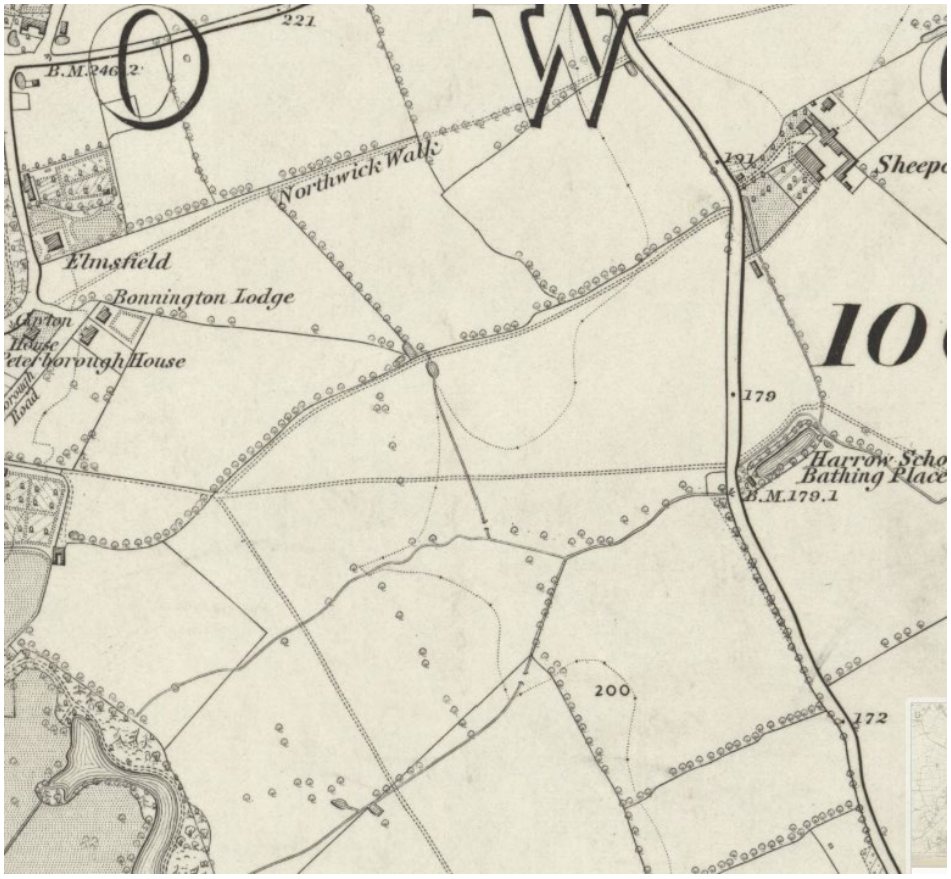



The current alignment following the historic field boundaries suggests that the path has been diverted to accommodate the use of the land for sporting activities.

Conclusion – the original path pre-existed the use of the land for sports pitches by the School and was diverted to accommodate that use.

**Harrow School Footpaths**

The 1868 6 inch OS Map shows these paths existed before the laying out of any sporting pitches:




These paths have been in issue for many years. Attempts by the School to divert them and provide alternatives which do not cross sports pitches have failed. In 2017 the Inspector appointed to determine diversion and creation orders agreed that it was in the interests of the School that the paths be realigned. Although no evidence was called to show the footpaths are historic, the Inspector noted that one at least was recorded as a feature in 1868, and it was argued by the Open Spaces Society that the routes were ancient and diversion would result in a loss of historic continuity. The Inspector regarded this loss as significant so that she would not confirm the orders for diversion.

This decision also serves to illustrate that even if diverting a path is possible under Highways Act 1980, being in the interests of the School, it does not follow that a diversion will succeed.

Conclusion – the Harrow School paths are ancient paths which came into existence before the land was used for sporting activities by the School.

Michael Wood LLB AIPROW

ET Landnet Ltd

23 September 2026.


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PRIVATE
School Grounds
Trespassing or causing a
nuisance on this site will lead
to prosecution under
The Education Act 1996

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Cotham School, Cotham Lawn Road,
Bristol, BS6 6DT
Headteacher: Ms Jo Butler
t: 0117 919 8000
e: info@cotham.bristol.sch.uk
www.cotham.bristol.sch.uk

**Statement regarding the impact of the Proposed Public Rights of Way at Stoke Lodge Playing Field on School PE Provision**

I am providing this statement in support of the school's position regarding the proposed Public Rights of Way across the school's playing field.

If the alleged Public Rights of Way were to be granted and established at a width of 2 metres, and the school were required to fence the remaining areas outside those rights of way, the resulting layout would leave the school with six separate triangular sections of land.

These areas have been measured and considered in relation to their suitability for use as educational sports facilities. In practical terms, none of the six remaining triangular areas would provide a sufficiently suitable or usable space for the effective teaching of PE to our students.

The school provides a broad PE curriculum which includes football, rugby, lacrosse, rounders, cricket and athletics. These activities require appropriately sized and configured areas of playing surface, together with sufficient space for students to participate safely and for teachers to organise and supervise lessons effectively. A number of these activities also require specific pitch dimensions, markings and layouts.

Athletics presents a particular difficulty because it requires a suitable area in which to establish and maintain appropriate running lanes and, where applicable, a running track. The fragmented triangular areas that would remain following the proposed rights of way would not allow these facilities to be established in a practical or effective manner.

Similarly, sports such as football, rugby, lacrosse, rounders and cricket require areas of sufficient size and shape to allow students to participate in the activities as intended. The proposed division of the playing field would significantly restrict the school's ability to mark out and use appropriate playing areas. It would also create a number of smaller, irregularly shaped spaces which, although they may constitute areas of land, would not function as effective sports pitches or teaching areas.

The issue is therefore not simply the amount of land that would remain available to the school. The configuration, shape and continuity of the remaining land are equally important. Six separate triangular areas cannot reasonably be treated as an equivalent replacement for one suitably configured playing field. The ability to use the field as a coherent area is essential to the delivery of the school's PE curriculum.

Cotham School, Cotham Lawn Road,
Bristol, BS6 6DT
Headteacher: Ms Jo Butler
t: 0117 919 8000
e: info@cotham.bristol.sch.uk
www.cotham.bristol.sch.uk

In addition to the practical requirements of individual sports, the school must be able to provide a safe environment in which students can participate in physical activity. The proposed rights of way and resulting fencing would divide the available playing area and introduce physical restrictions that would make it considerably more difficult to organise lessons, supervise students and use the available space efficiently.

In my professional view, the proposed Public Rights of Way would therefore have a material adverse effect on the school's ability to use its playing field for educational purposes. The issue is not merely one of inconvenience or reduced flexibility; the proposed arrangement would substantially reduce the school's ability to provide suitable areas for the teaching of a number of sports that form part of its PE curriculum.

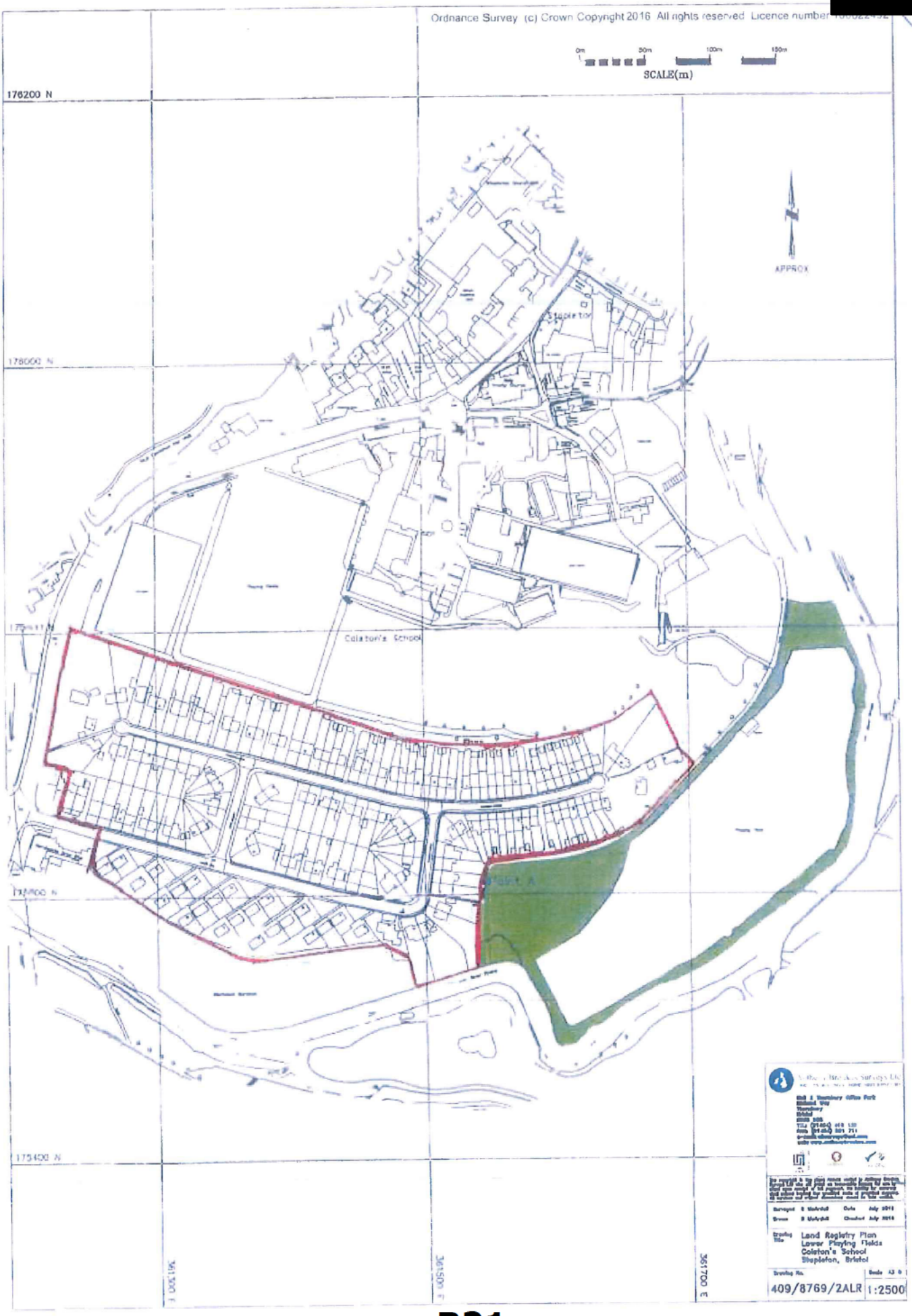
For these reasons, I consider it important that the impact of the proposed rights of way is assessed not only by reference to the total area of land remaining, but also by considering whether that land is realistically capable of being used for the educational and sporting purposes for which the playing field is required.

Joshua Moody
PE Faculty Leader
24 September 2026

Cotham School: a charitable company limited by guarantee.
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Exhibit 1

[redacted]




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